

16 April 2021

Dear Mr May PSM,

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 21 April 2021** commencing at **3.30pm**.

Yours faithfully

Les McMahon

**Acting General Manager**

## Business

**1. OPENING OF THE MEETING**

**2. ACKNOWLEDGEMENT OF COUNTRY**

**3. PRAYER**

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Nil

**5. ADOPTION OF MINUTES OF PREVIOUS MEETING**

Ordinary Meeting of Council held on 24 March 2021

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Nil

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Nil

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Nil

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Nil

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Resumption of Open Council

Adoption of Closed Session

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## 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

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## **Council Chambers**

### **Recording and Webcasting of Ordinary and Extraordinary Meetings of Council**

This meeting is being recorded and webcast via Council's website and a person's image and/or voice may be publicly broadcast. Attendance at the meeting is to be taken as consent by a person to their image and/or voice being webcast. Any part of the meeting that is held in closed session will not be webcast.

Council requests that everyone in attendance is respectful and uses appropriate language. All speakers should refrain from making any defamatory, discriminatory or offensive comments or releasing any personal information about another individual without their consent. Council accepts no liability for any damage that may result from defamatory, discriminatory or offensive comments made by persons attending meetings – all liability will rest with the individual who made the comments.

Individuals acting in a disorderly manner can be asked by the Chairperson to leave the meeting under the Council's Code of Meeting Practice.

The recording will be available for viewing on the internet for 12 months and retained as a Council record. The recording is subject to copyright.

The meeting must not be recorded by others without the prior written consent of Council in accordance with Council's Code of Meeting Practice.

Please ensure that all electronic devices including mobile phones are switched to silent.

**The Council Chamber has 24 Hour Video Surveillance.**

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## **ACKNOWLEDGEMENT OF COUNTRY**

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“Wingecarribee Shire Council acknowledge the Gundungurra and Tharawal people as the traditional custodians of this land we now call the Wingecarribee Shire. I pay my respect to Elders both past, present and emerging. I would also like to extend that respect to all Aboriginal and Torres Straight Islanders present here today.”

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## **APOLOGIES**

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Nil at time of print.

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## **DECLARATIONS OF INTEREST**

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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.

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## 10 OPERATIONS FINANCE AND RISK

### 10.1 Tender for the Supply of Bulk Materials

Report Author:	Coordinator Procurement and Fleet
Authoriser:	Acting Deputy General Manager Operations Finance and Risk
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

The purpose of this report is to present the evaluation of the Request for Tender for the Supply of Bulk Materials.

#### RECOMMENDATION

**THAT** Council accepts the entire tender 6330/20.29 Supply of Bulk Materials and listed tenderers to form a panel arrangement for the period of two (2) years with options to extend for a further two (2) times one (1) years.

<i><b>Tenderer Name</b></i>
1. Bedrock Quarry Products Pty Ltd
2. Benedict Pty Ltd
3. Boral Resources (NSW) Pty Limited
4. Bundanoon Sandstone Quarry Pty Ltd
5. Buttai Gravel Pty Ltd
6. Cleary Bros (Bombo) Pty Ltd
7. Coopers Earthmoving & Haulage Pty Ltd
8. Gunlake Quarries NSW Pty Ltd
9. Highlands Sand & Soil Pty Ltd
10. Liloach Pty Ltd
11. NGIL Australia Pty Ltd
12. Oberon Quarries Pty Ltd
13. Soilco Pty Ltd
14. Zivil Earthmoving

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### REPORT ACTING DEPUTY GENERAL MANAGER OPERATIONS FINANCE AND RISK



## REPORT

### **BACKGROUND**

Council undertook an open and competitive tender process to engage appropriately qualified and experienced contractors for the supply of bulk materials to support the delivery of Council's capital works projects and maintenance programs.

The tender invited contractors to select and submit rates for a list of bulk material products.

Description	
1.	DGB20
2.	DGS20
3.	DGS40
4.	7mm Half Precoated Aggregate
5.	7mm double washed and dry aggregate
6.	5mm Aggregate
7.	10mm Aggregate
8.	14mm Aggregate
9.	20mm Aggregate
10.	Gabion Rock
11.	20mm road base
12.	40mm road base
13.	Recycled concrete road base
14.	Decomposed Granite
15.	Crusher Dust
16.	Washed Sand
17.	90/10 Top Dressing Sand with 20% Fowl Manure mix
18.	90/10 Top Dress Sand
19.	80/20 Top Dress Sand
20.	Fill Sand
21.	General Purpose Soil
22.	Premium Garden Mix
23.	Pine Bark Soft Fall
24.	Chicken Manure/Organic Fertiliser

Contractors had the option to provide delivery options of both Ex-bin and Free-Into-Store rates.

### **REPORT**

Council sought tenders for suitable and qualified contractors to provide a schedule of rates tender for the provision of materials as detailed in the tender documents.

In accordance with the *Local Government Act 1993* part 3, section 55(3)(n), Council is required to invite tenders where estimated expenditure is greater than \$250,000 (GST inclusive).

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The contract will be for a period of two (2) years plus two (2) times one (1) year extensions; which is to be exercised at Council's discretion and based on the performance and competitiveness of the panel.

### **ADVERTISING**

The tender advertising period was from 24 November 2020 to 15 December 2020 (21 days). The tender was advertised as follows:

<b>Newspaper / Website</b>	<b>Date Advertised</b>
Newspaper – Sydney Morning Herald	24 November 2020
Wingecarribee Shire Council - Community Update	25 November 2020 and 2 December 2020
Council's Website	For the duration of the period
Council's e-Tendering Website	For the duration of the period

### **TENDERS RECEIVED**

A total of fourteen (14) tender submissions were received:

<b>Company Name</b>	<b>Location</b>	<b>Postcode</b>
1. Bedrock Quarry Products Pty Ltd	South Maroota, NSW	2756
2. Benedict Pty Ltd	Belrose, NSW	2085
3. Boral Resources (NSW) Pty Limited	North Ryde, NSW	2113
4. Bundanoon Sandstone Quarry Pty Ltd	Bundanoon, NSW	2578
5. Buttai Gravel Pty Ltd	Bombo, NSW	2533
6. Cleary Bros (Bombo) Pty Ltd	Port Kembla, NSW	2505
7. Coopers Earthmoving & Haulage Pty Ltd	Marulan, NSW	2579
8. Gunlake Quarries NSW Pty Ltd	Marulan, NSW	2579
9. Highlands Sand & Soil Pty Ltd	Braemar, NSW	2575
10. Liloach Pty Ltd	Canyonleigh, NSW	2577
11. NGIL Australia Pty Ltd	Unanderra, NSW	2526
12. Oberon Quarries Pty Ltd	Oberon, NSW	2787
13. Soilco Pty Ltd	Kembla Grange, NSW	2526
14. Zivil Earthmoving	Port Kembla, NSW	2505

### **LATE TENDERS**

No late tenders were received.

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#### **TENDER EVALUATION**

A Procurement Initiation Plan was developed which outlined the pre-determined selection criteria, the criteria weightings, and members of the tender evaluation panel.

Each submission was evaluated against the specified criteria by the tender evaluation panel with a scoring system based from 0 to 10 and weighted according to the pre-determined criteria.

#### **SELECTION CRITERIA**

The pre-determined criteria used to evaluate the tender were as follows:

##### **Mandatory Criteria:**

<b>Mandatory Criteria</b>	
Public Liability - \$20 million	
Products Liability Insurance - \$20 million	
Workers Compensation OR [Self Employed] Personal Accident and Illness Insurance or Personal Income Protection	
Comprehensive Motor Vehicle Insurance	
NATA Compliance Accreditation	

Tenderers were required to meet the mandatory criteria to be eligible to be shortlisted and progress any further in the evaluation process.

##### **Non-Cost Selection Criteria & Weighting:**

<b>Selection Criteria</b>	<b>Sub-Criteria</b>	<b>Weighting</b>
Community, Sustainable & Social	Local Procurement	10%
Capability & Experience	Experience - Relevant	15%
Specifications, Service & Support, Fit for Purpose	Specifications & Fit for Purpose	10%
Quality Assurance & Innovation	Quality Assurance	5%
Work Health and Safety, Environment & Sustainability	Work Health & Safety	10%
	National Heavy Vehicle Law – Chain of Responsibility	5%
<b>Total</b>		<b>55%</b>

##### **Summary of Selection Criteria & Weighting:**

<b>Criteria</b>	<b>Weighting</b>
Total Non-Cost Criteria	55%
Total Cost Criteria	45%
<b>Total</b>	<b>100%</b>

#### **NON-COMPLIANT TENDERS**

Upon evaluation, no tender submissions were determined to be non-compliant.

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#### **TENDER EVALUATION RECOMMENDATION**

Due to the extensive list of bulk materials required under the proposed contract, there was no limit on the number of Contractors which could be appointed via the panel arrangement.

All contractors were able to demonstrate consistency of product quality; and reliability of service within the respective bulk materials they selected to tender for.

There were fourteen (14) responses to this tender. Based on its assessment and evaluation of each submission, the evaluation panel recommends that all fourteen (14) contractors are engaged to form a panel arrangement.

Tenderer Name
1. Bedrock Quarry Products Pty Ltd
2. Benedict Pty Ltd
3. Boral Resources (NSW) Pty Limited
4. Bundanoon Sandstone Quarry Pty Ltd
5. Buttai Gravel Pty Ltd
6. Cleary Bros (Bombo) Pty Ltd
7. Coopers Earthmoving & Haulage Pty Ltd
8. Gunlake Quarries NSW Pty Ltd
9. Highlands Sand & Soil Pty Ltd
10. Liloach Pty Ltd
11. NGIL Australia Pty Ltd
12. Oberon Quarries Pty Ltd
13. Soilco Pty Ltd
14. Zivil Earthmoving

#### **CONSULTATION**

##### **Community Engagement**

Tenders are part of a commercial arrangement and therefore no community engagement is required.

##### **Internal Consultation**

Consultation took place between council's procurement area and Infrastructure Services. The consultation included scope, technical requirements and evaluation methodologies. Representatives from Infrastructure Services and Procurement participated on the evaluation panel.

##### **External Consultation**

Prior to the release of tender, Council's procurement area notified Council's current contractors with an email notification of the current Contract expiry and provided information for participating in Council's new tender process for the supply of bulk materials.

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## **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**

This tender has been conducted in accordance with Part 7 of the *Local Government (General) Regulation 2005*.

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## **RELATED COUNCIL POLICY**

Council's Procurement Guidelines have been used to inform the tender process.

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## **CONCLUSION**

The tender was evaluated using a clear and transparent methodology which involved all key stakeholders. It is recommended that Council appoint the list of panel contractors in the formal recommendation presented for adoption.

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## **ATTACHMENTS**

There are no attachments to this report.

## 10.2 Tender for the Acquisition of Emergency Generators - Water Pump Stations

Report Author:	Project Manager
Authoriser:	Acting Deputy General Manager Operations Finance and Risk
Link to Community Strategic Plan:	Manage and plan for future water, sewer and stormwater infrastructure needs

### PURPOSE

The purpose of this report is to present the evaluation of the Request for Tender for the acquisition of emergency generators – water pump stations.

### RECOMMENDATION

**THAT Council accepts the tender from Essential Power Systems Pty Ltd at a Lump Sum price of \$1,566,337.40 (Inclusive of GST) for the acquisition of emergency generators – water pump stations.**

### REPORT

#### **BACKGROUND**

Council undertook an open and competitive tender process from appropriately qualified and experienced contractors for the design, supply and installation of permanent diesel generator backup facilities for the following locations:

- Evans Lane Water Pump Station,
- Oldbury Road Water Pump Station,
- Wingecarribee Water Treatment Plant Raw Water Pump Station, and
- Wingecarribee Water Treatment Plant Clear Water Facility.

#### **REPORT**

Council sought tenders for suitable and qualified contractors to provide a lump sum tender for the scope of works. The full scope of works was detailed in the design drawings and tender documents.

In accordance with the *Local Government Act 1993* part 3, section 55(3)(n), Council is required to invite tenders where estimated expenditure is greater than \$250,000 (GST inclusive).

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#### **ADVERTISING**

The tender advertising period was from the 9 February 2021 to 9 March 2021 (29 days).

The tender was advertised as follows:

Newspaper / Website	Date Advertised
Newspaper – Sydney Morning Herald	9 February 2021
Newspaper – Southern Highlands News	10 and 17 February 2021
Council's Website	For the duration of the period
Council's eTendering Website	For the duration of the period

#### **TENDERS RECEIVED**

A total of four (4) tender submissions were received:

Company Name	Location	Postcode
Essential Power Systems Pty Ltd	Cardiff	2285
FutureBus Pty Ltd	Bankstown	2200
Kenshaw Electrical Pty Ltd	Cardiff	2285
Superior Systems Pty Ltd	Casula	2170

#### **LATE TENDERS**

No late tenders were received.

#### **TENDER EVALUATION**

A Procurement Initiation Plan was developed which outlined the pre-determined selection criteria, the criteria weightings, and members of the tender evaluation panel.

Each submission was evaluated against the specified criteria by the tender evaluation panel with a scoring system based from 0 to 10 and weighted according to the pre-determined criteria.

#### **SELECTION CRITERIA**

The pre-determined criteria used to evaluate the tender were as follows:

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#### Mandatory Criteria:

Criteria
Public Liability - \$20 million
Workers Compensation OR [Self Employed] Personal Accident and Illness Insurance or Personal Income Protection
Professional Indemnity - \$1 million
Motor Vehicle - Comprehensive
Bank Guarantee
Attendance at the Tender Briefing

Tenderers were required to meet the mandatory criteria to be eligible to be shortlisted and progress any further in the evaluation process.

#### Non-Cost Selection Criteria & Weighting:

Criteria	Weighting
Community, Sustainable & Social	10%
Experience – Personnel & Recent Relevant	10%
Capability (including Key Personnel)	7.5%
Methodology	10%
Program of Works	7.5%
Work Health and Safety & Environment	5%
<b>Total</b>	<b>50%</b>

#### Summary of Selection Criteria & Weighting:

Criteria	Weighting
Total Non-Cost Criteria	50%
Total Cost Criteria	50%
<b>Total</b>	<b>100%</b>

#### NON-COMPLIANT TENDERS

Upon evaluation one (1) tender submission was determined to be non-compliant:

Company Name	Reason for Non-Compliance
FutureBus Pty Ltd	Mandatory Item - Did not submit a lump sum price.

## **EVALUATION COMMENTS**

### **COMMENTS ON OVERALL EVALUATION OUTCOME**

All compliant submissions were of a high quality and demonstrated a detailed understanding of the scope of work. All tenderers demonstrated capability and experience in projects of a similar size and scope.

### **COMMENTS ON RECOMMENDED TENDER SUBMISSION**

Essential Power Systems Pty Ltd scored well in all non-price criteria and provided a detailed project specific methodology and program. They also provided evidence of past experience in successfully completing projects of a similar size and nature.

Essential Power Systems Pty Ltd provided a competitive price for the work under the Contract.

The recommendation from the Tender Evaluation Panel is that the contract be awarded to Essential Power Systems Pty Ltd.

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## **CONSULTATION**

### **Community Engagement**

Tenders are part of a commercial arrangement and therefore no community engagement is required.

### **Internal Consultation**

Consultation took place between Council's Water Operations, Procurement and Project Delivery. The consultation included scope, technical requirements and evaluation methodologies.

### **External Consultation**

Tenders are part of a commercial arrangement and therefore no external consultation is required

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## **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.

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### REPORT ACTING DEPUTY GENERAL MANAGER OPERATIONS FINANCE AND RISK



- **Governance**

This tender has been conducted in accordance with Part 7 of the *Local Government (General) Regulation 2005*.

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#### **COUNCIL BUDGET IMPLICATIONS**

Council's 2020/21 Operational Plan and Budget includes an allocation of \$3.876 million for the completion of this project.

The budget allocation is also being utilised for the enabling works including land acquisitions and easements, installation of temporary generator plug-in points and the supply and installation of the associated medium voltage switchgear.

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#### **RELATED COUNCIL POLICY**

Council's Procurement Guidelines have been used to inform the tender process.

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#### **CONCLUSION**

It is recommended that Council accept the tender submitted by Essential Power Systems Pty Ltd. and award the contract to Essential Power Systems Pty Ltd.

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#### **ATTACHMENTS**

There are no attachments to this report.

## 10.3 Easement Acquisition - Moss Vale

Report Author:	Coordinator Property Services
Authoriser:	Acting 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 provide Council with a formal update on the negotiations taken place for the acquisition of an easement for the construction of a water trunk main; and to obtain an updated resolution for the acceptance of valuation.

### RECOMMENDATION

**THAT** Council accepts the independent valuation report obtained by the owner of Lot 22 Deposited Plan 854027 (being 30 Headlam Road Moss Vale) as the amount of compensation payable, the amount being \$27,500 exclusive of GST; for acquisition of an easement for water supply infrastructure.

### REPORT

#### BACKGROUND

At its meeting 14 October 2020, Council provided formal approval to acquire an easement for the purpose of installing a new DN450 Water Trunk Main pipeline between Bowral and Moss Vale over two privately owned properties being:

- Lot 22 in Deposited Plan 854027 being 30 Headlam Road Moss Vale; and
- Lot 23 in Deposited Plan 854027 being 44 Church Road Moss Vale.

An aerial map of the proposed easement is shown in **Attachment 1** to this report.

On 14 October 2020 Council resolved as follows (MN/419/20):

1. *THAT the Acting General Manager be delegated authority to negotiate with the owners of Lot 22 in Deposited Plan 854027 (30 Headlam Road, Moss Vale) and Lot 23 in Deposited Plan 854027 (44 Church Road, Moss Vale) for the acquisition of part of the Land being Lot 22 in Deposited Plan 854027(30 Headlam Road, Moss Vale) and Lot 23 in Deposited Plan 854027 (44 Church Road, Moss Vale) for the purpose of an easement for water trunk main AND THAT compensation be negotiated within 10% range of the formal valuation obtained by Council in respect of the proposed acquisitions.*
2. *THAT if the acquisition referred to in Resolution 1 cannot be negotiated by agreement Council resolves to:*

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- a) *acquire the Land by compulsory acquisition under sections 186 and 187 of the Local Government Act 1993 (NSW) and in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991 (NSW);*
- b) *approve the making of an application to the Minister of Local Government for the issue of a proposed Acquisition Notice under the Land Acquisition (Just Terms Compensation) Act 1991 (NSW) with respect to the Land AND THAT Council request that the Minister for Local Government approve a reduction in the notification period from ninety (90) days to sixty (60) days;*
- c) *approve the making of an application to the Governor for the publication of an Acquisition Notice in the NSW Government Gazette under Land Acquisition (Just Terms Compensation) Act 1991 (NSW) with respect to the Land.*
3. *THAT Council affix the Common Seal of Council to any documents required to be sealed for acquisition of the easement over the land referred to in Resolution 1 above AND THAT authority be delegated to the Mayor and Acting General Manager to execute those documents.*
4. *THAT authority be delegated to the Mayor and Acting General Manager to execute on behalf of Council any documents associated with the acquisition of an easement over the land referred to in Resolution 1 above that does not require the Common Seal of Council.*

## **REPORT**

Following the above resolution, an independent valuation was obtained to assess compensation payable for the easement over Lot 22 in Deposited Plan 854027 (30 Headlam Road, Moss Vale). That valuation assessed compensation at twenty thousand dollars \$20,000 (exclusive of GST).

An offer was made to the property owner in accordance with the terms of the valuation obtained by Council.

Upon receipt of Council's offer, the land owner, following due diligence, obtained his own independent valuation. The land owners valuation has assessed compensation at twenty seven thousand five hundred dollars \$27,500 (exclusive of GST).

Given the substantial overall costs associated with the project, the nominal difference between the valuation amounts, and the delays associated with compulsory acquisition, Council officers recommend acceptance of the land owners valuation as compensation payable for the required easement.

As the current resolution authorises negotiation within a 10% range of formal valuation, this matter is now referred back to Council for an updated resolution to accept the land owners valuation.

## **COMMUNICATION AND CONSULTATION**

### **Community Engagement**

Community consultation is not required. This is an administrative matter between Council as acquiring authority and the owner of the affected property.

### **Internal Communication and Consultation**

Project Delivery

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#### **External Communication and Consultation**

Affected property owner

#### **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**

There are no governance issues in relation to this report.

#### **COUNCIL BUDGET IMPLICATIONS**

Costs associated with the land acquisition will be funded through the capital project budget approved for the construction of the Bowral to Moss Vale Trunk Main Project.

#### **RELATED COUNCIL POLICY**

None identified.

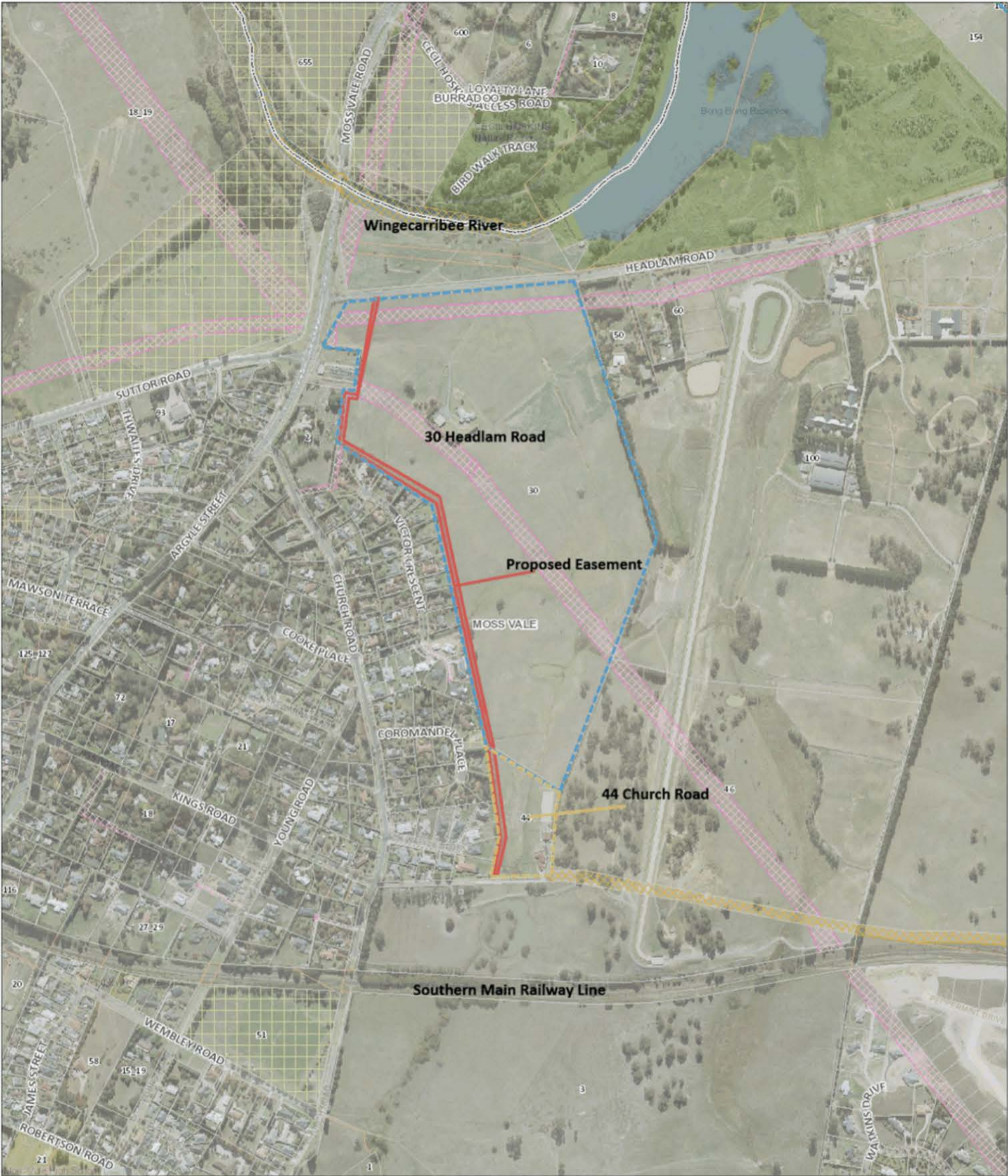
#### **CONCLUSION**

It is recommended that Council accepts the independent valuation report obtained by the owner of Lot 22 Deposited Plan 854027 (being 30 Headlam Road Moss Vale) as the amount of compensation payable, the amount being \$27,500 exclusive of GST; for acquisition of an easement for water supply infrastructure.

#### **ATTACHMENTS**

1. Attachment 1 - aerial map

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Bowral to Moss Vale Trunk Main  
Project

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## 10.4 Proposed Renaming of Eridge Park, Burradoo

Report Author:	Senior Asset Officer Parks and Building
Authoriser:	Acting Deputy General Manager Operations Finance and Risk
Link to Community Strategic Plan:	Open and effective communication methods and technology are utilised to share information about Council plans, intentions, actions and progress

### PURPOSE

The purpose of this report is for Council to formally consider the proposal to rename Eridge Park Sportsfield to the John Fahey AC Memorial Sports Field.

### RECOMMENDATION

**THAT the proposal to rename Eridge Park to the John Fahey AC Sporting Complex be withdrawn on the grounds that:**

1. Chevalier College has made a decision to rename its new building precinct in honour of the Hon. John Fahey AC.
2. Subsequently, the proposal does not comply with Council's Public Memorials Policy and the Geographical Names Board Place Naming Policy.

### REPORT

#### **BACKGROUND**

At its meeting held on the 24 February 2021, Council resolved the following (MN68/21):

*THAT a report be brought back to Council regarding the Renaming of Eridge Park to John Fahey AC Memorial Sports Field that is consistent with Council's adopted policy for the naming of public places.*

The Hon. John Fahey AC was a resident of the Southern Highlands who made a significant contribution to the local district, NSW and the nation. Locally he was a former Chairman of the Bradman Foundation and oversaw the expansion of the Museum. He was also instrumental in the delivery of a campus of the University of Wollongong at the Moss Vale TAFE campus which benefited many residents in their pursuit of tertiary education.

The Hon. John Fahey AC served as the Premier of NSW during 1992-1995, held seats and Ministerial positions in both the NSW Parliament and the Federal Parliament and was also the former President of the World Anti-Doping Agency.

## AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 21 April 2021

### REPORT ACTING DEPUTY GENERAL MANAGER OPERATIONS FINANCE AND RISK



## REPORT

### Eridge Park – History

Eridge Park derives from the property name Eridge Park, built in the 1880s by Sir Robert Lucas Tooth of the Tooth & Co Brewery in Sydney. The main house is now incorporated into the Hartzler Park property, with the original gatehouse known as Eridge Lodge opposite the Chevalier College sports oval.

The Tooth family had significant business and property interests in the Southern Highlands, notably The Maltings at Mittagong.

Eridge Park Road has been known as such for at least a hundred years. The name of the reserve, Eridge Park, references the road and property and was gazetted by the Geographical Names Board in 1974.

### Chevalier College - The John Fahey Education and Sport Centre

Prior to Council's formal recommendation to consider the proposal to rename Eridge Park, Chevalier College announced the naming of a new building precinct after the late Hon. John Fahey AC, who attended the college from 1958-1962.

In January 2021 Chevalier College announced that *The John Fahey Education and Sport Centre* at Chevalier College would be formally dedicated on the 25 September 2021 at a community event to be hosted by the college.

### Eridge Park Renaming Proposal

The naming of public places in NSW is governed by the Geographical Names Board (GNB) and its Place Naming Policy 2019; which is consistent with national and international policies, guidelines and practices.

The Geographical Names Board of NSW Place Naming Policy 2019 is included as **Attachment 1**.

Council adopted a Public Memorials Policy on the 28 October 2020 which includes public place naming. This policy was developed in line with the Geographical Names Board Place Naming Policy and outlines that requests for place naming will be submitted to the Geographical Names Board for their approval where required. The renaming of Eridge Park would be required to be approved by the Geographical Names Board.

The Public Memorials Policy is included as **Attachment 2**.

The naming of the John Fahey Education and Sport Centre at Chevalier College has resulted in significant challenges with the renaming of Eridge Park to the John Fahey AC Sporting Complex as the Geographical Names Board Place Naming Policy advises that duplication of place names should be avoided wherever possible as it can cause confusion with wayfinding, in particular with Emergency Services.

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To have two sporting facilities named after the same person not only in the same locality but within a 2km radius of each other would cause significant confusion.

The recommendation from Council Officers is that the Eridge Park name be retained to avoid any confusion with the facility to be located on the grounds of Chevalier College, which will be known as *The John Fahey Education and Sport Centre*.

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## COMMUNICATION AND CONSULTATION

### Community Engagement

Council received three letters of support for the proposed renaming however, no actual request or application to rename Eridge Park in honour of the late Hon John Fahey AC has been received by Council.

### Internal Communication and Consultation

Nil.

### External Communication and Consultation

The Geographical Names Board Policy for Place Naming was consulted in the investigation of this proposal.

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## 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**

There are no governance issues in relation to this report.

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## COUNCIL BUDGET IMPLICATIONS

There are no budget implications regarding this proposal.

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## RELATED COUNCIL POLICY

Public Memorials Policy 2020

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#### CONCLUSION

It is recommended that the Eridge Park name be retained to avoid any confusion with the facility to be located on the grounds of Chevalier College, which will be known as *The John Fahey Education and Sport Centre*.

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#### ATTACHMENTS

1. Geographical Names Board of NSW - Place Naming Policy
2. Public Memorials Policy 2020



Geographical  
Names Board

# Geographical Names Board of NSW Policy

## Place Naming

July 2019

ISSN: 2206-6373 (Online)



10.4 Proposed Renaming of Eridge Park, Burradoo

ATTACHMENT 1

Geographical Names Board of NSW - Place Naming Policy



Title: Geographic Names Board of NSW Policy  
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Other Authors/Contributors: Geographical Names Board (NSW)

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## Document Control

### Version and amendment table

Date	Version	Amendments	Authorised
23 April 15	1.0	First draft	B Hirst / B Goodchild
12 Nov 15	2.0	First circulation to members	B Hirst / B Goodchild
20 Dec 15	3.0	Amended based on GNB feedback	B Hirst / B Goodchild
8 March 16	3.1	Aboriginal policy updated based on feedback received.	B Hirst / B Goodchild
10 March 16	4.0	Formatted for document consistency	B Hirst / B Goodchild
18 March 16	5.0	Amended based on March GNB meeting	B Hirst / B Goodchild
19 April 16	5.1	Minor amendments and changes accepted	B Hirst / B Goodchild
2 May 16	6.0	Amendments based on Secretariat input	B Hirst / B Goodchild
6 May 16	6.1	New section on changing names	B Hirst / B Goodchild
May 17	6.2	Update to section 6.1 and 11.1	N Underwood
Sep 18	6.3	Update branding	N Underwood
4 Jul 19	6.4	Update to section 10.2	N Underwood

## Repeals and Review

The policies identified in this document are consistent with national and international best practice. They repeal all existing Geographical Names Board of NSW (GNB) policies and guidelines in respect to geographical naming in NSW, apart from those included in the NSW Addressing User Manual, which are complementary to these policies. They do not apply retrospectively, and any arrangements that predate these rules are not necessarily subject to its terms.

Recognition of any existing NSW geographical name that does not conform to these policies does not establish a precedent for any future naming proposal.

This document is to be revised annually or as required. Where minor changes are required, the GNB must ensure the version number is updated. However, where changes in legislation or operating environment result in substantive rewriting of the document, the sponsor must create a new document and ensure it is entered into TRIM (electronic file management system). This will ensure the integrity of the original document.



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## 1 Scope

This policy applies to the operations of the GNB and its Secretariat.

## 2 Responsibilities

### Geographical Names Board

The GNB is responsible for the governance of this policy.

### Department of Customer Service (DCS)

DCS is responsible for the administrative management, technical support and promotion of the policy under the auspices of the GNB.

## 3 Glossary

Act	<i>Geographical Names Act 1966 No 13</i>
CGNA / PCPN	Committee of Geographic Names of Australasia – now renamed the Permanent Committee on Place Names. Part of ICSM
GNB / Board	Geographical Names Board of NSW as constituted under the Act
DCS	Department of Customer Service
Gazetteer	List of geographical names. In NSW the Geographical names gazetteer is stored in the Geographical Names Register database.
Geographical name	The name of a place as determined by the provisions of the Act and been notified in the Gazette as a geographical name, but does not include a name which has ceased to be a geographical name under the Act.
GNB (the GNB)	Geographical Names Board as constituted under the Act
ICSM	Intergovernmental Committee on Surveying and Mapping
Place	Defined by the Act as ' <i>any geographical or topographical feature or any area, district, division, locality, region, city, town, village, settlement or railway station or any other place within the territories and waters of the State of New South Wales but does not include any road, any area (within the meaning of the Local Government Act 1993) or area of operations of a county council (within the meaning of that Act), any electoral district under the Parliamentary Electorates and Elections Act 1912, any school or any place or place within a class of places to which the provisions of this Act do not apply by virtue of the regulations.</i> '
Recorded name	Defined by the Act as ' <i>the name of a place as it appears on a Lands Department map or, where the name of a place appears differently on two or more such maps, the name of that place as it appears on whichever of those maps was published later than the other or others.</i> '
Road / Road Naming Authority	Road and Road Naming Authority are defined under the <i>Roads Act 1993</i> and summarised in section 5.3 of the <i>NSW Address policy</i>
Secretariat	GNB secretariat appointed in accordance with section 4 of the Act
Spatial Services	A division of the Department of Customer Service (DCS). Spatial Services is the government body responsible for the implementation of the Geographical Names Act.



## 4 Introduction

Consistent use of accurate place names is an essential element of effective communication worldwide, and supports socio-economic development, conservation and national infrastructure. (Permanent Committee on Place Names)

Department of Customer Service, Spatial Services and the GNB have statutory responsibility to establish, update, preserve and publicise place naming in New South Wales.

The *Geographical Names Act 1966* recognises the importance of unambiguous and official place names. Place names reflect the relationship between people and place and create a link that forms the basis for communication, location and addressing. Clear and unambiguous place names are essential for emergency services, postal and service delivery as well as professional and personal navigation.

The GNB is committed to recognising our Aboriginal cultural heritage by registering place names given by Aboriginal people so that they can be assigned as geographical names alone or used alongside existing non-Aboriginal names.

The GNB is committed to open and transparent practices and procedures in the selection of place names. This document brings together the policies adopted by the GNB and enables all interested parties to understand why specific names are selected.

The policies detailed in this document are consistent with national and international policies, guidelines and practices.

## 5 Legislation and Authority

As set out in the *Geographical Names Act 1966* (Section 5), the GNB has the following powers and functions:

- assign names to places
- approve that a recorded name of a place shall be its geographical name
- alter a recorded name or a geographical name
- determine whether the use of a recorded name or a geographical name shall be discontinued
- adopt rules of orthography, nomenclature and pronunciation with respect to geographical names
- investigate and determine the form, spelling, meaning, pronunciation, origin and history of any geographical name
- the application of any geographical name with regard to position, extent or otherwise
- compile and maintain a vocabulary of Aboriginal words used or suitable for use in geographical names and to record their meaning and origin
- compile and maintain a dictionary of geographical names with a record of their form, spelling, meaning, pronunciation, origin and history
- publish a gazetteer of geographical names
- inquire into and make recommendations on any matters relating to the names of places referred to it by the Minister

The GNB may compile, maintain and publish a list of road names.



## 6 Policy – Universal Naming Principles

The following principles shall apply for all new geographical names in New South Wales.

### 6.1 Language

- 1 Geographical names shall be written in standard Australian English or a recognised format of an Australian Aboriginal language local to the area of the geographical name.
- 2 Diacritical marks (symbols such as ´ in é, ¸ in ç or : in ô) are not used in Australian English names, and shall be omitted from names drawn from languages that use such marks.
- 3 Geographical names shall be easy to pronounce, spell and write, and preferably not exceed three words (including any designated term) or 25 characters. An exception to this is in the use of Aboriginal names when it is accepted that a traditional name may at first appear to be complex but will, over time, become more familiar and accepted by the community.
- 4 The following types of punctuation as used in Australian English shall not be included as part of a geographical name: period (.), comma (,), colon (:), semi-colon (;), quotation marks (""), exclamation mark (!), question mark (?), ellipsis (...), hyphen (-), solidus (/) and parenthesis (()). For surnames or other names that include a hyphen, the hyphen shall be omitted when used for a geographical name.
- 5 An apostrophe mark shall not be included in geographical names written with a final 's', and the possessive 's shall not be included e.g. Georges River not George's River. Apostrophes forming part of an eponymous name shall be included (e.g. O'Connell Plains).
- 6 A geographical name shall not include a preposition e.g. Avenue of the Allies.
- 7 Geographical names shall not include the definite article (the) as the sole name element of a place name e.g. The Reserve is not acceptable.
- 8 A geographical name shall not be abbreviated or contain an abbreviation, initial or acronym e.g. Point, not Pt except that St shall be used for Saint. An exception may be where an abbreviation may have become widely accepted by the community. Eg CWA for Country Women's Association.
- 9 For the purposes of consistency, names starting with Mc or Mac shall not have a space included between the Mc or Mac and the rest of the name.
- 10 A geographical name shall not include Arabic numerals e.g. 3 or 4th or Roman numerals e.g. IV or X. Where numbers are included in a geographical name they shall be written in full e.g. Fourth Top Ridge, Eleven Mile Creek.
- 11 A geographical name shall not include initials e.g. A F Wyatt Reserve.
- 12 The spelling of geographical names derived from the same source shall be uniform in spelling, e.g. Mount Kosciuszko is now spelt with z to be consistent with original spelling.
- 13 Postnominals and titles shall not be included in geographical names eg John Smith not John Smith AO. An exception is the use of 'VC'.

### Justification

The principles identified above ensure consistency thereby reducing the potential for confusion. These principles are consistently applied throughout Australia and commonly adopted internationally. They also facilitate reliable electronic searching essential for navigation systems, service delivery and public safety.



## 6.2 Form and Character of Names

Place names shall be recognisable words or acceptable combinations of words and shall be appropriate to community sensitivities.

Discriminatory or derogatory names are not acceptable. Such names are those perceived, at a given point in time, to be offensive, demeaning, or harmful to the reputation of individuals, or to social, ethnic, religious or other groups. It is recognised that the perception of 'discriminatory' or 'derogatory' may vary through time and from place to place. In response to requests from the public, the GNB will investigate the appropriate status of any names deemed to be discriminatory or derogatory.

Commercial and business names shall not be used for geographical names, particularly where the name can be construed to be promoting a business. However, business names no longer in use which promote the heritage of an area are acceptable.

Use of club, society, association or special interest group names is discouraged. Such association may change their focus or for some reason lose community support. Community based associations, particularly those philanthropic associations, may be acceptable (eg Rotary, Lions, Apex).

## 7 Policy - Commemorative Names

Commemorative names are those that commemorate a person, event or place. Acts of bravery, community service and exceptional accomplishments are typical grounds for this recognition. The name of persons who gave their lives in service for their country are often used as commemorative names.

The person commemorated should have contributed significantly to the area around the geographic feature or locality.

When such a name is applied, it shall be given posthumously, at least one year after the decease of the person. Names of living persons are by their nature subject to partisan perception and changes in community judgement and acceptance.

Commemorative names shall not be used to commemorate victims of, or mark the location of, accidents or tragedies. Ownership of land is not in itself grounds for the application of an owner's name. Names of persons holding public office shall not be used.

Personal names, including those of persons still living, may be used for built features e.g. pavilions and grandstands etc., however these features are not formally assigned by the GNB and are not covered by the Act.

### 7.1 Personal Names

The names of deceased persons are suitable for the naming of reserves. Such persons shall have had a long term association with the area, or have made a significant contribution to the area of the proposed park or reserve. To assist local governments in determining the suitability of a name the GNB offers the following guidelines regarding association or contribution:

- Two or more terms of office on the governing local government council.
- Twenty or more years association with a local community group or service club.
- Twenty or more years of association or service with a local or state government or organisation.



- Action by an individual to protect, restore, enhance or maintain an area that produces substantial long term improvements for the community.
- The death of a person within a place is not solely to be considered sufficient justification for commemoration.
- Local residents of note.

### Justification

Using the name of a living person is unacceptable (nationally and internationally) as it may lead to favouritism and/or inappropriate naming. There are examples where people commemorated have later proven to be of poor character or otherwise thought to be unworthy.

## 8 Policy - Duplication of names

### 8.1 Duplication of place names

In accordance with the NSW Addressing User Manual (6.8.1 Uniqueness, Duplication), no new locality name shall be duplicated within NSW or any other state or territory in Australia.

Duplication includes identical or similar spelling and/or pronunciation.

### 8.2 Place names other than localities

Uniqueness is the most essential quality to be sought in proposing a new place name. Duplication should be avoided wherever possible, but new place names may be duplicated provided there is no duplication of the name within the local government or adjoining local government.

Place names with a different designation value are not considered to be duplications. For example, Jenolan River and Jenolan Caves are acceptable.

The GNB encourages efforts by local governments to change or modify duplicate names wherever ambiguity or confusion is likely to occur. Such name changes should be coordinated with the GNB.

### Justification

The purpose of place names is primarily to provide unambiguous direction and reference to identify geographical entities. Duplication of locality names is to be avoided because of the confusion this will cause, particularly in the dispatch of emergency services, which is now often coordinated from call centres. Duplication of locality names used for addressing purposes can result in delays in arrival of essential services.

Duplication can also cause personal difficulties such as failed parcel and service delivery and difficulty for tourists and visitors.

Where duplication occurs inter State or Territory, the respective authorities should liaise in order to attempt to arrive at an acceptable solution.



## 9 Policy – Place Naming Process

### 9.1 General

This policy is for the application of place names within the territories and waters of New South Wales including reserves under the management of local government.

The Department of National Parks and Wildlife Services has a separate policy for the naming of national parks under its management.

- All proposals for place naming shall conform to the GNB's Naming Principles.
- All place name proposals shall include a map or diagram clearly defining the extent of the feature proposed to be named.
- Proposals for place naming shall be submitted to the GNB for consideration and formalisation process.
- Private ownership of the land on which a geographical or physical feature is located does not confer any naming right to the land owner or manager. This is also true in respect to land under the various forms of public management, including national parks and reserves.
- Place names (excluding localities) shall not be duplicated within the same LGA or locality or in an adjoining LGA or locality.

### 9.2 Selection of names

- Aboriginal names are encouraged as the name to be used for any feature that currently does not have a name recognised by the GNB.
- Names acknowledging the multicultural nature of NSW are encouraged.
- Names associated with the heritage of an area are encouraged, especially the names of early explorers, settlers, naturalists, events.
- A name suggested for any place that owes its origin to the peculiarity of the topographic feature designated such as shape, vegetation, animal life etc. may be accepted.
- Gender diversity in names is encouraged.
- The multiplication of names for different parts of the same topographical feature such as a stream or mountain range shall be avoided, and the one name applied to a stream or mountain range throughout its entire length. However, an Aboriginal name may apply to a limited section of a feature.
- The naming of forks, arms and branches of a river as North Branch and South Branch is not supported. Unique names shall be assigned to river branches.
- When a choice is offered between two or more names for the same place, locality or feature, all supported by local usage, the GNB may adopt one of such names as is considered appropriate in accordance with its principles and policies.
- The use of cardinal points of the compass as a prefix or suffix to an existing name shall not be used.
- The changing of long established place names is to be avoided except where necessary to avoid ambiguity or duplication.
- The GNB may approve a first or given name as part of a geographical name only where it is necessary to appropriately honour the person referred to or where it is necessary to avoid ambiguity.



### 9.3 Changing names

Where names have been changed or corrupted by long established local usage, it is not usually advisable to attempt to restore the original. Changes are discouraged unless the change has been deemed to be in the public interest or for safety reasons. Changing well established names can lead to address or location confusion, especially to electronic navigation services.

### 9.4 Correct designation values

The GNB has compiled a Glossary of Designation Values in the Geographical Names Register in order to assist in determining the correct designator to be applied to place names at the time of naming.

New names proposed for place names shall include the designation value appropriate to the nature of the feature.

The Glossary of Designation Values is attached as Appendix A.

### 9.5 Council resolutions to identify community support

When Council submit a naming proposal, it should be supported by a Council resolution. Council should also supply evidence that they have sought community feedback on the proposal. This could include advertising and inviting comment using:

- Local newspapers.
- Relevant web site.
- Local council facilities (eg offices, libraries etc).
- Notices to residents in the area surrounding the feature of the proposed name.
- Notices to local progress associations.

### 9.6 Naming of Cross Border Features

The name for any feature that crosses the State boundary shall be the same on both sides of that boundary. The basis for the selection of a name for such a feature should be the consensus between relevant authorities. Primary responsibility for obtaining consensus should rest with the authority within which the majority of the feature is located. Any matters regarding naming or renaming of features that cross the state border shall be referred to the Cross Border Commission.

### 9.7 Referring names to Local Government

Where a submission proposing a name is received by the Secretariat, that submission must be referred to the relevant Local Government and the submitter notified of this action.

### 9.8 Generic reserve names

The GNB has classified a number of reserve names as "generic", and when one of these names is proposed it shall also include the name of the locality within which the reserve is located. For example, Volunteer Park is a generic name, and if this name is proposed in Muswellbrook, it shall be proposed as Muswellbrook Volunteer Park.



The following park names have been classified as "generic" by the GNB

ACACIA PARK	ANZAC PARK
APEX PARK	BI-CENTENARY PARK
BI-CENTENNIAL PARK	CENTENARY PARK
CENTENNIAL PARK	CENTRAL PARK
CIVIC PARK	GALLIPOLI PARK
HERITAGE PARK	JUBILEE PARK
KINGS PARK	LIONESS PARK
LIONS PARK	MEMORIAL PARK
OLYMPIC PARK	PEACE PARK
PIONEER PARK	PRESIDENT PARK
PRINCE PARK	PRINCESS PARK
QUEENS PARK	QUOTA PARK
REMEMBRANCE PARK	RIVERSIDE PARK
ROTARY PARK	SESQUI CENTENARY PARK
SESQUI CENTENNIAL PARK	VOLUNTEER PARK
WAR MEMORIAL PARK	

#### 9.9 Use of the name Anzac

The use of the name Anzac is protected by Commonwealth regulations, and may only be used for the naming of a road or park in which, there is situated a public memorial relating to the war which commenced on the fourth day of August 1914, or the war which commenced on the third day of September 1939. (Commonwealth 'Protection of the word 'Anzac' regulation.')

#### 9.10 Naming of facilities within reserves

Facilities within an officially assigned reserve, such as a pavilion, grandstand, garden, buildings etc. may also be named according to this policy, but do not require the formal approval of the GNB. However, the GNB shall be notified of such names to ensure the name, position and origin is recorded in the Spatial Services' Digital Topographic Database and the name shown on maps, where relevant.

#### 9.11 Renaming of reserves

Names chosen for reserves are expected to be enduring, and the renaming of these features is confusing and disruptive and is discouraged. If the renaming of a reserve is proposed, evidence of community support for the name change must be provided. The GNB will then evaluate the merits of the proposal before making a decision.

#### 9.12 Naming of properties and homesteads

The GNB does not officially assign names of properties or homesteads. However names of properties and homesteads may be recorded in the NSW Digital Topographical Database (DTDB).



## 10 Policy – Recognition and use of Aboriginal names

### 10.1 Background

The names we give to places convey their significance through a sense of history, identity and connection between people and a place. The land is seamless with spirituality and identity for Aboriginal people. A key manifestation of this connection are the names given to features on the land that relate to the ancestors, histories, law and lore of its people.

For Aboriginal people connection with 'Country' is intrinsically connected to identity. Country is the area where an Aboriginal community is connected by language, cultural practices and long held relationships between people and the land. Countries are said to own people whereas for non-Aboriginal people land is owned through a range of legal titles. Country and people are inseparable for Aboriginal communities.

This policy is designed to encourage and promote recognition of Aboriginal place names and to foster the more frequent and official use of these names, particularly for places where the names have not been assigned as geographical names. The policy also provides, where it is possible, for the reinstatement of an Aboriginal place name through the dual naming process.

The NSW Government is committed to continuing the recognition of our Aboriginal cultural heritage by registering the original place names used by Aboriginal people to identify geographical features. Where a feature is identified by a non-Aboriginal name and that name is well established, an Aboriginal name put forward for the feature can be assigned as a dual name and sit alongside the existing non-Aboriginal name.

The GNB prefers the use of Aboriginal names for geographical features. Where a feature currently has a non-Aboriginal name, it may be considered for a dual name provided that documentary or oral evidence of the Aboriginal name is provided.

### 10.2 Recognition and use of Aboriginal names

- Aboriginal place names are preferred for the name of any place that does not have an assigned geographical name.
- Prior to submitting an Aboriginal name for consideration by the GNB, the proponent should consult the Local Aboriginal Land Council and Aboriginal communities on all matters concerning Aboriginal place names occurring in their area of current occupation and traditional association, in line with self-determination policies. This includes any proposals to assign new names, alter spellings of existing names or assign dual names.
- A name nominated by a Local Government Council will not be accepted by the GNB unless the Local Aboriginal Land Council and relevant Aboriginal communities have been consulted. The GNB Secretariat can provide guidance.
- Aboriginal place names which have been assigned as geographical names shall not be amended in form, spelling, extent or position without the consent of the relevant Local Aboriginal Land Council or Community.
- A dual naming system may be used for the naming of a physical and environmental place[s] of significance to the local Aboriginal Land Council or Community when a non-Aboriginal assigned geographical name already exists. Dual naming shall not apply to localities, towns or roads.



- A dual name can only be assigned where there is plausible historical evidence in the form of documentary or oral sources, that the feature has an existing Aboriginal name and that some authority or authenticity can be attributed to the source or sources for the form, origin, spelling, history and meaning of the name. The name cannot be a new name assigned for the purpose of a tribute etc.
- Signs or notices explaining the origins of Aboriginal place names should also identify the name of the language group from which the name originated. For example, the name '...a' means '.....' from the '...' Aboriginal language group.
- The GNB endorses and supports the Permanent Committee on Place Names "Guidelines for the Use of Aboriginal and Torres Strait Islander Names" which is included in the PCPN's "Guidelines for the Consistent Use of Place Names".
- The GNB does not have a role in the determining naming, spelling or determination of boundaries of Aboriginal Countries or Nations.

## 11 Policy - Infrastructure

### 11.1 Railway Stations

Railway stations shall be named after its locality or area of interest unless to do so would lead to a duplicated station name. In these cases a name that identifies the area or location of the station should be used. For example Town Hall Station and Martin Place Station are situated in Sydney where multiple stations are in one locality.

#### Justification

Railway station names assist in location and navigation and are particularly important for visitors and other travellers.

### 11.2 Other infrastructure

The GNB does not have specific statutory responsibility for formally naming infrastructure (other than Railway Stations and Post Offices), schools, private estate names or building names.

Nevertheless, naming any prominent feature should follow the accepted practice for naming as detailed in this policy.

#### Justification

Infrastructure such as buildings and sporting facilities are generally not used for addressing purposes however there is a high likelihood that they may be used for location including emergency services. Unique names for all infrastructure will assist in ensuring their location for emergency services.



### 11.3 Bridge Naming

The GNB does not name bridges, however, it encourages all bridge naming to follow the guidelines as set out in this policy.

The naming of bridges and other structures on roads does not have a formal legislative basis. However, the same procedures for road naming applies to bridges and other road infrastructure:

- RMS is responsible for the naming of bridges and other structures on freeways.
- Local councils initiate the naming of bridges on local, regional and state roads (other than freeways). RMS to approve these proposals.

RMS will approve a naming proposal for a bridge or structure provided that:

- The name has wide community support.
- An Aboriginal name has the support of local Aboriginal groups.
- Consideration has been given to National and State commemorative initiatives involving the naming of new or key road infrastructure.
- The name is consistent with GNB place name criteria.
- The design of the name plaque accords with RMS requirements.



## Bibliography:

Corporate GIS Consultants, *Geographical Names Board Strategic Planning Workshop – Final Draft Report*, 3 November 2010

*Geographical Names Act 1966 No 13* (NSW), NSW Legislation, viewed 13 April 2015, and March and April 2016 <http://www.legislation.nsw.gov.au/maintop/view/inforce/act+13+1966+cd+O+N>

*Government Information (Public Interest) Act 2009 No 52* (NSW), NSW Legislation, viewed 13 April 2015, <http://www.legislation.nsw.gov.au/maintop/view/inforce/act+52+2009+cd+O+N>

*Government Sector Employment Act 2013 No 40* (NSW), NSW Legislation, viewed 21 April 2015, <http://www.legislation.nsw.gov.au/maintop/view/inforce/act+40+2013+cd+O+N>

*NSW Addressing User Manual 2015*, Geographical Names Board, viewed 1 October 2015, [http://www.gnb.nsw.gov.au/\\_\\_data/assets/pdf\\_file/0007/199411/NSW\\_addressing\\_user\\_manual\\_online.pdf](http://www.gnb.nsw.gov.au/__data/assets/pdf_file/0007/199411/NSW_addressing_user_manual_online.pdf)

*ACT. Place Name Policies & Processes*  
[http://www.planning.act.gov.au/tools\\_resources/place\\_search/place\\_names/place\\_name\\_policies](http://www.planning.act.gov.au/tools_resources/place_search/place_names/place_name_policies)

*CGNA Guidelines for the Consistent Use of Place Names*  
[http://www.icsm.gov.au/cgna/consistent\\_place\\_names\\_guidelines.pdf](http://www.icsm.gov.au/cgna/consistent_place_names_guidelines.pdf)

*Victoria. Guidelines for Geographic Names 2010*  
<http://www.dtp.liv.vic.gov.au/property-and-land-titles/naming-places-features-and-roads/guidelines-for-naming-or-proposing-to-name-or-rename-a-place>

*Western Australia. Policies and Standards for Geographical Naming in Western Australia*  
[http://www0.landgate.wa.gov.au/docvault.nsf/web/PS\\_LD/\\$file/GNCommittee.pdf](http://www0.landgate.wa.gov.au/docvault.nsf/web/PS_LD/$file/GNCommittee.pdf)

*Northern Territory. Policies, Procedures, Rules, Guidelines*  
<http://www.placenames.nt.gov.au/policies/guidelines>

*South Australia*  
<https://www.sa.gov.au/topics/housing-property-and-land/local-government/suburb-road-and-place-names/geographical-names-guidelines>

*Tasmania. Rules for Place Names in Tasmania*  
<http://dpi.pwe.tas.gov.au/Documents/Place-names.pdf>

*Queensland. Naming Principles*  
<http://www.qld.gov.au/environment/land/place-names/naming/principles/>

*New Zealand. Frameworks of the New Zealand Geographic Board*  
[http://www.linz.govt.nz/system/files\\_force/media/placenames-attachments/01%20Frameworks%20v7%20-%202015-04-29.pdf](http://www.linz.govt.nz/system/files_force/media/placenames-attachments/01%20Frameworks%20v7%20-%202015-04-29.pdf)

*UNGEGN. Manual for the National Standardization of Geographical Names*  
[http://unstats.un.org/unsd/publication/seriesm/seriesm\\_88e.pdf](http://unstats.un.org/unsd/publication/seriesm/seriesm_88e.pdf)

*United States of America. Principles, Policies and Procedures: Domestic Geographical names*  
[http://geonames.usgs.gov/docs/pro\\_pol\\_pro.pdf](http://geonames.usgs.gov/docs/pro_pol_pro.pdf)

*Canada. Principles and Procedures for Geographical Naming*  
[http://www.nrcan.gc.ca/sites/www.nrcan.gc.ca/files/earthsciences/pdf/gnames/BoardC\\_english\\_accessible.pdf](http://www.nrcan.gc.ca/sites/www.nrcan.gc.ca/files/earthsciences/pdf/gnames/BoardC_english_accessible.pdf)

*Alberta. Geographical Names Manual*  
<http://culture.alberta.ca/documents/Designation-Geographical-Names-2012.pdf>

10.4 Proposed Renaming of Eridge Park, Burradoo

ATTACHMENT 1 Geographical Names Board of NSW - Place Naming Policy



*British Colombia. Geographical Naming Principles, Policies and Procedures*

<http://geobc.gov.bc.ca/base-mapping/atlas/bcnames/files/GeogNamingPolicy.pdf>

*Ontario. Principles of Geographic Naming*

<https://www.ontario.ca/document/geographic-naming-principles-and-procedures>

*Protection of the word 'Anzac' regulation (Commonwealth)*, Federal Register of Legislation, viewed 18 March 2016, <https://www.legislation.gov.au/Details/F2004C00015>

*Quebec Commission de toponymie. Normes et procedures*

<http://www.toponymie.gouv.qc.ca/ct/english.aspx>



## Appendix A



Geographical  
Names Board

## Glossary of designation values in the Geographical Names Register

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### ABORIGINAL RESERVE

Crown land set aside for Aborigines, where they may continue their traditional lifestyle away from the influence of white Australians and access to which is controlled by federal or state authorities or by Aboriginal Land Councils.

### AERODROME

All licensed aerodromes and government aerodromes maintained by the Federal Airports Corporation, other than those designated 'airports'.

### AIRFIELD

A landing or taking-off area for aircraft.

### AIRPORT

An aerodrome that handles regular schedules of passengers and freight.

### AMPHITHEATRE

Basin shaped hollow, particularly one having steep sides. Considerable variation in size.

### ANABRANCH

A distributary of an anastomosing river which links up with other distributaries and sometimes with the parent stream.

### ARM

A comparatively long, narrow and natural waterway extending from a larger body of water.

### ARTESIAN BORE

A hole bored perpendicularly into strata, producing a constant supply of water at the surface without pumping.

### BACKWATER

A body of stagnant water connected to a river.

### BASIN

1. The tract of country drained by a river and its tributaries, or which drains into a particular lake or area.

2. A circumscribed formation in which the strata dip inward from all sides to the centre; the stratified deposit, especially of coal, lying in such a depression.

3. An area of water limited in extent and nearly enclosed by structures alongside which vessels can lie. A non-tidal basin is one closed by caisson of gates to shut off from open water, so that a constant level of water can be maintained in it. Also called a 'wet dock'. A tidal basin is one without gates in which the level of the water rises and falls with the tide. Sometimes called an 'Open Basin'.

### BAY

A well-marked indentation made by the sea or a lake into a coastline, whose penetration is in such proportion to the width of its mouth as to contain land locked waters and constitutes more than a mere curvature of the coast.

### BEACH

The sloping shore along a body of water that is periodically washed by waves or tides and is usually covered with sand or gravel.

### BIGHT

A crescent-shaped indentation in the coastline usually of large extent and not more than a 90 degree sector of a circle. See 'Bay' and 'Gulf'.

### BILLABONG

An efflux from a stream, usually an old bend in the stream, which has been cut off by erosion and deposition. When the fall of a stream is only a few centimetres per kilometre channel is usually incapable of clearing flood waters, which overflow into this efflux. As the water recede the efflux or billabong becomes a pool or a series of pools, which in dry periods may completely dry up.

### BLUFF

A spur or ridge terminating in a steep, rocky face.



#### **BØRE**

A deep vertical hole of a small diameter drilled to obtain water. Designation includes 'Artesian Bore'.

#### **BOUNDARY**

That which serves to indicate the limits of a particular area. Various types of boundaries which may be encountered are:

1. UNCLASSIFIED BOUNDARIES; those drawn by the compiler prior to classification to delineate a change in surface characteristics.
2. INTERNATIONAL BOUNDARIES; those defining the territorial sovereignty of a country.
3. STATE OR TERRITORY BOUNDARIES; those defining the major administrative or political divisions within a country.
4. ADMINISTRATIVE AREA BOUNDARIES; those defining areas of common local or regional administration.
5. PROHIBITED AREA BOUNDARIES; those defining the limits of an area into which entry is prohibited, without prior permission from a controlling authority, for security or safety reasons.

#### **BREAKWATER**

A natural or artificial structure along a coast capable of checking the force of the waves, thereby reducing beach erosion. The designation includes 'groyne', 'training wall' and 'levee'. The latter two are to restrict rivers to a defined course.

#### **BROOK**

A small stream or rivulet.

#### **BUTTE**

A small residual of a mesa. The level top being the upper surface of the hard stratum but little lowered by erosion. The slopes on all sides are escarpments and its maximum horizontal dimension in any one direction is about 400 metres.

#### **BUTTRESS**

A very steep spur projecting from a hill, mountain, plateau, range etc., having the appearance of supporting it.

#### **CAMP**

A place where tents, cabins, etc. are erected for the use of military troops, etc.

#### **CANAL**

A large artificial watercourse used for irrigation or navigation.

#### **CANYON**

A gorge, relatively narrow but of considerable size, bounded by steep slopes. It has often been formed by a river cutting through the soft rocks of an arid region; the scantiness of the rainfall prevents denudation of the canyon walls, and so maintains their steepness. The walls of a large canyon, however, rarely approach the vertical, and their irregularity of slope is due to inequalities in the hardness of the rock.

#### **CAPE**

A piece of land jutting into the sea; a projecting headland or promontory.

#### **CATCHMENT AREA**

The region which drains all the rain water that falls on it, apart from that removed by evaporation, into a river or stream, which then carries the water into the sea or a lake; it may thus coincide with the 'River Basin'. Its boundary is defined by the ridge beyond which water flows in the opposite direction - away from the basin.

#### **CAUSEWAY**

A raised roadway of solid structure built across low or wet ground or across a stretch of water.

#### **CAVE**

A hollowed-out chamber in the earth, especially a natural cavity with an opening to the surface.

#### **CEMETERY**

A place or area for burying the dead.

#### **CHANNEL**

1. An artificial watercourse used for drainage or irrigation purposes.
2. A comparatively deep and narrow waterway affording a passage for vessels. The waterway may be natural or dredged and can occur in a river, harbour or sea.

#### **CHASM**

A particularly narrow portion of a gorge or ravine where the width is notably exceeded by the depth and the sides are vertical or nearly so.

#### **CITY**

A centre of population, commerce and culture with all essential services; a town of significant size and importance, generally accorded the legal right to call itself a city under, either, the Local Government Act, the Crown Lands Act or other instruments put in place by government.



#### **CIVIC PLACE**

A pedestrian area or open space, especially a square or plaza, within an urban environment which is frequented by citizens for a variety of purposes including public activities. It may be a place of commemoration. It does not include areas specifically created for commercial or business purposes. It is not to be used in an official address.

#### **CLEARING**

An area of ground within a forest, where less than 15% of the ground is covered by trees or scrub. Clearings within areas of dense vegetation may be manmade or naturally occurring.

#### **CLIFF**

A perpendicular or steep face of rock considerable in height, either inland or along the coast.

#### **COLLEGE**

An establishment for technical or vocational education usually post secondary.

#### **COMMON**

A tract of land which belongs to the local community as a whole, and is open to common use.

#### **COUNTY**

Territorial division of the state for administrative purposes.

#### **COVE**

A small indentation in a coast, usually sheltered.

#### **COWAL**

A small lake or dam.

#### **CRATER**

A bowl shaped cavity, in particular, at the summit or on the side of a volcano. And from which smoke and steam may emanate if the volcano is active. Craters of extinct volcanoes may contain crater lakes. The word crater is applied to other depressions especially those caused by the fall of large meteorites onto the earth's surface. Volcanic craters are sometimes called calders.

#### **CREEK**

A natural watercourse that is usually a tributary of a river or another creek. It may be perennial or non-perennial and in some areas its course may become indefinite or even peter out.

#### **CROSSING**

A place where a street, railway, stream, etc., may be crossed.

#### **CUTTING**

An open excavation through high ground, generally for a transportation system.

#### **DAM**

1. A barrier built across a stream to impound its water for any purpose.
2. An earthen structure built to contain water for stock purposes.

#### **DEPRESSION**

A depressed or sunken place.

#### **DESERT**

An almost barren tract of land in which precipitation is so scanty or spasmodic that it will not adequately support vegetation.

#### **DIP**

A place for controlling ticks on cattle.

#### **DISTRICT**

1. Territory marked off for special administrative purposes.
2. A tract of country, up to about 1600 sq. kms in area, distinguished by certain common characteristics, natural or cultural.

#### **DOCK**

An artificial structure in which ships are built or repaired.

#### **DRAIN**

A channel, man made or natural, by which liquid is drained or gradually carried away.

#### **DUNES**

Mounds or ridges of sand formed, either in a desert or along the sea coast, through transportation by the wind.

#### **ESCARPMENT**

A more or less continuous line of cliffs or steep slopes terminating any generally level upland surface, and is due to erosion or faulting.

#### **ESTUARY**

The tidal mouth of a river, where the tide meets the current of fresh water; more commonly, an arm of the sea at the lower end of a river.

#### **FALLS**

A sudden, more or less perpendicular, descent of water over a natural step in the bed of a river or stream.

#### **FAULT**

A fracture in the earth's crust along which movement has taken place, and where the rock strata on the two sides therefore do not match.



#### **FLAT**

A relatively level piece of ground within an area of greater relief; a tract of country without hills and smaller than a plain. In river valleys they may be Valley or River Flats, along the foreshores and subject to tidal action they are Tidal Flats and according to the nature of the surface they may be Mud, Stony or Sandy Flats.

#### **FLORA RESERVE**

Crown land set aside for the protection of flora, and access to which is controlled by federal or state authorities.

#### **FORD**

The shallow part of a stream or other body of water, where it may be crossed by vehicle or by wading. The crossing may be natural or improved, but not by bridging.

#### **FOREST**

An area of land proclaimed to be a forest under a Forest Act.

#### **GAOL**

A place for the confinement of persons convicted and sentenced to imprisonment or of persons awaiting trial.

#### **GAP**

A low point or opening between hills or mountains or in a ridge or mountain range.

#### **GLEN**

A narrow, wooded valley with a stream flowing at its bottom. Its sides being generally steep.

#### **GOLF COURSE**

An area of ground laid out for the playing of golf.

#### **GORGE**

A valley deep in proportion to its width, usually with precipitous or very steep sides. Generally a feature of some magnitude, relative to the surrounding base.

#### **GRADIENT**

A noteworthy gradient inclination or slope of the surface of the ground on the side or end of an elevated relief feature.

#### **GRAVEYARD**

A place for graves; a burial ground, esp. a small one or one in a churchyard.

#### **GULF**

Large valleys in mountain ranges OR an area of sea partly enclosed by land; usually of larger extent, and greater relative penetration than a bay, that is, Gulf of Carpentaria.

#### **GULLY**

A natural watercourse formed in the earth's surface, especially a hillside, by the action of water. It only carries water after rain and its sides are generally steep. Usually one of the smallest branches of a drainage system, and often associated with erosive action.

#### **HARBOUR**

A natural or artificially improved stretch of water where vessels can anchor or secure to buoys or alongside wharves etc and obtain protection from sea and swell. The protection may be afforded by natural features or by artificial works. The place may be provided with terminal and transfer facilities for loading and discharging cargo or passengers.

#### **HEAD**

A comparatively high promontory of land projecting into the sea with a steep face. An un-named head is usually described as a 'Headland' when a specific name is assigned, it becomes a 'Head'.

#### **HEADLAND**

A narrow area of land jutting out into a sea, lake, etc.

#### **HILL**

A small portion of the earth's surface elevated above its surroundings, of lower altitude than a mountain. Generally its altitude is less than 300 metres above the surrounding country but this can change in areas of low relief.

#### **HILLOCK**

A small hill or mound.

#### **HISTORIC AREA**

An area or precinct containing no or minimum present activity, but which at one time was an area of recognised name and purpose.

#### **HISTORIC SITE**

A specific place or site which has at one time been the site of an event or purpose.

#### **HISTORICAL LOCALITY**

An area or precinct containing no or minimum present activity, but which at one time was an area of recognised name and purpose.

#### **HISTORICAL RECONSTRUCTION**

An area or precinct which at one time was an area of recognised name and purpose and has now been redeveloped to recognise its past.

#### **HOLE**

An area hollowed out in or an opening in the ground.



#### INLET

A narrow indentation in the coastline or in the lake or river by which the water penetrates into the land.

#### ISLAND

A piece of land usually completely surrounded by water.

#### ISLET

A comparatively small insular landmass. Smaller than an Island but larger than a Cay.

#### KNOB

Rounded projection from a surface.

#### KNOLL

A small rounded Hill.

#### LAGOON

An enclosed area of water separated from the open sea or from a stream by some more or less effective, but not complete, obstacle such as low sandbanks.

#### LAKE

An extensive sheet of fresh or saltwater, natural or artificial, enclosed or nearly enclosed by land. It may or may not have in and out-flowing water, and in dry areas may even dry up at times.

#### LAKE BED

The area of a lake which is under water or once was under water.

#### LANDING PLACE

The act of coming to land. A place of disembarkation.

#### LANDMARK

A prominent or well known object in or feature of a particular landscape. A boundary marker. A large continuous area of land, as opposed to seas or islands.

#### LANDSCAPE FEATURE

This designation is used for a feature of the landscape, whether natural or cultural, which does not fit comfortably in any other designation and the number (actual and expected) of such places in NSW does not warrant a specific separate designation.

#### LIGHTHOUSE

A distinctive structure on or off the Coast, exhibiting a major light designed to serve as an aid to navigation.

#### LOCALITY

A bounded area within the landscape that has a 'Rural' Character.

#### LOCK

A section of a canal or river that may be closed off by gates to control the water level and the raising and lowering of vessels that pass through it.

#### LOOKOUT

A natural scenic viewpoint on elevated ground. Works or structures within the immediate vicinity of the view point improving the safety, amenities or view may be evident.

#### LOOP

A railway branch line which leaves the main line and rejoins it after a short distance.

#### MARINA

A docking facility for yachts and other pleasure boats accessible for private patrons only.

#### MARSHES

Low poorly drained land that is sometimes flooded and often lies at the edge of lakes etc.

#### MESA

A flat table-like upland, which falls away steeply on all sides (escarpments). It is larger in area than a 'butte' but smaller than a 'plateau'.

#### MONOLITHS

Large block of stone or anything that resembles one in appearance, intractability, etc. A statue, obelisk, column, etc, cut from one block of stone. A large hollow foundation piece sunk as a caisson and filled with concrete.

#### MOOR

A tract of unenclosed ground, usually covered with heather, coarse grass, bracken, and moss.

#### MOUNT

A natural elevation of the earth's surface rising more or less abruptly from the surrounding level, and attaining an altitude which, relative to adjacent elevations, is impressive or notable. In general the elevation of a mountain is more than 300 metres from foot to summit, but this distinction is arbitrary. For reasons of euphony and local usage 'Mount' is usually used when the generic term precedes the specific term and 'Mountain' when it succeeds it.

#### MOUNTAIN

A large natural elevation of the earth's surface.

#### MOUNTAIN LAKES

A lake created by an extinct volcanic crater.

#### MOUNTAIN PEAK

A prominent point of a hill or mountain. The separately named summits on a range of hills or mountains.



#### **MOUNTAIN RANGE**

A series or line of mountain or hill ridges with or without peaks, in which the crests are relatively narrow. Its minimum length is about 16 kilometres.

#### **NAVAL ESTABLISHMENT**

An institution, pier or building specially designed and equipped for use by the Navy.

#### **NECK**

A narrow strip of land; peninsula or isthmus.

#### **NEIGHBOURHOOD**

The immediate environment; surroundings. A district where people live. The people in a particular area. Living or situated in and serving the needs of a local area.

#### **OBSERVATORY**

An institution or building specially designed and equipped for observing meteorological and astronomical phenomena. Any building or structure providing an extensive view of its surroundings.

#### **OCEAN**

A very large stretch of sea. The vast body of water on the surface of the globe that surrounds the land.

#### **PARISH**

Territorial division of the state for administrative purposes.

#### **PASS**

A depression or gap in a range of mountains or hills permitting easier passage from one side to the other.

#### **PASSAGE**

A comparatively deep and narrow waterway affording a passage for a vessel.

#### **PEAK**

A prominent point of a hill or mountain. The separately named summits on a range of hills or mountains.

#### **PENINSULA**

A piece of land almost surrounded by water, especially one connected with the mainland by only a narrow neck of land or isthmus.

#### **PICNIC AREA**

A location to which people bring food to be eaten in the open air.

#### **PINNACLE**

The highest point. A towering peak, as of a mountain.

#### **PIT**

A large usually deep opening in the ground.

#### **PLAIN**

A tract of country the general surface of which is comparatively flat or slightly undulating. In extent generally not less than 2,500 hectares and sparsely, if at all timbered.

#### **PLATEAU**

An elevated tract of comparatively flat or level land, having a large part of its total surface at or near the summit level. Its local relief may be very great in cases where it is cut by gorges, or it may have a small local relief like a plain in cases where erosion has not been severe. Its minimum horizontal dimension in any direction generally exceeds 1.6km.

#### **POINT**

A location, spot, or position. Point of land. A small promontory.

#### **POND**

A pool of still water, often artificially created.

#### **POOL**

A small body of still water, usually fresh. A deep part of a stream or river where the water runs very slowly.

#### **PORT**

A town or place alongside navigable water with facilities for the loading and unloading of ships.

#### **POST OFFICE**

A local office for receiving, distributing and transmitting mail, providing telecommunication services etc.

#### **POWER STATION**

An electrical generating station.

#### **PRISON**

A place to which persons are legally committed, either while awaiting trial or for punishment.

#### **PUBLIC WATERING PLACE**

An artificial waterhole.

#### **RACECOURSE**

A place which has been licensed by government for the holding of horse races.

#### **RAILWAY**

A permanent track composed of a line of parallel metal rails fixed to sleepers for transport of passengers and goods in trains.

#### **RAILWAY CUTTING**

An excavation in a piece of high land for a railway.



#### RAILWAY LOOP

A short branch off a railway track, often connected at both ends to the main track where trains can pass on a single line stretch of railway. In some cases freight may be handled at these sidings. This designation includes 'Railway Siding'.

#### RAILWAY SIDING

A short branch off a railway track, often connected at both ends to the main track where trains can pass on a single line stretch of railway. In some cases freight may be handled at these sidings. This designation includes 'Railway Loop'.

#### RAILWAY STATION

A structure beside a railway line with facilities for passengers and freight.

#### RAMP

An area set aside for the launching of small water craft, usually paved.

#### RANGE

A series or line of mountain or hill ridges with or without peaks, in which the crests are relatively narrow. Its minimum length is about 16 kilometres.

#### RAPIDS

Portions of a stream with accelerated current where it descends rapidly without a break in the slope of the bed sufficient to form a waterfall.

#### RAVINE

A deep narrow steep sided valley.

#### REACH

A comparatively straight part of a river or channel between two bends.

#### REEF

A ridge of rocks or coral lying near the surface of the sea, which may be visible at low tide, but is usually covered by water.

#### REGION

A region is a relatively large tract of land distinguished by certain common characteristics, natural or cultural. Natural unifying features could include same drainage basin, similar landforms, or climatic conditions, a special flora or fauna, or the like. Cultural determining features could include boundaries proclaimed for administrative purposes, common land use patterns etc.

#### REGULATOR

Any of various mechanisms or devices such as a governor valve, for controlling fluid flow, pressure, temperature, etc.

#### RESEARCH STATION

An institution, farm or building specially designed and equipped for carrying out agricultural research.

#### RESERVE

An area proclaimed to be a public reserve by government legislation.

#### RESERVOIR

An artificial lake or structure storing water for domestic or other uses.

#### RIDGE

A long and narrow stretch of elevated ground. It generally has a length less than 16 kilometres.

#### RIFLE RANGE

An area used for target practice with rifles.

#### RIVER

A major natural stream in a large catchment basin, carrying water to another river, a lake or the sea. Usually perennial, but not necessarily so in arid areas.

#### RIVER BEND

A curve in the course of a stream. This designation includes 'meander'.

#### RIVER CROSSING

A place where a river may be crossed.

#### RIVER FLAT

A relatively level piece of ground within an area of greater relief; a tract of country without hills and smaller than a plain, caused by the laying down of sediment by a river.

#### RIVER MOUTH

The area at which a river makes contact with the sea.

#### RIVULET

A small stream.

#### ROAD BEND

A bend in a road.

#### ROADS

An open way, usually surfaced with tarmac or concrete, providing passage from one place to another.

#### ROADSTEAD

An open anchorage for ships, which may be sufficiently sheltered to give protection from seas, usually by reefs, sandbanks, or islands.

#### ROCK

A prominent or isolated out crop of rock, or even a single large stone. This designation includes 'boulder' 'crag' 'needle' 'pillar' and 'tor'.



#### ROCK FACE

An area of exposed rock, generally in a vertical position.

#### RURAL PLACE

A place, site or precinct in a rural landscape, generally of small extent, the name of which is in current use.

#### SADDLE

A col or pass or any land form recalling in shape a saddle.

#### SANDBANK

A bank of sand in a sea or river that may be exposed at low tide.

#### SANDBAR

A ridge of sand in a river or sea, built up by the action of tides, currents, etc, and often exposed at low tide.

#### SANDHILL

A mound, ridge or hill of drifted sand either in a desert or along a sea coast, formed by the action of wind.

#### SANDRIDGE

Sand drifts in long ridges tending parallel to and elongating in the direction of the prevailing winds.

#### SCHOOL

An establishment for primary or secondary education created by the Education Act.

#### SCRUB

A vegetation consisting of stunted trees, bushes, and other plants growing in an arid area. An area of arid land covered with such vegetation.

#### SEA

One of the divisions of the oceans, especially if partly enclosed by land.

#### SHOAL

A ridge of sand or of rocks just below the surface of the sea or of a river and therefore dangerous to navigation.

#### SPORTSGROUND

A reserve used for sporting fixtures.

#### SPRING

A flow of water issuing naturally out of the ground, either continuously or intermittently.

#### SPUR

A minor linear projection off a range, ridge, mountain, tableland, hill or plateau being generally not more than 2 kilometres in length and decreasing in altitude from the parent feature.

#### STATE

A major administrative or political division within a country.

#### STATION

A structure beside a railway line with facilities for passengers and freight.

#### STEEPS

The very steep and deep sides of a mountain or high plateau.

#### STRAIT

A comparatively narrow passage connecting two seas or two large bodies of water.

#### STREAM

Small river, brook. Any steady flow of water or other fluid.

#### SUBURB

A bounded area within the landscape that has an 'Urban' Character.

#### SURF BREAK

A permanent obstruction such as a reef, bombora, rock or sandbar which causes waves to break thus making conditions conducive to surfing.

#### SWAMP

A tract of land normally saturated with water, having little or no drainage and characterised by a growth of grass or reeds. This designation includes 'marsh'.

#### SYPHON

A tube/pipe placed with one end at a certain level in a body of water and the other in a body of water below this level.

#### TABLELAND

An elevated tract of land with a generally level surface of considerable extent, generally with a minimum area of 2,500 hectares.

#### TANK

An artificial waterhole forming a reservoir for rainwater and adjacent run-off.

#### TERMINAL

A reception or departure building at the terminus of a bus, sea or air transport route.

#### TERRACE

A level or nearly level strip of land, usually narrow and bordering the sea, a lake or river, lying between a slope upwards to hills on one side and a slope, often abrupt, downwards on the other.

#### TOPS

The top of a hill



#### **TOWER**

A tall usually square or circular structure, sometimes part of a larger building and usually built for a specific purpose.

#### **TOWN**

A commercial nucleus offering a wide range of services and a large number of shops, often several of the same type. Depending on size, the residential area can be relatively compact or (in addition) dispersed in clusters on the periphery.

#### **TRACK**

A formed and/or marked track that is used by people either walking, cycling or riding a horse. This designation includes 'trails'.

#### **TRAINING WALL**

See 'Breakwater'.

#### **TRIG. STATION**

A point on the ground, the geographic position of which has been determined by geodetic survey.

#### **TUNNEL**

An underground passageway, esp. one for trains or cars. Any passage through or under something.

#### **UNIVERSITY**

An institution of higher education having authority to award bachelor and higher degrees, usually having research facilities.

#### **URBAN LOCALITY**

Not now recommended, see 'Urban Place'.

#### **URBAN PLACE**

A place, site or precinct in an urban landscape, the name of which is in current use, but the limits of which have not been defined under the address locality program.

#### **URBAN VILLAGE**

A cohesive populated place in an urban landscape, which may provide a limited range of services to the local area.

#### **VALLEY**

Long depression in the land surface, usually containing a river, formed by erosion or by movements in the earth's crust. Any elongated depression resembling a valley.

#### **VILLAGE**

A cohesive populated place in a rural landscape, which may provide a limited range of services to the local area. Residential subdivisions are in urban lot sizes.

#### **WATER AERODROME**

All licenced aerodromes and government aerodromes maintained by the Federal Airports Corporation, other than those designated 'airports' which have landing facilities on water for sea planes etc.

#### **WATER FEATURE**

A feature within water.

#### **WATER SYPHON**

See 'Syphon'

#### **WATERFALL**

A sudden descent of water over a step in the bed of a stream, the fall being much steeper than in the designation 'rapids'. In place names frequently shortened to 'Fall' or 'Falls'. This designation includes 'cascade' and 'cataract'.

#### **WATERHOLE**

A natural hole or hollow containing water, often in the dry bed of an intermittent river.

#### **WEIR**

A barrier, erected across a stream to impound and raise the water level for the purpose of maintaining it at the level required for irrigation or navigation purposes.

#### **WELL**

A hole or pit dug in the ground to obtain water.

#### **WHARF**

A platform alongside of which ships may be secured for loading or unloading cargo or passengers. This designation includes 'pier', 'quay', 'jetty', and 'marina' for those marinas that only have public access.



# Public Memorials Policy

## PLACES

### 3.3 OUR BUILT ENVIRONMENT CREATES VIBRANT AND INVITING PUBLIC SPACES

Adoption Date:	28 October 2020
Council Reference:	2020/002
Policy Owner:	Manager Assets
Next review date:	28 October 2024
File Reference:	7150/1
Related Policies/Legislation:	Cenotaphs and War Memorial (Protected Places) Security and Protection Policy Cemetery Policy
Related Documents:	Public Memorials Policy Guidelines Public Memorials Procedures Geographical Names Board of NSW Policy – Place Naming
Superseded Policy/GM Practice Note:	Nil

## Objectives

The objective of this Policy is to provide a framework for assessing and approving the placement of memorials on Council-owned land and the naming of public spaces within the Wingecarribee Shire (the Shire).

## Policy Statement

Wingecarribee Shire Council (Council) recognises the need for public amenities, including parks and reserves, across the Shire. Council's parks and reserves are primarily provided and maintained for recreation or environmental protection.

Council considers the cemeteries provided by Council and other providers in the Shire are the most appropriate places for commemorating loved ones, and overall, Council does not support the proliferation of visible memorials in its parks and reserves or alongside footpaths.

However, Council recognises that on occasion, it is appropriate to commemorate a deceased person in a more public space. In such circumstances, Council may approve a public memorial in accordance with this Policy and the Public Memorials Policy Guidelines (the Guidelines). Further information on the types of memorials that may be approved is contained in the Guidelines.

Memorials will only be approved for a person who is deceased and was a resident of the Wingecarribee Shire. Memorials will:

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- be consistent with, and not interfere with, the intended purpose of the proposed location and the surrounding environment;
- be consistent with any existing Plan of Management;
- enhance the landscape, recreation, and cultural value of the park or reserve;
- build community connections and connect people to place;
- take into account the number of existing memorials, artworks and other objects in the vicinity; and
- be designed and located such that they enhance the visual amenity of the park.

Memorials will not be approved if they:

- duplicate an existing memorial within the Shire, except in exceptional circumstances;
- create a negative impact on Council's future maintenance expenditure, or present a significant financial burden to Council;
- pose a safety risk now or in the future; and/or
- result in a change of use of a park or reserve.

Council does not consider it appropriate to scatter ashes in Council parks and reserves, including at or around memorials placed in accordance with this Policy. Council cemeteries and other cemeteries in the Shire can accommodate the placement or scattering of ashes.

Requests for memorials will only be approved if they meet the criteria contained in this Policy and the Guidelines. This Policy replaces any previous approval or process regarding the installation of a memorial. Existing memorials or plaques cannot be employed as precedent for future approvals.

## Scope

This Policy covers all applications and requests for commemorative naming and placement of memorials in Council-owned land. It does not cover memorials placed in cemeteries (whether Council-owned or otherwise), on private land, or on privately owned buildings.

This Policy does not include memorials relating to war or military service. Refer to the Cenotaphs and War Memorial (Protected Places) Security and Protection Policy for further information.

This Policy does not include the naming of new parks that are being created as part of a subdivision. The naming of these parks will continue to be undertaken as part of the development application process, in accordance with guidelines issued by the Geographical Names Board of NSW.

This Policy does not include the naming of roads within the Shire. Roads will continue to be named in accordance with the NSW Address Policy and User Manual published by the Geographical Names Board of NSW.

This policy does not include directional signage or informational signage as relates to anything other than those designed to commemorate a person or event.

This policy does not include Roadside Tributes. Refer to Transport for NSW Guidelines for Roadside Tributes for further information.

## Definitions

### Memorials

For the purpose of this policy *Memorials* encompasses all requests covered by the policy including



the following:

- Planting of memorial trees
- Park seats including plaques
- Historical markers and commemorative plaques
- Monuments, statues and other memorials
- Interpretative signage
- Naming of public places

#### **Public Place**

For the purpose of this policy *Public Place* encompasses any Council owned or managed indoor or outdoor area, to which the public have access by right or by invitation, expressed or implied.

### **Responsibilities**

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

#### **Councillors**

- To lead the community in their understanding of, and compliance with, this Policy
- To consider requests for large memorials in accordance with this Policy and the Public Memorials Policy Guidelines
- To consider requests for naming public places and buildings in accordance with this Policy and the Public Memorials Policy Guidelines

#### **Executive**

- To implement this Policy, the Public Memorials Policy Guidelines and any related procedures
- To lead staff in their understanding of, and compliance with, this Policy
- To consider requests for historical markers and interpretative signage in accordance with this Policy, the Public Memorials Policy Guidelines and any associated procedures

#### **Manager Assets**

- To implement and maintain this Policy, the Public Memorials Policy Guidelines and any associated procedures

#### **Responsible Officer**

- To assess requests and applications for memorials trees and memorial park seats in accordance with this Policy, the Public Memorials Policy Guidelines and any associated procedures

#### **All Council Staff**

- To comply with this Policy, the Public Memorials Policy Guidelines and any associated procedures

### **Performance Measures**

The success of this Policy will be measured by:



- a reduction in the number of enquiries for information about memorials in Council's parks and reserves;
- a reduction in the number of complaints associated with Council's decisions not to approve the placement of memorials; and
- a reduction in the number of complaints associated with Council's decisions to approve the placement of memorials.

### Breaches of the Policy

Breaches of this Policy should be reported to Manager Assets. The Manager Assets will investigate alleged breaches and determine the appropriate course of action to resolve the matter.

APPROVED BY:

WINGECARRIBEE SHIRE COUNCIL

28 October 2020



## Attachments

1. Public Memorials Policy Guidelines

## 10.5 Investment Report - March 2021

Report Author:	Accounting Officer (Banking and Investments)
Authoriser:	Acting Deputy General Manager Operations Finance and Risk
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

The purpose of this report is to present Council's Investment Portfolio held at 31 March 2021.

### RECOMMENDATION

**THAT** the information on Council's Investments as at 31 March 2021 be received and noted.

### REPORT

In accordance with section 212 of the *Local Government (General) Regulation 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 31 March 2021.

**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 section 212(1)(b) of the *Local Government (General) Regulation 2005*, 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, and
- Council's Investment Policy.

Interest earned from investments totalled \$1,437,336 for nine (9) months to 31 March 2021.

### ATTACHMENTS

1. Investment Report Summary as at 31 March 2021



## Wingecarribee Shire Council Investment Report Summary

For the period ending 31 March 2021

### List of Investments

Council's investment portfolio as at 31 March 2021 consists of the following investments:

INVESTMENT PORTFOLIO AS AT 31 March 2021						
Institution	Type	Amount	Interest Rate	Investment Term - Days	Maturity Date	% Investment Portfolio
BOQ	Term Deposit	8,000,000	0.40%	131	7/04/2021	4.36%
Macquarie	Term Deposit	3,000,000	1.40%	365	29/04/2021	1.63%
Auswide	Term Deposit	4,000,000	0.45%	159	5/05/2021	2.18%
BDCU	Term Deposit	5,000,000	1.30%	365	21/05/2021	2.72%
BDCU	Term Deposit	5,000,000	1.30%	365	28/05/2021	2.72%
BOQ	Term Deposit	2,500,000	1.20%	365	28/05/2021	1.36%
NAB	Term Deposit	5,000,000	1.00%	364	4/06/2021	2.72%
NAB	Term Deposit	5,000,000	0.95%	365	15/06/2021	2.72%
NAB	Term Deposit	10,000,000	1.00%	365	23/06/2021	5.45%
Auswide	Term Deposit	5,000,000	1.01%	364	25/06/2021	2.72%
NAB	Term Deposit	10,000,000	0.95%	364	2/07/2021	5.45%
Auswide	Term Deposit	5,000,000	0.55%	180	12/07/2021	2.72%
Rural	Term Deposit	6,000,000	0.90%	365	22/07/2021	3.27%
NAB	Term Deposit	5,000,000	0.86%	365	29/07/2021	2.72%
NAB	Term Deposit	5,000,000	0.85%	364	6/08/2021	2.72%
CBA	Term Deposit	3,000,000	0.37%	172	17/08/2021	1.63%
NAB	Term Deposit	5,000,000	0.80%	365	26/08/2021	2.72%
NAB	Term Deposit	5,000,000	0.80%	364	27/08/2021	2.72%
BOQ	Term Deposit	5,000,000	0.75%	364	27/08/2021	2.72%
MyState	Term Deposit	5,000,000	0.85%	364	3/09/2021	2.72%
BOQ	Term Deposit	5,000,000	0.75%	364	3/09/2021	2.72%
NAB	Term Deposit	3,000,000	0.73%	365	21/09/2021	1.63%
BDCU	Term Deposit	5,000,000	0.85%	365	24/09/2021	2.72%
BDCU	Term Deposit	5,000,000	0.85%	365	26/09/2021	2.72%
MyState	Term Deposit	5,000,000	0.80%	365	28/09/2021	2.72%
Auswide	Term Deposit	3,000,000	0.50%	300	6/10/2021	1.63%
AMP	Term Deposit	2,500,000	0.75%	330	19/10/2021	1.36%
AMP	Term Deposit	2,500,000	0.75%	343	2/11/2021	1.36%
AMP	Term Deposit	2,500,000	0.75%	332	12/11/2021	1.36%
Auswide	Term Deposit	5,000,000	0.50%	280	26/11/2021	2.72%
AMP	Term Deposit	2,500,000	0.75%	365	15/12/2021	1.36%
NAB	Term Deposit	3,000,000	0.40%	320	21/12/2021	1.63%
Auswide	Term Deposit	5,000,000	0.50%	364	7/01/2022	2.72%
ME	Term Deposit	5,000,000	0.45%	329	28/01/2022	2.72%
CBA	Term Deposit	2,000,000	0.40%	330	11/02/2022	1.09%
CBA	Term Deposit	2,000,000	0.41%	364	18/02/2022	1.09%
CBA	Term Deposit	5,000,000	0.42%	365	23/02/2022	2.72%
ME	Term Deposit	3,000,000	0.45%	365	18/03/2022	1.63%
CBA	Term Deposit	3,000,000	0.43%	365	31/03/2022	1.63%
ME	Term Deposit	2,000,000	0.45%	365	31/03/2022	1.09%
NAB	Call Account	968,381	0.00%	NA	NA	0.53%
BDCU	Call Account	5,051,115	0.15%	NA	NA	2.75%
<b>Total Investments</b>		<b>\$183,519,496</b>				<b>100.00%</b>

#### Institution Legend

AMP - AMP Limited  
ANZ - Australia & New Zealand Banking Group  
Auswide - Auswide Bank  
BOQ - Bank of Queensland  
BDCU - BDCU Alliance Bank  
Bendigo - Bendigo & Adelaide Bank

CBA - Commonwealth Bank of Australia  
CUA - Credit Union Australia  
IMB - IMB Bank  
ING - ING Direct  
Macquarie - Macquarie Bank Limited  
ME - Members Equity Bank

MyState - MyState Bank  
NAB - National Australia Bank  
Newcastle - Newcastle Permanent Building Society  
St George - St George Bank  
WBC - Westpac Banking Corporation  
Rural - Rural Bank



## Wingecarribee Shire Council Investment Report Summary

For the period ending 31 March 2021

### 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%	31.04%	56,968,381	YES	YES
CBA	A1+	40%	8.18%	15,000,000	YES	YES
Macquarie	A1	25%	1.63%	3,000,000	YES	YES
AMP	A2	15%	5.45%	10,000,000	YES	YES
BOQ	A2	15%	11.17%	20,500,000	NO	YES
BDCU	A2	15%	13.65%	25,051,115	NO	YES
ME	A2	15%	5.45%	10,000,000	NO	YES
Rural Bank	A2	15%	3.27%	6,000,000	NO	YES
MyState	A2	15%	5.45%	10,000,000	NO	YES
Auswide	A2	15%	14.71%	27,000,000	NO	YES
<b>Total</b>			<b>100.00%</b>	<b>183,519,496</b>		

### 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%	39.22%	71,968,381	YES
A1	80%	1.63%	3,000,000	YES
A2	60%	59.15%	108,551,115	YES
A3	20%	0.00%	0	YES
Govt	25%	0.00%	0	YES
<b>Total</b>		<b>100.00%</b>	<b>183,519,496</b>	

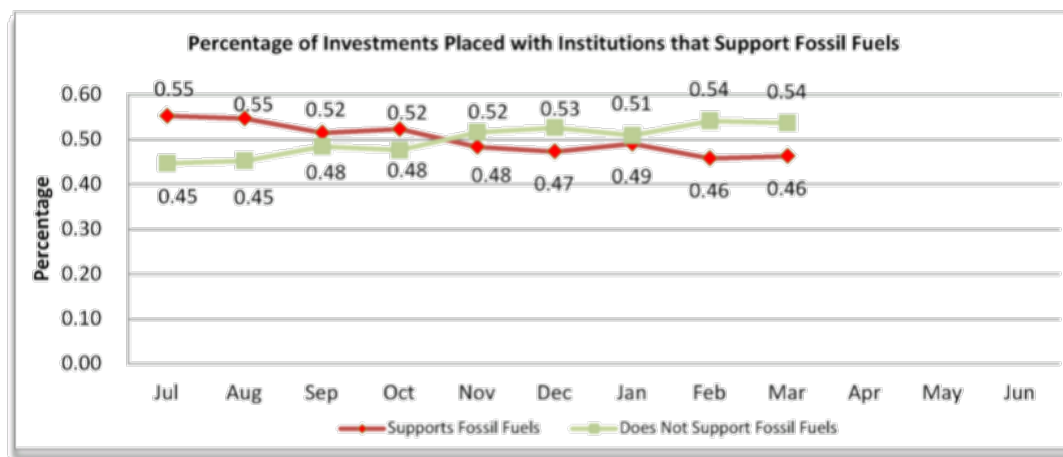
## Wingecarribee Shire Council Investment Report Summary

For the period ending 31 March 2021

### Non-Fossil Fuel Investment Preferecing

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.



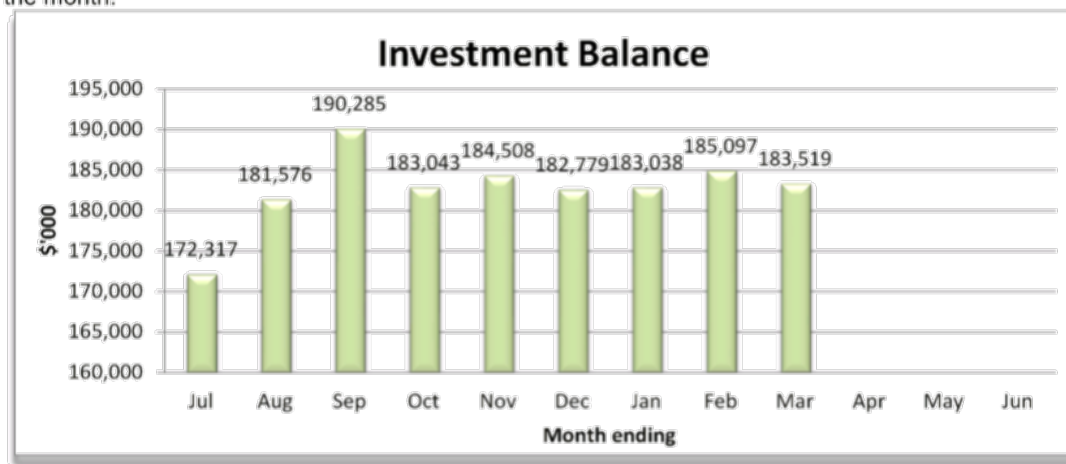


## Wingecarribee Shire Council Investment Report Summary

For the period ending 31 March 2021

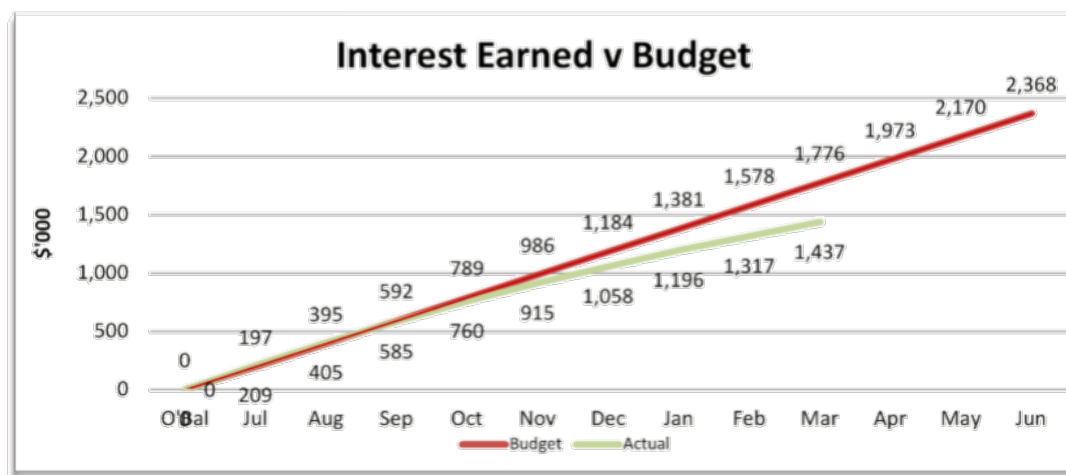
### Portfolio Performance

Council's investment balance at the end of March 2021 was \$183.519 million. This has decreased by \$1.577 million since the end of February 2021. The decrease in investments is a result of operational and capital expenditure payments during March and the absence of rates and water instalments during the month.



### Interest Revenue

Due to decreasing interest rates being offered by financial institutions in this protracted low interest rate environment, Council's rate of return on investments is diminishing. Council continues to seek the best available returns while managing the investment portfolio in accordance with Council's investment policy.





## Wingecarribee Shire Council Investment Report Summary

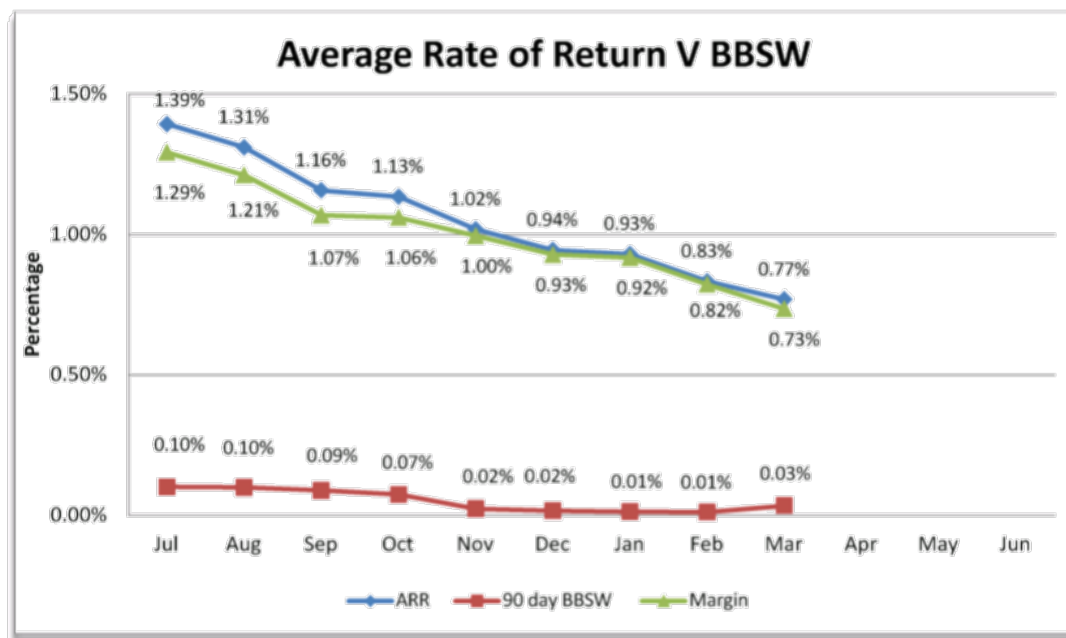
For the period ending 31 March 2021

### 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 March 2021 was 0.77% which is 0.06% lower than February 2021. The BBSW increased to 0.03%.

The margin above BBSW was 0.73% for March 2021 which shows Council continues to secure favourable interest rates on term deposits.



## 11 CORPORATE STRATEGY AND DEVELOPMENT SERVICES

### 11.1 Review of the Charter and Membership of the Audit, Risk and Improvement Committee

Report Author:	Acting Group Manager Corporate and Community
Authoriser:	Acting 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

The purpose of this report is for Council to:

- Adopt the revised Audit, Risk and Improvement Committee Terms of Reference
- Dissolve the existing Audit, Risk and Improvement Committee
- Call for expressions of interest from suitably qualified individuals to nominate as independent external committee members for the Audit, Risk and Improvement Committee.

#### RECOMMENDATION

1. **THAT** Council adopt the Audit, Risk and Improvement Committee Terms of Reference.
2. **THAT** Council acknowledge the resignation of Ms Jan Edwards and Mr Paul Jeffares from the current Audit, Risk and Improvement Committee.
3. **THAT** Council dissolves the current Audit, Risk and Improvement Committee.
4. **THAT** the independent members of the Audit, Risk and Improvement Committee be thanked in writing for their contributions to the Committee.
5. **THAT** Council calls for suitably qualified individuals to nominate as independent external committee members for the Audit, Risk and Improvement Committee.
6. **THAT** Council's Committee Manual 2016-2021 be amended to remove all references to the Audit, Risk and Improvement Committee.

#### REPORT

##### **BACKGROUND**

Council first established an Internal Audit Committee in 2009.

Since that time the Committee Charter has been revised, updated and renamed the Audit, Risk and Improvement Committee.

The current Charter is based on the Office of Local Government's template from the *Internal Audit Guidelines September 2010* issued under section 23A of the *Local Government Act 1993* (the Act). Council's current ARIC Charter was last reviewed and adopted by Council in

## AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 21 April 2021

### REPORT ACTING DEPUTY GENERAL MANAGER CORPORATE STRATEGY AND DEVELOPMENT SERVICES



2020. The roles and responsibilities of the Committee include risk management, control framework, external accountability, legislative compliance, internal and external audit.

Reports have been provided to Council by the Committee Chair on an annual basis, which have demonstrated the positive contribution made by the Committee to Council's overall risk control environment, however acknowledging that more work is required.

As a part of a broader organisational review program, at the Council meeting held on 17 March 2021 the Interim Administrator requested a review of the Charter and membership of the Audit, Risk and Improvement Committee (the ARIC Committee) be reported to the April 2021 Council meeting.

### REPORT

A review of Council's current ARIC Charter and committee membership has been undertaken to ensure it reflects best practice and complies with foreshadowed legislative changes relating to audit, risk and improvement committees.

The *Local Government Amendment (Governance and Planning) Act 2016* (the Amending Act) was proclaimed on 30 August 2016. Some parts of the Amending Act have not commenced, however when Part 4A (section 428A(2)) of the *Local Government Act 1993* (the Act) commences the AIRC will be under a statutory obligation to keep under review the following aspects of Council's operations:

- compliance,
- risk management,
- fraud control,
- financial management,
- governance,
- implementation of the strategic plan, delivery program and strategies,
- service reviews,
- collection of performance measurement data by the council,
- any other matters prescribed by the regulations.

Internal Audit will be a matter prescribed by the regulation.

The Committee is also to provide information to the council for the purpose of improving Council's performance of its functions.

The ARIC Charter and Committee membership were also reviewed with consideration to the Office of Local Government's *Discussion Paper – A New Risk Management and Internal Audit Framework for Local Councils in NSW* which was issued in September 2019. The Terms of Reference of other NSW councils who already reflect the requirements of section 428A of the Act were also considered.

As a result of this review, new ARIC Terms of Reference (**Attachment 1**) have been developed to reflect the requirements of the section 428A of the Act, which extends its roles and responsibilities, as outlined above. Noting also, the updated naming convention as the Office of Local Government Discussion Paper refers to ARIC Terms of Reference, rather than Charter.

## AGENDA FOR THE ORDINARY MEETING OF COUNCIL

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Other significant changes included in the Terms of Reference which reflect the Office of Local Government Discussion Paper proposed requirements include:

1. That to ensure independence of the ARIC committee councillors will no longer be able to sit on the Committee.
2. Independent Committee members will be required to demonstrate they meet the following criteria:
  - a. extensive senior level experience in governance and management of complex organisations
  - b. an ability to read and understand financial statements
  - c. a capacity to understand the ethical requirements of government (including potential conflicts of interest)
  - d. functional knowledge of areas such as:
    - i. risk management
    - ii. performance management
    - iii. human resources management
    - iv. internal and external auditing
    - v. financial reporting
    - vi. accounting
    - vii. management control frameworks
    - viii. financial internal controls
    - ix. governance (including planning, reporting and oversight), or
    - x. business operations.
  - e. a capacity to form independent judgements and willingness to constructively challenge/question management practices and information.
  - f. a professional, ethical approach to the exercise of their duties.
  - g. the capacity to devote the necessary time and effort to the responsibilities of a member of an Audit, Risk and Improvement Committee, and
  - h. possession of a relevant professional qualification or membership (for example, Certified Internal Auditor, Certified Practising Accountant, Chartered Accountant, Certified Practising Risk Manager, Graduate Member of the Australian Institute of Company Directors) is desirable.
3. The Committee Chair must also possess:
  - o leadership qualities and the ability to promote effective working relationships in complex organisations.
  - o an ability to communicate complex and sensitive assessments in a tactful manner to senior management, board members and Ministers.
  - o a sound understanding of:
    - the principles of good organisational governance and capacity to understand public sector
    - accountability, including financial reporting

## AGENDA FOR THE ORDINARY MEETING OF COUNCIL

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### REPORT ACTING DEPUTY GENERAL MANAGER CORPORATE STRATEGY AND DEVELOPMENT SERVICES



- the business of the department or statutory body or the environment in which it operates internal audit operations and
  - risk management principles.
4. Independent Committee members will be remunerated for their participation on the Committee. The fees payable will be the same as those currently paid by the NSW Government's prequalification scheme.

The ARIC is an independent advisory committee that will assist Council to fulfil its oversight responsibilities.

On the 14 April 2021, two of the three independent ARIC members on the current committee, submitted their resignation from the committee to the Interim Administrator. Ms Jan Edwards has been a member of the ARIC committee since 2009 and Chair of the Committee since 2014. Mr Paul Jeffares joined the committee in 2017. Dr Jason Young remains a member of the Committee. All committee members are thanked for their dedication, active participation and contribution on the Committee.

Given the significant changes proposed to the ARIC Terms of Reference, the resignation of two independent committee members and that the current ARIC membership includes councillors, it is recommended that the current ARIC be dissolved. An expression of interest process should then be undertaken to appoint suitably qualified independent committee members. Current Independent Committee members are eligible to submit an expression of interest.

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## COMMUNICATION AND CONSULTATION

### Community Engagement

N/A

### Internal Communication and Consultation

Executive

### External Communication and Consultation

The expression of interest process for the Independent Committee members will be widely promoted to ensure suitably qualified committee members are appointed to the Committee.

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## 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.

## AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 21 April 2021

### REPORT ACTING DEPUTY GENERAL MANAGER CORPORATE STRATEGY AND DEVELOPMENT SERVICES



- **Culture**

There are no cultural issues in relation to this report.

- **Governance**

The *Local Government Amendment (Governance and Planning) Act 2016* (Amending Act) was proclaimed on 30 August 2016. Some parts of the Amending Act have not commenced, however when Part 4A (Section 428A(2)) of the Act commences; audit, risk and improvement committees will be under a statutory obligation to keep under review the following aspects of Council's operations:

- compliance,
- risk management,
- fraud control,
- financial management,
- governance,
- implementation of the strategic plan, delivery program and strategies,
- service reviews,
- collection of performance measurement data by the council,
- any other matters prescribed by the regulations.

Internal audit will be a matter prescribed by the regulations.

The Committee is also to provide information to the council for the purpose of improving the council's performance of its functions.

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### **COUNCIL BUDGET IMPLICATIONS**

As current members of Council's ARIC are not provided any form of remuneration for their membership, there is currently no budget allocation. An appropriate budget allocation will be included in the 2021/22 Budget.

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### **RELATED COUNCIL POLICY**

- Wingecarribee Shire Council Code of Conduct
- Wingecarribee Shire Council Procedures for the Administration of the Code of Conduct

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### **CONCLUSION**

Council's Audit, Risk and Improvement Committee Terms of Reference have been revised with significant changes. It is recommended that the current ARIC be dissolved, and Council call for suitably qualified independent committee members.

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### **ATTACHMENTS**

1. Audit, Risk and Improvement Committee Terms of Reference



# Terms of Reference

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## 1. Objectives

The Audit, Risk and Improvement Committee (the Committee) has been established to promote good governance at Wingecarribee Shire Council.

Good governance of Council ensures its goals and objectives are achieved, its operations are performed successfully, it complies with all necessary legal and other requirements, and it uses its resources responsibly with accountability. It also helps Council to promote confidence with stakeholders and adapt and function in changing and uncertain environments.

The *Local Government Amendment (Governance and Planning) Act 2016* (the Amending Act) was proclaimed on 30 August 2016. Some parts of the Amending Act have not commenced, however when Part 4A (section 428A(2)) of the *Local Government Act 1993* (the Act) commences the Committee will be under a statutory obligation to keep under review the following aspects of Council's operations:

- (a) compliance,
- (b) risk management,
- (c) fraud control,
- (d) financial management,
- (e) governance,
- (f) implementation of the strategic plan, delivery program and strategies,
- (g) service reviews,
- (h) collection of performance measurement data by the council,
- (i) any other matters prescribed by the regulations.

Internal audit will be a matter prescribed by the regulations.

The Committee is also to provide information to Council for the purpose of improving Council's performance of its functions.

The Terms of Reference imposes the obligations above on the Committee from the date the Committee commences, prior to the commencement of Part 4A of the Act. Given the broaden scope of the committee objectives transitional arrangements will need to be in place.

The Committee is an independent advisory Committee that assists Council to fulfil its oversight responsibilities.

## 2. Authority

The Committee is established in accordance with Council's authority granted by section 355 of the Act. The Committee has no executive powers, except those expressly provided by Council.

In carrying out its responsibilities, the Committee must at all times recognise that primary responsibility for management of Council rests with Council and the General Manager as defined by the Act.

Council authorises the Committee as a whole (but not individual members of the Committee) within the scope of its role and responsibilities as follows and to report any action undertaken in the meeting minutes:

- a) obtain any information it needs from any employee or external party (subject to their legal obligations to



protect information).

b) discuss any matters with the NSW Auditor-General (or contracted agent) and/or external auditor and/or other external parties (subject to confidentiality considerations).

c) request the attendance of any employee or Councillor at Committee meetings.

d) obtain external legal or other professional advice considered necessary to meet its responsibilities. The engagement and payment of costs for that advice is subject to the prior approval by the General Manager.

The Committee does not have decision making authority, the power to bind Council, nor the power to incur expenditure, subject to clause 2(d).

### **3. Composition and Tenure**

The Committee is to be appointed by Council.

#### **3.1 Voting Members**

The Committee will consist of three (3) independent external voting members, one (1) of whom is the Chair of the Committee. Councillors are ineligible to sit on the Committee.

The Voting members, in aggregate, will have recent and relevant knowledge of:

- a) Accounting or related Financial management
- b) Risk management experience
- c) Auditing experience in a public sector environment
- d) Performance improvement
- e) The local government framework
- f) Council services, activities and operations
- g) Governance, risk and compliance
- h) Community services.

Council will be required to ensure that the Committee as a collective body has the appropriate mix of skills, knowledge and experience to successfully implement its terms of reference and add value to Council.

At least one member of the Committee should have accounting or financial management experience with an understanding of accounting and auditing standards in a local government context.

Each individual should also have sufficient time to devote to their responsibilities as an Audit, Risk and Improvement Committee member.

Changes to the Committee composition and tenure will be by approval of Council.

Audit, Risk and Improvement Committee members and the Chair are to serve a three to five-year term. A member's term cannot exceed eight years and the Chair's term cannot exceed five years.

#### **3.2 Council Staff Attendees (non-voting)**

The following staff will attend the Committee meetings as ex-officio members and will provide professional advice to



the committee:

- General Manager
- Group Manager Corporate and Community
- Chief Financial Officer
- Group Manager Organisational Development
- Coordinator Corporate Strategy and Governance

Other staff may be requested by the General Manager to attend the Committee meeting to provide expert advice and information for specific agenda items

The General Manager and any other staff may be excluded from the meeting by the Committee.

### **3.3 External Attendees (non-voting)**

The NSW Auditor-General, as Council's external auditor, or their representative, is to be invited to each committee meeting as an independent non-voting observer and can choose whether to attend. The Committee can also exclude the external auditor if needed.

Council's appointed internal audit firm will also be invited to attend the Committee meeting. The Committee can also exclude the external auditor if needed.

The Committee may meet with Council's appointed Internal Audit and external auditor in the absence of management on at least one occasion per year.

### **3.4 Chair of the Committee**

The Chair of the Audit, Risk and Improvement Committee is to act as the interface between the Committee and the General Manager, the Committee and Council.

Council can appoint the Chair for one term only for a period three (3) to five (5) years. The Chair's term can be extended but any extension must not cause the total term of the Chair to exceed five years.

### **3.5 Independent Member Appointment Process**

Independent members will be requested to nominate their services through an expression of interest process. Appointment will be made by Council resolution, taking into account the appropriate experience and qualifications of the nominees.

Independent members will not be required to reside in the Wingecarribee Local Government Area.

The three independent members are eligible for extension or re-appointment up to a maximum of eight years of continual service, subject to a formal review of their performance. Appointments must be made so that there is a phased replacement of each of the three Independent external members to ensure continuity in the Committee.

Formal performance reviews of the Independent members will be conducted by the Chair of the Committee. The General Manager, in consultation with the Mayor, will review the performance of the Chair.



### **3.6 Dismissal of the Chair and Committee Members**

The independent members can also be removed by resolution of Council however a reason must be provided for the removal, which may include:

- breached Council's Code of Conduct
- performed unsatisfactorily, or
- declared, or is found to be in, a position of a conflict of interest which is unresolvable.

### **3.7 Vacancy**

If for any reason a vacancy in the Committee membership occurs, the position(s) will be filled in accordance with this Terms of Reference.

## **4. Roles and Responsibilities**

The Committee is to provide an advisory and assurance role only, and is to have no administrative function, delegated financial responsibility or any management functions.

The Committee will be required to give independent advice and assurance to the General Manager and Council on the matters outlined below. The responsibilities of the Committee may be revised or expanded by Council from time to time. The Committee's responsibilities are:

### **4.1 Internal Audit**

Advisory:

- providing overall strategic and executive direction for internal audit activities
- advising the General Manager and governing body of Council of the resources necessary to successfully deliver the internal audit function
- assessing the adequacy and effectiveness of Council's internal audit activities
- acting as a forum for communication between the governing body, General Manager, senior management, the internal audit function and external audit
- overseeing the coordination of audit programs conducted by internal and external audit and other review functions, and
- ensuring Council achieves maximum value from its internal audit activities.

Review:

- the appropriateness of Council's Internal Audit Charter, internal audit policies and procedures
- audit/risk methodologies used
- the findings/recommendations of internal audit activities, particularly recommendations that have been assessed as the most significant according to the risk to Council if they are not implemented



- the effectiveness of corrective actions implemented
- compliance with statutory requirements
- the performance of the internal audit function as part of Council's internal audit quality improvement program, and
- the findings of any external reviews of the internal audit function.

Endorsement of:

- Council's Internal Audit Charter, internal audit strategic four-year plan and annual work plan, and

## 4.2 External Audit

Advisory:

- acting as a forum for communication on external audit issues, and
- advising on the findings of external audits and monitoring the implementation by Council of any recommendations for corrective action.

## 4.3 Risk Management

Advisory – advising whether:

- Council has provided sufficient resources for risk management and staff are able to carry out their risk management responsibilities
- Council's risk management framework complies with current Australian risk management standards
- Council's risk management framework operates effectively and supports the achievement of Council's strategic goals and objectives
- management has embedded a positive risk management culture
- risk management is fully integrated into all aspects of Council, including decision making processes and operations
- risks are formally considered when developing and implementing all Council policies, programs, projects and other activities, including procurement
- major risks have been identified and assessed by Council and appropriate risk treatments have been implemented that reflect Council's risk criteria
- risk information is captured and communicated in a timely manner across Council, enabling management and staff to carry out their responsibilities
- there are Council-specific, fit-for-purpose tools, systems and processes to help all those responsible for managing risk to fulfil their responsibilities, and
- Council's risk management policies, procedures and plans are being complied with.

Review the appropriateness and effectiveness of Council's:



- risk criteria
- internal control framework
- risk register and risk profile
- risk reports
- risk management framework in relation to its insurance arrangements, and
- business continuity plans and natural disaster plans (including periodic testing).

Endorsement of:

- Council's risk management policy, risk management plan and risk criteria prior to their approval by the governing body of Council, and
- Council's risk profile and risk register/s prior to their approval by the General Manager.

#### 4.4 Control Framework

Providing independent assurance on the following internal controls implemented by Council to manage specific categories of risk:

Council's compliance framework - advising whether:

- management has embedded a culture which is committed to lawful and ethical behaviour
- Council has in place necessary policies and procedures and that these are periodically reviewed and updated
- Council is complying with all necessary legislation, regulations, policies and procedures
- management has appropriately considered all legal and compliance risks as part of Council's risk assessment and management arrangements
- delegations are properly managed and exercised, and Council's system for monitoring compliance is effective.

Council's fraud and corruption framework - advising whether:

- Council's fraud and corruption prevention plan and activities are adequate and effective, and
- Council has appropriate processes and systems in place to capture and effectively investigate fraud-related information.

Council's financial management and external accountability framework – including:

- advising whether Council's financial management processes are adequate
- assessing the policies and procedures for Council management's review and consideration of Council's current and future financial position and performance and the nature of that review (including the approach taken to addressing variances and budget risks)
- advising on the adequacy of year-end review procedures, and
- reviewing Council's financial statements, including:
  - providing input and feedback on Council's financial statements



- advising whether Council is meeting its external accountability requirements
- advising whether appropriate action has been taken in response to audit recommendations and adjustments
- satisfying itself that the financial statements are supported by appropriate management signoff
- reviewing the 'Statement by Councillors and Management' (made pursuant to s 413(2)(c) of the Act)
- reviewing the processes in place designed to ensure that financial information included in Council's annual report is consistent with the signed financial statements
- reviewing cash management policies and procedures
- reviewing policies and procedures for the collection, management and disbursement of grants and tied funding, and
- satisfying itself that Council has a performance management framework that is linked to organisational objectives and outcomes.

Council's governance framework – including:

- advising on the adequacy and robustness of the processes and systems that Council has put in place to govern day-to-day activities and decision-making, and
- reviewing whether controls over external parties such as contractors and advisors are sound and effective.

#### 4.5 Strategic Planning

- advising whether Council is achieving the objectives and goals it set out in its community strategic plan and has successfully implemented its delivery program, operational plan and other strategies.

#### 4.6 Service Delivery

- advising how Council is delivering local services and how it could improve its service delivery performance.

#### 4.7 Performance Data and Measurement

- assessing the adequacy of the performance indicators and data Council uses to measure its performance.

#### 4.8 Responsibilities of Committee Members

Members of the Committee are expected to:

- Understand the relevant legislative and regulatory requirements appropriate to Wingecarribee Shire Council.
- Contribute the time needed to study and understand the papers provided.
- Apply good analytical skills, objectivity and good judgment.
- Express opinions frankly, ask questions that go to the fundamental core of issues, and pursue independent lines of enquiry.
- Comply with Council's Code of Conduct



- Comply with this Terms of Reference
- Advise of any change in their employment status

## 5. Reporting

At the first Committee meeting after 30 June each year, Internal Audit will provide a performance report of:

- The performance of Internal Audit for the financial year as measured against agreed key performance indicators.
- The approved Internal Audit Plan of work for the previous financial year showing the current status of each audit.

The Committee may, at any time, consider any other matter it deems of sufficient importance to do so. In addition, at any time an individual Committee member may request a meeting with the Chair of the Committee.

The Committee will report regularly, and at least annually, to Council on the management of risk and internal controls.

## 6. Administrative Arrangements

### 6.1 Meetings

The Committee will meet at least quarterly, with one of these meetings to include review and endorsement of the annual audited financial reports and external audit opinion.

The need for any additional meetings will be decided by the Chair of the Committee, though other Committee members may make requests to the Chair for additional meetings.

A forward meeting plan, including meeting dates and agenda items, will be agreed by the Committee each year. The forward meeting plan will cover all Committee responsibilities as detailed in this Committee Terms of Reference.

### 6.2 Secretariat, Agenda and Minutes

The Group Manager Corporate and Community is to ensure adequate Secretariat support to the Committee is provided.

The agenda for each Committee Meeting will be circulated at least one week before the meeting. It will include standing items as follows: internal audit, external audit, risk management, compliance, fraud and corruption, financial management and external accountability, governance, strategic planning, service delivery and performance measurement.

Audit, Risk and Improvement Committee meeting minutes are to:

- include a record of attendance, items of business considered, decisions and actions arising
- be approved by the Chair before circulation
- be provided within three weeks of the meeting date to ensure relevant individuals are made aware of any significant issues discussed at the meeting that need to be dealt with.



### **6.3 Quorum and Attendance**

A quorum will consist of a majority of Committee members. Meetings can be held in person, by telephone or by video conference.

### **6.4 Conflicts of Interest and Privacy**

Council staff and members of the Committee must comply with Council's Code of Conduct in carrying out their functions as Council officials. It is the personal responsibility of each Council official to comply with the standards in the Code of Conduct and regularly review their personal circumstances with this in mind.

Committee members must complete an annual written declaration of conflict of interest and declare any conflicts of interest at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflicts of interest should be appropriately minuted.

Where members or invitees at Committee meetings are deemed to have a real or perceived conflict of interest, it may be appropriate that they be excused from deliberations on the issue where the conflict of interest may exist. It is the responsibility of each member and staff member to determine if a conflict of interest exists, the nature of that interest and how they will respond to that interest.

Members of the Committee must not disclose matters dealt with by the Committee to third parties except with the approval of the Committee.

### **6.5 Induction**

New Committee members will receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.

### **6.6 Assessment Arrangements**

The Committee is to provide an annual assurance report to Council which provides:

- a summary of the work the Committee performed to discharge its responsibilities during the preceding year
- an overall assessment of the following aspects of Council's operations:
  - Internal Audit
  - External Audit
  - Risk Management
  - Control Framework
  - Strategic Planning
  - Service Delivery
  - Performance Data and Measurement



This will ensure that Council receives the committee's independent views about these matters and also enable Council to assess the work of the Committee each year.

## **6.7 Terms of Reference Review**

The Committee Terms of Reference will be reviewed at least once every two years-

## **7. Remuneration of Independent Committee Members**

Voting members of the Audit, Risk and Improvement voting Committee will be entitled to remuneration on the basis of a fee determined by Council.

The fee will include all expenses incurred by the independent committee members in relation to their responsibilities as members of the committee, including travel costs, attendance at inductions, training and personal development opportunities.

The fee will be payable following each meeting of the Committee and upon receipt of an invoice.

## **8. Related Documents**

- Wingecarribee Shire Council Code of Conduct
- Wingecarribee Shire Council Procedures for the Administration of the Code of Conduct

## 11.2 Update of the Asbestos Management Policy

Report Author:	Environmental Policy Officer
Authoriser:	Acting Deputy General Manager Corporate Strategy and Development Services
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**.

This item was deferred from 24 March 2021 meeting.

### RECOMMENDATION

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

### REPORT

#### **BACKGROUND**

A scheduled review of Council's Asbestos Management Policy has been undertaken.

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 publicly available information for the community on asbestos and outlines the role of different agencies. In this way the Asbestos Management Policy differs from most other policies which are shorter and more targeted.

Council's Asbestos Management Policy was last updated in 2018. The Policy has been reviewed for currency.

The Policy is supported by the Asbestos Guide which provides public information and resources on asbestos. No changes were made to the Asbestos Guide apart from moving the information to the new Council template.

Council also has an internal Asbestos Removal Procedure and specific Safe Work Method Statements which describe work procedures for particular activities.

Over the past two years Council's systems for asbestos management have been updated including:

- An update of Council's Asbestos Register for easier access to information and
- An update to the Asbestos Management Plan, covering buildings, roads and water and sewer infrastructure.

#### **REPORT**

***Updated text since report deferral:***

***Council's Asbestos Management Policy was first adopted in 2013 and last updated in 2018.***

The review of Council's Asbestos Management Policy identified updates resulting largely from the change to Council's policy template. The updated Policy is at **Attachment 1**

As the updates to the Policy are primarily administrative rather than position changes, public consultation on the updated policy is not necessary and therefore not recommended.

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## **COMMUNICATION AND CONSULTATION**

### **Community Engagement**

No community engagement has been undertaken for this review. As the updates to the policy are administrative rather than position changes, public consultation on the updated policy is not necessary and therefore not recommended.

### **Internal Communication and Consultation**

The review of the Asbestos Management Policy involved staff from relevant areas including the Manager Development Assessment, Asset Coordinator Parks and Building, Workplace Systems Coordinator, Corporate Strategy and Governance.

### **External Communication and Consultation**

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

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## **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**

The Council's Asbestos Management Policy is based on and consistent with, the Office of Local Government Model Asbestos Policy for New South Wales Councils (2015).

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## **COUNCIL BUDGET IMPLICATIONS**

The updates to the Policy do not have any additional budget implications.

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#### RELATED COUNCIL POLICY

Not applicable

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#### OPTIONS

The recommended option available to Council is:

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

---

#### CONCLUSION

The Asbestos Management Policy has been reviewed. The Asbestos Management Policy is based on the Office of Local Government's Model Asbestos Policy for NSW Councils. Amendments have been made to reflect Council's updated policy template. It is recommended that the updated Policy at **Attachment 1** is adopted.

---

#### ATTACHMENTS

1. Draft Asbestos Management Policy - *circulated 24 March Ordinary Meeting of Council / uploaded on Council's website*
2. Asbestos Management Guide - *circulated 24 March Ordinary Meeting of Council / uploaded on Council's website*

## 11.3 Planning Proposal to Rezone Land at Welby Garden Centre

**Report Author:** Senior Strategic Land Use Planner  
**Authoriser:** Acting Deputy General Manager Corporate Strategy and Development Services

**Link to Community Strategic Plan:** Increase local employment opportunities for people in all stages of life

### PURPOSE

**THIS ITEM WAS REFERRED FROM INTERIM INDEPENDENT ADVISORY PLANNING ASSESSMENT PANEL MEETING ON 7 APRIL 2021.**

To consider a Planning Proposal to remove that portion of the subject land contained within Schedule 1 Additional Permitted Uses of WLEP 2010 and instead rezone the subject land from R2 Low Density Residential to B5 Business Development and remove the 700m<sup>2</sup> minimum lot size.

<b>Applicant / Proponent</b>	Hogan Planning
<b>Owners</b>	Challenge Southern Highlands
<b>Consultants</b>	Hogan Planning
<b>Notification</b>	N/A
<b>Number Advised</b>	N/A
<b>Number of Submissions</b>	N/A
<b>Current Zoning / MLS</b>	R2 Low Density Residential / 700m <sup>2</sup> minimum lot size
<b>Proposed LEP Amendment/s</b>	<ul style="list-style-type: none"><li>• Remove current Schedule 1 listing</li><li>• Rezone to B5 Business Development</li><li>• Remove minimum 700m<sup>2</sup> lot size.</li></ul>
<b>Political Donations</b>	Not disclosed
<b>Recommendation</b>	Planning Proposal BE Supported



---

## RECOMMENDATION

**THAT** a Planning Proposal be prepared under Section 3.33 of the *Environmental Planning & Assessment Act 1979*:

- To amend Schedule 1 of Wingecarribee Local Environmental Plan 2020 to remove Item 28, and
- Rezone from R2 Low Density Residential to B5 Business Development and remove the 700m<sup>2</sup> minimum lot size of land at Lots 1,2,3,8,9 & 10 Section 6 in DP 759070, Lot 1 in DP 1006005 & Lot 2 in DP 1019107, Nos. 10 & 12 -14 Old Hume Highway, Welby, being the Welby Garden Centre, and
- Apply a Maximum Building Height of 8 metres, and
- Apply a Maximum Floor Space Ratio of 0.9.

---

## INTERIM ADVISORY PLANNING ASSESSMENT PANEL ADVICE

This matter was considered at the Interim Advisory Planning Assessment Panel on 7 April 2021. The Panel's advice is provided below:

**THAT** a Planning Proposal be prepared under Section 3.33 of the *Environmental Planning & Assessment Act 1979*:

- To amend Schedule 1 of Wingecarribee Local Environmental Plan 2010 to remove Item 28, and
- Rezone from R2 Low Density Residential to B5 Business Development and remove the 700m<sup>2</sup> minimum lot size of land at Lots 1,2,3,8,9 & 10 Section 6 in DP 759070, Lot 1 in DP 1006005 & Lot 2 in DP 1019107, Nos. 10 & 12 -14 Old Hume Highway, Welby, being the Welby Garden Centre, and
- Apply a Maximum Building Height of 8 metres, and
- Apply a Maximum Floor Space Ratio of 0.9:1.

---

## REPORT

### **BACKGROUND**

A Planning Proposal was submitted to Council for assessment by Hogan Planning in November 2020 to amend WLEP 2010 for land comprising the Welby Garden Centre being Lots 1,2,3,8,9 & 10 Section 6 in DP 759070, Lot 1 in DP 1006005 & Lot 2 in DP 1019107, Nos. 10 & 12 -14 Old Hume Highway, Welby. **Figure 1** below indicates the broad location of the subject land.



Figure 1 – General Location of the Subject Land

The subject land is owned and operated by the Incorporated Association 'Challenge Southern Highlands' as a Not for Profit community based charitable organisation. The business has operated continuously since 1989 from the subject site at the corner of the Old Hume Highway and Bendooley Street in Welby.

A portion of the subject land is listed at Item 28 in Schedule 1 (Additional Permitted Uses) of Wingecarribee Local Environmental Plan 2010 as indicated in **Figure 2** below.

The purpose of the Planning Proposal is to seek Council support to remove the Schedule 1 listing and instead rezone the whole of the subject land from R2 Low Density Residential to B5 Business Development and remove the 700m<sup>2</sup> minimum lot size.

The Planning Proposal forms **Attachment 1** to this report.

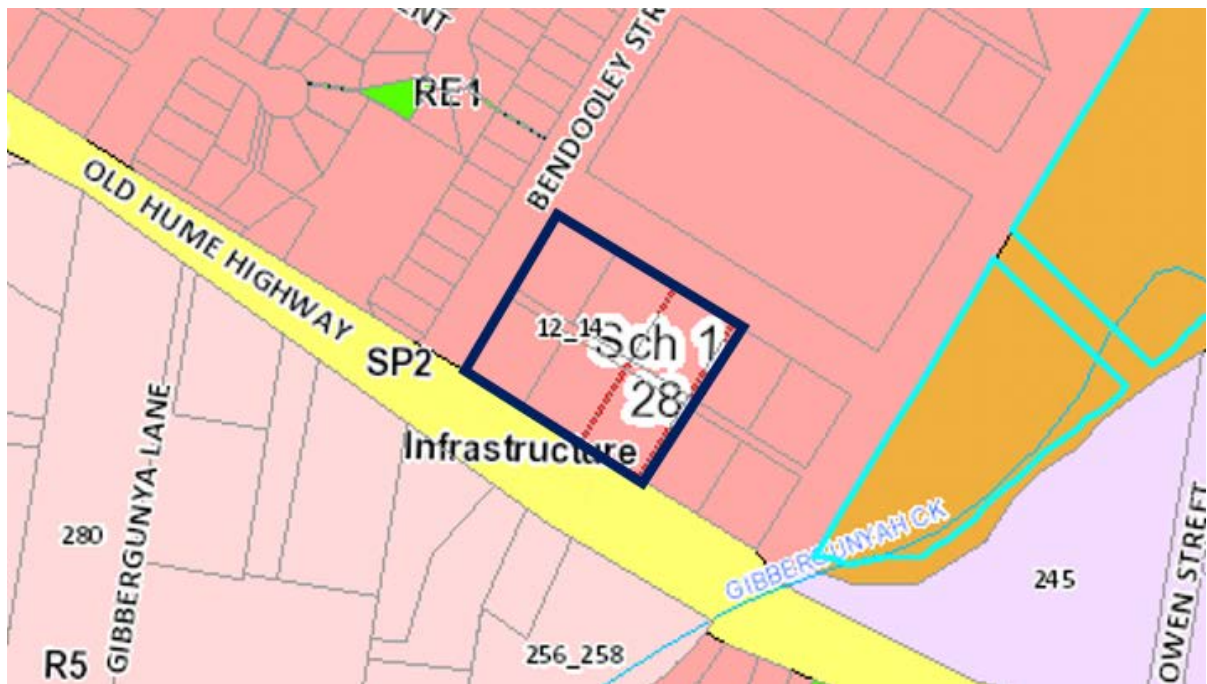


Figure 2 – Extent of Schedule 1 listing of the Subject Land



Figure 3 – Aerial of the Subject Land

## REPORT

The subject land covers an area of some 17,000 m<sup>2</sup>. Consistent with much of Welby, the land is zoned R2 Low Density Residential with a minimum lot size of 700m<sup>2</sup>. A portion of the subject land is listed within Schedule 1 (Additional Permitted Uses) of WLEP 2010 to enable *landscaping material supplies and a plant nursery*.

The Welby Garden Centre website states that it operates as an Australian Disability Enterprise, providing employment opportunities for over 40 staff with intellectual disabilities through its retail and wholesale plant nurseries, garden maintenance and work crews, assembly of timber pallets, manufacturing spacers for transmitters, soap making and woodworking. The Centre also provides certain commercial services to local businesses and is financially assisted by sponsorship from local businesses, Council and public donations.

The Centre has now outgrown both its original site and range of permitted land uses and so the Planning Proposal seeks to rezone the subject land to B5 Business Development rather than relying on Schedule 1 which is limited both in the extent of the land included and the range of permissible land uses.

Business Zoning in the vicinity of the subject land is shown at **Figure 4** below which indicates a range of such zones from B1 Neighbourhood Centre to B5 Business Development and B7 Business Park.

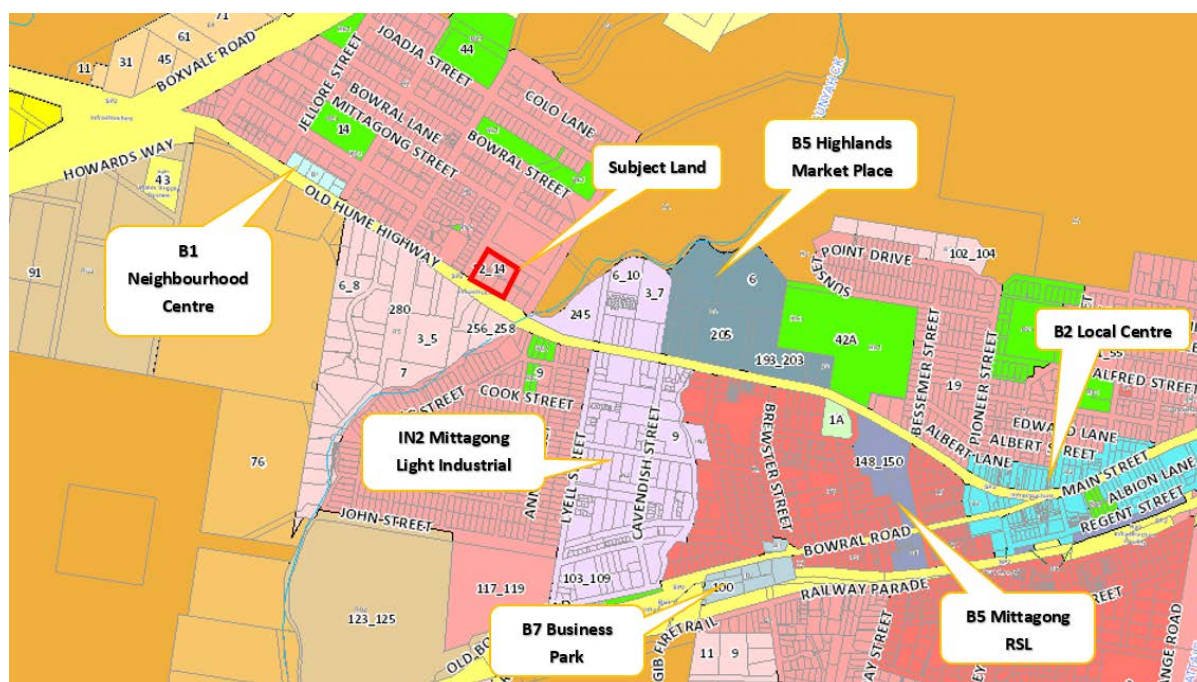


Figure 4 – Neighbouring Business Zones

The objectives of the proposed B5 Business Development zone are:

- To enable a mix of business and warehouse uses, and specialised retail premises that require a large floor area, in locations that are close to, and that support the viability of, centres.
- To ensure that new development has regard to the character and amenity of adjacent and nearby residential areas.

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- *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*

Land uses permitted with consent in the B5 zone include, but are not limited to, *garden centres, landscaping material supplies, light industries, plant nurseries and warehouse distribution centres* and would support the range of activities the Centre now undertakes.

In association with the proposed rezoning, it is also proposed to apply a maximum building height of 8 metres and a maximum floor space ratio of 0.9.

The facility has demonstrated its long-term financial viability and contribution to the community through offering a range of work opportunities to people with a disability who might otherwise not be able to obtain such work.

Its rezoning to B5 Business Development is consistent with the Community Strategic Plan, the South East and Tablelands Regional Plan, as well as relevant State Environmental Planning Policies and Ministerial Directions in terms of meeting community need and providing local employment opportunities.

It is the recommendation of this report that the Planning Proposal be supported.

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## COMMUNICATION AND CONSULTATION

### Community Engagement

Should the Planning Proposal be supported and a positive Gateway Determination be received, community engagement would occur as required by the Gateway, being a minimum of 28 days.

### Internal Communication and Consultation

No internal consultation has occurred at this time.

### External Communication and Consultation

Should the Planning Proposal be supported and a positive Gateway Determination be received, agency consultation would occur as required by the Gateway.

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## SUSTAINABILITY ASSESSMENT

- **Environment**

There are no environmental issues in relation to this report.

- **Social**

The proposed rezoning would enable the extension of employment opportunities for people with disabilities with benefits for them, their families and the broader community.

- **Broader Economic Implications**

The proposed rezoning would enable the provision of further employment opportunities for people with disabilities with benefits for associated economic growth.

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- **Culture**

There are no cultural issues in relation to this report.

- **Governance**

There are no governance issues in relation to this report.

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### COUNCIL BUDGET IMPLICATIONS

There are no budget implications associated with this report.

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### RELATED COUNCIL POLICY

There are no related Council policies associated with this report.

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### OPTIONS

The options available to Council are:

#### Option 1

Support the recommendation to this report, THAT a Planning Proposal be prepared under Section 3.33 of the *Environmental Planning & Assessment Act 1979*:

- To amend Schedule 1 of Wingecarribee Local Environmental Plan 2020 to remove Item 28, and
- Rezone from R2 Low Density Residential to B5 Business Development and remove the 700m<sup>2</sup> minimum lot size of land at Lots 1,2,3,8,9 & 10 Section 6 in DP 759070, Lot 1 in DP 1006005 & Lot 2 in DP 1019107, Nos. 10 & 12 -14 Old Hume Highway, Welby, being the Welby Garden Centre, and
- Apply a Maximum Building Height of 8 metres, and
- Apply a Maximum Floor Space Ratio of 0.9.

#### Option 2

To retain the current planning controls over the subject land.

Option 1 is the recommended option to this report.

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### CONCLUSION

The Welby Garden Centre has been operating for several years and has extended its land area and range of activities over that time. It has demonstrated economic viability and social contribution. The zoning of land is considered a more appropriate mechanism for land use management than Schedule 1, a position endorsed by the Department of Planning, Industry and Environment. The proposed zoning, height and FSR controls are considered consistent with businesses zoned land in the vicinity and the B5 Business Development zoning would best support the proposed range of land uses.

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### ATTACHMENTS

1. Welby Garden Centre Planning Proposal - *circulated under separate cover*

## 11.4 Planning Proposal to Rezone and Reduce the Minimum Lot Size of Land at Alpine

Reference: 5901, PN1702553, PN692400  
Report Author: Senior Strategic Land Use Planner  
Authoriser: Acting Deputy General Manager Corporate Strategy and Development Services

Link to Community Strategic Plan: Conserve the key natural resources of the Shire and minimise the impact from development

### PURPOSE

**THIS ITEM WAS REFERRED FROM INDEPENDENT ADVISORY PLANNING ASSESSMENT PANEL MEETING ON 7 APRIL 2021.**

To consider a Planning Proposal seeking to rezone two adjoining properties in separate ownership in Alpine – 41 Amber Close (Lot 4 DP 778616) and 1147 Old Hume Highway (Lot 2 DP 837127) from E3 Environmental Management to RU4 Primary Production Small Lots together with a residual lot of some 25 hectares rezoned to E2 Environmental Conservation at 1147 Old Hume Highway, and to reduce the minimum lot size of the proposed RU4 zone from 40 hectares to 10 hectares.

Applicant / Proponent	Lee Environmental Planning
Owners	Patrick Clarke & David Cotterill
Consultants	Lee Environmental Planning
Notification	N/A
Number Advised	N/A
Number of Submissions	N/A
Current Zoning / MLS	E3 Environmental Management / 40 ha minimum lot size
Proposed LEP Amendment/s	<ul style="list-style-type: none"><li>• Rezone to RU4 Primary Production Small Lots</li><li>• Amend minimum lot size from 40 to 10 hectares.</li></ul>
Political Donations	Not disclosed
Recommendation	Planning Proposal NOT BE Supported

## RECOMMENDATION

**THAT** the Planning Proposal to rezone land at 41 Amber Close and 1147 Old Hume Highway Alpine **NOT BE SUPPORTED** and that the subject land remain zoned E3 Environmental Management with a minimum lot size of 40 hectares

## INTERIM ADVISORY PLANNING ASSESSMENT PANEL ADVICE

This matter was considered at the Interim Advisory Planning Assessment Panel on 7 April 2021. The Panel's advice is provided below:

***THAT** the Planning Proposal to rezone land at 41 Amber Close and 1147 Old Hume Highway Alpine **NOT BE SUPPORTED** and that the subject land remain zoned E3 Environmental Management with a minimum lot size of 40 hectares.*

## REPORT

### **BACKGROUND**

#### **Introduction**

A Planning Proposal has been lodged with Council by Lee Environmental Planning seeking to rezone two adjoining properties in separate ownership in Alpine. The Planning Proposal is accompanied by a 'Bushfire Hazard Assessment' report and 'Soil and Site Assessment for Onsite Wastewater Disposal' report, both prepared by Harris Environmental Consulting. The documents form **ATTACHMENT 1** to this report.

The subject land is located east of the Hume Motorway and south of Old Hume Highway as indicated in **Figure 1** below.



Figure 1 – Location of Subject Land (yellow within red dash boundary)

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The subject land comprises land at 41 Amber Close (Lot 4 DP 778616), identified as Site A, and 1147 Old Hume Highway (Lot 2 DP 837127), identified as Site B in **Figure 2** below.



**Figure 2 – Site Identification**

The land is zoned E3 Environmental Management with a minimum lot size of 40 hectares. Site A occupies some 40 ha and Site B some 47 ha. The land sits at the north western corner of an area of E3 zoned land which extends south as far as Kangaloon Road as indicated in **Figure 3** below.

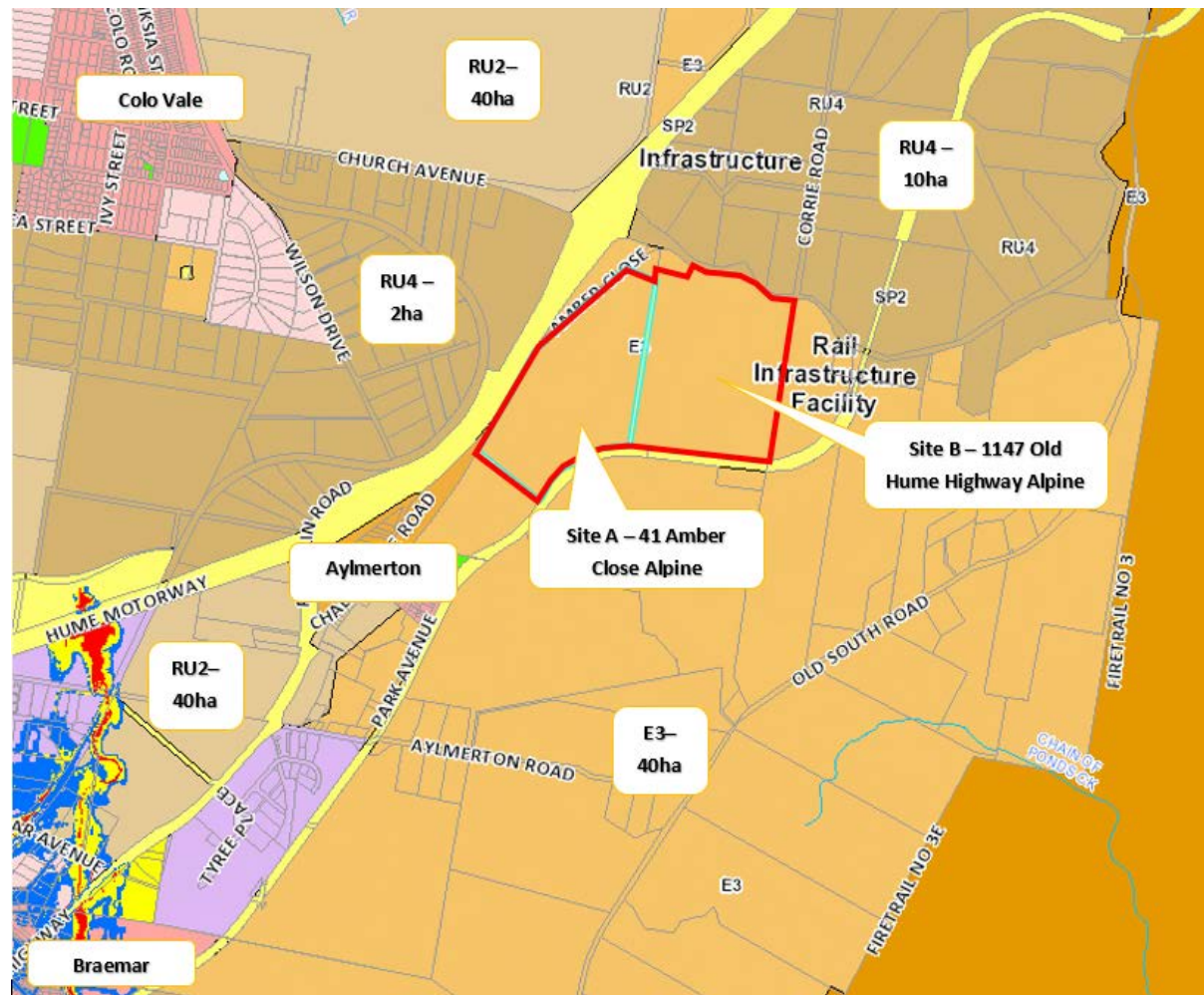


Figure 3 – Zoning

The intent of the Planning Proposal is to achieve a rezoning from E3 Environmental Management with a minimum lot size of 40 hectares, to RU4 Primary Production Small Lots with a minimum lot size of 10 hectares, together with a residual lot on Site B of some 25 hectares rezoned to E2 Environmental Conservation indicated at **Figure 4** below.

The Planning Proposal indicates that the intended outcome of these amendments to WLEP 2010 would be three (3) additional lots on Site A and one (1) additional lot on Site B. An indicative location of these lots is indicated at **Figure 5** below following Figure 3.

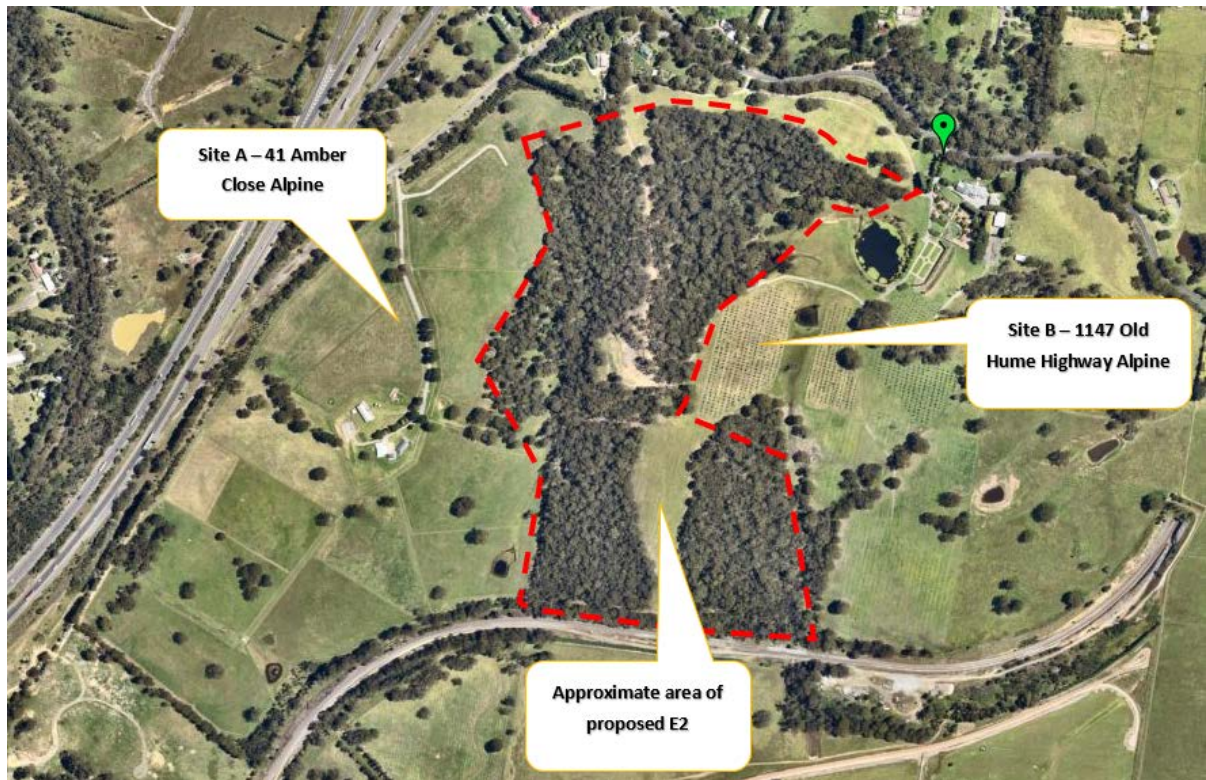


Figure 4 – Approximate Extent of Proposed E2 Environmental Conservation Zone



Figure 5 – Location of Proposed Lots

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The Planning Proposal states that *“the proposed RU4 Rural Small Holdings zoning is considered to be more suitable and reflective of both the capacity and usage of the cleared areas of the site, whilst the E2 Environmental Conservation zoning of the high quality remnant bush land areas provides a more vigorous protection layer for this land”*; and that *“The Planning Proposal is ... based upon the belief that the land has a capacity that is not reflected in the current planning controls and that those controls are in fact unreasonable in the context of the subject site.”*

#### **History**

Site A (41 Amber Close) was the subject of a rezoning request during the drafting of WLEP 2010. Council resolved to not support the request due to the location of the land within the Sydney Drinking Water Catchment.

Site B (1147 Old Hume Highway) was the subject of a request to enable additional residential development during the preparation of the Wingecarribee Local Planning Strategy 2015-2031. It was resolved to not support any amendment to the land.

Site B was again considered by Council at its Ordinary Meeting of 11 October 2017 following receipt of a Planning Proposal to achieve additional residential development of the site. The Planning Proposal noted that the accompanying Environmental Assessment report commissioned by Hayes Environmental concluded that the site contains *Southern Highlands Shale Woodland* ... and that due to the presence of the EEC on the site, it was unlikely for an application to clear the land would be successful.

A further assessment by Woodlands Environmental Management concluded that the subject site has significant ecological constraints due to the presence of a critically endangered ecological community, the presence of suitable habitat for thirty threatened species of fauna including koala, and five threatened species of flora, and being located within a local wildlife corridor. Council considered this Proposal and again resolved to not support any change to the development standards for the site.

The remainder of the report provides a strategic assessment of the Planning Proposal.

#### **REPORT**

##### **STRATEGIC ASSESSMENT**

##### **Current Development Approvals**

With regard to Site A, the Planning Proposal notes that a *“dwelling house”* is located *“centrally upon the site”* and that Council has also approved a *“second dwelling”* on the land under DA18/0085.

To clarify, the central *“dwelling”* is in fact Farm Stay Accommodation, approved in 2017 (17/0214). It is not a dwelling house in terms of land use. The location of the Farm Stay is indicated on **Figure 6** below. The location of the approved dwelling is also identified, but it has not been constructed.



Figure 6 – Location of Approved uses on Site A

The existence of an approved Farm Stay Accommodation from 2017 indicates that it has been demonstrated to Council's satisfaction that the property is a working farm, sufficiently viable to ensure that the Farm Stay Accommodation remains a subsidiary use to the farming enterprise, thereby meeting the definition under WLEP 2010 for such a land use, being a *building or place that provides temporary or short-term accommodation to paying guests on a working farm as a secondary business to primary production*.

Site B comprises a large dwelling house and associated outbuildings together with extensive formal gardens located on the northern boundary of the property. A significant portion of the site is mapped as predicted threatened ecological community as previously indicated and the remainder of the site is interspersed with olive trees as indicated in **Figure 7** below.



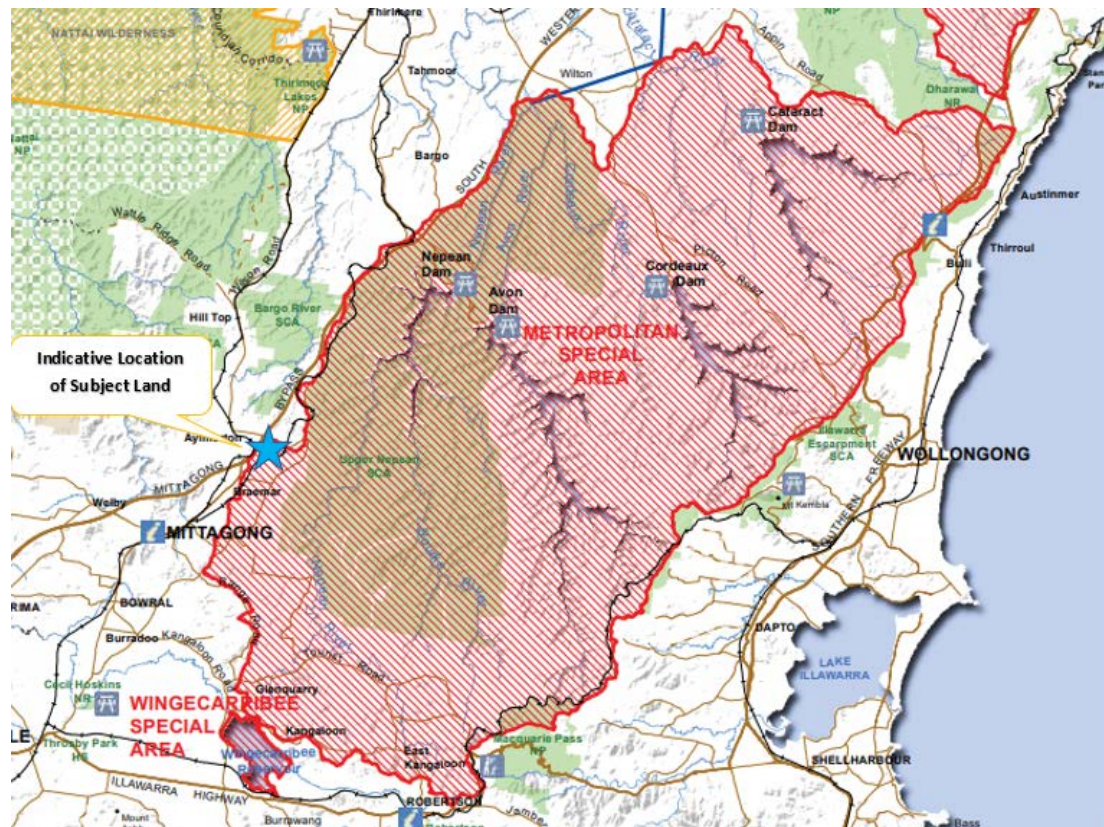
Figure 7 – Aerial View of Site B

### Environmental Value

A key argument contained within the Planning Proposal is that the subject land was incorrectly zoned during the drafting of Wingecarribee Local Environmental (WLEP) 2010 on the basis that the land is no longer within the Sydney Drinking Water Catchment. The land was zoned 5C Water Catchment under WLEP1989.

However, the subject land remains located on the western edge of the Metropolitan Special Area as mapped on the WaterNSW website. The extent of the Metropolitan Special Area is indicated at **Figure 8** below and the location of the subject land within the Metropolitan Special Area is indicated at **Figure 9**.

It is noted that the western boundary of the mapped Special Area on the WaterNSW website wraps around the RU4 zoned land to the north, thereby excluding it from the Special Area. However, the boundary correlates with the inclusion of E3 Environmental Management zoned land within the Special Area.



### Figure 8 – Extent of the Metropolitan Special Area



**Figure 9 – Detail of Location of Subject Land within Metropolitan Special Area**

The WaterNSW Special Areas are lands that surround and protect drinking water supply storages and are declared under the *Water NSW Act 2014* (WNSW Act). Under this legislation, WaterNSW and the NSW National Parks and Wildlife Service are required to jointly manage the Special Areas. WaterNSW and local councils have responsibility for implementing State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011, (the Sydney Drinking Water SEPP) and associated Local Planning Direction 5.2 to influence land use planning and zoning and regulate development and activities in the catchment.

The Sydney Drinking Water SEPP requires councils to not approve development unless satisfied the development would have a neutral or beneficial effect (NORBE) on water quality. This test would normally occur at the DA stage, but it is noted that the Planning Proposal is accompanied by a Soil and Site Assessment for Onsite Wastewater Disposal, prepared by Harris Environmental Consulting which indicates that satisfactory NORBE outcomes could be achieved. Therefore, being located within a Special Area does not necessarily prevent development. However, from a strategic planning perspective, the satisfactory application of the NORBE test does not necessarily justify a rezoning, or reduction in the minimum lot size. NORBE is just one test which is applied at the DA stage to assess the suitability of land for development. Even more factors are considered at the rezoning stage.

The WaterNSW Special Areas Strategic Plan of Management (2015) notes that

*“Maintenance of ecological integrity in the Special Areas requires the protection of biodiversity, with particular emphasis on threatened plant and animal species, endangered populations and endangered ecological communities”.*

Furthermore, the decision to rezone the subject land from 5C Water Catchment under WLEP 1989, to E3 Environmental Management under WLEP 2010 was not made purely because of the 1989 zoning. Council undertook an extensive assessment of all areas of the Shire over several years to determine the most appropriate zoning for each area under the new standard instrument template. This process was driven by a Steering Committee of Council, comprising all Councillors, supported by Strategic Planning staff.

A key factor in the zoning of the subject land to E3 Environmental Management was the extensive area of predicted *Southern Highlands Shale Forest and Woodland in the Sydney Basin Bioregion* ecological community listed under the *NSW Threatened Species Conservation Act 1995 (TSC Act)* located across Site B extending west into Site A.

The objectives of the E3 Environmental Management zone under WLEP 2010 are:

- *To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.*
- *To provide for a limited range of development that does not have an adverse effect on those values.*
- *To encourage the retention of the remaining evidence of significant historic and social values expressed in existing landscape and land use patterns.*
- *To minimise the proliferation of buildings and other structures in these sensitive landscape areas.*
- *To provide for a restricted range of development and land use activities that provide for rural settlement, sustainable agriculture, other types of*

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*economic and employment development, recreation and community amenity in identified drinking water catchment areas.*

- *To protect significant agricultural resources (soil, water and vegetation) in recognition of their value to Wingecarribee's longer term economic sustainability.*

It is noted that the *Southern Highlands Shale Forest and Woodland* was subsequently listed as Critically Endangered under the *Environment Protection and Biodiversity Conservation Act 1999* on 28 August 2015, supporting Council's decision regarding the zoning of the land.

To further support Council's decision, the South East and Tablelands Regional Plan 2036 (the Regional Plan) includes the following observations which reinforce the intrinsic value of both the Sydney Drinking Water Catchment and the Special Areas:

*Protecting the Sydney Drinking Water Catchment - Part of the region is located in the Sydney Drinking Water Catchment, which supplies drinking water for almost 60 per cent of the State's population. Protecting water quality and quantity in this catchment is essential for the health and security of communities in the region and Greater Sydney. Rigorous planning and development controls apply to proposals within the Sydney Drinking Water Catchment including:*

- *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011;*
- *Local planning direction 5.2 Sydney Drinking Water Catchments, issued under Section 117(2) of the Environmental Planning and Assessment Act 1979;*
- *the Water NSW Act 2014 and the Water NSW Regulation 2013;*
- *and the Water Management Act 2000.*

*Under the Water NSW Act 2014 and Water NSW Regulation 2013, land has been declared as parts of the Metropolitan, Woronora and Shoalhaven special areas, which are critical in protecting water quality in the storages. (page 40)*

WaterNSW made submissions to both the Wingecarribee Local Housing Strategy and the Local Strategic Planning Statement during their initial exhibition. The Local Housing Strategy submission includes the following comments.

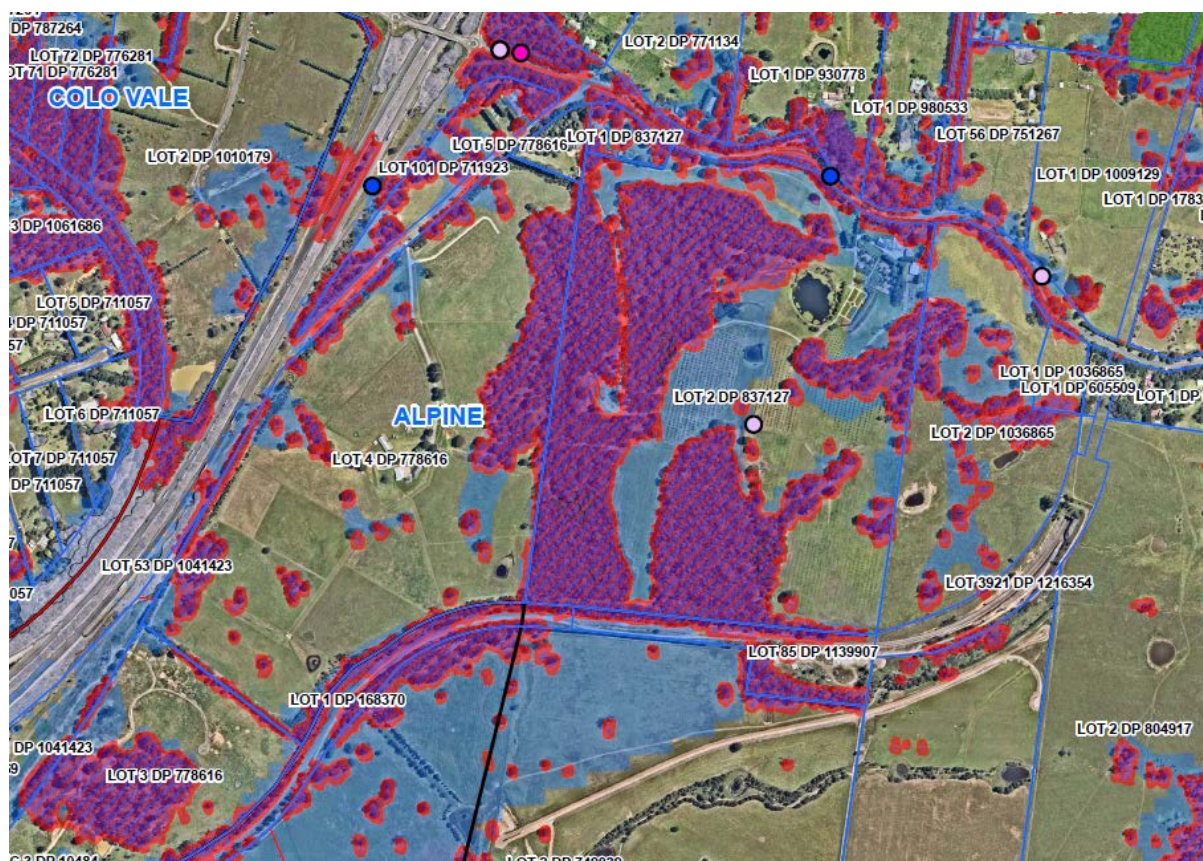
- *WaterNSW supports the Strategy's guiding principles that seek to manage growth in a manner that protects natural areas and rural landscape, and which promote sustainable communities (p.20).*
- *In order to protect natural areas including the rivers and waterways, it is important to ensure that urban growth and the associated housing stock meets community needs and does not result in unnecessary housing and associated environmental impact, including on waterways and water quality.*
- *WaterNSW is concerned that unless the greenfield areas are carefully planned in response to the population's projected demography, greenfield areas will not provide the types of housing stock and urban designs required by the population and that unnecessary urban expansion and environmental impacts will occur, including on water quality.*

- *Unsewered areas should be excluded from further consideration or the Strategy (should) qualify that such areas would be sewered before proposing further subdivision.*

It is noted that the subject land is not included in the Local Housing Strategy.

The high environmental value of the subject land is not limited to its contribution to the Sydney Drinking Water Catchment. **Figure 10** below is an extract from Council's Preliminary High Environmental Value Lands mapping which derives from data used in the development of the South East & Tablelands Regional Plan.

Figure 10 clearly identifies Site B in particular as being predominantly High Environmental Value Land (shaded blue) extending west across the eastern boundary of, and into Site A, as well as extending south across the main southern railway line as far as Aylmerton.



**Figure 10 – Extent of High Environmental Value Land (shaded blue) on & in vicinity of Subject Land**

Correlating strongly with this High Environmental Value Land is the distribution of the Predicted Threatened Ecological Community (purple with red hatching) previously discussed.

The Regional Plan identifies the following key priorities of specific relevance to the environmental values of the subject land.

*Direction 14: Protect important environmental assets*

*14.1 Develop and implement a comprehensive Koala Plan of Management for the Snowy Monaro and Wingecarribee local government areas.*

*14.2 Protect the validated high environmental value lands in local environmental plans.*

*14.3 Minimise potential impacts arising from development on areas of high environmental value, including groundwater-dependent ecosystems and aquatic habitats, and implement the 'avoid, minimise and offset' hierarchy. (page 35)*

*Direction 15: Enhance biodiversity connections - Regional biodiversity corridors are native vegetation links within a region, between regions or between significant biodiversity features. They expand and link different habitats and are critical to long-term ecological connections, particularly in the context of long-term climate change. (page 37)*

Figure 10 also provides data on koala sightings (coloured dots). It is noted that there have been a number of sightings along Old Hume Highway with one sighting on Site B itself. Most koala movement goes undetected, so any sighting is strongly indicative of a relatively high koala population. If there are koala sightings on Old Hume Highway, there is a very high likelihood of koalas in surrounding vegetated areas, especially in areas such as those located on Site B. The need to protect identified koala habitat has become even more critical with the significant loss of koala populations during the 2019-2020 bushfires.

The State Environmental Planning Policy (Koala Habitat Protection) 2020 aims to: *encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline—*

- by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat, and*
- by encouraging the identification of areas of core koala habitat, and*
- by encouraging the inclusion of areas of core koala habitat in environment protection zones.*

This SEPP is supported by Ministerial Direction 2.1 Environmental Protection Zones under s9.11 of the *EP&A Act 1979*. These Directions are intended to inform and direct amendments to a Local Environmental Plan. The objective of Direction 2.1 is to protect and conserve environmentally sensitive areas. The Direction notes that: “A *Planning Proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas*” and that “A *Planning Proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land)*”.

It is noted that it is the intent of the Planning Proposal is to rezone approximately half of Site B and all of Site A to Primary Production Small Lots with a minimum lot size of 10 hectares. While it is noted that an area of some 25 hectares of mapped *Southern Highlands Shale Forest and Woodland* on Site B is intended to be rezoned to E2 Environmental Conservation, Council considers that the intended rezoning to RU4 Primary Production Small Lots with a minimum lot size of 10 hectares would be inconsistent with Direction 2.1 which states that a Planning Proposal “*must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land)*”.

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The zoning of a piece of land in itself does nothing. The objectives of the zone, and their application through the land use table in particular, are what drive the development outcomes for a site and the consequent environmental implications of that development.

Zoning a piece of land to E2 Environmental Conservation, but rezoning the remainder of the site to RU4 Primary Production Small Lots and applying a minimum lot size of 10 hectares, would appear to create a conflict between the two sets of zone objectives applicable to the land, especially if the adjoining property is also rezoned to RU4 with a 10 hectare minimum lot size. The objectives of the RU4 Primary Production Small Lots zone are:

- *To enable sustainable primary industry and other compatible land uses.*
- *To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To provide for a restricted range of employment-generating development opportunities that are compatible with adjacent or nearby residential and agricultural development.*
- *To avoid additional degradation or fragmentation of the natural environment caused by further clearing of native vegetation, high intensity development and land use.*
- *To maintain flora and fauna species and habitats, communities and ecological processes that occupy land in the zone, ensuring that development minimises any off and on site impacts on biodiversity, water resources and natural landforms.*
- *To conserve and enhance the quality of potentially valuable environmental assets, including waterways, riparian land, wetlands and other surface and groundwater resources, remnant native vegetation and fauna movement corridors as part of all new development and land use.*
- *To provide for the effective management of remnant native vegetation within the zone, including native vegetation regeneration, noxious and environmental weed eradication and bush fire hazard reduction.*

The obvious key difference between two zones is that one is an environmental protection zone and the other is a rural zone and while the objectives of the RU4 zone include environmental protection, the primary objective is to enable sustainable primary industry. However, it is considered that the potential limitations to agricultural land uses within an E3 zone are far less than the potential adverse impacts of an RU4 zone on environmentally sensitive land. It is noted that the Department of Planning, Industry and Environment is currently considering additional agribusiness land uses which would be capable of being permitted with consent in the E3 zone. There is also strong support for the introduction of such land uses from the Commission for Agriculture in the drafting of the Agricultural Land Use Strategy.

### **Agricultural Land Values**

As discussed above, Site A received approval for Farm Stay Accommodation in 2017 (17/0214). This approval indicates that it has been demonstrated to Council's satisfaction that the property is a working farm, sufficiently viable to ensure that the Farm Stay

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Accommodation remains a subsidiary use to the farming enterprise, thereby meeting the definition under WLEP 2010 for such a land use, being *a building or place that provides temporary or short-term accommodation to paying guests on a working farm as a secondary business to primary production*. Council is quite particular in seeking to satisfy itself that a Farm Stay application is legitimate and even goes to the extent of issuing a condition consent with the approval that should the Farm Stay use cease, the building must be demolished.

The key point from an agricultural perspective is that, given Site A is a working farm, or was at 2017, it would be difficult to justify the subdivision of this land to deliberately replace one working farm with four small, individual lots which may or may not continue to be used for agricultural production.

The requirements of the State Environmental Planning Policy (Primary Production and Rural Development) 2019 would need to be addressed. The aims of this SEPP are:

- (a) to facilitate the orderly economic use and development of lands for primary production,*
- (b) to reduce land use conflict and sterilisation of rural land by balancing primary production, residential development and the protection of native vegetation, biodiversity and water resources,*
- (c) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations,*
- (d) to simplify the regulatory process for smaller-scale low risk artificial waterbodies, and routine maintenance of artificial water supply or drainage, in irrigation areas and districts, and for routine and emergency work in irrigation areas and districts,*
- (e) to encourage sustainable agriculture, including sustainable aquaculture,*
- (f) to require consideration of the effects of all proposed development in the State on oyster aquaculture,*
- (g) to identify aquaculture that is to be treated as designated development using a well-defined and concise development assessment regime based on environment risks associated with site and operational factors.*

Aim (b) especially, and also Aim (e), are particularly relevant and it would be difficult to argue that the proposed subdivision of Site A would meet these aims. The SEPP is supported by several Ministerial Directions under s9.11 of the *EP&A Act 1979*. The purpose of these Directions is to inform and direct amendments to a Local Environmental Plan.

Direction 1.2 Rural Zones applies when a planning proposal affects land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary). The objective of this Direction is to protect the agricultural production value of rural land. This Direction applies when a Planning Proposal will affect land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary).

Direction 1.5 Rural lands applies when a planning proposal:

- (a) will affect land within an existing or proposed rural or environment protection zone (including the alteration of any existing rural or environment protection zone boundary) or*
- (b) changes the existing minimum lot size on land within a rural or environment protection zone.*

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The objectives of this Direction are to:

- (a) protect the agricultural production value of rural land,*
- (b) facilitate the orderly and economic use and development of rural lands for rural and related purposes,*
- (c) assist in the proper management, development and protection of rural lands to promote the social, economic and environmental welfare of the State,*
- (d) minimise the potential for land fragmentation and land use conflict in rural areas, particularly between residential and other rural land uses,*
- (e) encourage sustainable land use practices and ensure the ongoing viability of agriculture on rural land*
- (f) support the delivery of the actions outlined in the New South Wales Right to Farm Policy.*

Objectives (a), (b), (d) and (e) are particularly relevant to Site A.

It is further noted that a draft Agricultural Land Use Planning Strategy is currently being finalised by the NSW Department of Primary Industries. The key goals of this Strategy are to minimise the loss of productive capacity, reduce and manage land use conflict and support the growth of agriculture and regional economies. It is noted that Council has made submissions to the exhibited drafts.

There appears to be minimal agricultural land use on Site B other than some olive trees.

### Strategic Land Use Implications

As stated previously, a key argument put forward by the proponent in the Planning Proposal is that the land is incorrectly zoned because the land is no longer within the Sydney Drinking Water Catchment and that the E3 Environmental Management zone is inconsistent with the RU4 zoning to the north and north west and that this zone restricts the potential use of the land to achieve its 'capacity'. What type of 'capacity' is not made clear.

As discussed above, the subject land remains within the WaterNSW Metropolitan Special Area, and the neighbouring land zoned RU4 Primary Production Small Lots is excluded from the Special Area.

As also discussed above, the location of the subject land within the Special Area was not the only factor in considering the most appropriate zone for the land under WLEP 2010. The significant extent of high environmental value land in combination with working agricultural land, was, and remains highly relevant to the strategic land use assessment of the highest and best use of the subject land.

As WaterNSW observed in its submission to the Wingecarribee Local Housing Strategy, the rezoning of non-urban land for housing, even rural residential 'lifestyle' housing, has to be questioned as an appropriate response to the Shire's identified housing needs, resulting in "unnecessary urban expansion and environmental impacts will occur, including on water quality", and therefore, "unsewered areas should be excluded from further consideration or the Strategy (should) qualify that such areas would be sewered before proposing further subdivision."

The Regional Plan reinforces this view. With specific reference to Wingecarribee Shire, the following housing priorities have been identified (page 72):

- *Strategically plan for residential growth in existing urban areas and greenfield areas.*
- *Increase housing in Moss Vale, Bowral and Mittagong.*
- *Protect the unique character of the Shire's village and rural lifestyle.*
- *Enhance the variety of housing options to cater for an ageing population.*

The Regional Plan specifically addresses rural residential development through *Direction 28 - Manage rural lifestyles* – noting the following (page 56):

- *Local housing strategies are the first step in identifying rural residential housing needs and understanding local supply. They also identify the infrastructure needed to support rural communities.*
- *Rural residential development can conflict with environmental and agricultural lands, and impact water catchments due to the proliferation of dams and bores.*
- *Rural residential housing in areas of intact bushland presents bushfire risks. The clearing for house sites, bushfire asset protection and associated infrastructure, particularly local roads, has led to high clearing rates. Clearing associated with rural residential subdivision is currently the major source of vegetation removal in the South Coast and Southern Tablelands.*
- *A consistent planning approach will identify suitable locations for new rural residential development that avoids fragmentation of productive agricultural land and lessens the impact on high environmental value assets, cultural and heritage assets, or areas with important rural landscapes.*
- *Rural residential development should not increase pressure on infrastructure and services, and should be located on land free from natural hazards.*

To achieve these outcomes, the following Actions are proposed within the Regional Plan:

*28.1 Enable new rural residential development only where it has been identified in a local housing strategy prepared by council and approved by the Department of Planning and Environment.*

*28.2 Locate new rural residential areas:*

- *close to existing urban settlements to maximise the efficient use of existing infrastructure and services, including roads, water, sewer and waste services, and social and community infrastructure;*
- *to avoid and minimise the potential for land use conflicts with productive, zoned agricultural land and natural resources; and*
- *to avoid areas of high environmental, cultural and heritage significance, important agricultural land and areas affected by natural hazards.*

*28.3 Manage land use conflict that can result from cumulative impacts of successive development decisions.*

It is noted that the subject land is not included within the Local Housing Strategy. The high environmental values and lack of infrastructure would have excluded it from further consideration.

It is acknowledged that the Proposal is not for a residential release area, nonetheless, it does seek to rezone the subject land, reduce the minimum lot size and create an additional four (4) large rural residential lots. However, more intensive residential development, even to this extent, can adversely affect sensitive ecological systems and fauna, introducing weeds, domestic animal and on-site waste water impacts. The primary basis for justifying this intended amendment seems to be more that it would 'do no harm', rather than it would 'create a benefit'.

Furthermore, the cumulative impacts of such action and the unwanted precedent it would set are highly relevant considerations. This is the principal reason the Regional Plan prefers such development to be included through a strategic housing plan and why WaterNSW also supports such an approach.

It is therefore the recommendation of this report that the Planning Proposal not be supported.

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## **COMMUNICATION AND CONSULTATION**

### **Community Engagement**

No community engagement has occurred at this stage.

### **Internal Communication and Consultation**

Internal communication has occurred with the Environmental Sustainability and Town Planning sections of Council.

### **External Communication and Consultation**

Reference to WaterNSW submissions to the Wingecarribee Local Housing Strategy and Local Strategic Planning Statement has been included in the report.

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## **SUSTAINABILITY ASSESSMENT**

- **Environment**

A key concern in the assessment of the Planning Proposal is the potential impact to environmentally sensitive land. The recommendation to not support the Planning Proposal will protect this land.

- **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.

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#### COUNCIL BUDGET IMPLICATIONS

There are no budget implications associated with this report.

#### RELATED COUNCIL POLICY

There are no related Council policy implications associated with this report.

#### OPTIONS

The options available to Council are:

##### Option 1

Support the recommendation to this report that the Planning Proposal to rezone land at 41 Amber Close and 1147 Old Hume Highway Alpine not be supported and that the subject land remain zoned E3 Environmental Management with a minimum lot size of 40 hectares.

##### Option 2

Resolve to submit the Planning Proposal for a Gateway Determination.

Option 1 is the recommended option to this report.

#### CONCLUSION

The subject land is zoned E3 Environmental Management, consistent with the extent of high environmental value land across it, by the extent of predicted Threatened Ecological Community particularly on Site B and by the predicted extent of koala habitat within it and in the vicinity. The high environmental value land classification extends into Site A which, Council has been advised, is a working farm.

The intent of the Planning Proposal is to rezone the subject land to RU4 Primary Production Small Lots and apply a minimum lot size of 10 hectares to all of Site A and approximately half of Site B. The primary basis for justifying this intended amendment seems to be more that it would 'do no harm', rather than it would 'create a benefit'.

The current zoning is considered by Council to be consistent with the South East and Tablelands Regional Plan, WaterNSW comments in submissions to the Wingecarribee Local Housing Strategy and Local Strategic Planning Statement, the objectives of the zone and the relevant State Environmental Planning Policies and Ministerial Directions under s9.11 of the *Environmental Planning & Assessment Act 1979*.

From a strategic planning perspective, Council does not generally support site-specific amendments which are not supported within an adopted Strategy unless there are exceptional circumstances. Both the Regional Plan and WaterNSW support this approach, recommending that the provision of future rural residential land be through a formal strategic plan framework. It is noted that the subject land is not within the Wingecarribee Local Housing Strategy.

#### ATTACHMENTS

1. Alpine Minimum Lot Size - Planning Proposal - *circulated under separate cover*

## 11.5 Planning Proposal to Rezone Land at 63-69 Kirkham Road Bowral from IN2 Light Industrial to B4 Mixed Use

Report Author:	Coordinator Strategic Land Use Planning
Authoriser:	Acting Deputy General Manager Corporate Strategy and Development Services
Link to Community Strategic Plan:	Identify and protect the unique characteristics of towns and villages to retain a sense of place

### PURPOSE

**THIS ITEM WAS REFERRED FROM INTERIM INDEPENDENT ADVISORY PLANNING ASSESSMENT PANEL MEETING ON 7 APRIL 2021.**

To consider a Planning Proposal seeking to rezone 63-69 Kirkham Road, Bowral from IN2 Light Industrial to B4 Mixed Use; and to introduce a maximum Height of Building of 15m and maximum Floor Space Ratio of 1:1 into the Wingecarribee Local Environmental Plan 2010.

Applicant / Proponent	Willowtree Planning
Owner	Sprite PTY LTD
Consultants	Planning – Willowtree Planning Urban Design – Roberts Day Economic – Urbis Transport – Ason Group Flooding – Bewsher Contamination – JBS&G Australia Geotechnical – Douglas Partners Ecological and Bushfire – Travers Bushfire & Ecology Heritage – Biosis
Notification	N/A
Number Advised	N/A
Number of Submissions	N/A
Current Zoning	IN2 Light Industrial
Proposed LEP Amendment/s	<ul style="list-style-type: none"> <li>Rezone the subject land from IN2 Light Industrial to B4 Mixed Use</li> <li>Introduce a maximum height of building of 15 metres</li> <li>Introduce a maximum FSR of 1:1</li> </ul>
Political Donations	None Disclosed
Recommendation	Planning Proposal NOT Be Supported



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## RECOMMENDATION

**1. THAT the Planning Proposal to rezone 63-69 Kirkham Road, Bowral from IN2 Light Industrial to B4 Mixed Use NOT be supported, and**

**2. THAT Council write to the proponent advising them of this decision and invite them to participate in the broader strategic review of employment lands for the Shire.**

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## INTERIM ADVISORY PLANNING ASSESSMENT PANEL ADVICE

*This matter was considered at the Interim Advisory Planning Assessment Panel on 7 April 2021. The Panel's advice is provided below:*

*The Panel notes that the applicant's planning consultant requested a deferral of the matter in order for the applicant to provide further advice on the Council report. The panel did not consider that a deferral was appropriate in the circumstances. The panel advice on the planning proposal was:*

- 1. THAT the Planning Proposal to rezone 63-69 Kirkham Road, Bowral from IN2 Light Industrial to B4 Mixed Use NOT be supported, and*
- 2. THAT Council write to the proponent advising them of this decision and invite them to participate in the broader strategic review of employment lands for the Shire.*

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## REPORT

### **BACKGROUND**

A Planning Proposal has been lodged with Council by Willowtree Planning seeking to rezone land at 63-69 Kirkham Road in Bowral from IN2 Light Industrial to B4 Mixed Use, and introduce new maximum height of building and floor space ratio (FSR) development standards into the Wingecarribee LEP 2010. The Planning Proposal is accompanied by a number of supporting studies and technical reports including:

- Strategic and Site-Specific Merit Test
- Urban Design Report
- Economic Impact Assessment
- Transport Assessment
- Flood Impact Assessment
- Preliminary Site Investigation
- Geotechnical Desktop Assessment
- Ecological Report
- Desktop Heritage Constraints Assessment

The Planning Proposal is provided as **Attachment 1** to this report, and the supporting studies and technical reports will be made available prior to the meeting.

## **REPORT**

### **Subject Land**

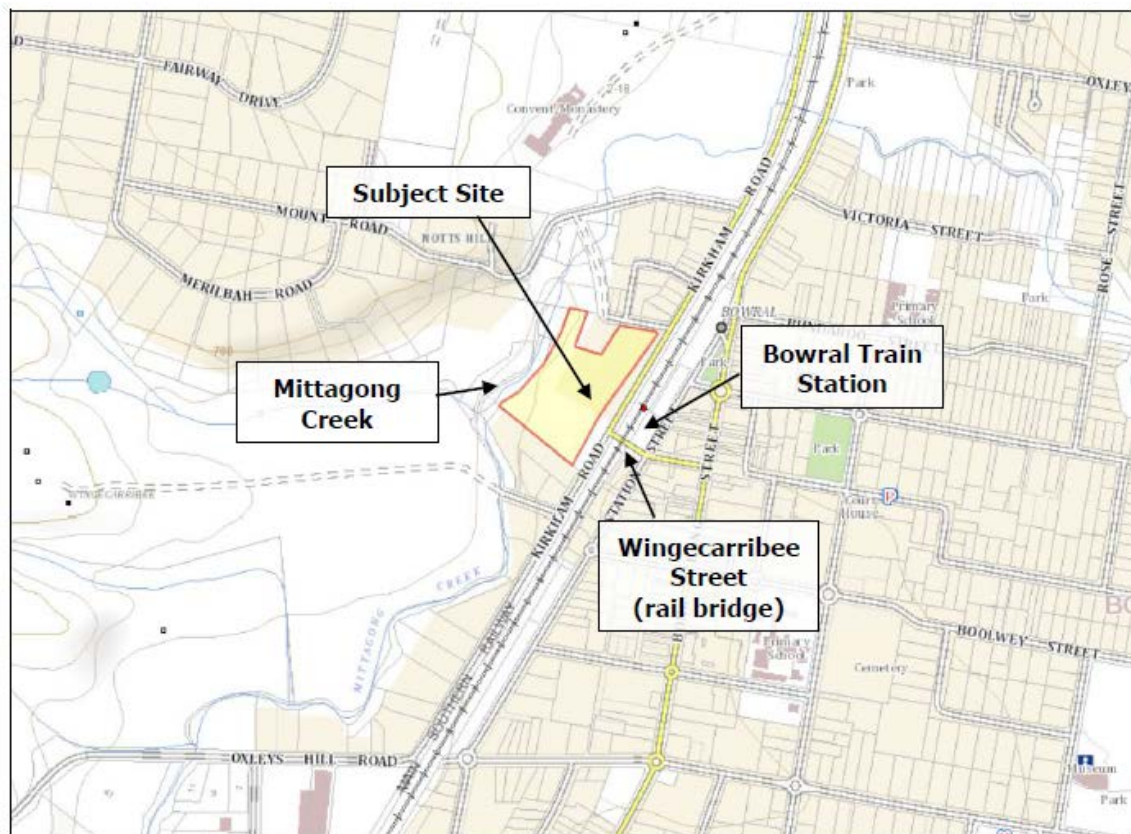
The subject land is identified as 63-69 Kirkham Road, Bowral and is legally described as Lot 2 DP 1081170. The land is located within an established industrial precinct to the west of the Bowral town centre and train station. The site is bound by Kirkham Road to the east, Sherwood Avenue to the north, Mittagong Creek to the west and an existing industrial development to the south as indicated in **Figures 1 and 2** below.

The industrial precinct supports a range of industrial land uses, and is considered strategically important employment lands to support economic activity within the Shire, and to assist in realising the objectives outlined in the recently adopted Southern Highlands Destination Strategy to promote and encourage advanced manufacturing within the Shire.

In recognition of the strategic importance of the precinct, Council has recently completed significant infrastructure upgrades on Kirkham Road to accommodate increasing truck movements, and support an increase in industrial activity within the precinct.



Figure 1 Subject Land



**Figure 2 Site Context**

The subject land is currently zoned IN2 Light Industrial under Wingecarribee LEP 2010 as shown in **Figure 3** below. The LEP does not currently set maximum building height or FSR standards for the site, however, the Industrial Land Development Control Plan (DCP) sets a maximum building height of 15m and maximum FSR of 1:1 for all industrial development within the Shire.

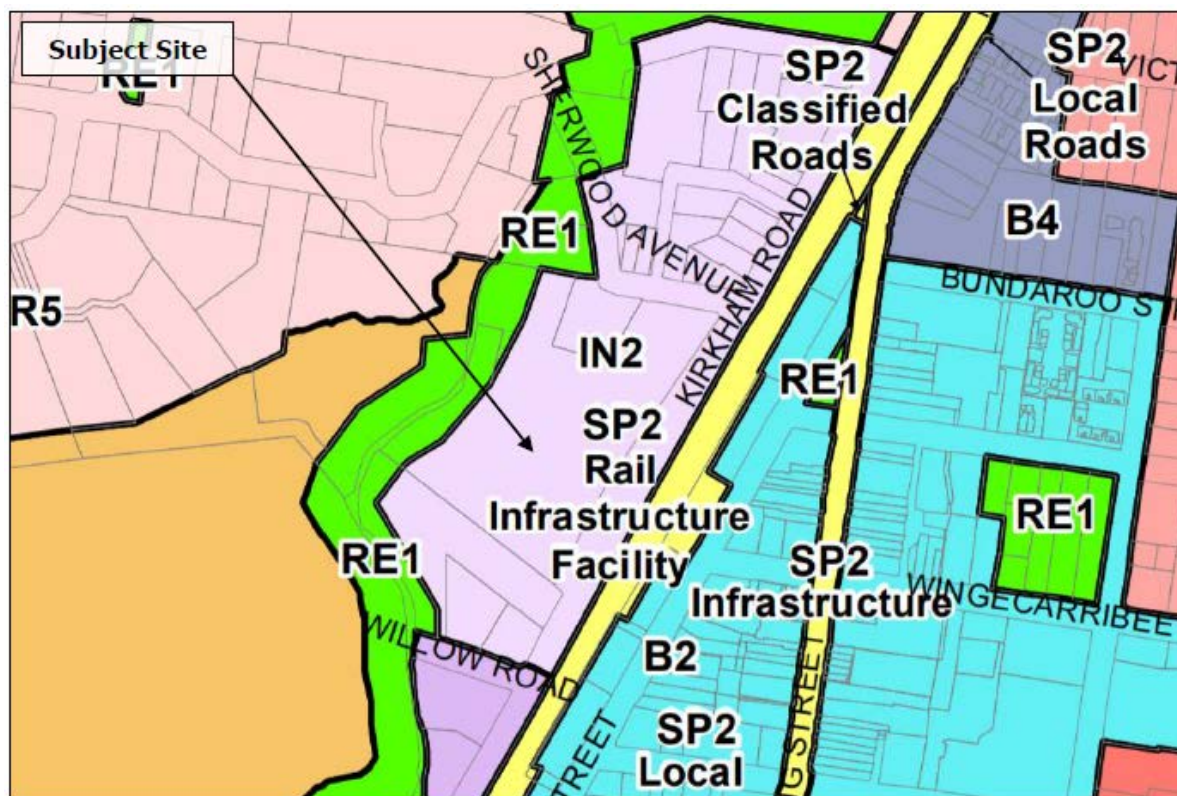


Figure 3 Current Land Use Zone

### Planning Proposal

The Planning Proposal seeks to rezone the subject land to facilitate a mixed-use development of the site and introduce new maximum height of building and FSR development standards into the Wingecarribee LEP 2010. Specifically, the Planning Proposal seeks to:

- Rezone the subject land from IN2 Light Industrial to B4 Mixed Use
- Introduce a maximum height of building of 15 metres
- Introduce a maximum FSR of 1:1

The Planning Proposal also presents a proposed mixed-use development scheme for the site, which includes a proposed 4,320m<sup>2</sup> of commercial floor space and in excess of 20,000m<sup>2</sup> of residential floor space as well as associated car parking and open space areas.

However, it is important to note that while the proposed development scheme presents a potential development outcome over the site, the proposed rezoning of the land to B4 Mixed Use allows for a broad range of developments over the site, and is not restricted to the scheme presented with the Planning Proposal.

### Pre-Lodgement Advice

A pre-lodgement meeting was held between Council staff and the proponent on 16 July 2020. At the meeting, it was advised that the Planning Proposal would be unlikely to be supported by Council prior to a planned review of employment lands being completed across the Shire.

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The proponent was advised that while they could technically lodge a Planning Proposal at any time, Council's preference was for the matter to be considered as part of a broader strategic review of employment lands across the Shire, as is recommended by the recently adopted Wingecarribee Local Strategic Planning Statement (LSPS).

The proponent was also advised that any Planning Proposal over the site would have to consider the following key issues.

- The Planning Proposal would need to be considered in the context of the recently adopted LSPS and Destination Strategy
- An economic assessment would be required to demonstrate that the subject land is not required to meet the long-term light industrial needs of the Shire, and that any rezoning would not negatively impact on the economic viability of the Bowral town centre
- As the proposal seeks to permit a significant amount of residential development in the middle of an industrial precinct, land use conflict would need to be considered in the context of both existing and potential future uses within the precinct, as well as the anticipated increase in truck movements along Kirkham Road
- Traffic studies would need to consider the impacts of the proposed development on the local traffic network, particularly the Wingecarribee Street rail overpass.
- The subject land is completely within the flood planning area, and the Planning Proposal would need to demonstrate consistency with the relevant Section 9.1 Ministerial Direction and the *Flood Plane Development Manual 2005*.

### Strategic Merit

The Department's *Guide to Preparing Planning Proposals* requires all Planning Proposals to demonstrate whether the proposal is a result of, or consistent with the broader strategic planning framework for the area, including the Regional Plan and Local Strategic Planning Statement.

The proposal states that the proposed rezoning aligns with state, regional and local studies, and the strategic planning framework for Shire.

#### South East and Tablelands Regional Plan

The Regional Plan provides a broad planning framework, including a range of Goals, Directions and Actions to meet the economic, environmental, social and housing needs of the region.

The Planning Proposal argues that the proposed rezoning is consistent with the high level aims of the Regional Plan, and the proposal would deliver a greater diversity of housing supply and choice within close proximity to the Bowral centre, which (together with Moss Vale and Mittagong) is identified in the Regional Plan as a location for increased housing.

The proposal seeks to justify the rezoning against the Regional Plan on the basis of providing additional housing and housing choice. However, the Regional Plan includes specific Directions and Actions which seek to protect employment lands and create opportunities for new industrial development.

The Planning Proposal is inconsistent with a range of Directions and Actions within the Regional Plan and specifically inconsistent with Action 4.2 which provides direction to Councils to '*Maintain a supply of appropriately serviced employment land to create opportunities for new industrial development*'.

While the Regional Plan does seek to increase housing and housing choice in close proximity to the Bowral, Moss Vale and Mittagong centres, Council has already zoned sufficient land for this purpose. Introducing residential accommodation into the middle of a strategically important industrial precinct is considered inconsistent with the Regional Plan.

Wingecarribee Local Strategic Planning Statement

The Wingecarribee LSPS sets out a 20-year land use vision and provides a long-term planning framework to meet the economic, housing, social and environmental needs of the community.

The Planning Proposal states that the proposed mixed-use development is consistent with a number of Planning Priorities outlined in the LSPS, namely:

- **Planning Priority 3.1** Our Shire supports businesses' and attracts people to work, live and visit
- **Planning Priority 4.1** Promote infill development and increased densities in appropriate locations, and facilitate a greater mix of housing types to ensure our housing stock is reflective of the needs of our community
- **Planning Priority 4.2** Provide a greater mix of price points in the housing market to improve housing affordability, and work with community housing providers to increase the stock of social and community housing throughout the Shire

The Planning Proposal states that a mixed-use development of the site would deliver an increase in employment generating floor space compared to the existing development on the site, and would increase housing stock and housing choice in close proximity to the Bowral town centre, and is therefore consistent with the LSPS.

The LSPS outlines a number of high priority actions to guide the planning framework for employment lands throughout the Shire, as outlined below.

- **Action 3.1 (i)** Finalise, implement and monitor the 'Destination Plan' for the Shire
- **Action 3.1 (ii)** Undertake a review of our employment lands to ensure our planning framework facilitates the outcomes of the Destination Plan

Council has now finalised the Destination Strategy for the Shire which, among other things, identifies advanced manufacturing as a key economic pillar to help grow the Wingecarribee economy in the future. Rezoning strategically important industrial lands to allow residential development in advance of a broader review of employment lands is considered inconsistent with both the Destination Strategy and the economic planning priorities outlined in the LSPS.

As outlined in the Planning Proposal, the LSPS does seek to promote infill development and increased densities in close proximity to the Bowral, Moss Vale and Mittagong town centres. However, in preparing the Local Housing Strategy and LSPS, Council considered the supply of zoned land for this purpose, and it was determined that there was sufficient zoned land for infill development to meet the medium to long term housing needs of the community. Therefore, the LSPS did not identify the need to rezone land around the three main town centres to support increased residential densities.

Rezoning strategically important employment lands for a primarily residential development is not consistent with the LSPS. Further, introducing in excess of 200 residential dwellings on flood liable land is explicitly inconsistent with Planning Priority 1.2 which seeks to '*mitigate, adapt and build resilience to climate change and natural disasters*'.

### Strategic Review of Employment Lands

As outlined above, the LSPS identifies the need to undertake a broad strategic review of employment lands throughout the Shire, to ensure that the Wingecarribee planning framework facilitates the priorities outlined in the Destination Strategy.

However, in late 2020 the Department announced a major reform of employment zones, which will significantly reduce the number of employment zones, and ensure employment zones provide clear strategic intent, include clarity around their application and increase flexibility around land uses.

It is anticipated that the new draft employment zones will be publicly exhibited by mid-2021 and implemented by October 2021. Given the significant changes proposed to the employment zones across the state, the employment lands review for the Shire is currently on hold pending the outcomes of the State-wide reforms.

### **Economic Impacts**

The subject land is located within an established industrial precinct, with industrial zoned land surrounding the site to the north and south. This precinct supports a range of industrial land uses, and is considered important employment lands to support economic activity within the Shire, and to assist in realising the objectives outlined in the recently adopted Destination Strategy to promote and encourage advanced manufacturing within the Shire.

The Planning Proposal is supported by an economic analysis that seeks to demonstrate that the subject land is not required to meet the long-term light industrial needs of the Shire, and that the proposed rezoning would not negatively impact on the economic viability of the Bowral town centre. The economic analysis is presented as an 'additional' economic analysis and references a previous 2018 study that was not provided with the Planning Proposal. The proponents were given an opportunity to submit the 2018 study, but confirmed that the previous study did not form part of the Planning Proposal submission.

The economic analysis provides a high-level review of trends in employment, and argues that a forecast decline in employment in typical light industry sectors justifies the proposed rezoning and loss of industrial zoned land. However, the Shire has experienced a significant increase in demand for industrial land over the past 12 months from industries relocating out of the greater Sydney area. Council is actively trying to promote the Shire as a destination for businesses and industry, and it is critical to maintain an adequate supply of industrial zoned land to meet this demand.

The economic analysis also states that the subject land and the Bowral town centre fulfil different functions and business needs, and that the rezoning will compliment rather than detract from the viability of the town centre. This analysis does not adequately consider the potential impacts of the proposed rezoning on the Bowral town centre. A B4 Mixed Use zone allows a range of land uses that directly compete with the Bowral town centre, with up to 2 hectares of potential commercial and retail floor space being permissible on the site should the proposal proceed. The competing land uses under a B4 zone and the potential impacts on the Bowral town centre have not been considered or assessed in the economic analysis, and the proposal contradicts Council's strategic objectives of promoting a stronger commercial core and facilitating new commercial, office and retail development within the existing centre.

The proposal is inconsistent with the existing strategic planning framework for employment lands in the Shire, and the economic analysis has provided inadequate justification to consider rezoning land within a strategically important industrial precinct.

## **Flooding**

The subject land is located wholly within the flood planning area, and the proposal seeks to significantly increase the development potential of the land, including introducing the potential for in excess of 200 residential dwellings to be constructed on the site.

The proposal is supported by a Flood Impact Assessment which states that the proposed rezoning and future development of the site is consistent with the primary objective of the State Government's Flood Prone Land Policy which is to *'reduce the impact of flooding and flood liability on individual owners and occupiers of flood prone property, and to reduce private and public losses resulting from floods'*.

Further, the Flood Impact Assessment states that the Planning Proposal satisfies the objectives and provisions of the relevant Section 9.1 Ministerial Direction for flooding.

As outlined above, the proposal seeks to not only significantly increase the development potential of the land, but also increase the risk profile of the development, by introducing the potential for in excess of 200 residential dwellings to be constructed on the site. This significant intensification on flood prone land is directly inconsistent with the State Government's Flood Prone Land Policy, the Floodplain Development Manual 2005 and the relevant Ministerial Direction.

Ministerial Direction 4.3 explicitly states that a Planning Proposal must not contain provisions that apply to the flood planning areas which (list not exhaustive):

- (a) permit development in the floodway areas*
- (b) permit development that will result in significant flood impacts to other properties*
- (c) permit a significant increase in the development of that land*

The proposal seeks to rezone part of the high-risk floodway area to a B4 Mixed Use Zone and will facilitate a significant increase in the development potential of the flood planning area which explicitly contradicts the Ministerial Direction.

The Flood Impact Assessment states that there are a variety of development layouts which would have no offsite impacts, however, Council's Assets team are of the view that the significant intensification of development on the site would result in significant offsite impacts, with insufficient area to provide the necessary compensating volume for flood storage, and manage the flood impacts on-site.

The proposal to significantly increase the development potential of flood prone land, and to allow over 200 residential dwellings to be built on the site is contrary to the State Government's Flood Prone Land Policy, the Floodplain Development Manual 2005 and the relevant Ministerial Direction.

## **Land Use Conflict**

The subject land is located within an established industrial precinct, with industrial zoned land surrounding the site to the north and south. The Planning Proposal seeks to introduce in excess of 200 residential dwellings into the centre of the industrial precinct, significantly increasing the potential for land use conflict between existing and future industrial uses, increasing truck movements, and the proposed residential dwellings.

The proponent was requested in the pre-lodgement advice to outline how land use conflict could be managed on the site, to ensure that the proposed residential development does not compromise the broader industrial precinct.

While this matter has not been addressed in the Planning Proposal, allowing residential development in the middle of an industrial area proposes a significant threat to the broader precinct, as industrial development is often incompatible with residential development.

It is anticipated that any rezoning to allow residential development within the precinct will set an undesirable precedent, and lead to further requests for rezoning and the continued loss of strategically important employment lands.

## **Infrastructure**

Under the *Guide to Preparing Planning Proposals* all proposals are required to demonstrate that there is adequate public infrastructure to support the Planning Proposal.

### **Sewer**

The Planning Proposal states that the site is serviced by existing infrastructure that is '*anticipated to be capable of servicing the future development on the site*'. However, the proposal represents a significant intensification of the development potential on the site, and there is insufficient capacity within the Bowral Sewerage Treatment Plant (STP) to accommodate the proposed development on the site.

The Bowral STP is currently operating over capacity, and any rezoning to allow increased development potential within the servicing area could not be supported in advance of the proposed upgrades to the Bowral STP.

### **Traffic**

The subject land is located to the west of the town centre, separated from the centre by the Bowral train station and rail line. The Wingecarribee Street overpass is an existing choke point in the local traffic network, and careful consideration is required to ensure that any rezoning does not exacerbate the existing problem.

The Planning Proposal is supported by a traffic impact assessment that considers the impacts of the proposed rezoning of the local traffic network. Key intersections were tested using SIDRA modelling which indicated that intersections will continue to operate at a similar and satisfactory level of service, and that the local traffic network could accommodate the increase in traffic associated with the Planning Proposal.

Council's traffic and transport unit do not support the findings of the traffic impact assessment, and raised significant concerns with the proposal. The traffic assessment is based on 2018 surveys, with manual surveys taken outside of peak days / times. The survey results and modelling presented in the assessment are not considered reflective of the network function experienced on the ground.

If the Planning Proposal is supported by Council, a more detailed assessment of the local traffic network will be required, to ensure the impacts of the Planning Proposal can be properly considered and assessed.

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## **COMMUNICATION AND CONSULTATION**

### **Community Engagement**

No community engagement has occurred at this stage. Should the Planning Proposal be recommended to receive a Gateway determination, community engagement will occur in accordance with the requirements of the Gateway.

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### **Internal Communication and Consultation**

Internal consultation occurred with the Assets, Drainage and Traffic and Transport sections of Council.

### **External Communication and Consultation**

No external consultation has occurred at this stage. Should the Planning Proposal be recommended to receive a Gateway determination, external consultation will occur in accordance with the requirements of the Gateway.

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## **SUSTAINABILITY ASSESSMENT**

- **Environment**

Environmental issues have been addressed in the body of this report. If the Planning Proposal is supported by, a more detailed flooding and riparian study will be required, prior to the Planning Proposal being forwarded to the Department for a Gateway determination.

- **Social**

There are a number of social issues associated with the Planning Proposal that are addressed in the body of this report. The proposal seeks to introduce a significant amount of residential accommodation onto flood prone land, which is contrary to Council's strategic objectives of creating more resilient communities.

- **Broader Economic Implications**

The Planning Proposal presents a range of economic implications, including the loss of industrial lands and potential impacts on the viability of the Bowral town centre which is addressed in the body of this report.

- **Culture**

The Planning Proposal identifies a moderate potential for Aboriginal Cultural Heritage to occur on the site. Should the Planning Proposal progress to a Gateway determination, an Aboriginal Cultural Heritage Due Diligence report will be required to adequately assess the impacts of the proposal on Aboriginal Cultural Heritage.

- **Governance**

There are no governance issues in relation to this report.

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## **COUNCIL BUDGET IMPLICATIONS**

There are no budget implications associated with this report.

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## **RELATED COUNCIL POLICY**

There are no Council policy implications associated with this report.

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#### OPTIONS

The options available to Council are:

##### **Option 1**

THAT the Planning Proposal to rezone 63-69 Kirkham Road, Bowral from IN2 Light Industrial to B4 Mixed Use NOT be supported.

##### **Option 2**

1. THAT the Planning Proposal to rezone 63-69 Kirkham Road, Bowral from IN2 Light Industrial to B4 Mixed Use be supported and submitted to the Department of Planning, Industry and Environment upon the completion of updated technical reports and studies.

2. THAT an updated flood study be provided to adequately address Ministerial Direction 4.3 Flood Prone Land

3. THAT an updated economic analysis be provided that adequately considers the impact of the proposed development on the viability of the Bowral town centre

4. THAT the Planning Proposal be updated to consider land use conflicts associated with allowing residential development in an established industrial precinct.

##### **Option 3**

THAT Council defer consideration of the Planning Proposal, pending the outcomes of the State Government's employment zones reform, and proposed employment lands review across the Shire.

Option **No. 1** is the recommended option to this report.

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#### CONCLUSION

The Planning Proposal seeks to rezone the land at 63-69 Kirkham Road, Bowral to facilitate a mixed-use development of the site, and introduce new maximum height of building and floor space ratio development standards into the Wingecarribee LEP 2010.

The Planning Proposal presents a proposed mixed-use development scheme for the site, which includes a proposed 4,320m<sup>2</sup> of commercial floor space and in excess of 20,000m<sup>2</sup> of residential floor space as well as associated car parking and open space areas.

The Planning Proposal has been assessed against the local and regional strategic planning framework, and the proposed rezoning and strategically important industrial lands is inconsistent with the Regional Plan and LSPS.

The proposal also seeks to facilitate in excess of 200 residential dwelling on flood prone land, which is contrary to the relevant Ministerial Direction, the NSW Flood Prone Land Policy and the Floodplain Development Manual 2005.

It is recommended the Planning Proposal to rezone land at 63-69 Kirkham Road, Bowral NOT be supported.

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#### ATTACHMENTS

1. Kirkham Road, Bowral - Planning Proposal and supporting documents - *circulated under separate cover*

## 11.6 Planning Proposal to Undertake Administrative Amendments to Wingecarribee Local Environmental Plan 2010 under Section 3.22 of the Environmental Planning & Assessment Act 1979.

Reference: PN1820840  
Report Author: Senior Strategic Land Use Planner  
Authoriser: Acting Deputy General Manager Corporate Strategy and Development Services

Link to Community Strategic Plan: Open and effective communication methods and technology are utilised to share information about Council plans, intentions, actions and progress

### PURPOSE

**THIS ITEM WAS REFERRED FROM INTERM INDEPENDENT ADVISORY PLANNING ASSESSMENT PANEL MEETING ON 7 APRIL 2021.**

The purpose of this report is to obtain a Resolution of Council to undertake a Planning Proposal under Section 3.22 of the *Environmental Planning & Assessment (EP&A) Act 1979* to a) replace the current Reclassification (Part Lots) Maps with a new set named in accordance with the Department of Planning Industry and Environment's (the Department) latest technical specifications, and b) reinstate a minimum lot size over land at Anembo Street Moss Vale.

Applicant / Proponent	Council initiated
Owner	Some of the Anembo Street land is now is private ownership, but not relevant to the amendment
Consultants	N/A
Notification	N/A
Number Advised	N/A
Number of Submissions	N/A
Current Zoning	RE1 & R2
Proposed LEP Amendment/s	<ul style="list-style-type: none"> <li>Replace current RPL maps to update labelling</li> <li>Reinstate a minimum lot size of 700m<sup>2</sup> over land at Anembo Street, Moss Vale</li> </ul>
Political Donations	N/A
Recommendation	Planning Proposal BE Supported

## RECOMMENDATION

**THAT** a Planning Proposal be prepared under Section 3.22 of the *Environmental Planning & Assessment Act 1979* to replace the current Reclassification (Part Lot) maps with maps labelled in accordance with the Department of Planning, Industry and Environment's current LEP technical specifications, and to apply a minimum lot size of 700m<sup>2</sup> to land at 9-19 Anembo Street (Lots 1261-1266 DP1248764) Moss Vale.

## INTERIM ADVISORY PLANNING ASSESSMENT PANEL ADVICE

This matter was considered at the Interim Advisory Planning Assessment Panel on 7 April 2021. The Panel's advice is provided below:

*THAT a Planning Proposal be prepared under Section 3.22 of the Environmental Planning & Assessment Act 1979 to replace the current Reclassification (Part Lot) maps with maps labelled in accordance with the Department of Planning, Industry and Environment's current LEP technical specifications, and to apply a minimum lot size of 700m<sup>2</sup> to land at 9-19 Anembo Street (Lots 1261-1266 DP1248764) Moss Vale.*

## REPORT

Section 3.22 of the *Environmental Planning & Assessment (EP&A) Act 1979* provides for an 'expedited' amendment of an environmental planning instrument which is of a minor administrative nature only. Two matters require amendment to Wingecarribee Local Environmental Plan (WLEP) 2010 under Section 3.22:

- a) replace the current Reclassification (Part Lots) Maps with a new set named in accordance with the Department of Planning Industry and Environment's (the Department) latest technical specifications, and
- b) reinstate a minimum lot size of 700m<sup>2</sup> over land at Anembo Street Moss Vale.

Each is addressed in turn below.

### a) Reclassification (Part Lot) Maps

The Reclassification (Part Lots) - (RPL) Maps support clause 5.2 of WLEP 2010 and the associated Schedule 4 – Classification and reclassification of public land. The objective of Clause 5.2 is to enable the classification or reclassification of public land as 'operational' or 'community' in accordance with Part 2 of Chapter 6 of the *Local Government Act 1993*. Clause 5.2 references Schedule 4 of WLEP 2010 with regard to the identification of land classified or reclassified under the clause. In turn, Schedule 4 is supported by the Reclassification (Part Lots) Maps which identify the location of the subject land.

There are currently three RPL maps within WLEP 2010:

- RPL\_007B - created through Amendment 25 (19 December 2014),
- RPL\_007A – created through Amendment 33 (8 January 2016) and subsequently updated through Amendment 54 (6 November 2020)
- RPL\_007D – created through Amendment 54 (6 November 2020)

These maps are correct in every regard, but they do not conform with the Department's latest labelling specifications. Council's GIS team has worked with the Department's GIS team to create new maps which remain unchanged except for their labelling. The correct

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labelling of these maps allows Council to subsequently progress another Planning Proposal which requires the creation of new RPL maps.

A Planning Proposal under Section 3.22 of the *EP&A Act* will ensure they, and any future Reclassification (Part Lot) maps, are correctly labelled. To achieve this, new maps have been created to replace the existing ones, the only change to them being the map label. So,

- RPL\_007A will become RPL\_007K
- RPL\_007B will become RPL\_007G
- RPL\_007D will become RPL\_007H

#### b) Reinstatement of a minimum lot size over land at Anembo Street Moss Vale

Amendment 36 to WLEP 2010 was made on 22 January 2016 and rezoned Council owned land at Anembo Street, Moss Vale (formerly Lot 126 DP 263356) from RE1 Public Recreation to R2 Low Density Residential and applied a minimum lot size of 700m<sup>2</sup> in accordance with a Council Resolution of 12 August 2015 (MN 407/15).

The purpose of the amendment was to enable a portion of the subject land to be subdivided and sold for residential development. This occurred through 6/1290 and a six (6) lot subdivision was subsequently registered on 20 December 2018, comprising five (5) residential lots fronting Anembo Street and one (1) residual lot of 6,629m<sup>2</sup> which remains in Council ownership.

The location of the subject land is indicated in **Figure 1** below.

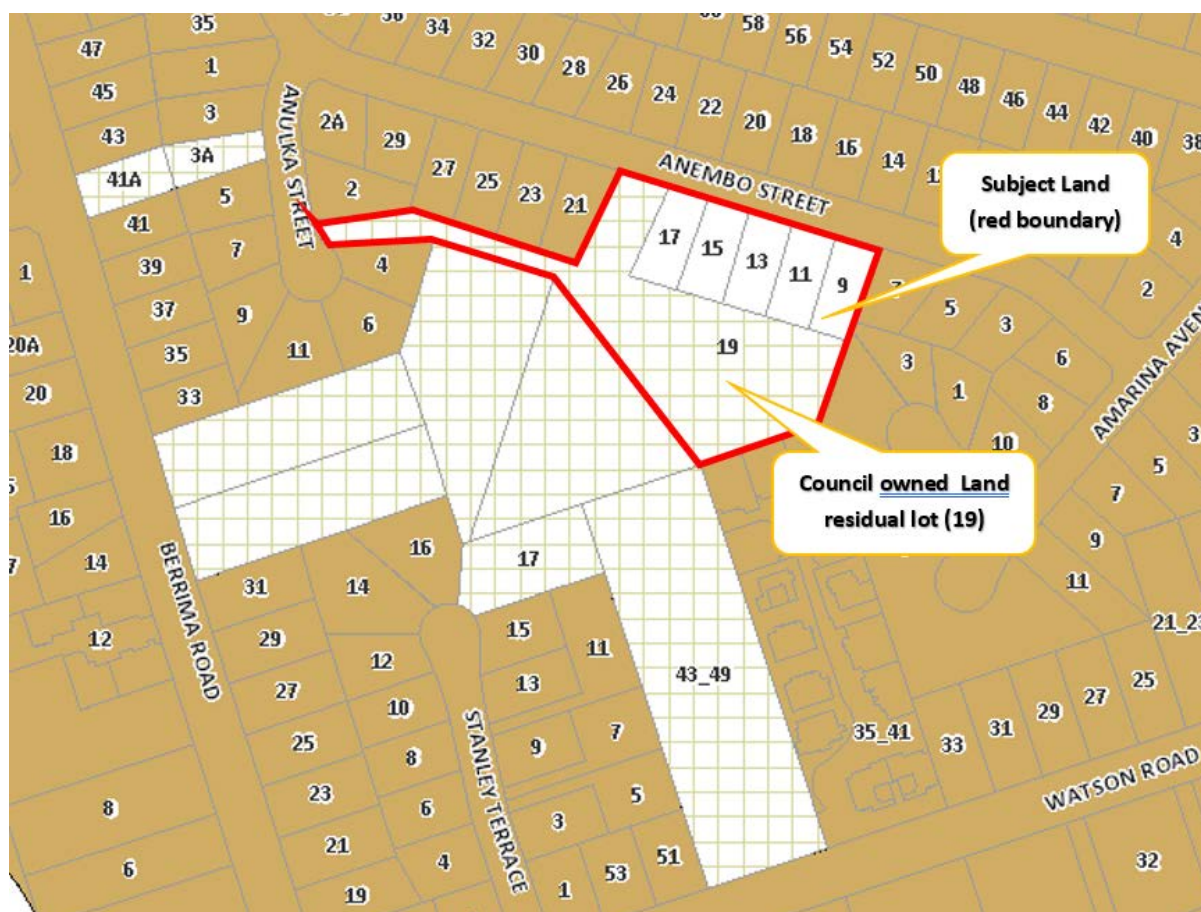
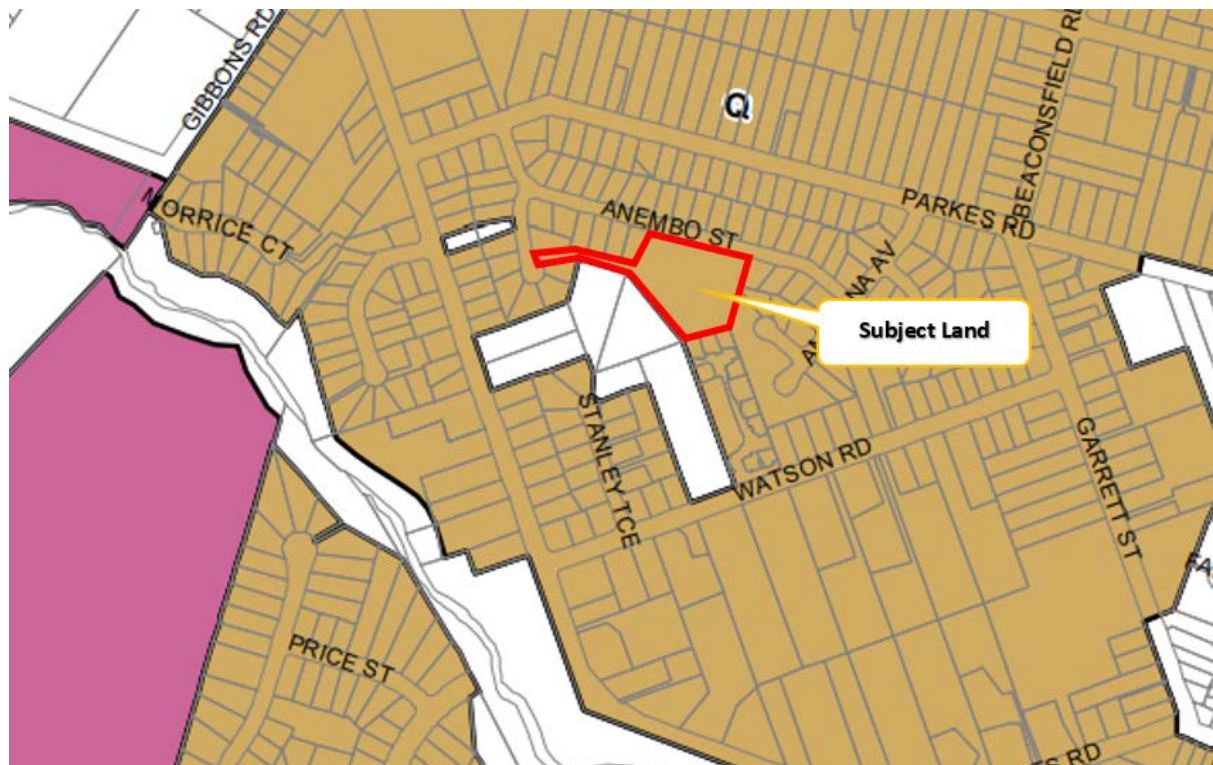


Figure 1 – Location of Subject Land

Although the correct map amendments were made when Amendment 36 was notified, it has become apparent that, in amending the same minimum lot size map sheet for the subsequent Amendment 39, the minimum lot size applied under Amendment 36 was lost.

Council has confirmed with the Department that Section 3.22 can be used to reinstate the lost minimum lot size over the subject land.

**Figure 2** below shows the minimum lot size on map sheet LSZ\_007D at 22 January 2016 confirming that the 700m<sup>2</sup> minimum lot size had been correctly applied under Amendment 36.



**Figure 2 - Extract from map sheet LSZ\_007D of WLEP 2010 as at 22 January 2016 indicating the application of the 700m<sup>2</sup> minimum lot size through Amendment 36.**

**Figure 3** shows map sheet LSZ\_007D as at 19 August 2016 at which time Amendment 39 to WLEP 2010 (the subsequent one to Amendment 36 which involved this map sheet) was applied, and which confirms the 700m<sup>2</sup> minimum lot size was not applicable to the subject land. This remains the case.

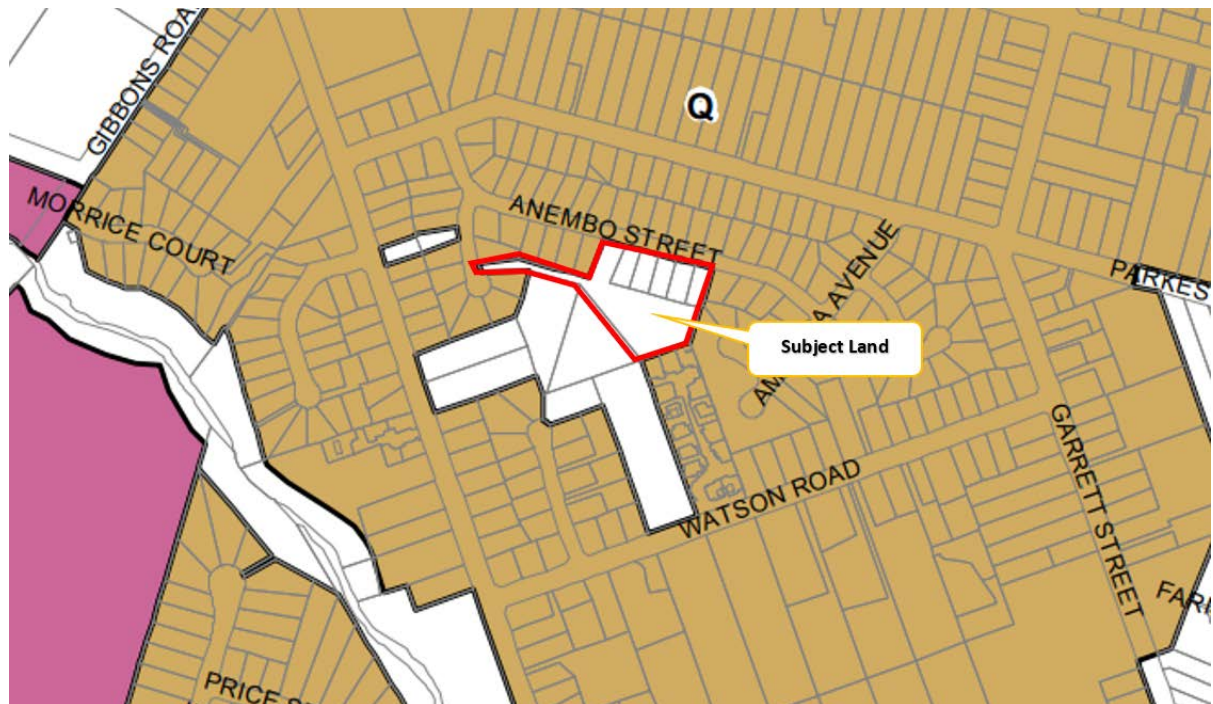


Figure 3 - Extract from map sheet LSZ\_007D of WLEP 2010 as at 19 August 2016 following Amendment 39, indicating that the 700m<sup>2</sup> minimum lot size layer excludes the subject land.

## COMMUNICATION AND CONSULTATION

### Community Engagement

No community engagement would occur under a Section 3.22 Planning Proposal.

### Internal Communication and Consultation

No internal consultation was required, although Council's GIS Section worked closely with the Department's GIS Section to redraft the new RPL maps.

### External Communication and Consultation

The Department has confirmed that a Section 3.22 Planning Proposal would be the best mechanism to correct these errors.

## SUSTAINABILITY ASSESSMENT

- **Environment**

There are no environmental issues in relation to this report.

- **Social**

There are no social issues in relation to this report.

## AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 21 April 2021

### REPORT ACTING DEPUTY GENERAL MANAGER CORPORATE STRATEGY AND DEVELOPMENT SERVICES



- **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**

The Planning Proposal will ensure that WLEP 2010 remains consistent with Departmental technical requirements and previous Amendments.

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### **COUNCIL BUDGET IMPLICATIONS**

There are no budget implications associated with this report.

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### **RELATED COUNCIL POLICY**

There are no related Council policies.

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### **OPTIONS**

The options available to Council are:

#### **Option 1**

Support the recommendation to this report, THAT a Planning Proposal be prepared under Section 3.22 of the *Environmental Planning & Assessment Act 1979* to replace the current Reclassification (Part Lot) maps with maps labelled in accordance with the Department of Planning, Industry and Environment's current LEP technical specifications, and to apply a minimum lot size of 700m<sup>2</sup> to land at 9-19 Anembo Street (Lots 1261-1266 DP1248764) Moss Vale.

It is considered that there is no other option. Therefore, Option 1 is the recommended option to this report.

---

### **CONCLUSION**

The amendments will ensure that WLEP 2010 remains consistent with Departmental technical requirements and previous notified Amendments.

---

### **ATTACHMENTS**

There are no attachments to this report.

## 11.7 Compliance Report

**Report Author:** Coordinator Corporate Strategy and Governance  
**Authoriser:** Acting Deputy General Manager Corporate Strategy and Development Services

### **PURPOSE**

The purpose of this report is to recommend that Council resolve to no longer receive a regular update on the compliance activities undertaken by Council.

### **RECOMMENDATION**

**THAT Council no longer be provided with a regular update on the compliance activities undertaken by Council including Notices and Orders issued.**

### **REPORT**

#### **BACKGROUND**

At its meeting on 13 May 2020 Council resolved, inter alia, as follows:

*MN 144/20*

1. *THAT Councillors be provided with a regular update on the compliance activities undertaken by Council including Notices and Orders issued.*

Subsequent reports to Council in accordance with this resolution have been dealt with in Closed Council under section 10A(2)(e) of the *Local Government Act 1993*. This is because those reports contained information that would, if disclosed, prejudice the maintenance of law, and the governing body of Council determined that discussion of the matter in an open meeting would on balance be contrary to the public interest.

#### **REPORT**

In response to the aforementioned Council resolution MN 144/20, Council has been provided with an update on the current notices and orders issued in relation to development compliance matters under the relevant statutes of the *Environmental Planning and Assessment Act 1979*, *Local Government Act 1993* and *Protection of the Environment Operations Act 1997*.

The updates included the following details for each compliance matter:

- Property address
- Compliance issue
- Compliance remedy
- Relevant Act
- Date of issue of Order or Notice
- Notes providing additional information about the terms of the Order or Notice.

There is no statutory obligation to report these matters to Council.

## AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 21 April 2021

### REPORT ACTING DEPUTY GENERAL MANAGER CORPORATE STRATEGY AND DEVELOPMENT SERVICES



Any compliance investigations and enforcement action carried out by Council staff under delegation from the General Manager must be undertaken independently and without interference to ensure appropriate maintenance of the law and administration of justice. Council's statutory powers in relation to these matters are prescribed under law and Council's Executive team and relevant managers have ultimate oversight of the compliance action undertaken by staff under delegation.

Consequently, it is recommended that Council resolve to no longer be provided with a regular update on the compliance activities undertaken by Council including Notices and Orders issued, noting that these reports were previously considered in Closed Council under section 10A(2)(e) of the *Local Government Act 1993*.

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## COMMUNICATION AND CONSULTATION

### Community Engagement

Nil.

### Internal Communication and Consultation

General Counsel

Executive

### External Communication and Consultation

Nil.

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## 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**

Council's Executive and relevant managers will continue to monitor and have oversight of compliance action undertaken by Council staff in accordance with their delegated authority.

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## COUNCIL BUDGET IMPLICATIONS

Nil.

## **AGENDA FOR THE ORDINARY MEETING OF COUNCIL**

Wednesday 21 April 2021

### **REPORT ACTING DEPUTY GENERAL MANAGER CORPORATE STRATEGY AND DEVELOPMENT SERVICES**



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#### **RELATED COUNCIL POLICY**

Nil.

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#### **CONCLUSION**

It is recommended that Council resolve to no longer be provided with a regular update on the compliance activities undertaken by Council including Notices and Orders issued.

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#### **ATTACHMENTS**

There are no attachments to this report.



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## COUNCIL MATTERS

### 12 PETITIONS

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#### 12.1 Petition 2/2021 DA 21/0257 27 Kimberley Drive, Bowral

Report Author:	Administration Officer (Meetings)
Authoriser:	Acting 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

The purpose of this report is to present Council with a petition relating to DA 21/0257 27 Kimberley Drive, Bowral.

The petition contains over 50 signatures.

A copy of the Petition will be tabled at the Ordinary Meeting of Council.

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#### RECOMMENDATION

**THAT** Petition 2/2021 relating to DA 21/0257 27 Kimberley Drive, Bowral be received and noted by Council.

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#### ATTACHMENTS

There are no attachments to this report.

## 13 COMMITTEE REPORTS

### 13.1 Minutes of the Traffic Committee held on Thursday 11 March 2021

Reference: 107/6  
Report Author: Administration Officer  
Authoriser: Acting Deputy General Manager Operations Finance and Risk

#### PURPOSE

This report provides the Minutes of the Traffic Committee meeting held on Thursday, 11 March 2021.

#### SUMMARY OF RECOMMENDATIONS AND ACTIONS FOR ADOPTION

##### Item 5.1 Road Safety Officer Progress report

TC 3/21

THAT the projects/campaigns currently coordinated by Council's Road Safety Officer be noted, particularly:

- ☐ *Bus Safety Week – A range of Bus Safety initiatives and educational programs were conducted within the Wingecarribee Shire Council LGA from Monday 22<sup>nd</sup> February to Sunday 28<sup>th</sup> February 2021. The key theme around this year's event was promoting holistic safety around buses for students and parents, whether they were travelling to school via bus, or private vehicle. All Schools within the LGA, as well as the local bus companies were invited to participate and promote the Bus Week activities on offer which contributed to the overall success of this year's program.*
- ☐ *Truck Aware - Heavy Trucks – The 'Truck Aware' heavy vehicle program is a joint initiative between the Goulburn and Wingecarribee Shire Councils which highlights the risks faced by the operators of heavy vehicles, especially on our national highways. Drivers and companies were encouraged to join the program and pledge their support in reducing the number and severity of heavy vehicles incidents on our highways by engagement in programs such as Coffee with a Cop which was run on the 18<sup>th</sup> February 2021.*
- ☐ *Speed Busters – Following scheduled maintenance the four solar powered speed display signs were returned to service at Mittagong Road, Bowral (MR260), Moss Vale Road, Burradoo (MR260), 217 Old Hume Highway, Mittagong (MR258), and Railway Parade, Wingello (MR7636). All the Speed Signs are scheduled to be rotated to new locations in late March 2021.*
- ☐ *U turn the Wheel - In Partnership with the local Rotary Clubs planning and preparation is currently underway for the return of the 'U Turn the Wheel' program. Prior courses had to be unfortunately cancelled due to COVID 19 restrictions. The aims*

## AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 21 April 2021

### COMMITTEE REPORTS



*of this program are to reduce the incidents of road trauma for young, high risk road users.*

#### Item 5.2    Police report on crashes in the Shire

TC 4/21

THAT the information be received and noted.

#### Item 5.3    Kirkham Road and Wingecarribee Street Intersection - Bowral Proposed STOP line relocation & right turn lane

TC 5/21

1. THAT Council relocate the double barrier lines on Kirkham Road, south of Wingecarribee Street to the chevron markings of the pedestrian refuge located north of Willow Road 0.6 metres west to increase clearance for left turning 19 metre semi-trailers from Wingecarribee Street onto Kirkham Road as shown on Attachment 1
2. THAT Council relocates the position of the Kirkham Road western approach STOP line and STOP sign 4.0 metres north towards the intersection with Wingecarribee Street to improve sight lines to traffic exiting Wingecarribee Street to Kirkham Road and that the STOP line be painted 0.6 metres wide as shown on Attachment 1
3. THAT Council repaints the existing STOP line on the northern side of the intersection with Wingecarribee Street 0.6 metres wide as shown on Attachment 1
4. THAT Council remove six (6) on-street parking spaces on the north western side of the Kirkham Road/Wingecarribee Street intersection and that the length be made "NO STOPPING" as shown on Attachment 1
5. THAT the kerb side lane between the pedestrian refuge north of Willow Road and the proposed relocated STOP line at Wingecarribee Street be designated a through travel lane as shown on Attachment 1
6. THAT Council installs a right turn lane on Kirkham Road between the existing pedestrian refuge north of Willow Road and Wingecarribee Street as shown on Attachment 1
7. THAT the above traffic improvements at this intersection be expedited.

#### Item 5.4    Southern Highlands Cycling Club - Traffic Management Arrangements

TC 6/21

1. THAT approval be granted to Southern Highlands Cycling Club to conduct their 2021 Summer and Winter Race Program subject to the satisfactory completion of all requirements of the NSW Guidelines for Bicycle Road Races for a Class 2 Race Event.
2. THAT the approval be granted for an initial trial period for 6 months and THAT the traffic management arrangements and notification to local businesses be revised by the Traffic Committee for any improvement that is necessary.
3. THAT the approval is subject to clarification that route 3 Canyonleigh starts and finishes west of the Hume Motorway Interchange.

## AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 21 April 2021

### COMMITTEE REPORTS



#### Item 5.5     Fitzroy Road Resealing, Moss Vale

TC 7/21

*THAT Council support the installation of new road seal and line marking on Fitzroy Road between Illawarra Highway and Narellan Road.*

#### Item 5.6     Request for Disabled Parking Space - Oxley St, Berrima

TC 8/21

*THAT a disabled parking space compliant with AS 2890.5 be installed on Oxley Street 10m west of Quarry St outside Berrima Public School.*

*THAT "No Stopping" be installed on Oxley Street to the east of the disabled parking space.*

#### Item 5.7     Crash Reduction Treatment - Merrigang St, Bowral

TC 9/21

*THAT sealed shoulder, curve advisory signage, curve alignment markers, raised reflective pavement markers be implemented to improve the safety of a dangerous chicane in east Bowral in the vicinity of No.203 Merrigang Street.*

### RECOMMENDATION

**THAT recommendation Nos TC 3/21 to TC 9/21 as detailed in the Minutes of the Traffic Committee Meeting held on Thursday, 11 March 2021 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 Ordinary meeting of Council for consideration.**

### ATTACHMENTS

1. Minutes of the Traffic Committee meeting held on 11 March 2021



# MINUTES

of the  
Traffic Committee Meeting

held remotely using audio visual link on

Thursday 11 March 2021

The meeting commenced at 9:40am

*File No. 107/6*



**MINUTES OF THE TRAFFIC COMMITTEE MEETING**

Thursday 11 March 2021



<b>1. WELCOME AND APOLOGIES</b>	
<b>2. ACKNOWLEDGEMENT OF COUNTRY</b>	
<b>3. ADOPTION OF MINUTES OF PREVIOUS MEETING</b>	
<b>4. DECLARATIONS OF INTEREST</b>	
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5.3 Kirkham Road and Wingecarribee Street Intersection - Bowral Proposed STOP line relocation & right turn lane .....	6
5.4 Southern Highlands Cycling Club - Traffic Management Arrangements .....	7
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<b>7. MEETING CLOSURE .....</b>	<b>11</b>

**MINUTES OF THE TRAFFIC COMMITTEE MEETING**

Thursday 11 March 2021

**MINUTES OF THE TRAFFIC COMMITTEE MEETING OF WINGECARRIBBEE SHIRE COUNCIL HELD IN NATTAI ROOM, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON THURSDAY 11 MARCH 2021 COMMENCING AT 9:30AM.**

<b>Present:</b>	Cllr Duncan Gair, Mayor Mr Matthew White Sergeant Daniel Stevenson Mrs Katherine Wood Ms Zoe McInerney	Chair Transport for NSW NSW Police Representing the Member for Goulburn Representing the Member for Wollondilly
<b>In Attendance:</b>	Mr Chris Moule Mr Laurie Stewart	Berrima Buslines Southern Highlands Taxis, Hire Cars & Coaches
<b>Council Staff:</b>	Mr Stace Lewer Mr Tim Sullivan	Manager Assets Traffic Engineer
<b>Absent:</b>	Mr Frank Iacono Mr Naif Ahmed Mr Dean Webb	Transportation Planning Engineer Coordinator Assets Roads & Traffic Road Safety Officer
<b>Minutes:</b>	Mrs Liz de Graaf	Administration Officer

**1. WELCOME AND APOLOGIES**

Nil

**Resignation of Cllr Ken Halstead OAM**

At the Council meeting on 9 March 2021, Cllr Ken Halstead OAM tendered his resignation, effective immediately.

The Traffic Committee would like to thank Cllr Halstead for his valued contribution to the Committee and wish him well for his retirement.



**MINUTES OF THE TRAFFIC COMMITTEE MEETING**

Thursday 11 March 2021



**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 19 NOVEMBER 2020

**RECOMMENDATION**

***THAT** the minutes of the Traffic Committee Meeting held on Thursday 19 November 2020 TC 50/20 to TC 55/20 inclusive, copies of which were forwarded to Councillors, be adopted as a correct record of the proceedings of the meeting.*

**PASSED**

**4. DECLARATIONS OF INTEREST**

Nil



MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 11 March 2021



## 5. AGENDA REPORTS

### 5.1 Road Safety Officer progress report

Reference: 7410/1  
Report Author: Road Safety Officer  
Authoriser: Coordinator Assets - Roads and Traffic  
Link to Community  
Strategic Plan: Work in partnership to ensure a safe road network

#### PURPOSE

Reporting on promotions and activities of the Road Safety Officer (RSO).



## MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 11 March 2021



## RECOMMENDATION

**THAT the projects/campaigns currently coordinated by Council's Road Safety Officer be noted, particularly:**

- ☐ **Bus Safety Week – A range of Bus Safety initiatives and educational programs were conducted within the Wingecarribee Shire Council LGA from Monday 22<sup>nd</sup> February to Sunday 28<sup>th</sup> February 2021. The key theme around this year's event was promoting holistic safety around buses for students and parents, whether they were travelling to school via bus, or private vehicle. All Schools within the LGA, as well as the local bus companies were invited to participate and promote the Bus Week activities on offer which contributed to the overall success of this year's program.**
- ☐ **Truck Aware - Heavy Trucks – The 'Truck Aware' heavy vehicle program is a joint initiative between the Goulburn and Wingecarribee Shire Councils which highlights the risks faced by the operators of heavy vehicles, especially on our national highways. Drivers and companies were encouraged to join the program and pledge their support in reducing the number and severity of heavy vehicles incidents on our highways by engagement in programs such as Coffee with a Cop which was run on the 18<sup>th</sup> February 2021.**
- ☐ **Speed Busters – Following scheduled maintenance the four solar powered speed display signs were returned to service at Mittagong Road, Bowral (MR260), Moss Vale Road, Burradoo (MR260), 217 Old Hume Highway, Mittagong (MR258), and Railway Parade, Wingello (MR7636). All the Speed Signs are scheduled to be rotated to new locations in late March 2021.**
- ☐ **U turn the Wheel - In Partnership with the local Rotary Clubs planning and preparation is currently underway for the return of the delivery of the 'U Turn the Wheel' program. Prior courses had to be unfortunately cancelled due to COVID 19 restrictions. The aims of this program are to reduce the incidents of road trauma for young, high risk road users.**

TC3/21

Unanimous support



**MINUTES OF THE TRAFFIC COMMITTEE MEETING**

Thursday 11 March 2021



**5.2 Police report on recent crashes in the Shire**

**Reference:** 7410  
**Report Author:** Traffic Engineer  
**Authoriser:** Coordinator Assets - Roads and Traffic  
**Link to Community**  
**Strategic Plan:** Work in partnership to ensure a safe road network

**PURPOSE**

Reporting on recent road crashes in the Shire recorded by Police.

**RECOMMENDATION**

*THAT the information be received and noted.*

TC4/21

Unanimous support



## MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 11 March 2021



### 5.3 Kirkham Road and Wingecarribee Street Intersection - Bowral Proposed STOP line relocation & right turn lane

Reference: 7404, 1569  
 Report Author: Transportation Planning Engineer  
 Authoriser: Manager Assets  
 Link to Community  
 Strategic Plan: Provide an accessible, efficient and interconnected public transport system within and out of the Shire

#### PURPOSE

To:

1. To improve sight lines to traffic existing Wingecarribee Street to Kirkham Road.
2. Reduce delays at the intersection of Kirkham Road and Wingecarribee Street for the southern approach to the intersection on Kirkham Road.

#### RECOMMENDATION

1. *THAT Council relocate the double barrier lines on Kirkham Road, south of Wingecarribee Street to the chevron markings of the pedestrian refuge located north of Willow Road 0.6 metres west to increase clearance for left turning 19 metre semi-trailers from Wingecarribee Street onto Kirkham Road as shown on Attachment 1*
2. *THAT Council relocates the position of the Kirkham Road western approach STOP line and STOP sign 4.0 metres north towards the intersection with Wingecarribee Street to improve sight lines to traffic exiting Wingecarribee Street to Kirkham Road and that the STOP line be painted 0.6 metres wide as shown on Attachment 1*
3. *THAT Council repaints the existing STOP line on the northern side of the intersection with Wingecarribee Street 0.6 metres wide as shown on Attachment 1*
4. *THAT Council remove six (6) on-street parking spaces on the north western side of the Kirkham Road/Wingecarribee Street intersection and that the length be made "NO STOPPING" as shown on Attachment 1*
5. *THAT the kerb side lane between the pedestrian refuge north of Willow Road and the proposed relocated STOP line at Wingecarribee Street be designated a through travel lane as shown on Attachment 1*
6. *THAT Council installs a right turn lane on Kirkham Road between the existing pedestrian refuge north of Willow Road and Wingecarribee Street as shown on Attachment 1*
7. *THAT the above traffic improvements at this intersection be expedited.*

TC5/21

Unanimous support



## MINUTES OF THE TRAFFIC COMMITTEE MEETING

Thursday 11 March 2021

**5.4 Southern Highlands Cycling Club - Traffic Management Arrangements**

Reference: 7400  
Report Author: Traffic Engineer  
Authoriser: Coordinator Assets - Roads and Traffic  
Link to Community  
Strategic Plan: Work in partnership to ensure a safe road network

**PURPOSE**

To review the proposed traffic management arrangements for the SHCC summer and winter cycling program and provide recommended changes or concurrence as appropriate.

**RECOMMENDATION**

1. *THAT approval be granted to Southern Highlands Cycling Club to conduct their 2021 Summer and Winter Race Program subject to the satisfactory completion of all requirements of the NSW Guidelines for Bicycle Road Races for a Class 2 Race Event.*
2. *THAT the approval be granted for an initial trial period for 6 months and THAT the traffic management arrangements and notification to local businesses be revised by the Traffic Committee for any improvement that is necessary.*
3. *THAT the approval is subject to clarification that route 3 Canyonleigh starts and finishes west of the Hume Motorway Interchange.*

TC6/21

Unanimous support

**MINUTES OF THE TRAFFIC COMMITTEE MEETING**

Thursday 11 March 2021

**5.5 Fitzroy Road Resealing, Moss Vale**

**Reference:** 7400  
**Report Author:** Traffic Engineer  
**Authoriser:** Coordinator Assets - Roads and Traffic  
**Link to Community**  
**Strategic Plan:** Work in partnership to ensure a safe road network

**PURPOSE**

To seek endorsement for a minor scheme to improve pavement condition and road safety on Fitzroy Road near the intersection with Illawarra Highway.

**RECOMMENDATION**

*THAT Council support the installation of new road seal and line marking on Fitzroy Road between Illawarra Highway and Narellan Road.*

TC7/21

Unanimous support

**MINUTES OF THE TRAFFIC COMMITTEE MEETING**

Thursday 11 March 2021

**5.6 Request for Disabled Parking Space - Oxley St, Berrima**

**Reference:** 7450  
**Report Author:** Traffic Engineer  
**Authoriser:** Coordinator Assets - Roads and Traffic  
**Link to Community**  
**Strategic Plan:** Work in partnership to ensure a safe road network

**PURPOSE**

To seek endorsement for the installation of a disabled parking bay on Oxley St outside Berrima Public School.

**RECOMMENDATION**

*THAT a disabled parking space compliant with AS 2890.5 be installed on Oxley Street 10m west of Quarry St outside Berrima Public School.*

*THAT "No Stopping" be installed on Oxley Street to the east of the disabled parking space.*

TC8/21

Unanimous support



**MINUTES OF THE TRAFFIC COMMITTEE MEETING**

Thursday 11 March 2021



**5.7 Crash Reduction Treatment - Merrigang St, Bowral**

Reference: 7410  
 Report Author: Traffic Engineer  
 Authoriser: Coordinator Assets - Roads and Traffic  
 Link to Community  
 Strategic Plan: Work in partnership to ensure a safe road network

**PURPOSE**

To seek endorsement for a minor road safety scheme on Merrigang Street, Bowral.

**RECOMMENDATION**

*THAT sealed shoulder, curve advisory signage, curve alignment markers, raised reflective pavement markers be implemented to improve the safety of a dangerous chicane in east Bowral in the vicinity of No.203 Merrigang Street.*

TC9/21

Unanimous support



**MINUTES OF THE TRAFFIC COMMITTEE MEETING**

Thursday 11 March 2021



**6. DATE OF NEXT MEETING**

The date of the next meeting is Thursday 24 June 2021.

**7. MEETING CLOSURE**

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 10:49 AM

## 13.2 Minutes of the Environment and Sustainability Committee Meeting of 17 March 2021

Reference: 107/25  
Report Author: Administration Officer (Meetings)  
Authoriser: Acting Deputy General Manager Corporate Strategy and Development Services

### PURPOSE

This report provides the Minutes of the Environment and Sustainability Committee Meeting held on 17 March 2021.

### SUMMARY OF RECOMMENDATIONS AND ACTIONS FOR ADOPTION

#### Item 3 – Adoption of Minutes of Previous Meeting

ES 1/21

*THAT the minutes of the Environment and Sustainability Advisory Committee Meeting held on Wednesday 16 December 2020 MN 35/20 to MN 29/20 inclusive, be adopted as a correct record of the proceedings of the meeting.*

#### Item 5.1 - Environment and Climate Change Strategy (2021-2031) Update

ES 2/21

THAT the report be noted.

#### Item 5.2 – Climate Change Advisory Panel Update

ES 3/21

THAT the report be noted.

#### Item 5.3 – 2021/2022 Environment Levy Budget – First Draft

ES 4/21

THAT the first draft of the 2021/2022 Environment Levy Budget be noted.

### RECOMMENDATION

**THAT** recommendations Nos 1/21 to 4/21 – as detailed in the Minutes of the Environment and Sustainability Committee Meeting held on 17 March 2021 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 Ordinary Council Meeting for consideration.

### ATTACHMENTS

1. Minutes of the Environment and Sustainability Committee Meeting of 17 March 2021



# MINUTES

## of the Environment and Sustainability Advisory Committee Meeting

held in Nattai Room

Civic Centre, Elizabeth Street, Moss Vale

on

**Wednesday 17 March 2021**

The meeting commenced at 10.30am

*File No. 100/2021*

13.2 Minutes of the Environment and Sustainability Committee Meeting of 17 March 2021

ATTACHMENT 1 Minutes of the Environment and Sustainability Committee Meeting of 17 March 2021



MINUTES OF THE ENVIRONMENT AND SUSTAINABILITY ADVISORY COMMITTEE MEETING

Wednesday 17 March 2021



1. WELCOME AND APOLOGIES
2. ACKNOWLEDGEMENT OF COUNTRY
3. ADOPTION OF MINUTES OF PREVIOUS MEETING
4. DECLARATIONS OF INTEREST
5. AGENDA REPORTS .....3
  - 5.1 Environment and Climate Change Strategy (2021-2031) Update.....3
  - 5.2 Climate Change Advisory Panel Update.....4
  - 5.3 2021 / 2022 Environment Levy Budget - First Draft.....5
6. DATE OF NEXT MEETING.....6
7. MEETING CLOSURE .....6

13.2 Minutes of the Environment and Sustainability Committee Meeting of 17 March 2021

ATTACHMENT 1 Minutes of the Environment and Sustainability Committee Meeting of 17 March 2021



MINUTES OF THE ENVIRONMENT AND SUSTAINABILITY ADVISORY COMMITTEE MEETING

Wednesday 17 March 2021



MINUTES OF THE ENVIRONMENT AND SUSTAINABILITY ADVISORY COMMITTEE MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN NATTAI ROOM, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON WEDNESDAY 17 MARCH 2021 COMMENCING AT 10.30AM.

**Present:**

**Interim Administrator:** Mr Viv May PSM

**Community Representatives:** Ms Patricia Hall  
Ms Lyndall Dalley  
Mr Paul Shanahan  
Mr Clive West

**In Attendance:** Mr Barry Arthur *Manager Environment & Sustainability*  
Mr Ian Perkins *Natural Resource Project Coordinator*  
Ms Cecilia Kemp *Coordinator Sustainability Services*  
Ms Michelle Richardson *Administration Officer*

**1. WELCOME AND APOLOGIES**

There were no apologies received.

**2. ACKNOWLEDGEMENT OF COUNTRY**

Mr Barry Arthur 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 ENVIRONMENT AND SUSTAINABILITY ADVISORY COMMITTEE MEETING HELD ON WEDNESDAY 16 DECEMBER 2020

**ES 1/21**

**MOTION** moved by Mr C West and seconded by Ms P Hall

**THAT** the minutes of the Environment and Sustainability Advisory Committee Meeting held on Wednesday 16 December 2020 MN 35/20 to MN 29/20 inclusive, be adopted as a correct record of the proceedings of the meeting.

**PASSED**

**4. DECLARATIONS OF INTEREST**

There were no declarations of interest made at the meeting.

13.2 Minutes of the Environment and Sustainability Committee Meeting of 17 March 2021

ATTACHMENT 1 Minutes of the Environment and Sustainability Committee Meeting of 17 March 2021



MINUTES OF THE ENVIRONMENT AND SUSTAINABILITY ADVISORY COMMITTEE MEETING

Wednesday 17 March 2021



5. AGENDA REPORTS

5.1 Environment and Climate Change Strategy (2021-2031) Update

Reference: 5450/25.2

Report Author: Manager Environment and Sustainability

**PURPOSE**

The Manager Environment and Sustainability provided an update of the Environment and Climate Change Strategy development, focusing on reporting from the community engagement phase of the project.

Council's engagement consultant attended the meeting to present the outcomes of the community engagement stages of the project.

**ES 2/21**

**MOTION** moved by Ms L Dalley and seconded by Ms P Hall

***THAT the report be noted.***

**PASSED**

13.2 Minutes of the Environment and Sustainability Committee Meeting of 17 March 2021

ATTACHMENT 1 Minutes of the Environment and Sustainability Committee Meeting of 17 March 2021



MINUTES OF THE ENVIRONMENT AND SUSTAINABILITY ADVISORY COMMITTEE MEETING

Wednesday 17 March 2021



**5.2 Climate Change Advisory Panel Update**

Reference: 107/25  
Report Author: Manager Environment and Sustainability

**PURPOSE**

The Climate Change Advisory Panel met on the 8th March 2021.

The Manager Environment and Sustainability addressed the panel concerning the Agenda, presentation materials and Minutes that were attached for consideration by the Committee.

**ES 3/21**

**MOTION** moved by Mr C West and seconded by Ms P Hall

***THAT the report be noted.***

**PASSED**

## 13.2 Minutes of the Environment and Sustainability Committee Meeting of 17 March 2021

## ATTACHMENT 1 Minutes of the Environment and Sustainability Committee Meeting of 17 March 2021



## MINUTES OF THE ENVIRONMENT AND SUSTAINABILITY ADVISORY COMMITTEE MEETING

Wednesday 17 March 2021

**5.3 2021 / 2022 Environment Levy Budget - First Draft**

Reference:	2210/8
Report Author:	Manager Environment and Sustainability
Authoriser:	Deputy General Manager Corporate, Strategy and Development Services
Link to Community Strategic Plan:	Effective financial and asset management ensure Council's long term sustainability

**PURPOSE**

The Manager Environment and Sustainability provided an overview of the first draft of the 2021/2022 Environment Levy program budget.

The Draft 2021/2022 Environment Levy program budget is outlined in Attachment 1 of this report. This draft has been prepared in line with the IPART approved program of works.

This is an early draft of the program which factors in a number of assumptions, including the figure for the Environment Levy income. Actual income and program amounts will be recalculated once they are known later in the budgeting process.

The Draft 2020/2021 Environment Levy Program is funded in the following way:

2021/2022 Environment Levy Income	approx \$ 1.42 M
Environment Levy Reserve	approx \$ 46,000

Grants will continue to be sought to support Environment Levy projects. Volunteers will continue to provide essential support to the program.

The attached spreadsheet shows a comparison between next year's draft budget and the current and previous year's programs. There is very little variation suggested in the programs.

Council's draft 2021/2022 Budget is anticipated to be ready for public exhibition in April.

**ES 4/21**

**MOTION** moved by Mr P Shanahan and seconded by Ms P Hall

***THAT the first draft of the 2021/2022 Environment Levy budget be noted.***

**PASSED**

13.2 Minutes of the Environment and Sustainability Committee Meeting of 17 March 2021

ATTACHMENT 1 Minutes of the Environment and Sustainability Committee Meeting of 17 March 2021



MINUTES OF THE ENVIRONMENT AND SUSTAINABILITY ADVISORY COMMITTEE MEETING

Wednesday 17 March 2021



**6. DATE OF NEXT MEETING**

The next meeting will be held on Wednesday 19 May 2021 in Nattai Room  
Civic Centre, Elizabeth Street, Moss Vale commencing at 10.30am.

**7. MEETING CLOSURE**

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 12.30 PM

### 13.3 Minutes of the Audit, Risk and Improvement Advisory Committee Meeting held on 19 March 2021

Reference: 2102/3  
Report Author: Corporate Strategy and Governance Officer  
Authoriser: Acting Deputy General Manager Corporate Strategy and Development Services

#### RECOMMENDATION

**THAT** recommendation Nos AR 1/21 to AR 10/21 as detailed in the Minutes of the Audit, Risk and Improvement Advisory Committee Meeting held on Friday 19 March 2021 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 Ordinary Council meeting for consideration.

#### SUMMARY OF RECOMMENDATIONS AND ACTIONS FOR ADMINISTRATOR ATTENTION AND ADOPTION

##### Item 1 Welcome and Apologies

It was noted that an apology was received from Mr Viv May PSM.

##### Item 3 Adoption of Minutes of Previous Meeting

###### AR 1/21

**THAT** the minutes of the Audit, Risk and Improvement Advisory Committee Meeting held on Friday 20 November 2020 AR 35/20 to AR 43/20 inclusive, copies of which were forwarded to Committee members, be adopted as a correct record of the proceedings of the meeting.

##### Item 5.1 Report on Control Self-Assessment Program

The Committee was provided with an update on the implementation of Council's Control Self-Assessment Program.

###### AR 2/21

**THAT** the Audit, Risk and Improvement Advisory Committee note the report.

##### Item 6.1 Committee Action List

The Committee was provided with an update on the progress of action items previously requested by the Committee.

###### AR 3/21

**THAT** the Audit, Risk and Improvement Committee note the report.

## AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 21 April 2021

### COMMITTEE REPORTS



---

#### Item 7.1      Corporate Risk Program Update

The Committee was provided with an update on Council's Risk Management Program.

AR 4/21

*THAT the Audit, Risk and Improvement Advisory Committee review and note the report.*

#### Item 7.2      Notice of Intention to Issue a Suspension Order

The Committee was provided with an update with information relating to the Notice of Intention to Issue a Suspension Order from the Minister for Local Government.

AR 5/21

*THAT the Audit, Risk and Improvement Advisory Committee note the report.*

#### Item 8.1      Internal Audit Report

The Committee was presented with the Accounts Payable internal audit report and provided with a brief overview of the scope of the Payroll internal audit scheduled for the next quarter.

AR 6/21

*THAT the Audit, Risk and Improvement Advisory Committee note the report.*

#### Item 8.2      Outstanding Internal Audit Recommendations Progress Report

The Committee was provided with an update with respect to the implementation of outstanding recommendations from previous internal audits.

AR 7/21

*THAT the Audit, Risk and Improvement Advisory Committee note the Outstanding Internal Audit Recommendations Progress Report for 19 March 2021 (Attachment 1) AND THAT the requested extensions to the due dates as specified in Table 1 to this report be granted.*

#### Item 9.1      Audit Office of NSW Annual Engagement Plan - Audit for the Year Ending 30 June 2021

The Committee was provided with the Annual Engagement Plan for the audit of Council's financial statements for the year ending 30 June 2021.

AR 8/21

*THAT the Audit, Risk and Improvement Advisory Committee endorse the Audit Office of NSW's Annual Engagement Plan for the year ending 30 June 2021.*

## AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 21 April 2021

### COMMITTEE REPORTS



---

#### Item 9.2      External Audit - Management Letter on the External Audit for the Year Ended 30 June 2020

The Committee was provided with a copy of the Management Letter issued by the Audit Office of NSW in relation to the audit conducted for the year ended 30 June 2020.

AR 9/21

*THAT the Audit, Risk and Improvement Advisory Committee notes the contents of the Management Letter for the audit conducted for the year ended 30 June 2020 and the comments provided by Management.*

#### Item 9.3      External Audit – Management Letter Recommendations Update

The Committee was provided with an update on the status of issues which have been raised in previous Management Letters by Council's external Auditors.

AR 10/21

*THAT the Audit, Risk and Improvement Advisory Committee note the update provided on the outstanding issues and recommendations made by Council's External Auditors.*

---

### ATTACHMENTS

1. Minutes of the Audit, Risk and Improvement Committee Meeting held on 19 March 2021



# MINUTES

of the  
Audit, Risk and Improvement Advisory  
Committee Meeting  
held in  
Nattai Room  
Civic Centre, Elizabeth Street, Moss Vale  
on

**Friday 19 March 2021**

The meeting commenced at 10.50am

*File No. 2102/3*

13.3 Minutes of the Audit, Risk and Improvement Advisory Committee Meeting  
held on 19 March 2021

ATTACHMENT 1 Minutes of the Audit, Risk and Improvement Committee  
Meeting held on 19 March 2021



MINUTES OF THE AUDIT, RISK AND IMPROVEMENT ADVISORY  
COMMITTEE MEETING

Friday 19 March 2021



1. WELCOME AND APOLOGIES	
2. ACKNOWLEDGEMENT OF COUNTRY	
3. ADOPTION OF MINUTES OF PREVIOUS MEETING	
4. DECLARATIONS OF INTEREST	
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10. DATE OF NEXT MEETING.....	12
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13.3 Minutes of the Audit, Risk and Improvement Advisory Committee Meeting held on 19 March 2021

ATTACHMENT 1 Minutes of the Audit, Risk and Improvement Committee Meeting held on 19 March 2021



MINUTES OF THE AUDIT, RISK AND IMPROVEMENT ADVISORY COMMITTEE MEETING

Friday 19 March 2021



MINUTES OF THE AUDIT, RISK AND IMPROVEMENT ADVISORY COMMITTEE MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN NATTAI ROOM, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON FRIDAY 19 MARCH 2021 COMMENCING AT 10.30AM.

Present:

**Community Representatives:** Ms Jan Edwards\* *Chair*  
Mr Paul Jeffares\*  
Dr Jason Young

**In Attendance:** Mr John Burgess *Acting General Manager*  
Mr Mark Pepping *Deputy General Manager Corporate Strategy and Development Services*  
Mr Richard Mooney *Acting Deputy General Manager Operations, Finance and Risk*  
Ms Danielle Lidgard *Group Manager Corporate and Community*  
Mr John Crawford *Chief Information Officer (in part)*  
Mr Malcolm Lindsay *Coordinator Workplace Systems*  
Mr Andrew Lynch *Coordinator Corporate Strategy and Governance*  
Mr Joel Willersdorf\* *Coordinator Procurement and Fleet (in part)*  
Ms Michelle Richardson *Administration Officer (Meetings)*

**Also in Attendance:** Mr Mitchell Morley\* *InConsult*  
Mr Michael Kharzoo\* *Audit Office of NSW*  
Mr Kenny Tan\* *Audit Office of NSW*

**NOTE:** Some meeting participants attended the meeting remotely via Microsoft Teams audio visual link. This is indicated by \*. The remaining participants were present in the Nattai Room, Civic Centre for this meeting.

**1. WELCOME AND APOLOGIES**

It was noted that an apology was received from Mr Viv May PSM.

**2. ACKNOWLEDGEMENT OF COUNTRY**

The Chair Ms Jan Edwards 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.

13.3 Minutes of the Audit, Risk and Improvement Advisory Committee Meeting  
held on 19 March 2021

ATTACHMENT 1 Minutes of the Audit, Risk and Improvement Committee  
Meeting held on 19 March 2021



MINUTES OF THE AUDIT, RISK AND IMPROVEMENT ADVISORY  
COMMITTEE MEETING

Friday 19 March 2021



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**3. ADOPTION OF MINUTES OF PREVIOUS MEETING**

MINUTES OF THE AUDIT, RISK AND IMPROVEMENT ADVISORY COMMITTEE  
MEETING HELD ON FRIDAY 20 NOVEMBER 2020

**AR 1/21**

**MOTION** moved by Dr J Young and seconded by Ms J Edwards

**THAT** the minutes of the Audit, Risk and Improvement Advisory Committee Meeting held on Friday 20 November 2020 MN 35/20 to MN 43/20 inclusive, copies of which were forwarded to Committee members, be adopted as a correct record of the proceedings of the meeting.

**PASSED**

**4. DECLARATIONS OF INTEREST**

Mr John Burgess stated he has a LinkedIn account that refers to a previous business association with Council's contract internal auditors. He confirmed he does not have any ongoing business association with Council's contract internal auditors and has updated his LinkedIn account accordingly. He stated that he does not have any conflicts with respect to the meeting agenda.

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## 13.3 Minutes of the Audit, Risk and Improvement Advisory Committee Meeting held on 19 March 2021

## ATTACHMENT 1 Minutes of the Audit, Risk and Improvement Committee Meeting held on 19 March 2021



## MINUTES OF THE AUDIT, RISK AND IMPROVEMENT ADVISORY COMMITTEE MEETING

Friday 19 March 2021



## 5. AGENDA REPORTS

### 5.1 Report on Control Self-Assessment Program

Reference:	2102/3, 2102/5
Report Author:	Coordinator Corporate Strategy and Governance
Authoriser:	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

The purpose of this report is to update the Audit, Risk and Improvement Advisory Committee ('the Committee') on the implementation of Council's Control Self-Assessment Program.

The Group Manager Corporate and Community addressed the Committee on this item.

The Coordinator Corporate Strategy and Governance addressed the Committee on this item.

The Deputy General Manager Corporate Strategy and Development Services addressed the Committee on this item.

The Acting General Manager addressed the Committee on this item.

Mr Mitchell Morley addressed the Committee on this item.

The Committee requested that it be provided with a more detailed summary about the allocation of improvement actions to the controls assessed through the control self-assessments undertaken by Council in 2020.

#### AR 2/21

**MOTION** moved by Mr P Jeffares and seconded by Dr J Young

**THAT** the Audit, Risk and Improvement Advisory Committee note the report.

#### **PASSED**

13.3 Minutes of the Audit, Risk and Improvement Advisory Committee Meeting held on 19 March 2021

ATTACHMENT 1 Minutes of the Audit, Risk and Improvement Committee Meeting held on 19 March 2021



MINUTES OF THE AUDIT, RISK AND IMPROVEMENT ADVISORY COMMITTEE MEETING

Friday 19 March 2021



## 6. COMMITTEE ACTION LIST

### 6.1 Committee Actions Items Update

Reference: 2102/3  
 Report Author: A/Corporate Strategy Officer  
 Authoriser: Coordinator Corporate Strategy and Governance  
 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

The purpose of this report is to provide an update on the progress of action items previously requested by the Audit, Risk and Improvement Advisory Committee ('the Committee').

The Group Manager Corporate and Community addressed the Committee on this item.

The Deputy General Manager Corporate Strategy and Development Services addressed the Committee on this item.

The Acting General Manager addressed the Committee on this item.

The Chair requested that the list of legislation relevant to Council be provided to the next iteration of the Audit, Risk and Improvement Advisory Committee together with the details of the most senior staff member responsible for each one.

#### AR 3/21

**MOTION** moved by Dr J Young and seconded by Ms J Edwards

**THAT** the Audit, Risk and Improvement Advisory Committee note the report.

#### **PASSED**

## 13.3 Minutes of the Audit, Risk and Improvement Advisory Committee Meeting held on 19 March 2021

## ATTACHMENT 1 Minutes of the Audit, Risk and Improvement Committee Meeting held on 19 March 2021



## MINUTES OF THE AUDIT, RISK AND IMPROVEMENT ADVISORY COMMITTEE MEETING

Friday 19 March 2021



## 7. RISK MANAGEMENT

### 7.1 Corporate Risk Program Update

Reference:	2102/3
Report Author:	Workplace Systems Coordinator
Authoriser:	Group Manager
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

To provide an update on the Corporate Risk Program.

The Workplace Systems Coordinator addressed the Committee on this item.

The Acting General Manager addressed the Committee on this item and tabled a copy of Council's updated Corporate Risk Register. He stated that an electronic copy would be distributed to the Committee.

The Committee discussed the recent approval of a General Manager Practice Note intended to replace the Council Risk Policy and expressed its disagreement that there was not a need for a policy on risk management adopted by the governing body of Council.

#### AR 4/21

**MOTION** moved by Mr P Jeffares and seconded by Ms J Edwards

**THAT** the Audit, Risk and Improvement Advisory Committee review and note the report.

#### **PASSED**

**13.3 Minutes of the Audit, Risk and Improvement Advisory Committee Meeting held on 19 March 2021****ATTACHMENT 1 Minutes of the Audit, Risk and Improvement Committee Meeting held on 19 March 2021****MINUTES OF THE AUDIT, RISK AND IMPROVEMENT ADVISORY COMMITTEE MEETING**

Friday 19 March 2021

**7.2 Notice of Intention to Issue a Suspension Order**

<b>Reference:</b>	101; 102; 103/6
<b>Report Author:</b>	Group Manager Corporate and Community
<b>Authoriser:</b>	Deputy General Manager Corporate, Strategy and Development Services
<b>Link to Community Strategic Plan:</b>	An enhanced culture of positive leadership, accountability and ethical governance that guides well informed decisions to advance agreed community priorities

**PURPOSE**

On 3 March 2021 Council received a Notice of Intention to Issue a Suspension Order from the Minister for Local Government, The Hon. Shelley Hancock, MP. The purpose of this report is provide the Committee with information relating to the Notice.

The Group Manager Corporate and Community addressed the Committee on this item.

The Acting General Manager addressed the Committee on this item.

The Deputy General Manager Corporate Strategy and Development Services addressed the Committee on this item.

**AR 5/21**

**MOTION** moved by Dr J Young and seconded by Mr P Jeffares

**THAT** the Audit, Risk and Improvement Advisory Committee note the report.

**PASSED**

## 13.3 Minutes of the Audit, Risk and Improvement Advisory Committee Meeting held on 19 March 2021

## ATTACHMENT 1 Minutes of the Audit, Risk and Improvement Committee Meeting held on 19 March 2021



## MINUTES OF THE AUDIT, RISK AND IMPROVEMENT ADVISORY COMMITTEE MEETING

Friday 19 March 2021



## 8. INTERNAL AUDIT

### 8.1 Internal Audit Report

Reference:	2102/3, 2102/20.3
Report Author:	A/Corporate Strategy Officer
Authoriser:	Coordinator Corporate Strategy and Governance
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

The purpose of this report is to present the Audit, Risk and Improvement Advisory Committee ('the Committee') with the Accounts Payable internal audit report and provide a brief overview of the proposed scope of the Payroll internal audit scheduled for the next quarter.

Mr Mitchell Morley addressed the Committee on this item.

The Group Manager Corporate and Community addressed the Committee on this item.

The Acting Deputy General Manager Operations, Finance and Risk addressed the Committee on this item.

The Deputy General Manager Corporate Strategy and Development Services addressed the Committee on this item.

#### AR 6/21

**MOTION** moved by Dr J Young and seconded by Mr P Jeffares

**THAT** the Audit, Risk and Improvement Advisory Committee note the report.

#### **PASSED**

## 13.3 Minutes of the Audit, Risk and Improvement Advisory Committee Meeting held on 19 March 2021

## ATTACHMENT 1 Minutes of the Audit, Risk and Improvement Committee Meeting held on 19 March 2021



## MINUTES OF THE AUDIT, RISK AND IMPROVEMENT ADVISORY COMMITTEE MEETING

Friday 19 March 2021



## 8.2 Outstanding Internal Audit Recommendations Progress Report

Reference:	2102/3
Report Author:	A/Corporate Strategy Officer
Authoriser:	Coordinator Corporate Strategy and Governance
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

The purpose of this report is to provide an update to the Audit, Risk and Improvement Advisory Committee ('the Committee') with respect to the implementation of outstanding recommendations from previous internal audits.

The Deputy General Manager Corporate Strategy and Development Services addressed the Committee on this item.

The Acting General Manager addressed the Committee on this item.

The Deputy General Manager Operations, Finance and Risk addressed the Committee on this item.

The Committee discussed its serious concern about the Council protocol to postpone the implementation of certain audit recommendations for improved controls while Council awaits the introduction of related reforms by the NSW Government. The concern is that these delays in implementation, often well beyond the agreed date, result in a reduced control environment spanning months and sometimes years.

### AR 7/21

**MOTION** moved by Mr P Jeffares and seconded by Dr J Young

**THAT** the Audit, Risk and Improvement Advisory Committee note the Outstanding Internal Audit Recommendations Progress Report for 19 March 2021 (Attachment 1) **AND THAT** the requested extensions to the due dates as specified in Table 1 to this report be granted.

### **PASSED**

13.3 Minutes of the Audit, Risk and Improvement Advisory Committee Meeting held on 19 March 2021

ATTACHMENT 1 Minutes of the Audit, Risk and Improvement Committee Meeting held on 19 March 2021



MINUTES OF THE AUDIT, RISK AND IMPROVEMENT ADVISORY COMMITTEE MEETING

Friday 19 March 2021



9. EXTERNAL AUDIT

9.1 Audit Office of NSW Annual Engagement Plan - Audit for the Year Ending 30 June 2021

Reference: 2102  
 Report Author: Acting Chief Financial Officer  
 Authoriser: Acting Deputy General Manager Operations Finance and Risk  
 Link to Community Strategic Plan: Effective financial and asset management ensure Council's long term sustainability

**PURPOSE**

To present the Annual Engagement Plan for the audit of Council's financial statements for the year ending 30 June 2021.

Mr Michael Kharzoo addressed the Committee on this item.

The Acting Deputy General Manager Operations Finance and Risk addressed the Committee on this item.

**AR 8/21**

**MOTION** moved by Dr J Young and seconded by Mr P Jeffares

**THAT** the Audit, Risk and Improvement Advisory Committee endorse the Audit Office of NSW's Annual Engagement Plan for the year ending 30 June 2021.

**PASSED**

## 13.3 Minutes of the Audit, Risk and Improvement Advisory Committee Meeting held on 19 March 2021

## ATTACHMENT 1 Minutes of the Audit, Risk and Improvement Committee Meeting held on 19 March 2021



## MINUTES OF THE AUDIT, RISK AND IMPROVEMENT ADVISORY COMMITTEE MEETING

Friday 19 March 2021

**9.2 External Audit - Management Letter on the External Audit for the Year Ended 30 June 2020**

**Reference:** 2102  
**Report Author:** Acting Chief Financial Officer  
**Authoriser:** Acting Deputy General Manager Operations Finance and Risk  
**Link to Community Strategic Plan:** Effective financial and asset management ensure Council's long term sustainability

**PURPOSE**

This report provides the Audit, Risk and Improvement Advisory Committee with a copy of the Management Letter issued by the Audit Office of NSW in relation to the audit conducted for the year ended 30 June 2020.

The Acting Deputy General Manager Operations Finance and Risk addressed the Committee on this item.

The Deputy General Manager Corporate Strategy and Development Services addressed the Committee on this item.

The Acting General Manager addressed the Committee on this item.

**AR 9/21**

**MOTION** moved by Mr P Jeffares and seconded by Ms J Edwards

**THAT** the Audit, Risk and Improvement Advisory Committee notes the contents of the Management Letter for the audit conducted for the year ended 30 June 2020 and the comments provided by Management.

**PASSED**

13.3 Minutes of the Audit, Risk and Improvement Advisory Committee Meeting  
held on 19 March 2021ATTACHMENT 1 Minutes of the Audit, Risk and Improvement Committee  
Meeting held on 19 March 2021MINUTES OF THE AUDIT, RISK AND IMPROVEMENT ADVISORY  
COMMITTEE MEETING

Friday 19 March 2021

**9.3 External Audit - Management Letter Recommendations  
Update**

Reference: 2102, 2102/3  
Report Author: A/Corporate Strategy Officer  
Authoriser: Coordinator Corporate Strategy and Governance  
Link to Community  
Strategic Plan: Effective financial and asset management ensure Council's  
long term sustainability

**PURPOSE**

This report provides the Audit, Risk and Improvement Advisory Committee with an update on the status of issues which have been raised in previous Management Letters by Council's external auditors.

**AR 10/21**

**MOTION** moved by Dr J Young and seconded by Mr P Jeffares

**THAT** the Audit, Risk and Improvement Advisory Committee note the update provided on the outstanding issues and recommendations made by Council's External Auditors.

**PASSED**

**13.3 Minutes of the Audit, Risk and Improvement Advisory Committee Meeting  
held on 19 March 2021**

**ATTACHMENT 1 Minutes of the Audit, Risk and Improvement Committee  
Meeting held on 19 March 2021**



**MINUTES OF THE AUDIT, RISK AND IMPROVEMENT ADVISORY  
COMMITTEE MEETING**

Friday 19 March 2021



**10. DATE OF NEXT MEETING**

The next meeting will be held on Friday 18 June 2021 in the Council Chambers, Civic Centre, Elizabeth Street, Moss Vale commencing at 10.30am.

**11. MEETING CLOSURE**

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 12.35pm

## 13.4 Minutes of the Independent Advisory Planning Panel Meeting on 7 April 2021

**Report Author:** Administration Officer (Meetings)  
**Authoriser:** Deputy General Manager Corporate Strategy and Development Services

### PURPOSE

This report provides the Minutes of the Independent Advisory Planning Assessment Panel Meeting held on 7 April 2021.

### SUMMARY OF RECOMMENDATIONS AND ACTIONS FOR AND ADOPTION

#### Item 5 Development Applications

#### Item 5.1 Development Application 21/0257 - Two (2) Lot Subdivision Part Lot 313 DP1245164, 27 Kimberley Drive Bowral

*THAT Development Application DA21/0257 for a two (2) Lot Subdivision of land at Part Lot 313 DP 1245164, No 27 Kimberley Drive Bowral be REFUSED for the following reasons:*

1. *One of the proposed lots does not comply with the minimum lot size of 40 hectares, contrary to clause 4.1 of Wingecarribee LEP 2010 (WLEP 2010).*
2. *Pursuant to the provisions of clause 4.2D(4) the proposal is not permitted because the panel is not satisfied that:*
  - (a) *the subdivision is necessary for the ongoing operation of the permissible use(s);*
  - (b) *the uses relied on are currently permissible uses;*
  - (c) *the subdivision is appropriate having regard to the natural and physical constraints of the land.*
3. *The proposal does not represent orderly and economic development in circumstances where the proposed dwelling house Lot (Lot 1) will contain the existing on site waste water treatment pumping station and treatment / maturation pond for proposed Lot 2.*
4. *(a) The proposal fails to satisfy clause 5.10(4) of WLEP 2010 that requires consideration of the impact of the development on the heritage significance of the heritage item, as listed in Schedule 5 of WLEP 2010. A heritage management document (Heritage Impact Statement) was not submitted with the development application;*
  - (b) *On the information provided the Panel is not satisfied that the proposal meets the objective 5.10(1) of WLEP 2010, in particular with regards to an assessment of the curtilage, setting and views of the heritage item. It is noted that the heritage listing covers part of proposed Lot 2;*
  - (c) *The panel concurs with the views of the Heritage Council of NSW that "the reasons for the proposed subdivision provided in the Statement of Environmental Effects are ambiguous and insufficient".*
5. *Insufficient information has been provided in the application to identify the site of the original approval of the villas and any implications of the development on existing consents.*

## AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 21 April 2021

### COMMITTEE REPORTS



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#### Item 5.2    Modification to Development Application 18/0744.05 - Proposed Alterations and Additions to the Wingecarribee Shire Council Administration Building, 68 Elizabeth Street Moss Vale.

*THAT modification to Development Application 18/0744.05 which seeks changes to the approved internal layout, new entrance awnings (Elizabeth Street and Donkin Avenue), relocation of accessible ramp and external façade treatment changes at the Wingecarribee Shire Council building at 68 Elizabeth Street Moss Vale be APPROVED, subject to the attached amended conditions of consent as described in Attachment 1 to the report, further amended as follows:*

*Add to the end of Condition 1 "No further works are to be carried out in respect of the works the subject of the modification application until such time as the Building Information Certificate has been issued".*

*The panel was advised that with respect to on site car parking generated by the additional floor space the original application provided for a surplus of car parking which will sufficiently cater for this proposed extension.*

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### RECOMMENDATION

**THAT the determination outcomes of the Development Applications as detailed in the Minutes of the Independent Advisory Planning Panel Meeting held on 7 April 2021 be noted.**

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### ATTACHMENTS

1. Minutes of the Independent Advisory Planning Panel Meeting on 7 April 2021



# MINUTES

## of the Independent Advisory Planning Assessment Panel Meeting

held in

Nattai Room

Civic Centre, Elizabeth Street, Moss Vale

on

**Wednesday 7 April 2021**

The meeting commenced at 3.30pm

*File No. 100/2021*

## AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 21 April 2021

### CLOSED COUNCIL



## MINUTES OF THE INDEPENDENT ADVISORY PLANNING ASSESSMENT PANEL MEETING

Wednesday 7 April 2021



<b>1. OPENING OF THE MEETING</b>	
<b>2. ACKNOWLEDGEMENT OF COUNTRY</b>	
<b>3. APOLOGIES</b>	
<b>4. DECLARATIONS OF INTEREST .....</b>	<b>2</b>
<b>5. DEVELOPMENT APPLICATIONS .....</b>	<b>3</b>
5.1 Development Application 21/0257 - Two (2) Lot Subdivision Part Lot 313 DP1245164, 27 Kimberley Drive Bowral.....	3
5.2 Modification to Development Application 18/0744.05 - Proposed Alterations and Additions to the Wingecarribee Shire Council Administration Building, 68 Elizabeth Street Moss Vale. ....	5
<b>6. PLANNING PROPOSALS .....</b>	<b>6</b>
6.1 Planning Proposal to rezone land at Welby Garden Centre .....	6
6.2 Planning Proposal to rezone and reduce the minimum lot size of land at Alpine .....	7
6.3 Planning Proposal to rezone land at 63-69 Kirkham Road Bowral from IN2 Light Industrial to B4 Mixed Use.....	8
6.4 Planning Proposal to undertake administrative amendments to Wingecarribee Local Environmental Plan 2010 under Section 3.22 of the Environmental Planning & Assessment Act 1979. ....	9
<b>7. MEETING CLOSURE .....</b>	<b>9</b>

## AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 21 April 2021

### CLOSED COUNCIL



#### MINUTES OF THE INDEPENDENT ADVISORY PLANNING ASSESSMENT PANEL MEETING

Wednesday 7 April 2021



#### MINUTES OF THE INDEPENDENT ADVISORY PLANNING ASSESSMENT PANEL MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN NATTAI ROOM, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON WEDNESDAY 7 APRIL 2021 COMMENCING AT 3.30PM

<b>Present:</b>	Chairperson	Ms Julie Walsh
	Expert	Ms Heather Warton
	Expert	Ms Larissa Ozog
	Community Representative	Mr Carl Peterson
<b>In Attendance:</b>	Acting General Manager	Mr Les McMahon (in part)
	Acting Deputy General Manager Corporate Strategy and Development Services	Ms Danielle Lidgard
	Group Manager Planning, Development and Regulatory Services	Mr Nicholas Wilton
	Manager Development Assessment	Ms Nancy Sample (in part)
	Coordinator Strategic Land Use Planning	Mr Michael Park (in part)
	Development Assessment Planner	Mr Ross Jauncey (in part)
	Senior Strategic Land Use Planner	Ms Susan Stannard (in part)
	Coordinator ICT Operations	Mr Ian Vong
	Administration Officer	Ms Michelle Richardson

### 1. OPENING OF THE MEETING

The Chairperson opened the meeting and welcomed members of the public and the press.

### 2. ACKNOWLEDGEMENT OF COUNTRY

The Chairperson acknowledged country:

"Wingecarribee Shire Council acknowledge the Gundungurra and Tharawal people as the traditional custodians of this land we now call the Wingecarribee Shire. I pay my respect to Elders both past, present and emerging. I would also like to extend that respect to all Aboriginal and Torres Strait Islanders present here today."

### 3. APOLOGY

There were no apologies at this Meeting.

PERS

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#### 4. DECLARATIONS OF INTEREST

101/3, 101/3.1

That where necessary any interest now be disclosed and the reason for declaring such interest in the matters under consideration by the Panel at this Meeting and to complete the appropriate form to be handed up at the Meeting.

*Member Larissa Ozog declared a less than significant non-pecuniary interest in Items 5.1 Development Application 21/0257 - Two (2) Lot Subdivision Part Lot 313 DP1245164, 27 Kimberley Drive Bowral and Item 6.2 Planning Proposal to rezone and reduce the minimum lot size of land at Alpine as she is an expert member of the Wollongong Local Planning Panel as is the Applicant's consultant, Town Planner, Scott Lee. She has never worked in a professional capacity with Mr Lee nor has she ever had a personal relationship with him. In those circumstances the Chair determined that she could participate in the determination and voting on those items.*

*Community Representative Carl Peterson declared a less than significant non-pecuniary interest in Item 5.1 Development Application 21/0257 - Two (2) Lot Subdivision Part Lot 313 DP1245164, 27 Kimberley Drive Bowral and Item 6.2 Planning Proposal to rezone and reduce the minimum lot size of land at Alpine as he lives in the same street as Scott Lee, the Applicant's consultant. He has no professional or personal relationship with Mr Lee and in those circumstances the Chair determined that he could participate in the determination and voting on those items.*

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### 5. DEVELOPMENT APPLICATIONS

#### 5.1 Development Application 21/0257 - Two (2) Lot Subdivision Part Lot 313 DP1245164, 27 Kimberley Drive Bowral

#### OFFICERS' RECOMMENDATION

Mr Peter Rowe (objector) addressed the Panel on this item

Mr Scott Lee (consultant for Applicant) addressed the Panel on this item.

The Development Assessment Planner addressed the Panel on this item.

*THAT Development Application DA21/0257 for a two (2) Lot Subdivision of land at Part Lot 313 DP 1245164, No 27 Kimberley Drive Bowral be APPROVED subject to conditions as described in Attachment 1 to the report.*

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#### PANEL DECISION

**THAT Development Application DA21/0257 for a two (2) Lot Subdivision of land at Part Lot 313 DP 1245164, No 27 Kimberley Drive Bowral be REFUSED for the following reasons:**

1. **One of the proposed lots does not comply with the minimum lot size of 40 hectares, contrary to clause 4.1 of Wingecarribee LEP 2010 (WLEP 2010).**
2. **Pursuant to the provisions of clause 4.2D(4) the proposal is not permitted because the panel is not satisfied that:**
  - (a) **the subdivision is necessary for the ongoing operation of the permissible use(s);**
  - (b) **the uses relied on are currently permissible uses;**
  - (c) **the subdivision is appropriate having regard to the natural and physical constraints of the land.**
3. **The proposal does not represent orderly and economic development in circumstances where the proposed dwelling house Lot (Lot 1) will contain the existing on site waste water treatment pumping station and treatment / maturation pond for proposed Lot 2.**
4. **(a) The proposal fails to satisfy clause 5.10(4) of WLEP 2010 that requires consideration of the impact of the development on the heritage significance of the heritage item, as listed in Schedule 5 of WLEP 2010. A heritage management document (Heritage Impact Statement) was not submitted with the development application;**
  - (b) **On the information provided the Panel is not satisfied that the proposal meets the objective 5.10(1) of WLEP 2010, in particular with regards to an assessment of the curtilage, setting and views of the heritage item. It is noted that the heritage listing covers part of proposed Lot 2;**
  - (c) **The panel concurs with the views of the Heritage Council of NSW that "the reasons for the proposed subdivision provided in the Statement of Environmental Effects are ambiguous and insufficient".**
5. **Insufficient information has been provided in the application to identify the site of the original approval of the villas and any implications of the development on existing consents.**

#### REASONS:

As above.

#### VOTING

4 - NIL

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### 5.2 Modification to Development Application 18/0744.05 - Proposed Alterations and Additions to the Wingecarribee Shire Council Administration Building, 68 Elizabeth Street Moss Vale.

#### OFFICERS' RECOMMENDATION

*THAT modification to Development Application 18/0744.05 which seeks changes to the approved internal layout, new entrance awnings (Elizabeth Street and Donkin Avenue), relocation of accessible ramp and external façade treatment changes at the Wingecarribee Shire Council building at 68 Elizabeth Street Moss Vale be APPROVED, subject to attached conditions of consent as described in Attachment 1 to the report.*

#### PANEL DECISION

*THAT modification to Development Application 18/0744.05 which seeks changes to the approved internal layout, new entrance awnings (Elizabeth Street and Donkin Avenue), relocation of accessible ramp and external façade treatment changes at the Wingecarribee Shire Council building at 68 Elizabeth Street Moss Vale be APPROVED, subject to the attached amended conditions of consent as described in Attachment 1 to the report, further amended as follows:*

*Add to the end of Condition 1 "No further works are to be carried out in respect of the works the subject of the modification application until such time as the Building Information Certificate has been issued".*

*The panel was advised that with respect to on site car parking generated by the additional floor space the original application provided for a surplus of car parking which will sufficiently cater for this proposed extension.*

#### REASONS:

The panel generally agrees with the Council Officers' report.

#### VOTING

4 - NIL

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## 6. PLANNING PROPOSALS

### 6.1 Planning Proposal to rezone land at Welby Garden Centre

#### OFFICERS' RECOMMENDATION

*THAT a Planning Proposal be prepared under Section 3.33 of the Environmental Planning & Assessment Act 1979:*

- To amend Schedule 1 of Wingecarribee Local Environmental Plan 2020 to remove Item 28, and
- Rezone from R2 Low Density Residential to B5 Business Development and remove the 700m<sup>2</sup> minimum lot size of land at Lots 1,2,3,8,9 & 10 Section 6 in DP 759070, Lot 1 in DP 1006005 & Lot 2 in DP 1019107, Nos. 10 & 12 -14 Old Hume Highway, Welby, being the Welby Garden Centre, and
- Apply a Maximum Building Height of 8 metres, and
- Apply a Maximum Floor Space Ratio of 0.9:1.

#### PANEL ADVICE

*THAT a Planning Proposal be prepared under Section 3.33 of the Environmental Planning & Assessment Act 1979:*

- To amend Schedule 1 of Wingecarribee Local Environmental Plan 2010 to remove Item 28, and
- Rezone from R2 Low Density Residential to B5 Business Development and remove the 700m<sup>2</sup> minimum lot size of land at Lots 1,2,3,8,9 & 10 Section 6 in DP 759070, Lot 1 in DP 1006005 & Lot 2 in DP 1019107, Nos. 10 & 12 -14 Old Hume Highway, Welby, being the Welby Garden Centre, and
- Apply a Maximum Building Height of 8 metres, and
- Apply a Maximum Floor Space Ratio of 0.9:1.

#### REASONS:

The panel generally agrees with the Council Officers' report.

#### VOTING

4 - NIL

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### 6.2 Planning Proposal to rezone and reduce the minimum lot size of land at Alpine

#### OFFICERS' RECOMMENDATION

Mr Scott Lee (Consultant for Applicant) addressed the Panel on this item.

The Coordinator Strategic Land Use Planning addressed the Panel on this item.

*THAT the Planning Proposal to rezone land at 41 Amber Close and 1147 Old Hume Highway Alpine NOT BE SUPPORTED and that the subject land remain zoned E3 Environmental Management with a minimum lot size of 40 hectares*

#### PANEL ADVICE

***THAT the Planning Proposal to rezone land at 41 Amber Close and 1147 Old Hume Highway Alpine NOT BE SUPPORTED and that the subject land remain zoned E3 Environmental Management with a minimum lot size of 40 hectares.***

#### REASONS:

The panel generally agrees with the Council Officers' report.

#### VOTING

4 - NIL

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### **6.3 Planning Proposal to rezone land at 63-69 Kirkham Road Bowral from IN2 Light Industrial to B4 Mixed Use**

#### **OFFICERS' RECOMMENDATION**

Ms Rachel Streeter addressed the Panel on this item.

1. *THAT the Planning Proposal to rezone 63-69 Kirkham Road, Bowral from IN2 Light Industrial to B4 Mixed Use NOT be supported, and*
2. *THAT Council write to the proponent advising them of this decision, and invite them to participate in the broader strategic review of employment lands for the Shire.*

#### **PANEL ADVICE**

*The Panel notes that the applicant's planning consultant requested a deferral of the matter in order for the applicant to provide further advice on the Council report. The panel did not consider that a deferral was appropriate in the circumstances. The panel advice on the planning proposal was:*

1. *The Planning Proposal to rezone 63-69 Kirkham Road, Bowral from IN2 Light Industrial to B4 Mixed Use NOT be supported, and*
2. *THAT Council write to the proponent advising them of this decision, and invite them to participate in the broader strategic review of employment lands for the Shire.*

#### **REASONS:**

The panel generally agrees with the Council Officers' report.

#### VOTING

4 - NIL

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#### **6.4 Planning Proposal to undertake administrative amendments to Wingecarribee Local Environmental Plan 2010 under Section 3.22 of the Environmental Planning & Assessment Act 1979.**

##### **OFFICERS' RECOMMENDATION**

*THAT a Planning Proposal be prepared under Section 3.22 of the Environmental Planning & Assessment Act 1979 to replace the current Reclassification (Part Lot) maps with maps labelled in accordance with the Department of Planning, Industry and Environment's current LEP technical specifications, and to apply a minimum lot size of 700m<sup>2</sup> to land at 9-19 Anembo Street (Lots 1261-1266 DP1248764) Moss Vale.*

##### **PANEL ADVICE**

*THAT a Planning Proposal be prepared under Section 3.22 of the Environmental Planning & Assessment Act 1979 to replace the current Reclassification (Part Lot) maps with maps labelled in accordance with the Department of Planning, Industry and Environment's current LEP technical specifications, and to apply a minimum lot size of 700m<sup>2</sup> to land at 9-19 Anembo Street (Lots 1261-1266 DP1248764) Moss Vale.*

##### **REASONS:**

The panel generally agrees with the Council Officers' report.

##### VOTING

4 - NIL

The panel moved into closed session at 4.45pm.

The meeting reopened at 6.35pm when the Chair announced the Panel's decisions.

## **7. MEETING CLOSURE**

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 6.45 PM

Les McMahon  
Acting General Manager

Friday 16 April 2021