

# AGENDA

of the  
**Ordinary Meeting of Council**  
held in  
**Council Chambers,**  
**Wingecarribee Shire Council Civic Centre,**  
**68 Elizabeth Street, Moss Vale**  
on

**Wednesday 17 August 2022**

The meeting will commence at **3:30 pm**

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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



## **Council Chambers**

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

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

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

## **1 OPENING OF THE MEETING**

The Administrator, Mr Viv May PSM will open the meeting.

## **2 ACKNOWLEDGEMENT OF COUNTRY**

“Wingecaribee Shire Council acknowledges the Gundungurra and Tharawal people as the traditional custodians of this land we now call the Wingecaribee 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 STATEMENT OF ETHICAL OBLIGATIONS**

The Administrator is reminded of the obligations conferred on them at the time of their appointment.

The Administrator is to undertake the duties of the office of Administrator in the best interests of the people of the Wingecaribee Shire Council area and are to act faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act 1993 or any other Act to the best of your ability and judgement.

The Administrator is committed to the declaration of conflicts of interest in relation to items listed for consideration on the Agenda or which are considered at this meeting, in accordance with the Code of Conduct and Code of Meeting Practice.

## **4 APOLOGIES**

Nil at time of print.

## **5 ADOPTION OF MINUTES OF PREVIOUS MEETING**

THAT the minutes of the Ordinary Meeting of Council held on Wednesday, 20 July 2022 MN2022/141 to MN2022/169 inclusive, be adopted as a correct record of the proceedings of the meeting.

## **6 DECLARATIONS OF INTEREST**

The provisions of Chapter 14 of the Local Government Act 1993 regulate the way in which 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.

## **7 ADMINISTRATOR MINUTES**

## **8 GENERAL MANAGER**

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### **8.1 Wingecarribee Integrated Transport Study - Tender**

**Report Author:** Senior Strategic Land Use Planner

**Authoriser:** General Manager

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#### **PURPOSE**

This report presents the evaluation and recommended outcome on the Request for Tender RFT T-2022-10 Integrated Transport Strategy.

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#### **RECOMMENDATION**

**THAT** in relation to the call for tenders to prepare an Integrated Transport Strategy:

- 1. In accordance with Section 178 (3)(e) of the Local Government (General) Regulations 2021, Council rejects all tenders and delegates to the General Manager to enter into direct negotiations with suitable parties with the view of entering into a contract for the development of an Integrated Transport Strategy on the basis that all tenders did not satisfactorily address the requirement set out in the tender specification.**
- 2. Council delegates to the General Manager to execute a contract for the development of an Integrated Transport Strategy on the basis that the direct negotiations with a suitable party provide value for money for Council in accordance with Council's Procurement Policy.**
- 3. Council notes that tenders received ranged from \$94,250.00 (LOWEST) to \$485,210.00 (HIGHEST).**

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#### **REPORT**

At the Extraordinary Council Meeting of 16 February 2022, Council approved a budget variation to prepare an Integrated Transport Strategy for the Shire, to guide transport planning and decision making over the coming 20 years. At the Ordinary Meeting of Council of 16 March 2022, it was resolved to seek a suitably qualified consultant to undertake this study.

Preparation of the tender documents was undertaken in consultation with Council's Procurement team in accordance with Council's adopted Procurement Guidelines (General Manager Practice Note 7, July 2020).

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#### **ADVERTISING**

The tender advertising period was from the 17 May 2022 to 7 June 2022 (21 days).

The tender was advertised as follows:

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<b>Newspaper / Website</b>	<b>Date Advertised</b>
Council's Weekly Community Update	18 May 2022, 25 May 2022.
Council's Website	For the duration of the advertising period
Council's eTendering Website	For the duration of the advertising period

**TENDERS RECEIVED**

A total of four (4) tender submissions was received, listed in alphabetical order:

<b>Company Name</b>	<b>Location</b>	<b>Postcode</b>
GHD Pty Ltd	Sydney	2000
Joy Technology Pty Ltd	Marrickville	2204
The Reaction Corporation Pty Ltd	Prestons	2170
Turnbull Engineering Pty Ltd	Sydney	2000

**LATE TENDERS**

A total of zero (0) late tender submissions were received (therefore non-conforming).

**TENDER EVALUATION**

A Procurement Evaluation 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.

**TENDER ROLES AND RESPONSIBILITIES**

The Tender was conducted by staff in the following positions as approved through the completion of Procurement Initiation Plan.

<b>Role</b>	<b>Responsibility</b>	<b>Position</b>
Evaluation Panel Chair	To manage the evaluation process and report to Council.	Executive Manager Strategic Outcomes
Evaluation Panel Member	Perform a detailed evaluation of the Tender Submissions.	Senior Strategic Land Use Planner
Evaluation Panel Member Independent*	Perform a detailed evaluation of the Tender Submissions.	Manager Assets

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Evaluation Panel Member Independent*	Perform a detailed evaluation of the Tender Submissions.	Chief Financial Officer
Procurement Process and Advice (Probity)	Manages the tender process ensuring that it complies with all relevant legislation, Procurement Policy, Guidelines and Procedures. Manages all communication with Respondents during the advertisement and evaluation periods.  Providing probity advice and support to the evaluation panel.	Procurement Officer

**SELECTION**

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

**Mandatory Criteria:**

<b>Mandatory Criteria</b>
Public Liability - \$20 million
Workers Compensation OR [Self Employed] Personal Accident and Illness Insurance or Personal Income Protection
Professional Indemnity - \$5 million

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

<b>Non-Cost Criteria</b>	<b>Weighting</b>
Community & Social (including local content)	10%
Capability & Experience	30%
Specifications, Service & Support, Fit for Purpose	15%
<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 a total of one (1) tender submissions were determined to be non-compliant:

Company Name	Reason for Non-Compliance
The Reaction Corporation Pty Ltd	Mandatory Items – failed to submit a completed Volume 2 – Response Schedules.

#### **TENDERED SUBMISSION PRICES**

The tender submissions prices received ranged from \$94,250.00 to \$485,210.00 (including GST).

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

Each of these criteria was assessed as follows:

**Community & Social** - None of the respondents is based locally, nor would have the opportunity to utilise local services.

**Capability** - All respondents identified a team with relevant qualifications and knowledge.

**Experience** - All respondents have the relevant experience with projects in locations similar to Wingecarribee Shire and a team with qualifications necessary to undertake the tasks.

**Previous Experience with Council** - GHD Pty Ltd has undertaken previous work for Council although not in the strategic planning area.

**Specifications** - None of the respondents fully addressed to Council's satisfaction all the specific requirements of the project especially with regard to nominated deliverables.

The identified purpose of the Integrated Transport Strategy formed a key component in reviewing the remaining non-cost criteria. This stated purpose, as described in the tender documentation to:

- *Identify and map key nodes and movement corridors and identify gaps and missing links*
- *Inform decisions on the need for and provisions of transport infrastructure and services*
- *Guide decision making for the delivery of a sustainable and equitable transport network across the LGA*
- *Be a critical document to guide the prioritisation, design and delivery of transport infrastructure and services across the LGA*
- *Provide Council with a framework for the development, management and funding of transport infrastructure and services over the next twenty (20) years.*

Supporting this purpose was the observation that the Integrated Transport Plan would be used by Council for *community education and engagement, to activate use of sustainable transport modes, develop and priorities capital works programs and to seek external funding to facilitate the implementation.*

Responding to these identified performance measures was considered critical to determining how well the tender response met the *Volume 1 Specification*. After a review of all of the submissions, none of the submissions received had satisfactorily demonstrated how they would meet Council performance measures required by Council in order to enter into a contract.

#### **RECOMMENDATION**

In accordance with section 178(3)(e) of the Local Government (General) Regulations 2021, the evaluation panel recommend that Council decline all tenders and enter into direct negotiations with

suitable parties with the view of entering into a contract for the development of an Integrated Transport Strategy.

Reasons for recommendations are:

- All tenders had failed to satisfactorily address the requirement set out in the tender specification.
- The range of prices received from tenderers suggests that Council's request for tender was open for interpretation and suggests that prices received were not comparable and therefore not competitive.
- Council is unable to recommend a contractor for a contract under this tender process without going outside the *Tendering Guideline for NSW Local Government*. It would result in Council seeking clarification on information after the close of tender that could potentially give some contractors an unfair advantage by allowing them to revise or enhance their tender submission.

### **DIRECT NEGOTIATIONS**

Parties that are invited into direct negotiations may be parties that had tendered as part of this process or not tendered as part of this process but may have relevant industry experience. The following have been considered for direct negotiations:

- There is scope to directly negotiate with at least one of the existing tenderers based on demonstrated capability.
- Suitably qualified non-tenderers will be given an opportunity to enter into the direct negotiation process once they have accepted Council's invitation through submitting a formal response that addresses Council's requirements.

The direct negotiations will be undertaken in accordance with the ICAC publication, *Direct Negotiations: Guidelines for Managing Risks* and will be managed under the direction of Council's Procurement team to ensure probity is maintained.

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## **COMMUNICATION AND CONSULTATION**

### **Community Engagement**

No community engagement has occurred through the tender process. It is noted that community consultation would occur during preparation of the Integrated Transport Strategy.

### **Internal Communication and Consultation**

A Procurement Initiation Plan was prepared through Council's Procurement team in consultation with Council's Strategic Outcomes team. A Tender Evaluation Panel was formed comprising members from the Finance, Assets and Strategic Outcomes teams to consider submissions.

### **External Communication and Consultation**

External communication and consultation would occur during preparation of the Integrated Transport Strategy.



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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**

The tender has been conducted in accordance with Part 7 of the Local Government (General) Regulation 2005 and Council's adopted Procurement Guidelines (General Manager Practice Note 7, July 2020).

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## **COUNCIL BUDGET IMPLICATIONS**

At the Extraordinary Council Meeting of 16 February 2022, Council approved a budget variation to prepare an Integrated Transport Strategy for the Shire.

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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 recommendation put forward within this report is for Council to decline all tenders and to enter into direct negotiations with suitable parties with intentions of entering into a contract for the development of an Integrated Transport Strategy, by means of delegating to the General Manager.

To ensure that Council receives a competitive response under direct negotiation process, Council will invite other parties that had not previously submitted a response to Council's tender to participate.

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## **ATTACHMENTS**

Nil

## **8.2 Planning Proposal for Heritage Protection Affecting 2-6 Myrtle Street, Bowral, and 26 Elizabeth Street, Moss Vale - Post Exhibition Report**

**Report Author:** Strategic Land Use Planner (Heritage)

**Authoriser:** Executive Manager Strategic Outcomes

### **PURPOSE**

This report details the outcomes of the public exhibition of a Planning Proposal to include land at 2, 4 and 6 Myrtle Street, Bowral, within the Bowral Conservation Area and to include 26 Elizabeth Street, Moss Vale, as a heritage item in Schedule 5 of the Wingecarribee Local Environmental Plan 2010. The report recommends that the Planning Proposal be endorsed and sent to the Department of Planning and Environment for finalisation.

**THIS MATTER WAS CONSIDERED AT THE LOCAL PLANNING PANEL MEETING OF 3 AUGUST 2022.**

<b>Applicant / Proponent</b>	Wingecarribee Shire Council
<b>Owner</b>	Various (4 affected properties)
<b>Consultants</b>	N/A
<b>Notification</b>	Public Exhibition held 8 June to 8 July 2022 (inclusive)
<b>Number Advised</b>	41 property owners and interested parties/groups
<b>Number of Submissions</b>	26
<b>Current Zoning</b>	R3 Medium Density Residential (all sites)
<b>Proposed LEP Amendment/s</b>	<ul style="list-style-type: none"><li>• To include 26 Elizabeth Street, Moss Vale, as a new heritage item in Schedule 5 of the Wingecarribee Local Environmental Plan (WLEP) 2010.</li><li>• To include 2-6 Myrtle Street, Bowral, within the Bowral Conservation Area and 26 Elizabeth Street, Moss Vale, as a new heritage item on the Heritage Map of the (WLEP) 2010.</li><li>• To include a savings provision relating to development applications received but not determined in clause 1.8A of the WLEP 2010.</li></ul>
<b>Department's PP reference</b>	PP-2022-1345
<b>Political Donations</b>	Nil
<b>Recommendation</b>	To endorse and proceed with the Planning Proposal.

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**OFFICER'S RECOMMENDATION**

**THAT:**

1. The Planning Proposal to amend Wingecarribee Local Environmental Plan 2010 to add a new heritage item called “‘Karingal’ Interwar bungalow and garden including brick and trachyte fence” at 26 Elizabeth Street, Moss Vale (Lot 1 DP 986025 & Lot 110 DP 877316) into Part 1 of Schedule 5 (Heritage items) and shown coloured brown on the Heritage Map; and include 2-6 Myrtle Street and the adjacent part of Myrtle Street within the Bowral Conservation Area as shown outlined and hatched in red on the Heritage Map be endorsed.
2. The Planning Proposal be forwarded to the Department of Planning and Environment for completion.
3. The following amendments be made to the heritage inventory sheet for ‘Karingal’ at 26 Elizabeth Street, Moss Vale:
  - a. The description be updated to indicate that the property comprises two lots.
  - b. The references to the “small lot” from 2009 Heritage Survey be deleted, amended or qualified.
  - c. The history be updated to include details of the separate acquisition of the two lots.

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**REPORT**

**LOCAL PLANNING PANEL ADVICE**

The Planning Proposal was considered by the Wingecarribee Local Planning Panel at its meeting of 3 August 2022 and the Panel supported to Council officers' recommendation (as outlined in the recommendation above). Specifically, the Panel provided the following advice:

1. The Panel decided not to defer the provision of advice in respect of the planning proposal as requested by the Solicitor for the owner of 26 Elizabeth Street, Moss Vale.
2. The Panel supports the Council Officer's recommendations as noted in items 1,2 and 3 above.

The Panel provided the following reasoning for their advice:

**Request for Deferral**

1. The provision of 4.4 (1)(b) of the Local Planning Panels Direction - Operational Procedures dated 30 June 2020 direct the Local Planning Panel to provide its advice on the Planning Proposal within two weeks of the matter being referred to the Panel.
2. The Panel inspected Lot 1 DP 986025 & Lot 110 DP 877316, known as “Karingal” - 26 Elizabeth Street, Moss Vale (the Site) from the street and nearby vantage points, including the immediate adjoining property at the rear. In addition, the Panel had access to various visual aids including aerial photographs, Council records and real estate listings.
3. The Panel notes that the applicant's representatives were notified of the Local Planning meeting in accordance with the Council standard procedures.
4. The Panel considered the additional written material provided by the applicant's representatives and the Council Officer's advice provided in the meeting.
5. The Panel notes that its role in this matter is advisory and not determinative and that the owner of the property and its representatives will have an opportunity to address the Council meeting on 17 August 2022 at which the matter will be considered by the Administrator.

**The Merits**

1. In relation to the Planning Proposal, as it relates to 2-6 Myrtle Street, Bowral, the Panel generally agrees with the Council Officer's report and considers the Planning Proposal in respect of these properties to have site specific and strategic merit.
2. In relation to the Planning Proposal as it relates to 'Karingal' Lot 1 DP 986025 & Lot 110 DP 877316, known as 26 Elizabeth Street, Moss Vale (the Site)
  - a. The Panel generally agrees with the Council Officer's report and notes the following additional matters.
  - b. The Panel notes that the site has been identified as a potential heritage item for some time, dating back to the 2009 Heritage Survey, by Architectural Projects. Since that time further detailed investigation has been carried out by Council staff and Council's Heritage Advisory Committee which supports the listing of the Site as a heritage item under Wingecarribee LEP 2010.
  - c. The Panel considers that the Planning Proposal in respect of the Site has site specific and strategic merit.
  - d. Specifically, in relation to the argument that Lot 110 DP 877316 should not be included in a heritage listing together with Lot 1 DP 986025, the Panel notes that 'Karingal' comprises of a house and garden setting which has been integrated across both lots to provide for a dwelling house, tennis court/parterre garden and garage for a period of more than eighty years.

Given the Panel's advice, the Officer's recommendation is the same as presented to the Wingecarribee Local Planning Panel on 3 August 2022.

**BACKGROUND**

This report relates to a Planning Proposal affecting three (3) sites in Bowral and one (1) in Moss Vale. The sites in Bowral are located at 2, 4 and 6 Myrtle Street and are described as Lot 1 DP 840484, Lot 1 DP 741837 and Lot C DP 157898, respectively. These sites are shown on **FIGURE 1**. The site at Moss Vale is located at 26 Elizabeth Street and comprises two lots: Lot 1 DP 986025 which contains the house and part of the front boundary wall/fence and Lot 110 DP 877316 which contains the vehicular entry, garage, the bulk of the garden including the former tennis court and remainder of the front boundary wall/fence. This site is shown on **FIGURE 2**.

On 19 November 2021, Interim Heritage Order No. 12 for 2 & 4 Myrtle Street, Bowral, and Interim Heritage Order No. 13 for 'Karingal', 26 Elizabeth Street, Moss Vale, were published in the NSW Government Gazette following community concerns about development proposals affecting 4 Myrtle Street, Bowral, and 26 Elizabeth Street, Moss Vale. On 8 December 2021, a report was presented to Council on these Interim Heritage Orders (item L.1) which provided information and background to the issuing of these Interim Heritage Orders. Council resolved as follows in relation to that item:

***MN 378/21***

***MOTION*** moved by Interim Administrator

**THAT**

1. *The report be noted.*
2. *A report on the heritage assessments of 2 & 4 Myrtle Street, Bowral, and 26 Elizabeth Street, Moss Vale, be presented to the Local Planning Panel and Council in due course.*

The heritage assessments were finalised and reported to the Wingecarribee Local Planning Panel along with a draft Planning Proposal on 2 March 2022. The Panel supported the officer's

recommendation, and the matter was subsequently reported to Council together with the Local Planning Panel's advice on 16 March 2022, where it was resolved:

**MN 2022/44**

**MOTION** moved by Interim Administrator

1. THAT the Panel supports the heritage assessment and proposed heritage listing of "Karingal' Interwar bungalow and garden including brick and trachyte fence" comprising Lot 1 DP 986025 and Lot 110 DP 877316 and located at 26 Elizabeth Street, Moss Vale.
2. THAT the Panel supports the heritage assessment and proposed inclusion of 2, 4 and 6 Myrtle Street, Bowral, comprising Lot 1 DP 840484, Lot 1 DP 741837 and Lot C DP 157898, within the Bowral Conservation Area
3. THAT the Panel supports the Planning Proposal prepared under section 3.33 of the Environmental Planning & Assessment Act 1979 to amend Schedule 5 of the Wingecarribee Local Environmental Plan 2010 to add "Karingal' Interwar bungalow and garden including brick and trachyte fence" as a new heritage item, and amend the Heritage Map of the Wingecarribee Local Environmental Plan 2010 to include 26 Elizabeth Street, Moss Vale, as a heritage item (general) and 2, 4 and 6 Myrtle Street, Bowral, within the boundaries of the Bowral Conservation Area.
4. THAT the Planning Proposal be sent to the Department of Planning and Environment with a request for a Gateway Determination in accordance with section 3.34 of the Environmental Planning & Assessment Act 1979.
5. THAT Interim Heritage Order No. 12 and Interim Heritage Order No. 13 are extended until 19 November 2022 to allow for the preparation and processing of the Planning Proposal.
6. THAT the affected property owners and residents, applicants of DA 22/0513 and DA 22/0535, and interested community members be advised of this decision.

This resolution was subsequently amended at the Council meeting of 20 April 2022 following consideration of a report which sought to correct references to "the Panel" in the resolution as adopted by Council on 16 March. The resolution made at the 20 April meeting is as follows:

**MN 2022/71**

**MOTION** moved by Interim Administrator

1. THAT Council supports the heritage assessment and proposed heritage listing of "Karingal' Interwar bungalow and garden including brick and trachyte fence" comprising Lot 1 DP 986025 and Lot 110 DP 877316 and located at 26 Elizabeth Street, Moss Vale.
2. THAT Council supports the heritage assessment and proposed inclusion of 2, 4 and 6 Myrtle Street, Bowral, comprising Lot 1 DP 840484, Lot 1 DP 741837 and Lot C DP 157898, within the Bowral Conservation Area
3. THAT Council supports the Planning Proposal prepared under section 3.33 of the Environmental Planning & Assessment Act 1979 to amend Schedule 5 of the Wingecarribee Local Environmental Plan 2010 to add "Karingal' Interwar bungalow and garden including brick and trachyte fence" as a new heritage item, and amend the Heritage Map of the Wingecarribee Local Environmental Plan 2010 to include 26 Elizabeth Street, Moss Vale, as a heritage item (general) and 2, 4 and 6 Myrtle Street, Bowral, within the boundaries of the Bowral Conservation Area.
4. THAT the Planning Proposal be sent to the Department of Planning and Environment with a request for a Gateway Determination in accordance with section 3.34 of the Environmental Planning & Assessment Act 1979.

5. *THAT* Interim Heritage Order No. 12 and Interim Heritage Order No. 13 are extended until 19 November 2022 to allow for the preparation and processing of the Planning Proposal.
6. *THAT* the affected property owners and residents, applicants of DA 22/0513 and DA 22/0535, and interested community members be advised of this decision.



**Figure 1:** 2, 4 and 6 Myrtle Street, Bowral (outlined) in the context of the surrounding area (Source: Nearmap, 16 April 2022)





**Figure 2:** 26 Elizabeth Street, Moss Vale (outlined) in the context of the surrounding area (Source: Nearmap, 16 April 2022)

### **PLANNING PROPOSAL**

A draft Planning Proposal was prepared for the Local Planning Panel and Council consideration in March 2022. Following endorsement of the Planning Proposal, some minor technical updates were made (in response to intervening changes in legislation and Departmental Planning Proposal guidelines) and it was submitted to the NSW Department of Planning and Environment (NSWDPE) on 15 April 2022 for a Gateway Determination. Agency referrals were also made on that date to the Rural Fire Service, WaterNSW and Heritage NSW.

### **Summary of the Proposed Amendment to Wingecarribee Local Environmental Plan 2010 and the Intended Effect of the Planning Proposal**

The objective of the Planning Proposal is to provide ongoing protection for four sites in Bowral and Moss Vale that have been assessed as having heritage significance.

The intended outcomes of the Planning Proposal (as stated on page 11 of the Planning Proposal at **ATTACHMENT 1**) are:

1. To include 2, 4 and 6 Myrtle Street, Bowral, within the existing Bowral Conservation Area.

2. To include 26 Elizabeth Street, Moss Vale, as a new heritage item to be called “‘Karingal’ Interwar bungalow and garden including brick and trachyte fence”.
3. To provide protection to properties using existing heritage provisions contained in the Wingecarribee Local Environmental Plan (WLEP) 2010 and applicable Development Control Plans.
4. To provide for a savings provision to apply for any development application lodged but not yet determined prior to the making of the LEP.

To achieve the stated objective and outcomes, amendments are required to the WLEP 2010 and its accompanying Heritage Map.

The following amendments are required to the WLEP 2010 instrument:

1. Add to clause 1.8A Savings provision relating to development applications the following sub-clause (where *Amendment No xx* is replaced by the actual amendment number, once made):

**Clause 1.8A Savings provisions relating to development applications**

Insert after clause 1.8A(4)—

(5) An amendment made to this Plan by *Wingecarribee Local Environmental Plan 2010 (Amendment No xx)* does not apply to a development application made but not finally determined before the commencement of the amendment.

2. Add to Schedule 5, Part 1 (Heritage Items) the following new item:

Suburb	Item Name	Address	Property description	Significance	Item No.
Moss Vale	‘Karingal’ Interwar bungalow and garden including brick and trachyte fence	26 Elizabeth Street	Lot 1 DP 986025 and Lot 110 DP 877316	Local	I1521

The following amendments are required to the WLEP 2010 Heritage Map:

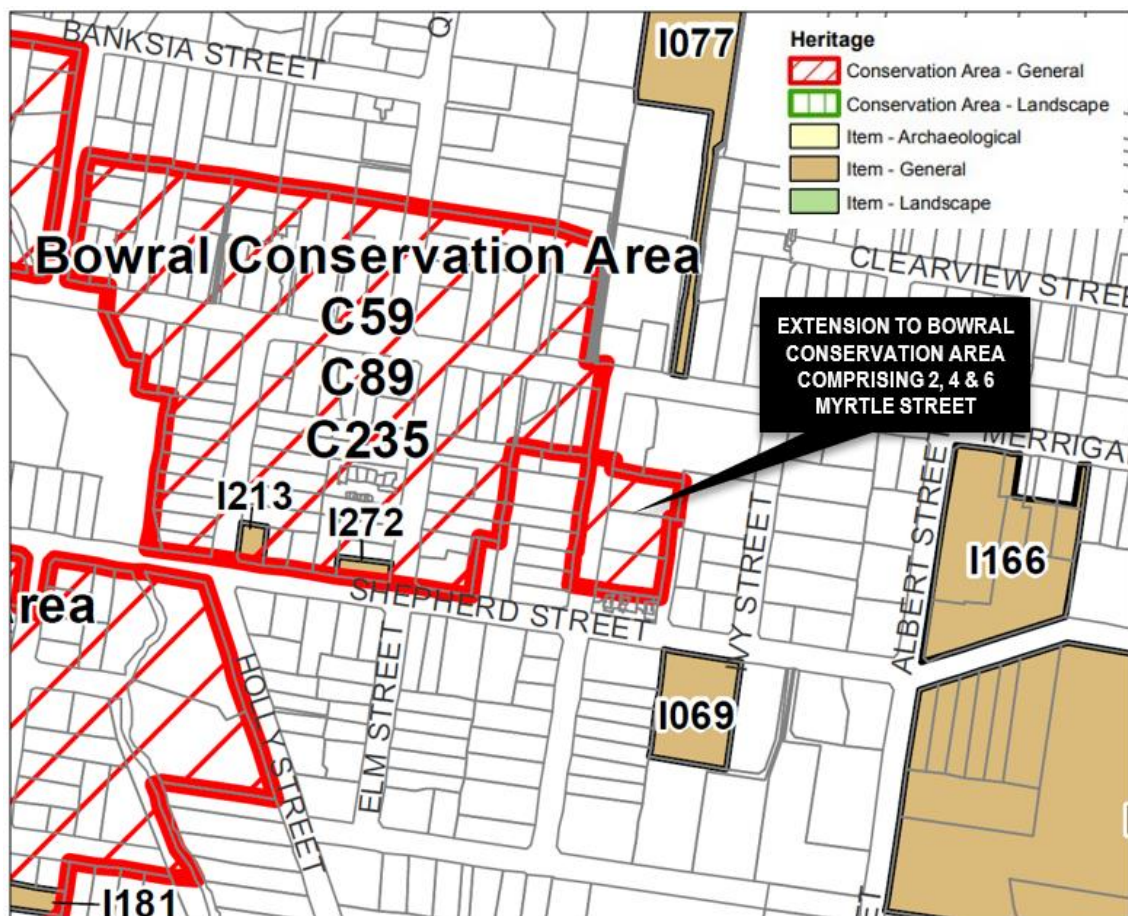
1. Replace existing Sheet HER\_007C of the Heritage Map (Map Sheet ID Number: 8350\_COM\_HER\_007C\_020\_20170327) with an amended version (currently Map Sheet ID number: 8350\_COM\_HER\_007C\_020\_20220714) showing 2-6 Myrtle Street, Bowral and the adjacent Myrtle Street road reserve outlined and hatched in red to indicate its inclusion in the Bowral Conservation Area. This change is indicated on **FIGURE 3**.

Map(s) to be Revoked	Map(s) to be Adopted
Heritage Map – Sheet HER_007C 8350_COM_HER_007C_020_20170327	Heritage Map – Sheet HER_007C 8350_COM_HER_007C_020_20220714 (or as amended)
Heritage Map – Sheet HER_007E 8350_COM_HER_007E_020_20170123	Heritage Map – Sheet HER_007E (as amended) 8350_COM_HER_007E_020_20220714 (or as amended)

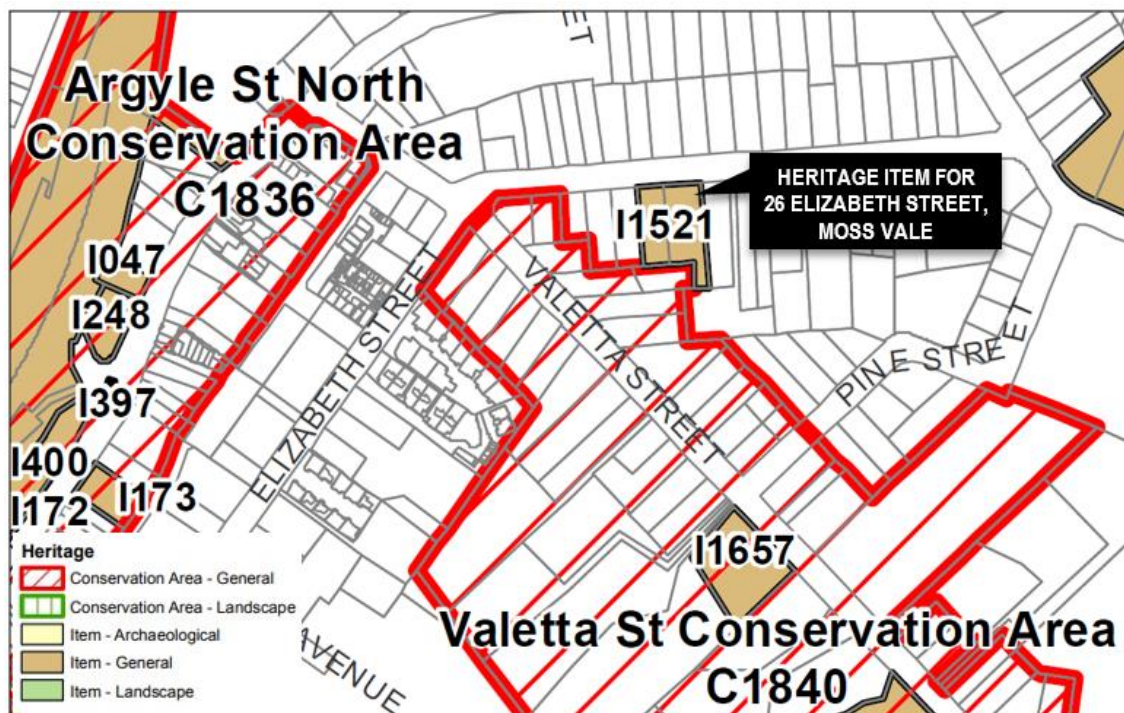


1. Replace existing Sheet HER\_007E of the Heritage Map (Map Sheet ID Number: 8350\_COM\_HER\_007E\_020\_20170123) with an amended version (currently Map Sheet ID number: 8350\_COM\_HER\_007E\_020\_20220704) showing the two lots comprising 26 Elizabeth Street, Moss Vale coloured light brown to indicate it as being a heritage item (general). This change is indicated on **FIGURE 4**.

Draft amending maps have been produced and are currently with the NSWDPPE for checking. Consequently, if changes are required to these maps before the amendment is finalised, the amending Map Sheet ID numbers quoted above will change.



**Figure 3:** Extract from the draft map amendment (Map Sheet ID Number: 8350\_COM\_HER\_007C\_020\_20220714) for 2, 4 and 6 Myrtle Street, Bowral



**Figure 4:** Extract from the draft map amendment for Heritage Map HER\_007E (Map Sheet ID Number: 8350\_COM\_HER\_007E\_020\_20220714) for 26 Elizabeth Street, Moss Vale

#### **Gateway Determination and Agency Referrals**

The Gateway Determination was issued by the NSWDPD on 23 May 2022.

The Gateway Determination requires Council to:

- Update the Planning Proposal to remove references to the Minister's Planning Principles that had been recently revoked.
- Update the Planning Proposal to include comments made by WaterNSW's in their submission, including a copy of their correspondence.
- Update the Planning Proposal to include a reference to a savings provision to apply to any development application lodged but not yet determined.
- Undertake public exhibition in accordance with applicable guidelines and together with required supporting documentation for a minimum period of 20 (working) days.
- Undertake notification of the public exhibition in accordance with requirements.
- Undertake consultation with the Rural Fire Service and Heritage NSW.
- Complete the LEP amendment on or before 23 February 2023.

A copy of the Gateway Determination is included as Attachment 5 to the Planning Proposal at **ATTACHMENT 1**.

The letter from the Department accompanying the Gateway Determination specified that Council had not been authorised to be the local plan-making authority for this Planning Proposal. This is due to there being a current appeal before the Land and Environment Court initiated by the owner of 26 Elizabeth Street, Moss Vale, in relation to the Interim Heritage Order over part of the site. This means that if adopted by Council, the Planning Proposal will be sent to NSWDPD for finalisation.

A response to Council's Agency referral was received from WaterNSW on 10 May 2022 and a response was received from Heritage NSW on 27 May 2022.

WaterNSW raised no objection to the proposal and made the following comments:

1. The amendments have few implications for water quality. However, the minimisation of opportunities for complying development is acknowledged and future development will be subject to full development assessment with the need to comply with State Environmental Planning Policy (Biodiversity and Conservation) 2021 in relation to water quality.
2. The Proposal has given due consideration to section 9. 1 Ministerial Direction 3.3 relating to the Sydney Drinking Water Catchment. WaterNSW Concur with Council's conclusion that heritage provisions will likely have a subduing effect on development potential of the sites, thereby protecting water quality.

Heritage NSW:

1. acknowledges Council's heritage assessments have been undertaken in accordance with the Heritage Council of NSW's criteria for listing at a local level,
2. encourages the identification and listing of the new heritage item.

The Rural Fire Service (RFS) acknowledged receipt of the Planning Proposal referral on 21 April 2022 but no formal response has been received at the time of writing, despite a phone call and email to follow up with them. The Gateway Determination requires that each agency be given 30 days (assumed to be working days) to provide a comment. As it has been in excess of 40 working days since the referral request was made, and in excess of 30 working days since the receipt of the Gateway Determination it is considered that the RFS has been given sufficient time to respond to Council's referral of the Planning Proposal and has not made a submission in that time.

The comments of WaterNSW and Heritage NSW were included within the Planning Proposal, as well as the amendments required by NSWDE in the Gateway Determination and the Planning Proposal was placed on public exhibition. A copy of the Planning Proposal and its attachments as publicly exhibited comprises **ATTACHMENT 1** of this report.

**PUBLIC EXHIBITION**

Public exhibition of the Planning Proposal occurred between Wednesday 8 June and Friday 8 July 2022 (inclusive) in accordance with the requirements of the Gateway determination. Notice of the public exhibition appeared in Council's "Community Update" on Council's website on 8, 15, 22 and 29 June and 6 July 2022. In addition, affected landowners were notified in writing and an article appeared in the Council's e-newsletter (reaching some 5,000 people).

The Planning Proposal on exhibition was accompanied by the following supported documents (which formed attachments to the Planning Proposal):

1. Government Gazette notice for Interim Heritage Order No. 12 and Interim Heritage Order No. 13 published on 19 November 2021
2. Report to Council and Minutes 8 December 2021 re Interim Heritage Orders Nos. 12 & 13
3. Report to Council and Minutes 16 March 2022 re Planning Proposal and Heritage Assessment
4. Report to Council and Minutes 20 April 2022 re Confirmation of Resolution
5. Gateway Determination 23 May 2022
6. Agency Response from WaterNSW
7. Agency Response from Heritage NSW.

The Planning Proposal and its attachments as publicly exhibited comprises **ATTACHMENT 1** of this report.

### **SUBMISSIONS**

26 submissions were received resulting from the public exhibition, all of which—except two submissions made on behalf of the owner of 26 Elizabeth Street, Moss Vale—are in support of the Planning Proposal (i.e. 24 out of 26 submissions).

A breakdown of the submission makers is as follows:

- 3 submissions were from or on behalf of two of the owners of the four affected properties
- 2 submissions were from a local interest group (Australian Garden History Society, Southern Highlands Branch)
- 9 submissions were from residents of Elizabeth Street, Moss Vale, including two from adjoining neighbours of 'Karingal', 26 Elizabeth Street
- 6 submissions were from other residents of Moss Vale
- 3 submissions were from residents of Bowral
- 2 submissions were from residents of the Southern Highlands outside Bowral and Moss Vale
- 1 submission was from an interested party who resides outside the Southern Highlands.

The main issues raised in submissions in support of the Planning Proposal were:

- Heritage is an integral part of the distinct character of the Southern Highlands
- Loss of heritage means lost connections to the past
- Iconic and landmark homes with high build quality (especially 'Karingal') need to be preserved
- References to the inappropriateness of the development proposals for 26 Elizabeth Street (these proposals have now been withdrawn)
- Concern about inappropriate development at the expense of heritage and the loss of amenity
- Need to protect the built and landscape character of the towns as these are valued by the community
- Concern about Southern Highlands towns becoming like suburbs of Sydney.

The main issues in objection from the two submissions made by a solicitor and a heritage consultant on behalf of the owner of 26 Elizabeth Street, Moss Vale, centred around the current appeal in the Land and Environment Court over the Interim Heritage Order affecting the garden lot (Lot 110 DP 877316) of 'Karingal', 26 Elizabeth Street. As reported to the Local Planning Panel on 2 March and Council on 16 March 2022, the heritage assessment of the property includes both lots which include the house and garden which have been assessed as forming the curtilage of the item. The space provided by the garden lot as well as the evidence of the tennis court is considered to contribute to the significance of the item and its curtilage and makes a significant contribution to the setting of the house. The brick and trachyte front fence runs along both lots and makes a high visual and historic contribution to the heritage significance of the site and matches the materials used in the house. The heritage assessment has found that the property meets five (5) out of the seven (7) heritage assessment criteria, and it only needs to satisfy one or more to justify a local heritage listing.

In addition, the submissions call for the extension of the public exhibition period to 14 days after a decision is made by the Court on the matter, which is set down for a hearing in late August. It is the owner's solicitor's contention that this extension would not put the property at further risk of harm. However, a delay as set out in this submission would result in the matter being reported back to the Local Planning Panel and Council in November (at the earliest due to Business Paper preparation deadlines), meaning that both Interim Heritage Orders would lapse before the LEP amendment was finalised and jeopardising the NSW Department of Planning and Environment's (NSWDPE) LEP

finalisation deadline. The NSWDPPE issued the Gateway Determination allowing the Planning Proposal to be placed on public exhibition and specified the minimum public exhibition period. The exhibition period specified in the Gateway Determination was adhered to and is considered reasonable. Since Council does not have delegation to finalise the Planning Proposal and the plan making authority is instead the NSWDPPE, should the property owner wish to make a submission to the Department following the release of the Court judgment, they could do so at that time.

However, should the Court find in the favour of Council and the public exhibition had been extended, it would open up the opportunity for a development application (DA) to be lodged after the expiry of the Interim Heritage Order(s) and any such DA would be protected by the proposed savings provision in clause 1.8A, detailed earlier in this report, which could be a potential threat to the heritage significance of these properties.

A detailed summary of all the submissions is contained as **ATTACHMENT 2** to this report.

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## **CONSULTATION**

### ***External Referrals***

<b>Referrals</b>	<b>Advice/Response/Conditions</b>
Water NSW	Response received 10 May 2022. The issues and the response to those issues have been summarised earlier in this report.
Heritage NSW	Response received 27 May 2022. The issues and the response to those issues have been summarised earlier in this report.
NSW Rural Fire Service	No response received to date.

### ***Internal Consultation***

Informal internal consultation has occurred with members of the Strategic Outcomes team and the Development Assessment team throughout the process of preparing this Planning Proposal.

### ***Community Engagement***

Public exhibition of the Planning Proposal was conducted between 8 June and 8 July 2022. A total of 26 submissions were received. The details of the public exhibition and the content of the submissions has been covered earlier in this report.

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## **SUSTAINABILITY ASSESSMENT**

### **Environment**

The listing of these sites would help to protect existing private green space and would limit development to proposals that are sympathetic to heritage and streetscape values.

### **Social**

There are no social issues in relation to this report.

### **Broader Economic Implications**

There are economic implications for owners of properties identified as heritage item or within conservation areas. However, this individual loss needs to be weighed against the community values



expressed in the Wingecarribee 2031 Community Strategic Plan which value heritage as part of the Shire's vision and identification of heritage places as one of the actions.

### **Culture**

There has been significant community interest in the protection of these sites from proposed developments that do not place the same value in heritage buildings as the community does.

### **Governance**

The Planning Proposal has been prepared in accordance with section 3.33 of the *Environmental Planning & Assessment Act 1979* and the *Local Environmental Plan Making Guideline* published by the Department of Planning and Environment in December 2021.

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## **RELATIONSHIP TO CORPORATE PLANS**

The identification of places of heritage significance is consistent with strategy 3.2.3 (Identify, protect and promote places of significant cultural heritage) under the key area of *Places* and under goal 3.2 (Wingecarribee has maintained a distinct character and separation of towns and villages) in the Wingecarribee 2031 Community Strategic Plan. Council is committed to ensuring that places of heritage significance are identified, assessed and listed, as appropriate. This Planning Proposal is consistent with that goal and strategy. Furthermore, heritage is encapsulated in the community's vision for Wingecarribee 2031 being "a healthy and productive community, learning and living in harmony, proud of our heritage and nurturing our environment".

Annual Deliverable OP110 from Council's 2021/22 Operational Plan is to "commence preparation of a Planning Proposal to review the current list of heritage items and potential heritage items". 'Karingal' at 26 Elizabeth Street, Moss Vale, is one of the potential heritage items on that list and due to concerns about permanent loss of heritage significance through inappropriate development on the site, the Planning Proposal process for this item was expedited. Similarly, the area of Myrtle Street, Bowral, has been identified in a review of potential heritage sites and areas for inclusion in the Bowral Conservation Area. Similarly, due to the threat of loss of one of the houses by demolition via complying development and the subsequent Interim Heritage Order, the inclusion of properties in Myrtle Street within the Bowral Conservation Area was also expedited and the timing of these actions meant that the properties could be dealt with concurrently.

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## **COUNCIL BUDGET IMPLICATIONS**

The preparation of the Planning Proposal has been undertaken using existing staff resources and there are no additional external resources required to progress the Planning Proposal to finalisation.

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## **RELATED COUNCIL POLICY**

This Planning Proposal seeks to amend the Wingecarribee Local Environmental Plan 2010.

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## **CONCLUSION**

In March 2022, the Local Planning Panel and the Interim Administrator supported a heritage assessment and draft Planning Proposal that seeks to amend the Wingecarribee Local Environmental Plan 2010 include 2-6 Myrtle Street, Bowral, within the Bowral Conservation Area and include 26 Elizabeth Street, Moss Vale, as a heritage item following two Interim Heritage Orders

over 2 & 4 Myrtle Street and 26 Elizabeth Street were published in November 2021. Public exhibition of the Planning Proposal was undertaken from 8 June until 8 July 2022 (inclusive) in accordance with the Gateway Determination issued by the NSW Department of Planning and Environment (NSWDPE). This report provides details of the consultations carried out and responses received. It recommends that the Planning Proposal be endorsed and forwarded to NSWDPE (as the plan making authority) for finalisation.

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#### **ATTACHMENTS**

*Under Separate Cover*

1. Planning Proposal - Myrtle & Elizabeth Streets Heritage Planning Proposal - Public exhibition version with attachments [**8.2.1** - 146 pages]
2. Summary of Submissions - Myrtle and Elizabeth Streets Heritage Planning Proposal [**8.2.2** - 10 pages]

### 8.3 Welby Garden Centre Planning Proposal - Post Exhibition

**Report Author:** Senior Strategic Land Use Planner

**Authoriser:** General Manager

#### PURPOSE

The purpose of this report is to seek to finalise the Planning Proposal to amend Wingecarribee Local Environmental Plan 2010 with regard to Schedule 1 Item 28, applying to 10 & 12-14 Old Hume Highway Welby, being Lots 1,2,3,8,9 & 10 Section 6 in DP 759070, Lot 1 in DP 1006005 & Lot 2 in DP 1019107, to permit with consent development for the purposes of *garden centre, community facility* and *light industry* in addition to the current permitted uses of *landscape material supplies* and *plant nursery*.

The intended outcomes of this Planning Proposal are to enable the ongoing operation and potential growth of the Welby Garden Centre.

THIS MATTER WAS CONSIDERED AT THE LOCAL PLANNING PANEL MEETING OF 3 AUGUST 2022.

<b>Applicant / Proponent</b>	Wingecarribee Shire Council
<b>Owner</b>	Challenge Southern Highlands
<b>Consultants</b>	Hogan Planning
<b>Notification</b>	Thursday 9 June 2022 to Monday 11 July 2022
<b>Number Advised</b>	25
<b>Number of Submissions</b>	Nil
<b>Current Zoning</b>	R2 Low Density Residential
<b>Proposed LEP Amendment/s</b>	<p>Amendment to Item 28 of Schedule 1 (Additional Permitted Uses) of the WLEP 2010 to include all of the subject land and extend the range of land uses permitted with consent:</p> <p><b>28 Use of certain land at Old Hume Highway, Welby</b></p> <p>(1) This clause applies to land at Old Hume Highway, Welby, being Lots 1,2,3,8,9 &amp; 10 Section 6 in DP 759070, Lot 1 in DP 1006005 &amp; Lot 2 in DP 1019107.</p> <p>(2) Development for the purposes of landscaping material supplies, plant nursery, garden centre, community facility and light industry are permitted with consent.</p>
<b>Political Donations</b>	Nil
<b>Recommendation</b>	Finalisation of the Planning Proposal BE SUPPORTED.



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**OFFICER'S RECOMMENDATION**

**THAT:**

1. The Planning Proposal to amend Wingecarribee Local Environmental Plan 2010 with regard to Schedule 1 Item 28, being Lots 1,2,3,8,9 & 10 Section 6 DP 759070, Lot 1 DP 1006005 & Lot 2 DP 1019107, Nos. 10 & 12-14 Old Hume Highway, Welby be endorsed; and
2. The Planning Proposal be finalised in accordance with s.3.36 of the *Environmental Planning & Assessment Act 1979*.

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**REPORT**

**LOCAL PLANNING PANEL ADVICE**

The Planning Proposal was considered by the Wingecarribee Local Planning Panel on 3 August 2022, and the Panel supported the Council officers' recommendation.

**PLANNING PROPOSAL**

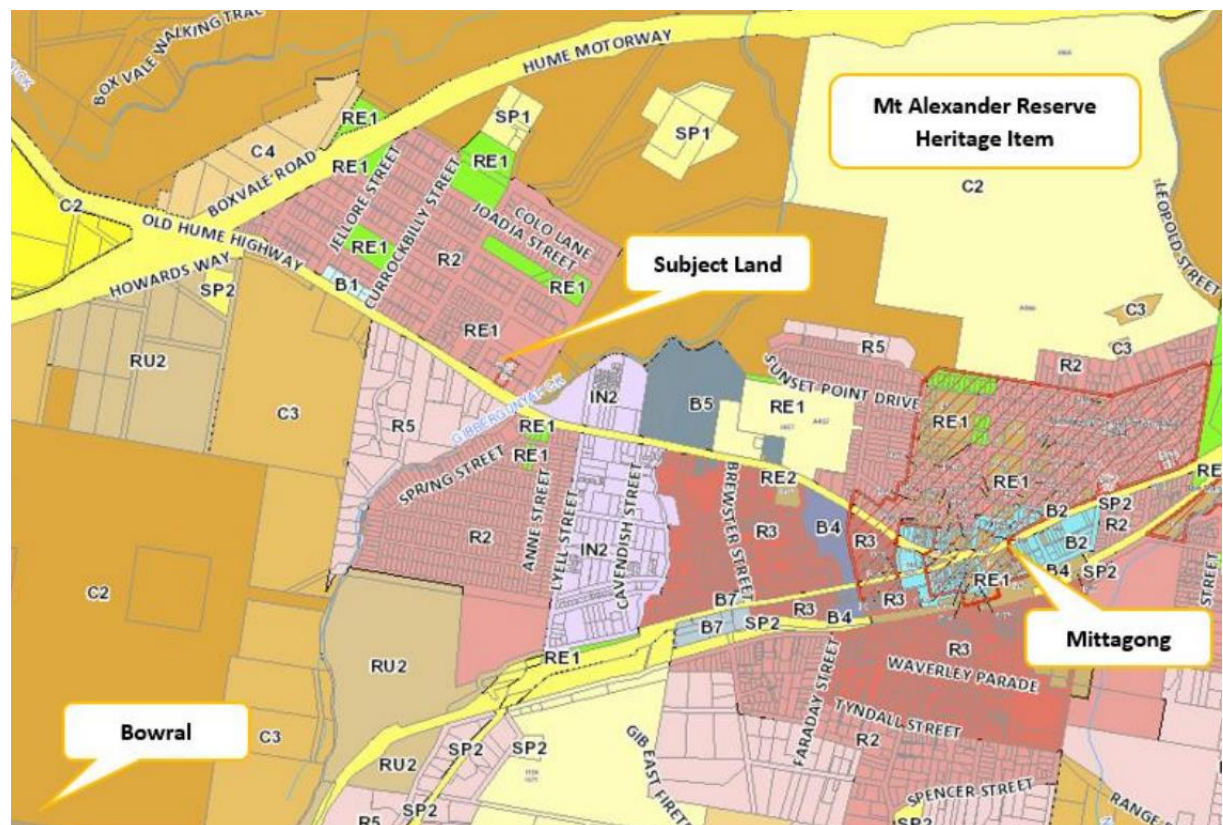
***Background***

***Previous Rezoning Planning Proposal***

A Planning Proposal was submitted to Council for assessment by Hogan Planning in November 2020 to amend WLEP 2010 with regard to land comprising the Welby Garden Centre - Lots 1,2,3,8,9 & 10 Sec 6 DP 759070, Lot 1 DP 1006005 and Lot 2 DP 10194107, being 10 & 12-14 Old Hume Highway Welby. **Figure 1** below indicates the general location of the subject land while **Figure 2** provides a more detailed map.

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, 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 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>.



**Figure 1 General Location of Subject Land**



**Figure 2 Immediate Location of Subject Land**

A portion of the subject land is listed as Item 28 in Schedule 1 (Additional Permitted Uses) of Wingecarribee Local Environmental Plan 2010. The Centre has now extended its original site and seeks to also extend its range of permitted land uses. A Planning Proposal which sought to achieve this outcome by rezoning the subject land from R2 Low Density Residential to B5 Business

## **AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 17 AUGUST 2022**

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Development was considered by the Interim Independent Advisory Planning Assessment Panel at its Meeting of 7 April 2021, advising that the Planning Proposal be supported and at the Ordinary Meeting of Council of 21 April 2021, it was resolved:

***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 700m2 minimum lot size of land at Lots 1, 2, 3, 8, 9 & 10 Section 6 in DP 759070, Lot 1 DP 1006005 and Lot 2 in DP 1019107, No.s 10 and 12-14 Olde 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.***

### **Current Schedule 1 Planning Proposal**

Subsequent to commencement of exhibition, the Department provided Council with details of proposed amendments to the Standard Instrument employment zone framework, including draft land use tables for each of the new zones. Of particular relevance, and some concern for the previous Planning Proposal, was that certain Business zones are to be amalgamated under the new Employment zones. Under this proposed amendment, the B5 Business Development zone is to be amalgamated with the B7 Business Park zone into a new E3 Productivity Support zone. This amalgamation will result in a far more extensive set of permissible land uses within the new E3 Productivity Support zone, many of which are mandated permitted with consent.

In view of the location of the subject land among areas of residential development on residential zoned land, it was subsequently considered that the proposed rezoning would no longer be appropriate as it could expose those residential areas to a wide range of potentially incompatible land uses in the future. Furthermore, creating an additional new employment zone would exacerbate the potential adverse impacts of the amalgamated Business and Industrial zones on Welby and the established employment lands hierarchy within Mittagong township.

Therefore, in reporting the exhibition of the previous Planning Proposal to the Local Planning Panel at its Meeting of 2 March 2022, an amended Planning Proposal was also considered and the following advice provided by the Panel.

### **THAT**

- a) ***The Planning Proposal for the Welby Garden Centre be amended to include the following lots - Lots 1, 2, 3, 8, 9 & 10 Section 6 in DP 759070, Lot 1 DP 1006005 and Lot 2 in DP 1019107, in Schedule 1 of the Wingecarribee Local Environmental Plan 2010***
- b) ***The Planning Proposal for the Welby Garden Centre be amended to include the following land uses – landscaping material supplies, plant nursery, garden centre, community facility and light industry, and***
- c) ***An amended Gateway Determination be sought from the NSW Department of Planning and Environment for the amended Planning Proposal under s3.35 of the Environmental Planning and Assessment Act 1979.***

This advice formed the recommendation of a report to the Ordinary Council Meeting of 16 March 2022 and was ultimately adopted.

**Report**

A Gateway Alteration, enabling the new Planning Proposal to proceed was issued by the Department of Planning and Environment (the Department) on 19 April 2022. The alteration described the new Planning Proposal as:

***Planning proposal (Department Ref: PP-2021-3571): to amend Schedule 1, Item 28 in the Wingecarribee Local Environmental Plan 2010 regarding the Welby Garden Centre site to include Lots 1, 2, 3, 8, 9 and 10, Section 6 DP 759070, Lot 1 DP 1006005 and Lot 2 DP 1019107, Old Hume Highway, Welby and add garden centre, community facility and light industry as additional permitted uses (in addition to the existing additional permitted uses of landscaping material supplies and plant nursery).***

Council retained delegation for this Planning Proposal.

It is noted that both *landscaping material supplies* and *plant nursery* are already in the list of additional permitted uses under the current Schedule 1 listing. The other nominated land uses, namely garden centre, community facility and light industry, would all be additional to the current listing. All proposed land uses are defined below.

***landscaping material supplies*** means a building or place used for the storage and sale of landscaping supplies such as soil, gravel, potting mix, mulch, sand, railway sleepers, screenings, rock and the like.

***plant nursery*** means a building or place the principal purpose of which is the retail sale of plants that are grown or propagated on site or on an adjacent site. It may include the on-site sale of any such plants by wholesale and, if ancillary to the principal purpose for which the building or place is used, the sale of landscape and gardening supplies and equipment and the storage of these items.

***garden centre*** means a building or place the principal purpose of which is the retail sale of plants and landscaping and gardening supplies and equipment. It may include a restaurant or cafe and the sale of any of the following—

- (a) outdoor furniture and furnishings, barbecues, shading and awnings, pools, spas and associated supplies, and items associated with the construction and maintenance of outdoor areas,
- (b) pets and pet supplies,
- (c) fresh produce.

***Community facility*** means a building or place—

- (a) owned or controlled by a public authority or non-profit community organisation, and
- (b) used for the physical, social, cultural or intellectual development or welfare of the community, but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

***light industry*** means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following—

- (a) high technology industry,
- (b) home industry,
- (c) artisan food and drink industry,
- (d) creative industry.

It is further noted that any land use approval under Schedule 1 would be subject to a development application and an accompanying statement of environmental effects addressing the appropriateness of the proposed land use on the subject land. With regard to 'light industry' the definition contains the criteria which would need to be addressed before approval could be granted.

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## **CONSULTATION**

### ***External Referrals***

<b>Referrals</b>	<b>Advice/Response/Conditions</b>
WaterNSW	No objections were raised.
DPE – Biodiversity and Conservation Division	No objections were raised.
NSW Rural Fire Service	No objections were raised.

### ***Internal Referrals***

No internal referrals were undertaken.

### ***Public Exhibition***

The Planning Proposal was placed on public exhibition for a period of 32 days from Thursday 9 June to Monday 11 July 2022. Notification letters were sent to 24 property owners in the vicinity of the subject land and details of the exhibition were published on the Community Update page of Council's website throughout the exhibition period. The Planning Proposal was also notified on the What's On Exhibition page of Council's website and documentation could also be viewed on Council's Your Say Wingecarribee website and the NSW Planning Portal.

No submissions were received during the exhibition period.

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## **SUSTAINABILITY ASSESSMENT**

### **Environment**

There are no environmental impacts in relation to this report.

### **Social**

The proposed amendment to the Planning Proposal would still enable the expansion of employment opportunities and associated benefits for people with disabilities and their families as well as the broader community without jeopardising potential future land use conflicts through Standard Instrument amendments to employment lands zoning and established hierarchy.

**Broader Economic Implications**

The proposed amendment to the Planning Proposal would still enable the provision of additional employment opportunities for people with disabilities and associated economic growth as well as protecting the established employment lands hierarchy within Mittagong township.

**Culture**

There are no cultural issues in relation to this report.

**Governance**

The Planning Proposal has been processed in accordance with relevant legislation and Departmental guidelines.

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**RELATIONSHIP TO CORPORATE PLANS**

No other Corporate Plans are affected by the Planning Proposal.

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**COUNCIL BUDGET IMPLICATIONS**

There are no budget implications associated with the Planning Proposal.

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**RELATED COUNCIL POLICY**

No other Council Policies are affected by the Planning Proposal.

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**CONCLUSION**

The Welby Garden Centre has been operating for many years, demonstrating economic viability and social contribution. The Planning Proposal provides a pathway under Schedule 1 of WLEP 2010 would enable managed growth of the Centre without potentially impacting surrounding land uses and zonings.

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**ATTACHMENTS**

1. P Pv 5- Amended as exhibited [8.3.1 - 23 pages]



# Planning Proposal Welby Garden Centre

to amend Wingecarribee Local Environmental Plan 2010 with regard to Schedule 1 Item 28, being Lots 1,2,3,8,9 & 10 Section 6 DP 759070, Lot 1 DP 1006005 & Lot 2 DP 1019107, Nos. 10 & 12-14 Old Hume Highway, Welby.

Version 5 For Public Exhibition

Prepared by Wingecarribee Shire Council (Strategic Land Use Planning),  
based initially on Version 1 for Council Assessment provided by Hogan Planning  
(November 2020), and subsequent Council updates

June 2022

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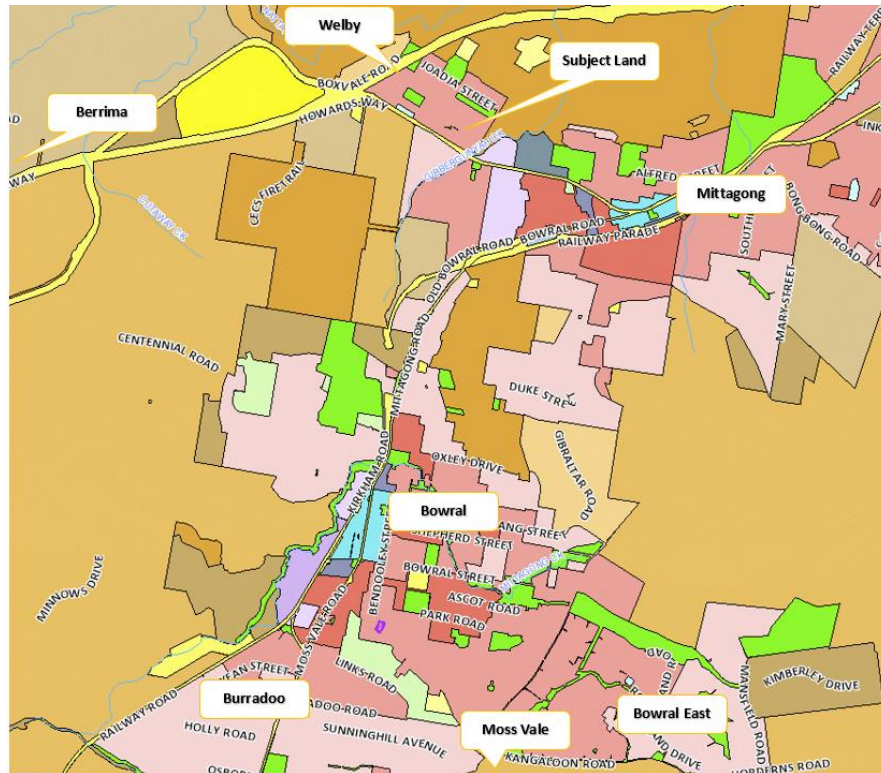


## Location of the Subject Land

<b>Legal Description</b>	Lots 1,2,3,8,9 & 10 Section 6 in DP 759070, Lot 1 in DP 1006005 & Lot 2 in DP 1019107
<b>Property Address</b>	Nos. 10 & 12-14 Old Hume Highway, Welby
<b>Description</b>	The subject land is described as the 'Welby Garden Centre' (WGC) plant nursery. It is 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. The business has customer access via Berrima Street to the north of the site, and a staff/deliveries entrance situated on Bendooley Street.







**Figure 1: Surrounding Localities – based on zoning map to assist with clarification**



**Figure 2: The subject land Nos. 10 & 12-14 Old Hume Highway, Welby (Image source: Six Maps).**



**Figure 3: The subject land Nos. 10 & 12-14 Old Hume Highway, Welby includes Lots 1,2,3,8,9 & 10 in DP 759070, Lot 1 in DP 1006005 & Lot 2 in DP 1019107 for a combined land area of approximately 1.3 hectares (Image source: Six Maps).**

## **Part 1: Objectives or Intended Outcomes**

The intended outcomes of this Planning Proposal are to enable the ongoing operation and potential growth of the Welby Garden Centre plant nursery which has been operated by the Incorporated Association 'Challenge Southern Highlands' as a Not-for-Profit community-based charitable organisation since 1989.

## **Part 2: Explanation of the Provisions**

- To achieve the intended outcomes of the Planning Proposal, the following amendments to the WLEP 2010 instrument would be required:

Amendment to Item 28 of Schedule 1 (Additional Permitted Uses) of the WLEP 2010 to include all of the subject land and extend the range of land uses permitted with consent to include:

Landscaping material supplies

*Plant nursery*

*Garden centre*

*Community facility, and*

## AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 17 AUGUST 2022



*Light industry.*

Currently, Item 28 states:

**28 Use of certain land at Old Hume Highway, Welby**

- (1) This clause applies to land at Old Hume Highway, Welby, being Lots 3 and 8, Section 6, DP 759070 and Lot 2, DP 1019107.
- (2) Development for the purposes of landscaping material supplies and a plant nursery is permitted with consent.

It is proposed to amend Item 28 to state as follows:

**28 Use of certain land at Old Hume Highway, Welby**

- (1) This clause applies to land at Old Hume Highway, Welby, being Lots 1,2,3,8,9 & 10 Section 6 in DP 759070, Lot 1 in DP 1006005 & Lot 2 in DP 1019107.
- (2) Development for the purposes of landscaping material supplies, plant nursery and light industry are permitted with consent.

The extent of the Schedule 1 Item 28 affectation is indicated below:



Extent of current Sch 1 designation (red). Subject land (blue)

The proposed land uses are discussed in more detail below.





## **Description of the Subject Land**



**Figure 4: The subject land looking east from the intersection of Bendooley Street with the Old Hume Highway (Image source: Google Maps).**



**Figure 5: The subject land looking north from the Old Hume Highway (Image source: Google Maps).**



**Figure 6: Looking east into the Bendooley Street deliveries and staff entrance to the subject site (Image source: Google Maps).**



**Figure 7: Berrima Street customer entrance looking south into the subject site (Image source: Google Maps).**

The Welby Garden Centre (WGC) website states that the facility provides employment opportunities for 40 plus staff who have intellectual disabilities in the following primary areas as an Australian Disability Enterprise:

- Retail Nursery
- Wholesale Nursery
- Garden Maintenance

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- Work Crews.

In addition to the above primary areas, the WGC provides the following commercial services to local businesses:

- Light Packaging – machine wrapping of the Highlands Post free local newspaper;
- Secure Document Destruction.

Other employment generating activities carried out at the site include the assembly of timber pallets, manufacturing spacers for transmitters, soap making and woodworking. The WGC is assisted by sponsorship from local businesses and the Council and receives additional financial assistance from public donations.

Challenge Southern Highlands continues to explore new employment opportunities and has outgrown the restriction to landscape materials supplies and a plant nursery, both activities being permitted over part of the subject land under Item 28 of Schedule 1 (Additional Permitted Uses) of WLEP 2010.

To enable Council to consider a Development Application for the subject land under Schedule 1 of WLEP 2010 seeking approval to undertake the range of land uses sought, the following land uses, as defined in the Standard Instrument Local Environmental Plan, would also need to be included in the Schedule 1 listing for the subject land. Both *landscaping material supplies* and *plant nursery* are already in the list of additional permitted uses. The other nominated land uses, namely *garden centre*, *community facility* and *light industry*, would all be additional to the current listing. All proposed land uses are defined below.

***landscaping material supplies*** means a building or place used for the storage and sale of landscaping supplies such as soil, gravel, potting mix, mulch, sand, railway sleepers, screenings, rock and the like.

***plant nursery*** means a building or place the principal purpose of which is the retail sale of plants that are grown or propagated on site or on an adjacent site. It may include the on-site sale of any such plants by wholesale and, if ancillary to the principal purpose for which the building or place is used, the sale of landscape and gardening supplies and equipment and the storage of these items.

***garden centre*** means a building or place the principal purpose of which is the retail sale of plants and landscaping and gardening supplies and equipment. It may include a restaurant or cafe and the sale of any of the following—

- (a) outdoor furniture and furnishings, barbecues, shading and awnings, pools, spas and associated supplies, and items associated with the construction and maintenance of outdoor areas,
- (b) pets and pet supplies,
- (c) fresh produce.

***community facility*** means a building or place—

- (a) owned or controlled by a public authority or non-profit community organisation, and
- (b) used for the physical, social, cultural or intellectual development or welfare of the community,





but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

**light industry** means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following—

- (a) high technology industry,
- (b) home industry,
- (c) artisan food and drink industry,
- (d) creative industry.

It is noted that the Standard Instrument definition of *Light Industry* is a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise.

It is further noted that *Light Industry* is also a group term, but all additional uses permitted with consent require approval through the DA process and would need to demonstrate compliance with the definition provided above.

It is noted that any land use approval under Schedule 1 would be subject to a development application and an accompanying statement of environmental effects addressing the appropriateness of the proposed land use on the subject land. As identified above, with regard to *Light Industry* the definition contains the criteria which must be addressed before approval can be granted.

Therefore, the full draft amendment to Schedule 1 Item 28 would be as follows:

**28 Use of certain land at Old Hume Highway, Welby**

- (1) This clause applies to land at Old Hume Highway, Welby, being Lots 1,2,3,8,9 & 10 Section 6 in DP 759070, Lot 1 in DP 1006005 & Lot 2 in DP 1019107.
- (2) Development for the purposes of landscaping material supplies, plant nursery, garden centre, community facility and light industry are permitted with consent.

This alteration allows the proponent to still achieve more land use flexibility on the site, but by a mechanism which significantly reduces potential future adverse impacts on the surrounding community.



## Part 3: Justification of Objectives, Outcomes & Process

### Section A – Need for the Planning Proposal

#### 1 - Is the Planning Proposal a result of any strategic study or report?

The initial Planning Proposal was not the result of any strategic study.

An assessment of the Planning Proposal was prepared by Council's Strategic Land Use Planning staff and considered by the Independent Advisory Planning Assessment Panel at its meeting on 7 April 2021. The Panel recommended as follows:

#### 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.*

The Recommendation was moved at the Ordinary Meeting of 21 April 2021 and declared carried by the Interim Administrator, as indicated below:

**MN 112/21**

**MOTION** moved by Interim Administrator V May PSM

*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.*

**DECLARED CARRIED BY THE INTERIM ADMINISTRATOR**

The exhibition of the previous Planning Proposal and the amended Planning Proposal were considered by the Independent Advisory Planning Assessment Panel at its Meeting of 2 March 2022 at which time the Panel provided the following advice.



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### PANEL ADVICE

#### THAT

- (a) the Planning Proposal for the Welby Garden Centre be amended to include the following lots - Lots 1,2,3,8,9 & 10 Section 6 DP 759070, Lot 1 DP 1006005 & Lot 2 DP 1019107, and
- (b) the Planning Proposal for the Welby Garden Centre be amended to include the following land uses - landscaping material supplies, plant nursery, garden centre, community facility and light industry, and
- (c) an amended Gateway Determination be sought from the NSW Department of Planning & Environment for the amended Planning Proposal under s3.35 of the Environmental Planning & Assessment Act 1979.

REASONS The Panel generally agrees with the Council Officer's report.

VOTING Unanimous

This advice formed the recommendation to the report to Council of 16 March 2022 and was supported by the Interim Administrator.

### 2 - Is the Planning Proposal the best means of achieving the objectives or intended outcomes?

A Planning Proposal is the only mechanism to amend WLEP 2010. The proposed amendment will enable the subject land to continue to develop its business operations.

### Section B – Relationship to the Strategic Planning Framework

### 3 - Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional strategy?

The South East and Tablelands Regional Plan 2036 is the relevant sub-regional strategy. In broad terms, the Strategy seeks to cater for continued growth within the region, without impacting adversely upon local character. A stated objective within the Regional Plan for the Wingecarribee area that is of relevance to the Planning Proposal is to:

*'Facilitate employment growth in nominated centres (including Bowral, Mittagong, Moss Vale, Robertson and Berrima) including home based employment.'*

This Planning Proposal does not contradict the Strategy's further broad aim of protecting the sensitive elements of the natural environment as the site is not sensitive from an ecological or environmental perspective. There are no parts of the site that contain remnant native vegetation or watercourses.



The nature and scale of the Planning Proposal raise no issues of inconsistency concerning the Regional Strategy and is consistent in that it fosters employment generation, specifically for those members of the community who have intellectual disabilities. The Planning Proposal to rezone the land to reflect commercial, employment-generating activities is a localised amendment to the local planning controls that will assist in achieving the stated aims.

**4 - Is the Planning Proposal consistent with Council's local strategy or other local strategic plan?**

**4.1 Wingecarribee Local Housing Strategy**

The Wingecarribee Local Housing Strategy (WLHS) supports residential development through an appropriate supply of residential zoned land to facilitate residential growth. The subject site, although zoned residential land has not been used as such since 1989 when the WGC commenced operations as a Not for Profit business and as a charitable organisation.

The proposed zoning change from R2 Low Density Residential to B5 Business Development would be consistent with the WLHS in that the subject land does not form part of the current or proposed future housing stock of the Wingecarribee Shire. It is noted that the site has operated as a plant nursery and landscape materials supply business for the past 31 years, commencing operations in 1989.

**4.2 Wingecarribee Local Strategic Planning Statement**

The village of Welby is located on the western edge of Mittagong township. There is no specific reference to the village in the Wingecarribee Local Strategic Planning Statement (WLSPS) but the Strategy does identify Mittagong as *'one of our three major towns within the Shire, located to the north of Bowral. The town contains a mix of local businesses with traditional anchor stores including larger scale retail offerings and bulky goods outlets are located 'out of town' at the Mittagong Marketplace to the west of the town centre'.*

These 'out of town' outlets are located within a nearby B5 Business Development zone. It is noted however that proposed amendments to the Standard Instrument will replace the Business and Industrial zones with new Employment zones many of which will comprise the amalgamation of current zones. The new E3 Employment Support will combine the B5 Business Development and B7 Business park zones with a consequent expansion of the range of land uses permitted within the new zone. To rezone the subject land would therefore create the potential for significant land use conflict should the ongoing use of the land change in the future and new land use permissibilities sought under the new E3 zone Employment Support.

Planning Priority 3.1 of WLSPS is that *'our Shire supports businesses and attracts people to work, live and visit'*. The Rationale behind this Priority is:

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Wingecarribee Shire Council is committed to developing and promoting the Southern Highlands as a destination in which to live, work, invest, play, learn, visit and enjoy. Our Shire has a healthy and diverse economy, driven by the health, tourism, education, manufacturing, agriculture, construction and professional industry sectors. Our proximity to Sydney, Canberra and Wollongong provides a strong base for economic development, and our natural areas, rural landscapes and vibrant towns and villages will continue to support our visitor economy.

The Planning Proposal supports this priority by reinforcing the valuable ongoing function of the Welby Garden Centre in providing employment for residents with disabilities as well as providing garden products and gardening services for residents across the Shire.

Planning Priority 3.2 of WLSPS is that '*Local business is supported through a connected community*'. The Rationale behind this Priority is:

A strong community forms the foundation on which to build a sustainable local economy.

The Wingecarribee Shire has a diverse range of businesses across a broad spectrum of the economy. Some 98% of all businesses within the Shire are 'small businesses' often owned, operated and staffed by locals. These existing businesses (both small and large) are the foundation of our economy providing local jobs and services to meet the needs of our community.

Council can and will support local businesses to grow through regular engagement, supporting and promoting innovation, and promoting the Wingecarribee as a destination to live, work, learn and play. However, successful business and economic development requires a strong and connected business community, working together with Council to deliver positive outcomes for both the community and the industry.

The Planning Proposal supports this priority by enabling community members with disabilities to remain active and engaged with a sense of purpose. This in turns strengthens the values and connections within and across the community.

### 5 - Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

#### SEPP (Housing) 2021

*The intent of this SEPP is to deliver a sufficient supply of safe, diverse and affordable housing*  
<https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0714>

#### Assessment – Consistent

*Although the land is zoned R2 Low Density Residential it has been occupied by Challenge Southern Highlands for many years for the current commercial purpose. The Planning Proposal does not seek to rezone the land but to allow additional permitted uses under Schedule 1 of WLEP 2010. Any change to this current commercial land use would still allow the land to be*

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*subsequently used for housing. Therefore, it is considered that the Planning Proposal is consistent with the SEPP.*

## SEPP (Transport and Infrastructure) 2021

*The intent of this SEPP is to provide well-designed and located transport and infrastructure integrated with land use*  
<https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0732>

### Assessment – Consistent

*The Planning Proposal will not impact local transport and infrastructure. Therefore, it is considered that the Planning Proposal is consistent with the SEPP.*

## SEPP (Primary Production)

*The intent of this SEPP is to support and protect the productivity of important agricultural lands. They enhance rural and regional economies through a sustainable, diverse and dynamic primary production sector that can meet the changing needs of a growing NSW.*  
<https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0729>

### Assessment – Consistent

*The Planning Proposal will not impact agricultural land or primary production. Therefore, it is considered that the Planning Proposal is consistent with the SEPP.*

## SEPP (Biodiversity and Conservation) 2021

*The intent of this SEPP is to preserve, conserve and manage NSW's natural environment & heritage*  
<https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0722>

### Assessment – Consistent

*The Planning Proposal will not impact biodiversity or environmental conservation. A preliminary site inspection confirms there are no potential contamination issues. The Department of Planning & Environment has endorsed this PSI report and the Biodiversity & Conservation section of the Department of Planning & Environment has confirmed it has no issue with the Planning Proposal.*

*The subject site is located within the Sydney Drinking Water Catchment. Water NSW has no objection to the Planning Proposal and agrees that the Proposal responds to and is consistent with the SEPP. WaterNSW noted that any future development of the site will need to have a neutral or beneficial effect on water quality as required by the SEPP and incorporate WaterNSW's current recommended practices (CRPs). The 2010 Nursery Industry Water Management Best Practice Guidelines are relevant in this regard.*

*Therefore, it is considered that the Planning Proposal is consistent with the SEPP.*

## SEPP (Resilience and Hazards) 2021

*The intent of this SEPP is to manage risks and building resilience in the face of hazards*  
<https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0730>

### Assessment – Consistent

*The provisions of Chapter 3 (Hazardous and Offensive Development) and Chapter 4 (Remediation of Land) SEPP are the only part of this SEPP applicable to Wingecarribee Shire. A preliminary*

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site inspection confirms there are no potential contamination issues. The Department of Planning & Environment has endorsed this PSI report and the Biodiversity & Conservation section of the Department of Planning & Environment has confirmed it has no issue with the Planning Proposal. Therefore, it is considered that the Planning Proposal is consistent with the SEPP.

<b>SEPP (Design and Place) 2021</b>	<i>The intent of this SEPP is to deliver well designed places that enhance quality of life, the environment and the economy</i>
<b>Assessment – Consistent</b>	
<i>Any subsequent development application would be assessed with regard to this SEPP.</i>	

<b>SEPP (Industry and Employment) 2021 –</b>	<i>The intent of this SEPP is to grow a competitive and resilient economy that is adaptive, innovative and delivers jobs</i> <a href="https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0723">https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0723</a>
<b>Assessment – Consistent</b>	
<i>The provisions of Chapter 3 (Advertising &amp; Signage) are the only part of this SEPP applicable to land in Wingecarribee Shire. Any subsequent development application would be assessed with regard to this SEPP.</i>	

<b>SEPP (Resources and Energy) 2021</b>	<i>The intent of this SEPP is to promote the sustainable use of NSW's resources and transitioning to renewable energy</i> <a href="https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0731">https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0731</a>
<b>Assessment – Consistent</b>	
<i>Any subsequent development application would be assessed with regard to this SEPP.</i>	

<b>SEPP (Planning Systems) 2021</b>	<i>The intent of this SEPP is to provide a strategic and inclusive planning system for the community &amp; the environment</i> <a href="https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0724">https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0724</a>
<b>Assessment – Consistent</b>	
<i>The preparation of this Planning Proposal and its processing is being undertaken in accordance with the Department of Planning &amp; Environment's Local Plan Making Guideline. Therefore it is considered that this Planning Proposal is consistent with the SEPP.</i>	

<b>SEPP (Regional Precincts) 2021</b>	<i>The intent of this SEPP is to consider State significant precincts, Activation precincts and other specific precincts including the Southern Highlands Regional Shooting Complex</i> <a href="https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0727">https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0727</a>
<b>Assessment – Consistent</b>	
<i>The Planning Proposal does not impact any precincts or facilities associated with this SEPP.</i>	



**6 - Is the Planning Proposal consistent with applicable s9.1 Ministerial Directions?**

<b>1-Planning Systems</b>	<i>The intent of these Directions is to support the broader NSW planning framework, including its processes and collaborative approaches to strategic and land use planning and decision making. They seek to achieve long-term, evidence-based, strategically led planning that is inclusive, democratic, responsive to the community and the environment, and ensures decisions are transparent and prompt.</i>
<b>1.1 Repealed</b>	
<b>1.2 Implementation of Regional Plans</b> (previously 5.10)	
	<i>The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.</i>
<b>Assessment – Consistent</b>	<i>The Planning Proposal is consistent with the SE and Tablelands Regional Plan as indicated above.</i>
<b>1.3 Development of Aboriginal Land Council land</b> (previously 5.11)	
	<i>The objective of this direction is to provide for the consideration of development delivery plans prepared under Chapter 3 of the State Environmental Planning Policy (Planning Systems) 2021 when planning proposals are prepared by a planning proposal authority.</i>
<b>Assessment – Consistent</b>	<i>The Planning Proposal does not impact this Direction.</i>
<b>1.4 Approval and Referral Requirements</b> (previously 6.1)	
	<i>The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</i>
<b>Assessment – Consistent</b>	<i>The Planning Proposal does not impact this Direction.</i>
<b>1.5 Site Specific Provisions</b> (previously 6.3)	
	<i>The objective of this direction is to discourage unnecessarily restrictive site-specific planning controls.</i>
<b>Assessment – Consistent</b>	<i>The Planning Proposal does not impose any restrictive site specific controls other than those proposed for Schedule 1 of WLEP 2010.</i>
<b>1.6 Parramatta Road Corridor Urban Transformation Strategy</b>	
<b>1.7 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan</b>	
<b>1.8 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan</b>	
<b>1.9 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation</b>	
<b>1.10 Implementation of Glenfield to Macarthur Urban Renewal Corridor</b>	
<b>1.11 Implementation of the Western Sydney Aerotropolis Plan</b>	
<b>1.12 Implementation of Bayside West Precincts 2036 Plan</b>	
<b>1.13 Implementation of Planning Principles for the Cooks Cove Precinct</b>	
<b>1.14 Implementation of St Leonards and Crows Nest 2036 Plan</b>	

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<b>1.15 Implementation of Greater Macarthur 2040</b>
<b>1.16 Implementation of the Pyrmont Peninsula Place Strategy</b>
<b>1.17 North West Rail Link Corridor Strategy</b>
<i>None of these place-based Directions apply to Wingecarribee Shire</i>

<b>2- Design &amp; Place</b>	<i>The intent of these Directions is to establish quality design approaches for new development, public spaces and the environment. They promote the design of places that are healthy, sustainable, prosperous, and supportive of people, the community and Country.</i>
<b>Assessment – Consistent</b>	
<i>The Planning Proposal specifies which land uses may be considered for the subject land and any subsequent development application will address design and place in more detail.</i>	

<b>3- Biodiversity &amp; Conservation</b>	<i>The intent of these Directions is to recognise the fundamental importance of protecting, conserving and managing NSW's natural environment and heritage. They help balance the needs of built and natural environments, respecting both the innate and economic value of the state's biodiversity and natural assets.</i>
<b>3.1 Conservation Zones (previously 2.1 Environment Protection Zones)</b>	
<i>The objective of this Direction is to protect and conserve environmentally sensitive areas.</i>	
<b>Assessment – Consistent</b>	
<i>The Planning Proposal has been considered by the relevant state agencies who advise 'no issues' with it.</i>	
<b>3.2 Heritage Conservation (previously 2.3)</b>	
<i>The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</i>	
<b>Assessment – Consistent</b>	
<i>The Planning Proposal does not impact any Items of Heritage, nor is the subject land within a Heritage Conservation Area.</i>	
<b>3.3 Sydney Drinking Water Catchments (previously 5.2)</b>	
<i>The objective of this direction is to protect water quality in the Sydney drinking water catchment.</i>	
<b>Assessment – Consistent</b>	
<i>The subject land is located within the catchment area. WaterNSW has responded to the Proposal noting that although the current use of the site is to remain, given the proposed change in zoning, WaterNSW has produced a SLWCA for Retail and Commercial uses of the site as allowed by the rezoning which indicates that the water quality risk varies from LOW to MODERATE indicating that the land has HIGH to MODERATE capability for the uses allowed by the proposed amendment.</i>	
<b>3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs</b>	
<i>Not applicable to Wingecarribee Shire</i>	
<b>3.5 Recreation Vehicle Areas (previously 2.4)</b>	
<i>The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.</i>	
<b>Assessment – Consistent</b>	
<i>The Planning Proposal does not impact this Direction.</i>	



<b>4- Resilience &amp; Hazards</b>	<i>The intent of these Directions is to improve responses to natural and development-related hazards, and climate change. They support methods to consider and reduce risk. The principles promote healthy, resilient and adaptive communities, urban areas and natural environments.</i>
<b>4.1 Flooding (previously 4.3)</b>	
<p><i>The objectives of this direction are to:</i></p> <p><i>(a) ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and</i></p> <p><i>(b) ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.</i></p>	
<b>Assessment – Consistent</b>	
<i>The subject land is not identified as being flood prone. Planning Proposal is therefore consistent with this Direction.</i>	
<b>4.2 Coastal Management (previously 2.2)</b>	
<i>Not applicable to Wingecarribee Shire</i>	
<b>4.3 Planning for Bushfire Protection (previously 4.4)</b>	
<p><i>The objectives of this direction are to:</i></p> <p><i>(a) protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and</i></p> <p><i>(b) encourage sound management of bush fire prone areas.</i></p>	
<b>Assessment – Consistent</b>	
<p><i>The subject land is not identified as being bushfire prone. No response was received by RFS during the agency consultation period, however RFS did respond to the previous Planning proposal to rezone the subject land with the following comment - On the basis of the information provided, it is advised that no specific objections to the proposed amendment are raised at this time. It should be noted that no master plan, indicative building layout, building envelope or any information addressing the relevant sections of Planning for Bush Fire Protection (PBP) 2019 has been provided with the referral. As such, any future development application associated with the subject site must be supported by a bush fire report, prepared by a suitably qualified consultant, demonstrating compliance with the requirements of relevant section(s) of PBP 2019.</i></p>	
<b>4.4 Remediation of Contaminated Land (previously 2.6)</b>	
<p><i>The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities. (NB: In order to meet the requirements of this Direction every site-specific Planning Proposal must include a Preliminary Site Inspection report.)</i></p>	
<b>Assessment – Consistent</b>	
<i>The Planning Proposal does not impact this Direction. A PSI report has been prepared and approved by the Department and is included in the exhibition material.</i>	
<b>4.5 Acid Sulphate Soils</b>	
<p><i>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</i></p>	
<b>Assessment - Consistent</b>	
<i>There currently appear to be no mapped acid sulphate soils within Wingecarribee Shire.</i>	
<b>4.6 Mine Subsidence &amp; Unstable Land</b>	





<i>The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.</i>
<b>Assessment - Consistent</b>
<i>There is no indication that the land is unstable affected by mine subsidence.</i>

<b>5- Transport &amp; Infrastructure</b>	<i>The intent of these Directions is to support innovative, integrated and coordinated transport and infrastructure, that is well-designed, accessible and enduring. They seek to optimise public benefit and value by planning for modern transport and infrastructure in the right location and at the right time.</i>
<b>5.1 Integrating Land Use and Transport</b> (previously 3.4)	
<i>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</i> <i>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</i> <i>(b) increasing the choice of available transport and reducing dependence on cars, and</i> <i>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</i> <i>(d) supporting the efficient and viable operation of public transport services, and</i> <i>(e) providing for the efficient movement of freight.</i>	
<b>Assessment - Consistent</b>	
<i>There is nothing in the Planning Proposal which would compromise this Ministerial Direction.</i>	
<b>5.2 Reserving Land for Public Purposes</b> (previously 6.2)	
<i>The objectives of this direction are to:</i> <i>(a) facilitate the provision of public services and facilities by reserving land for public purposes, and</i> <i>(b) facilitate the removal of reservation</i>	
<b>Assessment - Consistent</b>	
<i>There is nothing in the Planning Proposal which would compromise this Ministerial Direction.</i>	
<b>5.3 Development Near Regulated Airports and Defence Airfields</b> (previously 3.5)	
<i>The objectives of this direction are to:</i> <i>(a) ensure the effective and safe operation of regulated airports and defence airfields;</i> <i>(b) ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity; and</i> <i>(c) ensure development, if situated on noise sensitive land, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.</i>	
<b>Assessment - Consistent</b>	
<i>There is nothing in the Planning Proposal which would compromise this Ministerial Direction.</i>	
<b>5.4 Shooting Ranges</b> (previously 3.6)	
<i>The objectives are to:</i> <i>(a) maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range,</i> <i>(b) reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land,</i> <i>(c) identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range.</i>	
<b>Assessment - Consistent</b>	



*There is nothing in the Planning Proposal which would compromise this Ministerial Direction.*

**6- Housing** *The intent of these Directions is to foster long-term, strategic-led and evidence-based approaches to guide a strong supply of well-located homes. They support the delivery of safe, diverse, affordable and quality designed housing that meets the needs of Aboriginal and local communities.*

**6.1 Residential Zones (previously 3.1)**

*The objectives of this direction are to:*

- (a) encourage a variety and choice of housing types to provide for existing and future housing needs,*
- (b) make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and*
- (c) minimise the impact of residential development on the environment and resource lands.*

**Assessment - Consistent**

*Retaining the land within the R2 Low Density residential zone does allow for its ongoing potential use for residential development..*

**6.2 Caravan Parks and Manufactured Home Estates (previously 3.2)**

*The objectives of this direction are to:*

- (a) provide for a variety of housing types, and*
- (b) provide opportunities for caravan parks and manufactured home estates.*

**Assessment - Consistent**

*There is nothing in the Planning Proposal which would compromise this Ministerial Direction.*

**7- Resilient Economies** *The intent of these Directions is to support diverse, inclusive and productive employment opportunities across the state to make NSW more economically competitive. They promote the supply of strategic employment lands, innovative industries and centres as a focus for activity and accessibility.*

**7.1 Business and Industrial Zones (previously 1.1)**

*The objectives of this direction are to:*

- (a) encourage employment growth in suitable locations,*
- (b) protect employment land in business and industrial zones, and*
- (c) support the viability of identified centres.*

**Assessment - Consistent**

*The Planning Proposal seeks to support existing commercial development on the site and enable appropriate future expansion.*

**7.2 Reduction in non-hosted short-term rental accommodation period**

*Not applicable to Wingecarribee Shire.*

**7.3 Commercial and Retail Development along the Pacific Highway, North Coast**

*Not applicable to Wingecarribee Shire.*



<b>8- Resources &amp; Energy</b>	<i>The intent of these Directions is to promote the sustainable development of resources in strategic areas and a transition to low carbon industries and energy. They support positive environmental outcomes and work towards the net zero emissions target and continued energy security, while also promoting diversified activity in regional economies.</i>
<b>8.1 Mining, Petroleum Production &amp; Extractive Industries</b>	
<i>The objective of this direction is to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.</i>	
<b>Assessment - Consistent</b>	
<i>There is nothing in the Planning Proposal which would compromise this Ministerial Direction.</i>	
<b>9- Primary Production</b>	<i>The intent of these Directions is to support and protect the productivity of important agricultural lands. They enhance rural and regional economies through a sustainable, diverse and dynamic primary production sector that can meet the changing needs of a growing NSW.</i>
<b>9.1 Rural Zones (previously 1.2)</b>	
<i>The objective of this direction is to protect the agricultural production value of rural land.</i>	
<b>Assessment - Consistent</b>	
<i>There is nothing in the Planning Proposal which would compromise this Ministerial Direction.</i>	
<b>9.2 Rural Lands (previously 1.5)</b>	
<i>The objectives of this direction are to:</i>	
<i>(a) protect the agricultural production value of rural land,</i>	
<i>(b) facilitate the orderly and economic use and development of rural lands for rural and related purposes,</i>	
<i>(c) assist in the proper management, development and protection of rural lands to promote the social, economic and environmental welfare of the State,</i>	
<i>(d) minimise the potential for land fragmentation and land use conflict in rural areas, particularly between residential and other rural land uses,</i>	
<i>(e) encourage sustainable land use practices and ensure the ongoing viability of agriculture on rural land,</i>	
<i>(f) support the delivery of the actions outlined in the NSW Right to Farm Policy.</i>	
<b>Assessment - Consistent</b>	
<i>There is nothing in the Planning Proposal which would compromise this Ministerial Direction.</i>	
<b>9.3 Oyster Aquaculture (previously 1.4)</b>	
<i>The objectives of this direction are to:</i>	
<i>(a) ensure that 'Priority Oyster Aquaculture Areas' and oyster aquaculture outside such an area are adequately considered when preparing a planning proposal, and</i>	
<i>(b) protect 'Priority Oyster Aquaculture Areas' and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and consequently, on the health of oysters and oyster consumers.</i>	
<b>Assessment - Consistent</b>	
<i>There is nothing in the Planning Proposal which would compromise this Ministerial Direction.</i>	
<b>9.4 Farmland of State &amp; Regional Significance on the NSW Far North Coast</b>	
<i>Not applicable to Wingecarribee Shire</i>	



#### **Section C – Environmental, Social & Economic Impacts**

- 1. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the Planning Proposal?**

The predominant land use of the site is that of a retail / wholesale plant nursery. There is no known critical habitat or threatened species, populations or ecological communities on the subject land. It is considered, therefore, that there will be no adverse environmental effects resulting from the Planning Proposal.

- 2. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?**

It is considered that there will be no other adverse environmental effects resulting from the Planning Proposal.

- 3. Has the Planning Proposal adequately addressed any social and economic effects?**

It is considered that the Planning Proposal will have a positive social and economic effect in that it will foster further employment opportunities for persons with an intellectual disability through an appropriate Business Land Use Zoning for the WGC.

#### **Section D – State and Commonwealth Interests**

- 4. Is there adequate public infrastructure for the Planning Proposal?**

Existing public infrastructure is adequate for the current operations of the WGC. Any future development proposal resulting from this Planning proposal would be assessed with regard to servicing and infrastructure and would be referred to WaterNSW for concurrence.

### **Part 4: Mapping**

A draft map for the subject land is included in the Planning Proposal.

### **Part 5: Consultation**

- **Agency referrals** - Council undertook the following agency referrals as required by the Gateway Determination and responses form part of the exhibition material. No objections were received.

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### ○ Community Consultation

The original Planning Proposal and associated documentation were on public exhibition for a period of 31 days from Wednesday 10 November to Friday 10 December 2021. Further consultation is now being undertaken in accordance with the amended Gateway Determination and Departmental Guidelines.

### Part 6: Timeline

MILESTONE	INDICATIVE /ACTUAL DATE
Gateway Alteration	Mar 2022
Agency Consultation & Completion of Gateway Requirements	May 2022
Public Exhibition	June 2022
Post exhibition Report to Advisory Panel & Council	August 2022
Drafting of Opinion	September 2022
Making of WLEP 2010 Amendment	October 2022

### Delegation

The Planning Proposal is 'Delegated' to Council which means that Wingecarribee Shire Council is authorised to exercise the functions of the Minister for Planning under s.3.36 of the *Environmental Planning & Assessment Act 1979* as have been delegated to it with regard to the Planning Proposal.

### END OF PLANNING PROPOSAL

## 9 REPORTS

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### 9.1 Part 24 Greenhills Road, Berrima - Proposed Acquisition

**Report Author:** Property and Project Officer

**Authoriser:** Director Corporate Strategy and Resourcing

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#### PURPOSE

This report seeks Council approval to acquire land for road purposes. The acquisition of land is required for road safety improvements, identified as part of the Australian Government's Black Spot Program.

The subject property is part 24 Greenhills Road, Berrima (being part Lot 10 in Deposited Plan 242793) and is referred to in this report as "the land".

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#### OFFICER'S RECOMMENDATION

##### THAT:

1. The General Manager be delegated authority to negotiate with the owner of Lot 10 in Deposited Plan 242793 (being 24 Greenhills Road, Berrima) for the acquisition of part Lot 10 in Deposited Plan 242793 for the purpose of road AND THAT compensation be negotiated within 10% range of independent formal valuation.
2. If the acquisition referred to in Resolution 1 cannot be negotiated by agreement Council resolves to:
  - a. acquire the land by compulsory acquisition under sections 186 and 187 of the *Local Government Act 1993* 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 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 the *Land Acquisition (Just Terms Compensation) Act 1991* (NSW) with respect of the land.
3. Council affix the Common Seal of Council to any documents required to be sealed for the land referred to in Resolution 1 above AND THAT authority be delegated to the Mayor/Administrator and General Manager to execute those documents.

4. Authority be delegated to the Mayor/Administrator and General Manager to execute on behalf of Council any documents associated with the acquisition of the land referred to in Resolution 1 above that do not require the Common Seal of Council.
5. Upon acquisition the land be classified as Operational land.

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## **REPORT**

### **BACKGROUND**

As part of the Australian Government's Black Spot Program, Council has identified an area of the Old Hume Highway Berrima that requires road safety improvements, including shoulder widening and guard rail installation.

The area of the Old Hume Highway is located approximately 100 metres from the intersection of Greenhills Road and Old Hume Highway and extends for approximately 500 metres towards Bowral.

To facilitate the road widening and guard rail installation in this location, a portion of land is required to be acquired from the adjoining landowner.

The area of land to be acquired is approximately 1,545 square metres, subject to final survey. An aerial map of the land is shown in **Attachment 1**. A layout of the road widening proposal is shown in **Attachment 2**.

### **REPORT**

Council has made initial contact with the effected landowner to discuss the proposed acquisition with a meeting held on site to discuss the project. Discussions with the landowner have indicated that the owner is generally supportive of the project.

Consultation has also been undertaken with Transport for NSW by Council's Project Manager – Civil. Transport for NSW have approved a time and cost variation to their funding to enable the land acquisition and works.

The acquisition of the land will ultimately result in substantial safety improvements to this section of the Old Hume Highway.

A formal valuation has been obtained from a registered valuer to assess the likely compensation to acquire the land for road purposes. The valuer has assessed compensation to be thirty-four thousand dollars (\$34,000) exclusive of GST.

### **LAND ACQUISITION PROCESS**

Pursuant to the Land Acquisition Guidelines published by the Office of Local Government, Council must allow at least six (6) months to negotiate in good faith with the affected owners of the land.

Every effort is made to acquire land by agreement, to avoid having to proceed via the compulsory acquisition process. This report recommends that authority be delegated to the General Manager to negotiate acquisition of the land. In the event that agreement cannot be reached after six (6) months of good faith negotiations, a further report will be forwarded to future meeting of Council to formally resolve to proceed with the acquisition of land via the compulsory process.

In the interim, a Plan of Acquisition will be prepared on behalf of Council by a registered surveyor and lodged with NSW Land Registry Services for registration against the title to the land.

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#### **COMMUNICATION AND CONSULTATION**

##### **Community Engagement**

Consultation with the broader community is not considered appropriate. This is an administrative matter between Council as acquiring authority and the owner of the affected property.

##### **Internal Communication and Consultation**

Project Manager - Civil

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

Property owners

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#### **COUNCIL BUDGET IMPLICATIONS**

Costs associated with the land acquisition will be funded through the Federal Government's Blackspot Program.

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#### **RELATED COUNCIL POLICY**

None identified.

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#### **CONCLUSION**

It is recommended that Council adopt the recommendations made in this report so that negotiations for acquisition of the required land can progress.

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#### **ATTACHMENTS**

1. Attachment 1 - Aerial [9.1.1 - 1 page]
2. Attachment 2 - Area of Acquisition [9.1.2 - 1 page]



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Wingecarribee Shire Council

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## **9.2 Grants Update**

**Report Author:** Chief Financial Officer

**Authoriser:** Director Corporate Strategy and Resourcing

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### **PURPOSE**

This report advises Council of the State and Federal government grants applied for and received during the 2021/22 financial year.

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### **OFFICER'S RECOMMENDATION**

**THAT Council receives and notes the report.**

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### **REPORT**

#### **BACKGROUND**

Council's primary revenue source is rates and annual charges and comprises of over 60% of Council's total revenue. In preparing the budget, Council factors in State and Federal grants to fund programs and projects in the operational and capital budgets. These State and Federal government grants are non-recurring in nature and tied to a specific project to deliver an outcome to the community. This report outlines the government grants applied for and received during the 2021/22 financial year.

#### **REPORT**

During the 2021/22 financial year, Council originally budgeted for \$29.5M of both operating and capital grants to be received which includes grants which are recurring in nature including the Financial Assistance Grant and Roads to Recovery grants. As the financial year progressed, further grant opportunities became available through state and federal government stimulus and assistance programs. Key highlights of the successful grants agreements executed during the financial year include:

- Retford Farm Detention Basin - \$4.6M from the National Recovery and Resilience Agency with the funds to be received in the 22/23 financial year.
- Southern Highlands Koala Conservation Project – \$62.5K per annum for four years from the Department of Environment & Planning with the funds to be received commencing in 22/23 financial year.
- Storm/Flood Local Recovery Funding (February 2022) - \$1,000,000 from the Office of Local Government received in the 2021/22 financial year.
- Casburn Park Wingello Resilience Project - \$2.48M from the Regional NSW Bushfire Local Economic Recovery Fund with \$868K received during the 2021/22 financial year and the balance of funds to be received in the 2022/23 financial year.

A detailed list of successful grants applied for and received during the 2021/22 financial year can be found at **ATTACHMENT 1** and excludes recurring grants such as the Financial Assistance Grant and other recurring infrastructure related grants such as Roads to Recovery grants.

The funds for several successful grants, although successfully executed during the 2021/22 financial year, will not be received until the 2022/23 financial year due to timing of project execution and completion.

The value of grants received during the 2021/22 financial year was \$26.2M (excluding recurring grants) and will be accounted for under the revised Accounting Standards as a part of preparation of Council's financial statements.

A list of grants that Council was not successful in obtaining during the 2021/22 financial year can be found at **ATTACHMENT 2**.

An additional resource (Grants Management Officer) has been dedicated to ensure that Council will continue to proactively monitor future grant opportunities as it looks to position itself favourably by developing strategies for shovel ready projects.

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## **COMMUNICATION AND CONSULTATION**

### **Community Engagement**

Not Applicable.

### **Internal Communication and Consultation**

Managers have been consulted on the grants they have applied for in preparing this report.

### **External Communication and Consultation**

Not Applicable

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## **SUSTAINABILITY ASSESSMENT**

### **Environment**

Some of the grants received during the 2021/22 have contributed towards achieving environmental outcomes.

### **Social**

Some of the grants received during the 2021/22 have contributed towards achieving social outcomes.

### **Broader Economic Implications**

If Council was unsuccessful in receiving grant funding for specific projects, those projects were deferred projects or alternate funding sources are required to be sought.

### **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 in this report. Any unspent grants as of 30 June 2022 will be restricted and carried into the 2022/23 financial year to align project expenditure. Conversely,



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where grants funds have not been received, an accrual of funds will be made to ensure there are no impacts on Council's working capital.

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**RELATED COUNCIL POLICY**

Not applicable.

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**CONCLUSION**

The delivery of Council's infrastructure and services are partially dependant on State and Federal Government grant funding. Council was successful in receiving approximately \$26.2M in State and Federal funding for non-recurring projects during the 2021/22 financial year.

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**ATTACHMENTS**

1. Successful - Council Report Grants Register July 21 - June 22 [**9.2.1** - 2 pages]
2. Unsuccessful - Council Report Grants Register July 21 - June 22 [**9.2.2** - 1 page]

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Name of Project	Funding Body	Funding Program	Grant Terms	Amount Applied for	Date of Agreement / Announcement	Actual Grant funds Received FY21/22
<b>Operating Grants</b>						
Community Heritage Grants (Small Heritage Grants)	Office of Environment & Heritage	Community Heritage Grants (Small Heritage Grants)	2 years 2021-2023	\$5,500 per yr	29/06/2021	5,500.00
Aboriginal Project Worker - Project 1958661536 (1782810)	Department of Communities and Justice	Aboriginal Targeted Earlier Intervention (TEI)	01/07/2021 - 30/06/2025	\$98,564 per yr	16/06/2020	94,837.15
NAIDOC Week	Dept of Prime Minister & Cabinet	NAIDOC Week	Annual by application	1,900.00	03/06/2022	1,900.00
RID Regional Illegal Dumping Program	Illawarra Shoalhaven Joint Organisation	Regional Illegal Dumping Program	2017-2021 + 1 yr extension	FY21/22 \$40,333	15/10/2021	40,333.00
Better Waste Recycling	EPA NSW	Better Waste & Recycling Funding	4 years 2017-2021	FY21/22 \$ 86,792	01/07/2017	86,792.00
				FY21/22 \$57,200 FY22/23 \$45,622		
Child Care Viability Grant - CCCF Open Competitive Sustainability	Department of Education & Training	Community Child Care Fund program	3 years 2021-2024	FY23/24 \$33,313	16/08/2021	57,200.00
SH Koala Conservation Project - Koala Habitat Mapping	Dept of Planning and Environment		01/06/2022 - 30/06/2024	150,000.00	20/05/2022	150,000.00
Potable Water Treatment Feasibility Study	Local Government NSW	Increasing Resilience to Climate Change (IRCC)	01/07/2019 - 30/06/2021	50,000.00	11/06/2019	7,963.63
Youth Opportunities	Dept of Communities & Justice NSW	Youth Opportunities Program	01/04/2021 - 30/04/2023	50,000.00	21/03/2021	50,000.00
Review Wingecarribee River Flood Study	Dept of Planning, Industry & Environment NSW		01/04/2020 - 30/04/2022	130,000 (max)	29/10/2019	4,653.33
RTBR - Pie Time 2021	Australian Trade & Investment Commission	Regional Tourism Bushfire Recovery	01/06/2020 - 30/06/2021	40,000.00	31/08/2020	20,000.00
RTBR - Heritage Time 2021	Australian Trade & Investment Commission	Regional Tourism Bushfire Recovery	01/04/2020 - 30/04/2021	30,000.00	31/08/2020	15,000.00
Small Business Month Grant	NSW Treasury	NSW Small Business Month	Annual by application	FY21/22, \$2,500	06/01/2022	2,500.00
Australia Day Messaging & Branding Grant	National Australia Day Council Limited	Australia Day Community Grants	Annual by application	FY21/22, \$20,000	06/12/2021	16,000.00
Tulip Time Flagship Triennial Grant	Destination NSW	Regional Event Fund	3 years 2020-2023	\$27,500 per year	10/11/2020	54,765.45
		Bushfire Generated Green Waste Clean-up & Processing Program Stream A & B		\$22,761.04 (A)		
Bushfire Generated Green Waste Clean-up	EPA NSW		to complete by 30/06/2022	\$4,592,054 (B)	25/01/2021	4,147,609.64
The Festival of Place - Summer Night Fund	Dept of Planning, Industry & Environment NSW	The Festival of Place - Summer Night Fund	01/01/2022 - 30/04/2022	15,000.00	29/11/2021	15,000.00
Weed Control Project Coolatai at Balmoral	Local Land Services NSW	South East NSW Weeds Action Program	01/07/2020 - 30/06/2022	15,000.00	22/03/2021	15,000.00
Wingecarribee Rare Flora Species Surveys	NSW Environmental Trust		19/10/2021 - 31/10/2022	44,000.00	19/10/2021	44,000.00
Tulip Time's Tulips After Dark (TAD)	Destination NSW	Regional Events Acceleration Fund	to complete by 03/10/2022	74,595.00	15/12/2021	59,676.00
Indigenous Cultural Burning Project	Regional NSW	Bushfire Local Economic Recovery Fund (BLER 2)	13/08/2021 - 30/06/2023	205,000.00	30/06/2021	82,000.00
Youth Summer Holiday Break Program	Regional NSW	Regional Youth Summer Holiday Break Program	20/12/2021 - 28/02/2022	10,000.00	06/12/2021	10,000.00
Storm/Flood Feb 2022 Local Recovery Funding from OLG	Office of Local Government	DRFA - Category D	to complete by 30/06/2024	1,000,000.00	07/03/2022	1,000,000.00
Community Resilience Officer - Black Summer Bushfire Recovery Community Program	Dept of Industry, Science, Energy & Resource	Black Summer Bushfire Recovery Fund	01/04/2021 - 29/03/2024	389,000.00	28/03/2022	155,600.00
Weed Control on Roadsides and in Bushland Reserves	Local Land Services NSW		10/04/2022 - 30/03/2023	35,000.00	21/04/2022	35,000.00
Review of Low and Medium Density Housing Controls	Dept of Planning and Environment		26/05/2022 - 30/09/2022	79,552.00	02/06/2022	50,000.00
Vietnam War Memorial and Cherry Tree Walk Repair and Upgrade	Dept of Veterans' Affairs	Saluting Their Service Commemorations	03/06/2022 - 02/06/2023	61,190.00	13/05/2022	61,190.00
NSW Planning Portal API Grant	Dept of Planning and Environment	NSW Planning Portal API Grant Program	01/07/2022 - 31/12/2023	80,000.00	15/06/2022	80,000.00
Bushfire Community Recovery Officer (CRO) Program	Resilience NSW	Bushfire Community Recovery Fund	2 years 2020-2022	by claim	16/07/2020	129,134.18
Reconnecting Regional NSW - Community Events Program	Regional NSW	Reconnecting Regional NSW - Community Events Program	to complete by 31/03/2023	287,582.00	01/03/2022	230,065.30
Storm/Flood Jun 2022 Local Recovery Funding from OLG	Office of Local Government	DRFA - Category D	to complete by 30/06/2024	1,000,000.00	15/07/2022	1,000,000.00
Koala Partnership - Habitat Conservation	Department of Environment & Planning	NSW Koala Strategy Regional Partnership	01/07/2022 - 30/06/2026	62,500 each year	23/06/2022	
Koala Partnership - Supporting Communities to Conserve	Department of Environment & Planning	NSW Koala Strategy Regional Partnership	01/07/2022 - 30/06/2026	35,000 each year	23/06/2022	
Koala Partnership - Improving Safety & Health	Department of Environment & Planning	NSW Koala Strategy Regional Partnership	01/07/2022 - 30/06/2026	27,500 each year	23/06/2022	
Koala Partnership - Building our Knowledge	Department of Environment & Planning	NSW Koala Strategy Regional Partnership	01/07/2022 - 30/06/2026	25,000 each year	23/06/2022	
<b>Total Operating Grants</b>						<b>6,491,654.38</b>
<b>Capital Grants</b>						
Repair Program 20-21 MR569 Exeter Rd Renewal Sutton Forest To Ellsmore Rd	Transport for NSW	Regional Road Repair Program	annual by application	228,000.00	27/08/2020	228,000.00
RRRP MR645 Old Hume Hwy 0-0.5km	Transport for NSW	Regional Road Repair Program	annual by application	250,000.00	29/09/2021	34,130.00
Bowral Sewerage Treatment Plant Upgrade	Infrastructure NSW		4 years 2019-2023	6,600,000.00	18/12/2019	71,448.22
	Transport for NSW / Dept of Infrastructure & Regional Development					
Belmore Falls Road Bridge		Bridge Renewal Program Rd5	01/07/2019 - 30/08/2021	652,640.00	06/05/2019	217,546.00
Burrawang Creek Bridge 2 Belmore Falls Rd	Transport for NSW	Fixing Country Bridges	01/03/2021 - 31/05/2023	1,224,000.00	19/03/2021	366,200.00
Diamond Fields Rd Bridge Mittagong	Transport for NSW	Fixing Country Bridges	01/03/2021 - 31/05/2023	778,170.00	19/03/2021	232,450.50
Merrigang St Bridge Bowral	Transport for NSW	Fixing Country Bridges	01/03/2021 - 31/05/2023	1,107,000.00	19/03/2021	331,100.00
Ritters Creek Bridge Meryla Rd Meryla	Transport for NSW	Fixing Country Bridges	01/03/2021 - 31/05/2023	400,000.00	19/03/2021	119,000.00
Roundabout Cavendish St/Old Hume Hwy Mgong	Transport for NSW	Australian Gov Blackspot	To be confirmed	703,620.00	08/05/2020	703,620.00

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Upgrade Seal Mt Broughton Rd Werai	Transport for NSW	Australian Gov Blackspot	To be confirmed	793,000.00	08/05/2020	709,679.42
Safety Improvements Old Hume Hwy Bowral	Transport for NSW	Australian Gov Blackspot	To be confirmed	1,852,323.00	08/05/2020	193,567.77
DRFA - Vanderburg Rd Renewal & Table Drain Work	Transport for NSW	DRFA	2 years afte event	485,765.00	20/10/2017	301,169.00
SH Koala Conservation Project - RoadKill Mitigation VMS Trailers	Dept of Planning and Environment		01/06/2022 - 01/06/2026	65,000.00	20/05/2022	65,000.00
Southern Regional Livestock Exchange Upgrade	Infrastructure NSW		01/07/2019 - 30/06/2021	5,248,280.00	13/03/2019	419,037.48
SRLX Main Contract 6330/20.10 Yards Proway	Infrastructure NSW		01/07/2019 - 30/06/2021	include in above	13/03/2019	1,023,128.86
Safer Road Program - Old South Road Renewal	Transport for NSW	Safer Road Program	3 years 2020-2023	4,796,220.00	20/03/2020	760,724.00
Seymour Park Playground & Amenities Upgrade	Dept of Planning, Industry & Environment NSW	Everyone Can Play Grant Program	31/03/2020 - 30/09/2021	200,000.00	31/03/2020	40,000.00
DRFA Storms/Floods Jan 2020 Onwards Agrn 898 EPARW	Transport for NSW	DRFA	to complete 30/06/2022	4,489,647.80	15/07/2021	2,549,885.09
LRCI 1 - Various Road Resealing Program	Dept of Infrastructure & Regional Development	Local Roads and Community Infrastructure Program Round 1	01/10/2020 - 30/06/2021	321,041.00	02/09/2020	1,545,161.00
LRCI 2 - Various Road Resealing Program	Dept of Infrastructure & Regional Development	Local Roads and Community Infrastructure Program Round 2	01/12/2020 - 30/06/2022	1,383,512.00	25/01/2021	521,301.00
LRCI 2 - Colo St & Range Rd Improvement Program	Dept of Infrastructure & Regional Development	Local Roads and Community Infrastructure Program Round 2	01/12/2020 - 30/06/2022	750,000.00	25/01/2021	300,000.00
FLR - Throsby St Moss Vale Road Renewal	Transport for NSW	Fixing Local Road Round 1	01/09/2020 - 31/08/2020	1,000,000.00	02/09/2020	300,000.00
FLR 2 - Kirkham Street Rehabilitation	Transport for NSW	Fixing Local Road Round 2	01/06/2021 - 31/05/2023	1,275,000.00	03/06/2021	892,500.00
Moss Vale Bypass	Transport for NSW	Special Grant	3 years 2020-2023	3,500,000.00	08/09/2020	2,400,000.00
Bowral Memorial Hall Redevelopment	Dept of Industry, Science, Energy & Resource	Building Better Regions Fund (BBRF)	20/10/2020 - 31/12/2022	2,805,423.00	09/10/2020	847,662.00
Eridge Park Rd Safer Roads Program	Transport for NSW	Stimulus- Safety Works	2 years 2020-2022	3,449,000.00	01/09/2020	601,731.66
Bong Bong Common Masterplan Stage 1B, 2 & 3	Dept of Planning, Industry & Environment NSW	NSW Public Spaces Legacy Program	to complete by 31/12/2022	3,000,000.00	16/08/2021	1,950,000.00
Wombeyan Caves Road Betterment (BLER)	Transport for NSW	Bushfire Local Economic Recovery Fund	to complete by 30/03/2023	1,177,000.00	29/06/2021	759,696.24
Jordans Crossing Off Leash Dog Park	Dept of Industry, Science, Energy & Resource	Black Summer Bushfire Recovery	01/04/2022 - 07/05/2023	150,000.00	03/03/2022	45,000.00
Water Storage Tanks Bullio, Canyonleigh, High Range, Penrose	Dept of Industry, Science, Energy & Resource	Black Summer Bushfire Recovery	01/04/2022 - 31/08/2023	510,000.00	30/03/2022	153,000.00
Casburn Park Wingello Resilience Project	Regional NSW	Bushfire Local Economic Recovery Fund	22/04/2022 - 29/09/2023	2,479,000.00	23/05/2022	867,650.00
Wingello Adventure Park	Dept of Planning, Industry & Environment NSW	2021-22 Open Space Program: Places to Play	01/05/2022 - 31/10/2023	440,000.00	04/05/2022	220,000.00
SZP1 Park Rd Wombat Crossing	Transport for NSW	School Zone Program	to complete by 30/06/2023	150,000.00	18/02/2022	
SZP1 Browley St Wombat Crossing	Transport for NSW	School Zone Program	to complete by 30/06/2023	180,000.00	18/02/2022	
SZP1 Pioneer St Wombat Crossing	Transport for NSW	School Zone Program	to complete by 30/06/2023	180,000.00	18/02/2022	
SZP1 Bundaroo St Wombat Crossing	Transport for NSW	School Zone Program	to complete by 30/06/2023	180,000.00	18/02/2022	
SZP1 Wattle St Wombat Crossing	Transport for NSW	School Zone Program	to complete by 30/06/2023	180,000.00	18/02/2022	
SZP1 Park Rd No2 Wombat Crossing	Transport for NSW	School Zone Program	to complete by 30/06/2023	150,000.00	18/02/2022	
Bowral Station Car Park Design & Preconstruction	Sydney Trains NSW		To be confirmed	40,000.00	04/05/2022	
Loseby Park - Bowral Tennis Courts and Fencing Upgrade	Regional NSW	Stronger Country Communities Fund Round 4	To be confirmed	364,837.00	12/11/2021	
Berrima District Pony Club Clubhouse	Regional NSW	Stronger Country Communities Fund Round 4	To be confirmed	118,557.00	12/11/2021	
Ritchie Park Moss Vale Playspace Upgrade	Regional NSW	Stronger Country Communities Fund Round 4	To be confirmed	118,175.00	28/07/2022	
Wingello Adventure Play	Department of Environment & Planning	Places to Play Program	18 months from project commer	440,000.00	06/05/2022	
Retford Farm Detention Basin	Australian Government - National Recovery and Resilience Agency	National Flood Mitigation Program	To be confirmed	4,612,500.00	01/05/2022	
Ferguson Crescent Bridge Replacement	Transport for NSW	Fixing Country Bridges	To be confirmed	1,800,000.00	Under assessment	
<b>Total Capital Grants</b>						<b>19,769,388.24</b>
<b>TOTAL GRANTS RECEIVED</b>						<b>26,261,042.62</b>

**Note:**

- (1) This register does not include the recurring grants announced by Federal or State Governments, which are Financial Assistance Grant (FAG), Transport for NSW Block Grant, Traffic Route Lighting, Road Safety Officer Programs, Roads to Recovery, Natural Disaster Recovery Funding, Rural Fire Service Bushfire Prevention, Rural Fire Fighting Fund (RFFF), Emergency Service Levy (ESL), LIRS, Library Subsidies and Childcare Subsidies.
- (2) The amount of grant received was cash basis receipts during FY 2021-2022, which do not include any grant income accruals for the year end process.

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Unsuccessful Grants Application FY21/22					
Name of Project	Funding Body	Funding Program	Amount Applied for	Date of Application	Date of Notification
Senior Festival	Department Communities & Justice		\$6,000	Aug-21	Nov-21
2022 NSW Women's Week Grant	Department Communities & Justice		\$5,000	Nov-21	Dec-21
Local Government Social Cohesion Grant	Department Communities & Justice		\$80,000	Apr-22	Jun-22
Black Summer Bushfire Recovery - Walking Trails		Black Summer Bushfire Recovery	\$330,000	Jun-21	Dec-21
Church Road Oval Lighting Upgrade		Greater Cities and Regional Sport Facility Fund	\$652,050	Jun-21	Dec-21
Eridge Park, Burradoo - Rugby Oval Sportsfield Lighting Upgrade		Greater Cities and Regional Sport Facility Fund	\$646,012	Jun-21	Sep-21
Moss Vale Soccer Club - lighting	Regional NSW	Stronger Country Communities Fund - Round 4	\$652,050	Jun-21	Sep-21
Bowral Rugby Club - Lighting Eridge Park	Regional NSW	Stronger Country Communities Fund - Round 4	\$646,012	Jun-21	Sep-21
Refurbishment and upgrade of the Mittagong Playhouse	Create NSW		\$5,400,000	Apr-22	Jul-22
<b>Total</b>			<b>\$8,417,124</b>		



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### **9.3 Bowral Memorial Hall - Status Update**

**Report Author:** Group Manager Capital Projects

**Authoriser:** Director Service and Project Delivery

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#### **PURPOSE**

This report provides an update on the Bowral Memorial Hall project and advise of the funding shortfall resulting from significant latent site conditions and costs associated with the stage re-design variation.

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#### **OFFICER'S RECOMMENDATION**

##### **THAT:**

1. Council note the status of the Bowral Memorial Hall Refurbishment project.
2. Council allocate an additional \$850,000 to fund the Bowral Memorial Hall Refurbishment project variations as outlined in the financial implications of this report.

---

#### **REPORT**

##### **BACKGROUND**

At the Council meeting of 24 February 2021 - MN 34/21 Council resolved to award the Bowral Memorial Hall Refurbishment tender to Belmadar Pty Ltd.

Following contract award Belmadar Pty Ltd established the site and commenced work in May 2021. Once demolition of building internals commenced it became evident that there were hazardous materials in the building that were not identified in the Hazardous Materials Report. The presence of lead dust and asbestos has caused significant impacts to both the program and budget.

At the Council meeting dated 20 May 2021 – MN 136/21 it was resolved that:

1. Council notes the further consultation which has been undertaken with the primary users of the Bowral Memorial Hall.
2. Council notes that the revised stage design deviates from the initial scope for a multi-use facility and will be re-focussed on unamplified music.
3. Council approves the proposed redesign and associated costs resulting from the consultation.

The redesign process has been extensive and was undertaken in parallel with the construction works. This has presented several challenges and thorough understanding of the consequences of the redesign coupled with the construction progression. The magnitude of the design changes required has created considerable impacts on cost and time.

Further latent site conditions have impacted on the ability for the project to meet milestones. Numerous structural deficiencies were discovered during demolition including inadequate existing footing and structural elements including the auditorium floor, foundation, structural walls, piers,

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failing roof sections and structures, and hydrological impacts. Numerous significant engineering solutions were required to resolve these issues, again impacting time and cost.

The Contractor - Belmadar Pty Ltd have demonstrated a committed and proactive approach, working collaboratively with Council throughout all the challenges that were encountered.

**REPORT**

The project is currently progressing well with on-site activities gaining momentum. All major structural construction is now complete, and the project is progressively moving into a fit out and finishes phase. The suspended concrete slab for mechanical services is complete, both lift wells have been constructed and internal framing is nearing completion for finishing linings. It is anticipated that works will be completed, commissioned, and handed over ready for patronage by March 2023. Council and Belmadar Pty Ltd are continuing investigations into expediting the works for an earlier opening.

In respect to the delays encountered the below table demonstrates the approved Extensions of Time (EOT) provided to the contractor:

<b>Reason for Extension of Time</b>	<b>Time (Days)</b>
EOT#1 Lead dust contamination removal	58
EOT#2 Sewer line replacement	10
EOT#3 Asbestos removal	13
EOT#4 Additional demolition of failed areas in foyer	3
EOT#5 Ground floor concrete slab and footings	18
EOT#6 Shoring works for existing/failing structural masonry walls	24
EOT#7 Inclement weather impacting lift 2 construction	14
Pending approval – EOT#8 time associated with additional stage work	24
<b>Total</b>	<b>164</b>

As is demonstrated by the table, extensive delays have impacted the project. Extensions of Time are granted without consideration of costs of delay. In several of the cases above, the delays have been at no fault of the Contractor and have had considerable impact to the Contractor. To apply the principles of collaborative contracting Council has evaluated the cost implications to the Contractor.

The approved budget for this project is allocated as follows:

<b>Budget Allocation</b>	<b>Budget Allocation</b>
Project Management, Design and Enabling Costs	\$942,000
Initial Contract Costs	\$5,295,000
Contingency	\$350,000
Prolongation and Escalation Costs	\$300,000
Remaining Budget	\$688,000
<b>Total</b>	<b>\$7,575,000</b>

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Prior to the proposed variations (outlined below), the forecast project costs were \$6,887,000, approximately \$688,000 under budget.

### **Variations**

As a result of the challenging latent site conditions, variations and changes to scope have been encountered. 21 variations have been approved with another 6 variations currently pending.

The variations are set out below:

<b>Reason for variation</b>	<b>Approximate \$\$</b>
Hazardous material remediation	\$375,000.00
Structural inadequacy and repair	\$328,000.00
General building work variations	\$187,000.00
Pending unapproved structural variations	\$146,000.00
Principal initiated scope changes (Stage redesign)	\$502,000.00
<b>Total</b>	<b>\$1,538,000.00</b>

In consideration of the allocated budget, Council was in a favourable position at the commencement of the project. As demonstrated in the above table, the level of unforeseen latent site conditions and changes to the scope by the Principal have been far beyond any reasonable expectation and cannot be accommodated in the current approved budget. Therefore it is recommended that supplementation to the budget is provided to complete the works as currently scoped.

The largest and most significant variation relates to the stage redesign. Initial advice by consultants did not flag the complexity and compliance matters relating to the functional changes required. Council has undertaken its due diligence and engaged a specialist Quantity Surveyor to validate the submitted variation from Belmadar Pty Ltd. This independent report has validated that the proposal is in line with the scope and current market rates.

Taking into consideration the budget position and the variations listed, the forecast project total is expected to be \$8,425,000 requiring an additional budget of \$850,000 to complete the project. Further details are provided in the financial implications of this report.

---

## **COMMUNICATION AND CONSULTATION**

### **Community Engagement**

Council undertook an expression of interest with the community and stakeholders to provide a “sneak peek” tour of the construction site. Over 30 members of the community took the opportunity on 15 June 2022 to view the inner workings of the project and inspected the work undertaken to date. Response and feedback were positive with the attendees extremely appreciative of the opportunity.

### **Internal Communication and Consultation**

Internal communications continue to be undertaken with Assets, Finance and Governance and the Executive.

**External Communication and Consultation**

External communications continue to be maintained with the funding body and key stakeholders.

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**FINANCIAL IMPLICATIONS**

The approved budget for this project is \$7,575,000 and the budget is proposed to be increased by \$850,000 to fund the variations outlined in this report. The total proposed budget of this project is \$8,425,000. Due to the timing of this report, Council has not yet finalised its 2021/22 financial position. To ensure the project can be delivered within the nominated timeframes and subject to Council finalising its 2021/22 end of financial position, the following is proposed:

- If a favourable working capital position eventuates (as at 30 June 2022), the budget adjustment is funded by any excess working capital above \$5 million.
- If the working capital position does not eventuate, that Council officers review the existing Capital Work program with a view of deferring existing capital works from the 2022/23 financial year to commence in the 2023/24 financial year. The potential deferrals are described below:

Project	Adjustment	Comment
Hood Cook St Stormwater Drainage	-\$798,000	Detailed design phase currently in progress. Construction phase to be deferred from FY22/23 and reprogrammed to FY23/24 as part of preparation of future Operational Plan
Bushland Reserves Walking Tracks Signage Program	-\$52,000	Project budget reduced from \$136,500 to \$84,500 to allow for completion of Bowral Memorial Hall upgrade which is of higher priority
<b>Total</b>	<b>-\$850,000</b>	

If required the proposed changes will be reported at the next Quarterly Budget Review Statement.

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**RELATED COUNCIL POLICY**

Procurement Policy

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**CONCLUSION**

This report provides the status for the Bowral Memorial Hall Refurbishment project in relation to the challenges, issues, cost implications and expected completion. Whilst the extraordinary level of unknown and unforeseen issues has presented Council and its Contractor have ensured that the project is progressing well and through collaboration between parties, the community and stakeholders will have a premier venue that will benefit the community for decades to come.

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With the extensive challenges and latent conditions, Council now has a financial shortfall to complete the construction works. To avoid further delays it is recommended that the proposed funding strategy is approved for the completion of the Bowral Memorial Hall.

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**ATTACHMENTS**

Nil

## **9.4 Draft Feedback and Complaints Management Policy - Post Exhibition Report**

**Report Author:** Corporate Strategy and Governance Officer

**Authoriser:** Director Corporate Strategy and Resourcing

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### **PURPOSE**

The report provides the outcomes from the public exhibition of Council's draft Feedback and Complaints Management Policy.

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### **OFFICER'S RECOMMENDATION**

**THAT Council adopt the Feedback and Complaints Management Policy as placed on public exhibition.**

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### **REPORT**

#### **BACKGROUND**

At the meeting on 15 June 2022, Council endorsed the draft Feedback and Complaints Management Policy (the draft Policy) for public exhibition (MN 2022/122). The scope for the draft Policy was also amended to include the following statement:

Council's Feedback and Complaints Policy forms part of Council's broader complaints management framework which includes:

- Managing Unreasonable Conduct by Complainants Policy
- Code of Conduct and Procedures for the Administration of Code of Conduct
- Public Interest Disclosure Policy
- Council's independent Internal Ombudsman service.

#### **REPORT**

The draft Policy was placed on public exhibition from 20 June 2022 and concluded 19 July 2022. A project page on Council's Your Say Wingecarribee website was created and 3,152 registered members of Your Say Wingecarribee were notified of the public exhibition. The public exhibition was also advertised in Council's weekly electronic Community Update.

No written submissions were received. It is recommended that the draft Policy as placed on public exhibition be adopted.

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### **COMMUNICATION AND CONSULTATION**

#### **Community Engagement**

The draft Policy was placed on public exhibition from 20 June 2022 until 19 July 2022. A total of 3,152 registered members of Your Say Wingecarribee were notified of the public exhibition. The public exhibition was also advertised in Council's weekly electronic Community Update.

**Internal Communication and Consultation**

The revised policy was developed in consultation with Council's Executive and representatives from Council's Corporate and Community Branch.

**External Communication and Consultation**

The revised policy was developed with reference to the NSW Ombudsman's model policy for complaint handling, and comparable policies adopted by other NSW Councils.

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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**

The draft Policy reflects the NSW Ombudsman's model policy for complaint handling.

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**COUNCIL BUDGET IMPLICATIONS**

There are no budget implications as a result of this report.

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**RELATED COUNCIL POLICY**

Draft Managing Unreasonable Conduct by Complainants Policy

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**CONCLUSION**

The draft Policy has been updated to explain the obligations and responsibilities concerning feedback and complaints management, consistent with the NSW Ombudsman's model policy for complaint handling.

The draft Policy was publicly exhibited in accordance with Council resolution MN 2022/122 and no submissions were received. It is recommended that the draft Policy as placed on public exhibition be adopted.

---

**ATTACHMENTS**

1. Draft Feedback and Complaints Management Policy v2 0 [9.4.1 - 10 pages]



## Feedback and Complaints Management Policy

### Leadership

- 1.1 Our Council has the trust of the community and well informed decisions are made to ensure long term sustainability of our Shire**

Document Type	Council Policy
Document Reference No.	[Governance to insert] (example: 2020/001)
Version No.	2.0
Council File Reference	Complaints (CS); Complaints investigation (CS); Compliments (CS)
Adoption Date	[Governance to insert]
Resolution Number	[Governance to insert]
Document Owner	Group Manager Corporate and Community
Responsible Branch	Corporate, Strategy and Development
Responsible Business Unit	Corporate Strategy and Governance
Review Schedule	Two years
Review Date	[Governance to insert]

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## **1. Objectives**

The objective of this Policy is to ensure that Wingecarribee Shire Council (Council) promptly and fairly handles all forms of customer/community and staff feedback to promote customer/community confidence and best practice within Council. Feedback includes compliments, suggestions and complaints. Council's feedback management framework is intended to:

- enable Council to respond to feedback raised by customers/community in an accessible, timely and cost-effective way;
- assist Council's staff members to better manage unreasonable complainant conduct; and
- enhance public confidence in Council's administrative processes;

## **2. Policy Statement**

Council is committed to providing excellent customer service and maintaining a healthy relationship with its customers. Acknowledging and actioning feedback provides an opportunity for Council to support its mission to become a leading, customer-focused organisation delivering outstanding results for the community and to ultimately achieve the aspirations of the community set out in [Council's Community Strategic Plan, Wingecarribee 2031](#).

### **2.1 Facilitating feedback**

#### **Lodgement of feedback**

Council provides various channels for lodgement of feedback with Council.

Feedback can be lodged with Council either:

- via email at [mail@wsc.nsw.gov.au](mailto:mail@wsc.nsw.gov.au);
- over the phone by calling Council's Customer Service Contact Centre on 02 4868 0888;
- in person at Council's Civic Centre, 68 Elizabeth Street Moss Vale NSW 2577;
- online at [wsc.nsw.gov.au](http://wsc.nsw.gov.au); or
- by post addressed to:  
The General Manager  
Wingecarribee Shire Council  
PO Box 141  
Moss Vale NSW 2577

#### **Customer focus**

Council is committed to seeking and receiving customer/stakeholder feedback about Council services, systems, practices and procedures. Any concerns raised in the form of complaints will be dealt with using the service standards set out in Part 2.2 of this Policy and, where appropriate, [Council's Customer Service Charter](#).

People making complaints will be:

- provided with information about Council's complaint handling process;
- provided with multiple accessible ways to make complaints;
- listened to and treated with respect by staff
- be actively involved in the complaint process where possible and appropriate; and
- provided with reasons for Council's decisions and any options for redress or review.



Council will respond to all feedback within agreed service levels, as set out in the Performance Measures section of this Policy and further detailed in Part 2.2 of this Policy

#### **No detriment to complainants**

Council will take all reasonable steps to ensure that people making complaints are not adversely affected because a complaint has been made by them or on their behalf.

#### **Anonymous feedback**

Council will accept anonymous feedback where it raises significant issues and there is enough information to be able to investigate the issues raised.

Persons who lodge anonymous feedback should not expect a response from Council in relation to the feedback if they have not provided appropriate contact details for Council to provide a response.

#### **Accessibility**

Council will ensure that information about how and where feedback may be made to or about Council is readily available and publicly accessible in various formats, such as in hard copy and online. Council will ensure that the systems to manage feedback are easily understood, user friendly accessible to everyone, particularly those who may require additional assistance.

If a person prefers or needs another individual or organisation to assist or represent them in the making and/or resolution of a complaint, Council will communicate with them through their authorised representative upon request. Anyone may represent a person wishing to make a complaint with the consent of the complainant (for example, an advocate, family member, legal or community representative, member of Parliament or another organisation).

#### **No charge**

Lodging feedback with Council is free of charge. Any fees and charges that may arise will be instances permitted by legislation and/or in accordance with Council's Fees and Charges Policy.

#### **Privacy and access to information**

Council shall not collect, use, disclose or otherwise deal with personal information except as permitted by the *Privacy and Personal Information Protection Act 1998*, the Privacy Code of Practice for Local Government, Council's Privacy Management Plan and any other applicable law. This includes personal information provided to Council by a member of the public in the course of lodging feedback.

Information contained in a record that is held by Council is **government information** for the purposes of the *Government Information (Public Access) Act 2009* (GIPA Act). This includes both records created by Council and records provided to Council by third parties (including members of the public). Other persons may therefore be entitled to seek access to information relating to feedback held by Council under the GIPA Act. Any application or request lodged with Council under the GIPA Act shall be handled in accordance with that Act.

## **2.2 Responding to complaints**

### **Early resolution**

Where possible, complaints will be resolved at first contact with Council. Where it is not possible to resolve a complaint at first contact, Council will endeavour to resolve the complaint in accordance with the following service standards:



- Where a complaint is not resolved at first contact, a complaint will be acknowledged in writing within 5 business days (provided it is not anonymous and there are sufficient contact details);
- A response to a complaint will be provided within 20 business days of Council receiving the complaint;
- Escalation of a complaint or a request for internal review of the outcome of the original complaint will be acknowledged within 5 business days;
- A response to a request for internal review or escalation of the original complaint will be provided within 20 business days of Council receiving the request for internal review or date of escalation.

If these timeframes cannot be met, Council will provide the complainant with an update on progress of the complaint or internal review and the reason for the delay;

#### **Objectivity, fairness and conflicts of interest**

Council will address complaints with integrity and in an equitable, objective and unbiased manner.

Where a complaint relates to the conduct of, or a service provided by, a particular member of Council staff, Council will ensure (as far as reasonably practicable) that the member of Council staff whose conduct or service is the subject of the complaint does not handle the complaint. If the complaint is ambiguous or unclear as to the member of Council staff's identity, Council shall take reasonable steps to ensure that either:

- (a) the member of Council staff is identified; or
- (b) that any members of Council staff who could reasonably be expected to be the subject of the complaint do not handle the complaint.

In particular, internal reviews of complaints will be conducted by a person other than the original decision-maker.

Conflicts of interest, whether actual, potential or perceived, will be managed in accordance with Council's Code of Conduct and any other applicable policies, General Manager practice notes and procedures.

### **2.3 Accountability and learning**

#### **Analysis and evaluation of feedback**

Council will ensure that feedback is recorded so that information can easily be retrieved for reporting and analysis. For this purpose, a Compliments and Complaints Register shall be kept and maintained by Council's Corporate Strategy and Governance team.

#### **Monitoring of the feedback management framework**

Council will continually monitor the feedback management framework to ensure its effectiveness in responding to and resolving complaints, and to identify and correct deficiencies in the operation of the framework.

#### **Continuous improvement**

Council is committed to improving its feedback management framework. To this end, Council will:

- support the lodgement of feedback and appropriate resolution of complaints;
- implement best practices in feedback handling;
- recognise and reward exemplary performance by Council staff;
- regularly review its feedback management framework and relevant statistical data; and
- implement appropriate feedback management framework changes arising out of the analysis of statistical data; and



- continually monitor the implementation of the framework.

### **3. Scope**

This Policy applies to all Councillors and Council Officers, and relates to the management of compliments, suggestions or complaints made to or about the Council regarding our services, staff and complaint handling. This Policy applies only to feedback and complaints within the meaning provided by this Policy.

When dealing with feedback, Council shall consider whether the feedback relates to a function that Council is lawfully able to exercise or, more generally, whether the subject matter of the feedback falls within an area of Council's responsibility.

Council shall not deal with any feedback which relates to subject matter that Council is not lawfully authorised to deal with or that otherwise falls outside Council's area of responsibility.

Council's Feedback and Complaints Policy forms part of Council's broader complaints management framework which includes:

- Managing Unreasonable Conduct by Complainants Policy
- Code of Conduct and Procedures for the Administration of Code of Conduct
- Public Interest Disclosure Policy
- Council's independent Internal Ombudsman service.

### **4. Responsibilities**

Responsibilities for the implementation of this Policy are shared as follows.

#### **4.1 Councillors**

Councillors shall:

- comply with this Policy, related procedures and relevant legislation; and
- lead the community in their understanding of this Policy, related procedures and relevant legislation; and
- review regular reports on the nature and themes of feedback to consider in their decision making.

#### **4.2 Executive**

The Executive shall promote a culture that values all feedback provided to Council and, where required, ensure the effective resolution of complaints. The Executive shall do so by:

- leading staff in their understanding of this Policy, related procedures and relevant legislation;
- publicly reporting on Council's handling of compliments and complaints;
- reviewing reports on compliment and complaint handling on a quarterly basis, including trends and issues arising in relation to compliment and complaint handling;
- ensuring decisions to alter or restrict a complainant's access to Council's services are made by a Director, subject to a complainant's right of appeal to the General Manager; and
- supporting recommendations for service, staff and feedback handling improvements arising from an analysis of key data relating to compliment and complaint handling.

#### **4.3 Group Manager Corporate and Community**

The Manager Governance and Corporate Performance shall:



- provide guidance to Councillors, Executive and other Council staff as to the content and implementation of this Policy;
- ensure the timely review of this Policy; and
- investigate alleged non-compliance with this Policy.

#### **4.3 Managers**

Managers shall:

- provide guidance to Council staff within their respective branches as to the content and implementation of this Policy, seeking guidance from the policy owner as required;
- provide adequate support and direction to members of Council staff who are responsible for handling feedback;
- encourage members of Council staff to be alert to feedback and assist those who are responsible for handling feedback to take appropriate action;
- ensure that feedback is dealt with in a timely manner and in accordance the service standards set out in this Policy;
- encourage members of Council staff to make recommendations for improvements to Council's feedback management framework; and
- recognise and reward good feedback handling by members of Council staff or take appropriate action in response to poor feedback handling.

#### **4.4 Coordinator Customer Service**

The Coordinator Customer Service shall, in consultation with the Corporate Strategy and Governance team and in addition to their general obligations as Council staff:

- remain informed about best practice in feedback handling based on guidance from the NSW Ombudsman and other relevant bodies;
- train and empower members of Council staff to competently handle feedback in accordance with relevant Council policies, General Manager practice notes and procedures.

#### **4.5 Corporate Strategy and Governance**

The Corporate Strategy and Governance team shall, in addition to their general obligations as Council staff:

- keep and maintain a Compliments and Complaints Register;
- provide quarterly reports on compliment and complaint handling to the General Manager including statistical information and any issues arising out of compliment and complaint handling activities;
- ensure that compliment and complaint recommendations arising out of data analysis are canvassed with the General Manager and implemented where appropriate;
- promote the transparency of Council's feedback management framework by ensuring that information regarding this framework is readily accessible to members of the public; and
- provide guidance to members of Council staff in relation to their obligations under this Policy and related procedures.

#### **4.6 Council staff**

Council staff shall:

- comply with this Policy, related procedures and relevant legislation;
- assist members of the public who wish to lodge feedback with the Council;





- manage feedback in accordance with this Policy, related procedures and relevant legislation; and
- make suggestions or recommendations for improvements to Council's feedback management framework and Council's services.

## **5. Performance Measures**

The success of this Policy will be measured by:

- the number of compliments and complaints that are addressed within the timeframes set out by this Policy;
- the number of complaints escalated to external review; and
- reporting of feedback is actively considered in Executive and Council decision making

## **6. Definitions**

In this Policy:

<b>complaint</b>	<p>an expression of dissatisfaction made to or about Council, Council's services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required.</p> <p>For the purposes of this Policy and related procedures, a complaint does not include:</p> <ul style="list-style-type: none"><li>○ Code of Conduct complaints;</li><li>○ public interest disclosures made by Council staff;</li><li>○ reports of problems or wrongdoing merely intended to bring a problem to Council's attention with no expectation of a response;</li><li>○ requests for information, whether a general enquiry or a request or application for access to government information under the <i>Government Information (Public Access) Act 2009</i>;</li><li>○ responses to requests for feedback about the standard of Council's service provision, such as Council's Community Satisfaction Surveys;</li><li>○ submissions on development applications, public exhibition items or other matters for which Council invites submissions from members of the public;</li><li>○ service requests; and</li><li>○ grievances.</li></ul> <p>Any of the above should be handled in accordance with any relevant legislation or other Council policy, General Manager practice note, procedure or standard operational practice as applicable, but should not be handled in accordance with this Policy or related procedures.</p>
<b>compliment</b>	<p>an expression of praise or regard for service received or performance delivered by Council or its staff, excluding a routine expression of thanks.</p>
<b>feedback</b>	<p>compliments, suggestions and complaints.</p>
<b>feedback management framework</b>	<p>includes all policies, procedures, practices, staff, hardware and software used by Council in the management of feedback.</p>



<b>grievance</b>	any work-related disagreement, complaint or matter which someone thinks is unfair or unjustified and which is causing that person concern or distress.
<b>public interest disclosure</b>	a disclosure satisfying the applicable requirements of Part 2 of the <i>Public Interest Disclosures Act 1994</i> .
<b>service request</b>	any request for Council to perform a service, including: <ul style="list-style-type: none"><li>○ requests for approvals;</li><li>○ requests for action (including but not limited to requests to maintain Council assets);</li><li>○ enquiries about Council's business or scope of activities;</li><li>○ requests for the provision of services and assistance;</li><li>○ requests that Council exercise any function it is authorised to exercise under the <i>Local Government Act 1993</i> or any other law (including reports alleging a failure to comply with any law regulated by Council); and</li><li>○ requests for explanations of policies, procedures and decisions.</li></ul>
<b>unreasonable complainant conduct</b>	any behaviour by a complainant which, because of its nature or frequency, raises substantial health, safety, resource or equity issues for the people involved in the complaint process. <sup>1</sup>

## **7. Related Material**

### **7.1 Related Legislation**

The following legislative materials are related to this Policy:

- *Government Information (Public Access) Act 2009*;
- *Local Government Act 1993*;
- *Privacy and Personal Information Protection Act 1998*; and
- *Work Health and Safety Act 2011*

### **7.2 Related Documents**

The following documents are related to this Policy:

- Code of Conduct;
- Customer Service Charter;
- Feedback and Complaints Management Procedure;
- Customer Service Strategy 2016-2020;
- NSW Ombudsman Complaint Handling Model Policy;
- NSW Ombudsman Complaint Management Framework;
- NSW Ombudsman Effective Complaint Handling Guidelines;
- NSW Ombudsman Managing Unreasonable Conduct by a Complainant: A Manual for Frontline Staff, Supervisors and Senior Managers;
- Privacy Code of Practice for Local Government;

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<sup>1</sup> NSW Ombudsman, *Managing unreasonable conduct by a complainant: A manual for frontline staff, supervisors and senior managers*, 2020, p. 5.

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- Privacy Management Plan; and
- Procedures for the Administration of the Code of Conduct.

## 8. Non-compliance with this Policy

Non-compliance with this Policy should be reported to the Group Manager Corporate and Community who will investigate and determine the appropriate course of action.

## 9. Document Control

### 9.1 Version Control

Version	Adoption Date	Notes
1.0	09 May 2007	Initial adoption of document
1.8	31 January 2014	[describe amendments/changes from previous version]
2.0 (this version)	[insert date on which version was adopted]	[describe amendments/changes from previous version]

## 10. Attachments

There are no attachments to this Policy.

Approved by:

WINGECARRIBEE SHIRE COUNCIL

[Governance to insert adoption date]

## **9.5 Draft Managing Unreasonable Conduct by Complainants Policy - Post Exhibition Report**

**Report Author:** Corporate Strategy and Governance Officer

**Authoriser:** Director Corporate Strategy and Resourcing

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### **PURPOSE**

The report provides the outcomes from the public exhibition of Council's draft Managing Unreasonable Conduct by Complainants Policy.

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### **OFFICER'S RECOMMENDATION**

**THAT Council adopt the Managing Unreasonable Conduct by Complainants Policy as placed on public exhibition.**

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### **REPORT**

#### **BACKGROUND**

At the meeting on 15 June 2022, Council endorsed the draft Managing Unreasonable Conduct by Complainants Policy (the draft Policy) for public exhibition (MN 2022/123).

#### **REPORT**

The draft Policy was placed on public exhibition from 20 June 2022 and concluded 19 July 2022. A project page on Council's Your Say Wingecarribee website was created and 3,152 registered members of Your Say Wingecarribee were notified of the public exhibition. The public exhibition was also advertised in Council's weekly electronic Community Update.

One written submission was received. This submission is summarised in Table 1 below, together with a response from Council officers.

Table 1: Summary of Submissions

Item No.	Feedback	Council Response
1	Submission stated that "I applaud this updated Policy as it very clearly states what is unreasonable behaviour and how it can be addressed by Council. It is not a simple matter for staff to report unreasonable conduct, especially when it comes from a person of power, ie a councillor or "well connected" community member who lobbies other organisations to also harass Council. There are MANY examples from the Station Street Upgrade project you could use in staff training. Those individuals thought Council was being unreasonable, not them!"	The submission is noted.

It is recommended that the draft Policy as placed on public exhibition be adopted.

---

## **COMMUNICATION AND CONSULTATION**

### **Community Engagement**

The draft Policy was placed on public exhibition from 20 June 2022 until 19 July 2022. A total of 3,152 registered members of Your Say Wingecarribee were notified of the public exhibition. The public exhibition was also advertised in Council's weekly electronic Community Update.

### **Internal Communication and Consultation**

The draft Policy was developed in consultation with Council's Executive and representatives from Council's Corporate and Community Branch.

### **External Communication and Consultation**

The draft Policy was developed with reference to the NSW Ombudsman's model policy for managing unreasonable conduct by complainants.

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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**

The draft Policy incorporates all sections of the NSW Ombudsman's model policy.

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## **COUNCIL BUDGET IMPLICATIONS**

There are no budget implications as a result of this report.

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## **RELATED COUNCIL POLICY**

Draft Feedback and Complaints Management Policy

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## **CONCLUSION**

The draft Managing Unreasonable Conduct by Complainants Policy was developed to assist all staff members to better manage unreasonable conduct by complainants.

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The draft Policy was publicly exhibited in accordance with Council resolution 2022/123 and one written submission was received. It is recommended that the draft Policy as placed on public exhibition be adopted.

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**ATTACHMENTS**

1. Draft Managing Unreasonable Conduct by a Complainant Policy v 1.0 [9.5.1 - 20 pages]

# Managing Unreasonable Conduct by Complainants Policy

## Leadership

- 1.1 Our Council has the trust of the community and well informed decisions are made to ensure long term sustainability of our Shire**

Document Type	Council Policy
Document Reference No.	[Governance to insert] (example: 2020/001)
Version No.	1.0
Council File Reference	Complaints (CS); Complaints investigation (CS); Compliments (CS)
Adoption Date	[Governance to insert]
Resolution Number	[Governance to insert]
Document Owner	Group Manager Corporate and Community
Responsible Branch	Corporate, Strategy and Development
Responsible Business Unit	Corporate Strategy and Governance
Review Schedule	Two years
Review Date	[Governance to insert]

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## **1. Introduction**

Wingecarribee Shire Council (Council) is committed to being accessible and responsive to all complainants who approach our office regardless of ethnic identity, national origin, religion, linguistic background, sex, gender expression, sexual orientation, physical ability or other cultural or personal factors. At the same time, the success of our office depends on:

- our ability to do our work in the most effective and efficient ways possible
- the health, safety, and security of our staff
- our ability to allocate our resources fairly across all the complaints we receive.

When complainants behave unreasonably, their conduct can significantly affect the successful conduct of our work. Council will act proactively and decisively to manage any complainant conduct that negatively and unreasonably affects us and will support our staff to do the same in accordance with this policy.

## **2. Objectives**

This policy was developed to assist all Council staff members to better manage unreasonable conduct by complainants (UCC). It aims to help staff:

- feel confident and supported in taking action to manage UCC
- act fairly, consistently, honestly, and appropriately when responding to UCC
- understand their roles and responsibilities in relation to the management of UCC, and how this policy will be used
- understand the types of circumstances when it may be appropriate to manage UCC using one or more of the following mechanisms:
  - the strategies provided in the 'Managing unreasonable conduct by a complainant manual' (3rd edition) including the strategies to change or restrict a complainant's access to our services
  - alternative dispute resolution strategies to deal with conflicts involving complainants and members of our organisation
  - legal instruments such as trespass laws or other legislation to prevent a complainant from coming onto our premises, and orders to protect specific staff members from any actual or apprehended personal violence, intimidation, or stalking
- understand the criteria we will consider before we decide to change or restrict a complainant's access to our services
- be aware of the processes that will be followed to record and report UCC incidents, and the procedures for consulting and notifying complainants about any proposed action or decision to change or restrict their access to our services
- understand the procedures for reviewing decisions made under this policy, including specific timeframes for review.

## **3. Policy Statement**

### **3.1 Unreasonable conduct by complainants**

Most complainants act reasonably and responsibly in their interactions with us, even when they are experiencing high levels of distress, frustration, and anger about their complaint. However, despite our best efforts to help them, in a very small number of cases complainants display inappropriate and unacceptable behaviour. They



can be aggressive and verbally abusive towards our staff, threaten harm and violence or bombard our offices with unnecessary and excessive phone calls and emails. They may make inappropriate demands on our time and resources or refuse to accept our decisions and recommendations in relation to their complaints. When complainants behave in these ways (and where there are no cultural factors that could reasonably explain their behaviour) we consider their conduct to be 'unreasonable'.

In short, unreasonable conduct by a complainant is any behaviour by a current or former complainant which, because of its nature or frequency raises substantial health, safety, resource or equity issues for our organisation, our staff, other service users and complainants or the complainant themselves.

UCC can be divided into 5 categories of conduct:

- unreasonable persistence
- unreasonable demands
- unreasonable lack of cooperation
- unreasonable arguments
- unreasonable behaviours.

#### **3.1.1. Unreasonable persistence**

Unreasonable persistence is continued, incessant and unrelenting conduct by a complainant that has a disproportionate and unreasonable impact on our organisation, staff, services, time, or resources. Some examples of unreasonably persistent behaviour include:

- An unwillingness or inability to accept reasonable and logical explanations, including final decisions that have been comprehensively considered and dealt with (even when it is evident the complainant does understand the information provided).
- Persistently demanding a review simply because it is available, and without arguing or presenting a case for one.
- Pursuing and exhausting all available review options, even after we have explained that a review is not warranted – and refusing to accept that we cannot or will not take further action on their complaint.
- Reframing a complaint in an effort to get it taken up again.
- Multiple and repeated phone calls, visits, letters, emails (including cc'd correspondence) after we have repeatedly asked them not to.
- Contacting different people within or outside our organisation to get a different outcome or a more sympathetic response to their complaint – this is known as internal and external 'forum shopping'.

#### **3.1.2. Unreasonable demands**

Unreasonable demands are any demands expressly made by a complainant that have a disproportionate and unreasonable impact on our organisation, staff, services, time, or resources. Some examples of unreasonable demands include:

- Issuing instructions and making demands about how to handle their complaint, the priority it should be given, or the outcome to be achieved.
- Insisting on talking to a senior manager or the General Manager personally when the reasons that this is not appropriate or warranted have been carefully explained to the complainant.
- Emotional blackmail and manipulation resulting in intimidation, harassment, shaming, seduction or portraying themselves as being victimised when this is not the case.
- Insisting on outcomes that are not possible or appropriate in the circumstances, for example asking for



someone to be fired or prosecuted, or for an apology or compensation when there is no reasonable basis for this.

- Demanding services of a nature or scale that we cannot provide, even after we have explained this to them repeatedly.

### **3.1.3. Unreasonable lack of cooperation**

Unreasonable lack of cooperation is when a complainant is unwilling or unable to cooperate with us, our staff, or our complaints process – resulting in a disproportionate and unreasonable use of our services, time, or resources. Some examples of unreasonable lack of cooperation include:

- Sending us a constant stream of complex or disorganised information without clearly defining the issue at hand or explaining how the material provided relates to their complaint (where the complainant is clearly capable of doing this).
- Providing little or no detail around their complaint or providing information in ‘drips and drabs’.
- Refusing to follow or accept our instructions, suggestions, or advice without a clear or justifiable reason for doing so.
- Arguing that a particular solution is the correct one in the face of valid contrary arguments and explanations.
- Unhelpful behaviour such as withholding information, acting dishonestly and misquoting others.

### **3.1.4. Unreasonable arguments**

Unreasonable arguments include any arguments that are not based on any reason or logic, that are incomprehensible, false, or inflammatory, trivial, or delirious, and that disproportionately and unreasonably impact upon our organisation, staff, services, time, or resources. Arguments are unreasonable when they:

- fail to follow a logical sequence that the complainant is able to explain to staff
- are not supported by any evidence or are based on conspiracy theories.
- lead a complainant to reject all other valid and contrary arguments
- are trivial when compared to the amount of time, resources, and attention that the complainant demands
- are false, inflammatory, or defamatory.

### **3.1.5. Unreasonable behaviour**

Unreasonable behaviour is conduct that is unreasonable in all circumstances (regardless of how stressed, angry, or frustrated a complainant is) because it unreasonably compromises the health, safety and security of our staff, other service users or the complainant themselves. Some examples of unreasonable behaviours include:

- acts of aggression, verbal abuse, derogatory, racist, or grossly defamatory remarks
- harassment, intimidation, or physical violence
- rude, confronting, or threatening correspondence
- threats of harm to self or third parties, threats with a weapon or threats to damage property, including bomb threats
- stalking in person or online
- emotional manipulation.

All staff should note that Council has a zero-tolerance policy towards any harm, abuse or threats directed towards them. Any conduct of this kind will be dealt with under this policy, other relevant Council policies and in accordance with our duty of care and work health and safety responsibilities.



### **3.2 Responding to and managing UCC**

#### **3.2.1. Changing or restricting a complainant's access to our services**

UCC incidents will generally be managed by limiting or adapting the ways we interact with or deliver services to complainants by restricting:

- **Who they have contact with** – limiting a complainant to a sole contact person or staff member in our organisation.
- **What they can raise with us** – restricting the subject matter of communications that we will consider and respond to.
- **When they can have contact** – limiting a complainant's contact with our organisation to a particular time, day, or length of time, or curbing the frequency of their contact with us.
- **Where they can make contact** – limiting the locations where we will conduct face-to-face interviews to secured facilities or areas of the office.
- **How they can make contact** – limiting or modifying the forms of contact that the complainant can have with us. This can include modifying or limiting face-to-face interviews, telephone, and written communications, prohibiting access to our premises, contact through a representative only, taking no further action or terminating provision of services altogether.

When using the restrictions provided in this section, we recognise that discretion will need to be used to adapt them to suit a complainant's personal circumstances such as level of competency, literacy skills, and cultural background. In this regard, we also recognise that more than one strategy may be needed in individual cases to ensure their appropriateness and efficacy.

#### **3.2.2. Who: limiting the complainant to a sole contact point**

Where a complainant tries to forum-shop within our organisation, changes their issues of complaint repeatedly, constantly reframes their complaint, or raises an excessive number of complaints, it may be appropriate to restrict their access to a single staff member (a sole contact point) who will manage their complaint(s) and interaction with our office. This may help ensure they are dealt with consistently and may minimise the incidence of misunderstandings, contradictions, and manipulation.

To avoid staff 'burnout', the sole contact officer's supervisor will provide them with regular support and guidance as needed. The Group Manager Corporate and Community will also review the arrangement every 6 months to ensure that the officer is managing/coping with the arrangement.

Complainants who are restricted to a sole contact person will, however, be given the contact details of one additional staff member who they can contact if their primary contact is unavailable – for example if they go on leave or are otherwise unavailable for an extended period of time.

#### **3.2.3. What: restricting the subject matter of communications that we will consider**

Where complainants repeatedly send letters, emails, or online forms that raise trivial or insignificant issues, contain inappropriate or abusive content, or relate to an issue that has already been comprehensively considered or reviewed (at least once) by our office, we may restrict the issues the complainant can raise with us. For example, we may:

- Refuse to respond to correspondence that raises an issue that has already been dealt with, that raises a trivial issue, or is not supported by evidence. The complainant will be advised that future correspondence of this kind will be read and filed without acknowledgement unless we decide that we need to pursue it further – in which case, we may do so on our 'own motion'.



- Restrict the complainant to one complaint or issue per month. Any attempts to circumvent this restriction (for example by raising multiple complaints or issues in the one letter) may result in modifications or further restrictions being placed on their access.
- Return the correspondence to the complainant and require them to remove any inappropriate content before we agree to consider its contents. We will also keep a copy of the inappropriate correspondence for our records to help identify repeat UCC incidents.

### **3.2.4. When and how: limiting when and how a complainant can contact us**

If a complainant's contact with our organisation places an unreasonable demand on our time or resources, or affects the health, safety, and security of our staff because it involves behaviour that is persistently rude, threatening, abusive or aggressive, we may limit when or how the complainant can interact with us. This may include:

- Limiting their telephone calls or face-to-face interviews to a particular time of the day or days of the week.
- Limiting the length or duration of telephone calls, written correspondence, or face-to-face interviews. For example:
  - Telephone calls may be limited to 10 minutes at a time and will be politely terminated at the end of that time period.
  - Lengthy written communications may be restricted to a maximum of 15 typed or written pages, single sided, font size 12 or it will be sent back to the complainant to be organised and summarised – This option is only appropriate in cases where the complainant is capable of summarising the information and refuses to do so.
  - Limiting face-to-face interviews to a maximum of 45 minutes.
- Limiting the frequency of their telephone calls, written correspondence, or face-to-face interviews. Depending on the natures of the service(s) provided we may limit:
  - Telephone calls to 1 every 2 weeks/month.
  - Written communications to 1 every 2 weeks/month.
  - Face-to-face interviews to 1 every 2 weeks/month.

For irrelevant, overly lengthy, disorganised or very frequent written correspondence we may also:

- Require the complainant to clearly identify how the information or supporting materials they have sent to us relate to the central issues that we have identified in their complaint.
- Restrict the frequency with which complainants can send emails or other written communications to our office.
- Restrict a complainant to sending emails to a particular email account (e.g., the organisation's main email account) or block their email access altogether and require that any further correspondence be sent through Australia Post only.

### **'Writing only' restrictions**

When a complainant is restricted to 'writing only' they may be restricted to written communications through:

- Australia Post only
- Email only to a specific staff email or our general office email account
- Fax only to a specific fax number
- Some other relevant form of written contact, where applicable.





If a complainant's contact is restricted to writing only, the Group Manager Corporate and Community will clearly identify the specific means that the complainant can use to contact our office (e.g., Australia Post only). If it is not appropriate for a complainant to enter our premises to hand deliver their written communication this must be communicated to them as well.

Any communications received by our office in a manner that contravenes a 'writing only' restriction will either be returned to the complainant or read and filed without acknowledgement.

### **3.2.5. Where: limiting face-to-face interviews to secure areas**

If a complainant is violent or overtly aggressive, unreasonably disruptive, threatening or demanding or makes frequent unannounced visits to our premises, we may consider restricting our face-to-face contact with them.

These restrictions can include:

- Restricting access to particular secured premises or areas of the office such as the reception area or a secured room or facility.
- Restricting their ability to attend our premises to specified times of the day or days of the week only – for example, when additional security is available or to times or days that are less busy.
- Allowing them to attend our office on an 'appointment only' basis, and only with specified staff (for these meetings, staff should enlist the support and assistance of a colleague for added safety and security.)
- Banning the complainant from attending our premises altogether and allowing some other form of contact, e.g., 'writing only' or 'telephone only' contact.

### **Contact through a representative only**

In cases where we cannot completely restrict our contact with a complainant and their conduct is particularly difficult to manage, we may require them to contact us through a support person or representative only. The support person may be someone nominated by the complainant, but they must be approved by the Group Manager Corporate and Community.

When assessing a representative or support person's suitability, the Group Manager Corporate and Community should consider factors such as their level of competency and literacy skills, demeanour and behaviour, and relationship with the complainant. If the Group Manager Corporate and Community determines that the representative or support person may exacerbate the situation with the complainant, the complainant will be asked to nominate another person and we may assist them in this regard.

### **3.2.6. Completely terminating a complainant's access to our services**

In rare cases, and as a last resort when all other strategies have been considered, the Group Manager Corporate and Community and the General Manager may decide that it is necessary for our organisation to completely restrict a complainant's contact or access to our services.

A decision to have no further contact with a complainant will only be made if it appears that the complainant is unlikely to modify their conduct, or their conduct poses a significant risk for our staff or other parties because it involves one or more of the following:

- Acts of aggression, verbal or physical abuse, threats of harm, harassment, intimidation, stalking, assault.
- Damage to property while on our premises.
- Threats with a weapon or common office items that can be used to harm another person or themselves.
- Physically preventing a staff member from moving around freely either within their office or during an



- off-site visit – e.g., entrapping them in their home.
- Conduct that is otherwise unlawful.

In these cases, the complainant will be sent a letter notifying them that their access has been restricted as outlined in section 3.4.4 below.

A complainant's access to our services and our premises may also be restricted (directly or indirectly) using legal mechanisms like trespass laws and other legislation or legal orders to protect members of our staff from personal violence, intimidation or stalking by a complainant.

### **3.3 Alternative Dispute Resolution**

If the Group Manager Corporate and Community and the General Manager determine that we cannot terminate our services to a complainant in a particular case or that we or our staff bear some responsibility for causing or exacerbating their conduct, they may consider using alternative dispute resolution strategies (ADRs) such as mediation and conciliation to resolve the conflict with the complainant and attempt to rebuild our relationship with them. If an ADR is considered to be an appropriate option in a particular case, it will be conducted by an independent third party to ensure transparency and impartiality.

However, we recognise that in UCC situations an ADR may not be an appropriate or effective strategy – particularly if the complainant is uncooperative or resistant to compromise. Therefore, each case will be assessed on its own facts to determine the appropriateness of this approach.

### **3.4 Procedure to be followed when changing or restricting a complainant's access to our services**

#### **3.4.1. Consulting with relevant staff**

When the Group Manager Corporate and Community receives a UCC incident form from a staff member, they will contact the staff member to discuss the incident. They will discuss:

- The circumstances that gave rise to the UCC incident, including the complainant's situation, personal and cultural background, and perspective.
- The impact of the complainant's conduct on our organisation, relevant staff, our time, resources etc.
- The complainant's response to the staff member's warnings or requests to stop the unreasonable behaviour.
- What the staff member has done to manage the complainant's conduct (if applicable).
- Any suggestions made by relevant staff on ways that the situation could be managed.

#### **3.4.2. Criteria to be considered**

Following a consultation with relevant staff the Group Manager Corporate and Community will search Council's electronic documents and records management system for information about the complainant's prior conduct and history with our organisation. They will also consider the following criteria:

- Whether the conduct in question involved overt anger, aggression, violence, or assault (which is unacceptable in all circumstances).
- Whether the complainant's case has merit.
- The likelihood that the complainant will modify their unreasonable conduct if they are given a formal warning about their conduct.
- Whether changing or restricting access to our services will be effective in managing the complainant's behaviour.



- Whether changing or restricting access to our services will affect the complainant's ability to meet their obligations, such as reporting obligations.
- Whether changing or restricting access to our services will have an undue impact on the complainant's welfare, livelihood, or dependents etc.
- Whether the complainant's personal circumstances have contributed to the behaviour – For example, the complainant's cultural background may mean their communication patterns differ from those of our staff or our organisation's standards, or the complainant is a vulnerable person who is under significant stress as a result of one or more of the following:
  - homelessness
  - physical disability
  - illiteracy or other language or communication barrier
  - mental or other illness
  - personal crises
  - substance or alcohol abuse.
- Whether the complainant's response or conduct was moderately disproportionate, grossly disproportionate, or not at all disproportionate in the circumstances.
- Whether there are any statutory provisions that would limit the types of limitations that can be applied to the complainant's contact with, or access to our services.

Once the Group Manager Corporate and Community has considered these criteria, they will decide on the appropriate course of action. They may suggest formal or informal options for dealing with the complainant's conduct which may include one or more of the strategies provided in the manual and this policy.

#### **3.4.3. Providing a warning letter**

Unless a complainant's conduct poses a substantial risk to the health and safety of staff or other third parties, the Group Manager Corporate and Community will provide them with a written warning about their conduct in the first instance. If the complainant is unable to read the letter, it will be followed/accompanied by a telephone call, using an interpreter if necessary.

The warning letter will:

- Specify the date, time, and location of the UCC incident(s).
- Explain why the complainant's conduct/UCC incident is problematic.
- List the types of access changes and/or restrictions that may be imposed if the behaviour continues. (Note: not every possible restriction should be listed but only those that are most relevant).
- Provide clear and full reasons for the warning being given
- Include an attachment of the organisation's ground rules and/or briefly state the standard of behaviour that is expected of the complainant. See **Attachment 1** - Individual rights and mutual responsibilities of parties to a complaint.
- Provide the name and contact details of the staff member who they can contact about the letter.
- Be signed by the Group Manager Corporate and Community.

#### **3.4.4. Providing a notification letter**

If a complainant's conduct continues after they have been given a written warning or in extreme cases of overt aggression, violence, assault, or other unlawful/unacceptable conduct, the Group Manager Corporate and Community has the discretion to send a notification letter immediately restricting the complainant's access to our services (without prior or further written warning). If the complainant is unable to read the letter (due to



literacy issues, non-English speaking, etc.) the letter will be followed or accompanied by a telephone call, using an interpreter if necessary.

This notification letter will:

- Specify the date, time, and location of the UCC incident(s).
- Explain why the complainant's conduct is problematic.
- Identify the change and/or restriction that will be imposed and what it means for the complainant.
- Provide clear and full reasons for this restriction.
- Specify the duration of the change or restriction imposed, which will not exceed 12 months.
- Indicate a time period for review.
- Provide the name and contact details of the senior officer who they can contact about the letter and/or request a review of the decision.
- Be signed by the Group Manager Corporate and Community.

#### **3.4.5. Notifying relevant staff about access changes/restrictions**

The Group Manager Corporate and Community will notify relevant staff about any decisions to change or restrict a complainant's access to our services, in particular reception and security staff in cases where a complainant is prohibited from entering our premises.

The Group Manager Corporate and Community will also update Council's electronic documents and records management system with a record outlining the nature of the restriction imposed and its duration.

#### **3.4.6. Continued monitoring/oversight responsibilities**

Once a complainant has been issued with a warning letter or notification letter the Group Manager Corporate and Community will review the complainant's record/restriction every 3 months, on request by a staff member, or following any further incidents of UCC that involve the particular complainant to ensure that they are complying with the restrictions/the arrangement is working.

If the Group Manager Corporate and Community determines that the restrictions have been ineffective in managing the complainant's conduct or are otherwise inappropriate they may decide to either modify the restrictions, impose further restrictions, or terminate the complainant's access to our services altogether.

### **3.5 Appealing a decision to change or restrict access to our services**

People who have their access changed or restricted are entitled to one appeal of a decision to change or restrict their access to our services. This review will be undertaken by a senior staff member who was not involved in the original decision to change or restrict the complainant's access. This staff member will consider the complainant's arguments and personal circumstances, including cultural background, along with all relevant records regarding the complainant's past conduct. They will advise the complainant of the outcome of their appeal by letter, which must be signed off by the General Manager. The staff member will then refer any materials or records relating to the appeal to the Group Manager Corporate and Community to be kept in the appropriate file.

If a complainant is still dissatisfied after the appeal process, they may seek an external review from an oversight agency such as the Ombudsman. The Ombudsman may accept the review (in accordance with its administrative jurisdiction) to ensure that we have acted fairly, reasonably, and consistently and have observed the principles of good administrative practice, including procedural fairness.



### **3.6 Non-compliance with a change or restriction on access to our services**

All staff members are responsible for recording and reporting incidents of non-compliance by complainants. This should be recorded in a file note in Council's electronic and records management system and a copy forwarded to the Group Manager Corporate and Community who will decide whether any action needs to be taken to modify or further restrict the complainant's access to our services.

### **3.7 Periodic reviews of all cases where this policy is applied**

#### **3.7.1 Period for review**

All cases where this policy is used will be reviewed every 3 months or 6 months (depending on the nature of the service provided) and not more than 12 months after the service change or restriction was initially imposed or upheld.

#### **3.7.2 Notifying the complainant of an upcoming review**

The Group Manager Corporate and Community will ask complainants if they would like to participate in the review process unless they determine that this invitation will provoke a negative response from the complainant (i.e., further UCC). The invitation will be given, and the review will be conducted in accordance with the complainant's access restrictions.

#### **3.7.3 Criteria to be considered during a review**

When conducting a review, the Group Manager Corporate and Community will consider:

- Whether the complainant has had any contact with the organisation during the restriction period.
- The complainant's conduct during the restriction period.
- Any information or arguments put forward by the complainant for review.
- Any other information that may be relevant in the circumstances.

The Group Manager Corporate and Community may also consult any staff members who have had contact with the complainant during the restriction period.

Sometimes a complainant may not have a reason to contact our office during their restriction period. As a result, a review decision that is based primarily on the fact that the complainant has not contacted our organisation during their restriction period may not be an accurate representation of their level of compliance/reformed behaviour. This should be taken into consideration, in relevant situations.

#### **3.7.4 Notifying a complainant of the outcome of a review**

The Group Manager Corporate and Community will tell the complainant the outcome of their review using an appropriate method of communication, as well as a written letter explaining the outcome. The review letter will:

- Briefly explain the review process.
- Identify the factors that have been considered during the review.
- Explain the decision or outcome of the review and the reasons for it.

If the outcome of the review is to maintain or modify the restriction, the review letter will also:

- Indicate the nature of the new or continued restriction.
- State the duration of the new restriction period.
- Provide the name and contact details of the Group Manager Corporate and Community who the complainant can contact to discuss the letter.
- Be signed by the Group Manager Corporate and Community.



### **3.7.5 Recording the outcome of a review and notifying relevant staff**

The Group Manager Corporate and Community is responsible for keeping a record of the outcome of the review, updating Council's electronic documents and records management system and notifying all relevant staff of the outcome of the review including if the restriction has been withdrawn.

See sections 3.4.5 above and 5.2 below.

## **3.8 Managing staff stress**

### **3.8.1 Staff reactions to stressful situations**

Dealing with demanding, abusive, aggressive, or violent complainants can be extremely stressful, distressing and even frightening for our staff. It is perfectly normal to get upset or stressed when dealing with difficult situations.

As an organisation, we have a responsibility to support staff members who experience stress as a result of situations arising at work and we will do our best to provide staff with debriefing and counselling opportunities, when needed. However, to do this we also need the help of all Council staff to identify stressful incidents and situations. All staff have a responsibility to tell relevant supervisors and senior managers about UCC incidents, and any other stressful incidents that they believe require management to be involved.

### **3.8.2 Debriefing**

Debriefing means talking things through following a difficult or stressful incident. It is an important way of dealing with stress. Many staff do this naturally with colleagues after a difficult telephone call, but staff can also debrief with a supervisor or senior manager (or as a team) following a significant incident. We encourage all staff to engage in an appropriate level of debriefing, when necessary.

Staff may also access an external professional service if required. All staff can access the LifeWorks Employee Assistance Program (a free, confidential counselling service) on 1300 361 008.

## **3.9 Training and awareness**

Council is committed to ensuring that all staff are aware of and know how to use this policy. All staff who deal with complainants in the course of their work will also receive appropriate training and information on using this policy and on managing UCC on a regular basis and, in particular, on induction. This should include training to support culturally appropriate communication.

## **4. Scope**

This Policy applies to all Councillors and Council Officers, and relates to the management of unreasonable complainant conduct.

## **5. Responsibilities**

### **5.1 All staff**

All staff are responsible for familiarising themselves with this policy as well as the Individual Rights and Mutual Responsibilities of the Parties to a Complaint document at **Attachment 1**. Staff are also encouraged to explain the contents of this document to all complainants, particularly those who engage in UCC or exhibit the early warning signs of UCC.

Staff are also encouraged and authorised to use the strategies and scripts provided at the NSW Ombudsman's



website – see Part 2 of the Managing unreasonable conduct by a complainant Manual (3rd edition):

- Strategies and scripts for managing unreasonable persistence
- Strategies and scripts for managing unreasonable demands
- Strategies and scripts for managing unreasonable lack of cooperation
- Strategies and scripts for managing unreasonable arguments
- Strategies and scripts for managing unreasonable behaviours

Any strategies that change or restrict a complainant's access to our services must be considered at the Group Manager Corporate or Community level or higher as provided in this policy.

Staff are also responsible for recording and reporting all UCC incidents they experience or witness (as appropriate) to the Group Manager Corporate and Community within 24 hours of the incident occurring. A file note of the incident should also be copied into Council's electronic documents and records management system.

## **5.2 Group Manager Corporate and Community**

The Group Manager Corporate and Community, in consultation with relevant staff, has the responsibility and authority to change or restrict a complainant's access to our services in the circumstances identified in this policy. When doing so they will consider the criteria in section 3.4.2 above and will aim to impose any service changes or restrictions in the least restrictive ways possible. Their aim when taking such actions will not be to punish the complainant, but rather to manage the impacts of their conduct.

When applying this policy, the Group Manager Corporate and Community will also aim to keep at least one open line of communication with a complainant. However, we do recognise that in extreme situations all forms of contact may need to be restricted for some time to ensure the health, safety, and security of our staff or third parties.

The Group Manager Corporate and Community is also responsible for recording, monitoring, and reviewing all cases where this policy is applied to ensure consistency, transparency, and accountability for the application of this policy. They will manage and keep a file record of all cases where this policy is applied.

## **5.3 Senior Managers**

All senior managers are responsible for supporting staff to apply the strategies in this policy, as well as those in the manual. Senior managers are also responsible for ensuring compliance with the procedures outlined in this policy, and that all staff members are trained to deal with UCC – including on induction.

After a stressful interaction with a complainant, senior managers should provide affected staff members with the opportunity to debrief their concerns either formally or informally. Senior managers will also ensure that staff are provided with proper support and assistance including medical or police assistance, and if necessary, support through programs like the Employee Assistance Program.

Senior managers may also be responsible for arranging other forms of support for staff, such as appropriate communication or intercultural training.

# **6. Performance Measures**

The success of this Policy will be measured by:

- the number of cases of unreasonable complainant conduct that are addressed by Council in accordance with this Policy; and



- reporting of feedback is actively considered in Executive and Council decision making.

## **7. Definitions**

<b>unreasonable complainant conduct</b>	any behaviour by a complainant which, because of its nature or frequency, raises substantial health, safety, resource or equity issues for the people involved in the complaint process. <sup>1</sup>
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## **8. Related Material**

### **8.1 Related Legislation**

The following legislative materials are related to this Policy:

- *Government Information (Public Access) Act 2009*;
- *Local Government Act 1993*;
- *Privacy and Personal Information Protection Act 1998*; and
- *Work Health and Safety Act 2011*

### **8.2 Related Documents**

The following documents are related to this Policy:

- Code of Conduct;
- Customer Service Charter;
- Feedback and Complaints Management Policy;
- Feedback and Complaints Management Procedure;
- Customer Service Strategy 2016-2020;
- NSW Ombudsman Complaint Handling Model Policy;
- NSW Ombudsman Complaint Management Framework;
- NSW Ombudsman Effective Complaint Handling Guidelines;
- NSW Ombudsman Managing Unreasonable Conduct by a Complainant: A Manual for Frontline Staff, Supervisors and Senior Managers;
- NSW Ombudsman Unreasonable Complainant Conduct Model Policy;
- Privacy Code of Practice for Local Government;
- Privacy Management Plan; and
- Procedures for the Administration of the Code of Conduct.

## **9. Non-compliance with this Policy**

Non-compliance with this Policy should be reported to the Group Manager Corporate and Community who will investigate and determine the appropriate course of action.

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<sup>1</sup> NSW Ombudsman, *Managing unreasonable conduct by a complainant: A manual for frontline staff, supervisors and senior managers*, 2020, p. 5.





## **10. Document Control**

### **10.1 Version Control**

Version	Adoption Date	Notes
1.0		Initial adoption of document

## **11. Attachments**

1. Individual rights and mutual responsibilities of the parties to a complaint

**Approved by:**

**WINGECARRIBEE SHIRE COUNCIL**

[Governance to insert adoption date]

**Attachment 1**

## **Individual Rights and Mutual Responsibilities of the Parties to a Complaint**

In order for Council to ensure that all complaints are dealt with fairly, efficiently and effectively and that occupational health and safety standards and duty of care obligations are adhered to, the following rights and responsibilities must be observed and respected by all of the parties to the complaint process.

### **Individual rights**

#### **Complainants have the right:**

- to make a complaint and to express their opinions in ways that are reasonable, lawful and appropriate
- to a reasonable explanation of the organisation's complaints procedure, including details of the confidentiality, secrecy and/or privacy rights or obligations that may apply
- to a fair and impartial assessment and, where appropriate, investigation of their complaint based on the merits of the case
- to a fair hearing
- to a timely response
- to be informed in at least general terms about the actions taken and outcome of their complaint
- to be given reasons that explain decisions affecting them
- to at least one right of review of the decision on the complaint
- to be treated with courtesy and respect
- to communicate valid concerns and views without fear of reprisal or other unreasonable response.

#### **Staff have the right:**

- to determine whether, and if so how, a complaint will be dealt with
- to finalise matters on the basis of outcomes they consider to be satisfactory in the circumstances
- to expect honesty, cooperation and reasonable assistance from complainants
- to expect honesty, cooperation and reasonable assistance from organisations and people within jurisdiction who are the subject of a complaint
- to be treated with courtesy and respect
- to a safe and healthy working environment
- to modify, curtail or decline service (if appropriate) in response to unacceptable behaviour by a complainant.

#### **Subjects of a complaint have the right:**

- to a fair and impartial assessment and, where appropriate, investigation of the allegations made against them
- to be treated with courtesy and respect Council staff
- to be informed (at an appropriate time) about the substance of the allegations made against them that are being investigated
- to be informed about the substance of any proposed adverse comment or decision

## **AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 17 AUGUST 2022**

- to be given a reasonable opportunity to put their case during the course of any investigation and before any final decision is made
- to be told the outcome of any investigation into allegations about their conduct, including the reasons for any decision or recommendation that may be detrimental to them
- to be protected from harassment by disgruntled complainants acting unreasonably.

### **Mutual responsibilities**

#### **Complainants are responsible for:**

- treating Council staff with courtesy and respect
- clearly identifying to the best of their ability the issues of complaint, or asking for help from Council staff to assist them in doing so
- to the best of their ability providing Council with all the relevant information available to them at the time of making the complaint
- being honest in all communications with Council
- informing Council of any other action they have taken in relation to their complaint
- cooperating with the staff who are assigned to assess/ investigate/resolve/determine or otherwise deal with their complaint.

If complainants do not meet their responsibilities, Council may consider placing limitations or conditions on their ability to communicate with staff or access certain services.

Council has a zero-tolerance policy in relation to any harm, abuse or threats directed towards its staff. Any conduct of this kind may result in a refusal to take any further action on a complaint or to have further dealings with the complainant. Any such conduct of a criminal nature will be reported to police and in certain cases legal action may also be considered.

#### **Staff are responsible for:**

- providing reasonable assistance to complainants who need help to make a complaint and, where appropriate, during the complaint process
- dealing with all complaints, complainants and people or organisations the subject of complaint professionally, fairly and impartially
- giving complainants or their advocates a reasonable opportunity to explain their complaint, subject to the circumstances of the case and the conduct of the complainant
- giving people or organisations the subject of complaint a reasonable opportunity to put their case during the course of any investigation and before any final decision is made
- informing people or organisations the subject of investigation, at an appropriate time, about the substance of the allegations made against them and the substance of any proposed adverse comment or decision that they may need to answer or address
- keeping complainants informed of the actions taken and the outcome of their complaints
- giving complainants reasons that are clear and appropriate to their circumstances and adequately explaining the basis of any decisions that affect them
- treating complainants and any people the subject of complaint with courtesy and respect at all times and in all circumstances
- taking all reasonable and practical steps to ensure that complainants are not subjected to any detrimental action in reprisal for making their complaint

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- giving adequate warning of the consequences of unacceptable behaviour.

If the Council or its staff fail to comply with these responsibilities, complainants may complain to the General Manager.

### **Subjects of a complaint are responsible for:**

- cooperating with Council staff who are assigned to handle the complaint, particularly where they are exercising a lawful power in relation to a person or body within their jurisdiction
- providing all relevant information in their possession to Council or its authorised staff when required to do so by a properly authorised direction or notice
- being honest in all communications with Council and its staff
- treating Council staff with courtesy and respect at all times and in all circumstances
- refraining from taking any detrimental action against the complainant in reprisal for them making the complaint.

If subjects of a complaint fail to comply with these responsibilities, action may be taken under relevant laws and/or codes of conduct.

### **Council is responsible for:**

- having an appropriate and effective complaint handling system in place for receiving, assessing, handling, recording and reviewing complaints
- decisions about how all complaints will be dealt with
- ensuring that all complaints are dealt with professionally, fairly and impartially
- ensuring that staff treat all parties to a complaint with courtesy and respect
- ensuring that the assessment and any inquiry into the investigation of a complaint is based on sound reasoning and logically probative information and evidence
- finalising complaints on the basis of outcomes that the organisation, or its responsible staff, consider to be satisfactory in the circumstances
- implementing reasonable and appropriate policies/procedures/practices to ensure that complainants are not subjected to any detrimental action in reprisal for making a complaint, including maintaining separate complaint files and other operational files relating to the issues raised by individuals who make complaints
- giving adequate consideration to any confidentiality, secrecy and/or privacy obligations or responsibilities that may arise in the handling of complaints and the conduct of investigations.

If Council fails to comply with these responsibilities, complainants may complain to the General Manager.

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## **9.6 Investment Report - July 2022**

**Report Author:** Accounting Officer - Banking and Investments  
**Authoriser:** Director Corporate Strategy and Resourcing

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### **PURPOSE**

This report presents Council's Investment Portfolio held at 31 July 2022.

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### **OFFICER'S RECOMMENDATION**

**THAT:**

1. Council receives and notes this Investment report as at 31 July 2022.
2. Council notes the feedback to the updated Cash Investment Policy.
3. Council adopts the updated Cash Investment Policy.

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### **REPORT**

In accordance with section 212 of the Local Government (General) Regulation 2021, 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 July 2022.

**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 2021, the investments listed in **Attachment 1** have been made in accordance with:

- The Local Government Act 1993,
- The Local Government (General) Regulation 2021,
- The Ministerial Investment Order 2011, and
- Council's Investment Policy.

Interest earned from investments totalled \$266,368.54 for one (1) month to 31 July 2022.

Interest earned is over budget by \$181,535.20 to 31 July 2022.

The interest is attributable to each fund as listed in the table below.

<b>Fund</b>	<b>YTD budget</b>	<b>YTD actual</b>	<b>Variance</b>
<b>General fund</b>	34,666.67	102,052.84	67,386.17
<b>Water Fund</b>	29,416.67	86,257.37	56,840.70
<b>Sewer Fund</b>	20,750.00	78,058.33	57,308.33
<b>Total</b>	<b>84,833.34</b>	<b>266,368.54</b>	<b>181,535.20</b>

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### Cash Investment Policy

At the meeting on 15 June 2022, Council resolved to place the updated Cash Investment Policy on public exhibition for 28 days (MN 2022/126).

The updated Cash Investment Policy continues to provide the governance framework which safeguards Council's investment portfolio. The primary objectives of the policy are as follows:

- Capital Preservation – Preservation of capital is the principal objective of Council's Investment Policy. Investments will be placed in a manner which ensures security and safeguarding of the investment portfolio.
- Liquidity Requirements – Investments will be placed giving due consideration to liquidity and ensuring Council has enough cash flow to meet its operational and capital requirements.
- Performance – Investments are expected to achieve a market average rate of return which is in line with Council's risk tolerance.

The updated Cash Investment Policy is provided as **Attachment 2**.

### Communication and Consultation

The updated Cash Investment Policy was placed on public exhibition from 20 June 2022 and concluded on 19 July 2022. A webpage on Council's You Say Wingecarribee website was created so members of the community were able to provide feedback.

One written submission was received. This submission is included in the table below.

Item No.	Feedback	Council Response
1	Just writing to endorse the recommendation that Council's cash investments have full regard to environmental and social ethics that would exclude fossil fuels investments but go beyond that limitation and into the full scope of ESG considerations. Ideally, all such investments should not just avoid harm but also seek to maximise collective benefits and not focus solely on financial gain.	Council's preference is to enter into environmentally and socially responsible investments where: <ul style="list-style-type: none"><li>• The investment is compliant with legislation; and</li><li>• The rate of return is favourable relative to comparable investments on offer at the time</li></ul>

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### ATTACHMENTS

1. July 2022 - Investment Report Summary [9.6.1 - 6 pages]
2. Updated Cash Investment Policy [9.6.2 - 10 pages]

**AGENDA OF THE ORDINARY MEETING OF COUNCIL  
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**Wingecarribee Shire Council  
Investment Report Summary**

For the period ending 31 July 2022

**List of Investments**

Council's investment portfolio as at 31 July 2022 consists of the following investments:

INVESTMENT PORTFOLIO AS AT 31 July 2022						
Institution	Type	Amount	Interest Rate	Investment Term - Days	Maturity Date	% Investment Portfolio
BOQ	Term Deposit	3,000,000	0.40%	364	5/08/2022	1.52%
Macquarie	Term Deposit	1,000,000	0.40%	364	5/08/2022	0.51%
MyState	Term Deposit	5,000,000	0.45%	322	16/08/2022	2.54%
CBA	Term Deposit	5,000,000	0.41%	365	26/08/2022	2.54%
BOQ	Term Deposit	5,000,000	0.38%	364	2/09/2022	2.54%
CBA	Term Deposit	3,000,000	0.39%	364	2/09/2022	1.52%
Macquarie	Term Deposit	1,000,000	0.40%	365	16/09/2022	0.51%
NAB	Term Deposit	5,000,000	0.35%	365	21/09/2022	2.54%
CBA	Term Deposit	5,000,000	0.39%	365	27/09/2022	2.54%
MyState	Term Deposit	3,000,000	0.45%	365	28/09/2022	1.52%
AMP	Term Deposit	2,500,000	1.00%	335	4/10/2022	1.27%
NAB	Term Deposit	2,000,000	0.60%	241	10/10/2022	1.01%
NAB	Term Deposit	2,000,000	0.60%	241	17/10/2022	1.01%
AMP	Term Deposit	2,500,000	0.80%	365	19/10/2022	1.27%
BOQ	Term Deposit	5,000,000	0.70%	273	31/10/2022	2.54%
AMP	Term Deposit	2,500,000	1.00%	365	15/11/2022	1.27%
NAB	Term Deposit	5,000,000	0.67%	271	21/11/2022	2.54%
Auswide	Term Deposit	5,000,000	2.60%	181	28/11/2022	2.54%
Auswide	Term Deposit	3,000,000	0.78%	365	30/11/2022	1.52%
AMP	Term Deposit	2,500,000	1.10%	365	16/12/2022	1.27%
Judo	Term Deposit	3,000,000	1.10%	365	21/12/2022	1.52%
Judo	Term Deposit	5,000,000	1.10%	364	6/01/2023	2.54%
Judo	Term Deposit	5,000,000	0.99%	365	27/01/2023	2.54%
CBA	Term Deposit	5,000,000	2.68%	277	6/02/2023	2.54%
BOQ	Term Deposit	5,000,000	2.80%	270	17/02/2023	2.54%
NAB	Term Deposit	4,000,000	0.90%	365	3/03/2023	2.03%
AMP	Term Deposit	5,000,000	1.90%	333	10/03/2023	2.54%
Judo	Term Deposit	3,000,000	1.15%	364	17/03/2023	1.52%
ING	Term Deposit	5,000,000	1.40%	364	24/03/2023	2.54%
NAB	Term Deposit	5,000,000	1.60%	365	31/03/2023	2.54%
CBA	Term Deposit	5,000,000	1.84%	364	6/04/2023	2.54%
AMP	Term Deposit	5,000,000	1.95%	360	6/04/2023	2.54%
ING	Term Deposit	5,000,000	2.21%	365	19/04/2023	2.54%
ING	Term Deposit	5,000,000	2.50%	365	26/04/2023	2.54%
ING	Term Deposit	3,000,000	2.72%	364	28/04/2023	1.52%
Judo	Term Deposit	4,000,000	3.10%	365	5/05/2023	2.03%
ING	Term Deposit	4,000,000	3.08%	365	11/05/2023	2.03%
MyState	Term Deposit	5,000,000	3.20%	365	30/05/2023	2.54%

**AGENDA OF THE ORDINARY MEETING OF COUNCIL  
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**Wingecarribee Shire Council  
Investment Report Summary**  
For the period ending 31 July 2022

INVESTMENT PORTFOLIO AS AT 31 July 2022						
Institution	Type	Amount	Interest Rate	Investment Term - Days	Maturity Date	% Investment Portfolio
ME	Term Deposit	5,000,000	4.15%	365	23/06/2023	2.54%
CBA	Term Deposit	5,000,000	3.94%	365	23/06/2023	2.54%
ING	Term Deposit	6,000,000	4.00%	364	30/06/2023	3.04%
MyState	Term Deposit	4,000,000	4.05%	364	30/06/2023	2.03%
ME	Term Deposit	5,000,000	4.00%	364	28/07/2023	2.54%
NAB	Term Deposit	5,000,000	0.60%	729	25/08/2023	2.54%
NAB	Term Deposit	5,000,000	0.60%	731	28/08/2023	2.54%
NAB	Call Account	9,796,750	1.25%	NA	NA	4.97%
BDCU	Call Account	3,308,195	0.45%	NA	NA	1.68%
AMP	31 day Notice A/C	19,034	1.80%	NA	NA	0.01%
<b>Total Investments</b>		<b>\$197,123,980</b>				<b>100.00%</b>

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



## Wingecarribee Shire Council Investment Report Summary

For the period ending 31 July 2022

### 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%	21.71%	42,796,750	YES	YES
CBA	A1+	40%	14.20%	28,000,000	YES	YES
ING	A1	25%	14.20%	28,000,000	YES	YES
Macquarie	A1	25%	1.02%	2,000,000	YES	YES
AMP	A2	15%	10.16%	20,019,034	YES	YES
BOQ	A2	15%	14.20%	18,000,000	YES	YES
ME (acquired by BOQ)	A2	Combined with BOQ %		10,000,000	YES	YES
BDCU	A2	15%	1.68%	3,308,195	NO	YES
MyState	A2	15%	8.62%	17,000,000	NO	YES
Auswide	A2	15%	4.06%	8,000,000	NO	YES
Judo	A3	10%	10.15%	20,000,000	NO	NO
<b>Total</b>			<b>100.00%</b>	<b>197,123,980</b>		

Council's investment portfolio decreased by nearly \$6.5 million in July due to large supplier payments being made. This has resulted in Council's investments with Judo Bank slightly exceeding the 10% portfolio limit by 0.15%. The investment portfolio will be managed back in accordance with Policy limits as soon as practicable and with rates instalments due in August 2022, it's anticipated that policy compliance will be met by the end of August 2022.

### Portfolio Credit Limits

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

S&P Short Term Rating	Maximum %	Actual %	Invested \$	Policy Compliance
A1+	100%	35.91%	70,796,750	YES
A1	80%	15.22%	30,000,000	YES
A2	60%	38.72%	76,327,230	YES
A3	20%	10.15%	20,000,000	YES
Govt	25%	0.00%	0	YES
<b>Total</b>		<b>100.00%</b>	<b>197,123,980</b>	

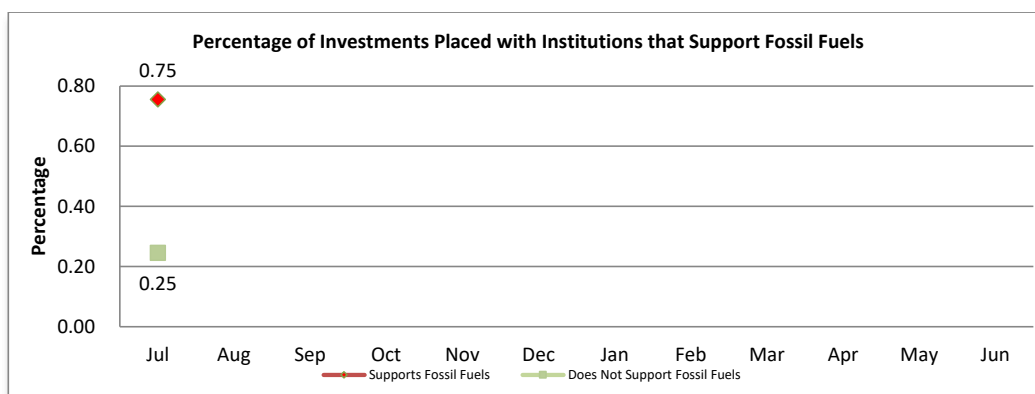
## Wingecarribee Shire Council Investment Report Summary

For the period ending 31 July 2022

### Non-Fossil Fuel Investment Prefencing

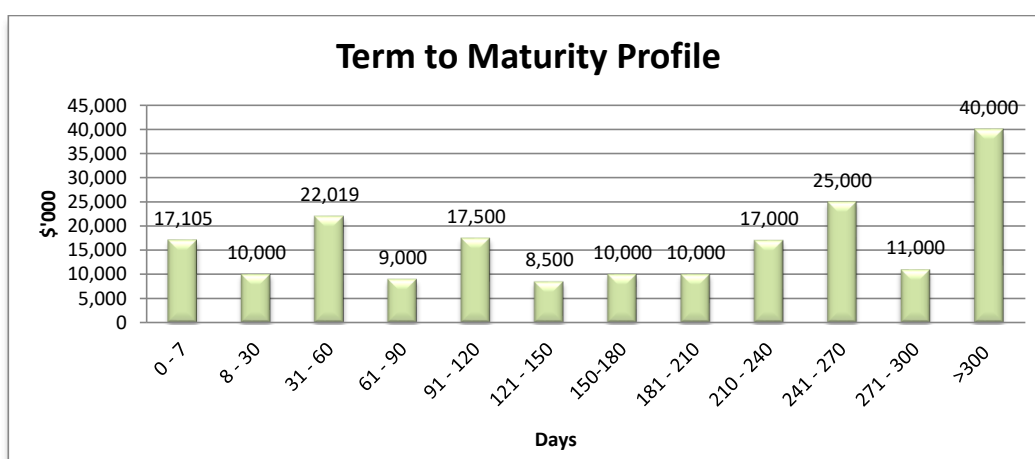
Council's adopted Investment Policy states a preference for placing funds with institutions that do not support the fossil fuel industry. The chart below identifies Council's percentage of investments placed with institutions that do not support the fossil fuel industry.

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.

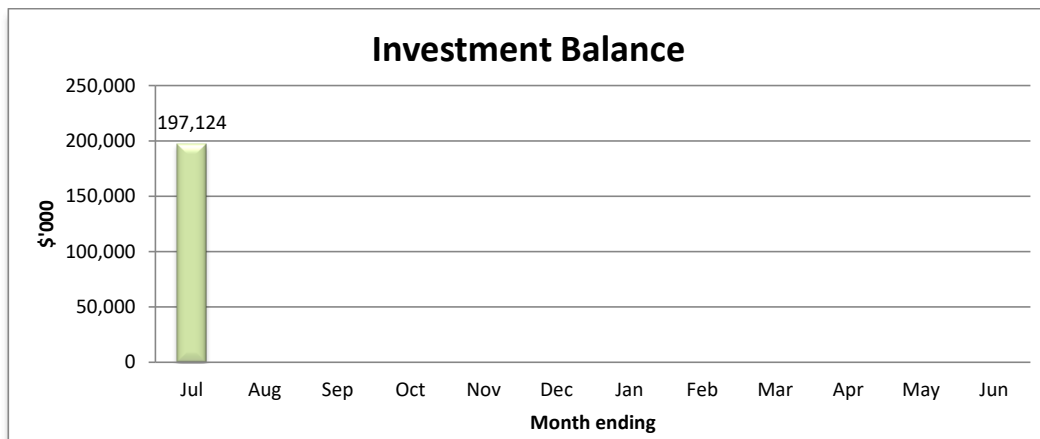


## Wingecarribee Shire Council Investment Report Summary

For the period ending 31 July 2022

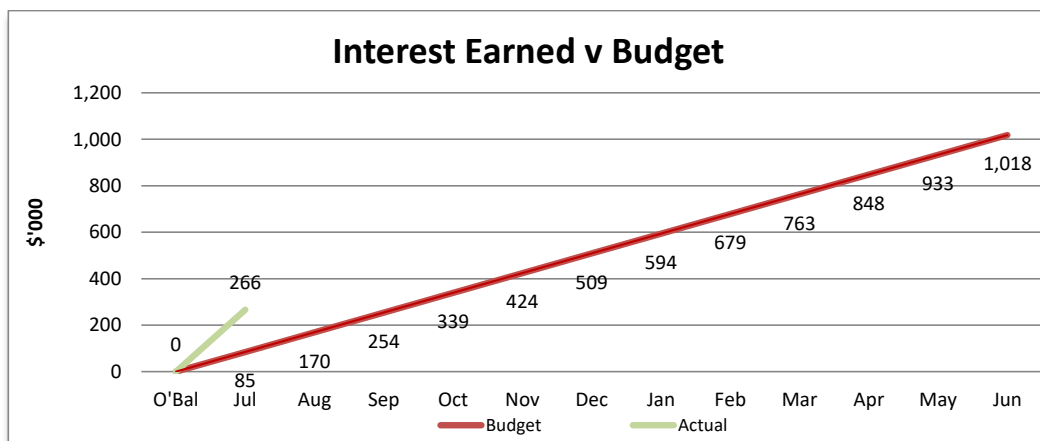
### Portfolio Performance

Council's investment balance at the end of July 2022 was \$197.124 million. This has decreased by \$6.478 million since the end of June 2022.



### Interest Revenue

Council's 2022/23 budget for return on investments was based on the market conditions and expectations at the time, which was a protracted low interest rate environment. After Council's 2022/23 budget was adopted, there has been sharp increases in the official cash rate and this has seen an increase in the interest rates being offered in the fixed interest market. A revised investment revenue forecast will be included as part of the September Quarterly Budget Review to reflect current market conditions.



## **Wingecarribee Shire Council Investment Report Summary**

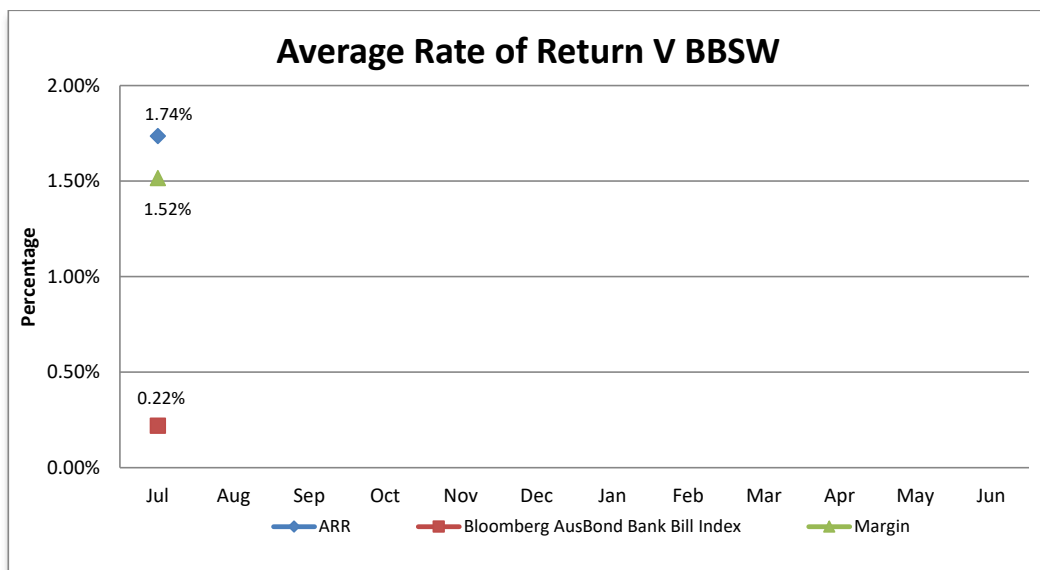
For the period ending 31 July 2022

### **Performance against Benchmark**

Council's investment portfolio is benchmarked against the Bloomberg AusBond Bank Bill Index

The average rate of return (ARR) achieved for July 2022 was 1.74% which is an increase of 0.34% from June 2022. The Bloomberg AusBond Bank Bill Index for 1 year was 0.22%.

The margin against the Bloomberg AusBond Bank Bill Index was 1.52% for July 2022.



## Cash Investment Policy

**Our Council has the trust of the community and well informed decisions are made to ensure long term sustainability of our Shire**

**Effective financial and asset management ensure Council's long term sustainability**

Document Type	Council Policy
Document Reference No.	[Governance to insert] (example: 2020/001)
Version No.	[Governance to insert]
Council File Reference	[Insert departmental file number, generally the relevant electronic records management system subject reference]
Adoption Date	[Governance to insert]
Resolution Number [if applicable]	[Governance to insert]
Document Owner	Chief Financial Officer
Responsible Branch	Finance, Procurement and Fleet
Responsible Business Unit	Financial Services
Review Schedule	Two years
Review Date	[Governance to insert]



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## **1. Objectives**

The objective of this Policy is to provide a framework for investing Council's funds at the most favourable return available at the time whilst having due consideration of risk and security for that investment type and ensuring that liquidity requirements are being met.

While exercising the power to invest, consideration is to be given to the preservation of capital, liquidity, and the return on investment.

Preservation of capital is the principal objective on the investment portfolio. Investments are to be placed in a manner that seeks to ensure security and safeguarding the investment portfolio. This includes managing credit and interest rate risk within identified thresholds and parameters.

Investments should be allocated to ensure there is enough liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring the risk of significant costs due to the unanticipated sale of an investment.

Investments are expected to achieve a market average rate of return in line with Council's risk tolerance.

## **2. Policy Statement**

Wingecarribee Shire Council is committed to following the Investment Policy Guidelines determined under Section 23A of the *Local Government Act 1993*.

### **2.1 Prudent Person Standard**

The investment portfolio will be managed with care, diligence and skill that a prudent person would exercise. As trustees of public funds, Officers are to manage Council's investment portfolio to safeguard the portfolio in accordance with the spirit of this Policy, and not for speculative purposes.

### **2.2 Ethics and conflicts of interest**

Delegated Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio. This Policy requires Officers to disclose any conflict of interest in accordance with Council's Code of Conduct.

### **2.3 Risk Management framework**

Council has developed a risk management framework to assist in managing those risks outlined in the Policy Objective. This is achieved within identified thresholds and parameters represented by three criteria:

1. Credit risk: limit overall credit exposure of the investment portfolio
2. Diversification risk: limit exposure to individual institutions
3. Maturity risk: manage liquidity and exposure to interest rate risk over a period of time

#### **Credit Risk**

To control the credit quality on the entire investment portfolio, the following credit framework limits the percentage of the investment portfolio exposed to any credit rating category.



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Portfolio Credit Limits		
S&P Long Term Rating*	S&P Short Term Rating*	Maximum %
AAA	A1+	100
AA	A1	80
A	A2	60
BBB	A3	20
Government unrated		25
* where the security has a maturity date of > 1 year the long term rating is referenced		

## Diversification Risk

Exposure to an individual institution will be restricted by their credit rating so that single entity exposure is limited, as detailed in the table below:

Individual Institution Limits		
S&P Long Term Rating*	S&P Short Term Rating*	Maximum %
AAA	A1+	40
AA	A1	25
A	A2	15
BBB	A3	10
Government unrated		25
* where the security has a maturity date of > 1 year the long term rating is referenced		

## Maturity Risk

The investment portfolio is to be invested within the following maturity constraints:

Portfolio Term to Maturity Limits		
Investment Horizon	Minimum %	Maximum %
< 1 year	40	100
1 – 3 years	0	60
3 – 5 years	0	40



> 5 years	0	10
* where the security has a maturity date of > 1 year the long term rating is referenced		

#### **2.4 Approved investments**

Investments are limited to those allowed by the most current Ministerial Investment Order (Attachment 1) that has been issued by the NSW Minister for Local Government.

#### **2.5 Non-fossil fuel investment preferencing**

Council's preference is to enter into environmentally and Socially Responsible Investments (SRI) where:

- The investment is compliant with legislation and Investment Policy objectives and parameters; and
- The rate of return is favourable relative to comparable investments on offer to Council at the time of the investment.

SRI status may be in respect of the individual investment product, the issuer of the investment, or both and should be endorsed by an accredited environmentally and socially responsible industry body or institution, or have a recognised ESG score.

The criteria for SRI are all preferred and not mandatory requirements.

Council's criteria for an SRI are those which direct investment towards the socially and/or environmentally productive activities listed below:

Environmentally productive activities are considered to be:

- resource efficiency-especially water and energy
- renewable energy
- production of environmentally friendly products recycling, and waste and emissions reduction

Socially productive activities are considered to be:

- fair trade and provision of a living wage
- human health and aged care
- equal opportunity employers, and those that support the values of communities, indigenous peoples and minorities
- provision of housing, especially affordable housing

Avoid investment in the socially and/or environmentally harmful activities listed below:

Environmentally harmful activities are considered to be:

- production of pollutants, toxins and greenhouse gases (either in Australia or abroad)
- habitat destruction, especially destruction of forests and marine eco-systems.
- nuclear power
- uranium mining

Socially harmful activities are considered to be:

- abuse of Human Rights and Labour Rights



- involvement in bribery/corruption
- production or supply of armaments
- manufacture of alcohol, tobacco or gambling products

## **2.6 Local investment**

Where local financial institutions (whose central operations are within the Wingecarribee Shire) offer equivalent investment returns and the investment is compliant with legislation and the objectives and parameters of this Policy, preference will be given to placing funds with these institutions.

## **2.7 Investment strategy**

An Investment Strategy will run in conjunction with the Investment Policy. The Investment Strategy will be reviewed with an independent investment advisor every six months. The Investment Strategy will outline:

- Council's cash flow expectations;
- Optimal allocation of investment types, credit rating exposure and term to maturity exposure; and
- Appropriateness of overall investment types for Council's investment portfolio (including real property).

## **2.8 Investment advisor**

Council's investment advisor must be approved by Council and licensed by the Australian Securities and Investment Commission. The advisor must be an independent person who has no actual or potential conflict of interest in relation to investment products being recommended and is free to choose the most appropriate product within the terms and conditions of the investment policy.

The independent advisor is required to provide written confirmation that they do not have any actual or potential conflicts of interest in relation to the investments they are recommending or reviewing, including that they are not receiving any commissions or other benefits in relation to the investments being recommended or reviewed.

## **2.9 Reporting and reviewing of investments**

Documentary evidence must be held for each investment and details thereof maintained in an Investment Register.

The documentary evidence must provide Council legal title to the investment.

Certificates must be obtained from the financial institutions confirming the amounts of investments held on Council's behalf as at 30 June each year and reconciled to the Investment Register.

All investments are to be appropriately recorded in Council's financial records and reconciled at least monthly.

A monthly report will be provided to Council. The report will detail the investment portfolio in terms of performance, percentage exposure of total portfolio, maturity date and changes in market value.

## **2.10 Safe Custody arrangements**

Where necessary, investments may be held in safe custody on Council's behalf, as long as the following criteria are met:

- Council must retain beneficial ownership of all investments;
- Adequate documentation is provided, verifying the existence of the investments at inception, in regular statements and for audit;



- The custodian recording and holding the assets will be:
  - The custodian nominated by TCorp for their managed funds; or
  - Austraclear.

### **3. Scope**

This Policy applies to Councillors and staff with delegated authority to act upon Council's cash investments.

### **4. Responsibilities**

Responsibilities for the implementation of this Policy are shared as follows.

#### **4.1 Councillors**

Councillors shall monitor the implementation of this Policy through the monthly investment report.

#### **4.2 Executive**

The Executive shall:

- Ensure the implementation of this Policy as delegated by Council in accordance with the *Local Government Act 1993*.
- To delegate the management of Council's investment portfolio to the Chief Financial Officer or other staff through the delegated approval process.

#### **4.3 Chief Financial Officer**

The Chief Financial Officer shall:

- provide guidance to Councillors, Executive and other Council staff as to the content and implementation of this Policy;
- ensure the timely review of this Policy;
- oversee the management of Council's investment portfolio ensuring compliance with this Policy; and
- Submit monthly report to Council on the performance of Council's investment portfolio.

#### **4.4 Council staff**

Council staff with delegated authority to invest council funds shall:

- be required to acknowledge they have received a copy of the Policy and understand their obligations in this role.
- Invest council funds in accordance with legislation and this Policy.

### **5. Performance Measures**

The performance of Council's investment portfolio will be measured against:

- Bloomberg AusBond Bank Bill index.

### **6. Definitions**

Define any specific terms relating to the policy that may not be obvious to a member of the public or other

# AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 17 AUGUST 2022



external stakeholder. Include any acronyms and their meanings. The following table should be used:

<b>Authorised Deposit Taking Institution (ADI)</b>	A financial institution licensed by the Australian Prudential Regulatory Authority (APRA) to carry on banking business, including accepting deposits from the public. This includes banks, credit unions and building societies.
<b>Bank Bill Swap Rate (BBSW)</b>	The bank bill index rate is a short-term interest rate used as a benchmark for the pricing of Australian dollar derivatives and securities.
<b>Bond</b>	Represents a promise by a borrower to pay a lender the principal and interest on a loan.
<b>Credit risk</b>	The risk that an issuer of debt securities may default on its obligations.
<b>Floating Rate Note (FRN)</b>	Is a debt instrument with a variable interest rate.
<b>Interest rate risk</b>	The potential for investment losses that result from a change in interest rates.
<b>Investment portfolio</b>	The total pool of Council's cash investments
<b>Liquidity risk</b>	Refers to the marketability of an investment and whether it can be bought or sold quickly enough to meet debt obligations.
<b>Market risk</b>	The risk that general market conditions will cause the value of the investment to fluctuate.
<b>Maturity risk</b>	The risk relating to the duration of an investment. The longer the investment term to maturity, the greater the length of exposure and risk to market volatilities.
<b>Preservation of capital</b>	Refers to an investment strategy with the primary goal of preventing losses in an investment portfolio's total value.
<b>Prudent person</b>	Someone who will manage the investment portfolio in a skilful, diligent and careful manner. They exercise due care in making decisions and act in moderation.
<b>Securities</b>	Instruments issued by companies, financial institutions and the government as a means of borrowing money and raising new capital.
<b>Term Deposit</b>	A deposit with an Authorised Deposit Taking Institution that has a fixed return and investment horizon.
<b>Preservation of capital</b>	Refers to an investment strategy with the primary goal of preventing losses in an investment portfolio's total value.

## 7. Related Material



### **7.1 Related Legislation**

The following legislative materials are related to this Policy:

- Australian Accounting Standards;
- Investment Policy Guidelines 2010;
- Local Government Act 1993;
- Local Government (General) Regulation 2005;
- Local Government Code of Accounting Practice and Financial Reporting (latest update);
- Prevailing Ministerial Investment Order;
- Office of Local Government Circulars

### **7.2 Related Policies, Procedures and General Manager Practice Notes**

The following document is related to this Policy:

- Investment Strategy

## **8. Non-compliance with this Policy**

Where non-compliance with the Policy occurs relating to parameters which have been set, the portfolio must be managed back in accordance with the Policy limits as soon as practicable. This will depend on market liquidity, valuation of investments and risks of default.

Any suspected non-compliance regarding a perceived conflict of interest of a delegated officer will be dealt with in accordance with Council's Code of Conduct.

## **9. Document Control [Governance to insert]**

### **9.1 Version Control**

Version	Adoption Date	Notes
[insert version no.]	[insert date on which version was adopted]	[describe amendments/changes from previous version]
[insert version no.]	[insert date on which version was adopted]	[describe amendments/changes from previous version]
[insert version no.]	[insert date on which version was adopted]	[describe amendments/changes from previous version]

### **9.2 Superseded Documents**

The following documents are superseded by this Policy:

Document Title	Adoption Date	Notes
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**AGENDA OF THE ORDINARY MEETING OF COUNCIL  
WEDNESDAY 17 AUGUST 2022**



Investment Policy	12 July 2017	Council engaged an independent investment advisor from 1 November 2021.
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## **10. Attachments**

1. Local Government Act 1993 – Investment Order.

Approved by:

**WINGECARRIBEE SHIRE COUNCIL**

[Governance to insert adoption date]



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## **9.7 Draft Procurement Policy - Post Exhibition Report**

**Report Author:** Chief Financial Officer

**Authoriser:** Director Corporate Strategy and Resourcing

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### **PURPOSE**

This report advises Council of the outcome of the public exhibition and recommends the adoption of Council's draft Procurement Policy.

Council's draft Procurement Policy had been placed on public exhibition for a period of 28 days from 5 July 2022 to 2 August 2022 for comment.

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### **OFFICER'S RECOMMENDATION**

**THAT Council adopts the Procurement Policy.**

---

### **REPORT**

#### **BACKGROUND**

Council's draft Procurement Policy sets out the strategic direction for ensuring that Council achieves value for money whilst procuring for works and services in an ethical, fair and transparent manner as well as meeting its legislative obligations.

Council's existing Procurement Policy was adopted by Council in May 2018 and operates with a Centre-led procurement model which oversees all of Council's procurement activities. It is anticipated that a Centre-led procurement model will continue to operate with the proposed Procurement Policy and introduce additional governance measures to ensure risks are mitigated and value for money is provided whilst staff are procuring. The draft Procurement Policy was tabled at the June 2022 Extraordinary Council meeting to publicly exhibit the policy for 28 days.

#### **REPORT**

The draft Procurement Policy was publicly exhibited for 28 days as resolved by Council to seek feedback from the community. The draft Procurement Policy aligns to current legislation, guidelines and industry references and can be found at **ATTACHMENT 1**. The draft Procurement Policy has made provisions for Probity and Modern Slavery, where other minor changes have been made throughout the draft policy to align terminology.

Probity is an important part of managing procurement and has been incorporated into the draft Procurement Policy. The proposed approach to probity is tiered, based on a combination of dollar value and risk to determine the appropriate resource to be allocated to the relevant procurement activity.

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<b>Procurement Activity (including GST)</b>	<b>Probity Control</b>
Less than \$50K	The Procurement team is to review all purchase requisitions for to ensure compliance with the Procurement Guidelines and Policy before a purchase order is released to a vendor. This includes at least two quotations for procurement activities greater than \$10K. The probity is managed by the relevant Department Manager in accordance with this policy and the Procurement Guidelines.
Procurement between \$50K and \$250K	A Procurement team member will be allocated to provide probity advice. The Chief Financial Officer may allocate a specialised, independent probity advisor dependant on the risk profile of the procurement activity.
Procurement > \$250K – Simple	A Procurement team member will be allocated to provide probity advice. The Chief Financial Officer may allocate a specialised, independent probity advisor dependant on the risk profile of the procurement activity.
Procurement > \$250K – Complex	The Chief Financial Officer* will allocate a specialised, independent probity advisor dependant on the risk profile of the procurement activity.

The Policy also provides discretion to the General Manager, Director Corporate Strategy and Resourcing or Chief Financial Officer to appoint an external probity officer if they deem the risk of the procurement activity to be high or extreme irrespective of the above criteria.

A scope is currently being developed to establish a panel of external probity advisors for Council officers to access where required on procurement matters. Probity training will also be conducted for relevant staff to ensure they understand their probity responsibilities during a procurement activity.

In April 2022, the Office of Local Government issued a Circular advising Councils of their obligations under the Modern Slavery Act 2018. The definition of Modern Slavery is defined in the Modern Slavery Act 2018 (NSW) as any conduct constituting a modern slavery offence within the meaning of that Act and any conduct involving the use of any form of slavery, servitude or forced labour to exploit children or other persons taking place in the supply chains of organisations. The requirements of Modern Slavery have also been captured in the draft Procurement Policy.

**PERIOD OF PUBLIC EXHIBITION**

Council's draft Procurement Policy had been placed on the Your Say Wingecarribee website for a period of 28 days from 5 July 2022 to 2 August 2022.

For the duration of the period of public exhibition, copies of the draft Procurement Policy were also made available in Council's libraries.

**PUBLIC EXHIBITION SUBMISSIONS**

Council received zero (0) submissions in response to Council's draft Procurement Policy being placed on public exhibition.

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## **COMMUNICATION AND CONSULTATION**

### **Community Engagement**

Public exhibition of Council's draft Procurement Policy for a period of 28 days has now concluded.

### **Internal Communication and Consultation**

Council's proposed draft Procurement Policy has been presented to the Executive Team and Audit, Risk and Improvement Committee for information and feedback.

### **External Communication and Consultation**

Not Applicable.

---

## **SUSTAINABILITY ASSESSMENT**

### **Environment**

The draft Procurement Policy considers some high-level sustainability provisions. This will be further developed in future iterations of Council's Procurement Policy.

### **Social**

The draft Procurement Policy considers some high-level social provisions. This will be further developed in future iterations of Council's Procurement Policy.

### **Broader Economic Implications**

The draft Procurement Policy covers how Council will achieve value for money through its procurement activities while taking into consideration local suppliers and Australian made goods.

### **Culture**

There are no cultural issues in relation to this report.

### **Governance**

Additional probity provisions have been provided for in the draft Procurement Policy. The draft procurement policy also includes legislative updates relating to Modern Slavery.

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## **COUNCIL BUDGET IMPLICATIONS**

The proposed changes requiring for the inclusion of external probity advisors may require a budget adjustment. These will be monitored on a case-by-case basis and reported via the quarterly budget review process.

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## **RELATED COUNCIL POLICY**

The existing Procurement Policy was adopted by Council in May 2018

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## **CONCLUSION**

The draft Procurement Policy has been updated to include additional probity provisions and align to current legislative requirements including Modern Slavery. It is recommended that Council's draft

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Procurement Policy now be considered for adoption now that the public exhibition process to review this draft policy has now concluded.

---

**ATTACHMENTS**

1. Draft Procurement Policy - Council [9.7.1 - 9 pages]

## Procurement Policy

**Our Council has the trust of the community and well-informed decisions are made to ensure long term sustainability of our Shire**

**Effective financial and asset management ensure Council's long-term sustainability**

Document Type	Council Policy
Document Reference No.	[Governance to insert] (example: 2020/001)
Version No.	[Governance to insert]
Council File Reference	[Insert departmental file number, generally the relevant electronic records management system subject reference]
Adoption Date	[Governance to insert]
Resolution Number [if applicable]	[Governance to insert]
Document Owner	Chief Financial Officer
Responsible Branch	Finance, Procurement and Fleet
Responsible Business Unit	Financial Services
Review Schedule	Two years
Review Date	[Governance to insert]

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## **1. Objectives**

Wingecarribee Shire Council has a commitment of providing value for money in delivering services and infrastructure to its community in an ethical, transparent and compliant manner.

This policy sets the strategic direction to ensure Council delivers the procurement outcomes outlined in this policy in accordance with its legislative obligations and executed with the utmost integrity.

## **2. Scope**

This Policy applies to all Councillors, Administrators, permanent employees, temporary or casual employees, suppliers and contractors of Council who are involved in Council's procurement activities or engaged to perform work on behalf of Council.

This Procurement Policy will be accompanied by a Procurement Guidelines which will provide the Council staff details on how to procure in accordance with this policy.

The procurement process can be defined as finding, selecting, engaging and overseeing vendors (or other third parties) to provide goods and/or services to Council.

Notwithstanding the prescribed exceptions outlined within the Local Government Act 1993, procurement activities involving an estimated expenditure or receipt of an amount equal to or greater than \$250,000 (incl. GST) will be subject to the provisions of section 55 of the Local Government Act 1993. All other expenditure (not subject to the provisions of the Local Government Act) is subject to provisions the Procurement Guidelines.

Further information on procurement exemptions is referenced within section 55 of the Local Government Act 1993.

## **3. Policy Statement**

This policy will set a clear and legally compliant policy position which will be incorporated within the Procurement Guidelines.

The following are statements must be incorporated into the Procurement Guidelines to ensure compliance with this policy.

### **3.1 Standards of Behaviour and Ethical Principles**

Councillors, Administrators, permanent employees, temporary or casual employees, suppliers and contractors of Council will conduct procurement activities in a transparent manner which upholds the following behavioural and ethical standards:

- Conduct all procurement activities and business relationships with honesty, fairness and integrity.
- Ensure that procurement activities are open, clear, fully documented, and defensible.
- Declare any interests in accordance with Council's Code of Conduct Policy and Procedure (both pecuniary and non-pecuniary interests).
- Not engage in anti-competitive or collusive practices



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- Operate within their allocated delegation.
- Adhere to the applicable legislation, guidelines, codes, policies and procedures.
- Act in a Commercial-in-Confidence basis to ensure confidentiality (where applicable).

Council Officers must not engage suppliers to procure goods or services for their personal use or for use by any organisation other than Council.

### 3.2 Probity

Council has a Centre-Led procurement model where the Procurement Team oversees the implementation of this Procurement Policy and administration of the Procurement Guidelines to ensure integrity and transparency throughout the procurement process.

The following controls are to be maintained to ensure that probity is maintained throughout the procurement process:

Procurement Activity (including GST)	Probity Control
Procurement Activity Less than \$50K	The Procurement team is to review all purchase requisitions for to ensure compliance with the Procurement Guidelines and Policy before a purchase order is released to a vendor. This includes at least two quotations for procurement activities greater than \$10K. The probity is managed by the relevant Department Manager in accordance with this policy and the Procurement Guidelines.
Procurement Activity greater than \$50K.	Unless the procurement activity meets the criteria for a Complex Procurement activity, a Procurement team member will be allocated as the probity advisor throughout the procurement event. The Chief Financial Officer* may allocate a specialised, independent probity advisor dependant on the risk profile of the procurement activity.
Complex Procurement Activity	The Chief Financial Officer* will allocate a specialised, independent probity advisor if one of the following criteria is met: <ul style="list-style-type: none"><li>• Any project that is budgeted to cost more than \$10M; OR</li><li>• The procurement activity satisfies the criteria set by the Office of Local Government for a Capital Expenditure Review; OR</li><li>• The procurement activity relates to the sale of Council land or buildings; OR</li><li>• The procurement activity relates to the development or re-development of Council land, buildings or property; OR</li></ul>



	<ul style="list-style-type: none"><li>Any other Procurement Activities deemed high or extreme as a part of the Risk Matrix Assessment or as determined by the Chief Financial Officer*.</li></ul>
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\*In the absence of the Chief Financial Officer, the provisions of this allocation extend to the General Manager or Director Corporate Strategy and Resourcing.

### **3.3 Value for Money**

Value for money is the combination of supply quality and lifetime cost that is most advantageous to Council. Lowest price is not necessarily an indicator of value for money.

Council's procurement processes will promote value for money outcomes by:

- considering the value, complexity, risk, and resource skills when determining the most appropriate procurement process that is to be followed.
- ensuring that the requirements set out in tenders and quotes accurately reflect Council's needs (including appropriately qualified and accredited vendors).
- providing transparency of the consideration that led to each value for money decision, including recognition of the lifetime cost associated with the procurement.

These principles will be incorporated in the evaluation criteria in the Procurement Guidelines.

### **3.4 Sustainable & Social Procurement**

Council plays a significant role in procuring sustainable products and services. To achieve sustainable procurement, Council officers will endeavour to adhere to the following objectives wherever reasonably possible:

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

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

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

### **3.5 Local & Australian Made Procurement**



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

### **3.6 Modern Slavery**

“Modern slavery” is defined in the Modern Slavery Act 2018 (NSW) as any conduct constituting a modern slavery offence within the meaning of that Act and any conduct involving the use of any form of slavery, servitude or forced labour to exploit children or other persons taking place in the supply chains of organisations.

Council recognises that Modern slavery is a serious violation of an individual’s dignity and human rights. Exploitative practices including human trafficking, slavery, servitude, forced labour, debt bondage and forced marriage are all considered modern slavery and are serious crimes under Australian law.

Council will not engage with any vendors engage in Modern Slavery practices.

## **4. Responsibilities**

Responsibilities for this this Policy is as follows:

### **4.1 Councillors and Administrators**

The role of Councillors or the Administrator(s) is to provide the strategic direction for this policy and ensure it complies with legislative requirements. When determining a tender, a Council decision should be made in the accordance with the objectives of this policy. The Council will also determine the General Manager’s delegations which will influence how this policy is executed.

### **4.2 General Manager**

The General Manager is responsible for determining the appropriate delegations to Council staff to enable them to administer and perform procurement activities in a way that promotes integrity and value for money.

### **4.3 Chief Financial Officer**

The Chief Financial Officer is responsible for the implementation of this policy. The Chief Financial Officer will establish internal controls to ensure the execution of this policy is in accordance with its intended outcomes. The Chief Financial Officer is responsible for regularly reviewing this policy and the Procurement Guidelines to ensure they are congruent and ensuring the reporting requirements of this policy are completed. The Chief Financial Officer will provide sound, reliable advice to the Council and Executive on procurement matters.

### **4.4 Council staff**

Council Staff must adhere to this policy and the Procurement Guidelines whilst conducting or participating in a procurement activity. Council Staff are also to act in accordance with Council’s [Code of Conduct](#) and are required to only procure goods and services applicable to their delegated authority for the use of Council. Council staff must ensure that engagement of a supplier is conducted through issuing a formal commitment from Council (or other third parties) by using a Purchase Order or other form of agreement (excluding Credit Card and Petty Cash purchases).

### **4.5 Contractors and Suppliers**



Suppliers must act in good faith and ethically in accordance with Council's [Code of Conduct](#) when participating in a Council led procurement activity. [Code of Conduct](#) and Work Health and Safety provisions extended to when a contractor or supplier is engaged and delivering a service or providing a good on behalf of Council.

## **5. Reporting Obligations**

### **5.1 Reporting of Tenders to Council**

In accordance with the General Manager's instrument of delegation, any tenders that were not engaged through a prescribed agency and have a value greater than \$250,000 (inclusive of GST) are to be reported to Council.

### **5.2 Statutory Reporting**

Council will fulfil its reporting obligations of any procurement activities in accordance with legislative requirements. This includes:

- Reporting of contracts entered above \$50,000 (inclusive of GST) as a part of the Quarterly Budget Review Statement for the corresponding quarter.
- Register of contracts entered above \$150,000 (inclusive of GST) as a part of the Government Information (Public Access) Review Statement 2009.
- Modern Slavery reporting obligations as outlined by the Anti-Slavery commission within Council's Annual report.

Any additional statutory reporting requirements that eventuate after the adoption of this policy is required to be reported upon as required.

### **5.3 Internal Reporting**

The Procurement Guidelines will outline the relevant reports and timing of these to ensure officers are procuring in accordance with this policy and the integrity of Council's procurement processes are actively managed.

## **6. Complaints Management**

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

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

## **7. Breaches of this policy**

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

Evidence of corrupt and/or unethical conduct by a Council official could lead to (but not limited to):



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

Evidence of corrupt and/or unethical conduct by a contractor or supplier participating in a procurement activity or engaged to conduct works on behalf of Council could lead to (but not limited to):

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

## **8. Related Material**

### **8.1 Related Legislation, Regulations and Guidelines**

The following legislative materials are related to this Policy:

- Local Government Act 1993;
- Local Government (General) Regulation 2021;
- Tendering Guidelines for NSW Local Government
- Government Information (Public Access) Act
- Work Health and Safety Act 2011, NSW
- The Modern Slavery Act 2018
- Quarterly Budget Review Guidelines issued by the Office of Local Government
- Government Information (Public Access) Act 2009.
- Relevant ICAC guidelines.

### **8.2 Related Council Policies and Procedures**

The following document is related to this Policy:

- Council Delegations
- Asset Disposal Guidelines
- Council's Procurement Guidelines
- Council's Code of Conduct Policy and Guidelines
- Statement of Business Ethics
- Work Health and Safety Policy
- Gifts and Benefits Policy
- Corporate Credit Card Guidelines

## **9. Document Control [Governance to insert]**

### **9.1 Version Control**

# AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 17 AUGUST 2022



Version	Adoption Date	Notes
[insert version no.]	[insert date on which version was adopted]	[describe amendments/changes from previous version]
[insert version no.]	[insert date on which version was adopted]	[describe amendments/changes from previous version]
[insert version no.]	[insert date on which version was adopted]	[describe amendments/changes from previous version]

## 9.2 Superseded Documents

The following documents are superseded by this Policy:

Document Title	Adoption Date	Notes
Procurement Policy	23 May 2018	

## 10. Attachments

Nil

Approved by:

WINGECARRIBEE SHIRE COUNCIL

[Governance to insert adoption date]

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## **9.8 Code of Conduct - Appointment of Review Panel**

**Report Author:** Group Manager Corporate and Community

**Authoriser:** Director Corporate Strategy and Resourcing

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### **PURPOSE**

This report seeks to establish a panel of Code of Conduct reviewers, as required by the Procedures for the Administration of the Code of Conduct.

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### **OFFICER'S RECOMMENDATION**

**THAT** Council accept the recommendations of the Canberra Regional Joint Organisation and appoints the following Panel of Code of Conduct Reviewers for the period of 1 September 2022 to 30 June 2026:

- Australian Workplace Training & Investigation
- BAL Lawyers
- BDO Services
- Centium Pty Ltd
- Local Government Legal
- Maddocks
- McCullough Robertson Lawyers
- Mediate Today Pty Ltd
- Nemesis Consultancy Group
- O'Connor Marsden and Associates Pty Ltd
- Pendlebury Work Place Solutions
- RSM
- Sinc Solutions Pty Ltd
- Train Reaction Pty Ltd
- Weir Consulting (National)
- Winton Consulting Pty Ltd
- Wise Workplace
- Workdynamic Australia

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### **REPORT**

#### **BACKGROUND**

A panel of Code of Conduct reviewers was last established in September 2020 for a period of two (2) years, the arrangement with the Panel expires on 31 August 2022, with a possible one (1) year extension. The Panel includes the following:

- Centium Group Pty Ltd
- Nemesis Consultancy Pty Ltd
- O'Connell Workplace Relations Pty Ltd



- SINC Solutions Pty Ltd
- Train Reaction Pty Ltd.

#### **REPORT**

On behalf of the Canberra Region Joint Organisation (CRJO), Bega Valley Shire Council facilitated an Expression of Interest (EOI) process seeking eligible persons or firms for appointment to a Regional Panel of Conduct Reviewers to replace its existing panel which expired on 30 June 2022.

The EOI was posted to the open market via the Bega Valley Shire Council Vendorpanel portal and closed at 4pm on Monday 13 June 2022. As at the time of closing 127 consultants had read the EOI, with 28 lodging a response including 11 who were also on the previous CRJO Panel.

An evaluation panel was formed consisting of Council officers from Bega Valley, Yass and Wingecarribee Shire Council, who combined have experience in a broad range of professional areas including, governance, procurement, law and investigation.

Following closure of the EOI submission period, the evaluation panel members independently reviewed all the submission. The evaluation panel members then met to conduct a group evaluation based on the evaluation criteria as well as the criteria set out within the Model Code Procedures for the Administration of the Code of Conduct (the Procedures).

Clause 3.6 of the Procedures state to *'be eligible to be a member of the Regional Panel of Conduct Reviewers, a person must as a minimum, meet the following requirements: -*

- (a) have an understanding of local government, and*
- (b) have knowledge of investigative processes including but not limited to procedural fairness requirements and requirements of the Public Interest Disclosure Act 1994 (NSW), and*
- (c) have knowledge and experience of one or more of the following*
  - (i) investigations*
  - (ii) law*
  - (iii) public administration*
  - (iv) public sector ethics*
  - (v) alternative dispute resolution, and*
  - (vi) meet the eligibility requirements for membership of a panel of conduct reviewers.'*

At its meeting on 1 July 2022, the CRJO Board considered the establishment of the regional Code of Conduct Review Panel and resolved unanimously:

*"That the CRJO Board:*

*Appoint the recommended companies to the Code of Conduct Reviewers Panel.*

- 1. Australian Workplace Training & Investigation*
- 2. BAL Lawyers Canberra ACT*
- 3. BDO Services Pty Ltd*
- 4. Centium Pty Ltd Sydney NSW*
- 5. Local Government Legal*
- 6. MADDOCKS Sydney*
- 7. MCCULLOUGH ROBERTSON LAWYERS*

8. Mediate Today Pty Ltd Sydney
9. Nemesis Consultancy Group
10. O'Connor Marsden and Associates Pty Ltd
11. PENDLEBURY WORK PLACE SOLUTIONS
12. RSM Melbourne
13. SINC Solutions Pty Ltd
14. TRAIN REACTION PTY LIMITED
15. Weir Consulting (National)
16. WINTON CONSULTING PTY LTD
17. WISE Workplace
18. WORKDYNAMIC AUSTRALIA “

The Procedures require that the Code of Conduct Review Panel must be established by a Council resolution. They also specify that

*“The council may by resolution enter into an arrangement with one or more other councils to share a panel of conduct reviewers including through a joint organisation or another regional body associated with the councils.”*

As a member Council of the CRJO, it is recommended that Council should utilise the procurement process undertaken on behalf the CRJO to form a panel of conduct reviewers.

---

## **COMMUNICATION AND CONSULTATION**

### **Community Engagement**

N/A

### **Internal Communication and Consultation**

Executive were consulted on the appointment of the Regional Code of Conduct Review Panel.

### **External Communication and Consultation**

The EOI was posted to the open market via the Bega Valley Shire Council Vendorpanel portal and closed at 4pm on Monday 13 June 2022. As at the time of closing 127 consultants had read the EOI, with 28 lodging a response including 11 who were also on the previous CRJO Panel.

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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.

## **AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 17 AUGUST 2022**

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### **Governance**

Part 3 of the Procedure for the Administration of the Model Code of Conduct for Local Council in NSW 2020 sets out the process for establishing a panel of conduct reviewers.

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### **COUNCIL BUDGET IMPLICATIONS**

Council has an allocated budget for the management of Code of Conduct complaints.

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### **RELATED COUNCIL POLICY**

Code of Conduct

Procedures for the Administration of the Code of Conduct

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### **CONCLUSION**

The CRJO has conducted an EOI process for establishing a panel of conduct reviewers for the period 1 July 2022 to 30 June 2026. The report recommends that Council adopts the CBRO Code of Conduct Panel for the period 1 September 2022 to 31 August 2026.

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### **ATTACHMENTS**

Nil

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## **9.9 Meryla Road, Bowral - Proposed Road Closure**

**Report Author:** Property and Project Officer

**Authoriser:** Director Corporate Strategy and Resourcing

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### **PURPOSE**

This report seeks Council approval to undertake community consultation in relation to the proposed closure of road reserve known as Meryla Road, Bowral.

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### **OFFICER'S RECOMMENDATION**

#### **THAT:**

1. Council endorse the application for closure of Meryla Road, Bowral.
2. Council give a minimum twenty eight (28) days public notice of its intention to close the Council road reserve referred to in Resolution 1 above AND THAT if any objections are received, a further report be forwarded to a future ordinary meeting of Council for determination.
3. If there are no objections received by Council during the period of public exhibition, that pursuant to Part 4 Division 3 of the Road Act 1993, Council as roads authority formally approve the closure of the road reserve referred to in Resolution 1 above and that upon closure the newly created lot will be classified as Operational Land pursuant to the *Local Government Act, 1993*.
4. The General Manager and Administrator be delegated authority to execute under the Common Seal of Council any agreement, plan, real property dealing or any other document in respect of the proposed closure of the road reserve referred to in Resolution 1 above.
5. Authority be delegated to the General Manager to execute on behalf of Council any other document associated with the road closure referred to in Resolution 1 above which does not require the affixing of the Common Seal of Council.

---

### **REPORT**

#### **BACKGROUND**

The road reserve the subject of this report adjoins Moss Vale Road Bowral and has an area of approximately 1,300 sqm (subject to final survey). The road reserve is surrounded by land zoned R3 Medium Density Residential with a minimum lot size of 700 sqm.

The only land the road reserve provides access to is Lot 24 DP713573 ("Lot 24") that also has street access via Loftus Street, Bowral.

A development application was lodged for Lot 24 in 2016 (DA 16/0445). That application did not rely on access or egress from Meryla Road and access for that development application was solely via Loftus Street Bowral.

## **REPORT**

Council approval is sought for the closure of Meryla Road, Bowral. The area of road reserve proposed to be closed is shown in **Attachment 1**.

The Council owned road reserve has been identified as surplus with the potential for closure and future sale. Application for closure of the road reserve is requested in order to create title for the land which will vest in Council following closure.

## **LEGISLATIVE REQUIREMENTS**

Part 4, Division 3 of the *Roads Act 1993* outlines the statutory requirements regarding the closure of Council public roads by Council.

The Department of Planning, Industry and Environment – Crown Lands ('the Crown') no longer has the power to close constructed or unconstructed Council public roads. Therefore, all applications for the closure of public roads must be processed by Council as roads authority.

If the closure of the road proceeds, a new title will be created following registration of the Plan of Road Closure at NSW Land Registry Services.

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## **COMMUNICATION AND CONSULTATION**

### **Community Engagement**

Following Council endorsement, public notice of the intention to close the road reserve will be advertised for a minimum of twenty-eight (28) days.

### **Internal Communication and Consultation**

The relevant Council officers have been consulted and invited to comment in relation to the closure of the road reserve.

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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 will be minor budget implications which relate to surveying and registration fees. These expenses will be funded through available budgets for property related matters.

The area of road reserve will vest in Council upon closure.

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**RELATED COUNCIL POLICY**

Permanent Road Closure and Road Lease Policy.

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**CONCLUSION**

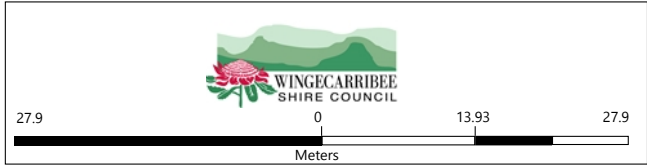
It is recommended that Council support the proposed closure of the road reserve known as Meryla Road, Bowral.

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**ATTACHMENTS**

1. Aerial of Meryla Road, Bowral [9.9.1 - 1 page]





Wingecarribee Shire Council

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## **9.10 Station Street Pavement Rehabilitation - Tender Report T-2022-14**

**Report Author:** Group Manager Capital Projects

**Authoriser:** Director Service and Project Delivery

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### **PURPOSE**

This report presents the evaluation of the Tender for the Station Street pavement rehabilitation project.

---

### **OFFICER'S RECOMMENDATION**

#### **THAT:**

1. Council accepts the Tender for T- 2022-14 at a lump sum price of \$2,437,744.58 (including GST) for the Station Street pavement rehabilitation project;
2. Council notes the tenders received ranged from \$2,437,744.58 to \$4,353,585.10 (including GST); and
3. Council delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.

---

### **REPORT**

#### **BACKGROUND**

Following the resolution of Council on 10 November 2021 - MN324/21 Council finalised the design of Station Street renewal project.

The design includes all activities as per the Council resolution dated on 10 November 2021. The tender does not include elements such as new footpaths, driveways and layovers which do not form part of the pavement rehabilitation.

These items will be the subject of a future Council report. This report will seek endorsement of a funding strategy for the delivery of the footpath, driveways and layovers scope as well as the pedestrian and lighting upgrades associated with the new carpark at the southern end of Station Street.

All works required to rehabilitate the pavement and restore the kerb and gutter are included in this tender, including the removal and disposal of the redundant asbestos water main.

It is envisaged that construction of the pavement rehabilitation will commence in September 2022.

#### **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 is 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 28 June 2022 to 26 July 2022 (28 days).

The tender was advertised as follows:

<b>Newspaper / Website</b>	<b>Date Advertised</b>
Council's Weekly Community Update	29 June 2022, 6 July 2022.
Council's Website	For the duration of the advertising period
Council's eTendering Website	For the duration of the advertising period

### **TENDER SITE INSPECTION**

There was a mandatory site inspection held on 07 July 2022.

### **TENDERS RECEIVED**

A total of five (5) tender submissions were received:

<b>Company Name</b>	<b>Location</b>	<b>Postcode</b>
A Plus Traffic Control Services	Albion Park Rail	2527
Civil Domain	Arncliffe	2205
Menai Civil Contractors Pty Ltd	Smeaton Grange	2567
Nace Civil Engineering Pty Ltd	Hoxton Park	2171
Stefanutti Constructions Pty Ltd	Unanderra	2526

### **LATE TENDERS**

A total of zero (0) late tender submissions were received (therefore non-conforming).

### **TENDER ROLES AND RESPONSIBILITIES**

The Tender was conducted by staff in the following positions as approved through the completion of Procurement Initiation Plan.

<b>Role</b>	<b>Responsibility</b>	<b>Position</b>
Evaluation Panel Chair	To manage the evaluation process and report to Council.	Group Manager Capital Projects
Evaluation Panel Member	Perform a detailed evaluation of the Tender Submissions.	Project Manager
Evaluation Panel Member Independent*	Perform a detailed evaluation of the Tender Submissions.	Asset Officer
Procurement Process and Advice (Probity)	Manages the tender process ensuring that it complies with all relevant legislation, Procurement Policy, Guidelines and Procedures. Manages all communication with Respondents during the advertisement and evaluation periods.	Procurement Officer

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WEDNESDAY 17 AUGUST 2022**

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	Providing probity advice and support to the evaluation panel and the Authorising Officer during the tender process.	
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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 on a 0 to 10 metric 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
Workers Compensation OR [Self Employed] Personal Accident and Illness Insurance or Personal Income Protection
Professional Indemnity - \$5 million
Motor Vehicle - Comprehensive
Bank Guarantees – 5% of Contract Value
Compliance with QMS 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>Non-Cost Criteria</b>	<b>Weighting</b>
Community & Social (including local content)	10%
Capability & Experience	15%
Specifications, Service & Support, Fit for Purpose	10%
Quality Assurance & Innovation	5%
Other Clarification Information – Financial Capacity	10%
<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 a total of two (2) tender submissions were determined to be non-compliant:

Company Name	Reason for Non-Compliance
A Plus Traffic Control Services	Mandatory criteria were not met.
Civil Domain	Mandatory criteria were not met.

**TENDERED SUBMISSION PRICES**

The tender submission prices received were between \$2,437,744.58 to \$4,353,585.10 (inclusive of GST). These tender submission prices reflect that Council is procuring the storm water pipes due to 20 –40-week lead time in procuring these items.

**EVALUATION COMMENTS**

**COMMENTS ON OVERALL EVALUATION OUTCOME**

The Tender Evaluation Panel was formed, and each panel member scored the non-cost selection criteria in accordance with the Procurement Initiation Plan (PIP). In accordance with the PIP only those tender submissions meeting the minimum non-cost selection criteria threshold of 60% were deemed to be compliant.

No tenders were assessed as non-compliant for failing to reach the non-cost threshold. This indicates that generally all submissions were deemed to be of a high standard and demonstrated good understanding of the project.

Overall, the tenders received were of good quality and from pre-qualified and reputable contractors. Based on the differentiators in mandatory criteria, non-cost criteria and cost criteria; Nace Civil Engineering have demonstrated to provide the best value for money submission. They demonstrated a thorough understanding of the scope of works supported by their proposed methodology and program.

**COMMENTS ON RECOMMENDED TENDER SUBMISSION**

Nace Civil Engineering Pty Ltd is a reputable civil construction company who has undertaken many road projects and are familiar with constraints similar to those presented at the Station Street

Project. The team proposed to deliver this project is highly qualified and demonstrated the skills required to deliver this project.

Nace Civil Engineering Pty Ltd is a prequalified State Contractor (TfNSW) inclusive of Austroads National pre-qualification. They have undertaken work for State and Local Government entities.

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## **COMMUNICATION AND CONSULTATION**

### **Community Engagement**

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

### **Internal Communication and Consultation**

Internal consultation was undertaken between Assets, Project Delivery, Strategic Planning, Media and Communication division, Governance and Procurement.

### **External Communication and Consultation**

External consultation was undertaken with all key stakeholders including the businesses on Station Street, Sydney Trains (TfNSW), Bus companies, and Live Traffic updates to keep traffic well informed of the traffic management changes during construction.

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## **COUNCIL BUDGET IMPLICATIONS**

Councils 2022/2023 Operational Plan and budget includes \$2,400,00.00 (excluding GST) for the Station Street pavement rehabilitation project and \$400,000 (excluding GST) for the removal of the asbestos water main which is being funded via the Water fund. The combined project budget includes provisions for construction costs, statutory fees, project contingency and project management costs.

The recommended tender price together with the purchase of the storm water pipes and other project related costs can be accommodated within this budget allocation.

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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 and award this contract to Nace Civil Engineering Pty Ltd.

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## **ATTACHMENTS**

Nil

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## **9.11 2021/22 Budget - Proposed Expenditure Revotes**

**Report Author:** Management Accountant (Budget)

**Authoriser:** Director Corporate Strategy and Resourcing

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### **PURPOSE**

The purpose of this report is to seek Council's approval for the 2021/22 proposed expenditure revotes to be carried over to the 2022/23 and 2023/24 budgets.

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### **RECOMMENDATION**

#### **THAT:**

1. Council approve the list of expenditure revotes from the 2021/22 budget as shown in Attachments 1,2 and 3 totalling \$17,254,212, to the 2022/23 budget to allow completion of planned works.
2. Council approve the list of expenditure revotes from the 2021/22 budget as shown in Attachments 1, 2 and 3 totalling \$2,494,751, to the 2023/24 budget to allow completion of planned works.

---

### **REPORT**

#### **BACKGROUND**

Clause 211(3) of the *Local Government (General) Regulation 2021*, states all budget approvals and votes lapse at the end of the financial year. However, this does not apply to approvals and votes relating to:

- Work carried out or started, or contracted to be carried out, or
- Any service provided, or contracted to be provided, or
- Goods or materials provided, or contracted to be provided, or
- Facilities provided or started, or contacted to be provided, before the end of the financial year.

In providing full disclosure, all projects and services that were yet to be completed at 30 June 2022, have been included in the proposed expenditure revotes. This will ensure that Council complies with Clause 211(1) and (2) of the *Local Government (General) Regulation 2021*, which states:

- (1) A council, or a person purporting to act on behalf of a council, must not incur a liability for the expenditure of money unless the council at the annual meeting held in accordance with subclause (2) or at a later ordinary meeting:
  - a. Has approved the expenditure, and
  - b. Has voted the money necessary to meet the expenditure.
- (2) A council must each year hold a meeting for the purpose of approving expenditure and voting money.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL  
WEDNESDAY 17 AUGUST 2022**

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**REPORT**

All projects listed in **Attachment 1**, **Attachment 2** and **Attachment 3** were included in the 2021/22 budget. A summary of the projects and services proposed to be revoted to subsequent financial years for each Fund, totalling \$19,748,963, is outlined in the tables below.

Fund	to 2022/23 budget	to 2023/24 budget	Total
General Fund	13,697,939	2,494,751	16,192,690
Water Fund	2,024,869	-	2,024,869
Sewer Fund	1,531,404	-	1,531,404
Total Revotes	17,254,212	2,494,751	19,748,963

The budget that is proposed to be to be revoted to the 2023/24 financial year is a component of the renewal of Old South Road, which is funded from grants.

The \$19,748,963 in proposed expenditure revotes is classified between operating and capital expenditure as follows.

Fund	Operating expenditure	Capital expenditure	Total
General Fund	1,591,796	14,600,894	16,192,690
Water Fund	50,483	1,974,386	2,024,869
Sewer Fund	336,872	1,194,532	1,531,404
Total Revotes	1,979,151	17,766,812	19,748,963

For a detailed listing of all proposed revotes, please refer to **Attachments 1 to 3** included with this report. These attachments provide comments and expected completion dates for all proposed expenditure revotes.

**CAPACITY TO DELIVER 2022/23 CAPITAL WORKS PROGRAM**

During the last six months of the 2021/22 financial year, a number of projects were delayed and not completed due to the inclement weather events. A review of the draft 2022/23 capital budget whilst it was on public exhibition (in light of the impacts of the inclement weather events on project delivery) resulted in the draft 2022/23 capital budget being reduced from \$69.9M to \$60.1M. This was to ensure there was capacity to deliver the 2022/23 capital budget with any anticipated budget revotes.

If the proposed expenditure revotes are approved by Council, the total capital works program for 2022/23 is forecasted to be \$73,328,235. This is summarised in the table below for each Fund.

<b>Fund</b>	<b>2022/23 original capital budget</b>	<b>Proposed capital revotes to 2022/23 budget</b>	<b>2022/23 proposed capital budget</b>
<b>General Fund</b>	40,048,548	12,106,143	<b>50,154,691</b>
<b>Water Fund</b>	8,440,758	1,974,386	<b>10,415,144</b>
<b>Sewer Fund</b>	11,563,868	1,194,532	<b>12,758,400</b>
<b>Total capital budget</b>	<b>60,053,173</b>	<b>15,275,061</b>	<b>73,328,235</b>

An assessment of the capacity to deliver the 2022/23 capital works program has been undertaken in preparing the proposed expenditure revotes and there is a high degree of confidence that the revised program can be delivered within the 2022/23 financial year.

Further improvements on cash flow reporting have been developed to ensure that year to date budgets can be reported against year to date actuals and monitored as a part of the quarterly budget review process.

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## **COMMUNICATION AND CONSULTATION**

### **Community Engagement**

None Required

### **Internal Communication and Consultation**

Council Executive and Senior Management Team

### **External Communication and Consultation**

None 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.

### **Governance**

There are no governance issues in relation to this report.

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**COUNCIL BUDGET IMPLICATIONS**

If approved by Council, the total revoted expenditure of \$17,254,212 will be included in the 2022/23 budget and \$2,494,751 in the 2023/24 budget.

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**RELATED COUNCIL POLICY**

The proposed expenditure revotes have been accessed in line with the adopted Practice Note – Expenditure Revotes.

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**CONCLUSION**

Presented for Council's approval is the total list of expenditure revotes for projects which have not been completed as at 30 June 2022. The inclement weather events that eventuated in the second half of the 2021/22 financial year were a contributing factor to a number of projects being delayed. If approved, these projects will be included in the 2022/23 and 2023/24 budgets, which will allow works to be completed.

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**ATTACHMENTS**

1. General Fund [9.11.1 - 5 pages]
2. Water Fund [9.11.2 - 1 page]
3. Sewer Fund [9.11.3 - 1 page]



**AGENDA OF THE ORDINARY MEETING OF COUNCIL  
WEDNESDAY 17 AUGUST 2022**

Wingecarribee Shire Council Proposed Expenditure Revotes from 2021/22 to 2022/23 and 2023/24 General Fund														Attachment 1
Funding Source														
Project Description	Operating/ Capital	2021/22 Adopted Budget (Q3)	YTD Expenditure	Amount for Carryover	General Revenue	External Grants	Developer Contributions	SRV	Other Reserves	Total Funding	Expected Completion	Purpose of and reason for carryover		
Service & Project Delivery														
ASSETS														
1	HILL TOP ENTRY SIGNS	Capital	9,874	4,674	5,200	5,200	-	-	-	-	5,200	Jun-23	This project was a Council commitment. Project will be scoped and delivered in 2022/23.	
2	BALMORAL ENTRY SIGNS	Capital	13,848	-	13,848	12,000	1,848	-	-	-	13,848	Jun-23	This project was a Council commitment. Project will be scoped and delivered in 2022/23.	
3	ASSET REVALUATIONS	Operating	70,000	34,839	35,161	35,161	-	-	-	-	35,161	Aug-22	Henry & Hymas engaged to deliver revaluation. Works to be completed by end of August	
4	BALMORAL VILLAGE HALL SANDING AND POLISHING	Operating	5,000	-	5,000	5,000	-	-	-	-	5,000	Jun-23	Projects by 355 Committees were not delivered in 2021/22 due to Covid restrictions July to November, then uncertainty over Council's strategic direction with 355 Commitmess onwards. Revoting of funds is therefore proposed, with the budget to be expended in accordance with the outcomes of the Ackroyd Committee Review to be considered at Council Meeting September 2022. Projects would either be further embellishment of facility as planned, or redirected to assist in Council management of facility through electronic building access and streamlining of audio visual equipment	
5	BALMORAL VILLAGE HALL EXTERNAL LIGHTS	Operating	10,000	-	10,000	10,000	-	-	-	-	10,000	Jun-23	Projects by 355 Committees were not delivered in 2021/22 due to Covid restrictions July to November, then uncertainty over Council's strategic direction with 355 Commitmess onwards. Revoting of funds is therefore proposed, with the budget to be expended in accordance with the outcomes of the Ackroyd Committee Review to be considered at Council Meeting September 2022. Projects would either be further embellishment of facility as planned, or redirected to assist in Council management of facility through electronic building access and streamlining of audio visual equipment	
6	MITTAGONG WAR MEMORIAL CLOCK	Operating	15,000	-	15,000	7,500	7,500	-	-	-	15,000	Aug-23	Projects by 355 Committees were not delivered in 2021/22 due to Covid restrictions July to November, then uncertainty over Council's strategic direction with 355 Commitmess onwards. Revoting of funds is therefore proposed, with the budget to be expended in accordance with the outcomes of the Ackroyd Committee Review to be considered at Council Meeting September 2022. Projects would either be further embellishment of facility as planned, or redirected to assist in Council management of facility through electronic building access and streamlining of audio visual equipment	
7	ASSET INSPECTION & DATA COLLECTION	Operating	52,798	19,259	33,540	-	-	-	-	33,540	33,540	Dec-22	Condition assessments to occur within 2022 to enable prioritisation and actioning of deterioriated buildings	
8	BONG BONG COMMON MNGT COMMITTEE	Operating	10,640	-	10,640	10,640	-	-	-	-	10,640	Jun-23	Funds required to support Bong Bong Upgrade Project Stages 1 &2 which are currently in progress	
9	CANYONLEIGH COMM HALL MANAGEMENT CMTE	Operating	2,280	280	2,000	2,000	-	-	-	-	2,000	Jun-23	Projects by 355 Committees were not delivered in 2021/22 due to Covid restrictions July to November, then uncertainty over Council's strategic direction with 355 Commitmess onwards. Revoting of funds is therefore proposed, with the budget to be expended in accordance with the outcomes of the Ackroyd Committee Review to be considered at Council Meeting September 2022. Projects would either be further embellishment of facility as planned, or redirected to assist in Council management of facility through electronic building access and streamlining of audio visual equipment	
10	EXETER PARK MNGMT COMMITTEE	Operating	4,000	2,940	1,060	1,060	-	-	-	-	1,060	Jun-23	Projects by 355 Committees were not delivered in 2021/22 due to Covid restrictions July to November, then uncertainty over Council's strategic direction with 355 Commitmess onwards. Revoting of funds is therefore proposed, with the budget to be expended in accordance with the outcomes of the Ackroyd Committee Review to be considered at Council Meeting September 2022. Projects would either be further embellishment of facility as planned, or redirected to assist in Council management of facility through electronic building access and streamlining of audio visual equipment	
11	HILL TOP COMMUNITY CNTRE MNGT CMTEE	Operating	8,077	4,077	4,000	4,000	-	-	-	-	4,000	Jun-23	Projects by 355 Committees were not delivered in 2021/22 due to Covid restrictions July to November, then uncertainty over Council's strategic direction with 355 Commitmess onwards. Revoting of funds is therefore proposed, with the budget to be expended in accordance with the outcomes of the Ackroyd Committee Review to be considered at Council Meeting September 2022. Projects would either be further embellishment of facility as planned, or redirected to assist in Council management of facility through electronic building access and streamlining of audio visual equipment	
12	JURD PARK MNGMT COMMITTEE	Operating	550	-	550	550	-	-	-	-	550	Jun-23	Projects by 355 Committees were not delivered in 2021/22 due to Covid restrictions July to November, then uncertainty over Council's strategic direction with 355 Commitmess onwards. Revoting of funds is therefore proposed, with the budget to be expended in accordance with the outcomes of the Ackroyd Committee Review to be considered at Council Meeting September 2022. Projects would either be further embellishment of facility as planned, or redirected to assist in Council management of facility through electronic building access and streamlining of audio visual equipment	
13	MITTAGONG MEMORIAL HALL MNGT CMTEE	Operating	10,000	1,660	8,340	8,340	-	-	-	-	8,340	Jun-23	Projects by 355 Committees were not delivered in 2021/22 due to Covid restrictions July to November, then uncertainty over Council's strategic direction with 355 Commitmess onwards. Revoting of funds is therefore proposed, with the budget to be expended in accordance with the outcomes of the Ackroyd Committee Review to be considered at Council Meeting September 2022. Projects would either be further embellishment of facility as planned, or redirected to assist in Council management of facility through electronic building access and streamlining of audio visual equipment	
14	MOSS VALE COMMUNITY CNTR COMMITTEE	Operating	4,500	3,996	503	503	-	-	-	-	503	Jun-23	Projects by 355 Committees were not delivered in 2021/22 due to Covid restrictions July to November, then uncertainty over Council's strategic direction with 355 Commitmess onwards. Revoting of funds is therefore proposed, with the budget to be expended in accordance with the outcomes of the Ackroyd Committee Review to be considered at Council Meeting September 2022. Projects would either be further embellishment of facility as planned, or redirected to assist in Council management of facility through electronic building access and streamlining of audio visual equipment	
15	ROBERTSON COMM CNTR MNGMT COMMITTEE	Operating	2,895	-	2,895	2,895	-	-	-	-	2,895	Jun-23	Projects by 355 Committees were not delivered in 2021/22 due to Covid restrictions July to November, then uncertainty over Council's strategic direction with 355 Commitmess onwards. Revoting of funds is therefore proposed, with the budget to be expended in accordance with the outcomes of the Ackroyd Committee Review to be considered at Council Meeting September 2022. Projects would either be further embellishment of facility as planned, or redirected to assist in Council management of facility through electronic building access and streamlining of audio visual equipment	
16	TOURIST ROAD OVAL MANAGEMENT CMTTEE	Operating	11,401	-	11,401	11,401	-	-	-	-	11,401	Jun-23	Projects by 355 Committees were not delivered in 2021/22 due to Covid restrictions July to November, then uncertainty over Council's strategic direction with 355 Commitmess onwards. Revoting of funds is therefore proposed, with the budget to be expended in accordance with the outcomes of the Ackroyd Committee Review to be considered at Council Meeting September 2022. Projects would either be further embellishment of facility as planned, or redirected to assist in Council management of facility through electronic building access and streamlining of audio visual equipment	
17	WELBY HALL MNGMT COMMITTEE	Operating	5,000	-	5,000	5,000	-	-	-	-	5,000	Jun-23	Projects by 355 Committees were not delivered in 2021/22 due to Covid restrictions July to November, then uncertainty over Council's strategic direction with 355 Commitmess onwards. Revoting of funds is therefore proposed, with the budget to be expended in accordance with the outcomes of the Ackroyd Committee Review to be considered at Council Meeting September 2022. Projects would either be further embellishment of facility as planned, or redirected to assist in Council management of facility through electronic building access and streamlining of audio visual equipment	
18	WINGELLO MECHANICS INSTITUTE MGMNT CMTEE	Operating	10,385	-	10,385	10,385	-	-	-	-	10,385	Jun-23	Projects by 355 Committees were not delivered in 2021/22 due to Covid restrictions July to November, then uncertainty over Council's strategic direction with 355 Commitmess onwards. Revoting of funds is therefore proposed, with the budget to be expended in accordance with the outcomes of the Ackroyd Committee Review to be considered at Council Meeting September 2022. Projects would either be further embellishment of facility as planned, or redirected to assist in Council management of facility through electronic building access and streamlining of audio visual equipment	

**AGENDA OF THE ORDINARY MEETING OF COUNCIL  
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Wingecarribee Shire Council															Attachment 1
Proposed Expenditure Revotes from 2021/22 to 2022/23 and 2023/24															
General Fund															
Funding Source															Purpose of and reason for carryover
Project Description	Operating/ Capital	2021/22 Adopted Budget (Q3)	YTD Expenditure	Amount for Carryover	General Revenue	External Grants	Developer Contributions	SRV	Other Reserves	Total Funding	Expected Completion				
19	YERRINBOOL COMM CNT MNGMT COMMITTEE	Operating	4,682	798	3,884	3,884	-	-	-	-	3,884	Jun-23	Projects by 355 Committees were not delivered in 2021/22 due to Covid restrictions July to November, then uncertainty over Council's strategic direction with 355 Committees onwards. Revoting of funds is therefore proposed, with the budget to be expended in accordance with the outcomes of the Ackroyd Committee Review to be considered at Council Meeting September 2022. Projects would either be further embellishment of facility as planned, or redirected to assist in Council management of facility through electronic building access and streamlining of audio visual equipment		
20	BUNDANOON PKS & FERNDAL RES MGMT CMTEE	Operating	5,618	-	5,618	5,618	-	-	-	-	5,618	Jun-23	Projects by 355 Committees were not delivered in 2021/22 due to Covid restrictions July to November, then uncertainty over Council's strategic direction with 355 Committees onwards. Revoting of funds is therefore proposed, with the budget to be expended in accordance with the outcomes of the Ackroyd Committee Review to be considered at Council Meeting September 2022. Projects would either be further embellishment of facility as planned, or redirected to assist in Council management of facility through electronic building access and streamlining of audio visual equipment		
21	HAMPDEN PARK MGMT CMTEE	Operating	7,000	-	7,000	7,000	-	-	-	-	7,000	Jun-23	Projects by 355 Committees were not delivered in 2021/22 due to Covid restrictions July to November, then uncertainty over Council's strategic direction with 355 Committees onwards. Revoting of funds is therefore proposed, with the budget to be expended in accordance with the outcomes of the Ackroyd Committee Review to be considered at Council Meeting September 2022. Projects would either be further embellishment of facility as planned, or redirected to assist in Council management of facility through electronic building access and streamlining of audio visual equipment		
22	OTHER HALLS	Operating	29,227	1,085	28,142	28,142	-	-	-	-	28,142	Dec-22	Funds required to implement the upcoming recommendations of the Ackroyd Committee Review to be considered at Council Meeting September 2022.		
23	ROADS CONDITION ASSESSMENT	Operating	84,811	17,870	66,993	66,993	-	-	-	-	66,993	Dec-22	Condition assessments to occur within 2022 to facilitate delivery of Roads Action plan outline in February Council Report.		
24	PARKS & RESERVES SIGNAGE	Operating	52,164	528	51,637	51,637	-	-	-	-	51,637	Jun-23	Signage as Supervision Project still active, progress stalled due to resignations within Parks & Buildings Asset Team, but will but will be delivered in 2022/23		
25	MT GIBRALTER RESERVE PLAN OF MANAGEMENT	Operating	25,000	-	25,000	25,000	-	-	-	-	25,000	Jun-23	Plan of Management to be completed in 2022/23.		
26	COMMUNITY & RECREATIONAL FACILITIES STRATEGY	Operating	230,154	59,922	170,232	160,154	-	-	10,078	-	170,232	Dec-22	Project in progress and funds are fully committed. Project completion was to always occur within 2022/23, however the budget was not phased across both 2021/22 and 2022/23.		
27	PMS DATA COLLECTION	Operating	57,502	21,814	35,689	35,689	-	-	-	-	35,689	Dec-22	Road assessments to occur within 2022 to facilitate delivery of Roads Action plan outline in February Council Report.		
Total Assets			742,407	173,741	568,717	515,752	9,348	-	10,078	33,540	568,717				
INFRASTRUCTURE SERVICES															
28	WILSON DR BALMORAL PATHWAY CONSTRUCTION	Capital	165,000	8,247	156,753	-	-	-	156,753	-	156,753	Jun-23	This project was not delivered within 2021/22 so as to allow it to be delivered in conjunction with the Balmoral Reserve Upgrade Project - which itself experienced delays due to complexities around the presence of endangered vegetation within the site.		
29	MITTAGONG RD (CLIFF - TULLONA) BOWRAL FOOTPATH	Capital	109,312	37,777	71,535	-	-	-	71,535	-	71,535	Dec-22	Project in progress and so funds are already fully committed.		
30	DESIGN PENROSE BUS SHELTER	Capital	40,000	5,188	34,813	-	-	-	34,813	-	34,813	Jun-23	Project in progress and so funds are already fully committed.		
31	DESIGN RANGE RD RENEWAL	Capital	210,000	185,363	24,637	-	-	-	24,637	-	24,637	Jun-23	Project in progress and so funds are already fully committed.		
32	DESIGN PRIESTLY ST CULVERT	Capital	20,000	-	20,000	-	-	-	20,000	-	20,000	Dec-22	Design phase in progress. Works required to address damage from February Floods		
33	CONSTRUCT PRINCE ST DRAINAGE	Capital	220,000	173,408	46,592	-	-	-	46,592	-	46,592	Jun-23	Project in progress and so funds are already fully committed.		
34	CONSTRUCT DRAINAGE JASMINE ST	Capital	1,619,036	885,650	733,386	-	-	-	733,386	-	733,386	Jun-23	Delays were encountered within construction phase due to natural disasters within 2022 through both the poor site conditions that resulted and also internal resources being temporarily redirected towards disaster recovery works. However the project in progress and so funds are already fully committed.		
35	DESIGN CAVENDISH ST DRAINAGE	Capital	85,000	36,368	48,632	-	-	-	48,632	-	48,632	Jun-23	Project in progress and so funds are already fully committed.		
36	DESIGN UPGRADE DRAINAGE HOOD COOK ST OPTION 3	Capital	45,000	20,130	24,870	-	-	-	24,870	-	24,870	Jun-23	Project in progress and so funds are already fully committed.		
37	REEYANA PLACE DRAINAGE WORKS	Capital	25,000	6,475	18,525	-	-	-	18,525	-	18,525	Jun-23	Project in progress and so funds are already fully committed.		
38	DESIGN WATTLE ST COLO VALE CULVERT REPLACEMENT	Capital	50,000	3,941	46,059	-	-	-	46,059	-	46,059	Jun-23	Project in progress and so funds are already fully committed.		
39	DESIGN DALE & HODDLE ST DRAINAGE	Capital	25,000	3,172	21,828	-	-	-	21,828	-	21,828	Jun-23	Project in progress and so funds are already fully committed.		
40	DESIGN CULVERT 5A BURRADOO RD	Capital	18,000	72	17,928	-	-	-	17,928	-	17,928	Jun-23	Project in progress and so funds are already fully committed.		
41	DESIGN GASCOIGNE ST (CARLTON ORIENT) DRAINAGE	Capital	38,000	-	38,000	-	-	38,000	-	-	38,000	Jun-23	Project in progress and so funds are already fully committed.		
42	GARRETT ST MOSS VALE DRAINAGE RENEWAL DESIGN	Capital	30,000	14,100	15,900	-	-	15,900	-	-	15,900	Jun-23	Project in progress and so funds are already fully committed.		
43	DESIGN SACKVILLE ST HILLTOP DRAINAGE	Capital	85,000	52,074	32,926	-	-	-	32,926	-	32,926	Jun-23	Project in progress and so funds are already fully committed.		
44	CONSTRUCT DRAINAGE DANGAR ST MOSS VALE	Capital	400,000	85,213	314,787	-	-	-	314,787	-	314,787	Jun-23	Delays were encountered within construction phase due to natural disasters within 2022 through both the poor site conditions that resulted and also internal resources being temporarily redirected towards disaster recovery works. However the project in progress and so funds are already fully committed.		
45	DESIGN SUNNINGHILL AVE DRAINAGE	Capital	115,000	-	115,000	-	-	-	115,000	-	115,000	Jun-23	This design phase did not commence until late in the financial year due to reduced availability of internal design resources resulting from resignations		
46	GUARDRAIL REPLACEMENT & UPGRADE PROGRAM	Capital	126,075	6,912	119,163	119,163	-	-	-	-	119,163	Jun-23	Delays were encountered within design phase and so construction contract was not awarded until late 2021/22. However construction phase is in progress and funds are fully committed		
47	ERIDGE PARK RD UPGRADE	Capital	3,210,684	1,892,726	1,317,958	-	1,317,958	-	-	-	1,317,958	Jun-23	The presence of overlapping utility networks and requirement for a block retaining wall added additional complexity to the design phase which in turn delayed the construction phase. However construction phase is in progress and funds are fully committed		

**AGENDA OF THE ORDINARY MEETING OF COUNCIL  
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Wingecarribee Shire Council														
Proposed Expenditure Revotes from 2021/22 to 2022/23 and 2023/24														
General Fund														
Funding Source												Attachment 1		
Project Description			Operating/ Capital	2021/22 Adopted Budget (Q3)	YTD Expenditure	Amount for Carryover	General Revenue	External Grants	Developer Contributions	SRV	Other Reserves	Total Funding	Expected Completion	Purpose of and reason for carryover
48	KIRKHAM STREET REHABILITATION		Capital	230,000	127,065	102,935	102,935	-	-	-	-	102,935	Jun-23	Design phase was extended to account for Local Traffic Committee approval of roundabout design and pavement investigations. Design phase has now been completed in 2022/23 and construction phase to be delivered within 2022/23
49	STATION ST PAVEMENT RENEWAL BONG BONG TO BOOLWEY		Capital	100,000	68,209	31,791	-	-	-	31,791	-	31,791	Jun-23	Project in progress and so funds are already fully committed.
50	DRAINAGE IMPROVEMENTS WEST OF STATION ST BOWRAL		Capital	1,000,000	342,226	657,774	657,774	-	-	-	-	657,774	Jun-23	Project in progress and so funds are already fully committed.
51	UPGRADE SEAL MT BROUGHTON RD WERAI		Capital	1,112,821	798,595	314,226	111,085	83,320	-	119,821	-	314,226	Jun-23	Poor weather conditions early 2022 resulted in limited availability of asphaltting and resealing contractors in April to June 2022. And so completion of final seal for this project was delayed until July - August in line with contractor availability. Construction phase is in progress and funds are fully committed
52	SAFETY IMPROVEMENTS OLD HUME HWY BOWRAL		Capital	1,802,126	791,691	1,010,435	-	1,010,435	-	-	-	1,010,435	Jun-23	Poor weather conditions early 2022 resulted in limited availability of asphaltting and resealing contractors in April to June 2022. And so completion the resealing for this project was delayed until July - August in line with contractor availability. Construction phase is in progress and funds are fully committed
53	PARK RD WOMBAT CROSSING		Capital	10,000	7,935	2,065	-	2,065	-	-	-	2,065	Jun-23	Project in progress and so funds are already fully committed.
54	BROWLEY ST WOMBAT CROSSING		Capital	13,000	7,935	5,065	-	5,065	-	-	-	5,065	Jun-23	Project in progress and so funds are already fully committed.
55	PIONEER ST WOMBAT CROSSING		Capital	13,000	7,588	5,412	-	5,412	-	-	-	5,412	Jun-23	Project in progress and so funds are already fully committed.
56	BUNDAROO ST WOMBAT CROSSING		Capital	13,000	7,538	5,462	-	5,462	-	-	-	5,462	Jun-23	Project in progress and so funds are already fully committed.
57	WATTLE ST WOMBAT CROSSING		Capital	13,000	7,439	5,561	-	5,561	-	-	-	5,561	Jun-23	Project in progress and so funds are already fully committed.
58	PARK RD NO2 WOMBAT CROSSING		Capital	10,000	7,737	2,263	-	2,263	-	-	-	2,263	Jun-23	Project in progress and so funds are already fully committed.
59	BOND BONG COMMON INTERSECTION UPGRADE		Capital	75,000	-	75,000	17,000	-	-	17,000	41,000	75,000	Jun-25	Project in progress and so funds are already fully committed.
Total Infrastructure Services				11,028,054	5,590,771	5,437,283	1,007,958	2,437,542	53,900	1,896,883	41,000	5,437,283		
BUSINESS SERVICES														
60	INTERNAL ROAD REPAIRS RRC		Operating	255,000	106,481	148,519	148,519	-	-	-	-	148,519	Oct-22	Delayed as full provurement process was required for the removal of the soil.
Total Business Services				255,000	106,481	148,519	148,519	-	-	-	-	148,519		
PROJECT DELIVERY														
61	BERRIMA RD BRIDGE OVERPASS		Capital	1,068,709	235,486	833,223	-	-	-	-	833,223	833,223	Jun-23	Project has continued to experience complexities & delays associated with negotiation and approvals of utility providers and impacted stakeholders. Project in progress and so funds are fully committed.
62	BOWRAL MEMORIAL HALL PROJECT MANAGER/SCOPING		Capital	3,666,000	3,548,644	117,356	-	-	-	117,356	-	117,356	Jun-23	Project is on track for full delivery within 2022/23. Current 2022/23 budget is \$3.075M and so this revote is solely due to invoicing being slightly misaligned with budget phasing.
63	MITTAGONG PLAYHOUSE RECTIFICATION WORKS		Capital	400,000	374,139	25,861	-	-	-	-	25,861	25,861	Jun-25	Project in progress and so funds are already fully committed.
64	BURRAWANG CREEK BRIDGE 2 BELMORE FALLS RD		Capital	460,756	230,869	229,887	-	179,887	-	50,000	-	229,887	Jun-23	Early invoicing of long lead time items, precast bridge girders, was expected to occur in 2021/22 - however these invoices will instead be received in 2022/23. Project remains on track for full delivery in 2022/23 and funds are full committed.
65	DIAMOND FIELDS RD BRIDGE MITTAGONG		Capital	476,801	145,803	330,998	-	280,999	-	49,999	-	330,998	Jun-23	Early invoicing of long lead time items, precast bridge girders, was expected to occur in 2021/22 - however these invoices will instead be received in 2022/23. Project remains on track for full delivery in 2022/23 and funds are full committed.
66	MERRIGANG ST BRIDGE BOWRAL		Capital	805,232	87,845	717,387	-	667,387	-	50,000	-	717,387	Jun-23	Early invoicing of long lead time items, precast bridge girders, was expected to occur in 2021/22 - however these invoices will instead be received in 2022/23. Project remains on track for full delivery in 2022/23 and funds are full committed.
67	RITTERS CREEK BRIDGE MERYLA RD MERYLA		Capital	325,127	100,681	224,446	-	174,446	-	50,000	-	224,446	Jun-23	Early invoicing of long lead time items, precast bridge girders, was expected to occur in 2021/22 - however these invoices will instead be received in 2022/23. Project remains on track for full delivery in 2022/23 and funds are full committed.
68	SH REGIONAL ANIMAL SHELTER DESIGN		Capital	350,000	157,277	192,723	-	-	-	-	192,723	192,723	Jun-24	Additional complexity was encountered within design phase due to interactions with utilities and future Moss Vale Bypass. DA for facility is currently under assessment. Construction phase on track for commencement 2022/23 and completion 2023/24.
69	RETFORD PARK DETENSION BASIN DESIGN		Capital	142,063	61,523	80,540	-	-	80,540	-	-	80,540	Jun-25	Project in progress and so funds are already fully committed.
70	SRLX MAIN CONTRACT 6330/20.10 YARDS PROWAY		Capital	2,964,886	1,696,100	1,268,786	-	1,268,786	-	-	-	1,268,786	Jun-23	Construction phase experienced delays due to DA and CC approvals associated with fire safety compliance. These have since been resolved and project is on track for delivery in 2022/23.
71	MOSS VALE CEMETERY MASTERPLAN STAGE1		Capital	50,000	32,288	17,712	-	-	-	-	17,712	17,712	Jun-25	Project in progress and so funds are already fully committed.
72	BONG BONG COMMON STAGE 1A		Capital	521,566	70,340	451,226	-	39,226	-	300,000	112,000	451,226	Jun-23	Commencement of construction phase was delayed due to natural disasters and poor weather conditions in 2022. Procurement complexities are now being navigated, with a resolution anticipated by end of August 2022, allowing construction phase to recommence.
73	MOSS VALE BYPASS PROJECT DEVELOPMENT		Capital	1,368,670	782,697	585,973	-	585,973	-	-	-	585,973	Jun-24	Poor weather conditions and complexities with heritage significance of Bong Bong Common delayed the completion of geotechnical investigations which in turn delayed the design phase.
74	3 RFS STATION WATER STORAGE TANKS		Capital	326,535	171,631	154,904	50,000	104,904	-	-	-	154,904	Jun-23	Project experienced delays in finalisation of site locations and development approvals. Project scope has been revised as per resolution of Council Meeting July 2022 and is on track for delivery.

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Wingecarribee Shire Council														
Proposed Expenditure Revotes from 2021/22 to 2022/23 and 2023/24														
General Fund														
Funding Source														
Attachment 1														
Project Description		Operating/ Capital	2021/22 Adopted Budget (Q3)	YTD Expenditure	Amount for Carryover	General Revenue	External Grants	Developer Contributions	SRV	Other Reserves	Total Funding	Expected Completion	Purpose of and reason for carryover	
75	COOK STREET PARK PLAYGROUND UPGRADE	Capital	163,000	-	163,000	12,000	81,000	-	70,000	-	163,000	Jun-23	Project had to undergo design optimisation process to bring the project back to the available budget after construction prices received significantly exceeded funds available. Project now on track for delivery in 2022/23.	
76	CHURCH RD OVAL PLAYGROUND UPGRADE	Capital	149,000	-	149,000	5,000	74,000	-	70,000	-	149,000	Jun-23	Project had to undergo design optimisation process to bring the project back to the available budget after construction prices received significantly exceeded funds available. Project now on track for delivery in 2022/23.	
77	DESIGN MOSS VALE SES BUILDING	Capital	176,000	-	176,000	-	-	-	-	176,000	176,000	Jun-23	Additional complexity was encountered within design phase due to interactions with utilities and future Moss Vale Bypass. DA for facility is currently under assessment.	
78	BONG BONG COMMON STAGE 1B, 2 & 3	Capital	400,000	190,437	209,563	-	209,563	-	-	-	209,563	Jun-24	Design phase encountered delays due to complexities with local heritage significance & aboriginal cultural heritage, as well as intersection upgrades identified by TINSW. Project in progress and so funds are already fully committed.	
79	MT GIBRALTER TELECOM TOWER SECURITY UPGRADE	Capital	122,984	52,319	70,665	70,665	-	-	-	-	70,665	Jun-23	Project in progress and so funds are already fully committed.	
80	DEPOT UPGRADE PROJECT	Capital	266,336	250,104	16,232	-	-	-	16,232	-	16,232	Jun-23	Project in progress and so funds are already fully committed.	
80	DESIGN LIONS PARK TOILET BLOCK	Capital	50,000	9,060	40,941	10,941	-	-	30,000	-	40,941	Dec-22	Project in progress and so funds are already fully committed.	
81	DESIGN BERRIMA CAMPGROUND AMENITIES BLOCK	Capital	30,000	13,133	16,867	16,867	-	-	-	-	16,867	Jun-23	Project in progress and so funds are already fully committed.	
82	LOSEBY PARK LIGHTING UPGRADE	Capital	387,000	71,298	315,702	45,119	-	-	270,583	-	315,702	Sep-22	Procurement phase was delayed early 2022 due to budgetary constraints, however these were addressed through 2021/22 QBR2. This delay has caused completion of the construction phase to slip into 2022/23, with completion now forecast for September.	
83	BALMORAL BUSHLAND PARK ESTABLISHMENT	Capital	98,855	2,000	96,855	-	-	96,855	-	-	96,855	Jun-23	This project was a Council commitment. Project will be scoped and delivered in 2022/23. Delays were experienced due to complexities around the presence of endangered vegetation within the site.	
84	ERIDGE PARK NETBALL COURTS LIGHTING UPGRADE	Capital	30,000	14,982	15,018	-	-	-	15,018	-	15,018	Jun-23	Project in progress and so funds are already fully committed.	
Total Project Delivery			14,799,520	8,298,657	6,500,863	210,591	3,666,170	177,395	1,089,188	1,357,518	6,500,863			
Total Service & Project Delivery			26,824,981	14,169,651	12,655,382	1,882,820	6,113,060	231,295	2,996,149	1,432,058	12,655,382			
Corporate Resourcing & Strategy														
CORPORATE & COMMUNITY SERVICES														
85	THE COMMUNITY CIRCLES PROGRAM	Operating	20,000	-	20,000	20,000	-	-	-	-	20,000	Jun-23	Joint project with Touched by Olivia Foundation. Project due to commence shortly	
86	EXPERIENCING NATURE – HEALTH AND WELLBEING ACTIVITIES	Operating	12,728	7,136	5,592	5,592	-	-	-	-	5,592	Dec-22	Grant program delayed due to COVID (St Vincent de Paul)	
87	SERVICE DELIVERY REVIEW PROGRAM	Operating	150,363	98,518	51,845	51,845	-	-	-	-	51,845	Jun-23	Complete Children's Services Service Delivery Review (commenced in 2021/22). Abraxa Management Reporting being engaged to complete further report. Carry over to supplement 22/23 budget to support implementation of Roadmap initiatives e.g. business improvement program, map processes (potential for additional software to support this) on top of existing service delivery review program.	
Total Corporate & Community Services			183,091	105,655	77,437	77,437	-	-	-	-	77,437			
INFORMATION SERVICES														
88	LIBRARY COLLECTION RESOURCES	Capital	184,000	118,888	50,000	50,000	-	-	-	-	50,000	Jun-23	The reasoning for this proposed revote is: - <b>Primary:</b> The purpose of this budget is to purchase all of the library's materials each financial year however, in 21/22 the many temporary closures to businesses and restrictions due to COVID-19 affected the Library's ability to purchase and process these resources. COVID-19 had a negative impact on both Australian and international publishers who were unable to publish planned releases. It also disrupted their ability to print and distribute these resources around the world. As a result many of the publications that were planned for 21/22 will now be published and available for purchase in 22/23. The resource budget allocated to the Library in 22/23 has not considered this set of circumstances and as a result the library may not have enough funding to purchase all of these new materials.	
89	COUNCILLOR PORTAL AND INTRANET	Capital	98,950	-	98,950	98,950	-	-	-	-	98,950	Jun-23	This project is to be completed once we complete the SharePoint internal site, due to the delay in Council elections we have pushed back priority on the second part of the project.	
Total Information Services			282,950	118,888	148,950	148,950	-	-	-	-	148,950			
Total Corporate Resourcing & Strategy			466,041	224,543	226,387	226,387	-	-	-	-	226,387			
Communities and Place														
ENVIRONMENT & SUSTAINABILITY														
90	1.3 GREEN WEB ACTION	Operating	100,962	16,308	18,384	-	-	-	-	18,384	18,384	Sep-22	Works commenced on Reserve boundary works, and survey work. Purchase orders in place.	

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Wingecarribee Shire Council														
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General Fund														
Funding Source														
Attachment 1														
Project Description		Operating/ Capital	2021/22 Adopted Budget (Q3)	YTD Expenditure	Amount for Carryover	General Revenue	External Grants	Developer Contributions	SRV	Other Reserves	Total Funding	Expected Completion	Purpose of and reason for carryover	
91	1.4 MT GIBRALTER PLAN OF MANAGEMENT	Operating	26,000	95	25,905	-	-	-	-	25,905	25,905	Feb-22	Works to assist Plan of Management Development for Mt Gibraltar Reserve. Shared project with Assets team. Project has commenced and these funds will be required for completion.	
92	SOS KOALA CONSERVATION - RESTORING HABITAT	Operating	30,892	16,380	14,512	-	14,512	-	-	-	14,512	Jul-23	Completion of koala grant actions	
93	SOS KOALA CONSERVATION - PVT LAND CONSERVATION	Operating	37,684	26,166	11,518	-	11,518	-	-	-	11,518	Jul-23	Completion of koala grant actions	
94	SOS KOALA CONSERVATION - FIRE PLANNING	Operating	9,828	6,728	3,100	-	3,100	-	-	-	3,100	Jul-23	Completion of koala grant actions	
95	SOS KOALA CONSERVATION - ROADKILL HOTSPOTS	Operating	25,592	443	25,149	-	25,149	-	-	-	25,149	Jul-23	Completion of koala grant actions	
96	SOS KOALA CONSERVATION - MONITORING	Operating	32,627	30,508	2,119	-	2,119	-	-	-	2,119	Jul-23	Completion of koala grant actions	
97	INDIGENOUS CULTURAL BURNING PROJECT	Operating	82,000	9,714	72,286	-	72,286	-	-	-	72,286	Jun-23	Indigenous Cultural Burning grant project delivery	
98	4.1 AWARENESS CAMPAIGNS	Operating	13,300	7,794	5,506	-	-	-	-	5,506	5,506	Aug-22	Completion of event series development. Works commenced and purchase orders in place.	
99	4.1 COMMUNITY EDUCATION	Operating	68,531	11,426	57,105	-	-	-	-	57,105	57,105	Dec-22	Sustainability promotions (filming and screening), Environments (schools program) to be completed. Climate Wise website establishment. Works commenced and purchase orders in place.	
100	4.4 URBAN SUSTAINABILITY PARTNER PROGRAM	Operating	127,892	41,660	45,586	-	-	-	-	45,586	45,586	Oct-22	Completion of Environment and Climate Change Strategy development. Completion of Greenhouse Gas Reduction Plan. Works commenced and purchase orders in place.	
101	A1 ENV LEVY PROGRAM COORDINATION	Operating	141,030	117,896	5,000	-	-	-	-	5,000	5,000	Jul-22	Legal review of Review of Environmental Factors forms and process. Works commenced and purchase order in place.	
Total Environment & Sustainability			696,338	285,118	286,170	-	128,684	-	-	157,486	286,170			
Total Communities and Place			696,338	285,118	286,170	-	128,684	-	-	157,486	286,170			
Executive														
STRATEGIC OUTCOMES														
102	INTEGRATED TRANSPORT STRATEGY	Operating	280,000	-	280,000	140,000	-	140,000	-	-	280,000	Jan-23	Unsuccessful tender process, has to go back out to tender to complete work.	
103	BOWRAL TOWN CENTRE MASTER PLAN	Operating	200,000	-	200,000	200,000	-	-	-	-	200,000	Feb-23	Council resolutoin to complete the project. RFQ to go out in August to complete the works.	
104	REVIEW OF LOW AND MEDIUM DENSITY HOUSING CONTROLS	Operating	50,000	-	50,000	-	50,000	-	-	-	50,000	Aug-23	Funds recently received from DPE - consultants engaged to complete works.	
Total Strategic Outcomes			530,000	-	530,000	340,000	50,000	140,000	-	-	530,000			
Total Executive			530,000	-	530,000	340,000	50,000	140,000	-	-	530,000			
Project Delivery 2023/24														
Project Delivery 2023/24														
103	OLD SOUTH ROAD RENEWAL	Capital	1,540,000	215,839	1,540,000		1,540,000				1,540,000	Jun-24	Extended design phase encountered due to change of design strategy from upgrade & large widening of road to instead just focussing on pavement renewal. Additional investigations were also completed to ensure cost-effective but resilient pavement design was determined. This extended design phase has pushed construction to commencing 2022/23 and being completed 2023/24.	
104	OLD SOUTH RD REHABILITATION (FLR GRANT PROGRAM)	Capital	954,751	285,701	954,751		954,751				954,751	Jun-24	Extended design phase encountered due to change of design strategy from upgrade & large widening of road to instead just focussing on pavement renewal. Additional investigations were also completed to ensure cost-effective but resilient pavement design was determined. This extended design phase has pushed construction to commencing 2022/23 and being completed 2023/24.	
Total Project Delivery 2023/24			2,494,751	501,540	2,494,751	-	2,494,751	-	-	-	2,494,751			
Total General Fund			31,012,112	15,180,851	16,192,690	2,449,207	8,786,495	371,295	2,996,149	1,589,544	16,192,690			



AGENDA OF THE ORDINARY MEETING OF COUNCIL  
WEDNESDAY 17 AUGUST 2022

Wingecarribee Shire Council														
Proposed Expenditure Revotes from 2021/22 to 2022/23														
Water Fund														
Attachment 2														
Project Description	Operating/Capital	2021/22 Adopted Budget (Q 3)	YTD Expenditure	Amount for Carryover	Funding Source							Expected Completion Date	Purpose of and reason for carryover	
					General Revenue	Grants	Developer Contributions	Other Reserves	Augmentation Reserve	Other Contributions	Total Funding			
PROJECT DELIVERY														
1	NEW GENERATORS WINGECARRIBEE WTP'S & WPS	Capital	1,919,351	1,510,291	409,060	-	-	-	-	409,060	-	409,060	Jun-23	Project in progress and so funds are already fully committed.
2	DESIGN BUNDANOON DAM TO EXETER RESERVOIR	Capital	148,602	20,115	128,487	-	-	39,885	-	88,602	-	128,487	Jun-23	Project in progress and so funds are already fully committed.
3	DESIGN WERAI BALANCE TANK & PUMP STATION REVIEW	Capital	213,079	204,572	8,507	-	-	8,507	-	-	-	8,507	Jun-23	Project in progress and so funds are already fully committed.
4	DESIGN WWTP TO OXLEY DRIVE TRANSFER MAIN	Capital	1,490,000	1,415,201	74,799	-	-	-	-	74,799	-	74,799	Jun-23	Project in progress and so funds are already fully committed.
5	CRITICAL MAIN UPGRADE WERAI WPS TO EXETER RESERVOIR	Capital	240,000	214,750	25,250	-	-	25,250	-	-	-	25,250	Jun-23	Project in progress and so funds are already fully committed.
6	BERRIMA RD WATER DEVIATION PROJECT	Capital	150,000	5,534	144,466	-	-	-	-	144,466	-	144,466	Jun-23	Project in progress and so funds are already fully committed.
Total Project Delivery			4,161,032	3,370,462	790,570	-	-	73,642	-	716,928	-	790,570		
OPERATIONS														
7	WTP REPLACE PNEUMATIC CONTROL FILTER VALVES	Capital	115,795	51,388	64,407	-	-	-	-	64,407	-	64,407	Jun-23	Project in progress and so funds are already fully committed.
8	MEDWAY DAM POWER SUPPLY MODIFICATIONS	Capital	64,038	2,175	61,863	-	-	-	-	61,863	-	61,863	Jun-23	Project in progress and so funds are already fully committed.
9	BUNDANOON DAM SPILLWAY WALL & VALVES RENEWAL	Capital	150,000	-	150,000	-	-	-	-	150,000	-	150,000	Jun-23	Project has been scoped and will be delivered within 2022/23. Project will address rectification works in accordance with Dam Safety Surveillance Report
10	DESIGN & CONSTRUCT WATER MAIN RENEWAL STATION ST	Capital	770,000	8,267	761,733	-	-	-	-	761,733	-	761,733	Jun-23	Project in progress and so funds are already fully committed.
11	WATER PLAN STRATEGIC, BUSINESS, IWCM, AM	Operating	52,062	1,579	50,483	50,483	-	-	-	-	-	50,483	Aug-22	Water revaluation project underway.
12	WATER NETWORK MONITORING	Capital	145,813	-	145,813	-	-	-	-	145,813	-	145,813	Jun-23	Carry over of funds for purchase and installation of bulk water monitoring devices. Project stalled in 21/22 due to Asset Engineer vacancy. AE starting in August 2022 to continue project.
Total Operations			1,297,708	63,409	1,234,300	50,483	-	-	-	1,183,816	-	1,234,300		
Total Water Fund			5,458,740	3,433,871	2,024,869	50,483	-	73,642	-	1,900,744	-	2,024,869		

**AGENDA OF THE ORDINARY MEETING OF COUNCIL  
WEDNESDAY 17 AUGUST 2022**

Wingecarribee Shire Council														
Proposed Expenditure Revotes from 2021/22 to 2022/23														
Sewer Fund														
Attachment 3														
Project Description		Operating/Capital	2021/22 Adopted Budget (Q 3)	YTD Expenditure	Amount for Carryover	Funding Source							Expected Completion Date	Purpose of and reason for carryover
						General Revenue	Grants	Developer Contributions	Other Reserves	Augmentation Reserve	Other Contributions	Total Funding		
PROJECT DELIVERY														
1	SPS E5 BW 160 MANSFIELD PUMP & RISING MAIN UPSIZE	Capital	464,272	50,958	413,314	-	-	413,314	-	-	-	413,314	Jun-23	Project in progress and so funds are already fully committed.
2	SPS BU8 PENOLA ST CONTAINMENT UPGRADE	Capital	300,000	286,997	13,003	-	-	-	-	13,003	-	13,003	Jun-23	Project in progress and so funds are already fully committed.
3	BOWRAL STP UPGRADE	Capital	299,405	260,319	39,086	-	-	-	-	39,086	-	39,086	Jun-25	Project in progress and so funds are already fully committed.
4	MOSS VALE STP UPGRADE	Capital	648,200	607,329	40,871	-	-	40,871	-	-	-	40,871	Jun-26	Project in progress and so funds are already fully committed.
Total Project Delivery			1,711,877	1,205,603	506,274	-	-	454,186	-	52,089	-	506,274		
OPERATIONS														
5	TELEMETRY UPGRADES & RENEWALS	Capital	3,091,600	2,184,209	300,000	-	-	-	-	300,000	-	300,000	Jun-23	Project in progress and so funds are already fully committed.
6	STP BERRIMA SEPTIC RECEIVAL SYSTEM UPGRADE	Capital	180,474	109,996	70,478	-	-	70,478	-	-	-	70,478	Jun-23	Project in progress and so funds are already fully committed.
7	ROBERTSON STP EFFICIENCY IMPROVEMENTS	Capital	20,000	18,833	1,167	-	-	-	-	1,167	-	1,167	Jun-23	Project in progress and so funds are already fully committed.
8	BUNDANOON STP AUTOMATION	Capital	200,000	19,790	180,210	-	-	-	-	180,210	-	180,210	Jun-23	Project in progress and so funds are already fully committed.
9	BERRIMA STP AUTOMATION	Capital	90,000	20,501	69,500	-	-	-	-	69,500	-	69,500	Jun-23	Project in progress and so funds are already fully committed.
10	SPS MV2 ACCESS WAY RENEWAL	Capital	70,000	3,097	66,903	-	-	-	-	66,903	-	66,903	Dec-22	Project in progress and so funds are already fully committed.
11	AMS - DEVELOPMENT & IMPLEMENTATION	Operating	90,747	9,755	80,992	80,992	-	-	-	-	-	80,992	Dec-22	Sewer manhole inspections program. Refer Q-2022-31.
12	DESIGN & INVESTIGATIONS	Operating	55,747	3,576	52,170	52,170	-	-	-	-	-	52,170	Feb-23	Sewer network modelling contract underway. Refer Q-2022-33
13	NETWORK MODELLING - DEV & IMPLEMENTATION	Operating	65,264	25,541	39,723	39,723	-	-	-	-	-	39,723	Dec-22	Sewer flow gauging contract underway. Refer Q-2022-28.
14	SEWER PLAN STRATEGIC, BUSINESS, IWCM, AM	Operating	41,688	2,550	39,138	39,138	-	-	-	-	-	39,138	Feb-23	Sewer network modelling contract underway. Refer Q-2022-33
15	SEWER INFLOW INFILTRATION ASSESSMENTS	Operating	124,848	-	124,848	124,848	-	-	-	-	-	124,848	Dec-22	Sewer flow gauging contract underway. Refer Q-2022-28.
Total Operations			4,030,368	2,397,848	1,025,129	336,872	-	70,478	-	617,780	-	1,025,129		
Total Sewer Fund			5,742,245	3,603,450	1,531,404	336,872	-	524,663	-	669,868	-	1,531,404		

## **9.12 Mittagong War Memorial Clock Tower and Winifred West Park - Conservation Management Plans**

**Report Author:**                      **Recreational Planner**

**Authoriser:**                          Director Service and Project Delivery

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### **PURPOSE**

The purpose of this report is to seek Council adoption of the Draft Conservation Management Plans for the Mittagong War Memorial Clock Tower and Winifred West Park.

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### **OFFICER'S RECOMMENDATION**

#### **THAT:**

- 1. Council adopt the Draft Conservation Management Plan for the Mittagong War Memorial Clock Tower.**
- 2. Council adopt the Draft Conservation Management Plan for Winifred West Park.**

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### **REPORT**

#### **BACKGROUND**

Council obtained funding through the Community War Memorial Funds 2020/21 administered through Veterans Affairs NSW to contribute to the preparation of a conservation management plan for the Mittagong War Memorial Clock Tower. Funding for a conservation management plan for Winifred West Park was sourced from Council's General Ledger.

Council at its meeting of 15 June 2022 resolved that:

1. Council endorse the Draft Conservation Management Plan for the Mittagong War Memorial Clock Tower for the purpose of public exhibition.
2. Council endorse the Draft Conservation Management Plan for Winifred West Park, Mittagong for the purpose of public exhibition.
3. A further report be prepared and submitted to Council following the public exhibition of both Plans.

#### **REPORT**

The Draft Conservation Management Plans for the Mittagong War Memorial Clock Tower and Winifred West Park have been prepared by Louise Thom Heritage Consultants.

The Draft Conservation Management Plan for the Mittagong War Memorial Clock Tower includes a heritage statement of significance, being significant at the local level, and outlines conservation policies and maintenance strategies for the site. These provide guidance to Council by clarifying and formalising existing management practices.

The Draft Conservation Management Plan for Winifred West Park includes an updated heritage statement of significance, being significant at the local level. The State Heritage Inventory Data



## **AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 17 AUGUST 2022**

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Sheet has been updated and conservation policies have been prepared to guide any future landscape masterplan for the site.

The Draft Conservation Management Plans for the two sites were placed on public exhibition, which ran for 28 days from 29 June to 28 July 2022. Four written submissions were received on the Clock Tower and two on Winifred West Park.

<b>Comments</b>	<b>Response</b>
<b>Conservation Management Plan for the Mittagong War Memorial Clock Tower</b>	
Consultation prior to any works being carried out	Conservation Policy 31 includes Mittagong RSL Sub-Branch members in the management of the heritage values of the memorial and its heritage curtilage (page 63)
Update Gulf Wars memorial plaque with end date	Plaque can be updated with a new like-for-like replacement plaque identical in all respects except for the end date of the conflict
Paint colour for memorial tower	Original paint colour is not known, and research is needed to establish a colour scheme as close to the original as possible (page 57)
Suggest some additional greenery to soften bare area	Expanded curtilage is of high significance and must be kept clear of objects other than temporary objects for commemorative functions (page 54)
<b>Conservation Management Plan for Winifred West Park</b>	
Support for new rocket play equipment	The rocket is important in the social and historical significance of the Park. A rocket reintroduced into the playspace would enhance the tourist experience (page 67)
Suggest additional garden beds incorporating some native plants	Native plants are not characteristic of the significance of the Park (Strategy 13 - Page 78)

No amendments are required to either draft Conservation Management Plans in response to the community feedback.

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### **COMMUNICATION AND CONSULTATION**

#### **Community Engagement**

Public exhibition of the draft CMPS via Your Say Wingecarribee, advertised in the Your Say newsletter to all subscribers, Community Update, e-newsletter and social media.

#### **Internal Communication and Consultation**

Internal consultation with Assets, Heritage Strategic Land Use Planner, Property and Infrastructure.

**External Communication and Consultation**

The following were directly informed about the public exhibition of the draft Conservation Management Plans: Mittagong RSL Sub-Branch, Berrima District Historical and Family History Society and Frensham School.

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**SUSTAINABILITY ASSESSMENT**

**Environment**

There are no environmental issues in relation to this report.

**Social**

The Mittagong War Memorial Clock Tower and Winifred West Park are significant at a local level. Adoption of the Conservation Management Plans will help maintain the heritage values of the two sites for future generations.

**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 in relation to this report.

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**RELATED COUNCIL POLICY**

The exhibition of the draft Conservation Management Plans for the Mittagong War Memorial Clock Tower and Winifred West Park has allowed the community and other stakeholders to have input into the final plans consistent with Council's Community Engagement Policy.

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**CONCLUSION**

The Conservation Management Plans for the Mittagong War Memorial Clock Tower and Winifred West Park, will help to maintain these sites of local significance into the future. The Conservation Management Plan for Winifred West Park will also inform the development of any future landscape masterplan.

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**ATTACHMENTS**

*Under Separate Cover*

1. War Memorial Clock Tower, Mittagong Conservation Management Plan, February 2022  
[9.12.1 - 96 pages]

2. Winifred West Park, Mittagong Conservation Management Plan, February 2022 [**9.12.2** - 97 pages]

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### **9.13 Quarterly Progress Report for End June 2022**

**Report Author:** Corporate Strategy and Governance Officer

**Authoriser:** Director Corporate Strategy and Resourcing

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#### **PURPOSE**

The purpose of this report is to provide an overview of Council's progress towards delivering its Delivery Program and Operational Plan 2021/22 for the period 1 April 2022 to 30 June 2022.

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#### **OFFICER'S RECOMMENDATION**

**THAT the Quarterly Progress Report on the Delivery Program and Operational Plan for the period ended June 2022 in Attachment 1 be noted.**

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#### **REPORT**

##### **BACKGROUND**

Under the *Local Government Act 1993* and the Integrated Planning and Reporting (IP&R) Framework, Council must have a Delivery Program detailing the principal activities it will undertake. The Delivery Program outlines where Council will take ownership of the goals and strategies of the Community Strategic Plan, *Wingecarribee 2031*, within its area of responsibility and with regard to its available resources.

The Operational Plan 2021/22 contains 203 projects, programs and activities (referred to as annual deliverables) covering the five key themes outlined in the Community Strategic Plan, *Wingecarribee 2031*. The Operational Plan 2021/22 demonstrates how Council will meet its commitments in the Delivery Program 2017-2021 during the financial year.

##### **REPORT**

The Quarterly Progress Report on the Delivery Program and Operational Plan provides an overview of:

- the progress made towards achieving the objectives set out in the Delivery Program. They are reported under the themes of Leadership, People, Places, Environment and Economy as set out in *Wingecarribee 2031*.
- Council's key achievements regarding the Operational Plan, areas that require future attention and programs and projects that have been placed on hold during the reporting period.

At the end of June 2022, 190 annual deliverables were on track, five (5) was on hold and seven (7) were delayed, one (1) needing attention and none were considered critical. Further details are outlined in **Attachment 1**.

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## **COMMUNICATION AND CONSULTATION**

### **Community Engagement**

Nil

### **Internal Communication and Consultation**

Progress updates were provided by Coordinators and Managers.

### **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**

This report seeks to enhance transparency and accountability by providing an overview of Council's progress towards the commitments set out in the Delivery Program Progress Report and Operational Plan 2021/22.

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## **COUNCIL BUDGET IMPLICATIONS**

Nil

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## **RELATED COUNCIL POLICY**

Nil

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## **CONCLUSION**

This report provides an overview of Council's progress towards achieving its Delivery Program and Operational Plan 2021/22. It demonstrates that Council is generally progressing well towards achieving the actions and annual deliverables set out therein.

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## **ATTACHMENTS**

1. Progress Report on the Delivery Program and Operational Plan End June 2022 Quarter Report [9.13.1 - 100 pages]



## **Delivery Program Progress Report End June 2022 Quarter**

*Working with you*

**WSC.NSW.GOV.AU**





## **Delivery Program Progress Report – Summary**

The following section provides an overview of Council's progress towards delivering its Delivery Program and Operational Plan 2021-22. The Operational Plan contains 203 projects, programs and activities (annual deliverables) across the five key themes from the Wingecarribee 2031 Community Strategic Plan. Table 1, below, outlines how Council is tracking at the end of the 1 April 2022 to 30 June 2022 reporting period (three-month period) to achieve the annual deliverables for each theme.

At the end of June 2022, 190 annual deliverables were on track, five (5) was on hold and seven (7) were delayed, one (1) needing attention and none were considered critical. Each objective is assigned a coloured circle to signify overall progress, as per the below key:

	= On track (green)
	= Needs attention (amber)
	= Critical (red)
	= On-hold (grey)
	= Delayed (purple)

**Table 1: Annual Deliverables Progress Status**

Progress Status					
W2031+ Theme	Delayed	On-hold	Critical	Needs Attention	On-Track
<b>Leadership</b>	3.4%	3.4%	-	-	93.1%
<b>People</b>	2.6%	2.6%	-	2.6%	92.1%
<b>Places</b>	8.7%	2.2%	-	-	89.1%
<b>Environment</b>	-	-	-	-	100%
<b>Economy</b>	-	5%	-	-	95%
<b>Total for all annual deliverables</b>	<b>3.4%</b>	<b>2.5%</b>	<b>-</b>	<b>0.5%</b>	<b>93.6%</b>



# AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 17 AUGUST 2022

## Highlights



### April 2022

- Executive Listening Tours continued
- Internal Ombudsman Service established

### May 2022

- Response, Recovery and Resilience Expo
- New Duty Planner booking service for DA process
- Old South Road repairs continued

### June 2022

- Pie Time
- Facility upgrades continue at Saleyards
- Wingecarribee Greener Footprint Fair






Wingecarribee Shire Council  
Progress Report on the Delivery Program and Operational Plan End June 2022 Quarter Report

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**AGENDA OF THE ORDINARY MEETING OF COUNCIL  
WEDNESDAY 17 AUGUST 2022**



Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
DP001 Develop and implement an elected-member professional development program DP002 Strengthen Council's Integrated Planning and Reporting and Governance Frameworks	OP001	Coordinate an induction and professional development program for Councillors	The induction program for the new councillors was endorsed at the Council meeting on 14 July 2021. Any further action is currently on hold, awaiting the outcome of the Public Inquiry and subsequent announcement regarding an election for Wingecarribee Shire Council.		Governance and Legal Group Manager Corporate & Community
DP002 Strengthen Council's Integrated Planning and Reporting and Governance Frameworks	OP002	Revise the corporate performance and measurement framework	The first quarterly report for newly created Executive metrics was undertaken during the June quarter and now established will be reported quarterly.  A revision of the corporate performance and measurement framework will be included as part of the review of Council's Integrated Planning and Reporting Framework, to be undertaken in 2022/23.		Corporate Strategy Group Manager Corporate & Community
	OP003	Review and develop Council policies to ensure they are relevant and address emerging issues	The following policies were placed on public exhibition during the reporting period: <ul style="list-style-type: none"> <li>– Draft Financial Reserves</li> <li>– Draft Feedback and Complaints</li> <li>– Draft Managing Unreasonable Conduct by Complainants</li> </ul>		Governance and Legal Group Manager



**AGENDA OF THE ORDINARY MEETING OF COUNCIL  
WEDNESDAY 17 AUGUST 2022**



Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
					Corporate & Community
	OP004	Establish and administer the Audit, Risk and Improvement Committee	An Audit, Risk and Improvement Committee was held on 9 June 2022 and the unconfirmed minutes of this meeting will be reported to the July Council meeting.		Governance and Legal Group Manager Corporate & Community
	OP005	Continue to implement and embed Council's Fraud and Corruption Control Framework and associated actions	In conjunction with Council's Professional Conduct Coordinator (Internal Ombudsman Service) a program of improvements are being develop including review of existing policies and further staff training.		Governance and Legal Group Manager Corporate & Community
	OP006	Coordinate the review of Council's Community Strategic Plan and Resourcing Strategy and the development of the Delivery Program 2022-2025 and Operational Plan and Budget 2022/23	Due to the postponement of the Wingecarribee Shire Local Government Election until September 2024, the review of Council's Community Strategic Plan and development of a new Delivery Program has been placed on hold until the new financial year.  At its Extraordinary Council meeting on 4 May 2022, Council resolved to place on public exhibition the draft 2022/23 Operational Plan and Budget, Fees and Charges and Long-Term Financial Plan. The draft documents were placed on public exhibition for 28 days.		Corporate Strategy Group Manager Corporate & Community


**AGENDA OF THE ORDINARY MEETING OF COUNCIL  
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Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
			The Operational Plan and Budget were adopted at an Extraordinary Meeting held on 29 June 2022.		
	OP007	Provide timely and accurate reports to the community and Council on Integrated Planning and Reporting documents	The Quarterly Report on the Operational Plan was considered at the Council meeting held on 18 May 2022.		Corporate Strategy Group Manager Corporate & Community
	OP008	Administer the <i>Government Information Public (Access Act) 2009</i> and <i>Privacy and Personal Information Protection Act 1998</i> , including determining applications for access to information	<p>Seven valid formal access applications under the <i>Government Information (Public Access) Act 2009</i> (GIPA Act) were received by Council during the quarter. This volume equalled the number of valid access applications received during the previous quarter.</p> <p>Of the seven valid access applications that were received during the reporting period, three applications were finalised as at 30 June 2022 while four remained in progress. Two access applications which remained outstanding at the conclusion of the previous reporting period were finalised within the current reporting period.</p> <p>All applications finalised within the reporting period were decided within statutory timeframes or within a timeframe agreed between Council and the applicant.</p>		Governance and Legal Group Manager Corporate & Community

**AGENDA OF THE ORDINARY MEETING OF COUNCIL  
WEDNESDAY 17 AUGUST 2022**



Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
			<p>One application for internal review was finalised and an external review of that decision was lodged with the Information and Privacy Commission NSW, which remains in progress.</p> <p>151 requests for access to information were lodged with Council under either the mandatory proactive or informal release provisions of the GIPA Act. This represented a decrease of 22 from the previous quarter.</p> <p>No applications were received from members of the public seeking access to their own personal information under the <i>Privacy and Personal Information Protection Act 1998</i> (PPIPA) within the reporting period. Council continued to deal with requests from third parties (such as other government agencies) for access to personal information held by Council. All such requests were dealt with in accordance with the PPIPA, the Privacy Code of Practice for Local Government and Council's Privacy Management Plan.</p>		
	OP009	Coordinate Council's preparations in the lead up to the 2021 Local Government Election	As a result of the Public Inquiry into Wingecarribee Shire Council, the Wingecarribee Shire Local Government election has been postponed until September 2024.		Governance and Legal Group Manager Corporate & Community

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Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
	OP010	Implement the recommendations of the governance and statutory obligations review	Of the 52 recommendations, 48 are in progress or been completed. The four remaining recommendations will be addressed by the implementation of an IT system which will assist in the management of delegations. The implementation of the delegations system will commence next quarter.		Governance and Legal Group Manager Corporate & Community
	OP011	Establish an independent Internal Ombudsman function	Completed in previous quarter.		Governance and Legal Group Manager Corporate & Community
	OP012	Review Council's Business Continuity Plan with specific regard to natural disasters and pandemic events	All Business Continuity Plans and sub-plans are current for the period and reflect the most recent natural hazard event preparations including pandemic.		Governance and Legal Group Manager Corporate & Community
DP003 Improve community understanding and awareness of Council decisions	OP013	Ensure the community is aware of Council initiatives using a variety of information channels, such as social media, media releases,	Council continues to split resources and coverage of key messages between 'traditional' and 'social' media channels.  During the reporting period 41 media releases were issued to a range of media, community, service, transport and first-responder organisations. These media releases and alerts were also posted to Council's dedicated online digital Media Centre at		Corporate Relations Director Corporate Strategy & Resourcing

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Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
		newsletters and the Council website	<p>media.wsc.nsw.gov.au and posted to Council's corporate Twitter account.</p> <p>Likewise, 127 Facebook posts were issued and shared 623 times with 34,381 Link clicks. This resulted in an average reach of 3,582 for the three-month period. This helped lift Council's total number of Facebook followers to 9,110 as of 30 June 2022. Over the same period 35 Tweets were issued resulting in a total of 11 new Twitter followers.</p> <p>12 e-newsletters were also produced and distributed during the reporting period. These e-newsletters joined other interested specific regular electronic newsletters relating to Community Engagement, Environment and Tourism.</p>		
<b>DP004 Develop and maintain an engaged and safe workforce</b>	OP014	Implement improvements to Council's Work Health and Safety Management System	The implementation of improvements includes the development of Council's Integrated Risk Management Policy, Integrated Risk Management Plan and supporting documentation, tools and templates to ensure they meet legislative and organisational objectives.		Employee Services Group Manager Corporate & Community
	OP015	Implement Work Health and Safety initiatives to reduce workplace injuries	<p>Following a serious workplace incident in 2018 Council has entered into an Enforceable Undertaking (EU) with Safework NSW. The projects delivered through the EU will deliver long-term sustainable safety improvements in the workplace, industry and community.</p> <p>Council will also identify proactive measures to prevent incidents</p>		Employee Services Group Manager Corporate & Community

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Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
			and hence reduce workplace injuries. The measures are to be reviewed regularly to ensure they are aligning to Council's Work Health and Safety Goal(s).		
DP005 Manage Council's WHS risk management profile to ensure risks are mitigated	OP016	Continue to implement the Statewide Risk Management Action Plan	The Continuous Improvement Program has commenced, and Council is gathering resource information to complete by end October when State Wide will convene a workshop with Council staff. Work books are focusing on: <ol style="list-style-type: none"> <li>1. Roads</li> <li>2. Signs as Remote Supervision</li> <li>3. Fire Management at Waste Facilities</li> </ol>		Employee Services Group Manager Corporate & Community
	OP017	Manage risk through Council's Risk Management Framework	Council continues to transition to an Integrated Risk Management Framework to manage risk.  The Shire continues to experience declared disaster events. Council focuses on both community and corporate risk such as event management and internal emergency management structures and plans is a priority in order to ensure the safety and wellbeing of Council staff and the Community.		Governance and Legal Group Manager Corporate & Community

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Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
	OP018	Undertake a review of insurance, pool membership and coverage	Investigations continue to determine the process for undertaking the review.		Employee Services Group Manager Corporate & Community
DP006 Develop and maintain Council's Organisational Development programs	OP019	Enhance employee performance management practices	A review of the 2020-2021 performance review was undertaken to identify areas of improvement. A draft Performance, Feedback and Development Program is in development.		Employee Services Executive Manager People & Culture
	OP020	Manage and respond to the industrial relations needs of Council	Council continues to implement the review of the organisational structure in compliance with Awards and in consultation with the three Unions and the staff to ensure the organisation is positioned to deliver for the future.		Employee Services Executive Manager People & Culture
	OP021	Improve human resources recruitment and retention processes, policies and practices, ensuring compliance with legislation and organisational needs	People and Culture have been engaging with recruiting managers to discuss vacancies and the process to fill these whether internal or external recruitment. The Human Resource Business Partners are involved with each recruitment episode to ensure compliance with legislation and policy in addition to identifying areas for improvement with a number of staff forms updates and flow charts developed.		Employee Services Executive Manager People & Culture





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Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
	OP022	Implement the recommendations of the human resources review	Council officers have convened strategic meetings to discuss the recommendations from the review in addition to project mapping strategies for implementation over various time frames.		Employee Services Executive Manager People & Culture
DP008 Ensure Council's financial systems, procedures and practices are in line with industry best practice and compliant with applicable legislation	OP023	Complete Council's Annual Financial Statements within statutory timeframes with no adverse audit findings	This was completed in quarter 2 of this financial year.		Financial Services Chief Financial Officer
	OP024	Undertake review of Council's Annual Budget (four- year forward estimates) and Long Term Financial Plan	Council's Operational Plan and Budget were adopted by Council on 29 June 2022 after being publicly exhibited for 28 days. The 2022/23 - 2031/32 Long Term Financial Plan was also adopted by Council as a part of this process.		Financial Services Chief Financial Officer
	OP025	Implement the recommendations of the review of Council's financial position, resourcing strategy, maintenance of basic infrastructure,	All items for Council's financial review have now been reported upon and implemented. This included an updated Investment Policy that is currently on exhibition and an adopted Cash Reserves Policy. In addition to this, a review of Council's previous Special Rate Variation will be presented to Council in July 2022.		Financial Services Chief Financial Officer




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Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
		depreciation schedules and capacity to deliver projects			
	OP026	Ensure rates, water and sewer accounts are levied and issued in accordance with the <i>Local Government Act 1993</i>	All rates, water and sewer accounts were issued within statutory time frames for the 2021/22 financial year. During the 4th quarter, the rates notices and water and sewer notices were issued in mid April 2022.		Financial Services Chief Financial Officer
	OP027	Ensure debt recovery activities are consistent with Council's adopted Debt Recovery Policy and guidelines	<p>Due to COVID-19 and inclement weather events, debt recovery for the 2021/22 has been postponed until the 4th quarter. Due to these events, Council's overdue rates and charges financial performance indicator may exceed the 5% benchmark set by the Office of Local Government.</p> <p>During the 4th quarter reminder notices were sent to a number of overdue accounts for both rates and water/sewer accounts. This will be back on track for 2022/23 financial year.</p>		Financial Services Chief Financial Officer

**AGENDA OF THE ORDINARY MEETING OF COUNCIL  
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Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
	OP028	Undertake a review of all Farmland rating properties to ensure they comply with section 515 of the <i>Local Government Act 1993</i>	This review is on hold until the impacts from the adverse weather conditions ease and recommence in the 2022/23 financial year.		Financial Services Chief Financial Officer
	OP029	Council's financial practices for the payment of employees, suppliers, and taxation obligations achieve legislative compliance and required payment terms	<p>The fortnightly payroll has been undertaken in an accurate and timely manner in accordance with Council policies, procedures, the award and relevant legislation.</p> <p>Supplier invoices that have processed are paid weekly in accordance with payment terms.</p> <p>Council's Business Activity Statement (BAS) has been submitted to the Australian Taxation Office the by 21st day of each month.</p> <p>Council staff have lodged the Fringe Benefits Tax (FBT) return prior to the statutory deadline in May 2022.</p>		Financial Services Chief Financial Officer
	OP030	Quarterly review of the Annual Budget is submitted to Council within statutory timeframes	The March 2022 Quarterly Budget Review Statement was presented to Council on the 18 May 2022 (prior to the deadline of 31 May 2022).		Financial Services Chief Financial Officer

**AGENDA OF THE ORDINARY MEETING OF COUNCIL  
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Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
DP009 Manage Council's Fleet to ensure that all plant and equipment is appropriately utilised, fit for purpose and cost effective	OP031	Implement Council's annual plant and light vehicle replacement program in line with operational requirements and within budget	<p>The replacement program in the 21/22 financial year started quite late in the year, a significant amount of progress has been made over the last 6 months of 2021/22.</p> <p>Council's Leaseback Vehicles - 42 to replace in the 2021/2022:</p> <ul style="list-style-type: none"> <li>17 - Completed/Replaced</li> <li>20 - In Progress (ordered)</li> <li>1 - Forms given but not returned by driver</li> <li>4 - Not Started (unassigned drivers)</li> </ul> <p>Council's Operational Vehicles/Plant - 85 to replace in the 2021/2022:</p> <ul style="list-style-type: none"> <li>17 – Completed</li> <li>31 – In Progress (ordered, or specs underway ready for quoting)</li> <li>37 – Not Started - a lot of these are trailers (20 in total) and may not be required to be changed over yet</li> </ul>		Financial Services Chief Financial Officer Chief Financial Officer Chief Financial Officer
	OP032	Continue to manage Council's plant maintenance schedules to ensure plant and equipment remain safe, reliable and operationally available	<p>The quarterly statistics for the workshop is as follows:</p> <ul style="list-style-type: none"> <li>Services – 133</li> <li>Services External – 8</li> <li>Rego Checks – 1</li> <li>Repairs – 144</li> </ul>		Financial Services Chief Financial Officer

**AGENDA OF THE ORDINARY MEETING OF COUNCIL  
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Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
			Repairs External -109 Breakdowns (unplanned works) – 53 Insurance External – 17 Modifications – 38 Inspections/Checks – 11 Warranty Repairs External – 1  The plant replacement program has been maintained as best as it can noting the lag on vehicle manufacturing is approximately 6-8 months depending on the type of vehicle. The sale of Council's fleet remains higher than anticipated due the shortage in the new car market. These will continue to be monitored over the coming financial year.		
<b>DP010 Council's property activities and dealings are undertaken within the community's best interests and within legislative requirements</b>	OP033	Manage Council's property portfolio in accordance with legislation with the timely reporting of property matters to Council for approval	Council's Property Portfolio continues to be managed in compliance with legislative requirements. The management of the property portfolio includes the timely report to Council on property matters for formal resolution.  Council has considered a range of reports during the April - June quarter including: <ul style="list-style-type: none"> <li>– Loan to Wingecarribee Adult Daycare Centre</li> <li>– Proposed right of Carriageway, Station Street Bowral</li> <li>– Lease to Southern Highlands Storm Rugby Club</li> <li>– Planning Proposal to reclassify land at Mt Gibraltar</li> <li>– Road Closure - Bowral</li> </ul>		Property Services Director Corporate Strategy & Resourcing


**AGENDA OF THE ORDINARY MEETING OF COUNCIL  
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Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
			<ul style="list-style-type: none"> <li>– Right of Carriageway - Station Street Bowral</li> <li>– Planning Proposal to reclassify land at Mt Gibraltar</li> <li>– Outcome of Community Consultation - proceeds of sale of 42 Banksia Street Colo Vale</li> <li>– Termination of lease for Tourism Information Centre at Sutton Forest</li> </ul>		
	OP034	Continue to monitor and investigate opportunities to maximise the financial return from surplus land	<p>The Draft Property Investment Policy and Draft Property Investment Strategy is under development. The Policy and Strategy will be reported to Council in 2022/23 for resolution to place on public exhibition.</p> <p>Council officers are working on a document mapping all Council operational land including land size zoning etc. Once this is complete the same will be prepared for Council owned community land. This will assist in the identification of under utilised and/or surplus lands with a view to identify land that may be disposed of otherwise identified for reclassification/rezoning if required and future sale.</p>		Property Services Director Corporate Strategy & Resourcing
	OP035	Ensure effective management of Crown Land in accordance with the <i>Crown Lands Management Act 2016</i> , including the management of Native	<p>Council has received confirmation from Crown that the Minister has approved classification of the Welby Tip site as operational to enable remedial works to be undertaken.</p> <p>Council has requested removal of several Crown Reserves from the blanket Aboriginal Land Claim across the Shire to enable Council to be appointed as Reserve Trust Manager for several Crown reserves</p>		Property Services Director Corporate Strategy & Resourcing

**AGENDA OF THE ORDINARY MEETING OF COUNCIL  
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Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
		Title, in line with legislative timeframes	<p>currently devolved to Council (including Council cemeteries and part of Hampden Park Robertson).</p> <p>Native Title assessment continues to be undertaken by Council's Property Officers in accordance with the requirements of the Crown Land Management Act 2016.</p> <p>Native title advice is currently being processed for:</p> <ul style="list-style-type: none"> <li>– Hampden Park Cricket nets</li> <li>– Bill O'Reilly Oval</li> <li>– Canyonleigh RFS Tank</li> <li>– Penrose RFS Tank</li> <li>– Bundanoon Club</li> <li>– Big Fat Smile Robertson lease</li> <li>– Mens Shed Canyonleigh</li> </ul>		
<b>DP011 Procurement activities are undertaken to achieve best value while underpinned by a robust ethical framework which enables local supplier participation</b>	OP036	Ensure procurement activities are undertaken in accordance with legislative requirements and Council's Policy, Guidelines and Procedures	<p>During the 4th quarter of 2021/22, Council started the procurement process for 16 high value/ key procurement activities which are now all at varying stages. Some of the significant procurement activities started include:</p> <ul style="list-style-type: none"> <li>– Werai Pump Station &amp; Balance Tank</li> <li>– Bowral STP Upgrade - Project Management Services</li> <li>– Pavement Rehabilitation - Station Street, Bowral</li> <li>– Boardman Road Rehabilitation, Bowral</li> </ul>		Financial Services Chief Financial Officer

**AGENDA OF THE ORDINARY MEETING OF COUNCIL  
WEDNESDAY 17 AUGUST 2022**



Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
			<ul style="list-style-type: none"> <li>– Waste Strategy and Kerbside Collection Consultancy Services</li> <li>– Integrated Transport Strategy</li> <li>– Osborne Road Intersection Retaining Wall</li> <li>– Casburn Park Upgrade – Design</li> <li>– Internal Audit Services 2022-2026</li> <li>– Sewer Network Modelling</li> <li>– Sunninghill Intersection Watermain Relocation</li> <li>– Guardrail Installation Program</li> <li>– Sewer Manhole Survey and Condition Assessment</li> <li>– Supply and Delivery of Recycled Asphalt</li> <li>– Resource Recovery Centre Site Master Plan</li> <li>– Footpath Construction - Mittagong Road, Bowral</li> </ul> <p>A new draft Procurement Policy has been drafted and following the Council Resolution on 29 June 2022 the draft Procurement Policy is now on public exhibition for a period of 28 days for public comment.</p> <p>Council continues to ensure that all procurement activities undertaken are in accordance with legislative requirements, policy, guidelines and procedures.</p>		



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Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
DP012 Develop and implement enhanced asset management practices	OP037	Review and update the Strategic Asset Management Plan, Asset Management Policy and Asset Improvement Plan	Due to limited resources this has not been completed and will be progressed in the second half of the 2022 calendar year,		Asset Planning and Support Manager Assets
	OP038	Capture condition data on infrastructure assets for informed asset management decisions	<p>Condition data continues to be collected through both reactive and scheduled inspections.</p> <p>Reactive Inspections - customer requests continues to be a regular catalyst for reactive inspections, primary in response to drainage and road matters. Inspections were also conducted on Stafford Cottage.</p> <p>Scheduled Inspections - Council is currently undertaking a review of the 2019 Road Network Inspection and the determination of 1-5 conditions that resulted.</p>		Asset Planning and Support Manager Assets
	OP039	Develop Plans of Management for Crown Lands, where Council is deemed to be the Crown Land Manager	Plans of Management (POM) continue to be developed, publicly exhibited and submitted for Council endorsement. The Mt Gibraltar Reserve POM currently being drafted.		Asset Planning and Support Manager Assets

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Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
DP013 Develop and implement Business Transformation Program	OP040	Implement the Information and Communications Technology (ICT) Digital Strategy to enable Council to engage effectively with its customers	<p>Council has continued to implement the Digital Strategy and have been implementing both new hardware/infrastructure and also software in collaboration with other departments in Council. Technology use is encouraged to enhance productivity where possible. To date, Council has been rapidly expanding its digital technology use and the aim is to be a leader in the area and use the technology to make systems and processes more efficient.</p> <p>With the above, ICT openly work with and engage with other departments to ensure in line with the Digital strategy any technology that is adopted is also effectively used by the organisation, and where it is not, assist in removing any obstacles or barriers so they can be fully utilised, for example, further training, or demonstrations on how to effectively use the technology.</p>		Customer Service Chief Information Officer
DP014 Enhance customer interaction with Council	OP041	Review and enhance corporate information systems and processes	<p>The Council officers continue to work with the organisation to improve the electronic document management experience and usage with specific focus on clearing the backlog of hard copy records still held in office spaces.</p> <p>Informal GIPA requests are still being completed by the Corporate Information team with 151 completed this quarter.</p> <p>Sentencing of old administrative files held in the Civic Centre has recommenced. During June, a total of 1,177 files were sentenced, 1,160 were destroyed and 17 or approx. 1.5 % have been identified</p>		Corporate Information Chief Information Officer

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			<p>as State archives under the general retention and disposal authority GA39 for local government. This work is essential to ensure that Council does not waste resources, both financial and physical, digitising records which should be destroyed.</p> <p>Council staff registered 7,722 documents this quarter taking the yearly total for incoming document registrations to 37,086 documents.</p>		
	OP042	Implement improved customer contact methods through the newly launched Council website	<p>Council website now facilitates the booking of duty planner appointments online, and content relating to planning matters has been significantly updated to allow customers to research simple planning matters outside of this service. The two components - online booking and updated content - has allowed for a more streamlined service for the customer.</p> <p>Work continues on building Council's Customer Request Management system (CRM) to enable website integration, with Customer Service working on troubleshooting enquiry allocation with Corporate Systems.</p>		Customer Service Chief Information Officer
	OP043	Implement a digital first approach to customer service to enable customers to transact with Council when convenient	<p>Council continues to move more services online as the organisations moves beyond the traditional 9-5 work day by providing online services and support with self-service options and wider span of service hours</p> <p>The digital first approach also continues with the intranet. The intranet will contain information for all departments across the</p>		Customer Service Chief Information Officer

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			organisation allowing staff to view information they require and find any forms they need at a convenient time to them.		
	OP044	Implement Council's compliment and complaint management framework	Improvements are underway to strengthen Council's Compliment and Complaints Framework. During the reporting period the Draft Feedback and Complaints Policy and Draft Managing Unreasonable Complainants Policy were placed on public exhibition. The outcome of the public exhibition will be reported to Council next quarter.		Governance and Legal Group Manager Corporate & Community
DP015 Deliver an Information and Communication Technology service that meets Council's business delivery requirements	OP045	Provide a robust, resilient, secured and accessible ICT Infrastructure to enable delivery of Council's services	For this quarter, Council staff have continued to deliver on the Digital strategy plan. Continuing on from the previous quarter, the Microwave upgraded has been completed and much higher speeds are now possible across the Shire. Wi-Fi rollout across the organisation has also been completed - this goes in hand with the strategy to increase and enable mobility to all staff across the organisation. Before end of this year, the plan is to further rollout Wi-Fi across to the depots. In addition to the higher speed network, in progress are currently plans to review the entire Council's network design to make it more efficient and resilient. This is expected to be completed by end of this quarter.		Information Services Chief Information Officer

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DP016 Deliver Corporate Systems that meet Council's business delivery requirements	OP046	Provide the Corporate System software to enable staff to effectively deliver services to the community	<p>Customer Request Management system (CRM) was released on 2 May 2022. Next phase of CRM will have the community being able to access CRM via the website and lodge requests. Upgrades to our Payroll (iCHRIS) and Kiosk (HR21) have been completed to allow new tax scales and end of financial year processes to be completed.</p> <p>Scope of upgrade for Geocortex (Winmap) and ESRI (GIS) have been completed and funding has now been approved. The upgrades will place our mapping and GIS systems on to the current releases and fix "bugs" and increase the functionality especially for work carried out in the field and for us to publish selected maps to the community. Work is expected to commence in August 2022.</p> <p>QSE database migration has been completed. QSE is Councils legacy Work Health and Safety application utilised for Council staff and our volunteers. It has now been replaced by Vault with the intention that archived data contained in QSE can still be accessed. Work is currently underway on building a "front end" that will allow staff to easily access this data.</p> <p>Intranet development is progressing with our vendor, Webvine. We are currently working on integration with ECM being our "source of truth" of all Council records. The Intranet (WEConnect) will go live in July 2022. WEConnect will replace Councils current Intranet site and will be a better user experience with easier access to forms and</p>		Information Services Chief Information Officer

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			documents. It will also provide up-to-date announcements of events occurring in Council and staff news.  Upgrade of Conquest (asset Management System) has been scoped and funded. The upgrade will be the last “on premise” upgrade before moving to the Cloud version and is also a prerequisite for moving to the cloud. It is envisaged that the upgrade will commence in August 2022.		
DP017 Ensure council services are delivered efficiently and effectively	OP047	Implement strategies to improve development assessment timeframes	Council’s website has been upgraded to provide better information and improved e-tracker application. A new duty planning booking system with reduced hours was introduced to ensure staff have more time to deal with existing applications.  A temporary fast track Development Assessment (DA) team has been established to reduce / eliminate backlog of DAs and is starting to reduce the backlog. The team have a project manager to coordinate this process and a wider team of internal and external planners and certifiers has been established to actively collaborate to improve processes.		Development Control Manager Development Assessment
DP018 Identify opportunities for regional collaboration	OP048	Participate in the Canberra Region Joint Organisation and other regional collaborative approaches, where appropriate	Council’s Administrator and General Manager have continued to participate in the CRJO meetings. Key projects for the last quarter included: - Advertising and assessment of a jointly procured Code of Conduct Review Panel - Continued participation in the Resilience BluePrint		Civic Leadership General Manager

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			- Continued participation in the Canberra Region Economic Development Plan		
DP019 Provide quality, timely and accessible information to the community	OP049	OP049 Implement Council's Media Policy, including the Social Media Guidelines	<p>On 8 December 2021 the revised Media and Social Media Policies were adopted by Council. Council officers continue to progressively roll-out the actions within these policies across the organisation.</p> <p>Both policies are available on both Council's Intranet and Internet websites and staff are referred to these documents.</p> <p>'Community Guidelines' are also available on Council's website and detail our corporate guidelines designed to maintain and promote a safe and welcoming digital space for all users.</p>		Corporate Relations Group Manager Corporate & Community
	OP050	Implement the updated Corporate Visual Style Guide and promote the Written Style Guide	<p>Council officers conducted a review of Council's existing Communications Strategy in 2021 (exhibition period closed 29 March 2021) and the organisation's Visual and Written Style Guides.</p> <p>The roll-out of Visual Style Guide elements, which began in early 2020, was progressively implemented across the organisation as pre-existing stationery was exhausted.</p>		Corporate Relations Director Corporate Strategy & Resourcing

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			Training and promotion on Council's Written and Visual Style Guides was carried out on a needs basis.		
	OP051	Implement key initiatives from the Communications Strategy	<p>An independent review of Council's Corporate Relations function was undertaken in May 2021. Recommendations from this review suggested a further review be undertaken with the new Council Executive to ensure it aligns with the strategic directions of the organisation as it moves forward.</p> <p>The review recommended a subsequent review of the existing Communications and Community Engagement Strategies which has commenced.</p>		Corporate Relations Director Corporate Strategy & Resourcing
DP020 Implement an effective Community Engagement Framework	OP052	Implement Council's Community Engagement Strategy	<p>There was an active program of community engagement for Council during this reporting period, ranging from informal community feedback to structured consultation.</p> <p>In this reporting period, there were a number of engagement activities:</p> <ul style="list-style-type: none"> <li>Representatives from community groups were invited to participate in Resilience Blueprint workshops</li> <li>Specific community groups and user groups that had been identified as stakeholders for the refurbishment of Bowral Memorial Hall were invited to join in a "Sneak Peek" tour to see the progress of works</li> </ul>		Corporate Relations Group Manager Corporate & Community



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			<ul style="list-style-type: none"> <li>Stakeholders who have been attending consultation sessions through the course of the Robertson Village Place Plan, received a personal invite to further consultation sessions.</li> </ul> <p>All community engagement is advertised via social media, the Weekly Community Update, Council's weekly newsletter, and is also listed on the corporate website.</p>		
	OP053	Engage with the community on a regular basis regarding Council projects, plans and proposals	<p>During this reporting period, Council engaged with the community on a number of projects, plans and proposals including:</p> <ul style="list-style-type: none"> <li>Draft Financial Reserves Policy</li> <li>Inclusion of Prayer in the Code of Meeting Practice</li> <li>Draft Plan of Management for Renwick Community Centre</li> <li>Draft Disability Inclusion Action Plan</li> <li>Resilience Blueprint</li> <li>Draft Operation Plan 2022 including budget</li> <li>Mobile Library Survey</li> <li>Bulky Waste Survey</li> <li>Bowral Memorial Hall</li> <li>Robertson Village Place Plan</li> <li>Christmas in the Highlands Review</li> <li>Draft Plan of Management for Mount Gibraltar Heritage Reserve (The Gib)</li> <li>Draft Managing Unreasonable Conduct by Complainants Policy Draft Feedback and Complaints Managing Policy</li> </ul>		Corporate Relations Group Manager Corporate & Community

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Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
			<ul style="list-style-type: none"> <li>- Draft Cash Investment Policy</li> </ul> <p>The following proposals were exhibited for community feedback:</p> <ul style="list-style-type: none"> <li>- 2,4 and 6 Myrtle Street, Bowral, and 26 Elizabeth Street, Moss Vale (Heritage)</li> <li>- Re-exhibition Land at Welby Garden Centre</li> <li>- Proposal to close Council public road reserves in or adjoining Mount Gibraltar Heritage Reserve</li> <li>- Lease of floor space within the Wingecarribee Animal Shelter</li> </ul> <p>The Your Say Wingecarribee website received 5,015 visits during the reporting period. 3,554 of the visitors took action to explore the detail of specific consultations and 1,690 actively participated in the online platform by completing surveys and submission forms, contributing to forum topics or sharing information in mapping tools.</p>		
	OP054	Implement actions to address the outcomes of the 2021 Community Research	<p>Of the 11 actions adopted in the action plan, nine are now complete.</p> <p>Action 6 - Re-establish role of Council ambassadors, is noted and on hold for inclusion in the councillor induction and on-boarding program following the next election (date to be determined following recommendations of public inquiry, yet to be announced at time of reporting)</p>		Corporate Relations Group Manager Corporate & Community

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Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
			<p>Action 10 - Continue implementation of Digital Strategy to improve customer experience and service delivery and enable further business insights. Scoping of a Works Management and Scheduling Systems has been delayed, with a revised target date of December 2023 proposed. This will allow for work on Council's asset management system to be undertaken as priority and ensure appropriate sequencing of projects to meet organisational needs.</p> <p>An outline of significant progress made during the June 2022 quarter is provided below:</p> <p>Action 3 - Explore opportunities for utilisation of place making approach Target date: June 2022 Status: Complete and Ongoing Robertson Place Plan:</p> <p>The deliverable of 'Develop place-based plans, including finalising the Robertson Place Plan' included in 2022/23 Operational Plan. The vision, objectives, spatial representation/masterplan and place principles of the Robertson Place Plan have been drafted. An engagement session was attended by 24 community members in June to consider each place principle, develop place interventions for each and begin identifying actions and priorities.</p> <p>Action 8 - Assess opportunities to reframe delivery of customer service in operational areas. Target date: June 2022 Status: Complete</p>		

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			<p>This action was considered as part of phase two of the organisational restructure, demonstrated through the following changes:</p> <ul style="list-style-type: none"> <li>Establishment of temporary/trial portal management team within customer experience and realignment of Facilities and Bookings to customer experience.</li> </ul> <p>Open Space, Recreation and Buildings:</p> <ul style="list-style-type: none"> <li>Establishment of new role to coordinate depot support staff and re-frame the delivery of customer service in operational areas including implementation of the customer-centric model utilised by Open Space, Recreation and Buildings.</li> </ul>		
<b>DP021 Support Council committees and working groups</b>	OP055	Coordinate the review of Council's advisory committee framework and induction of new committee members	Council's Community Advisory and Section 355 Committees review was placed on public exhibition in the previous quarter. Council officers have been reviewing submissions received during this reporting period. The outcomes of the public exhibition and a revised committee framework will be reported to Council in September 2022.		Governance and Legal Group Manager Corporate & Community
<b>DP022 Actively build capacity for community participation in leadership including mentoring and support</b>	OP056	Liaise with organisations developing and providing mentoring and support services for local business operators	During this quarter, new advisors have been appointed under various government funded programs in support of business in the local government area. Meetings have been held to determine benefits of each program and referrals commenced to relevant businesses. A marketing campaign has commenced to attract local businesses to the iAccelerate RISE program being held in Moss Vale in partnership with Council.		Economic Development Director Corporate Strategy & Resourcing


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Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
DP023 Develop partnerships and networking with community, government and business	OP057	Establish and implement initiatives for sector partnerships	Coordinate the Big Little Laneway Festival in Mittagong as part of the Festival of Place Summer Night program. The two events held under the program attracted 500 attendees to an activation of 1350 square metres of outdoor public space. The overall number of people employed or engaged during the project was 63 - 27 in the Hospitality sector and 29 in the Creative sector. Continued coordination with Council staff and event organisers for the 2022 Bowral Classic.		Economic Development Director Corporate Strategy & Resourcing
	OP058	Facilitate bushfire community recovery and resilience efforts across the Shire	<p>The Social Recovery Subcommittee is continuing and is facilitated and chaired by Council. There was one scheduled meeting this reporting period due to the floods. The Subcommittee remains actively engaged and continues to advocate for the needs of impacted individuals and communities more broadly. The meeting in May focussed on the future direction of the subcommittee through the review of the Terms of Reference.</p> <p>Black Summer Bushfire Recovery (BSBR) grant - Council's application for a Community Resilience Officer for two years to allow Council to continue the work in social recovery and resilience planning and projects for the Wingecarribee was approved. Recruitment process commenced in June.</p> <p>Resilience Character Competition</p> <p>This communications strategy provides a creative advertisement to promote recovery and resilience programs and projects available across the Wingecarribee throughout 2022/23.</p>		Community Wellbeing Group Manager Corporate & Community

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			<p>'Visual Domain' have been contracted to begin this project with Council. July will see the project connect internally across council to ensure a full project brief can be established for the project commencement and story board.</p> <p>Flood Recovery</p> <p>In March, Wingecarribee was declared a natural disaster local government area. The recovery efforts included the created of the 'Recovery hub' at Council's Civic Centre, the 'hub' operated until April. Council staff continue to monitor Councils 'Flood Recovery Form' and address any unmet needs of the community as a result of the floods and maintain connection to the relevant flood recovery support agencies. Council continues to work closely with those impacted across the Wingecarribee.</p>		
<b>DP024 Advocate for improved health services in the Shire</b>	OP059	Participate in various community health sector forums to ensure local service delivery is enhanced	<p>Consultations were held about the new Care Finder Program. Care finder is a Commonwealth-funded aged care initiative to provide face-to-face navigation support to people who seek aged care services. To complement the existing My Aged Care single entry portal, the South Western Sydney Primary Health Network (SWSPHN) is aiming to fund Care Finder organisations. These organisations will help older people with intensive assistance needs to navigate the My Aged Care system and access aged care service supports in the community. Service delivery is expected from Jan 2023. Council are involved in discussions with SWSPHN to update on services available to assist vulnerable communities and see how we can work together as we move through the process.</p>		Community Wellbeing Group Manager Corporate & Community

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Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
DP025 Partner with community-based organisations in provision of services	OP060	Collaborate with the community sector to secure funds for enhanced service delivery	<p>Council supported an application by the Burrawang School of Arts for a Creative Capital Grant to fund the "2022 &amp; Beyond". Council also provided a letter of support to Creative Space Southern Highlands, which is an inclusive and accessible creative learning hub that has had a significant impact in our community since it first began in 2017.</p> <p>Council promoted other funding programs to community groups and organisations including the BDCU Community Foundation, Veolia Mulwarree Trust Community, IMB Community Grants and the Wingecarribee Club Grants Category 1 all of which were open during this period.</p>		Community Wellbeing Group Manager Corporate & Community
DP026 Partner with State and community organisations to provide a broad range of health and wellness programs to target specific needs of the community	OP061	Implement programs to support the Five Ways to Wellbeing framework	<p>Council, Department of Communities and Justice, Bankstown Community Resource Group and Highlands Community Centre partnered to deliver the Women's Aboriginal Gathering Camp Optimum Experience, Fitzroy Falls.</p> <p>An invitation was extended to Aboriginal women of all ages residing in the Bankstown, Wollondilly and Wingecarribee area to attend a three-day gathering. Berri Werri was engaged to facilitate group sessions that explored the power of Self Compassion, Identity, Belonging and Self Care while sharing and connecting with others. An Aboriginal NSW Health Social worker and 2 local health social workers attended to support and develop community relationship and trust. The structure of the three days followed the Five Ways to Wellbeing framework.</p>		Community Wellbeing Group Manager Corporate & Community

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			<p>During fires, COVID-19 lockdowns and floods, the community took notice and gave their time to be there for each other. Volunteers provided weekly support to ensure families and individuals received food, care packs and information that kept them connected.</p> <p>The Dhungung Share program invited the Aboriginal community members, Oz Harvest and Red Cross volunteers to the Gangurang Corroboree as a thank you for their continued support to community during fires, floods and COVID-19.</p> <p>Gadhungal Murring provided a magical evening taking people on a journey through dreamtime, story telling, dance, language and culture.</p>		
	OP062	Deliver community services expo and explore opportunities to engage young people	Wingecarribee Community Services Expo is scheduled to be held during Mental Health month on 13 October 2022. Planning is scheduled to commence next quarter.		Community Wellbeing Group Manager Corporate & Community
DP027 Provide access to sport, recreation and leisure services	OP063	Provide an affordable and accessible swimming pool service, including managing the contract for Moss Vale	Indoor Pool - Moss Vale War Memorial Aquatic Centre The past quarter has been productive for council pools with Moss Vale War Memorial Aquatic Centre continuing to be a great community asset, and the outdoor pools progressing well with preparation for the upcoming pool season. The following key milestones and highlights occurred during the reporting period:		Aquatic Services Acting Group Manager



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Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
		War Memorial Aquatic Centre	<p>Moss Vale Aquatic Centre Health Club expansion works commenced in July with construction fencing and earthworks. Media announcements were sent out which detailed the benefits of the expansion for the community.</p> <p>Moss Vale Aquatic Centre had 55,087 visitations in the 4th quarter compared to 45,651 the previous year.</p> <p>The Swim School peaked at 960 student enrolments during the quarter and ran 234 classes.</p> <p>First Lap Vouchers and Active Kids Vouchers continued to be accepted and implemented within the Swim School. The Health Club peaked at 714 members with 42 group fitness classes being delivered weekly.</p> <p>All heating systems were upgraded for the pool hall and swimming pools. With consistent water temperature there has been an increase of users for hydrotherapy or rehabilitation purposes. The Swim School was awarded the NSW Swim School of the Year for 2021 from the Aquatic and Recreation Institute and the National Excellence Award for Outstanding Growth at the 2022 Australian Swim Schools National Conference.</p> <p>These two prestigious awards recognised the outstanding growth by over 30% of the Moss Vale Bluefit swimming program in the past 12 months.</p>		Infrastructure Services

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			<p>Outdoor pools have been closed since March 2022, in that time the following has been achieved:</p> <ul style="list-style-type: none"> <li>– Mittagong Pool has been cleaned and assessed following the flooding on 22nd March. Information on the assessment has been provided for insurance purposes.</li> <li>– Capital works projects have been booked to ensure the pools run safely through the upcoming season. These include boiler repairs, floodlight upgrades, acid dosing changeover, and shade sail installation.</li> </ul>		
	OP064	Develop Aquatic Strategy	<p>The working brief for the Aquatic Strategy has been developed as part of an overall Community and Recreational Facilities Strategy. This strategy is proposed to be prepared as one integrated document instead of developing separate strategy documents (Sports Facility Strategy and the Aquatics Facilities Strategy). The purpose of this strategy is to:</p> <ul style="list-style-type: none"> <li>– assess the supply and demand of Council owned community and recreational facilities in the LGA against the needs of the current and future community;</li> <li>– inform decisions on the need for and provision of community and recreational facilities;</li> <li>– guide decision making for the delivery of a sustainable and equitable network of facilities located in strategic and accessible positions across the LGA;</li> <li>– be a critical document to guide the design and delivery of social infrastructure across the LGA; and</li> </ul>		<p>Aquatic Service Acting Group Manager Infrastructure Services</p>

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			<ul style="list-style-type: none"> <li>provide Council with a framework for the development, management and funding of community and recreational facilities over the next 20 years.</li> </ul> <p>This work will be undertaken in consultation with key stakeholders.</p>		
	OP065	Provide sport and recreation facilities and equipment as per capital works program	<p>The open space and sports capital delivery program is progressing with the following milestones completed over this reporting period:</p> <ul style="list-style-type: none"> <li>Loseby park Bowral sports field lighting renewal; Tender awarded and contractor works started. Completion July 2022</li> <li>Eridge Park Burradoo - Net ball courts lighting upgrade; Tender awarded, commencement 10 October, completion November</li> </ul>		Parks and Recreation Acting Group Manager Infrastructure Services
	OP066	Maintain existing sport and recreational facilities to operating service standards	Council has not been able to achieve service level standards for the maintenance of Sports field and Open space areas due to wet soil conditions.		Parks and Recreation Acting Group Manager Infrastructure Services

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	OP067	Undertake the forward design of open spaces projects in the four-year capital works program	The Mittagong oval access ramp and car park space is the only open space forward design project for the 2021/22 capital program. <ul style="list-style-type: none"> <li>– Mittagong Oval Accessible ramp and parking design; Quotations for design have been returned.</li> <li>– This access ramp and car park space design will be completed in the July - September reporting period.</li> </ul>		Parks and Recreation Acting Group Manager Infrastructure Services
	OP068	Develop Sports Facilities Strategy	Tredwell Consulting was awarded the tender for the Community and Recreational Facilities strategy (CRFS) at Ordinary Council Meeting January 2022.  The CRFS will be a critical document in guiding the design and delivery of social infrastructure across the Shire. The strategy will inform decisions on the need for and approval of all community facilities in light of the growing and changing demographics of the shire. As a potential outcome of the CRFS, a dedicated Sports Facilities Strategy may be developed.		Asset Planning and Support Manager Assets
	OP069	Complete Lackey Park Sporting Hub Design	The Lackey Park Regional Sporting Hub project is still on hold pending the completion of the Community and Recreational Facilities Strategy.		Asset Planning and Support Acting Group Manager Infrastructure Services

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Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
	OP070	OP070 Deliver major capital works program for sport, recreation and leisure facilities	<p>Council is committed to the renewal and upgrade of the sport, recreation &amp; leisure facilities of the Shire. This commitment is shown through the allocation of \$14M within the 21/22 Capital Program for Parks &amp; Buildings related projects, highlights being:</p> <ul style="list-style-type: none"> <li>– Berrima Campground Amenities Building Renewal (design phase)</li> <li>– Lions Park Amenities Building Renewal (design phase)</li> <li>– Loseby Park Sportsfield Lighting Renewal</li> <li>– Eridge Park Netball Court Lighting Renewal</li> <li>– Casburn Park Wingello Upgrade</li> </ul>		Asset Planning and Support Acting Group Manager Infrastructure Services
<b>DPO28 Partner with Police, business and community representatives to implement the Community Safety Plan</b>	OP071	Finalise the review of the Community Safety Plan	The review and update of the Community Safety Plan has commenced. Council officers have begun to investigate how Council can re-invigorate and move forward with the Community Safety Plan in a simpler approach for both Council and community. Council officers have commenced development of a project plan.		Community Wellbeing Group Manager Corporate & Community
	OP072	Participate in forums and interagency groups that enhance the capacity of vulnerable community members	Southern Highlands Foundation held a Community Forum facilitated by Campfire Coop at the Bowral Golf Club titled Hearing the Heart of Our Community which was attended by Council officers. The Forum brought together a broad range of services, volunteer organisations and individuals who deliver services, activities and programs in the Wingecarribee. The discussions and sharing of ideas will influence the future work of the Foundation. Participants were unanimous in identifying The People as the key strength of our local community.		Community Wellbeing Group Manager Corporate & Community

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Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
<b>DP029</b>  <b>Partner with agencies to ensure emergency management processes and procedures are in place</b>	OP073	Coordinate the Wingecarribee Shire Emergency Management Committee	<p>The second LEMC Meeting was held on 17 May 2022. Focus for the meeting was planning updates including all Consequence Management Guides for specific hazardous events. With a focus on the entire Prevention, Preparedness, Response and Recovery (PPRR) framework and a collaborative response across all agencies, additional guidance information will include the additional of Resilience NSW and the National Recovery and Resilience Agency (NRRRA) in strategic and recovery references as well as Council Operations, Transport for NSW (TfNSW) and Police in all Traffic Management references.</p> <p>The LEMC were introduced to the Climate Wise Communities (CWC) initiative to be implemented on Council's website. The Climate Wise Communities website provides an award-winning platform to evaluate personal risks for hazards based on location through Council's mapping application.</p> <p>The Wingecarribee Recovery Plan was presented to the committee with a request for review and potential ratification at the next meeting to be held in August 2022.</p>		Emergency Management General Manager
<b>DP030 Implement public health and safety regulatory programs</b>	OP074	Manage bushfire risk in bushfire prone land under Council's care and control	<p>Planning completed for hazard reduction burns scheduled for Spring.</p> <p>Asset Protection Zone (APZ) maintenance planning for next fire season completed and submitted in Guardian for Rural Fire Fighting Fund (RFFF) funding application.</p>		Natural Area Management Manager Environment & Sustainability

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Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
			<p>Upgrade works scheduled for major improvements to Fire Access and Fire Trail (FAFT) fire trails.</p> <p>Storm and flooding events at the end of March, have caused significant damage to a number of trails. Audit of trails completed to assess and quantify flooding damage. Damage flagged with the Rural Fire Service (RFS) and Bush Fire Management Committee (BFMC). Potential funding options continue to be explored.</p>		
	OP075	Conduct bushfire community awareness programs	Lead agency is the RFS. Council provides supporting role. Website and physical resources maintained.		Natural Area Management Manager Environment & Sustainability
	OP076	Undertake public health and safety inspections to ensure compliance with regulations and implement programs to raise industry awareness of food safety	<p>86 primary food premises inspections were undertaken. The following hygiene and food safety ratings were assigned:</p> <p>5-star - 40; 4-star - 14; and 3-star - 4.</p> <p>7x premises scored below the minimal requirements for a 3-star rating.</p> <p>21 of the inspected premises was of a type not covered by the 'Scores on Doors' program.</p>		Regulatory Compliance Manager Development Assessment

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DP031 Assess the changing profile of the Shire and prioritise services accordingly	OP077	Commence implementation of the Community Wellbeing service delivery review recommendations	Recommendations for the Community Wellbeing Service Delivery Review are being considered as a part of the organisational restructure.		Community Wellbeing Group Manager Corporate & Community
DP032 Provide children services to support family life	OP078	Provide out of school hours and family day care service	<p>As at the end of June 2022 Children's Services is catering to over 109 families, with over 171 children accessing the Services across the Family Day Care and the Out of School Hours Care Service at Mittagong.</p> <p>The Family Day Care wait list currently exceeds 108 children with 66 of these children being under two years of age. The Out of School Hours Care, in particular the After-School Care Service has children wait listed for each afternoon. The Services is currently operating at its maximum licensed numbers of 45 children for After School Care.</p> <p>The Family Day Care Service recently achieving recognition with five of the six current contracted Educators being nominated in Family Day Care Australia's Excellence Awards. Regional Award winners to be announced in July.</p> <p>A new Family Day Care Educator commenced with the Service in April which enable the Service to meet the needs of a small number of families from the wait list in the Moss Vale area. The Service is in</p>		Children's Services Group Manager Corporate & Community



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			<p>the process of registering another educator in Moss Vale and has had 2 other enquires from community members looking at Family Day Care as a career option within the Shire.</p> <p>Both the Family Day Care and the Out of School Hours are being proactive at managing COVID-19 in the workplace through the regular review of the Service COVID-19 Safety Risk Assessment and through the direction of the Department of Education, NSW Health and Council.</p>		
	OP079	Develop Self-Assessment Tools for Family Day Care and Vacation Care against the seven National Quality Standards	There have been no significant developments in the April to July period. Identified quality improvements for both the Out of School Hours Service and Family Day Care continue to be implemented and identified.		Children's Services Group Manager Corporate & Community
	OP080	Implement the Family Day Care Business and Marketing Plan to promote and build educator numbers across the Shire	There have been no significant developments with the business and marketing plan in the April - June period whilst we are waiting the outcome of the Children's Services Review. The Service has successfully registered one new Educator in Moss Vale and commenced the process for registering another in Moss Vale.		Children's Services Group Manager Corporate & Community
DP033 Support agencies to implement community programs and initiatives	OP081	Provide financial assistance to community projects through the Wingecarribee	<p>2021-2022 Grants are all acquitted and payments were finalised by the end of financial year.</p> <p>2022-2023 Community Assistance Scheme still remains on hold,</p>		Community Wellbeing Group Manager

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		Community Assistance Scheme	<p>The draft Grants, Donations and Sponsorship Policy will be going to Council on 20 July and will then go out for community consultation.</p> <p>Wingecarribee Club Grants opened during this period. Council assist in facilitating this program which is funded by the Mittagong RSL and the Moss Vale Services Club.</p>		Corporate & Community
DP034 Provide companion animal services	OP082	Encourage responsible companion animal management through the application of statutory provisions and local strategies	<p>Council has continued to provide companion animal services to the residents of the Shire through responding to complaints and active patrols.</p> <p>Council continues to respond to community concerns about off leash dogs by increasing patrols both high visual and covertly, Council has also investigated several dog attacks and has issued fines and control orders where investigations has proven this to be appropriate.</p> <p>Council has also investigated several barking dog complaints and have issued orders and notices when investigations has proven this to be an appropriate course of action.</p>		Regulatory Compliance Manager Development Assessment
	OP083	Implement Council's position for the capital replacement of the animal shelter	The animal shelter capital replacement project is progressing. Draft plans are in place, landscaping is complete, and approval will now need to be sought.		Regulatory Compliance Manager Development Assessment

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Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
DP035 Support initiatives which enhance opportunities for learning and skill development	OP084	Continue to foster a relationship of collaboration and cooperation between Council, TAFE NSW, the University of Wollongong and schools	Ongoing engagement with Careers Advisors Southern Highlands and begin planning the 2022 Industry Tour. Promote TAFE courses. Introduce the new University of Wollongong iAccelerate RISE to local businesses and encourage application for the program launching on 1 July 2022.		Economic Development Director Corporate Strategy & Resourcing
	OP085	Support community-based services to provide a range of opportunities for learning and skill development	Community Services Employers Roundtable was held in May with key service providers in the Aged and Disability sectors. The Wingecarribee Local Jobs Program will focus on a coordinated approach to skills and jobs, developing localised approach to solutions and maximise outcomes for employees.		Community Wellbeing Group Manager Corporate & Community
DP036 Provide a range of services and programs through Council Library service	OP086	Deliver library services that meet the information, recreation, literacy and participation needs of the community	Signage is currently being investigated for Bowral and Mittagong Branch Libraries. Contractors and stakeholders have been consulted regarding the place, street and directional signs for each of these branches. Once approved this signage will provide clear directions to each library for the community.  Mobile Library Survey: This Two Minute Mobile Library Survey was launched on the 1 June 22 and ran until the 30 June 22. 62 people participated in the survey which was designed to find out how the many remote villages and communities rated and used the Mobile Library Service. The Library is now in the process of reviewing the responses and recommendations.		Library Services Chief Information Officer


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Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
			<p>Westwords Living Stories Writing Competition: The Library had accepted and participated in the Living Stories Western Sydney Writing Prize 2022 presented by Westwords and WestLit Libraries. This competition had a prize pool of over \$10,000 and covered 14 Local Government Areas. 15 people entered from the Wingecarribee Shire with the regional and highly commended winners being announced through the Westwords website on the 24 June 22. The regional winners are now entered into the top prizes which will be announced on the 18 July 22.</p> <p>Louisa Atkinson Room Bowral Library: This room has now been repaired after damage from the extreme weather event in March 22. This room will soon be available once the new carpet tiles have been installed next quarter.</p> <p>New Shelving Mittagong Library: New shelving had been purchased to replace the wooden shelving damaged by recurring mould issues at this facility. The new shelving is larger and will be used to store reservations, storytime books, Possum and Bilby club prizes and used to display Duplo and Lego creations.</p> <p>New Shelving Mittagong Library: New shelving had been purchased to replace the wooden shelving damaged by recurring mould issues at this facility. The new shelving is larger and will be used to store reservations, storytime books, Possum and Bilby club prizes and used to display Duplo and Lego creations.</p>		

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	OP087	Develop and deliver a range of programs, events and activities to engage the community	<p>The School Holiday Program started with Easter Craft at the Bowral, Moss Vale, Mittagong and Mobile Branch Libraries.</p> <ul style="list-style-type: none"> <li>– Easter Craft Activity: 37 children participated in the Easter Craft Activity</li> <li>– Easter Storytime: 107 children attended the special Easter Storytime at Bowral and Moss Vale Branch Libraries where children could be photographed with two pet rabbits.</li> <li>– Writing Workshops: The Library held three free Westwords Writing Workshops on the 21 April 22 in the Henrietta Rose Room. Each workshop catered to a different age group (10-12, 13-15 and 16-Adult) and was run by the successful children's author James Roy. 22 people participated in these highly entertaining and educational workshops.</li> </ul> <p>The Wingecarribee Public Libraries once again participated in the National Simultaneous Storytime (NSS) which is an annual event supported and promoted by the Australian Library and Information Association (ALIA). This year the Australian picture book was Family Tree" by Josh Pyke. All families who attended were given a native tree to take home which was generously provided by Council's Bush Regeneration team.</p> <p>The Mittagong Branch Library is now running a new Duplo activity which started on Friday, 29 April 22. This program has been designed for preschool age children with an average of 8 children attending each week.</p>		Library Services Chief Information Officer

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			<p>Law Week 16-22 May 2022: The Library in collaboration with the State Library of NSW (SLNSW) had organised a special information session on 'Dealing with NDIS Providers' which was run by Stephen Karanfilovski, a solicitor from the Macarthur Legal Centre, at the Moss Vale Civic Centre on Thursday, 19 May 22. 6 people attended this information session which also provided new networking opportunities for all of the participants.</p> <p>Friends of the Wingecarribee Libraries (FOWL) Author Talks: FOWL has resumed their very popular Author Talk program with Christine Sykes and AnneMarie Brear on the 17 May 22 and the 21 June 22. Both events have been very well attended and customers can book for these events through the Library's webpage.</p> <p>Winter Reading Challenge 5-16 years 2022: The Winter Reading Challenge has run for 10 years and is designed to promote literacy, library resources and to encourage children to continue to read over the winter break. 90 children have registered for this event with registrations opening on the 1 June 22. The event will start on the 5 July and will finish on 23 July 22. The program and prizes are proudly supported by the Friends of the Wingecarribee Library (FOWL).</p> <p>Library Displays:</p>		

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			Displays help to make the library more aesthetically welcoming and inviting for customers. These themed displays are made to increase use of particular collections or to identify and celebrate a special week in the Library Calendar. 6 displays were created and displayed this quarter and dealt with topics including Australian Women's History Month and Don't Judge a Book by its Cover. Displays help to make the library more aesthetically welcoming and inviting for customers. These themed displays are made to increase use of particular collections or to identify and celebrate a special week in the Library Calendar. 6 displays were created and displayed this quarter and dealt with topics including Australian Women's History Month and Don't Judge a Book by its Cover.		
	OP088	Manage, preserve and provide access to archives and local history including State Archives held in trust	Processing Donated Archival Material: The Library has been reviewing and assessing the suitability of donations for inclusion into the Local Studies Collection. Selected items that have intrinsic local history value are processed and added to the library catalogue.		Library Services Chief Information Officer
DP037 Implement sector plans that address key barriers to participation in community life	OP089	Continue to implement Youth Strategy including supporting initiatives such as Youth Week and Biennial Youth Forum	Youth Week took place during this period. Activities organised across the Shire in collaboration with local service providers included: <ul style="list-style-type: none"> <li>– Empire Cinema "Fantastic Beats: The Secrets of Dumbledore" attended by 42 young people</li> <li>– Youth Art Mural Day involving 2 emerging young local artists as facilitators, celebrating the diversity of our young people in our local community.</li> <li>– Equine Therapy workshops for boys</li> </ul>		Community Wellbeing Group Manager Corporate & Community

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			<ul style="list-style-type: none"> <li>Hill Top Holi-yay Day attended by over 250 people included stalls and games from PCYC, Lifeline, School Strike For Climate, Health, Zero Central Circus, live youth music, face painting and a petting zoo. The day ended with a pop up movie of 'Dolittle' with support from the Hill Top Primary School P and C running the Canteen. Five young people were involved in planning of events with weekly meetings in the lead up to Youth Week.</li> </ul>		
	OP090	Continue implementation of Positive Ageing Strategy	<p>Council is collaborating with CTC Robertson in running one on one support sessions assisting Seniors with digital and smartphone devices incorporating NBN. This is funded by Be Connected Network through CTC Robertson with support from Council.</p> <p>Seniors Festival dates for 2023 have been announced 1-12 February 2023. Grant applications are due to open in July.</p> <p>3,000 hard copies of the Seniors Directory have been printed. Directories have been distributed across key outlets in the Shire and are available through Customer Service in the Civic Centre.</p>		Community Wellbeing Group Manager Corporate & Community
DP038 Develop and implement initiatives that support new residents participating in community life	OP091	Provide information for new residents that encourages participation in Shire life	<p>Seniors Directory and Local Emergency Contact cards were printed and made available to all residents. Seniors Directory and Local Emergency Contact cards were supplied to:</p> <ul style="list-style-type: none"> <li>Customer service</li> <li>Welcome Centre as part of welcome packs they also distribute to new residents</li> </ul>		Community Wellbeing Group Manager Corporate & Community






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DP039 Support intergenerational programs and projects	OP092	Investigate and provide opportunities that support intergenerational programs and projects in Council activities	ABC Television have reached out about the next season of Old People's Home coming up, which involves an experiment with teenagers and older people. This follows on from the popular ABC TV program of Old People's Homes for 4 year olds that sparked conversations about isolation and loneliness among older adults. Council will be meeting with the program design team to share insights and gain inspiration.		Community Wellbeing Group Manager Corporate & Community
DP040 Support and coordinate a diverse range of community festivals and celebrations	OP093	OP093 Deliver a program for key community celebrations including Australia Day, Seniors Festival, International Day of People with Disability, NAIDOC Week and National Youth Week	Council applied for NAIDOC grant through Aboriginal Affairs NAIDOC grants round and was successful. Planning for the Flag Raising Ceremony and NAIDOC Family Day has commenced.  Council will be partnering with Gundungurra Aboriginal Heritage Association to deliver the NAIDOC family day at Guula Ngurra National Park. Moss Vale Lions Club will provide a sausage sizzle at both events.		Community Wellbeing Group Manager Corporate & Community
DP041 Promote and deliver initiatives which enhance community understanding of Aboriginal cultural heritage	OP094	OP094 Continue to support the Wingecaribee Aboriginal Network Priority Actions	Meeting bi-monthly, the new Wingecaribee Aboriginal Yarn (WAY) invites Aboriginal workers and Aboriginal community members living, working and servicing the Wingecaribee Shire's Aboriginal community. Council assists with the co-ordination and secretarial duties distributing information to the wider Aboriginal networks and communities.  Reconciliation Week Theme was Be Brave, Make Change which acknowledged and celebrated the success of the Elders past and		Community Wellbeing Group Manager Corporate & Community

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			present, paying respect to the continuing work and advocacy of Aboriginal people, land and country.  Members reviewed National Reconciliation Week's 2022 'Actions to Make Change', discussing actions individuals could do in their daily life - where you live, work, play and socialise.		
DP042 Facilitate the promotion of community arts, emerging artists and cultural awareness and activities	OP095	OP095 Continue implementation of the Arts and Cultural Plan, including to plan and manage the annual Arts Festival	The Atrium Gallery at the Civic Centre has had two exhibitions during this period - the Photo Voice Exhibition of artworks that consisted of the photographic entries from Wingecarribee Shire Council and The Southern Highlands Foundation Photo book. NAIDOC week exhibition planning started in June in preparation for July's NAIDOC week flag raising ceremony was a collection of artworks submitted by the local indigenous community.  Expression of interest for 2022 Arts Trail was open on 6 June - closing on 8 July 2022. The Arts Trail is scheduled for the first two weekends in November.		Community Wellbeing Group Manager Corporate & Community
	OP096	OP096 Support the establishment of the Regional Art Gallery in accordance with Council resolutions	Council provided \$500,000 towards the operating costs of the Regional Art Gallery, in accordance with Council's previous resolution.		
DP043 Undertake advocacy activities to further the development	OP097	Work with key agencies and utilise road network modelling and existing strategic documents to	The development of a Wingecarribee Shire Transport Strategy has been identified as a critical requirement in ensuring the effective and sustainable management of the Shire's transport network.		Transport Manager Assets



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of an integrated public transport network		develop an integrated Transport Strategy	The Transport Strategy will integrate with the recently adopted Wingecarribee Local Housing Strategy and also involve liaison with other transport authorities.		
DP044 Provide infrastructure linkages between public transport hubs	OP098	Develop the capital works program and where practicable include projects that improve links between public transport hubs	Through the 2021/22 Capital Program, Council invested in the renewal and upgrade of the road and footpath network. Projects that are improving links between transport hubs: <ul style="list-style-type: none"> <li>– Penrose Road, Penrose footpath link</li> <li>– Wilson Drive, Balmoral footpath link</li> <li>– Station Street, Bowral pavement rehabilitation</li> <li>– Old South Road Renewal &amp; Upgrade</li> </ul>		Transport Manager Assets
DP045 Promote public transport options and linkages across the Shire	OP099	Plan and implement the Recreational Pathways Strategy	On hold- Funding has been revoked to the 22/23 FY		Transport Manager Assets
DP046 Expand our network of footpaths and cycle ways to improve connectivity of the Shire	OP100	Review Council's Pedestrian Access Mobility Plans	Council has Pedestrian Access and Mobility Plans (PAMP) prepared for all towns and villages in the Shire. These plans are over 10 years old and so a review and update of the documents is required.  Due to resourcing difficulties, no progress has been made on this item. The delivery of updated PAMPs is to be an objective for 2022/23.		Transport Manager Assets
	OP101	Implement footpaths, shared paths and cycle	Projects Completed:		Transport

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		ways construction and renewal capital works program	Colo Vale Railway Ave Pathway Construction; Robertson Caalong Street Missing Link Pathway Construction; Berrima Oxley Street Pathway Construction  Projects Underway: Bowral Mittagong Road Pathway Construction		Manager Assets
	OP102	Maintain footpaths, cycleways and shared pathways	Council is undertaking programmed renewals and reactive maintenance on its footpath and cycleway networks. In this 3 month period of 2022, the work consisted of both minor repairs and sections renewed. Pathway Maintenance Customer requests in this 3 month period alone totalled 77. These requests are now being actioned within 14 days (KPI) to the effect that the request is inspected, made safe and where applicable maintenance programmed or a capital works request submitted for project scoping and prioritisation.  Works undertaken include footpath and cycleway renewals on East Bowral Streets including Highlands Drive, King Ranch Drive, Robinia Drive and Boardman Road.		Transport Manager Assets
	OP103	Undertake the forward design of footpaths, shared paths and cycle ways projects in the four-year capital works program	No projects were identified for the 2022/23 and future 4 year works program.		Transport Manager Assets

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DP047 Partner with agencies to advocate for improved transport services	OP104	Participate in the Canberra Regional Working Group Infrastructure Delivery and advocate for the development of an integrated public transport network	The Canberra Regional Working Group - Infrastructure Delivery did not meet during the quarter, however Council will continue to attend and advocate for an Integrated Public Transport Network as opportunities present.		Transport Manager Assets
DP048 Provide a rigorous planning assessment framework which reflects State legislation and Council's adopted land use strategy to ensure appropriate development outcomes	OP105	Develop, implement and monitor a local housing strategy to strategically address the future housing needs of the Shire	<p>Council adopted the Wingecarribee Local Housing Strategy in June 2020, and two (2) amendments to the strategies were publicly exhibited during 2020 and 2021. The amendments were considered at the Council meeting of 14 July 2021, where the strategy was re-adopted with minor amendments.</p> <p>Significant work has been undertaken in implementing the Strategy, including developing a housing monitor, commencing infrastructure assessments for the first new living area, reviewing Development Control Plans (DCP) provisions for low and medium density housing, and working with local housing providers to increase the stock of social and affordable housing in the Shire.</p> <p>The work being undertaken to implement the Local Housing Strategy will ensure that the communities housing needs are met in the short and longer terms.</p>		Strategic and Land Use Planning Executive Manager Strategic Outcomes

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	OP106	Assess planning proposals in accordance with statutory frameworks and the adopted strategies of Council	<p>All Planning Proposals are assessed against the local and regional planning framework to determine strategic and site-specific merit in accordance with the State Government's Guidelines for Local Environmental Plan making.</p> <p>This ensures that decisions on Planning Proposals are consistent with the strategic priorities outlined in Council's strategic planning framework.</p>		Strategic and Land Use Planning Executive Manager Strategic Outcomes
<b>DP049 Review and prepare planning strategies, policies and studies that retain the character of the Shire's towns and villages</b>	OP107	Undertake a comprehensive review of Council's Development Control Plan (DCP) documents in accordance with the Department of Planning, Industry and Environment's template DCP requirements	<p>Council has commenced work on a comprehensive review of its Development Control Plans (DCPs). The review is being undertaken in sections (starting with low and medium density housing controls), and will ultimately result in a single, consolidated DCP that will apply across the Shire.</p> <p>The review aims to provide a clear planning framework, that is easy to use and understand, that gives effect to the strategic priorities outlined in Council's broader strategic planning framework.</p>		Strategic and Land Use Planning Executive Manager Strategic Outcomes
<b>DP050 Implement initiatives that promote and protect cultural heritage</b>	OP108	Prepare and implement a heritage assistance policy and education and recognition program	<p>Council are undertaking a major review of heritage items within the Shire and the heritage education and recognition program is on hold pending the completion of the review.</p> <p>Following the completion of the review, Council will recommence its education and recognition program.</p>		Strategic and Land Use Planning Executive Manager Strategic Outcomes

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	OP109	Contribute to the annual National Trust Heritage Festival to build awareness of Council's heritage activities	Council are undertaking a major review of heritage items within the Shire and Council's heritage education and recognition program is on hold pending the completion of the review.  Following the completion of the review, Council will recommence its education and recognition program, including contributing to the annual National Trust Heritage Festival.		Strategic and Land Use Planning Executive Manager Strategic Outcomes
	OP110	Commence preparation of a Planning Proposal to review the current list of heritage items and potential heritage items	A draft Heritage Study, including a review of the deferred heritage items will be reported to the Local Planning Panel as soon as practicable for public exhibition.  Following the adoption of the Heritage Study, a Planning Proposal will be prepared to implement the outcomes of the adopted study as well as a review of existing heritage item descriptions in Schedule 5 and mapping of items in the Wingecarribee Local Environmental Plan 2010.		Strategic and Land Use Planning Executive Manager Strategic Outcomes
DP051 Implement a program of town and village centre improvements	OP111	Continue to develop the Bowral CBD Master Plan	No progress has been made on this matter in 4th quarter.		Asset Planning and Support Manager Assets
	OP112	Maintain existing CBD towns and village precincts to operating service standards	Council has maintained service levels to town and village centres including street sweeping, empty public garbage bins, cleaning amenities, roadside garden maintenance, removal of dumped waste, pavement washing, repairs to street furniture, foot path repairs and graffiti removal.		Asset Planning and Support Acting Group Manager

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					Infrastructure Services
<b>DP052 Deliver the Urban Street Tree Implementation Plan</b>	OP113	Implement the street tree planting program	<p>During this reporting period, Wingecarribee Council has planted the following:</p> <ul style="list-style-type: none"> <li>– 76 hedge shrubs (Syzygium 'Cascade') were planted in East Bowral to replace a dieing leylandii hedge</li> <li>– Number of trees planted from April to June 67 Trees</li> <li>– Trees were planted Moss Vale, Bowral, Burradoo, Bundanoon, Renwick, Exeter, Colo Vale, Braemar, Balacava</li> <li>– The species of trees planted are Golden Ash, urbanite ash, capital pear, snow pear, cherry, crabapple, scarlet oak, weeping lilly pilly, Water Gum and Chinese pistachio</li> </ul>		Parks and Recreation Acting Group Manager Infrastructure Services
<b>DP053 Provide and maintain high quality community facilities across the Shire</b>	OP114	Manage community facilities in partnership with licensees and community groups	Council has continued to manage community facilities in partnership with community groups and licensees. Halls reopened in December 2021 in alignment with NSW Public Health Order updates. Consultation has also been completed for the 2021 355 Committee Review, with a final report to be submitted to September Council Meeting.		Community Facilities Manager Assets
	OP115	Implement minor capital works program for buildings	<p>Council minor capital works for the 21/22 delivery year includes the following:</p> <p>All minor capital works for buildings were completed prior to this reporting period.</p>		Community Facilities Acting Group Manager Infrastructure Services




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	OP116	Undertake building maintenance works	<p>Building Maintenance works completed April to June 2022.</p> <p>Minor Building Maintenance Projects completed:</p> <ul style="list-style-type: none"> <li>– Mittagong PCYC - Completed install of subsoil drainage to back of retaining wall along the emergency exit foot path at rear of building.</li> <li>– Mittagong PCYC - Repairs to leaking roof.</li> <li>– Mittagong PCYC - Concreted footpath at the emergency exit point at rear of building.</li> <li>– Bundanoon Oval Amenities - replaced roof timbers, roofing iron, gutters and down pipes.</li> <li>– Bundanoon Oval Amenities - replaced ceilings throughout building.</li> <li>– Bundanoon Public Toilets (back of Bundy Hall ) - Replaced leaking skylights.</li> <li>– Bundanoon Good Yarn - removed ceiling for access to the box gutter. Repaired gutter and replaced ceiling.</li> <li>– Iron Mines Oval Amenities - Painted internals and externals.</li> <li>– Iron Mines Oval Amenities - Replaced roof guttering and down pipes.</li> <li>– Iron Mines Oval Toilets - Replaced roofing, gutters and down pipes.</li> <li>– Iron Mines Oval Toilets - Painted internals and externals.</li> <li>– Welby Heights Public Toilets - re-roofed - refurbished internally including floor tiling and plumbing. Reconnected</li> </ul>		Community Facilities Acting Group Manager Infrastructure Services

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			<p>power. Repainted inside and out. Installed concrete entrance and footpath.</p> <ul style="list-style-type: none"> <li>– Ferndale Soccer Amenities - painting internals and externals.</li> <li>– Ferndale Soccer Toilets - Replaced roofing, gutters and downpipes. Painted inside and out.</li> </ul> <p>Street M.V. Public toilets - continuing with complete refurb.</p> <p>Compliance works:</p> <ul style="list-style-type: none"> <li>– Stage two of RCD testing and meter board upgrades 95% completed.</li> <li>– M.V. Aquatic Centre and Bowral Library - roof anchor and access upgrades completed.</li> </ul> <p>Customer Maintenance Requests:</p> <ul style="list-style-type: none"> <li>– 158 requests received</li> <li>– 149 requests completed</li> <li>– 11 outstanding.</li> </ul>		
You	OP117	Undertake the forward design of building projects in the four-year capital works program	<p>The building forward design projects for the 2021/22 capital program include:</p> <ul style="list-style-type: none"> <li>– Berrima camping park, conceptual design public toilet upgrade; Consultant architect finalising conceptual design and heritage planning approvals.</li> </ul>		<p>Community Facilities</p> <p>Acting Group Manage Infrastructure Services</p>

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			<ul style="list-style-type: none"> <li>– Lions Park Bowral public toilet Detailed Design - Consultant engaged, design at 85% stage. Design will be finalised August 2022.</li> </ul>		
	OP118	Deliver major capital works program for community facilities	<p>Council is committed to the renewal and upgrade of the community facilities of the Shire. This commitment is shown through the allocation of \$14M within the 21/22 Capital Program for Parks &amp; Buildings related projects, highlights being:</p> <ul style="list-style-type: none"> <li>– Moss Vale SES Building</li> <li>– Southern Highlands Animal Shelter Building</li> <li>– Bowral Memorial Hall Refurbishment</li> <li>– Mittagong Memorial Playhouse Refurbishment</li> </ul>		Asset Planning and Support Manager Assets
<b>DP054 Undertake the redevelopment of Bowral Memorial Hall</b>	OP119	Deliver the Bowral Memorial Hall refurbishment works	<p>The Bowral Memorial Hall project is progressing well with construction momentum now ramping up. The project still continues to endure latent site conditions and structural deficiencies that were not identified in the design.</p> <p>The stage re-design variation along with the capturing costs associated with structural remediations will be brought to Council next quarter.</p> <p>Works are now moving into fitout as the final structural elements are being finalised.</p>		Asset Planning and Support Group Manager Capital Projects
<b>DP055 Effectively plan for and deliver on the</b>	OP120	Continue to implement the Disability Inclusion Action Plan	Disability Inclusion Action Plan (DIAP) has been endorsed by Council on the 15 June 2022. The 2022-2026 version will take affect 1 July 2022. Council's website has the document available to download as		Community Wellbeing

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diverse needs of people with a disability			a PDF accessible version and a word document easy read version. Both copies were sent to Disability Council to meet the 30 June 2022 deadline.  Annual reports will be prepared and supplied to Disability Council updating what Council have completed/done on the current DIAP.		Group Manager Corporate & Community
DP056 Ensure planning controls allow for diversity of housing choice	OP121	Implement the recommendations of the local housing strategy to ensure diversity of housing choice within the Shire	Council has commenced work on a review of Medium Density Housing Controls within the Shire, to support greater diversity of housing within the Shire.  Consultation with the community and industry commenced in June 2022, and a formal exhibition period is anticipated to occur in October 2022.  The review of medium density housing controls is considered critical in supporting housing diversity and ensuring that the local housing stock continues to meet the needs of the community into the future.		Strategic Land Use Planning Executive Manager Strategic Outcomes
DP057 Partner with agencies to plan and deliver a program of road upgrades, renewals and maintenance	OP122	Deliver roads capital works program	Projects underway: <ul style="list-style-type: none"> <li>– Eridge Park Road Safety Improvements, Bowral; Old Hume Hwy Safety Improvements, Woodlands;</li> <li>– Mt Broughton Road Safety Improvements; Boardman Road Resurfacing, Bowral.</li> </ul> Projects Completed:		Transport Acting Group Manager Infrastructure Services

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			– Old Hume Hwy Reconstruction, New Berrima; Regional Road Gravel Resheeting Program.		
	OP123	Deliver roads maintenance program	<p>Council is undertaking programmed and reactive maintenance on its road networks. Road Maintenance Customer requests in this three (3) month period totalled 1519. These requests are normally being actioned within 28 days to the effect that the request is inspected, made safe and where applicable maintenance programmed or a capital works request submitted for project scoping and prioritisation. The action time frame has increased due to the volume of customer requests received directly related to extended rain periods destroying the road network.</p> <p>The following unsealed roads were maintenance graded and/or repaired: Wombeyan Caves Rd, Burchalls Lane, Old Mandemar Road, Wombala Road, Greasons Road, Yuille Avenue, Bangadilly Road, Canyonleigh Road, Foxgrove Road, Nandi Road, Ferndale Road, Pine Street, Old Argyle Road, Rockleigh Road, Wilson Drive Service Road, Joadja Road, Mandmar Lane, Richards Lane, Jacks Valley Road, Mill Road, Clemens Road, Kells Creek Road, Spring Hill Road, Colo Lane, Bumbulla Road, Mundego Street, Kent Street, Bibbys Lane, Stonequarry Creek Road, Rosedale Road, Belanglo Road,</p>		Transport Acting Group Manager Infrastructure Services
	OP124	Develop and implement road safety initiatives in conjunction with Transport for NSW	Council continues to work with Transport for NSW (TfNSW) for the delivery of several road projects that are part funded by various funding programs, including:		Transport Manager Assets

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			<ul style="list-style-type: none"> <li>– Old South Road Renewal &amp; Upgrade - part funded by Fixing Local Roads Program &amp; Safer Roads Program</li> <li>– Wombeyan Caves Road Renewal - funded by Bushfire Local Economic Recovery Fund (BLER) and Disaster Recovery Funding Agreement (DRFA)</li> <li>– Burrawang Creek Bridge Renewal - Fixing Country Bridges Program</li> <li>– Ritters Creek Bridge Renewal - Fixing Country Bridges Program</li> <li>– Diamond Fields Creek Bridge Renewal - Fixing Country Bridges Program</li> <li>– Merrigang Street Bridge Renewal - Fixing Country Bridges Program</li> </ul>		
	OP125	Undertake the forward design of road projects in the four-year capital works program	<p>Road Projects currently undergoing design are:</p> <ul style="list-style-type: none"> <li>– Glenquarry, Range Rd rehabilitation delivery 22/23.</li> <li>– 6 Wombat Crossings at 5 schools across the shire delivery 22/23.</li> <li>– Penrose, CBD precinct upgrade, concept work delivery 22/23.</li> </ul> <p>Road projects that have been completed recently are:</p> <ul style="list-style-type: none"> <li>– Bowral, Station St north rehabilitation.</li> <li>– Bowral, Station St south carpark and drainage.</li> <li>– Moss Vale, Kirkham St rehabilitation.</li> </ul>		Transport Acting Group Manager Infrastructure Services

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Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
DP058 Implement a long term solution for the use and disposal of roadside spoil	OP126	Investigate and develop options for the reduction, reuse and disposal of roadside spoil	<p>Drapers Rd Site</p> <p>Due to Water and Sewer proposed operational expansions, the Drapers road site is no longer considered a viable site for the stock piling of excavated road material.</p> <p>Berrima Rd Site</p> <p>On 16 November 2018 Council was advised that aboriginal land claim 40953 over site was granted which means land is transferred to Illawarra Local Aboriginal Land Council (ILALC). Council now has a lease agreement with ILALC renewed yearly. The duration of this lease is not practical to explore the option of creating a reuse facility.</p> <p>Council staff continually review the unsealed road network with a view to finding locations where cuttings can be overlaid with reuse material from road reconstruction works.</p> <p>Council is currently consulting with the EPA for further advice related to temporary stock pile exemptions for excavated road materials.</p>		Transport Acting Group Manager Infrastructure Services
DP059 Review and implement Water Master Plan	OP127	Implement projects that support the delivery of the Integrated Water Cycle Management Strategy	As part of the 2021/22 Capital Program, Council invested over \$10M in the water supply network. Through the development of the 2022/23 Capital Program, further projects will be implemented to support the delivery of the Integrated Water Cycle Management Strategy.		Water and Sewer Acting Group Managers

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					Water & Sewer Services
	OP128	Deliver capital works program for the Water Master Plan	As part of the 2021/22 Capital Program, Council is investing over \$10M in the water supply network. Through the development of the 2022/23 Capital Program, further projects will be implemented to support the delivery of the Water Master Plan		Water and Sewer Acting Group Managers Water & Sewer Services
DP060 Review and implement Sewage Treatment Plant Upgrade Strategy	OP129	Plan for the upgrade of Moss Vale, Bowral and Mittagong Sewage Treatment Plants	<p>Bowral Sewage Treatment Plant (STP) Upgrade: The request for tender period has now closed and detailed analysis and evaluation of submissions is underway for the construction tender. A report will be presented to Council in the new financial year.</p> <p>Moss Vale STP Upgrade: Moss Vale STP design is currently at 90% with design reviews underway. Environmental and EPA reviews continue in line with the design progression.</p> <p>Mittagong STP Upgrade: Mittagong STP is still in early stages of design with concepts providing consistency across all three STP's providing for efficiencies in procurement, maintenance and operations.</p>		Asset Planning and Support Acting Group Managers Water & Sewer Services



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Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
DP061 Improve stormwater management across the Shire	OP130	Review and implement floodplain management strategies	<p>Studies &amp; Risk Management Plans:</p> <ul style="list-style-type: none"> <li>Wingecarribee River Flood Study - complete and adopted by Council</li> </ul> <p>Implementation of Actions:</p> <ul style="list-style-type: none"> <li>Retford Farm Basin - detailed design phase</li> <li>Bowral Golf Course Basins - detailed design phase</li> </ul>		Stormwater Manager Assets
	OP131	Deliver stormwater drainage works as per capital works program	<p>Projects Completed:</p> <ul style="list-style-type: none"> <li>Mt Ashby/Nowra Road Culvert Renewal Moss Vale; 1 and 5 Nowra Road Culvert Renewals Moss Vale; 674 Nowra Road Culvert Renewal, Moss Vale.</li> </ul> <p>Projects Underway:</p> <ul style="list-style-type: none"> <li>Jasmine St Drainage construction, Colo Vale; Station St Drainage, Bowral; Prince St Drainage, Mittagong</li> </ul> <p>Dangar St Drainage reconstruction was put on hold due to weather.</p>		Stormwater Acting Group Managers Water & Sewer Services
	OP132	Undertake the forward design of drainage projects in the four-year capital works program	<p>Drainage Projects currently undergoing design are:</p> <ul style="list-style-type: none"> <li>Hill Top, Sackville St delivery 22/23.</li> <li>Hill Top, Ella and Stella St delivery 22/23.</li> <li>Burrawang, Dale St delivery 22/23.</li> <li>Mittagong, Priestley St delivery 22/23.</li> <li>Bowral, Centennial Rd Creek restoration delivery 22/23.</li> </ul>		Stormwater Acting Group Managers Water & Sewer Services

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	OP133	Maintain stormwater assets	<p>Council is undertaking programmed and reactive maintenance on its drainage network. Drainage Maintenance Customer requests in this three (3) month period alone totalled 266. These requests are normally being actioned within 28 days to the effect that the request is inspected, made safe and where applicable maintenance programmed or a capital works request submitted for project scoping and prioritisation. The 28 day timeframe to action this request has extended as a result of recent extended wet weather period.</p> <p>Programmed drainage work orders were completed at: Kent St Yerrinbool, Jasmine St Colo Vale, Beech St Colo Vale, Cumberteen St Hill Top, Meranie St Welby, Railway Pde Balmoral, Oxley Dr Mittagong, Morris Ct Bundanoon, Valetta St Moss Vale, Wombeyan Caves Rd High Range, Oxley's Hill Rd Bowral, Drapers Rd Willow Vale, Farmborough Cl Bowral, Hoddle Street Robertson, Jensens Ln Exeter, Bowral Rd Mittagong &amp; Wanganderry Rd High Range.</p>		Stormwater Acting Group Manager Infrastructure Services
DP062 Undertake drinking water quality management	OP134	Manage and deliver operational programs to ensure water quality compliance within the water supply network as per NSW Health requirements and the adopted Drinking Water	<p>An extensive program of operational water quality sampling is carried out within the water supply network by both the water head works and water reticulation teams at all storage reservoirs and a proportion of widespread distribution network sampling points on a weekly basis.</p> <p>This proactive operation sampling is carried out to ensure water quality compliance with the Australian Drinking Water Guidelines (ADWG) and NSW Health requirements. System performance</p>		Water and Sewer Acting Group Managers Water & Sewer Services

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		Management System protocols	<p>sampling is then carried out by the environment team, the results being directly reported to NSW Health as an official record. A total of 56 sample points at 28 storage reservoirs sites are sampled for headworks water quality analyses in the water supply network in the third quarter. Additionally, the water reticulation team collected operational water quality field samples, from locations spread across the water supply network; resulting in a further water quality analysis. Lab analysis of the operational reticulation sampling is also used to pro-actively check for biological compliance.</p> <p>The results of these field samples are used to trigger operational improvement actions if required.</p> <p>The NSW Health database records that in the last quarter there were 1030 analyses carried out. The water quality compliance rate was 99.7% against Health guideline values.</p>		
DP063 Ensure the integrity of water and sewer infrastructure	OP135	Deliver water treatment plants electrical and mechanical maintenance programs	<p>Both Treatment plants electrical and mechanical preventive maintenance completed including following tasks:</p> <ul style="list-style-type: none"> <li>– Blowers and compressors preventive maintenance carried out as per the preventive maintenance schedule.</li> <li>– Water pumping stations mechanical preventive inspection completed.</li> <li>– Bundanoon Water treatment plant filter valves and pneumatic panel replaced.</li> <li>– Flow meter calibration carried out as per the schedule.</li> </ul>		Water and Sewer Acting Group Managers Water & Sewer Services

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	OP136	Deliver sewer treatment plants electrical and mechanical maintenance programs	Planned electrical and mechanical preventive maintenance completed as per the schedule. <ul style="list-style-type: none"> <li>– Bundanoon STP and pump stations electrical and mechanical schedule maintenance completed.</li> <li>– Berrima STP and pump stations electrical and mechanical schedule maintenance completed.</li> <li>– External service maintenance of filtration process compressors completed.</li> <li>– Testing and tagging of the electrical equipment at Mittagong, Berrima and Bundanoon STP completed.</li> <li>– SCADA operating system upgraded at Robertson STP.</li> </ul>		Water and Sewer Acting Group Managers Water & Sewer Services
	OP137	Manage the trade waste management policy and associated protocols and standards	Trade waste management post pandemic has seen a return to site inspections carried out by council officers. There have been no new major non-compliances during the period.		Water and Sewer Acting Group Managers Water & Sewer Services
	OP138	Manage and deliver treatment plant operational protocols as per regulatory and adopted Drinking Water Management System requirements	Water quality and plant chemistry are monitored and recorded at every stage through the water treatment process: raw water, clarified water, filtered water and treated water stages. There are 23 parameters measured daily and a further 20 parameters measured weekly within the process stream at each plant. This enables trends to be observed and iterative adjustments to be made to treatment chemistry as raw water quality changes.		Water and Sewer Acting Group Managers Water & Sewer Services



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			During the further heavy rain events during the last quarter, raw water turbidity increased and operators have had to work hard to keep on top of the chemistry in the process. Both treatment plants were able to keep treated water quality within the Australian Drinking Water Guidelines "ADWG". Operators are in consultation with process science engineers to ensure quality standards are maintained due to the current challenging conditions.		
	OP139	Manage raw water storage availability and dam safety compliance	<p>Dam storage levels for both the Council Bundanoon and Medway Dams are over 100% i.e. spilling due to recent ongoing wet weather.</p> <p>Weekly inspection reports are carried out by qualified staff every week for both Bundanoon and Medway dams as per regulatory requirements.</p> <p>The Dam Safety Emergency plan has been drafted and requires modelling studies to complete. Other tasks to be continued are a comprehensive dam safety review, Dam break and consequence assessment modelling, and emergency storage evacuation draw-down curve.</p> <p>Some of these specialist tasks require engaging resource outside of the operational team and the Assets department are working with us collaboratively to progress some of these strategic areas.</p>		Water and Sewer Acting Group Managers Water & Sewer Services

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			The project works planned at the dams has been delayed due to the ongoing wet weather and high spilling rate.		
DP064 Ensure regulatory compliance of sewerage infrastructure	OP140	Manage and operate sewage treatment plants to meet license and regulatory standards	<p>The EPA Licence Annual Return for Bowral, Berrima, Moss Vale, Mittagong and Bundanoon for the 2021-22 reporting period was finalised and submitted in this quarter with only two non-compliances reported. The non-compliance was due to high inflows recorded in the last quarter as a result of severe wet weather. During this reporting period, four out of six treatment plants have continued to meet their EPA License requirements. A period of dry weather days has resulted in a reduction of inflows to the plant and they are performing well within their operational capacity. Mittagong STP recorded non-compliance in April due to some wet weather flows and Moss Vale STP process has recorded a high Faecal Coliform result for its final effluent discharge due to storm events that increased the flow above the UV disinfection process capacity.</p> <p>The Moss Vale STP process is due for upgrade in 2023-24 with the inclusion of an upgraded disinfection system as per new licence requirements.</p>		Water and Sewer Acting Group Managers Water & Sewer Services
	OP141	Deliver sewer network distribution operational programs to manage environmental risk and meet regulatory requirements	Planned maintenance programs and infrastructure upgrades have been completed as per the sewer network operational plan. This amounts to two (2) km of sewer main cleaning and CCTV survey's in Q4, including night works focused in Moss Vale CBD. Further overflow locations have had preventative maintenance completed, which has positively decreased dry weather overflows.		Water and Sewer Acting Group Managers Water & Sewer Services

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			Network Maintenance staff have been delayed in cleaning the 77 sewer pumps stations due to the continued wet weather. Sewer Vent Shaft renewals have now been completed for this financial year. Construction of private works has been made difficult by ongoing wet weather and we are currently experiencing a back log, but we are completing works as opportunities arise. Recent floods have confirmed wet weather overflow locations and catchments where we have to implementing infiltration and inundation management strategies.		
DP065 Facilitate and advocate for enhanced access to telecommunication networks	OP142	Advocate for improved telecommunications across the Shire	Participate in a Regional Telecommunications Forum Steering Committee facilitated by Regional Development Australia Southern Inland		Economic Development Director Corporate Strategy & Resourcing
DP066 Manage public natural assets	OP143	Undertake coordinated actions to manage vertebrate pest and weed biosecurity threats to the Shire	East Bowral reserves rabbit control program completed for the 2021/2022 year. Pindone baiting completed for Hammock Hill reserve. The baiting program was been delayed due to ongoing rain. Additional baiting programs being scheduled later this year.  Council continues to be represented on the Southern Highlands Wild Dog Working Group.		Natural Area Management Manager Environment & Sustainability
	OP144	Identify high value natural assets and	Council implements an active Bushcare program across 59 reserves and management sites. This program focuses on bush regeneration and control of environmental weeds at Council managed.		Natural Area Management

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		develop and implement management actions	<p>Bushland Plan of Management (Natural Areas) was adopted by Council and send to Crown Land for ratification. The development of the Mt Gibraltar Plan of Management has commenced with a community workshop held with the Bushcare Group and adjoining landholders. A community survey has also been completed. Development of the POM will continue into the next financial year.</p> <p>Rare flora surveys were completed using grant funds from the NSW Environmental Trust. The surveys results are providing the region and the state important information of rare flora impacts and recovery from bushfire affected land, and also the impacts of climate change. This data will help their protection and recovery in the Shire.</p> <p>New vegetation maps for the Shire have been published by the NSW Government in the State Vegetation Type Map (SVTM). The SVTM now incorporates the Wingecarribee Fine Scale Vegetation Mapping project data and makes this information publicly available in a fully maintained mapping tool. The SVTM is still being developed to include layers of Threatened Ecological Communities. The SVTM tool also has a Trees Near Me app which predicts the suitable plant community types for anywhere in the Shire, even on cleared land, and identifies plant species suitable for replanting.</p> <p>Council works with the NSW Government on recovery projects for important Threatened Species in the Shire. These projects include:</p>		Manager Environment & Sustainability



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			<ul style="list-style-type: none"> <li>– Southern Highlands Koala Conservation project</li> <li>– Southern Highlands Glossy Black Cockatoo Conservation “Glossies in the Mist”</li> <li>– Eucalyptus macarthurii</li> <li>– Persoonia glaucescens</li> <li>– Phyllota humifusa</li> <li>– Eucalyptus aquatica.</li> </ul>		
	OP145	Undertake works to facilitate flora and fauna recovery from the impacts of the 2019/2020 bushfires	<p>The NSW Government have released their Koala Strategy and Council has been successful in obtaining a Regional Partnership agreement with grant funding of \$600,000 over 4 years. This will allow the continuation of the Southern Highlands Koala Conservation Project.</p> <p>Council has received \$65,000 funding from the NSW Government Koala Strategy to implement a strategy to reduce road-kill. This will be implemented in the next financial year.</p>		Natural Area Management Manager Environment & Sustainability
	OP146	Support an active Bush Care Volunteer and Citizen Science program	<p>The Bushcare volunteer program continues during this quarter after being in recess due to the impacts of COVID 19. There are twelve active Bushcare groups with approximately 150 volunteers. A decline in volunteers at some groups has been noticed due to volunteers moving out of their locality or retiring from volunteering. Two training workshops were delivered on best practices in bush regeneration.</p> <p>The Citizen Science program continues to be implemented, and the data collection tool, NatureMapr, continues to be promoted and</p>		Natural Area Management Manager Environment & Sustainability

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			<p>used by the community. This data feeds in the Atlas of Living Australia and Bionet as required.</p> <p>The latest edition of this e-newsletter was published. Southern Highlands Nature News focuses on nature, biodiversity conservation, citizen science, Bushcare, Rivercare or Landcare programs in the Shire. All editions are available online at Council's website as well as being emailed direct to subscribers.</p>		
<b>DP067 Maintain and build high value environmental lands and corridors</b>	OP147	Encourage conservation on private land	<p>Council's Private Land Biodiversity Conservation Strategic Plan continues to be implemented.</p> <p>Council encourages conservation on private land through a three-tiered program to support different types of landholders and conservation values. The three programs are open to the community are Land for Wildlife (for large landholders), Habitat and Wildlife, and Private Conservation Agreements. The Land for Wildlife network works with property owners who are conserving nearly 4,000 hectares voluntarily for wildlife conservation. This represents about 7% of all koala habitat found on private land in the shire. Nine new applications to join Land for Wildlife were received in the last quarter.</p>		Natural Area Management Manager Environment & Sustainability
<b>DP068 Ensure the impacts of development on biodiversity are assessed, monitored and mitigated</b>	OP148	Review and implement initiatives to minimise impacts on biodiversity from Council operations	Council undertakes a Review of Environmental Factors (REF) for Council works, utilising Council's adopted procedure and assessment tool for this function. Controls to minimise and mitigate environmental impacts are identified through this process.		Environmental Services Manager Environment

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			Council procedure and REF assessment tool has been updated to include amendments to the Environmental Planning and Assessment Act which affects Part 5 development		& Sustainability
	OP149	Assess development applications in accordance with the statutory provisions of the <i>Environmental Planning and Assessment Act 1979</i> to ensure that environmental impacts are appropriately managed and mitigated	<p>In this quarter the following outcomes are noted:</p> <ul style="list-style-type: none"> <li>– April - 79 DA's lodged vs 72 DA's Determined</li> <li>– May - 73 DA's lodged vs 60 DA's Determined</li> <li>– June - 61 DA's lodged vs 71 DA's Determined</li> </ul> <p>The net result is that 213 were lodged and 203 were determined. This outcome has been affected by the loss of further staff members. The network of consultants in place should now result in an improved outcome over the next quarter.</p> <p>DA's are assessed with rigour under the EPA Act and Regulation.</p>		Development Control Manager Development Services
DP069 Build community partnerships and education programs to reduce pollution	OP150	Implement community education programs to reduce pollution	<p>Annually two pollution reduction campaigns are run in autumn to educate the community about ways to reduce the smoke pollution from using wood burners, fire pits and burning of green waste, as well as the rules around burning of green waste in backyards.</p> <p>The campaigns were successfully rolled out in March and May 2022 with direct mail outs as well as a social media campaign and newsletters.</p> <p>Schools Environment Day was hosted in May with over 200 local school children and teachers attending the education event hosted</p>		Environmental Services Manager Environment & Sustainability


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			<p>at Camp Wombaroo together with the Outdoor Environment Group, Bird Life Southern Highlands, Water NSW, and JR Richards.</p> <p>Further, the Sustainable Us initiatives continued to be rolled out with National Walk Safely to School Day education packs being developed and distributed to local schools, as well as the inaugural Greener Footprint Fair in Bowral which attracted over 200 people to learn about sustainable living.</p>		
	OP151	Develop and implement programs and initiatives which specifically target environmental pollution associated with construction	<p>'See a sit that's not right' media campaign for sediment and erosion control program was prepared during the reporting period.</p> <p>Newsletter 'tool bag' was developed for builders and certifiers to address waste security distributed during time of high winds.</p> <p>Proactive targeted patrols educating/ensuring compliance with consent condition in relation to building sites.</p>		Regulatory Compliance Manager Development Services
DP070 Reduce the impact from Council infrastructure and operations	OP152	Review and implement initiatives to minimise the impact of pollution from Council operations	<p>With the increased pressure to reduce operational greenhouse gas emissions an Emission Reduction Plan for Council has been written with a target of Net Zero emissions by 2030. The work done clearly outlines a pathway which is achievable and will result in cost savings for Council, as well as future proofing Council operations and showing that Council leads by example.</p> <p>Council continues to meet its obligations under the Environmental Planning and Assessment Act 2021 through the use of the</p>		Environmental Services Manager Environment & Sustainability

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			<p>Environmental Assessment Procedure for exempt development and environmental assessment under Part 5.</p> <p>Council undertakes environmental assessments of the potential impact from Council works, utilising Council's adopted procedure and assessment tool for this function. Controls to minimise and mitigate environmental impacts are identified through this process.</p> <p>Changes to the NSW State Environmental Planning Policy (Biodiversity and Conservation) 2021 triggered the review of internal environmental assessment process and subsequent changes to the process have been implemented.</p>		
<b>DP071 Develop and implement policies that support health, environment and sustainability outcomes within Council and across the Shire</b>	OP153	Maintain up to date environment and sustainability strategies, policies and plans that are adequate and appropriate to address Council and community needs	<p>Environment and Climate Change Strategy development – The last Environment Strategy expired in 2017 and with the Climate Emergency Declaration by Council in 2020 it became imperative to write a new strategy and to include climate change as a central pillar.</p> <p>Community engagement took place in January 2021 and a draft document has been created which will serve as a tool when consulting with internal stakeholders.</p> <p>Emission Reduction Plan development – with the increased pressure to reduce operational greenhouse gas emissions an Emission Reduction Plan for Council has been written with a target of Net Zero emissions by 2030. The work done clearly outlines a</p>		Environmental Services Manager Environment & Sustainability

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			pathway which is achievable and will result in cost savings for Council as well as future proofing our operations and showing that Council leads by example.		
DP072 Implement planning controls that protect the Shire's natural resources	OP154	Continually monitor local plans and strategies to ensure relevance in the protection of local natural resources	Council officers continue to work together to ensure the planning framework provides adequate protection for local natural resources.  The adopted Local Strategic Planning Statement provides an important strategic framework for land use management and the protection of natural resources.		Strategic Land Use Planning Executive Manager Strategic Outcomes
DP073 Advocate to State and Federal government to ensure planning controls, plans and proposals reflect community priorities	OP155	Advocate and respond to State and Federal Government to ensure that planning controls, plans and priorities reflect community priorities and expectations, including the provision of submissions to key government initiatives	Ongoing discussions continually with Department of Planning, Industry and Environment (DPIE) in regard to local controls and requirements and continual review of local planning documentation and requirements under way. Council are currently working with DPIE on the review of the South Eastern Tablelands Regional Strategic Plan to ensure that the concerns of the community are addressed, and their priorities are reflected in the updated plan.		Strategic Land Use Planning Executive Manager Strategic Outcomes
DP074 Develop partnerships with community and agencies to identify, update and	OP156	Maintain Council's mapping and other information sources and	New vegetation maps for the Shire have been published by the NSW Government in State Vegetation Type Map (SVTM). The SVTM now incorporates the Wingecarribee Fine Scale Vegetation Mapping project data and makes this information publicly available in a fully maintained mapping tool. The SVTM is still being further		Natural Area Management Manager Environment


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maintain awareness of key natural resources		tools for key natural resources	developed to include layers to readily identify Threatened Ecological Communities. The SVTM tool also has a Trees Near Me app which predicts the suitable plant community types for anywhere in the Shire, even on cleared land, and identifies plant species suitable for replanting.		& Sustainability
	OP157	Engage with the Rural stakeholders for natural resource conservation	<p>Council encourages and recruits rural landholders into the Land For Wildlife program. This program delivers conservation on private land through a three tiered program to support different types of landholders and conservation values. Property assessments, property information and advice are provided when landholders join the program. LFW members are also eligible for small grants to help manage their properties.</p> <p>Distribution of Council's Rural Living Handbook continues to be strong reprint of the handbook to replenish stocks.</p>		Natural Area Management Manager Environment & Sustainability
	OP158	Undertake education programs and initiatives for natural resource management	<p>Council partnered with Local Land Services at two (2) Rivers of Carbon field workshops which attracted approximately 30-40 in rural landholders. These workshops focus on sustainable farm management.</p> <p>Council celebrated World Turtle Day with a community workshop which included nest predation survey launch. Approximately 50 residents participated in this activity.</p> <p>Council delivered its annual Schools Environment Day. Approximately 200 attended the Day which focused on six activities</p>		Natural Area Management Manager Environment & Sustainability

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			<p>based around, water monitoring, wildlife monitoring, water catchment management, waste management and solar energy.</p> <p>The latest edition of this e-newsletter was published. Wingecarribee Web is a free newsletter keeping the community up to date with local environmental and sustainability news, notices and events. All editions are available online at Council's website as well as being emailed direct to subscribers.</p> <p>Southern Highlands Nature News E-Newsletter</p> <p>The latest edition of this e-newsletter has been published. Southern Highlands Nature News focuses on nature, biodiversity conservation, citizen science, Bushcare, Rivercare or Landcare programs in the Shire. All editions are available online at Council's website as well as being emailed direct to subscribers.</p>		
	OP159	Undertake and facilitate environmental monitoring and reporting to support better data-based decision making	<p>Rare flora surveys were completed using grant funds from the NSW Environmental Trust. The survey results are providing the region and the state important information of rare flora impacts and recovery from bushfire affected land, and also the impacts of climate change. This data will help their protection and recovery in the Shire.</p> <p>Monitoring activities were undertaken at Mittagong Creek, Whites Creek, Medway Rivulet, Lake Alexandra and Caalong Creek. The monitoring program is providing data on catchment health.</p>		Natural Area Management Manager Environment & Sustainability







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			During this quarter, macro invertebrate sampling was completed in Mittagong Creek, Bowral. This data is sent to the Atlas of Living Australia and is publicly available online.		
DP075 Implement community awareness programs that promote sustainable living	OP160	Implement sustainable living projects and programs, including running community events, programs in schools and broader education campaigns	<p>The Sustainable Us Framework has delivered many engagement opportunities in quarter four:</p> <ul style="list-style-type: none"> <li>– Schools Environment Day (May 2022)</li> <li>– EnviroMentor program (April and May 2022)</li> <li>– Solar My School promotions and engagement with Moss Vale High &amp; Berrima Public School (continuous)</li> <li>– Greener Footprint Fair (June 2022)</li> <li>– Launch of Green Caffeen, reusable take away coffee cup scheme (April 2022)</li> </ul> <p>A collaboration with WinZero has commenced to identify opportunities to create and roll out a trial Net Zero Homes trial which would involve the assistance for residents to retrofit their homes to improve energy efficiency.</p>		Environmental Services Manager Environment & Sustainability
DP076 Develop partnerships and networks to leverage off existing programs	OP161	Participate in and promote existing networks and programs that advance environmental and sustainability objectives of the Shire	Council staff actively participate in local community networks, as well as the State Government Climate Officer Group, Sustainability Advantage and Cities Power Partnership.		Environmental Services Manager Environment & Sustainability

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	OP162	Provide financial assistance through the Environment Levy-funded component of the Community Assistance Scheme	Council is reviewing is grant donations and sponsorship activities with a policy being drafted to manage activities into the future.		Environmental Services Manager Environment & Sustainability
DP077 Implement State Government regulations	OP163	Assess and certify applications related to development	During this quarter Council approved 305 Certificate applications. These applications are processed rigorously under applicable legislation.		Development Control Manager Development Services
	OP164	Implement the recommendations of the review of planning, development and compliance	The recommendations are being implemented gradually - this is because the new structure has not been finalised and roles may yet be redistributed throughout the wider organisation. The website update is well underway and duty for planners/certifiers and engineers has been reduced to refocus resources back to assessment and outcomes.		Development Control Manager Development Services
	OP165	Administer the Local Planning Panel	Wingecarribee Local Planning Panel is well established and the number of reports put to the panel during the period is as follows:  <ul style="list-style-type: none"> <li>– April – 4 x DA, 1 X Planning Proposals</li> <li>– May – 1 x DA, 1 X Planning Proposals</li> <li>– June – 2 x DA, 0 x Planning Proposals</li> </ul>		Development Control Manager Development Services x

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			<p>The panel are assessing and determining the reports as required with new members adjusting to the role of panellist well. The panel is an effective body providing rigorous assessment and feedback to staff.</p> <p>An annual review of the panel and its progress to date has been undertaken with feedback from staff and to staff (360 degree) with outcomes agreed including additional training for panel members and updates and also improved reporting and process improvements for the internal planning team.</p>		
<b>DP078 Advocate and educate for improved development outcomes</b>	OP166	Work in partnership with State Government, development/building industry and the community to achieve improved development outcomes	Council officer are in constant contact with DPIE and advocating for the Council. DPIE have offered to help Council improve systems and implement better and more efficient processes. The staff all work with the industry as they process their applications as effectively as they are able within the current staffing and process constraints. To this end, DPIE flying Squad have agreed to assess 6 x DA applications (via external consultants) for Council to assist - we had sent >30 applications to ease the number of dwellings in our current backlog. The DPU still help Council where requested - to speed up State level responses to referrals for applications.		Development Control Manager Development Services
<b>DP079 Support the establishment and expansion of businesses that produce goods locally</b>	OP167	Facilitate networks that support and promote businesses that produce goods locally	Finalise and distribute a short destination video promoting the Southern Highlands Food & Wine Festival and a longer piece promoting local producers. Continue liaison with ACT government regarding the Capital Food and Fibre Strategy. Support RDA SI in their application to host an Innovation in Ag Conference and		Economic Development Director Corporate

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			Exhibition. Finalise the Directory and report project for the Creative Industries Cluster which recommends initiatives to increase economic success in the sector.		Strategy & Resourcing
DP080 Promote and encourage waste minimisation and recycling	OP168	Provide waste education programs to promote waste avoidance and resource recovery and meet the State Government's Waste Strategy targets once released	Limited activities preformed during the reporting due to resources issues.  Waste education tour undertaken for 40 participants of the combined Probus Association		Waste Management Manager Business Services
	OP169	Implement waste reduction and waste management practices	Green Caffeen has over 1000 members since it was launched in April.  Textiles recycling bins have been installed at the Resource Recovery Centre and promoted to the community.		Waste Management Manager Business Services
DP081 Implement strategies to reduce illegal dumping	OP170	Participate in the Regional Illegal Dumping (RID) program to facilitate a reduction in the amount of illegally dumped waste	Wingecarribee Shire continues to participate in the RID program ensuring all reported incidents of dumping are investigated.		Regulatory Compliance Manager Development Services
DP082 Manage the Resource Recovery Centre in accordance	OP171	Implement the Asset Management Strategy	The Resource Recovery Centre water management plan has been drafted and is under review. This will be provided to NSW DPIE and EPA in the coming month.		Waste Management

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with Environmental Protection Authority licence and ensure efficient and cost effective operations		for the Resource Recovery Centre	A Request for Quotation has been released for the completion of the Masterplan.		Manager Business Services
	OP172	Continue to seek alternative cost-effective recycling programs to encourage waste diversion from landfill	Textiles recycling has been very successful over the past (2) months with the installation of textile recycling bins at the RRC and promotion to the community.  Mobile CRC trailer launch has been delayed due to needing to resolve some operational issues.  Green Caffein reusable cups diverting takeaway coffee cups has received over 1000 members		Waste Management Manager Business Services
DP083 Develop and implement a Council Waste Strategy and Policy	OP173	Finalise Council's Waste Strategy following the release of the State Government's Waste Strategy	Council resolution provided at the 15 June Council meeting to progress with the engagement of a consultant to assist with the development of the waste strategy		Waste Management Manager Business Services
DP084 Implement strategies to improve energy management	OP174	OP174 Scope and implement energy management actions across Council facilities including projects funded through	With the development of the Emissions Reduction Plan a list of actions have been identified that will increase Council's energy efficiency. The water and sewer assets, as well as the pools, are Council's largest electricity users.  Work has begun to re-scope the feasibility of replacing the gas hot		Environmental Services Manager Environment & Sustainability

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		Council's Revolving Energy Fund, capital works, and maintenance program	water boiler at Bowral Pool with heat pump and solar photovoltaic technology.  Where feasible all analogue meters at Council assets have been replaced with Smart Meters. This will allow real time monitoring of electricity use as well as accurate billing.		
	OP175	OP175 Implement energy management actions identified in Council's Greenhouse Gas Reduction Plan	The Greenhouse gas Reduction Plan development is in the final phase and internal consultation has started to confirm which actions will be adopted.  Once actions have been confirmed scoping will create business cases which can be used to implement projects in 2023 using both the ReFund as well as capital budgets.		Environmental Services Manager Environment & Sustainability
DP085 Undertake initiatives that increase awareness and encourage water, energy and waste reduction	OP176	OP176 Raise community awareness of the impacts of climate change and actions to build resilience to the changing climate	Council has committed to adopting the Climate Wise program, which will accompany the SIM table, a resource co-funded through the Canberra Regional Joint Organisation.  The table is an education tool which will be used in conjunction with the education program to assist community members develop emergency response plans.  Conversations have commenced with the Federal National Recovery and Resilience Agency to co-host initiatives.		Environmental Services Manager Environment & Sustainability

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	OP177	OP177 Encourage increased resource efficiency with local residents and businesses	<p>The Sustainable Us web page and supporting content is now live, as well as the education event program. The focus of the program is to assist residents in reducing their resource use.</p> <p>Quarter four saw the launch of Green Caffein, which encourages the use of reusable take away cups to reduce the waste from single use coffee cups.</p>		Environmental Services Manager Environment & Sustainability
DP086 Implement strategies to address the impacts of climate change	OP178	OP178 Implement and monitor Council's Climate Change Adaptation Plan	<p>The role and position of the Council's Climate Change Adaptation Plan was evaluated in the second quarter and plans are afoot to review how the reporting of the actions in the plan are implemented and reported on.</p> <p>Council staff have been developing the business case for the adoption of Climate Wise, a climate change adaptation tool for the community.</p> <p>Engagement with teams that have actions in the plan is planned for the first quarter of 2022/23 to remind each area of operations of commitments in the plan.</p>		Environmental Services Manager Environment & Sustainability
	OP179	OP179 Implement and monitor Council's response to the Climate Change Emergency declaration	The most significant step in responding to the Climate Emergency Declaration is to develop a new Environment and Climate Change Strategy. The past quarter has seen the development of the draft strategy with internal consultation planned for the first quarter of 2022/23.		Environmental Services Manager Environment & Sustainability

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			<p>The Emissions Reduction Plan and Community Climate Action Plan are currently being drafted and will sit under the strategy. The plans will be released following the adoption of the strategy.</p> <p>These three strategic documents form the basis of the response to the Climate Emergency Declaration.</p>		
	OP180	OP180 Complete and implement Council's Environment and Climate Change Strategy and monitor progress	<p>A consultant has been contracted to drive the development of the strategy with the first draft having been completed in the reporting period.</p> <p>Internal workshops to engage with key staff on the development of the strategy will take place in the first quarter of 2022/23.</p>		Environmental Services Manager Environment & Sustainability
DP087 Improve resource and energy efficiency at Council facilities and monitor carbon emission	OP181	OP181 Undertake annual monitoring and reporting on Council's carbon emissions	<p>Council's emissions are regularly monitored and will be reported on in the Annual Greenhouse Gas Report and the Annual Council Report.</p> <p>This reporting period saw the increased accuracy in reporting on the fugitive emissions from the Council sewage treatments plants with a new sampling methodology having been adopted. This, in combination with the new Smart Meter technology, will significantly improve the data available.</p>		Environmental Services Manager Environment & Sustainability
DP088 Encourage carbon reduction across the Shire	OP182	OP182 Support and participate in national and State initiatives	Council is actively engaged in carbon emission reduction initiatives through Sustainability Advantage and the Climate Professional Officers Group of the LGNSW and State Government's Office of		Environmental Services



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		which aim to reduce carbon emissions across the Shire	Energy and Climate Change, as well as the Cities Power Partnership program.		Manager Environment & Sustainability
	OP183	Investigate and develop opportunities that facilitate carbon emissions reduction	Beyond the work that is being done on the development of the energy management schedule of the Emission Reduction Plan and the scoping and implementing of energy efficiency projects, work has also been done on an electric vehicle transition plan as well as assisting the Sewer Services team in the scoping of renewable energy opportunities for the sewage plant upgrades.		Environmental Services Manager Environment & Sustainability
DP089 Support regional activities and partnerships to broaden and promote the range business and industry investment	OP184	Respond to business and investment enquiries	Responses are routinely provided to enquiries from various sources. Notable leads this quarter relate to manufacturing, visitor economy, luxury accommodation and landscaping industries.		Economic Development Director Corporate Strategy & Resourcing
DP090 Build on partnerships that increase and broaden local employment opportunities	OP185	Explore partnership opportunities that increase and broaden local employment opportunities	As part of the Wingecarribee Local Jobs Programs, Roundtables were held with significant employers from the Hospitality and Community Services Sector which provided information for agencies involved in development of skills and training initiatives.  An industry tour for Careers Advisors is being organised to local businesses in the community services industry. Routine engagement continues with TAFE, University of Wollongong,		Economic Development Director Corporate Strategy & Resourcing


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Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
			Training Services NSW and Regional Industry Education Partnership.		
DP091 Ensure tourism development assessment is based on quadruple bottom line principles (i.e. considers environmental, economic, social and governance factors)	OP186	Assess tourism development applications in accordance with statutory provisions, ensuring outcomes are consistent with Council's adopted Rural Tourism Strategy	Applications for tourist uses are continually being processed using the triple bottom line approach with protective environmental measures being put in place. An increase in such applications has been noted with a view to reinvigorate the area post-COVID-19 lockdown. Two (2) applications were approved for farm stay accommodation during this last quarter.		Development Control Manager Development Services
DP092 Promote the Southern Highlands as a world class tourist destination	OP187	Develop promotional strategies that align with the Southern Highlands Destination Strategy 2020-2030	<p>The Southern Highlands Destination Strategy 2020-2030 was adopted by Council. Destination Southern Highlands (DSH) will be working collaboratively with Council staff and industry stakeholders to develop ongoing promotional strategies.</p> <p>The first of these has been the digital marketing campaign being undertaken January to April (inc) in collaboration with The Life Style Edit agency.</p> <p>Social media promotion via DSH social channels continued throughout May and June.</p>		Tourism Director Corporate Strategy & Resourcing
	OP188	Develop appropriate tourist information programs to ensure the	<p>Figures represent totals - April / May / June 2022</p> <p>Merchandise/Retail Sales Income - \$31,543</p> <p>Value of accommodation bookings through VIC -</p>		Tourism Director Corporate

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		delivery of high quality information to meet visitor requirements.	<p>Commission - \$13,941 Value of conference - Commission - \$0 Number of events ticketed through VIC - 1 Value of ticketing commission through VIC - \$66 Visitation to VIC - 7,156 Web-Site Visits - 171,033 Membership - \$0</p> <p>The Welcome Centre operates in accordance with Accredited Visitor Information Centres (AVIC) standards for accredited Visitor Information Centres.</p> <p>Stock at the Welcome Centre continues to be a mixture of local produce and products that can further promote our region, e.g. towns &amp; villages collection of sought-after items, local produce, local wines, etc.</p> <p>Services offered continue to include:</p> <ul style="list-style-type: none"> <li>– Accommodation booking service</li> <li>– Ticketing for local events</li> <li>– Map sales</li> <li>– Distribution of information material, etc.</li> </ul>		Strategy & Resourcing
	OP189	Continue to enhance and maintain websites	Ongoing maintenance, enhancements and updates continue on all sites as required:		Tourism Director Corporate





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		for Tourism and Economic Development: <ul style="list-style-type: none"> <li>– Consumer Site</li> <li>– Corporate Site</li> </ul>			Strategy & Resourcing
	OP190	Develop and market Business Event Tourism	Destination Southern Highlands continue to enhance and add product to the southern-highlands web-site portal to enhance Business Event Tourism in the Southern Highlands, particularly in the conference space.  This web-site portal is used to market Business Event tourism.		Tourism Director Corporate Strategy & Resourcing
	OP191	Deliver the annual Tulip Time Festival	Tulip Time planning for the 2022 Festival is well underway, with the dates of 16 September to 3 October.  This year's charity partner has been announced as HARBISON and meetings are already underway to assist the charity partner to maximise its fundraising opportunities.  The new component of this year's Tulip Time - Tulips After Dark, is confirmed to take place on Friday & Saturday evenings throughout the festival period, and planning is well underway.  Sponsorship is tracking well to date, with confirmations from Ramsay Health, Austral Bricks and McDonalds Mittagong, Mittagong RSL Club and Radio 2ST.		Tourism Director Corporate Strategy & Resourcing

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DP093 Develop and implement marketing and promotional activities to promote the Southern Highlands	OP192	Provide an enhanced partnership and services program to the local community	Partnerships are not being pursued.		Tourism Director Corporate Strategy & Resourcing
	OP193	Develop and implement Destination Marketing Campaigns for the Southern Highlands	Destination Southern Highlands (DSH) in conjunction with the Visitor Economy Group appointed The Life Style Edit agency to undertake a four month digital social media campaign in conjunction with DSH from January to April 2022.		Tourism Director Corporate Strategy & Resourcing
	OP194	Enhance and refine the 2022 Southern Highlands Publication and Map	<p>The 2021-22 Southern Highlands Escape was published in July'21 and distributed throughout NSW Visitor Information centres and beyond. Distribution continues as requested.</p> <p>This publication will continue to be in market until September 2023. Distribution continues to local businesses, operators and visitors.</p> <p>Discussions have taken place with Highlife Magazine to determine the future of this publication published in conjunction with Destination Southern Highlands (DSH), and it is agreed that it will continue, with a 2023 edition.</p>		Tourism Director Corporate Strategy & Resourcing
DP094 Explore options to progress Moss Vale Enterprise Zone	OP195	Progress the promotion and development of the Southern Highlands Innovation Park	Facilitate meetings with various government agencies in efforts to secure funding for promotion and development of the Southern Highlands Innovation Park (SHIP). Council officers respond to property owners seeking information on Council's vision and		Economic Development Director Corporate

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		(formerly Moss Vale Enterprise Zone)	potential for the SHIP as they begin conceptual design for master planning.		Strategy & Resourcing
DP095 Support the establishment and expansion of clean industries	OP196	Promote opportunities for the establishment and expansion of clean industries	Council monitors government and industry announcements and initiatives which may have implications for the Shire.		Economic Development Director Corporate Strategy & Resourcing t
DP096 Manage the operation of the Southern Region Livestock Exchange	OP197	Continue to progress the planning and procurement processes for the lease of the Southern Regional Livestock Exchange	Stage 2 of the upgrade works is nearing completion. Completion of stages 3 and 4 is anticipated by October 2022.		Southern Regional Livestock Exchange Manager Business Services
	OP198	Undertake the Southern Regional Livestock Exchange Facility Upgrade	<p>Works for the Regional Livestock exchange are progressing well with the livestock yard refurbishment at approximately 50% completion. Collaboration between Council, the construction contractor and the Agents has allowed for cattle sales to continue uninterrupted with some of the largest sales being conducted in many years.</p> <p>All other elements including CCTV, power upgrade, lift installation, Abattoir Rd driveway access, new load cells and selling arena seating are complete.</p>		Southern Regional Livestock Exchange Manager Business Services

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			Resulting from the delays incurred from the legacy building code issues, there will be financial impacts to the project as a result of cost escalations and prolongation costs. It is anticipated that the works will be complete in October 2022.		
DP097 Ensure development does not impact on viable primary production and food security	OP199	Assess Planning Proposals submitted on Rural Lands to ensure that impacts on primary production and food security are mitigated	<p>All Planning Proposals submitted on rural lands are assessed for strategic and site specific merit and consider the impacts of the proposal on primary production.</p> <p>The Local Housing Strategy was adopted in July 2021 and identifies how and where new living areas will be provided to meet the long term housing needs of the community. Impacts on productive agricultural lands was a key consideration in identifying new living areas in the strategy, to ensure that future Planning Proposals do not undermine primary production in the Shire.</p>		Development Control Manager Development Control
DP098 Facilitate programs and networks that support and strengthen business development	OP200	Progress the implementation of the Southern Highlands Destination Strategy 2020-2030	Projects relating to two of the eight major industries - Agribusiness and Equine - have been developed during 2020-2021. This quarter Council adopted recommendations which firstly, position relevant actions into Council's Operational Plan; and secondly, articulate opportunities for establishment of sector partnership in those industries. The reports - Southern Highlands Produce Hub Feasibility Study, Agribusiness Equine Facilities Summary Plan for the Future and Agribusiness and Equine Industries Summary Plan for the Future are on Council's website.		Economic Development Director Corporate Strategy & Resourcing

**AGENDA OF THE ORDINARY MEETING OF COUNCIL  
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Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
	OP201	Support industry and business in COVID-19 recovery initiatives	Continue communications with business groups and networks regarding bushfire and COVID-19 support and funding opportunities. Finalise and install graphics on the construction hoarding in Bowral in support of the visitor economy and local businesses.		Economic Development Director Corporate Strategy & Resourcing
DP099 Support initiatives that provide opportunities for business mentoring and connection	OP202	Participate in Business Forums and work with Business Chambers	Council officers have: <ul style="list-style-type: none"> <li>– Consulted with business Chambers to secure responses from local business to inform Council's decision-making processes on various projects, such as Christmas 2022.</li> <li>– Presented business support information at invitation of Robertson Chamber and Business Southern Highlands.</li> <li>– Attended networking events to engage with business owners and inform them of Council and other agency supports in the LGA.</li> </ul>		Economic Development Director Corporate Strategy & Resourcing
DP100 Support regional economic development initiatives	OP203	Participate in regional economic development initiatives	Routine engagement with Regional NSW South East, Regional Development Australia Southern Inland, Canberra Region Joint Organisation, Destination Sydney Surrounds South, Business NSW, AusIndustry, Business Australia, Enterprise Plus, Southern Tablelands Arts, Business NSW Business Facilitator, Local Jobs Program Illawarra South Coast. Facilitate informal monthly online meetings of key partners across three levels of government working in the region. Confer with Council colleagues in other LGAs on initiatives in support of local economic development. Participate in NSW government facilitated workshops reviewing the		Economic Development Director Corporate Strategy & Resourcing



**AGENDA OF THE ORDINARY MEETING OF COUNCIL  
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Delivery Plan Action	Operational Plan Number	Annual Deliverable	Q4 Comment	Status	Responsible area
			Wingecarribee Regional Economic Development Strategy and South East and Tablelands Regional Plan.		

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## **9.14 Corporate Applications Review**

**Report Author:** Chief Financial Officer

**Authoriser:** Director Corporate Strategy and Resourcing

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### **PURPOSE**

Council has received an unsolicited, commercial-in-confidence offer from its primary software vendor, Technology One. This proposal offers Council an enhanced offering of the Technology One software suite (One Council) which will provide Council with an integrated software solution on a hosted Software-as-a-Solution (SaaS) platform. The offer has been subject to due diligence and addresses a number of impending risks and provides a basis to future proof Council's corporate application footprint to improve the community's digital interactions with Council. This report recommends the procurement of the Technology One, One Council solution hosted on a Technology One SaaS platform under section 55(3)(i) of the Local Government Act 1993 as outlined in this report.

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### **OFFICER'S RECOMMENDATION**

#### **THAT:**

1. That Council receives and notes the report.
2. In accordance with Section 55(3)(i) of the Local Government Act 1993, Council delegate to the General Manager the authority to negotiate directly with Technology One and enter into a contract with Technology One (subject to appropriate terms and conditions) for the provision of an integrated software solution as SaaS platform (as outlined in this report) for the following extenuating circumstances:
  - a. lack of other local government integrated software solution with Council's existing core systems;
  - b. leveraging existing system capabilities in the Technology One solution;
  - c. the cost and time burden of proceeding to tender to make a similar assessment for a similar or inferior financial outcome.
3. A further report be provided to advise Council on the outcomes of the negotiations with Technology One.

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### **REPORT**

#### **BACKGROUND**

Council's adopted ICT Strategy (2019) outlines a number of key opportunities that will enhance the community's customer experience in a fit for purpose digital environment that operates in an integrated and seamless manner. One of the deliverables of this strategy is to ensure that Council becomes a digital leader that operates on a technology platform that is scalable and future proof.

Over the past three years, a number of key elements of the ICT strategy have been implemented to ensure Council's technology infrastructure is capable of supporting this digital transformation. The primary elements that have been delivered include:

- The enabling of mobility devices for staff to work remotely and flexibly through the rollout of digital equipment and enhanced connectivity.
- The upgrade of Councils digital security to ensure that digital information is stored securely in accordance with digital information security standards.
- The development of a corporate applications upgrades program to ensure the latest versions of software is being installed in a timely manner and utilised to full potential.

As these infrastructure enhancements have been embedded, Council officers have continued implementing and upgrading corporate applications to ensure they align with the deliverables of the ICT Strategy. This includes the implementation of the Records Management System and Customer Request Management System within the Technology One software suite. The modules that are currently configured within Technology One include:

- Financials – Council’s financial ledgers for reporting financial transactions and responsible for producing the annual financial statements.
- Property and Rating – Used to levy Council Rates, Water and Sewer and manage the Development Applications and Building Compliance requirements of Council.
- Supply Chain – Facilitates Council’s procurement and payables processes.
- Enterprise Budgeting – Facilitates Council’s annual Budgeting processes.
- Customer Request Management Systems – Manages Council’s Customer Requests.
- Document Management – Captures and manages Council’s record keeping obligations under the Records Management Act.
- Corporate Planning and Reporting – Captures Council’s IP&R requirements to be reported upon periodically.

These Technology One modules are currently an “On-Premise” hosted solution, with the majority of modules currently in the Ci Version of Technology One.

At its meeting in July 2022, Council resolved the following:

2. *Council endorses the following recommendations as outlined in this report:*

*b. Council officers provide a further report on the costings and procurement options for an integrated financial and asset management system.*

The body of this report outlines the transition to the One Council solution platform as a hosted SaaS solution and the recommended procurement exemptions required under s55 of the Local Government Act to ensure any impending risks are mitigated.

## **REPORT**

Over the past two decades Council has underinvested in its technology space and implemented bespoke systems which are not integrated and mitigate risks on an ad hoc basis. This approach has lacked forward planning, which has resulted in Council failing to achieve the efficiencies and service improvements of modern Councils.

Since 2019, with the introduction of a Chief Information Officer and the creation of a five-year Digital roadmap, Council has implemented and updated several systems, but further investment is required to bring existing Council systems up to acceptable standards.

The implementation of these systems (via an Expression of Interest and Selective Tender process) had seen Technology One selected as the preferred vendor in delivering a number of these outcomes. In February 2022, Council received an unsolicited, commercial-in-confidence offer from

Technology One outlining the benefits of proceeding with a SaaS hosted, One Council solution and the associated risks with Council's existing software arrangements. A revised commercial-in-confidence offer was received in July 2022 and valid until 30 September 2022.

#### **TECHNOLOGY ONE OFFERING**

The One Council offering will provide an integrated, mobile-enabled enterprise wide solution, to support Council officers and the community via a robust SaaS model. The key objectives of implementing One Council will deliver the following achievements:

- A fully integrated and maintained SaaS system for Council's core enterprise applications, providing a platform for automated and streamlined business processes.
- An online customer platform that encourages and facilitates self-service from one fully integrated source (internal and external users).
- A consistent user interface for staff and customers with a single source of truth for a Name and Address Register.
- A contemporary system with regular updates and enhanced functionality at reduced effort.
- A single source of truth for Council data, in particular Council asset and financial information.
- An enhanced security of applications via the SaaS arrangements.
- A reliable anywhere, anytime, any device access to information and business processes, encouraging further application-based mobility.
- A suite of business intelligence tools to support management, reporting, and analysis of Council's corporate information.
- A strategic partnering with a vendor committed to local government industry with a future development roadmap that reflects continuous innovation and product evolution in line with or ahead of industry demand.

These offerings have been included in the unsolicited, commercial-in-confidence offer and will be implemented in various stages over the next couple of years. Officers have a high level of confidence regarding the solution's ability to support business needs at an outcomes level.

Reference sites for the proposed deliverables include Shellharbour Council, Inner West Council, Sutherland Council, Wollongong Council and Shoalhaven City Council. These reference sites have been contacted to ensure their transition to the One Council product aligns with the offering from Technology One.

#### **DUE DILIGENCE ON THE CURRENT STATE OF TECHNOLOGY**

Council uses a variety of corporate applications that enable Council officers to perform their duties and provide services to the community. The majority of these corporate applications are held in Technology One, most of them on the existing Ci platform. The corporate applications that will be impacted by the Technology One offering are listed in the table below:

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<b>Application/Module</b>	<b>Proposed Actions</b>
Financials – Council’s financial ledgers for reporting financial transactions.	Currently on the Ci Version of Technology One, it is proposed to upgrade this module to the Ci Anywhere version to enable a paperless office environment in parallel with the Supply Chain and Contracts module. This will provide for a seamless integration with the Technology One Enterprise Asset Management System when configured.
Supply Chain and Contracts – Manages Council’s procurement and payables processes and contract management.	Currently on the Ci Version of Technology One, it is proposed to upgrade this module to the Ci Anywhere version to enable a paperless business process in parallel with the Financials module. This will provide for a seamless integration with the Technology One Enterprise Asset Management System when configured.
Property and Rating – Used to levy Council Rates, Water and Sewer and manage the Development Applications and Building Compliance requirements of Council.	Currently on the Ci Version, it is proposed to upgrade this module to the Ci Anywhere version. This will enable seamless integration with the existing CRM (Customer Request Management) and streamline manual processes relating to Development Assessment and Compliance.
Enterprise Budgeting – Manages Council’s Budgeting	Currently on the Ci Version, this will be upgraded to the Ci Anywhere version to enable improved functionality.
Customer Request Management Systems – Manages Council’s Customer Requests.	Currently on the Ci Anywhere version, further functionality will be explored as other modules are upgraded to the Ci Anywhere platform.
Document Management – Captures Council’s records under the Records Management Act.	Currently on the Ci Anywhere version, further functionality will be explored as other modules are upgraded to the Ci Anywhere platform.
Corporate Planning and Reporting – Captures Council’s IP&R requirements to reported upon periodically.	This will be retired and transitioned into an alternate software platform.
Enterprise Asset Management – Captures the asset related transactions generated from works orders.	Currently, Council’s asset register is held in both a third-party asset system and partially in Technology One. It is proposed to implement this module in the Ci Anywhere environment to ensure integration with Council’s finance and procurement system.

All proposed applications included in the One Council suite will be hosted on the SaaS platform. A number of existing modules will be required to be uplifted to the Ci Anywhere version to achieve enhanced functionality. In transitioning to the SaaS platform, elements of Council’s existing ICT infrastructure will be retired or repurposed.

The desired outcome on achieving these proposed actions will include faster system performance, improved integration, singular database for customers, enhanced mobility and an optimised database operating model.

### **GOVERNANCE AND PROBITY**

In applying the principles from the updated Procurement Policy, a negotiation committee made up of the Chief Information Officer, Chief Financial Officer, Group Manager Corporate Strategy and Governance and Manager Open Space, Recreation & Building Maintenance to conduct the direct negotiations with Technology One. It is proposed that the negotiation party will provide a recommendation to the General Manager based on the outcomes of the negotiations.

To ensure robust governance and transparency is maintained throughout the entire process, the following resources will be engaged:

- A subject matter expert to provide an independent review of the proposed Technology One contract to ensure it is fit for purpose and meets technical and operational requirements of Council.
- A legal expert to provide advice on the legalities of the proposed Technology One contract.
- An external probity advisor to oversee the negotiations and execution of the Technology One Contract.

These resources will provide independent assurances that negotiations are managed in accordance with the Procurement Policy. It is proposed that a further report will be tabled to Council outlining the outcomes of the negotiations.

### **ALTERNATE OPTIONS AND ASSOCIATED RISKS**

In providing this report, for completeness, it would be prudent to advise Council of the alternate options and associated risks if these options were exercised.

#### **Business as Usual**

If Council were to continue the existing with software configuration and hosting arrangements, a number of impending risks would eventuate. The primary risk would see Technology One reducing its existing technical support to critical support for on premise clients from September 2023. Technology One have also advised that all support for on premise clients will cease in September 2024. This would expose Council to a number of risks relating to the software support of Council's core systems including the generation of rates and water notices and the processing of Council's development applications. Council's ability to procure services and pay vendors will also be hindered as the support for these applications will cease.

Based on the observed risks, this is not a recommended option.

#### **Expression of Interest and Selective Tender**

Another alternate option is for Council to test the Local Government software market using standard procurement processes. As the value of the contract would be in excess of \$250,000 (including GST), the suggested procurement approach would be to issue an Expression of Interest (EOI) followed by a selective tender process. With the lead time of an EOI and tender expected to be at least 8-12 months (including scoping and internal consultation), the implementation of a new software provider would see Council's existing software become unsupported for at least twelve months before any new software is implemented. This would expose Council to a number of risks

including the ability to generate rates and water notices and the ability to process development applications.

In conducting a desktop review of the Local Government software market, it is observed there is a lack of established local government integrated enterprise solutions that exist on a SaaS platform. With the amount of resources required to be invested from both Council and potential software vendors in administering an EOI and Tender, approaching this procurement activity from a standard procurement perspective would not provide value for money. In addition to this, Council's existing Technology One application footprint is adequate noting the potential addition of the Enterprise Asset Management module to ensure asset and financial information are managed from a single source of truth.

Based on the observed risks and the lack of value for money, this option is not recommended.

#### **IMPLEMENTATION AND RESOURCING**

In implementing the proposed upgrades to a SaaS solution and the One Council, Ci Anywhere platform, a number of temporary resources will be required to ensure the uplift is delivered in a timely manner. The following is a high-level list of project deliverables and additional resources required to ensure the implementation of One Council is successful:

<b>Project Deliverable</b>	<b>Additional Resourcing required</b>
SaaS Platform upgrade	- Third party vendor to configure SaaS platform – \$30K
Upgrade of Financials and Supply Chain to Ci Anywhere	- Third party vendor costs to configure Ci Anywhere software - \$350K - Temporary Senior Business Analyst and Business Analyst (up to 12 months) - \$220K
Upgrade of Enterprise Budgeting to Ci Anywhere	- Third party vendor costs to configure Ci Anywhere software - \$70K
Implementation of Enterprise Asset Management to Ci Anywhere	- Third party vendor costs to configure Ci Anywhere software - \$400K - Temporary Senior Business Analyst and Business Analyst - \$220K (up to 12 months) - Asset Data Migration Costs - \$500K*
Reimplementation of Property and Rating	- Third party vendor costs to configure Ci Anywhere software - \$750K - Temporary Senior Business Analyst and Business Analyst (up to 18 months) - \$330K - Data Migration Costs - \$500K*

\* This is an indicative cost only with no assurance on existing data quality.

Whilst the costs provided are indicative, they should be used as a guide to demonstrate the whole of project costs and resources required to implement the proposed solutions. The prioritisation of these project deliverables will be guided by the nominated third-party vendor in conjunction with Technology One, noting the SaaS implementation is proposed to commence in October/November

2022. The Project Manager that will oversee this implementation will be from Council's existing establishment in collaboration with operational subject matter experts to ensure the configuration aligns to operational requirements.

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## **COMMUNICATION AND CONSULTATION**

### **Community Engagement**

Not required

### **Internal Communication and Consultation**

Executive

### **External Communication and Consultation**

Not required

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## **SUSTAINABILITY ASSESSMENT**

### **Environment**

With the implementation of the proposed system, it is anticipated that there will be a reduction in paper used throughout the organisation.

### **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 Governance implications are outlined in earlier in the report.

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## **COUNCIL BUDGET IMPLICATIONS**

The budget implications for the Technology One offering are addressed from a recurring operating budget perspective and one-off project-based expenditure.

### **Recurring Operating Budget Implications**

In order to compare like for like arrangements, the existing budget for hosting Technology One on-premise is made up of the following:

- Annual license fee for Technology One - \$380K per annum.
- Annualised cost for on-premise server hosting - \$50K per annum.
- Current Asset Management annual license fees - \$35K.

The total cost of the existing arrangement is \$465K per annum noting that the on-premise server hosting estimates are annualised costs that are replaced every four years.



The indicative costing of the One Council solution is expected to be \$925K per annum on a hosted SaaS platform.

If the contract is negotiated successfully, the proposed term is expected to be at least 5 years and indexed in accordance with Australian Bureau of Statistics inflationary measures.

The additional budget required is estimated to be \$460K per annum commencing in the 2023/24 budget. As modules are upgraded and implemented, there will opportunity to revisit existing business processes and remove duplication to rationalise or repurpose resources to value adding activities. An appropriate funding source will need to be identified during the 2023/24 budget process.

#### Non-Recurring Project Costs

The project costs associated with implementing One Council are one off in nature. These costs are anticipated to be spent over a 3-5-year period, depending on the availability of resources and timing of project deliverables. The estimated cost is \$3.34 million over this period and must be included as a priority in the preparation of the 2023/24 budget with a nominated funding source. The list of resources are itemised earlier in the report.

Although the financial implications of implementing and maintaining One Council require additional funding, the risks in not allocating funds to deliver this solution with a procurement exemption may result in greater financial and technological risks in the near future.

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#### **RELATED COUNCIL POLICY**

Nil

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#### **CONCLUSION**

With the impending technology risks of Technology One ceasing its on-premise software support in September 2023, it is recommended to provide a procurement exemption under Section 55(3)(i) of the Local Government Act 1993 due to the extenuating circumstances of the unavailability of competitive tenderers and a satisfactory result would not be achieved by inviting tenders based on the limited number of local government software vendors that are able to provide an integrated hosted software solution. The financial risks with not proceeding with the recommendation of a procurement exemption may amplify the existing financial implications outlined in the body of this report. In providing the procurement exemption (and delegating to the General Manager), adequate probity and governance controls will be established to ensure transparency. It is also recommended that a further report be tabled to Council on the outcomes of negotiations with Technology One.

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#### **ATTACHMENTS**

Nil

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## **9.15 Local Government Recovery Grants Program - Funding Application**

**Report Author:** **Manager Open Space, Recreation & Building Maintenance**

**Authoriser:** Director Service and Project Delivery

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### **PURPOSE**

This report advises Council of projects to be funded through two Local Government Recovery Grant rounds for the February and June 2022 Storm/Flood Event, under the NSW Local Government Recovery Grants Program - Disaster Recovery Funding Arrangements Category D.

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### **OFFICER'S RECOMMENDATION**

#### **THAT:**

1. Council support roadside drainage restoration as the priority project/program of works funded by the Local Government Recovery Grants Program, to the value of \$1,550,000.
2. Council support purchase of emergency response trailers to assist in response to natural disaster for road closures, barriers around hazards and remote sign supply, to the value of \$100,000.
3. Council support flood proofing the Bong Bong Cycleway in Burradoo, to the value of \$350,000;
4. Council formally endorses its application under the Local Government Recovery Grants Program - Disaster Recovery Funding Arrangements Category D for a funding amount up to \$2,000,000 (Excluding GST).
5. Council write to both State and Federal Members to thank them for the support received under the Governments funding programs to assist with the recovery from these recent storms and flood events.

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### **REPORT**

#### **BACKGROUND**

The February and June 2022 storm and flood events resulted in significant damage and devastation to the southeast region of NSW. Communities, infrastructure and the environment were all significantly impacted by the extraordinary weather events.

In response to this devastation, the NSW and Federal Government established the Local Government Recovery Grants Program to provide financial assistance to councils towards supporting restoration and recovery projects that best meet their community's needs.

Payment has been released to disaster declared Local Government Areas to assist in undertaking immediate recovery activities, addressing emerging needs and help build community resilience.

All projects supported under the Local Government Recovery Grants will be jointly funded by the Australian and NSW Governments and will contribute to the recovery of communities affected by disaster events.

The objective of the program is to deliver immediate flexible grants to local councils for projects which support economic and social recovery projects at a local level.

In recognition that the impact of these storm and flood events have been diverse, councils can apply the funding for a range of activities that best meet their local community's needs.

This program will encourage community and local economic recovery in the short, medium and long-term.

#### **REPORT**

Following state government declared natural disaster events, Federal and State Government provide Local Government Authorities financial assistance for the recovery of infrastructure through Disaster Recovery Funding Arrangements. This funding is available only for infrastructure considered an Essential Public Asset.

The local government road network is considered an Essential Public Asset, however, the drainage system that supports the road network is not considered an Essential Public Asset.

Considering drainage works do not meet the definition of an Essential Public Asset under the Disaster Recovery Funding Arrangements guidelines, Council needs to leverage the financial assistance through the Local Government Recovery Grants Program to complete drainage work and other works not considered an Essential Public Asset.

Wingecarribee Council is a disaster declared Local Government Area for both the February and June 2022 storm/flood events. This declaration qualifies Council for two rounds of Local Government Recovery Grant Program funding to a value of \$2,000,000.00.

Council needs to demonstrate in the Program of Works how projects aim to contribute to one or more of the following outcomes

- Disaster Recovery Outcomes
- Social and Economic Recovery Outcomes
- Built and Environment Recovery Outcomes.

Projects should contribute to recovery initiatives that are not otherwise eligible under other Disaster Recovery Funding Arrangements.

Council staff have carefully considered options and project/programs that best contribute to the core local government recovery grants program outcomes and criteria, while balancing the available Council resources required to deliver a successful grant funded program.

The focus of the project/programs was centred around the road network that has been devastated through recent flood events with a goal to develop opportunities to assist Council in building future resilience to severe storm/flooding weather events.

**The following projects/programs have been established by order of priority:**

**1. Restoration of nature strips/road verge drainage to remove and dispose of deposits of silt/mud/vegetation and prevent water ponding on public areas and prevent public asset damage and public injury/property damage. Budget estimate: \$1,550,000.**

This program is considered a high priority as drainage on Council road verges are not funded under the existing Disaster Recovery Funding Arrangements (DRFA) and approximately 3,000 community enquiries were directly or indirectly related to drainage issues were received following the February and June 2022 storm and flooding events.

Table drains in Council nature stripes and road verges are maintained by Council where resources permit. However, during the 2022 NSW Storms and Floods the following issues were experienced:

- road closures (significant emergency services and council staff resources are required to establish and remove road closure signage);
- water remained on road infrastructure for extended periods following rain; and
- water not able to drain away from road infrastructure destroys the road pavement and creates hazardous driving conditions.

The proposed program, which includes the clearing and disposal of sediment, vegetation and flood deposited items from table drains and drainage infrastructure will address and / or mitigate some of the issues experienced.

Council can commence and complete these works within the grant program.

The project meets the following project categories:

*Social and economic recovery:*

- Tourism and small business are affected by poor road infrastructure resulting from water damage due to lack of drainage. Many of Council roads used for tourist drives are now waterlogged and damaged;
- Water damaged road infrastructure impedes transport and slows the recovery of local agricultural and tourism industry following the damaged road pavement; and
- Local contractors will be engaged to complete all drainage works.

*Built and environmental recovery:*

- Increased flood immunity – this program will reduce road closures and strengthen the resilience of the drainage network to function under extreme weather events;
- Drainage clearing is not claimable under current DRFA grant; however, the drainage is a fundamental supporting infrastructure element of the road asset; and
- Debris clean-up and removal, including green waste, trees, sediment, silt, mud, flood deposited waste items that are not otherwise covered by DRFA or other assistance measures.

The project meets the following project categories:

*Community recovery building and resilience*

- Table drainage clearance is paramount in the management of storm water. Effective drains will lessen the impact of overflowing storm water into private land/infrastructure and build a resilient road infrastructure asset, thus preventing costly damage repairs and stress on road users following flooding; and
- A strong road network will support the recovery and resilience of communities affected by future disaster events.

**2. Purchase of emergency response trailers to assist in response to natural disaster for road closures, barriers around hazards, remote sign supply. Budget estimate: \$100,000.**

This project involves the purchase 5 trailers established with road closure signage.

Wingecarribee Council has experienced several natural disasters over the past 4 years and the common challenge in all events has been the distribution and supply of road management signage over a large shire.

Council is proposing to place enclosed trailers stocked with road management signage in strategic locations throughout the shire.

In the event the Moss Vale Works Depot is cut off by flood or fire, teams in the field and emergency services will always have access to the signage required to respond to natural disasters.

**3. Flood Resistant Cycleway. Budget estimate: \$350,000**

The Bong Bong Cycleway/walking pathway (8km long) suffers from extended flooding at the end of any flood event, especially following large rain fall like the February and June 2022 flood events. Remaining water covers .425km of the pathway at a depth of 300mm. This flood water can take three (3) months to drain away and prohibits the use of the cycleway/walking path unless the users have gum boots or are happy to walk with wet feet. This ultimately closes the asset to the public, reducing the ability of the community to exercise in a safe and usable environment.

This project will provide a solution to address the excess ground water that remains following flooding.

The project meets the following project categories:

*Social and economic recovery*

New activities and measures/events that directly support local economic or social recovery:

- This program is linked to community wellbeing, as demonstrated over COVID19 lockdowns, walking and cycleways were a significant community asset used to maintain physical health and the associated wellbeing benefits.

*Built and environmental recovery*

***Council or community owned infrastructure:***

- No other grant funded programs will fund this project;
- This project will remove the threat of future ponding following storm/flooding events and provide a cycleway/walking pathway that is usable year-round; and
- This project will address the cause of the problem and provide long-term risk reduction for the cycle/walking pathway.

***Community capacity recovery building and resilience:***

- The program if implemented will provide a permanent solution to the drainage issue associated with this cycle/walking pathway. Thus, building future resilience to community infrastructure.

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**COMMUNICATION AND CONSULTATION**

**Community Engagement**

Consultation will occur where required on implementation of supported projects and programs.

**Internal Communication and Consultation**

Shire Presentation and Assets.

**External Communication and Consultation**

Consultation will occur where required on implementation of supported projects and programs.

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**SUSTAINABILITY ASSESSMENT**

**Environment**

Environmental assessments for roadside drainage have been established. Environmental considerations for the cycleway will be addressed as part of the pre-project planning.

**Social**

The proposed projects and programs will play a role in the recovery process for those residents who were directly and indirectly impacted by the 2022 storm and flood events.

**Broader Economic Implications**

Local contractors will be used for the implementation of the roadside drainage program.

**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 direct budget implications from this project as the proposed works will be fully funded through the NSW Local Government Recovery Grants Program - Disaster Recovery Funding Arrangements Category D.

Staff costs will be incurred in supervising the works and ensuring the terms of the funding agreement are adhered to.

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**RELATED COUNCIL POLICY**

Nil

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**CONCLUSION**

This report seeks Council's formal endorsement to lodge funding applications under the NSW Local Government Recovery Grants Program - Disaster Recovery Funding Arrangements Category D.

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**ATTACHMENTS**

Nil

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## **9.16 Country Mayors Association of New South Wales - Minutes**

**Report Author:**                **Acting Executive Assistant of the General Manager and the Interim Administrator**

**Authoriser:**                    General Manager

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### **PURPOSE**

This report provides the Minutes of the Country Mayors Association of New South Wales meeting which was held on Friday 5 August 2022.

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### **OFFICER'S RECOMMENDATION**

**THAT** the Minutes from the Country Mayors Association meeting be noted.

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### **REPORT**

#### **BACKGROUND**

The Country Mayors Association allows local government from rural and regional NSW to come together to discuss issues of specific interest, to areas outside the major metropolitan centres as well as looking at the bigger picture of the whole local government sector within the State.

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### **ATTACHMENTS**

1. CMA Minutes 2022 5 August [9.16.1 - 9 pages]



## **Country Mayors Association of NEW SOUTH WALES**

**Chairperson:** Cr Ken Keith OAM  
PO Box 337 Parkes NSW 2870  
02 6861 2333  
ABN 92 803 490 533

### **MINUTES**

#### **GENERAL MEETING**

FRIDAY, 5 AUGUST 2022 THEATRETTE, PARLIAMENT HOUSE, SYDNEY

The meeting opened at 8.31 a.m.

#### **1. ATTENDANCE:**

Armidale Regional Council, Mayor, Cr Sam Coupland, Mayor  
Armidale Regional Council, Mr James Roncon, General Manager  
Bathurst Regional Council, Cr Robert Taylor, Mayor  
Bathurst Regional Council, Mr Aaron Jones, Acting General Manager  
Bega Valley Shire Council, Cr Russell Fitzpatrick, Mayor  
Bega Valley Shire Council, Mr Anthony McMahon, CEO  
Bellingen Shire Council, Cr Steve Allan, Mayor  
Bellingen Shire Council, Ms Liz Jeremy, General Manager  
Bland Shire Council, Cr Brian Monaghan, Mayor  
Bland Shire Council, Mr Grant Baker, General Manager  
Blayney Shire Council, Cr Scott Ferguson, Mayor  
Broken Hill City Council, Mr Jay Nankivell, General Manager  
Cabonne Shire Council, Cr Kevin Beatty, Mayor  
Cabonne Shire Council, Mr Brad Burns, General Manager  
Cootamundra-Gundagai Regional Council, Cr Charlie Sheahan, Mayor  
Cootamundra-Gundagai Regional Council, Mr Glen McAtear, Deputy General Manager  
Dubbo Regional Council, Mathew Dickerson, Mayor  
Dubbo Regional Council, Mr Murray Wood, CEO  
Federation Council, Cr Patrick Bourke, Mayor  
Forbes Shire Council, Cr Chris Roylance, Deputy Mayor  
Forbes Shire Council, Mr Steve Loane, General Manager  
Gilgandra Shire Council, Cr Doug Batten, Mayor  
Gilgandra Shire Council, Mr David Neeves, General Manager  
Glen Innes Shire Council, Cr Rod Banham, Mayor  
Glen Innes Shire Council, Mr Dennis McIntyre, Acting General Manager  
Goulburn Mulwaree Council, Cr Bob Peter Walker, Mayor  
Goulburn Mulwaree Council, Mr Aaron Johansson, CEO  
Griffith City Council, Cr John Doug Curran, Mayor  
Griffith City Council, Mr Brett Stonestreet, General Manager

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**AGENDA OF THE ORDINARY MEETING OF COUNCIL  
WEDNESDAY 17 AUGUST 2022**

Gunnedah Shire Council, Cr Jamie Chaffey, Mayor  
Gunnedah Shire Council, Mr Eric Growth, General Manager  
Gwydir Shire Council, Cr John Coulton, Mayor  
Gwydir Shire Council, Mr Max Eastcott, General Manager  
Hilltops Council, Cr Margaret Roles, Mayor  
Inverell Shire Council, Cr Paul Harmon, Mayor  
Kempsey Shire Council, Mr Craig Milburn, General Manager  
Kiama Municipal Council, Cr Neil Reilly, Mayor  
Kiama Municipal Council, Ms Jane Stroud, General Manager  
Kyogle Council, Cr Kylie Thomas, Mayor  
Lachlan Shire Council, Cr John Medcalf, Mayor  
Lachlan Shire Council, Mr Greg Tory, General Manager  
Leeton Shire Council, Cr Tony Reneker, Mayor  
Leeton Shire Council, Ms Jackie Kruger, General Manager  
Liverpool Plains Shire Council, Cr Doug Hawkins, Mayor  
Lockhart Shire Council, Cr Greg Verdon, Mayor  
Lockhart Shire Council, Mr Peter Veneris, General Manager  
Mid-Western/Mudgee Regional Council, Mr Brad Cam, General Manager  
Moree Plains Shire Council, Mr Mick Tobin, Acting General Manager  
Narrabri Shire Council, Cr Ron Campbell, Mayor  
Narrandera Shire Council, Cr Neville Schenka, Mayor  
Narrandera Shire Council, Mr George Cowan, General Manager  
Narromine Shire Council, Cr Craig Davies, Mayor  
Narromine Shire Council, Ms Jane Redden, General Manager  
Oberon Council, Cr Mark Kellam, Mayor  
Oberon Council, Mr Gary Wallace, General Manager  
Orange City Council, Cr Jason Hamling, Mayor  
Parkes Shire Council, Cr Ken Keith, Mayor  
Snowy Monaro Regional Council, Cr Narelle Davis, Mayor  
Snowy Valleys Council, Cr Ian Chaffey, Mayor  
Snowy Valleys Council, Mr Hamish McNulty, Interim General Manager  
Tamworth Regional Council, Cr Russell Webb, Mayor  
Tamworth Regional Council, Mr Paul Bennett, General Manager  
Temora Shire Council, Cr Rick Firman, Mayor  
Temora Shire Council, Mrs Elizabeth Smith, Director of Administration and Finance  
Tenterfield Shire Council, Cr Bronwyn Petrie, Mayor  
Uralla Shire Council, Cr Robert Crouch, Deputy Mayor  
Uralla Shire Council, Ms Kate Jessep, General Manager  
Wagga Wagga City Council, Cr Dallas Tout, Mayor  
Wagga Wagga City Council, Mr Peter Thompson, General Manager  
Warrumbungle Shire Council, Cr Ambrose Doolan, Mayor  
Warrumbungle Shire Council, Mr Roger Bailey, General Manager  
Weddin Shire Council, Cr Craig Bembrick, Mayor  
Weddin Shire Council, Ms Noreen Vu, General Manager  
Wingecarribee Shire Council, Mr Viv May, Interim Administrator  
Wingecarribee Shire Council, Ms Lisa Miscamble, General Manager  
LGNSW, Cr Darriea Turley, President  
LGNSW, Mr Scott Phillips, CEO  
OLG Ally Dench, Executive Director  
OLG Karen Purser  
Mark Honey

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**AGENDA OF THE ORDINARY MEETING OF COUNCIL  
WEDNESDAY 17 AUGUST 2022**

**APOLOGIES:**

As submitted

**SPECIAL GUESTS:**

- (a) Darriea Turley, President, LGNSW
- (b) The Hon Anthony Roberts MP, Minister for Planning, Minister for Homes
- (c) Ms Amy Dumbrell, Acting Director, Biodiversity Offsets Scheme and Dr Louisa Mamouny, Acting Executive Director, Biodiversity Credit Supply Fund and Taskforce
- (d) Mr Justin Clancy MP, Parliamentary Secretary for Health
- (e) Mr Greg Warren MP, Shadow Minister for Local Government, Shadow Minister for Veterans and Shadow Minister for Western Sydney

**2. ADOPTION OF MINUTES OF PREVIOUS MEETING:**

RESOLVED that the minutes of the General Meeting held on 27 May 2022 be accepted as a true and accurate record (Temora Shire Council / Gwydir Shire Council).

**3. Matters Arising from the Minutes**

NIL

**4. CORRESPONDENCE**

Outward

- (a) The Hon Jim Chambers MP, Treasurer, stressing that funding for Local Government should remain at the levels of the previous government and preferably at a higher level
- (b) The Hon Anthony Albanese MP, Prime Minister, stressing that funding for Local Government should remain at the levels of the previous government and preferably at a higher level
- (c) Mr Chris Minns MP, Leader of the Opposition NSW, urging bi-partisan support to ensure all 44 recommendations of the Legislative Council Inquiry into Health Outcomes and Access to Health and Hospital Services in Rural, Regional and Remote NSW are adopted
- (d) The Hon Dominic Perrottet MP, Premier NSW, urging bi-partisan support to ensure all 44 recommendations of the Legislative Council Inquiry into Health Outcomes and Access to Health and Hospital Services in Rural, Regional and Remote NSW are adopted
- (e) The Hon Wendy Tuckermann MP, Minister for Local Government, seeking urgent amendment to clause 34 subsection 2 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021
- (f) The Hon Anthony Roberts MP, Minister for Planning and Minister for Homes, seeking urgent amendment to clause 34 subsection 2 of the Environmental

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**AGENDA OF THE ORDINARY MEETING OF COUNCIL  
WEDNESDAY 17 AUGUST 2022**

Planning and Assessment (Development Certification and Fire Safety)  
Regulation 2021

- (g) Ms Anna Bowden, Head of Social Impact, Royal Far West, thanking her for her presentation to the 27 May 2022 meeting
- (h) The Hon Kevin Anderson MP, Minister for Lands and Water, Minister for Hospitality and Racing, thanking him for his presentation to the 27 May 2022 meeting
- (i) The Hon Wendy Tuckermann MP, Minister for Local Government, thanking her for her presentation to the 27 May 2022 meeting
- (j) The Hon Paul Toole MP, Deputy Premier, Minister for Regional New South Wales, Minister for Police, thanking him for his presentation to the 27 May 2022 meeting
- (k) Adjunct Professor, Ruth Stewart, Commissioner, National Rural Health Commission, thanking her for her presentation to the Health Forum on the 26 May 2022
- (l) Mr Richard Colbran, Chief Executive officer, NSW Rural Doctors Network, thanking him for his presentation to the Health Forum on the 26 May 2022
- (m) Mr Ryan Park MP, Shadow Minister for Health, Shadow Minister for Mental Health, Shadow Minister for the Illawarra and South Coast, thanking him for his presentation to the Health Forum on the 26 May 2022
- (n) The Hon Bronnie Taylor MLC, Minister for Women, Minister for Regional Health and Minister for Mental Health, thanking her for her presentation to the Health Forum on the 26 May 2022
- (o) The Hon Bronnie Taylor MLC, Minister for Women, Minister for Regional Health and Minister for Mental Health, forwarding to her the list of participants suggestions to move forward with Regional and Rural Health
- (p) The Hon Dominic Perrotet MP, Premier NSW, inviting him to present to next meeting to be held on the 5 August 2022
- (q) The Hon Catherine King MP, Minister for Infrastructure, Transport, Regional Development and Local Government, inviting her to present to next meeting to be held on the 5 August 2022
- (r) Mr Edward Cavanough, Executive Director and Director Policy, McKell Institute, thanking him for participating in the Executive Committee meeting held on the 9 June 2022 and inviting him to be a presenter at the Skills Forum on the 4 August 2022
- (s) The Hon Anthony Albanese MP, Prime Minister, regarding the deployment of overseas doctors
- (t) The Hon Mark Butler MP, Minister for Health and Aged Care regarding the deployment of overseas doctors
- (u) The Hon Catherine King MP, Minister for Infrastructure, Regional Development and Local Government regarding continuous funding for the Building Better Regions program
- (v) Cr Linda Scott, President ALGA, seeking support for the continuance of the Building Better Regions program
- (w) Cr Darriea Turley, President, LGNSW, seeking support for the continuance of the Building Better Regions program

Inward

- (a) Mr Marcus Ray, Group Deputy Secretary, Planning and Assessment regarding employment zones reform

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**AGENDA OF THE ORDINARY MEETING OF COUNCIL  
WEDNESDAY 17 AUGUST 2022**

- (b) Mr Brett Whitworth, Deputy Secretary, Planning Policy, regarding clause 34 subsection 2 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021
- (c) The Hon Dugald Sanders MP, Minister for Agriculture, Minister for Western NSW, regarding standards for breeding dogs
- (d) The Hon James Griffith MP, Minister for Environment and Heritage, regarding the NSW Biodiversity Offset Scheme
- (e) The Hon Dominic Perretot MP, Premier NSW, advising that the Government is currently considering the recommendation of the Legislative Council Inquiry into Health Outcomes and Access to Health and Hospital Services in Rural, Regional and Remote NSW
- (f) Leeton Shire Council, forwarding letter from LGNSW to the Treasurer, Minister Cooke MP, Auditor General, and Minister Tuckerman MP, regarding treatment of RFS assets
- (g) Letter from the Department of Planning and Environment to the Auditor General regarding the treatment of RFS assets
- (h) Riverina Joint Organisation regarding the proposal to introduce a Domestic Waste Charge peg

NOTED

**5. President Cr Darriea Turley, LGNSW Update**

Cr Turley provided a report on the work of LGNSW since the last meeting including Annual Conference 2022, Local Government Week and Awards Dinner, Emergency Services Levy and Rural Fire Service Assets, State Budget, Upper House Inquiry into floods, and advocacy into Parliamentary Inquiry into elections held under COVID 19 conditions, Domestic Waste Charges Review, addressing council staff shortages, ePlanning and NSW Planning Portal, rural and regional health and recent advocacy wins

**6. Mr Tom O'Dea, Head of NBN Local NSW**

There are 21 NBN professionals looking after Regional and rural shareholders. NBN is a Government Business Enterprise which sells to telecommunication providers and is accountable to the Federal Government. NBN has delivery partnerships with contractors and subcontractors. It is the provider that supplies the modems of varying quality. Householders often place the modems in their homes that are not efficient. NBN's purpose is to lift digital capability at a local level. On the ground NBN have Community Engagement Managers, business leads and community ambassadors. Part of their staff engagement is that staff have to live in the area they serve. The focus is delivering digital capability, developing regional infrastructure, supporting regional performance and integration within local communities. 12.1million homes are connected, 8.5million are connected to a plan and 76% have 50mbps wholesale speed. In regional Australia 3.4million premises are connected. \$750million is being invested in upgrading the fixed wireless network and extending the range of the fixed wireless network with benefits of extended coverage, faster speeds, improved busy home speeds, and enhanced data levels. NBN needs to get the message out and needs insights, opportunities and the voice of customers from councils.

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**7. The Hon Anthony Roberts, Minister for Planning, Minister for Homes**

The government is committed to having diversity of housing. Regional housing pressures have been caused through migration and more people are staying in the regions and the need for housing intensifies. The 2022 budget housing package includes \$500million to unlock land and \$174million to support key workers moving to the regions. The Housing Strategy 2041 has been developed and there are lessor assessment times. A regional Housing Taskforce has been set up to examine the barriers to the provision of housing and affordability in the regions and all their recommendations have been accepted. \$34million has been set aside over 4 years to implement the Taskforce recommendations. A Regional Housing Flying Squad has been created to assist regional councils. Under the next phase of the Accelerated Housing Infrastructure Fund \$120million has been set aside for high growth regional areas. The shortage of Planners in regional areas is being addressed by allowing councils to outsource the assessment of housing DA's to consultants. The Regional Housing Flying Squad program is be considered for a twelve month extension. Agritourism is a booming industry and the government is helping farmers to diversify their businesses. Certain agritourism activities will be listed as exempt or complying development. All of the nine Regional Plans are being reviewed responding to impacts and linked to other State strategies. Tribute was paid to the leaders of the flood affected areas and an Independent Inquiry report will be released soon. \$150million will be available to build and replace social houses and \$10million allocated to replace police homes. Money is being allocated to close the GAP. There is always going to be challenges with new technology such as the planning portal.

**8. Financial Report**

RESOLVED That the financial reports for the last quarter were tabled and accepted ( Inverell Shire Council / Lachlan Shire Council)

**9. Presentation of Emeritus Mayor Award by Cr Darriea Turley, President LGNSW**

Cr Darriea Tulley presented retired Mayor Mark Honey, Kiama Municipal Council, with his Emeritus Mayor certificate and pin

**10. Introduction of the Country Mayors Lapel Badge**

Cr Firman Executive member outlined the purpose of the lapel pins to promote the Country Mayors Association and to recognize the professionalism of its members. The lapel pins were handed out to attending Mayors. Those not attending will be given their pins at future meetings

**11. Ms Amy Dumbrell, Acting Director, Biodiversity Offsets Scheme and Dr Louisa Mamouny, Acting Executive Director, Biodiversity Credit Supply Fund and Taskforce**

The Biodiversity Offset Scheme has had a history since 1995 with a shift to method based in 2007 and in 2014 an offset policy for major projects became compulsory. In 2016 the Biodiversity Conservation Act was passed and in 2020 the Australian Government endorsed the scheme. In 2021 the Integrated Improvement and Assistance Program commenced and in 2022 the review of LMBC commences. The Biodiversity Scheme aims to avoid, minimize and offset the impacts of development on biodiversity consistent with the principles of ecological sustainable development. It is required under DA's. \$550million Biodiversity credits have been traded and 36,000 hectares of land protected. The scheme is being improved by refining it, and scaling up, through a strategy to increase credit supply, identifying pain points, a local government support program, additional assessors and a help desk. The Biodiversity Credits Supply Fund and Taskforce have identified that credits are too hard to attain and expensive and that buyers and sellers are hard to identify. Problems need to be resolved to make a significant difference in the coming months by fast tracking of Biodiversity credits, operate a credit supply fund and enhance conservation benefits. It can be made easier by targeting support, streamlining processes, provide upfront support, simplifying the BSA agreement, opportunities to connect, more information, addressing barriers and communication and engagement.

RESOLVED That the Country Mayors Association make representations to the NSW Government on the gross failings of the Biodiversity Scheme, the inadequacies of the review to address the real problems of the scheme, and the ongoing economic hardship and loss of development of regional NSW (Narromine Shire Council / Gilgandra Shire Council)

**12. Mr Justin Clancy MP, Parliamentary Secretary for Health**

Mr Clancy thanked CMA for its insights into regional and rural health and the wellbeing of our communities. There is no quick fix for regional and rural health but the 2022 State budget has provided a significant boost to operational and capital expenditure including the allocation of additional staff with \$883million over 4 years to attract regional and rural workers. Tailored programs are to be introduced to take up positions and increased training opportunities. The elective surgery waitlist will get additional funding over the next 2 years. Hospital and health facility upgrades have been important for health outcomes and in the next 4 years there will be \$3billion spent on capital infrastructure including staff accommodation in regional NSW. \$740million over 5 years will be spent on palliative care covering an extra 600 nurses and other staff, and social care is to have a virtual connection to provide equity and care and there will be virtual care access to health specialists. A virtual intensive care unit has been announced in Broken Hill for remote NSW. Travel and accommodation support has been expanded in the budget. A new Regional Health Division was established in April this year and will look at the recommendations of Legislative Council report and other issues. The new Advisory Panel will be working on the Regional Health Plan which has had 1,200 face to face meetings held to develop it. The draft plan will be available for comment in September this year.

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**13. Mr Greg Warren MP, Shadow Minister for Local Government, Shadow Minister for Veterans, and Shadow Minister for Western Sydney**

Mr Warren thanked Country Mayors for the opportunity to meet with members. He advised that he had written to the Emergency Services and Local Government Ministers regarding the treatment of RFS assets and advised there needs to be a legislative change. There needs to be changes made in respect to Joint Organisation funding and legislative requirements and that both issues were on labors radar.

**14. Scholarship Sub Committee of the Executive Committee**

RESOLVED that NSW Country Mayors Association adopt an Inprinciple position with implementing a suitable Scholarship program, to assist in addressing skills shortages in our communities and further  
That the NSW CMA Executive be authorised to compile Criteria and Structure of Scholarship programme, to report back to NSW CMA for final endorsement.  
( Gunnedah Shire Council / Temora Shire Council

**15. Suggestions for positive change for Regional and Rural Health**

- (1) Local Health Districts need to introduce measures to hold on to internees
- (2) Develop a system to get overseas doctors into are communities
- (3) Support UNE, CSU, and SCU to establish new medical schools
- (4) Investigate administration and boundaries of Health Districts
- (5) Have Primary Care nurses connected to hospitals
- (6) Indigenous Training of indigenous people for their communities
- (7) Advocacy approach and strategy to be developed by Country Mayors
- (8) Ensure the State Government reports on the progress of the Inquiry
- (9) The Commonwealth Government to explain what they are doing in respect of the Inquiry
- (10) Thank those that have worked hard under a difficult situation
- (11) Councils build health plans
- (12) The issue is workforce. Where is the workforce and where do you get it
- (13) Travel allowances to be simplified
- (14) Need bipartisan support of the 44 recommendations and continuation of Minister for Regional Health (Letters have been sent to the Premier and Leader of the Opposition)
- (15) Re-establish Hospital Boards

RESOLVED that the suggestions be left in the hands of the Executive to monitor and followup ( Parkes Shire Council / Gunnedah Shire Council

**16. Wakefield Park Development**

Goulburn Mulwaree Council advised of Wakefield Park Raceway's appeal to NSW Land and Environment Court against consent conditions imposed. The appeal was upheld but the Court imposed stricter noise management conditions that impact on the definition of an event which could make the raceway unviable

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**AGENDA OF THE ORDINARY MEETING OF COUNCIL  
WEDNESDAY 17 AUGUST 2022**

**17. Demerger Proposal of Cootamundra-Gundagai Regional Council**

RESOLVED that Country Mayors write a letter to the Boundaries Commission supporting their decision which recommends the demerger of the councils should proceed (Parkes Shire Council / Gunnedah Shire Council)

**18. Next Meeting**

The date of the next meeting is scheduled for Friday, 18 November 2022

NOTED

There being no further business the meeting closed at 12.40pm.

Cr Ken Keith OAM  
Chairman Country Mayor's Association of NSW



## **10 MEETING CLOSURE**