

AGENDA

Ordinary Meeting of Council



We're with you

Wednesday, 21 February 2024
Council Chambers, Civic Centre
68 Elizabeth Street, Moss Vale at 3:30 pm

MEETING NOTICE

An Ordinary Meeting of Wingecarribee Shire Council will be held in Council Chambers at Wingecarribee Shire Council Civic Centre, 68 Elizabeth Street, Moss Vale on Wednesday, 21 February 2024 at 3.30pm.

The Public Forum will commence at 3.00pm, subject to any registered speaker/s to items listed on this Agenda.

Further information and details on registration process can be found on Council's website, using the following link:

[Public Forum Application Form | Wingecarribee Shire Council \(nsw.gov.au\)](#)

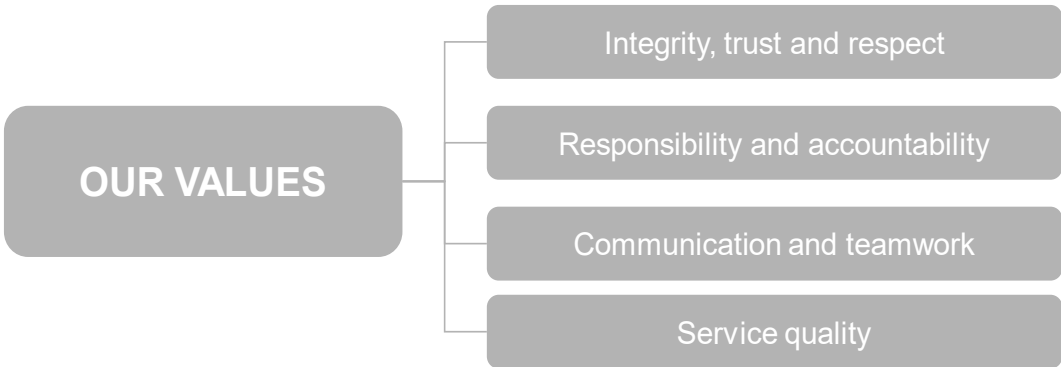
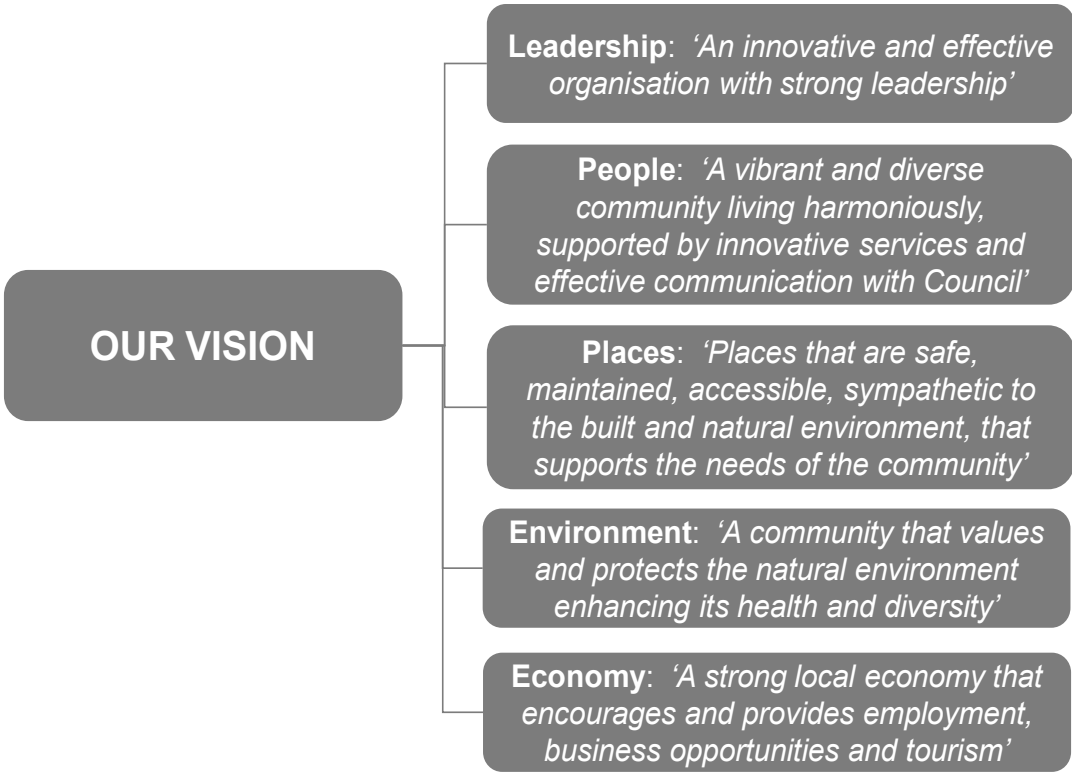
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Our Mission, Our Vision, Our Values

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



Council Chambers

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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

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

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 Wingecarribee 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 Extraordinary Meeting of Council held on November 7 2023, MN 2023/536 to MN 2023/537 inclusive, be adopted as a correct record of the proceedings of the meeting.

That the minutes of the Ordinary Meeting of Council held on 13 December 2024 MN2023/565 to MN2023/612 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

8.1 Consideration of a Scoping Report to include land at Wattle Street Colo Vale within the Local Housing Strategy for future residential development

Report of: Susan Stannard
Coordinator Strategic Policy

Authorised by: Deniz Kilic
Executive Manager Strategic Outcomes

PURPOSE

The purpose of this report is to review a Scoping Proposal submitted to Council in September 2022 by Michael Brown Planning Strategies on behalf of the owners of land at Wattle Street, Colo Vale to provide strategic and site-specific justification for the inclusion of the subject land within the Wingecarribee Local Housing Strategy (LHS) and thereby enable the subsequent rezoning of the subject land to R2 Low Density Residential with a minimum lot size of 1,000m² to facilitate an 83 lot residential subdivision.

THIS MATTER WAS CONSIDERED BY THE WINGECARRIBEE LOCAL PLANNING PANEL ON 24 JANUARY 2024.

OFFICER'S RECOMMENDATION

THAT:

1. The Scoping Proposal to include land at 62-64, 66-68, 70-72, 74-76, 78-82 and 99-103 Wattle Street Colo Vale NOT BE SUPPORTED and the subject land NOT BE CONSIDERED FURTHER for inclusion in the Wingecarribee Local Housing Strategy.
2. Council develop a wholistic and strategic Place Plan for Colo Vale following the success of the award-winning Robertson Place Plan and planned Bundanoon Place Plan in the Strategic Outcomes work program for 2024/2025.
3. Council maintain its support for the Wensleydale site as the proposed New Living Area for Colo Vale and the focus for future urban growth in the Colo Vale village.

LOCAL PLANNING PANEL'S ADVICE

A report was prepared for the Wingecarribee Local Planning Panel meeting of 24 January 2024.

The Council Officer's recommendation provided in that report was:

THAT:

- 1) The attached Scoping Proposal to NOT BE SUPPORTED and the subject land NOT BE CONSIDERED FURTHER for inclusion in the Wingecarribee Local Housing Strategy for the following reasons:
 - a) The proposal fundamentally lacks a strategic approach and undermines the strong position resolved by Council to ensure orderly and equitable development outcomes governed by the adopted Wingecarribee Local Housing Strategy.

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- b) The proposal is regarded as an undesirable spot rezoning request to expand the village footprint at the western fringe of Colo Vale village.
 - c) The proposal undermines Council's preference for strategically identified and master planned New Living Areas and infill sites, where infrastructure issues can be resolved cohesively, development sequencing is equitable and follows a place-based approach.
 - d) The nexus between necessary vegetation clearing to manage bushfire risk and protection of high environmental value (HEV) lands by has not been clearly established and may be irreconcilable.
 - e) There is no capacity in the Mittagong Sewer Treatment Plant (STP) to receive the proposed site's effluent until at least 2028.
 - f) Planned upgrades to the Mittagong STP will prioritise strategically identified sites in the interest of well-sequenced and equitable development outcomes.
 - g) There are no legal stormwater discharge points at or near the subject land.
 - h) The proposal cannot deliver infill housing in the short-term, due to the abovementioned fundamental planning and engineering constraints.
- 2) The Strategic Outcomes Team develop a wholistic and strategic Place Plan for Colo Vale following the success of the award-winning Robertson Place Plan and planned Bundanoon Place Plan in the Strategic Outcomes work program for 2024/2025.
 - 3) Council reiterates its support for the Wensleydale site as the proposed New Living Area for Colo Vale and the focus for future urban growth in the Colo Vale village.

Following consideration of the matter, including representations from the proponents, the Panel provided the following advice:

THAT:

- 1. *The Panel recommends that the Scoping Proposal to include land at 62-64, 66-68, 70-72, 74-76, 78-82 and 99-103 Wattle Street Colo Vale NOT BE SUPPORTED and the subject land NOT BE CONSIDERED FURTHER for inclusion in the Wingecarribee Local Housing Strategy.*
- 2. *The Panel recommends that the Strategic Outcomes Team develop a wholistic and strategic Place Plan for Colo Vale following the success of the award-winning Robertson Place Plan and planned Bundanoon Place Plan in the Strategic Outcomes work program for 2024/2025.*
- 3. *The Panel recommends Council maintains its support for the Wensleydale site as the proposed New Living Area for Colo Vale and the focus for future urban growth in the Colo Vale village.*

REASONS:

- a) The previous Panel's resolution in respect to this site was that the site had merit for further investigation for inclusion in the Local Housing Strategy. The Panel is satisfied that the constraints and opportunities of the site have now been fully assessed by the applicant and considered by Council Officers resulting in the recommendation to not support the Scoping Proposal.
- b) Having further considered the site, the proposal is not an appropriate strategic approach for further residential development in Colo Vale.
- c) The proposal is regarded as an undesirable spot rezoning request to expand the village footprint at the western fringe of Colo Vale village.
- d) The proposal undermines Council's preference for strategically identified and master planned New Living Areas and infill sites, where infrastructure issues can be resolved cohesively, development sequencing is equitable and follows a place-based approach.
- e) The nexus between necessary vegetation clearing to manage bushfire risk and protection of high environmental value (HEV) lands has not been clearly established and may be irreconcilable.
- f) There is no capacity in the Mittagong Sewer Treatment Plant (STP) to receive the proposed site's effluent until at least 2028.
- g) There are questionable legal stormwater discharge points at or near the subject land.

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- h) The proposal cannot deliver infill housing in the short-term, due to the abovementioned fundamental planning and engineering constraints.

The Panel's advice is reflected in the officer's recommendation to this report.

REPORT

BACKGROUND

The purpose of this report is to review a Scoping Proposal and supporting reports submitted to Council in September 2022 by Michael Brown Planning Strategies on behalf of the owners of land at Wattle Street, Colo Vale.

A Scoping Proposal is a document which the NSW Department of Planning Housing and Infrastructure (DPHI) recommends be used to introduce to Council a proposal to amend a Local Environmental Plan, generally to amend the current planning controls, such as zoning, minimum lot size or land use permissibility. A Scoping Proposal allows Council to consider the proponent's intended amendment and provide the proponent with an indication of its merit or otherwise prior to a formal Planning Proposal being submitted. It also provides Council with the opportunity to refer the proposal to relevant State agencies for comment.

The purpose of the Scoping Proposal which is the subject of this report is to provide strategic and site-specific justification for the inclusion of the subject land within the Wingecarribee Local Housing Strategy (LHS) and thereby enable the subsequent rezoning of the subject land to R2 Low Density Residential with a minimum lot size of 1,000m² to facilitate an 83-lot residential subdivision. The Scoping Proposal forms **Attachment 1** of this report.

The subject land is located to the north of the Shire on the western fringe of Colo Vale village as indicated in **Figure 1** below.

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Figure 1 – Regional Location

The subject land comprises six sites fronting Wattle Street from the north and south, covering an area of some 12 hectares and comprising the following holdings of approximately 2 hectares each as indicated in **Figure 2** below.

- Lot 1 DP 708504, 62-64 Wattle Street
- Lot 2 DP 708504, 66-68 Wattle Street
- Lot 3 DP 708504, 70-72 Wattle Street
- Lot 24 Sec 23 DP 2944, 74-76 Wattle Street
- Lot 1 DP 573852, 78-82 Wattle Street
- Lot 12 Sec 24 DP 2977, 99-103 Wattle Street

It is noted that the five lots on the northern side of Wattle Street are contiguous, but one lot between the Colo Vale Public School and the sixth lot is not included within the subject land.



Figure 2 – Location of subject land (outlined red)

REPORT

Introduction

A submission to include the subject land within the LHS was previously considered by Council during exhibition of the draft LHS in 2021. Council's recommendation in the report to the (then) Independent Advisory Planning Assessment Panel (the Panel) of 1 July 2021 was that the inclusion of the subject land within the final LHS was not supported due to lack of essential infrastructure and potential constraints of bushfire and biodiversity which could compromise a viable development outcome. It was also noted that the draft LHS already contains what is considered to be a less constrained and more appropriate site for future residential development, being the Wensleydale New Living Area site.

However, in considering submissions to the exhibited draft LHS, the Panel recommended that the subject land *"be considered as a future infill development opportunity for Colo Vale"*, noting that *"the site had merit for further investigation as an infill site in accordance with Priority One of the Housing Strategy given its location close to existing residential development and the school."* This recommendation was endorsed at the Ordinary Meeting of Council of 14 July 2021.

The Scoping Proposal provided by Michael Brown Planning Strategies (the land owners' planning consultant) in September 2022 was in response to that 14 July 2021 Council Resolution, providing a report and supporting studies to enable Council to consider the merits of the subject land for potential rezoning to

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R2 Low Density Residential with a minimum lot size of 1,000m². A Concept Plan for an 83 lot subdivision, indicated at **Figure 3** below, was also provided.



Figure 3 – Concept subdivision plan

Existing Context and Planning Framework

The current zoning and minimum lot size provisions for Colo Vale village are indicated in **Figures 4A and 4B** below. The subject land is currently zoned RU4 Primary Production Small Lots with a minimum lot size of 2 hectares. This zoning reflects the equivalent zoning in place under WLEP 1989 prior to the conversion of all previous zonings to those nominated in the Standard Instrument (SI) on which Wingecarribee Local Environmental Plan (WLEP) 2010 is based.

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Figure 4A - Current zoning of the site and surrounding land



Figure 4B - Existing Minimum Lot Size map

The land on the northern side of Wattle Street adjoins R2 Low Density Residential and R5 Large Lot Residential zoned land with a minimum lot size of 1,000m2 and 8,000m2 respectively. The land to the west

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of the site is zoned RU2 Rural Landscape with a minimum lot size of 40 hectares. Land further to the west is Crown Land zoned E2 Environmental Conservation.

Excluding the Colo Vale Public School, Acacia Street effectively forms the western edge of urban development in Colo Vale with a transition from R2 Low Density Residential and R5 Large Lot Residential to the east of Acacia Street to RU4 Primary Production Small Lots on the west. This transition reflects the traditionally accepted progression of zoning across an urban area, from higher density to lower density as it meets the surrounding rural zones.

The school however, presents an apparent anomaly compared with the zoning on the northern side of Wattle Street. The zoning of the school to R2 Low Density Residential occurred during the drafting of WLEP 2010 and reflects the State government's directive that, when preparing SI LEPs, all Councils should apply to state-owned land a zoning and minimum lot size consistent with those adjoining the site. This was a standard directive across the state and especially applied to schools as it enabled those schools deemed non-viable to be sold and redeveloped without rezoning. In the case of the Colo Vale Public School, the application of this directive resulted in the R2 Low Density Residential zone and the 1,000m² minimum lot size being applied. Without that directive, it is probable that the school site would have been zoned RU4 Primary production Small Lots with a minimum lot size of 4 ha consistent with the current zoning of the subject land.

On this basis, it is Council's view that the zoning of the school itself should not necessarily be used as a benchmark for the future zoning of the land beyond it. If any rezoning were to occur, the R5 Large Lot Residential zone, with a minimum lot size of 8,000m², is considered more appropriate. This would then be consistent with the existing transition from R2 Low Density Residential to the RU2 Rural Landscape zone by means of the R5 Large Lot Residential zone on the north-western, northern and southern boundaries of the village. There would be neither strategic merit nor site specific merit in adopting an inconsistent zone transition on the western boundary of the village, it being identified as the most vulnerable to bush fire threat. Across a 12 hectare site, the R5 Large Lot Residential zone would result in an additional eight or nine lots on the subject land.

Constraints Analysis

In drafting the Local Housing Study, all land across the Shire was subjected to a comprehensive constraints analysis which focussed on eliminating land identified as of high environmental value, or extensively flood prone or bush fire prone or which was considered topographically unsuited to future residential development. The same constraints analysis was also applied to those landowner site nominations received by Council during the draft exhibition of the LHS, of which the subject land is one.

The subject land is identified as being heavily bush fire affected (**Figure 5**) due to a number of high environmental value (HEV) plant community types identified as endangered or threatened on both the state and national registers being mapped across several lots. This mapped vegetation effectively forms the eastern edge of a far more extensive biodiversity corridor extending across Crown Land to the west as mapped in **Figure 6**. An aerial view confirms the density of this vegetation (**Figure 7**).



Figure 5 – Bush fire affectation

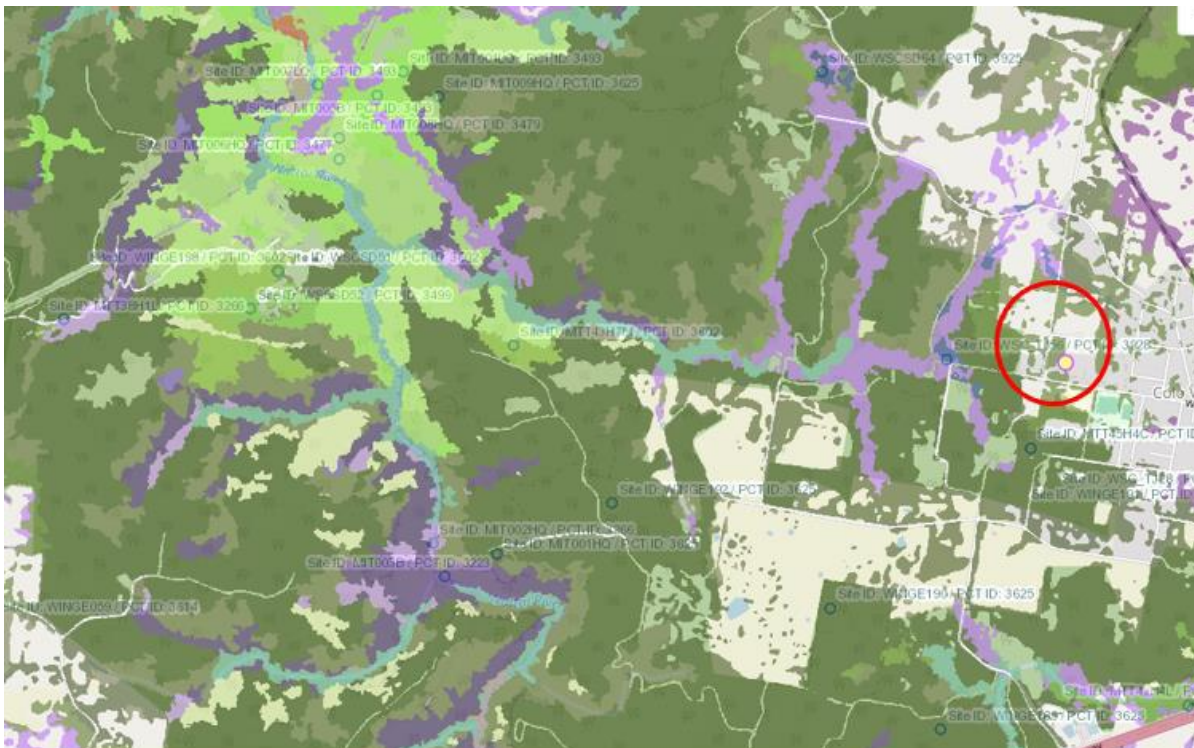


Figure 6 – Vegetation affectation (red circle indicates the vicinity of the subject land)



Figure 7 - Aerial view of vegetation extent

The constraints of bush fire risk and mapped High Environmental Value (HEV) land are not uncommon in considering the development potential of rural land and Council generally pursues the opportunity when there is sound strategic merit and well as other site-specific merits associated with the proposal. In the case of the subject land, it was concluded that the location of the subject land on the edge of a very extensive area of heavily vegetated land containing mapped high environmental value (HEV) plant community types, in conjunction with a proposed zoning which, as discussed above, Council does not consider appropriate, created an irreconcilable nexus which Council could not support.

Referrals to State Agencies and Subject Matter Experts

The focus on these key constraints of the subject land is consistent with the constraints analysis applied to all sites considered when developing the draft LHS. It is rare for any potential development site across the Shire to be completely free of constraints, but those sites included in the LHS returned constraint analysis results which indicated that there was a high probability of being able to manage identified constraints and deliver, through a strategic master plan process, a high-quality housing development sympathetic with the existing urban context and consistent with community expectations.

A primary value of a Scoping Proposal is that it facilitates early consultation with key authorities and government agencies to address any potential constraints and associated risk and to identify potential infrastructure needs. Council's preliminary assessment indicated that potential bush fire and biodiversity concerns may act as significant constraints to the efficient and effective utilisation of the subject land for future housing needs so, in view of these concerns, the Scoping Proposal and relevant associated documentation were referred to the following State agencies:

- NSW Rural Fire Service (RFS)
- Biodiversity and Conservation Division (BCD) of the (then) Department of Planning and Environment (DPE).

The Scoping Proposal accompanying Stormwater report were also referred internally to Council's Assets Team, specifically Council's Floodplain Engineer, for preliminary comment.

With regard to the RFS referral, the agency's initial response of 17 March 2023 noted:

“Colo Vale village is considered to be at risk from bush fires from the west and south directly adjoining the planning proposal area. The SBFS should address the matters in Table 4.2.1 of Planning for Bush Fire Protection, including but not limited to, an assessment of the existing road network to demonstrate they are sufficient to provide for safe access for emergency vehicles (including provision of suitable response times for operational needs) and evacuating residents when considering the existing population, the density resulting from the planning proposal and the likely cumulative total population of the planning proposal area which may impact the road access network servicing the site.”

It is noted that the Executive Summary contained within the Strategic Bush Fire Study prepared by Peterson Bushfire in July 2023 and which accompanied the Scoping Proposal supports this RFS assessment stating:

A risk assessment identified the subject land and Colo Vale as extreme risk. However, the proposal to allow further subdivision is not incompatible with the bushfire environment and existing infrastructure providing the appropriate bushfire protection measures, such as APZs and adequate access, are accommodated by the concept subdivision layout.

The RFS response of 17 March 2023 also stated:

“The NSW RFS does not support the statement in the bush fire report that a Strategic Bush Fire Assessment (SFBS) is not required. To assess whether the proposal is appropriate in the bush fire hazard context, a SFBS should be prepared for the site addressing the relevant requirements of Chapter 4 of Planning for Bush Fire Protection 2019.

The SBFS was subsequently prepared by the proponent and submitted via Council to the RFS. In the response, the RFS concluded that it did not object to the proposal in principle, subject to the concept plan adequately addressing the following issues which were noted:

(i) the provided Concept Plan appears to propose some lots that may not support a viable building envelope once suitable Asset Protection Zones (APZs) are applied. These include but are not necessarily limited to lots 170, 171 and 116.

(ii) the cul-de-sac in the northeastern corner of the proposal appears to be a dead-end road of approximately 235m. While a performance measure may be able to address this in any subsequent application for subdivision this is not a preferred outcome and should be noted as such.

(iii) the assessment of vegetation to the west as grassland may require further verification as a desktop assessment indicates significant areas of forest within 140m.

It is noted that although the RFS did not object to the proposal ‘in principle’, it did identify three areas of concern with the proposed subdivision location and design and which reflect Council’s own concerns. Point (i) above addresses Council’s concerns as to whether an achievable nexus can be established between the need for both bush fire and biodiversity protection. Furthermore, in point (iii), RFS questions the accuracy of vegetation sampling, noting there appear to be “significant areas of forest within 140m”. The RFS responses are provided at **Attachment 2** and **Attachment 3** to this report.

The Proposal was also referred to the Biodiversity and Conservation Division (BCD) of the (then) Department of Planning and Environment (DPE) for comment. Again, this is standard procedure when

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Council anticipates that a proposal will need to manage bush fire risk through vegetation clearing while also needing to meet legal obligations for the conservation of potentially HEV land.

BCD confirms that there are known local high environmental value lands and biodiversity corridors in the vicinity of the subject land and recognises the potential threat to such corridors which can occur in addressing bush fire risk, stating, *“We are mindful that bushfire is a major issue for the proposal as well as for the Colo Vale locality and that the bushfire issues, in turn, have implications for the management of vegetation/bushland.”*

BCD expressed concern that *“Wattle Street may be a precursor to further speculative urban rezonings within the Colo Vale footprint. This is not ideal given that ad hoc rezonings often come with ad hoc impacts to vegetation giving rise to cumulative loss”*.

BCD also reiterated the value of vegetation to the local amenity and village character, not just for its own intrinsic value, but also because it can contribute to urban cooling, a feature which will become increasingly important as the urban landscape is extended. BCD urges Council to adopt a more strategic approach.

The Scoping Proposal and accompanying Stormwater Report were also referred to Council’s Assets Team, specifically Council’s Floodplain Engineer. It is the advice of this Officer that the proposed subdivision would require a comprehensive stormwater network. One specific concern was that the stormwater report does not appear to have identified a legal point of discharge for stormwater and that this would be essential to the viable and cost-effective development of the subject land given there are no rivers or creeks in the area into which stormwater could otherwise be discharged.

This advice reinforces the need to adopt a more strategic approach to the future growth of Colo Vale village which includes consideration of the most efficient and effective means of providing necessary infrastructure and services. It is often overlooked that the provision of infrastructure to support urban development is a major contributor to community and environmental protection through the provision of clean water and effective treatment of sewage resulting in the release of clean water into our waterways. The BCD response is provided at **Attachment 4**.

Strategic Position and existing New Living Areas

The ‘guiding principle’ of the Wingecarribee Local Housing Strategy is to *“manage growth in a manner which endorses and promotes community values and protects our natural areas and rural landscapes”*.

Since July 2021, Council’s consistent professional position has been that the most appropriate way to manage urban growth across the Shire would be through a strategic lens, addressing the broad constraints and risk analysis undertaken for all sites within the adopted LHS, identifying potential new living areas and progressing them in line with the infrastructure necessary to support them. The intent of the LHS’s ‘Priority One’ infill development is to provide a viable mechanism for achieving short term housing growth in existing towns and villages where necessary infrastructure is already available. It is noted that this has indeed occurred in Colo Vale with the subdivision and subsequent construction of housing on land on the eastern and southern sides of Jurd Park over the period 2014 to 2020. This development, resulting in over 80 dwelling allotments, occurred on land already zoned R2 Low Density Residential at a time when the necessary infrastructure was available to support it. However, at this time, the necessary upgrades to the Mittagong STP required to enable any additional development are unfunded and are not expected to be achieved until beyond at least 2028.

Therefore, there really is no short term ‘infill’ opportunity for Colo Vale of which the Wattle Street land, or any other land relying on the Mittagong STP could avail itself, even if an appropriate storm water discharge arrangement could be achieved.

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It is appreciated that, at the time the Panel provided its initial advice on the subject land, it did not have sufficient details regarding infrastructure capacity, but having investigated what opportunity might exist, Council does not consider any land in Colo Vale could be supported for inclusion within the LHS as ‘infill development’ at this time.

From a broader strategic perspective, it is noted that there is already a proposed New Living Area identified for Colo Vale within the adopted LHS, known as Wensleydale, located to the east of the village on Church Avenue as indicated in **Figure 8** below.

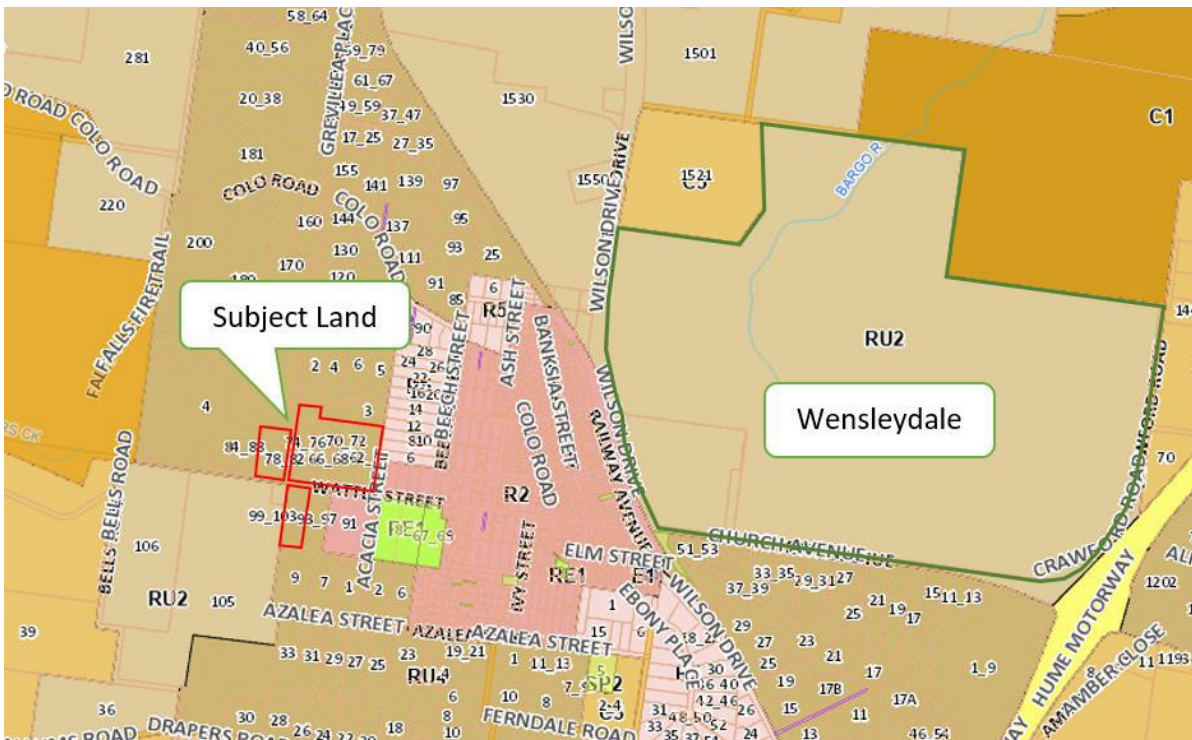


Figure 8 Location of Wensleydale in relation to the subject land

Wensleydale was originally recognised as a potential new residential area in 2007 following a rigorous objective analysis of the site and it has been Council’s consistent professional position since then that Wensleydale offers a unique opportunity to master plan a new site to deliver an estimated 700 dwellings together with a small local retail precinct to serve the Colo Vale community and surrounding rural area.

Council’s preferred option for Colo Vale has always been, and remains, the strategically identified Wensleydale New Living Area. There are many advantages in a larger site, primarily the opportunity to master plan the site in consultation with the community to achieve a balance of housing as well as the environmental outcomes and respect for the heritage aspects of the site which the community would expect. It is acknowledged that Wensleydale has constraints. As stated earlier, most sites do, but the size and location of the site provide an opportunity to strategically manage these constraints to create an imaginative urban outcome. It is noted that preliminary assessments indicate that a legal discharge for stormwater can be achieved on the Wensleydale site.

The Renwick development is an excellent example of how the effective master planning of a larger site, even with constraints, can achieve superior outcomes compared with the ad hoc residential subdivisions too often created. The adopted LHS contains a strong and consistent message that it is Council’s intent that the Shire’s future housing needs will be met through a strategic ‘master planned’ approach, in consultation with the community. Such a process addresses the community vision for Colo Vale as a whole, ensuring a balance of sustainable urban growth and environmental enhancement, as well as ensuring that the

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essential infrastructure is available at the end of the master plan process so that a viable, cost-effective housing product can be achieved. This infrastructure includes the provision of adequate capacity in the Mittagong Sewage Treatment Plan, adequate water supply and the necessary provision of a legal stormwater discharge point for the development.

Council has already commenced of a wholistic and strategic implementation of the LHS with Master Planning the Bowral South New Living Area underway in line with anticipated timeframes for upgrades to the Bowral STP. Each Master Plan and associated Place Plan provides the strategic framework for a comprehensive review of zoning and land use across the locality to ensure that future site specific Master Plans proceed from a sound, community led foundation.

Council is demonstrating that it can undertake effective master planning and place planning. The Robertson Village Place Plan received a 2023 Award for Planning Excellence in stakeholder engagement from the Planning Institute of Australia. It is further noted that Place Plan for Bundanoon is included in Strategic Outcomes work program for 2024/2025. A Place Plan for the Colo Vale Village will follow, building on the stakeholder engagement approach and process which was so successful for Robertson.

It is acknowledged that the LHS will require review when the South East and Tablelands Regional Plan 2041 is released by the NSW Government. That LHS review will include a revision of housing delivery estimates from each proposed living area already within the LHS and a programme for the orderly implementation of the LHS across the Shire reflecting infrastructure rollout timeframes.

There are sites already within the LHS which already have in-principle support, but which are also relying on the Mittagong STP upgrade. Implementation of the LHS will require a realistic and equitable program for the 'roll out' of identified new living areas across the Shire as infrastructure upgrades permit. A strategic, coordinated, and equitable approach has never been more crucial.

Since adoption of the Local Housing Strategy in 2021, Council has reiterated in several resolutions that no development will proceed without the infrastructure to support it, and the NSW Department of Planning Housing and Infrastructure has been resolute in supporting Council's position in this regard, for which Council is very grateful.

As discussed above, the proposed zoning and minimum lot size nominated in the Scoping Proposal are unlikely to be supported due to the land's location on the western edge of the village, exposed to bush fire risk from the west and south and with potential impacts on high environmental value land if that risk is to be adequately managed. Council's consistent professional position is that Wensleydale offers the best opportunity for a wholistic, strategically developed Master Plan within the context of a Place Plan for the Colo Vale Village. Council has developed a strong relationship with the Colo Vale community and believes that such a strategic approach offers the community the best opportunity to realise an outcome which sympathetically and efficiently meets community needs and expectations.

Council continues to receive multiple spot rezoning enquiries on a regular basis and has been able to rely on Council's position and the Department's support to deal with such proposals expeditiously for the longer-term benefit of the community. To progress this Proposal, or any other, for inclusion in the Local Housing Strategy without very strong site-specific merit has the potential to undermine the strong strategic position Council has achieved in recent years.

COMMUNICATION AND CONSULTATION

Pre-lodgement Scoping Meeting

A meeting was held with the land owners and their consultant and members of the Strategic Policy Team to discuss the Scoping Proposal. This meeting sought to clarify the process to date and going forward.

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Numerous email communications between the consultant and Strategic Policy officers have occurred throughout the consideration of the Scoping Proposal.

Community Engagement

No community engagement has occurred with regard to this Scoping Proposal.

Internal Communication and Consultation

Referrals	Advice/Response/Conditions
Assets-Floodplain Engineer	The advice provided was that no legal stormwater discharge point existed and it would be difficult to achieve one.

External Communication and Consultation

Referrals	Advice/Response/Conditions
NSW Rural Fire Service	RFS provided 'in principle' support subject to an appropriate subdivision plan and APZs and confirmation of the nature and extent of vegetation as discussed in more detail in the report.
Biodiversity and Conservation Division of the (then) Department of Planning & Environment	BCD did not support the proposal due to its <i>ad hoc</i> nature and the precedent it would set for future <i>ad hoc</i> approaches to Council. BCD would prefer a more strategic approach, as discussed in more detail in the report.

SUSTAINABILITY ASSESSMENT

Environment

A wholistic and strategic approach to the identification and implementation of new living areas and potential infill development is considered to be more environmentally sustainable than the support of an *ad hoc* site with significant development constraints.

Social

A wholistic and strategic approach to the identification and implementation of new living areas and potential infill development offers the potential to provide a broader range of housing options to achieve a broader range of socio-economic outcomes.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

There are no budget implications associated with this report.

RELATED COUNCIL POLICY

There are no Council policies related to this report.

CONCLUSION

A review of the Scoping Proposal was undertaken with regard to both the strategic and site-specific merits of the proposal. Strategic concerns addressed the inappropriateness of the proposed zoning and minimum lot size which, together with the site-specific concerns of bush fire risk and environmental risk were considered to reduce the likelihood of the site being able to deliver a significant contribution to infill development, either now due to infrastructure limitations, or in the future.

In summary, the Scoping Proposal is not supported for the following reasons:

- The proposal fundamentally lacks a strategic approach and undermines the strong position resolved to ensure orderly and equitable development outcomes governed by the adopted Wingecarribee Local Housing Strategy.
- The proposal is regarded as an undesirable spot rezoning request to expand the village footprint at the western fringe of Colo Vale village.
- The proposal undermines Council's preference for strategically identified and master planned New Living Areas and infill sites, where infrastructure issues can be resolved cohesively, development sequencing is equitable and follows a place-based approach.
- The nexus between bushfire risk management by extensive vegetation clearing is irreconcilable with the identified EEC vegetation and high environmental value (HEV) lands.
- There is no capacity in the Mittagong Sewer Treatment Plant (STP) to receive the proposed site's effluent until at least 2028.
- Planned upgrades to the Mittagong STP will service strategically identified sites, in the interest of well-sequenced and equitable development outcomes.
- There are no legal stormwater discharge points at or near the subject land.
- The proposal cannot deliver infill housing in the short-term, due to the abovementioned fundamental planning and engineering constraints.

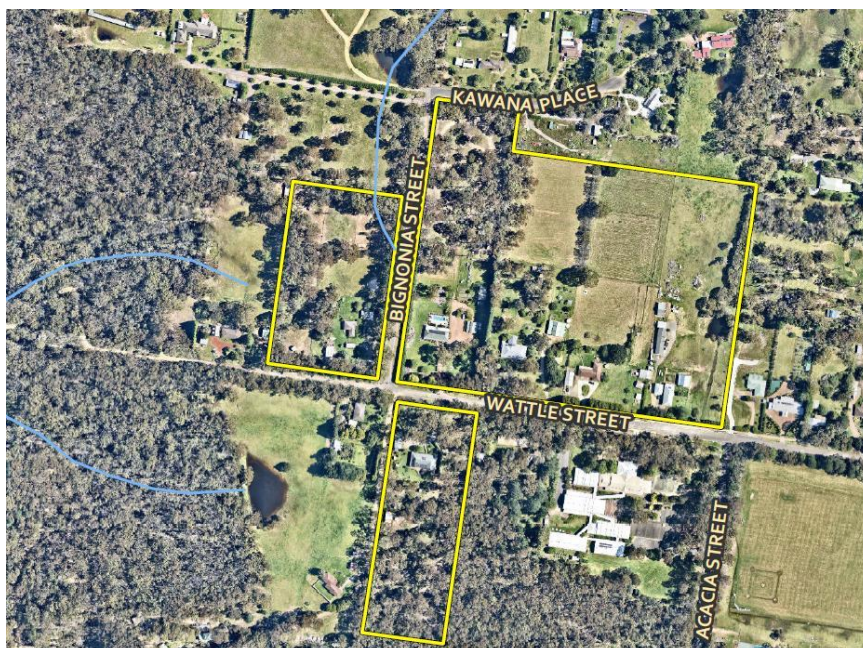
ATTACHMENTS

1. Wattle Street Colo Vale Scoping Proposal [**8.1.1** - 25 pages]
2. RFS Determination 27 Nov 2023 [**8.1.2** - 1 page]
3. BCD Response - 22 Sep 23 [**8.1.3** - 7 pages]

SCOPING REPORT

Rezoning for Low Density Residential and Relevant Amendments to Subdivision Lot Size

WATTLE STREET, COLO VALE



Prepared for: Colo Vale Land Owners Group

September 2022

Prepared by:



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This Scoping Report has been prepared based on agreed requirements as understood by Michael Brown Planning Strategies Pty Ltd and at the time of commissioning and investigation.

The conclusions and recommendations contained in this Scoping Report are based on an honest appraisal of the opportunities and constraints existing on the site at the time of investigation and were subject to the limited scope and resources available. Within the confines of the above statements, this report is not known to contain any incomplete or misleading information.



Project prepared by: Michael Brown
Director, Michael Brown Planning Strategies Pty Ltd

Date: September 2022

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 - B: Deposited Plans
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 - D: Archaeological Due Diligence Assessment – Austral Archaeology
 - E: Bushfire Assessment – Peterson Bushfire
 - F: Ecological Assessment – Eco Planning
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 - H: Contamination – Geotechnique
 - I: European Heritage – Austral Archaeology
 - J: Flooding, Civil, Stormwater and Water Cycle Management – Northrop
 - K: Services Infrastructure – Northrop
 - L: Existing and Proposed Zoning Map Extract
 - M: Existing and Proposed Minimum Lot Size Map Extract
 - N: Vacant
 - O: Concept Layout Plan – Site Plus Pty Ltd
 - P: Traffic Impact Assessment – Traffic and Traffic Planning Associates
 - Q: Geotechnical Investigation – Geotechnique
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1 INTRODUCTION

1.1 SCOPING REPORT CONTEXT

The Department of Planning and Environment is adopting the “Local Environmental Plan Making Guideline” (December 2021) formalised the desirability of early engagement with the Planning Authority and key stakeholders. Central to this Pre-lodgement phase is the compilation of a Scoping Report (SR) that highlights the strategic and site-specific merit of the Proposal, engagement outcomes/requirements, preliminary environmental outcomes and discussion points.

This Scoping Report (SR) represents the formative phase in the development of the submission of a Planning Proposal Request (PPR) geared toward the rezoning of the land situated contiguous with the existing Colo Vale Township (and shown in **Figure 1** and **Appendix “O”**) for residential purposes. The rezoning would be affected through the preparation of a relevant Local Environmental Plan (LEP) amendment; it being proposed to amend Wingecarribee LEP 2010.

1.2 PROPONENT DETAILS

The Proponent for a relevant Planning Proposal Request and author of this Scoping Report (SR) is Michael Brown of Michael Brown Planning Strategies Pty Ltd. The relevant contact details are:

Postal Address: PO Box 295 CAMDEN NSW 2570.

Telephone: 0418620718

Email: michael@michaelbrown.com.au

1.3 LAND DESCRIPTION

The site comprises land located in Wattle Street, Colo Vale depicted in **Figure 1** below and includes the following addresses and legal descriptions.

- Nos 62-64 Wattle Street – Lot 1 DP 708504
- Nos 66-68 Wattle Street – Lot 2 DP 708504
- Nos 70-72 Wattle Street – Lot 3 DP 708504
- Nos 74-76 Wattle Street – Lot 24 Section 23 DP 2944
- Nos 78-82 Wattle Street – Lot 1 DP 573852
- Nos 99-103 Wattle Street – Lot 12 Section 24 DP 2944

The relevant Deposited Plans are reproduced as **Appendix “B”**. The subject landholdings comprise a precinct of 12.222ha.



Figure 1: Site in its immediate context

1.4 CONTEXT

The landholdings comprising the site are contiguous with the western residential boundary of the Village of Colo Vale (northern side of Wattle Street) and adjacent to the Public School (southern side of Wattle Street) (refer to **Figures 1 & 2**)

1.5 QUALITIES OF THE LAND

The landform is variable in nature as is depicted in the contour survey at **Appendix "C"**. It contains several waterbodies (dams). An intermittent watercourse forms a designated riparian area, on the eastern side of the subject site. The subject landholdings are used for rural residential purposes and not for any agricultural pursuits.

Reticulated water and sewer are nearby, and electricity and telecommunications services are available to the site. Reticulated sewer is, however, not available to the site, whereas reticulated water is (refer to **Appendix "G"**).

The land is in the local government area comprising the Shire of Wingecarribee, which is responsible for local water and sewer services and the report prepared by Urban Water Services.

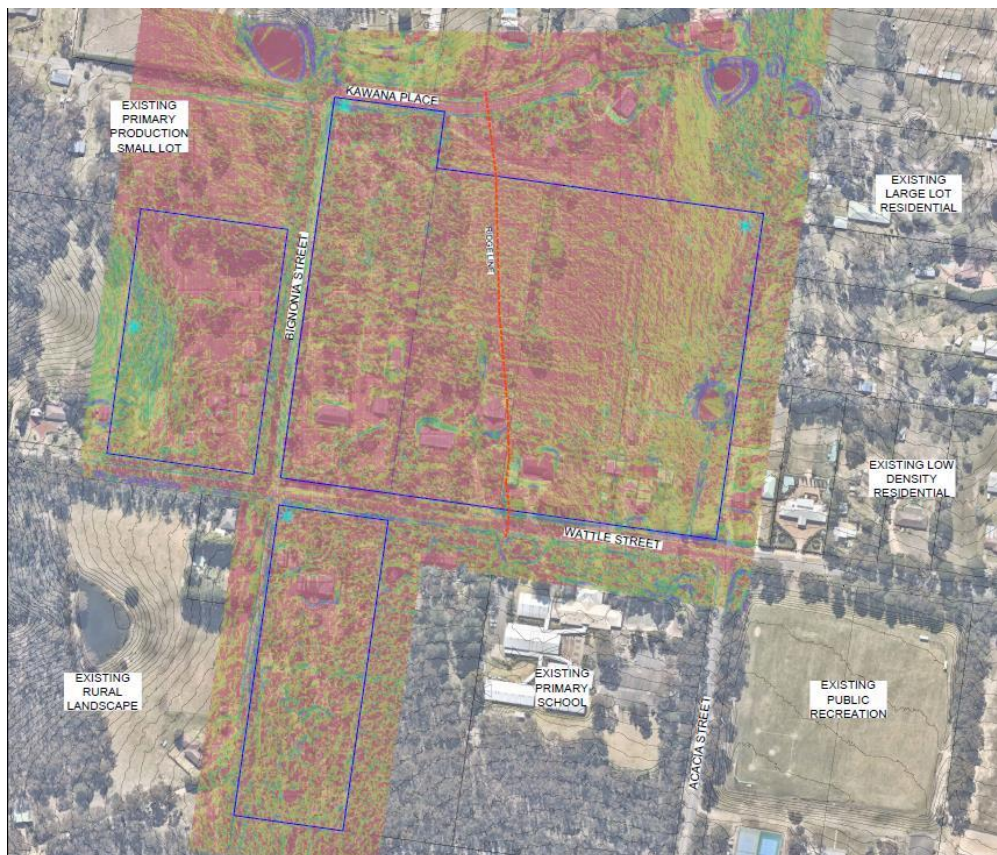


Figure 2 – Site Analysis

1.6 PROPOSED OVERVIEW

Wingecarribee Local Environmental Plan 2010 (WLEP 2010) is the principal planning instrument. The subject land is zoned RU4 – Primary Production Small Lots. A zoning map extract of the prevailing zone and nearby zones forms **Figure 3**.

The land is also subject to the following principal development standards:

- Minimum lot size – 2 hectares (Refer to **Appendix “M”**) and includes the proposed minimum lot size map.

It is proposed that the subject site be rezoned to R2 Low Density Residential, with a minimum lot size of 1000m². This zoning and lot size is consistent with other lands to the east within the Village area.

1.7 BACKGROUND

The Independent Advisory Planning Assessment Panel at the meeting of 1 July 2021 considered a report on the Local Strategic Planning Statement (LSPS) and Local Housing Strategy (LHS) – Landowner Nominated Sites. The subject property is located in the Colo Vale (West) investigation area. The subject site was supported to be included in the LHS for urban purposes providing a mix of lot sizes and housing typologies. The inclusion of the subject land into the LHS is the first step to having the land rezoned for urban purposes, which is the subject of this Scoping Report.

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1.8 OUTCOME OF PREVIOUS CONSULTATION

Preliminary dialogue in respect of the Proposal has taken place with Council over recent years, including most recently on 29 November 2021 with Mr Michael Park. It was concluded that the Proposal had a relevant context in terms of the most recent Council/Panel related deliberations in respect of the Precinct (July 2021) and needed to be formalised as a Planning Proposal Request (PPR).

As an extension to this pre-lodgement engagement as a consequence of the new LEP Making Guideline (December 2021), this SR has been compiled.

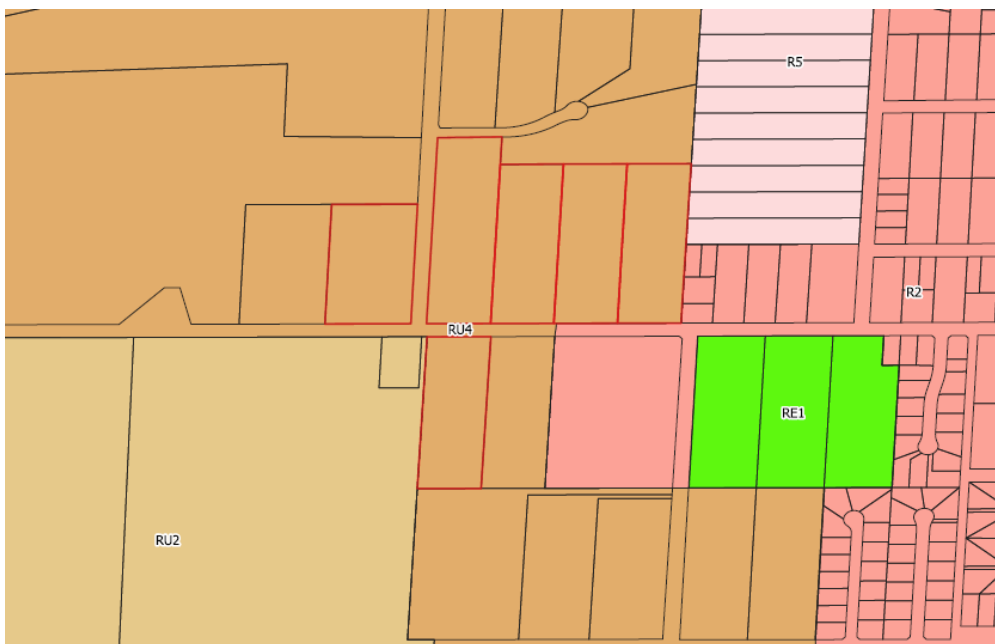


Figure 3 – Current Land Zoning

2 THE PROPOSAL

2.1 OVERVIEW

This SR has the express purpose of facilitating the development of the subject property as an extension of the Colo Vale urban area, ensuring its unique qualities and immediate setting is respected and that a sensitive interface with existing development occurs. As stated above, it is proposed that the land be rezoned to R2 Low Density Residential and SP2 Infrastructure (Drainage).

The rezoning will create an additional 82 residential lots within the Colo Vale area, with a minimum lot size of 1000m², which is commensurate with subdivision lot sizes in the Village area. Jobs will be created at the subdivision stage/s and during the construction of housing.

2.2 CONCEPT LAYOUT PLAN

Having established the environmental sensitivities of the site, including prevailing hazards and service infrastructure requirements, a vision for a sustainable, character led low density urban module was developed (refer to **Appendix "O"**). The relevant Concept Layout Plan (ILP) is produced below as **Figure 4**.

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Figure 4 – Concept Layout Plan

2.3 KEY PLANNING CONTROLS

As stated above at Section 1.6, the lands are currently zoned RU4 Primary Production Small Lots under the provisions of Wingecarribee Shire Local Environmental Plan 2010. The principal landuse controls attached to such zoning take the form of zone objectives and a table of landuse permissibility; produced below.

Zone Objectives

The objectives of the RU4 Primary Production Small Lots zone are:

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

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Landuse Permissibility

The range of permissible landuses is summarised in the table below.

WINGECARRIBEE LEP 2010 – RU4 ZONE

1 Permitted without consent	Environmental protection works; Extensive agriculture; Home-based child care; Home occupations
2 Permitted with consent	Aquaculture; Artisan food and drink industries; Bed and breakfast accommodation; Cellar door premises; Centre-based child care facilities; Community facilities; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Environmental facilities; Farm buildings; Flood mitigation works; Home businesses; Home industries; Intensive plant agriculture; Landscaping material supplies; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (outdoor); Respite day care centres; Roads; Roadside stalls; Secondary dwellings; Signage; Water storage facilities
3 Prohibited	Any development not specified in item 2 or 3

Under the proposed R2 Low Density Residential zone, the following zone objectives apply:

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

Landuse Permissibility

The range of permissible landuses is summarised in the table below.

WINGECARRIBEE LEP 2010 – R2 ZONE

1 Permitted without consent	Environmental protection works; Home-based child care; Home occupations
2 Permitted with consent	Bed and breakfast accommodation; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Exhibition homes; Exhibition villages; Group homes; Health consulting rooms; Home businesses; Home industries; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Roads; Seniors housing; Serviced apartments; Signage; Tank-based aquaculture
3 Prohibited	Any development not specified in item 2 or 3

Under the proposed SP2 Infrastructure (Drainage) zone, the following zone objectives apply:

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.
- To ensure that the scale and character of infrastructure is compatible with the landscape setting and built form of surrounding development.

Landuse Permissibility

The range of permissible landuses is summarised in the table below.

WINGECARRIBEE LEP 2010 – SP2 ZONE

1 Permitted without consent	Nil
2 Permitted with consent	The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose; Aquaculture; Roads
3 Prohibited	Any development not specified in item 2 or 3

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The Wingecarribee Development Control Plan 2010 (WDCP 2010) is a companion document prepared to provide detailed development objectives and controls aimed at realising the WLEP 2010 aims. WDCP 2010 will form the future Development Application design guideline and assessment tool.

2.4 LANDUSE PROSPECTS

Appendices L & M show the existing and proposed zones. The proposal will create approximately 82 residential lots. The permissible range of landuses under the prevailing R2 – Low Density Residential zone have been detailed at Section 2.3 of this report. It is noted that notwithstanding the diversity of permissible uses that compliance with the zone objectives, principal development standards and Development Control Plan provisions would likely restrict future residential development to principally dwelling houses and dual occupancies.

In respect of dual occupancies clauses 4.2E and 4.2F of WLEP 2010 detail minimum lot size provisions and minimum subdivision lot sizes respectively. Secondary dwellings could also be developed pursuant to Chapter 3, Part 1 of State Environmental Planning Policy (Housing) 2021.

Centre-based child-care is permissible also and may leverage off the locational attributes of proximity to the local primary school.

2.5 INDICATIVE TIMING AND DELIVERY

The Proposal is considered to represent a standard (Category 2) Planning Proposal. As such it is expected that the scoping phase would take ten (10) weeks and the Planning Proposal thirty-seven (37) weeks or a total of forty-seven (47) weeks but say fifty-two (52) weeks as this would not be an uncommon expectation.

The first stage of subdivisional activity would be expected to commence some fifty-two (52) weeks later (late 2024), subject to service infrastructure availability.

2.6 SERVICES INFRASTRUCTURE

Initial enquiries with Endeavour Energy reveal that the upgrade of the existing services will be required and are readily available. Wingecarribee Shire Council is the service authority for water and sewer. Upgrades to these services will be required to be undertaken.

2.7 DEVELOPER CONTRIBUTIONS

The impact on public infrastructure will need to be addressed in accordance with Council's current Developer Contribution Plans will either need to be amended or a Voluntary Planning Agreement.

3 STRATEGIC MERIT

3.1 INTRODUCTION

It is initially noted that the level of justification or strategic merit.

- Be proportionate to the impact the proposal will have
- Comprehensive without necessarily being exhaustive
- Be sufficient to allow Council to provide initial feedback of the strategic merits of the proposal.

3.2 STRATEGIC ORIGINS

The Proposal has its origins in the *Wingecarribee Local Planning Strategy 2015-2031*, which was adopted by Council on 23rd March 2016 and endorsed by the Department of Planning and Environment on 15th May 2017. The Local Planning Strategy 2015-2031 recognised the need to provide more housing opportunities and to do so without compromising the inherent rural character of the Shire.

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The Local Planning Strategy needs to be given effect by subsequent planning decisions and this SR requests a rezoning of the land, is consistent with the Strategy and will therefore assist in achieving Council's long term planning objectives.

Chapter 4 deals with managing housing needs and clearly identifies the ongoing pressure to ensure a supply of housing opportunities across the Shire for a range of different needs. This SR is consistent with this objective because it will eventually add to the available housing stock in a location that has access to essential services and has good proximity to community services such as schools, parks, limited shops, without compromising the landscape.

The recently compiled Wingecarribee Local Strategic Planning Statement and Wingecarribee Local Housing Strategy have emerged as potentially more relevant background strategic documents and adopted by Council at the meeting of 24 June 2020, clearly reflect Council's revised future strategic housing directions.

The subject property was considered by the Independent Advisory Planning Panel at its meeting of 1 July 2021, as part of a number of landowner nominated sites. The Panel advice was that Colo Vale South had merit for future investigation as an infill site in accordance with Planning Priority One of the Housing Strategy given its location close to existing residential development and the school.

Wingecarribee Shire Council at its Ordinary Meeting of Council of 14 July 2021 endorsed the recommendations of the Panel.

The SR is considered to represent the best means of facilitating the development of a housing precinct. Overall, the proposal will provide a net community benefit for the following reasons:

- It constitutes a balanced and appropriate use of land and is in keeping with the adjoining residential character and doesn't impinge adversely on its broader rural/open space landscape setting.
- It provides for a specialist lifestyle opportunity and accordingly housing diversity in an identified residential investigation area. The recently endorsed Local Housing Strategy clearly identifies this land as having inherent qualities for providing additional residential land for Colo Vale and commensurate with the existing development.
- Existing businesses and service industries will be more highly patronised with the increase in population close to these services and facilities within the Colo Vale, albeit convenience businesses. Indeed, other businesses within the Shire are likely to benefit, including the various businesses supplying material for future homes, with Mittagong within close proximity providing such services.
- Potential hazards will be appropriately managed, including bushfire risks.
- Infrastructure impacts will be satisfactorily addressed and upgraded where necessary.
- The highest and best use of the land will be realised.

3.3 STRATEGIC CONTEXT

As attested to below, the Proposal is considered to have sufficient alignment and potentially would give Statutory effect to the Strategic Planning framework as encapsulated in:

- The South East and Tablelands Regional Plan 2036.
- Wingecarribee Community Strategic Plan.
- Wingecarribee Local Strategic Planning Statement.
- Wingecarribee Local Housing Strategy.

3.4 THE SOUTH EAST AND TABLELANDS REGIONAL PLAN

The South East and Tablelands (SE & T) Regional Plan 2036 provides a blueprint for the future development of the Region for the next two decades reflecting community and stakeholder aspirations and opportunities for balanced growth; whilst protecting the unique natural assets of the Region. It represents a collaborative approach that closely integrates and aligns with the strategic planning for Canberra.

As an overview, the Regional Plan aspires to ensure the realisation of a collaborative and borderless region that is

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prosperous, diverse, healthy and sustainable. This central vision is thus intended to be realised through four key goals; namely:

- Goal 1: A connected and prosperous economy.
- Goal 2: A diverse environment interconnected by biodiversity corridors.
- Goal 3: Healthy and connected community.
- Goal 4: Environmentally sustainable housing choices;

Supported by 28 diverse Directions

The following table provides a strategic assessment against the relevant Goals and Directions under this Plan.

Table 1 – Directions

Regional Plan Direction	Regional Plan Assessment
<p>Goal 1 – A connected and prosperous economy</p> <ul style="list-style-type: none"> • Direction 4: Leverage growth opportunities from Western Sydney • Direction 8: Protect important agricultural land 	<p>The Proposal will contribute housing stock for residents who seek access to jobs in the burgeoning employment lands of western Sydney, including the emergent Aerotropolis.</p> <p>The subject land does not constitute highly productive agricultural land and is zoned in a manner that facilitates rural residential living.</p>
<p>Goal 2 – A diverse environment interconnected by biodiversity</p> <ul style="list-style-type: none"> • Direction 14: A diverse environment interconnected by biodiversity corridors. • Direction 15: Enhance biodiversity connections. • Direction 17: Mitigate and adapt to climate change. • Direction 18: Secure water resources. 	<p>The Proposal facilitates the conservation and enhancement of environmentally sensitive corridors and remnants of the site subject to appropriate management plans.</p> <p>The Proposal has demonstrated that NorBE can be achieved in respect of water quality, as part of the Sydney Drinking Water Catchment.</p>
<p>Goal 3 – Healthy and connected communities</p> <ul style="list-style-type: none"> • Direction 22: Build socially inclusive, safe and healthy communities • Direction 23: Protect the region's heritage 	<p>The Proposal will integrate with neighbouring development and the township forming a socially inclusive and sustainable neighbourhood.</p> <p>No heritage items or related cultural landscapes are adversely impacted by the Proposal. It is unlikely that further aboriginal cultural heritage investigations will identify prohibitive restrictions (refer to Appendix D).</p>
<p>Goal 4 – Environmentally sustainable housing choices</p> <ul style="list-style-type: none"> • Direction 24: Deliver greater housing supply and choice 	<p>The SE & T Regional Plan recognises that the Region offers, and should continue to offer, a variety of housing options. The Proposal seeks to do so in a sensitive/sustainable manner. The Plan references local housing strategies prepared by Council as the first step in identifying housing needs. Council's Housing Strategy has been reviewed in the form of the Wingecarribee Local Housing Strategy and was endorsed on 1 July 2021, with the subject property included in the LHS and supported by the Planning Panel and endorsed at the Council meeting of 14 July 2021 as an in-fill development site.</p>

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Regional Plan Direction	Regional Plan Assessment
<ul style="list-style-type: none"> Direction 25: Focus housing growth in locations that maximise infrastructure and services Direction 27: Deliver more opportunities for affordable housing. Direction 28: Manage rural lifestyles. 	<p>It is importantly noted that the proposal is generally consistent with such principles.</p> <p>The proposal promotes allotment sizes commensurate with the character of the Colo Vale Village. Principal dwellings may not necessarily be considered affordable, the prospects of some secondary dwellings exists, potentially addressing affordability. The Proposal will see the transformation of the rural residential land, with only a minor impact on the supply of such land.</p>

The Plan concludes with Local Government Narratives. These narratives include priorities for Councils to guide further investigation and implementation. For Wingecarribee it is noted that an additional 3,300 dwellings will be required by 2036. The Proposal will contribute in a modest way to this housing target.

Additionally, in respect of nominated Priorities it is noted that the Proposal, as established previously, will:

- Conserve environmentally sensitive lands.
- Protect the Sydney drinking water catchment.
- Not adversely impact the Shire's valued heritage assets.
- Strategically facilitate residential growth.
- Protect the unique character of the Colo Vale Village lifestyle.

3.5 DRAFT SOUTH EAST AND TABLELANDS REGIONAL PLAN 2041

The South East and Tablelands Regional Plan – 2036 is the subject of a 5-year review to extend its reach from 2036 to 2041 and to reset priorities. The draft Plan is on exhibition until 23 September 2022. The draft Plan focuses on 5 themes; namely:

- Theme 1 – Recognising country people and place
- Theme 2 – Enhancing sustainable and resilient environments
- Theme 3 – Leveraging diverse economic identity
- Theme 4 – Planning for fit for purpose housing and services
- Theme 5 – Supporting a connected active region.

Supported by 24 Objectives.

The Proposal remains consistent with the relevant objectives.

3.6 LOCAL PLANNING STRATEGY 2015-2031 (SUPERSEDED)

The Wingecarribee Local Planning Strategy 2015-2031 provided a vision and outlined strategic directions for achieving the sensitive and sustainable immediate mid-term development of the Shire. It has subsequently been superseded by the Wingecarribee Local Strategic Planning Statement and Wingecarribee Local Housing Strategy.

3.7 WINGECARRIBEE DEMOGRAPHIC AND HOUSING STUDY 2012 (SUPERSEDED)

This Study was commissioned by Wingecarribee Shire Council to establish a platform for making informed decisions in respect of accommodating housing demand over the ensuing 20-year period. The Study has subsequently been superseded by the recently adopted Wingecarribee Local Housing Strategy, which adopted a broader brief in respect of housing nature, form and distribution.

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- Optimisation of rainwater capture and energy efficiency.
- Provision of a permeable road pattern.
- Encourage waste minimisation.
- Optimisation of energy efficient building practices.

Planning Priority 1.2 – Mitigation, adaptation and resilience to climate changes and natural disasters

The Proposal is consistent with resilience initiatives reflected in:

- Retention of green link riparian corridors.
- Opportunities for street tree and domestic plantings.
- Bushfire hazard management strategies.

Planning Priority 1.3 – Improve biodiversity, corridor connectivity and reduce fragmentation

The Proposal seeks to retain a natural systems framework and offsite linkages as reflected in the Indicative Layout Plan.

Planning Priority 1.4 Minimise impact of landuse planning and change on threatened species and the ecosystem

The Proposal has been demonstrated at this initial stage to not imperil threatened species and ecosystems.

Planning Priority 1.5 – Conserve and protect waterways, wetlands and groundwater

The riparian zones are central to the Indicative Layout Plan and herald the prospects of rehabilitation of the riparian areas and their long-term sustainability.

- **Our Rural Areas**

Planning Priority 2.2 – Maintain and enhance connection with rural landscapes.

The Proposal seeks to ensure a sensitive interface with the surrounding rural residential areas.

- **Our Economy**

Planning Priority 3.1 – Shire support of business and attraction to live, work and visit and 3.2 – Local business is supported through a connected community.

The Proposal will introduce a small population addition that supports local business and services.

- **Our Housing**

Planning Priority 4.3 – Provide for well planned new release areas to meet the long-term housing needs of the community, and ensure that our growing communities are supported by essential infrastructure.

The Proposal provides a planned extension to an existing residential community and in doing so facilitates a modest opportunity to expand housing supply, promote diversity and optimise the use of existing infrastructure and the modest amplification/reticulation thereof.

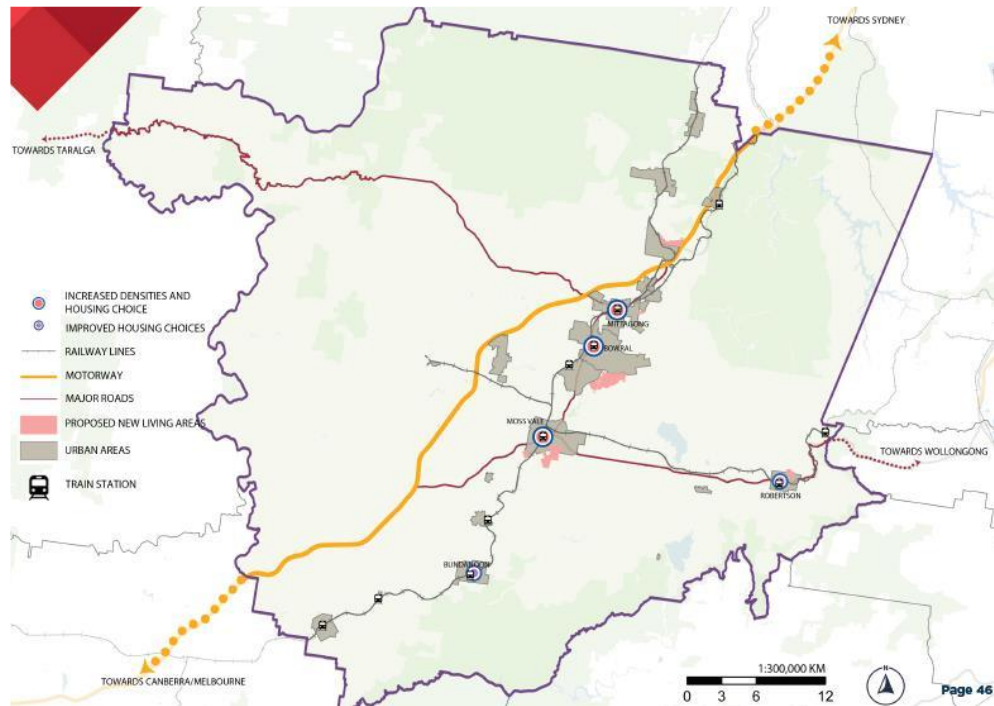


Figure 5: Shire housing overview map

- **Our Infrastructure**

Planning Priority 5.1 – Plan for and deliver enabling infrastructure to unlock the potential of the Southern Highlands.

The core infrastructure is in place and can be readily augmented/reticulated to service the Proposal, thereby unlocking the land’s inherent potential.

Planning Priority 5.2 – Ensure growing communities are supported by essential infrastructure.

The Proposal is capable of leveraging off existing infrastructure and making relevant contributions, where required (particularly to social infrastructure).

- **Our Places**

Planning Priority 6.1 – Maintain the unique character of the towns and villages, separated by rich natural areas and rural landscapes.

The Proposal represents an extension to an existing village and thereby does not compromise this priority.

Planning Priority 6.2 – Identify, protect and promote the cultural and built heritage.

The Proposal does not compromise the local built or cultural heritage.

Planning Priority 6.3 – Enhance the liveability of towns and villages, with facilities and services to support a healthy, culturally rich and socially connected Wingecarribee community.

The Proposal importantly does not imperil this Priority, particularly if relevant contributions are made to social infrastructure as proposed and the new community sensitively integrates.

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3.9 WINGECARRIBEE LOCAL HOUSING STRATEGY – HOUSING OUR COMMUNITY (2021)

The Wingecarribee Local Housing Strategy – Housing Our Community provides a long-term planning framework for meeting the housing needs of the Wingecarribee community. The Strategy is established to guide Council, private sector and community decision making in respect of the delivery of new living areas and greater diversity of housing types to accommodate the growing population and changing demographics.

It takes into account the State and Regional planning framework, as well as community needs and expectations, as reflected in the Wingecarribee Community Strategic Plan 2031 and the Wingecarribee Local Planning Strategy, to provide long-term housing “blueprint”. It was adopted in June 2020 with an amendment adopted in July 2021.

Chapter 4 New Residential Living Areas identifies new living areas to support the Shire’s growing communities, as well as design principles and infrastructure requirements for the new living areas.

The Colo Vale (South) investigation area (the subject land) has been identified as highly desirable through sustainability criteria, and providing an opportunity for additional residential lots close to services (refer to **Figure 4**). The Council adopted local housing strategy was adopted 1 July 2021 by the Independent Advisory Planning Assessment Panel. The subject proposal is consistent with this figure. The report to the Council meeting states:

“The site is within close proximity to the local school and public open space and provides an opportunity for a modest extension of the existing Colo Vale village residential area. The investigation area was not identified through the multi-staged analysis, primarily due to the lack of services within close proximity to the site (i.e. supermarket, medical etc). However, a modest increase in population in the Colo Vale village would likely support the viability of a future neighbourhood centre to meet the day to day needs of local residents”.

The proposed new living area is considered suitable for urban development based on initial constraints analysis but flagged for more comprehensive environmental assessment. Indeed, such assessment underpins this SR.

3.10 WINGECARRIBEE COMMUNITY STRATEGIC PLAN IN 2031

Wingecarribee 2031 is a long-term plan that identifies where the Wingecarribee community wishes to be in the future. The Plan in assisting to shape the future of the Shire will respond to emerging challenges and opportunities and deliver outcomes that benefit the whole community. The Plan is a community vision, theme aspirations, goals, strategies and measures. The Proposal is generally consistent with the following:

Community Strategic Plan	Assessment
<u>Leadership</u>	
Goal 1.2: Community Engagement – Council communicates and engages with the community in a diverse, open and inclusive way	The Proposal will entail community engagement in accordance with its established policy.
<u>People</u>	
Goal 2.1: Our people have an opportunity for happy and healthy lifestyle	The Proposal will establish a template for a happy and healthy residential lifestyle, including links to the Village and its goods and services.
<u>Places</u>	
Goal 3.1: We have an integrated and efficient network of public transport and shared pathways	The Proposal can integrate with surrounding limited network.
Goal 3.2: Wingecarribee has maintained a distinct character and separation of towns and villages	The Proposal represents a limited extension to an existing village.
<u>Environment</u>	

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<p>Goal 4.1: Wingecarribee’s distinct and diverse natural environment is maintained and enhanced</p> <p>Goal 4.2: Sustainable living practices are actively encouraged</p> <p>Goal 4.3: Wingecarribee achieves continuous reduction in waste generation and disposal to landfill.</p> <p>Goal 4.4: Wingecarribee addresses, adapts and builds resilience to climate change</p> <p><u>Economy</u></p> <p>Goal 5.4: Local business is supported through a connected community</p>	<p>The Proposal has established an ILP which seeks to conserve the ecologically sensitive aspects of the site.</p> <p>Opportunities to pursue resource efficient development/building procedures will be available.</p> <p>Enhanced tree canopy opportunities will be facilitated both onsite and offsite.</p> <p>Residents may be able to source and produce limited goods locally.</p> <p>Waste minimisation procedures will be championed at the development stage and ultimate resident occupation stage</p> <p>BASIX requirements in dwelling design will be implemented. Low embodied energy materials of construction will likely be a requirement by the time of dwelling construction.</p> <p>New residents will support the providers of local goods and services in some capacity.</p>
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4 SITE-SPECIFIC CONSIDERATIONS

A brief overview of the site-specific qualities of the precinct is provided below. It draws significantly upon the conclusions of a series of technical studies commissioned in respect of the Proposal. The subject technical studies are appended to this SR as **Appendices B and D to L**. they are noted to cover the following key environmental and infrastructure areas:

- B: Traffic Impact Assessment – Transport and Traffic Planning Associates
- D: Archaeological Due Diligence Assessment – Austral Archaeology
- E: Bushfire Assessment – Peterson Bushfire
- F: Ecological Assessment – Eco Planning
- G: Urban Services Overview – Urban Water Solutions
- H: Contamination – Geotechnique
- I: European Heritage – Austral Archaeology
- J: Flooding, Civil, Stormwater and Water Cycle Management – Northrop
- K: Services Infrastructure – Northrop
- Q: Geotechnical – Geotechnique

These characteristics and suitability of the site for the Proposal are reflected in the overview of such studies presented following.

4.1 TRAFFIC ASSESSMENT

A Traffic Impact Assessment of the Proposal was undertaken by Transport and Traffic Planning Associates at. The assessment concluded that:

- The proposed subdivision road system will be appropriate.

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- There will be no adverse traffic implications.
- The provisions for vehicle access and servicing will be satisfactory.

It is further noted that the Village is serviced by limited buses and has a limited formalised pedestrian/cycle network.

(Refer to **Appendix B**)

the traffic generated by the development will not have a significant impact on the capacity of the road system.

4.2 FLORA AND FAUNA ASSESSMENT

Ecological Constraints Assessment has been undertaken by Eco Planning. It is reproduced at **Appendix "F"** with the conclusions summarised below.

The study area comprises:

- Land that has no ecological value (i.e. cleared land and exotic plantings).
- Native vegetation with high ecological value.

It was noted that:

- Any removal of more than 0.5ha of native vegetation will trigger the Biodiversity Offsets Scheme (BOS) and the need for a Biodiversity Development Assessment Report (BDAR).
- In accordance with the Biodiversity Assessment Manual (BAM) biodiversity credits will be required to offset native vegetation impacts.
- The assessment undertaken identified the need for approximately 19 credits (per ha) in respect of the PCT 1086 community (intact condition) and 14 credits (per ha) of the PCT 1086 (underscrubbed condition)

4.3 BUSHFIRE HAZARD ASSESSMENT

In respect of potential impacts from a bushfire hazard threat, Peterson Bushfire undertook an assessment of the potential bushfire threats related hazard management in accordance with *Planning for Bush Fire Protection 2019' (PBP)* and having regard to Section 9.1 Direction – Planning for Bushfire Protection. The assessment is reproduced at **Appendix "E"** with the salient conclusions summarised below:

The primary bushfire hazard consists of forests generally to the south and west of Wattle Street. These forests are contiguous with extensive areas of bushland further to the south and west. Secondary hazards consisting of low hazard corridors of forest exist to the north and east of Wattle Street. Surrounding properties to the west also present a potential grassland hazard from grazing paddocks.

Recommended bushfire protection measures to achieve the hazard management requirements are detailed to be:

- Provision of APZs to all identified bushfire hazards including forest to the south, grasslands to the west and low hazard corridors to the north and east.
- Required APZs are to feature public perimeter roads where not already provided by the existing road network (refer to **Figure 6** over).
- Vegetation and landscaping across road reserves and residential lots is to be maintained to achieve Inner Protection Area (IPA) standards.
- Alternate access points to the provided onto Wattle Street for the northern portion of the subject land.
- Public road design is to comply with Table 5.3b of 'Planning for Bush Fire Protection 2019'.
- Hydrants are to be installed along the public road network in accordance with *AS 2419.1:2005 – Fire hydrant installations: System design, installation and commissioning*.

It is noted that the ILP demonstrates compliant APZs and minimum access requirements, thereby providing a rigorous template for future subdivision.



Figure 6 Bushfire Hazard Analysis and Asset Protection Zone

4.4 CONTAMINATION/GEOTECHNICAL

A Preliminary Site Investigation (PSI) assessment in respect of the site was undertaken by Geotechnique at **Appendix H** in order to address State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4 – Remediation of Land and potential and past land contaminating activities. Geotechnique also undertook a geotechnical investigation of the site.

The contamination assessment concluded:

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Based on the information obtained in the preparation of this PSI report, it is considered that the site has the potential for contamination due to past and present site activities. It is our opinion that a detailed assessment with sampling and testing is required to address the potential contaminants listed in Section 7.0 of the report, preferably after the demolition of the existing features. If any contaminants are identified, the site can be made suitable for the proposed residential subdivision use following successful remediation and validation.

The geotechnical assessment concluded:

It should be noted that the pavement design may change if subgrade conditions and actual traffic load differs from those assumed in preparation of this report. Therefore, we recommend that the subgrade testing is carried out to confirm subgrade CBR value after completion of subgrade preparation.

4.5 HERITAGE ASSESSMENT (EUROPEAN)

In preliminary Historical Heritage Assessment was undertaken by Austral Archaeology Pty Ltd at **Appendix I** for the Proposal. The Assessment concluded that the study area has low potential to contain historic heritage values or significant archaeological remains, due to the lack of evidence to suggest that any of the land parcels had structures situated upon them prior to the 20th century, as well as pieces of evidence that suggest the study area was likely used for grazing and possibly horticultural purposes.

Furthermore, the Assessment recommended in summary:

1. No further heritage assessment is required.
2. No further archaeological assessment is required.
3. If historical archaeological relics not assessed or anticipated by this report are found during the works, all works in the immediate vicinity are to cease immediately and Statutory protocols be observed.

4.6 CULTURAL HERITAGE ASSESSMENT (ABORIGINAL)

Aboriginal Cultural Heritage Due Diligence was provided in respect of the Proposal by Austral Archaeology Pty Ltd (refer to **Appendix "D"**). The Assessment struggled somewhat with the level of "access" exposure to potentially sensitive areas. Notwithstanding, it is unlikely that aboriginal objects or landscapes will preclude residential subdivision generally.

However, in advancing a Planning Proposal to facilitate future residential subdivision it is critical that an assessment based on steps 1 to 4 of the Aboriginal Cultural Heritage Assessment (ACHA) protocol is undertaken, including:

1. consultation with local Aboriginal stakeholders
2. test excavations
3. possible salvage excavations
4. consultation with specialist archaeologists
5. Aboriginal ancestral remains actions (if encountered)

4.7 WATER CYCLE MANAGEMENT (INCLUDING STORMWATER MANAGEMENT)

A Water Cycle Management Study and Stormwater Report was undertaken by Northrop (Civil Engineering). The subject study/report is contained at **Appendix "J"** and addressed both water quantity and quality with the acknowledged context of the Sydney Drinking Water Catchment.

Water Quantity

A conceptual stormwater drainage system of pits and pipes is proposed within the proposed roads depicted in the ILP. A stormwater pit for each proposed lot is to drain to the street and be connected directly to the formal road drainage network.

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4.8.1 SEWER

Based on review of the Mittagong sewerage model, the nearest connection point to sewer is located at the east of the development site at manhole GH06091 located within 62-64 Wattle Street.

A DN150 gravity sewer flows north from this manhole to a sewage pumping station located at the rear of 92 Colo Road. The pumped flows are discharged into manhole GN01403 then gravitate approximately 3.5 km to the Mittagong Sewage Treatment Plant located on Drapers Road.

4.8.2 WATER

The six properties are included in the WSC water model with DN100 water mains in Wattle Street, Bignonia Street and Kawana Place. The township of Colo Vale is supplied by a local storage which in turn is supplied from the Willow Vale Reservoir. The Willow Vale Reservoir is supplied by the WSC Water Treatment Plant located at the Wingecarribee Dam on Sheepwash Road.

4.9 SERVICES

Northrop has provided information on the existing services at **Appendix K**, having regard to the proposed residential development identified in the ILP. The report identifies the status of existing electricity infrastructure and telecommunication infrastructure. Importantly base level infrastructure is in place, that subject to appropriate modelling can be augmented/reticulated to service the proposed development.

A summary of the status and implications of each utility is provided at Sections 4.9.1 and 4.9.2.

4.9.1 ELECTRICITY

There are three (3) existing substations located in Wattle Street (150KVA), Bignonia Street (63KVA) and Kawana Place (25KVA). The immediate High Voltage (HV) Network Infrastructure comprising an 11KV feeder was identified to currently have no space capacity to supply the proposed development. It was however, established that switching capacity would be made available to service the projected load.

The development proposal would occasion the need to provide underground mains reticulation to each proposed lot. This would entail extending the HV network, installation of PM substation/s and LV underground reticulation. Rationalisation of local aboveground infrastructure for the development site frontage may also be required.

4.9.2 TELECOMMUNICATIONS

Utility telecommunications cabling exists in underground conduits on street verges with regular access points through pits. No other known utility communications services are known to be located in the vicinity of the site. Existing NBN ducts are noted to reticulate along the local footpaths. The subject site is noted to contain an NBN lead-in conduit comprising of a single P20 conduit containing and 18 pair cable running through a type 5 pit located outside the site boundary.

4.10 CONSTRAINTS AND OPPORTUNITIES ANALYSIS

The preliminary conclusions in respect of the site qualities presented in an "overlay" configuration informed the final development of the ILP, depicted in **Figure 4**.

5 PRELIMINARY ENVIRONMENTAL CONSIDERATIONS

5.1 GENERAL

As documented at Section 4 and reproduced as Appendices, broad ranging technical specialist studies have been undertaken to provide a solid understanding of the environmental platform and infrastructure environment, to advance a relevant Planning Proposal Request.

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The most significant issues in moving forward are likely to revolve around:

- Bushfire hazard management.
- Total water cycle management.
- Engagement with the major utility service providers.
- Infrastructure servicing.

5.2 CONSULTATION

A relevant Planning Proposal will be subject to Community consultation in accordance with Council's Community Engagement Strategy and in particular the Community Participation Plan at Section 8.

Should Council support the Proposal it will be forwarded to the Department of Planning and Environment for a Gateway Determination. In the event of a positive Gateway Determination community consultation/public exhibition and government authority/agency consultation requirements will be outlined.

The recently adopted Local Environmental Plan Making Guideline recommends a maximum period of 20 days¹ for "standard" Planning Proposals and compliance with any local Council Community Participation Plan (CPP) and 30-40 days with Government Authorities/Agencies².

In accordance with Council's CPP, as relevant community consultation is likely to entail notification by letter/email to adjoining property owners and weekly advertising in the Southern Highland News for the duration of the exhibition period. The Planning Proposal will also be listed on Council's What on Exhibition page and notification of the exhibition will include in Council E-Newsletters.

The principal place of public exhibition is the Customer Service Counter at the Civic Centre, 68 Elizabeth Street, Moss Vale, NSW 2577 and the Planning Proposal is also available for view on Council's website and at all relevant libraries including Council's Rural Outreach & Delivery Service (ROADS) Mobile Library.

6 Discussion Points

It is considered that the planning review and preliminary specialist technical reports have demonstrated the strategic and site-specific merit of the Proposal and provide the platform for the advancement of a relevant Planning Proposal Request.

Council feedback, (at a Scoping Meeting) however, is sought in respect of the adequacy of such reports to inform consideration of a relevant PPR by the Local Planning Panel and Council, in the clear understanding that a Gateway Determination will definitively comment on any additional specialist supporting documentation that is required and engagement with public authorities/agencies.

It is respectfully suggested that it would be appropriate in the foreshadowed Scoping Meeting that Council officers responsible for review of the attached supporting technical documentation are available to articulate any preliminary views that they may have after an overview by the meeting host.

7 CONCLUSION

The SR has established a persuasive case for an amendment to Wingecarribee Local Environmental Plan, 2010 so as to permit development of the subject land for the purpose of low-density lifestyle housing.

The SR provides an opportunity of sensitively integrating with the existing Colo Vale Village and conserving the environmental, hydrological and visual sensitivities of the site and managing natural hazards, generally in accordance with the subdivision concept plan.

¹ Excluding the period 20 December to 10 January (inclusive)

² The inference being 30 days for "standard" proposals

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NSW RURAL FIRE SERVICE

Wingecarribee Shire Council
PO Box 141
MOSS VALE NSW 2577

Your reference: Dated 1/9/23
Our reference: SPI20230903000115

ATTENTION: Susan Stannard

Date: Monday 27 November 2023

Dear Sir/Madam,

**Strategic Planning Instrument
Rezoning - Draft Proposal**

The land is being assessed for inclusion in the Wingecarribee Local Housing Strategy following a resolution of Council on 14 July 2021 that it be considered as a future infill development opportunity in Colo Vale. However, in the preparation of the Wingecarribee Local Housing Strategy, Council placed strong emphasis on excluding land which would ultimately not be suitable for residential development due to constraints including potential bush fire hazard. Therefore, Council is seeking to determine at this stage whether the subject land can provide the residential yield envisaged in the scoping proposal.

I refer to your correspondence dated 01/09/2023 inviting the NSW Rural Fire Service (NSW RFS) to comment on the above Strategic Planning document.

The NSW RFS has considered the information submitted and provides the following comments.

Based upon an assessment of the information provided, NSW RFS does not object to the proposal, subject to the Concept Plan satisfactorily addressing the following issues:

- the provided concept plan appears to propose some lots that may not support a viable building envelope once suitable APZs are applied. These include but are not necessarily limited to lots 170, 171 and 116.
- the cul-de-sac in the northeastern corner of the proposal appears to be a dead-end road of approximately 235m. While a performance measure may be able to address this in any subsequent application for subdivision this is not a preferred outcome and should be noted as such.
- the assessment of vegetation to the west as grassland may require further verification as a desktop assessment indicates significant areas of forest within 140m.

For any queries regarding this correspondence, please contact David Webster on 1300 NSW RFS.

Yours sincerely,

Martha Dotter
**Supervisor Development Assessment & Plan
Built & Natural Environment**

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Department of Planning and Environment

Your ref: Wattle Street, Colo Vale
Our ref: DOC23/804207

Susan Stannard
Coordinator Strategic Outcomes
Wingecarribee Shire Council
68 Elizabeth Street
MOSS VALE NSW 2577

(Via email: susan.stannard@wsc.nsw.gov.au)

Subject: Pre-Planning Proposal Scoping Report Proposal to rezone land at Nos. 62-64, 66-68, 70-72, 74-76, 78-83 and 99-103 Wattle Street (Lot 1 // DP 708504, Lot 2 // DP 708504, Lot 3 // DP 708504, Lot 24 /23/ DP 2944, Lot 1 // DP 573852, and Lot 12 /24/ DP 2944) Colo Vale for the purposes of future residential development

Dear Susan,

Thank you for your letter via email 1/09/2023 seeking input from the Biodiversity and Conservation Division (BCD) of the Department of Planning and Environment. We have reviewed the following documents provided by Wingecarribee Shire Council:

- RFS response to pre-Planning Proposal Scoping report, 17 March 2023
- Strategic Bush Fire Study, Peterson Bushfire, 31 July 2023
- Bushfire Traffic Evacuation Assessment Report, August 2023
- Ecological Constraints Assessment, EcoPlanning, July 2022.

Firstly, BCD does not have an advisory or approval role for bushfire matters (such as assessing or determining asset protection zones (APZs) and access/evacuation). However, we do offer comments below on biodiversity from a conservation perspective and strategic planning framework. We are mindful that bushfire is a major issue for the proposal as well as for the Colo Vale locality and that the bushfire issues, in turn, have implications for the management of vegetation/bushland. Council should liaise with the NSW Rural Fire Service with bushfire issues prior to exhibition as a Planning Proposal.

In a strategic sense, BCD recognises the speculative nature of the proposed Colo Vale rezoning for Wattle Street. It may be that the broader housing issues in NSW may be a driver for the proposal. Furthermore, for Colo Vale, the Council's Local Housing Strategy only identifies the "Wensleydale" site for future residential land supply and, due to likely studies and reports needed, that site is a much longer-term proposition. As such, Wattle Street may be a precursor to further speculative urban rezonings within the Colo Vale footprint. This is not ideal given that ad hoc rezonings often come with ad hoc impacts to vegetation giving rise to cumulative loss. BCD considers there are benefits in taking a broader approach to both issues.

That is, BCD would encourage Council, in the interim, to defer any decision for Wattle Street, and to strategically consider the Colo Vale village footprint for residential intensification or expansion. This is especially so as "Wensleydale" is a long-term residential matter. This re-appraisal can also integrate with vegetation management as there are known local high environmental value lands and biodiversity corridors plus a need to deal with the bushfire issues (and the accompanying APZ

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requirements that can involve vegetation clearing). The value of vegetation to the local amenity, village character and urban cooling should not be overlooked given denser housing outcomes or allowance for smaller lots can incrementally result in cumulative loss of mature vegetation and/or result in limited space for replacement with larger trees.

It is suggested that Council can also consider the above strategic thinking in the context of a biodiversity certification pathway. If biodiversity certification is identified as a suitable mechanism, it can run in tandem at the larger planning scale - well beyond the subject lands - and lead to a more optimal land use outcome plus conservation benefits for the locality of Colo Vale.

The above comments are supported by Council's Local Housing Strategy that appropriately identifies the following Guiding Principle, "*Manage growth in a manner which endorses and promotes community values and protects our natural areas and rural landscapes*". Wattle Street can then be better understood in a strategic context and any rezoning/redevelopment can then be an asset supporting a clear framework.

The BCD provides additional detailed comments in **Attachment 1** on how this proposal may relate to the available strategic guidance including the Draft Southeast and Tablelands Regional Plan 2041, the Local Strategic Planning Statement and the Local Housing Strategy.

The Environmental Constraints Assessment by Ecoplanning (2022) identifies some aspects of the Biodiversity Offsets Scheme that may apply at later planning stages. We provide detailed comments in **Attachment 1** on Biodiversity Offsets Scheme thresholds, Plant Community Type technical advice relating to biodiversity credits and guidance on threatened species absence or presence in relation to survey effort. This may assist Council with later stages of this proposal and provide more context in interpreting the Ecoplanning (2022) assessment.

If you have any further questions about this matter, please contact Russell Moule, Senior Conservation Planning Officer, Biodiversity Conservation Division, at russell.moule@environment.nsw.gov.au.

Yours sincerely



Chris Page 21 09 2023
Senior Team Leader, Planning (Illawarra)
South East
Biodiversity & Conservation Division

Attachment 1 – Detailed Comments

Attachment 1 – Detailed Comments – Rezoning - Wattle Street, Colo Vale

Biodiversity Values - Strategic Guidance

The Draft Southeast and Tablelands Regional Plan 2041 (draft STRP) (Department of Planning and Environment, 2022) identifies high environmental value (HEV) lands and the region's network of biodiversity corridors. HEV mapping aims to provide a regional scale overview for use in strategic planning. The up-to-date mapping can be found at the NSW SEED Portal: www.seed.nsw.gov.au.

There is currently no HEV mapped within the subject lots, but within approximately 200m to west and 800m to east is a biodiversity corridor that is mapped as surrounding built up areas of Colo Vale except to its south-west, where there is other HEV land mapped. Rezoning to residential, and any similar future proposals for the local area, may be less sympathetic to the adjoining biodiversity corridor as the existing naturally vegetated areas offer support for the core HEV/corridor lands but also offers local amenity and future urban cooling values.

In relation to housing, the draft STRP recognises the need in Wingecarribee Local Government Area for land to enable growth to accommodate thousands of new homes, avoiding new settlements in subsidence areas, preferring Mittagong, Bowral and Moss Vale as a cluster that will be pivotal to the area's future, and medium density housing around each centre and in the identified greenfield residential areas of Moss Vale.

As part of the consideration for this strategic cluster, the draft STRP recognises a range of aspects when planning for growth such as change in local character, and heritage, environmental assets, natural hazards (including bushfire), and climate change.

The Colo Vale proposal is not within the "cluster" of Mittagong, Bowral and Moss Vale and, if advanced, would have implications for the broader configuration and densification of the urban area and would lead to ad hoc impacts which are considered less sympathetic for the remnant vegetation and habitat value.

It is possible that, should this planning proposal proceed, it would set a precedent for further similar rezonings and, ultimately, smaller lot residential subdivision that is outside of the draft STRP framework. This haphazard approach where small scale rezoning pressures prevail – possibly without conservation offsets at DA stage - may be better managed through deferring any decision until a wider strategic village context for intensifying housing within Colo Vale is understood. The integration of urban service/utility provision with managing the broader bushfire interface, addressing local character, optimising the village/urban footprint, the protection of nearby HEV lands and functioning of the biodiversity corridors will offer Council the added benefit of investigating the suitability for biodiversity certification that can run concurrently with any strategic land use change for Colo Vale. Conferral of biodiversity certification at the Planning Proposal stage delivers certainty and a more efficient development assessment process.

The Local Strategic Planning Statement (LSPS) (Wingecarribee Shire Council, 2020b) provides Precinct Plans and, relevant to Colo Vale and the Northern Villages, identifies that the residents of all these villages are immensely proud of their locality and keen to protect it from development pressure. The LSPS provides comment on opportunities for improvement including a greater housing choice to allow residents to stay within their own community as they age. Planning provisions are cited as such a mechanism to achieve this. BCD feels there is merit in approaching this at a strategic village scale to have a more structured rezoning regime that appreciates the broader servicing implications and environmental impacts. While there will be clearing impacts with the Wattle Street proposal, it is unclear at this stage, whether there will be the commensurate housing outcomes identified in the LSPS (eg. housing choice allowing local residents to stay within their community). BCD is concerned that ad hoc rezonings, such as Wattle Street, can result in cumulative biodiversity impacts. Rezoning are better understood via a strategic re-appraisal of Colo Vale's housing potential accompanied by the certainty afforded by a potential biodiversity certification conferral.

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The Local Housing Strategy (Wingecarribee Shire Council, 2020a) provides direction for both existing and new residential areas and seeks to strike a balance between infill and greenfield development to meet long-term housing needs that is consistent with community expectations and respects and enhances the character of their existing towns and villages.

There are six greenfield sites identified within the Strategy, one being the "Wensleydale" property already situated within Colo Vale approximately 1km east of the proposal. However, as outlined in this Strategy, "Wensleydale" was not an expedient solution as it lacked proximity to higher-level services and was flagged as a longer-term pursuit towards urban purposes. Conversely, this also suggests that Colo Vale would suit a strategic re-appraisal, in the interim, to assess intensifying the existing village footprint for shorter-term housing supply taking account of the key issues already identified like bushfire interface, servicing and balancing infill, density and smaller lot residential development. This could be concurrently assessed using the biodiversity certification pathway.

The Local Housing Strategy also identifies an appropriate Guiding Principle that supports the above approach: *Manage growth in a manner which endorses and promotes community values and protects our natural areas and rural landscapes.*

Biodiversity Offsets Scheme

The Ecological Constraints Assessment report prepared by EcoPlanning (2022) indicates that the Biodiversity Offsets Scheme (BOS) would apply based on the area clearing threshold. The report identifies the area clearing threshold as 0.5 hectares (ha). We understand that this would be based on the current minimum lot size (ie. 2ha) as identified in the Table of section 7.2 of the *Biodiversity Conservation Regulation 2017*.

Although clearing thresholds are not required to be resolved at this point, it should be noted that section 7.1 (3) of the *Biodiversity Conservation Regulation 2017* identifies that subdivision may be the first point where the BOS thresholds would be considered. Building envelopes, APZs, access and services are examples of where clearing may be required for the purposes for which the land is to be subdivided. Consideration (not limited to these examples) of the BOS thresholds can therefore occur at subdivision stage.

In addition, Council may wish to review other nuances to the area clearing threshold in section 7.2 of the *Biodiversity Conservation Regulation 2017* that relate to the number of lots concerned or the ownership of those lots so that the total area of proposed clearing is calculated wholistically.

As an observation, although the "ecosystem credits" identified in the EcoPlanning (2022) may be useful as a guide for the proponent, the Plant Community Type (PCT)1086 can no longer be entered into the Biodiversity Assessment Method (BAM) calculator as a result of eastern NSW PCT classification review. There are now new PCTs and proposed impacts would therefore be to these new PCTs, resulting in an ecosystem credit obligation to the new PCTs that can be entered into that calculator. There may also be a difference in price of such credits, this would also be influenced by market values.

Also resulting from the eastern NSW PCT classification review, the threatened species associated with legacy PCT such as PCT1086 may be slightly different to those associated with the new PCTs.

EcoPlanning (2022) also validate PCT924 in the subject site, and this may present some issues for an accredited assessor to enter into the BAM calculator as it is not currently associated with the subregion for the study area. An accredited assessor can find more details on this in the NSW Bionet Vegetation Information System.

It is important to mention that despite no threatened species being recorded during site inspections (see p.6 of EcoPlanning (2022) and the absence of "species credits"), it should not be concluded that there is an absence of threatened species that would use the subject site. Surveys for threatened

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species must be conducted during specific months of the year to conclude if a species does not require offsetting, otherwise, their presence must be assumed when applying the BAM. For the list of PCTs provided by Ecoplanning (2022), **Table 1** below identifies the applicable months for survey for each species. There are 13 species for PCT 1086 that have survey times outside the Ecoplanning site visits of 9 February 2022 (of 6 hours) and on 3 May 2022 (of 2.5 hours).

In addition, it is likely that more survey effort would be required to conform to relevant survey guidelines. For example, the Department of Planning, Industry and Environment (2020) specify 480 minutes for effort of a 500m transect, with 4 repeat surveys for the Red-crowned Toadlet. Although site visits occurred during suitable months for Red-crowned Toadlet, insufficient survey effort when applying the BAM would not be adequate to rule it out, and the species' presence must be assumed.

Table 1. Months of survey for Species Credit Species (or dual credit species for breeding habitat) associated with PCT 1086 and PCT 924 in the Burratorang Interim Biogeographic Regionalisation for Australia (IBRA) subregion compared to Ecoplanning (2022) site visits.

Scientific name	Common name	Months of survey	Months of survey -breeding	Surveyed in appropriate time?
<i>Acacia bynoeana</i>	Bynoe's Wattle	All year	N/A	
<i>Acacia flocktoniae</i>	Flockton Wattle	July to September	N/A	No
<i>Acacia pubescens</i>	Downy Wattle	All year	N/A	
<i>Anthochaera phrygia</i>	Regent Honeyeater	N/A	N/A	
<i>Callocephalon fimbriatum</i>	Gang-gang Cockatoo	N/A	October to January	No
<i>Calyptorhynchus lathamii</i>	Glossy Black-Cockatoo	N/A	January to September	
<i>Cercartetus nanus</i>	Eastern Pygmy-possum	October to March	N/A	
<i>Chalinolobus dwyeri</i>	Large-eared Pied Bat	November to January	N/A	No
<i>Grevillea raybrownii</i>	Grevillea raybrownii	October to December	N/A	No
<i>Heleioporus australiacus</i>	Giant Burrowing Frog	September to May	N/A	
<i>Helichrysum calvertianum</i>	Helichrysum calvertianum	August to February	N/A	
<i>Hibbertia puberula</i>	Hibbertia puberula	October to December	N/A	No
<i>Hieraaetus morphnoides</i>	Little Eagle	N/A	August to October	No
<i>Hoplocephalus bungaroides</i>	Broad-headed Snake	N/A	August to September	No
<i>Lathamus discolor</i>	Swift Parrot	N/A	N/A	
<i>Leucopogon exolasius</i>	Woronora Beard-heath	August to September	N/A	No
<i>Litoria booroolongensis</i>	Booroolong Frog	October to December	N/A	No
<i>Miniopterus australis</i>	Little Bent-winged Bat	N/A	December to February	
<i>Miniopterus orianae oceanensis</i>	Large Bent-winged Bat	N/A	December to February	
<i>Mixophyes balbus</i>	Stuttering Frog	September to March	N/A	
<i>Myotis macropus</i>	Southern Myotis	October to March	N/A	

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<i>Ninox connivens</i>	Barking Owl	N/A	May to December	
<i>Ninox strenua</i>	Powerful Owl	N/A	May to August	
<i>Persoonia acerosa</i>	Needle Geebung	All year	N/A	
<i>Persoonia bargoensis</i>	Bargo Geebung	All year	N/A	
<i>Persoonia glaucescens</i>	Mittagong Geebung	January to March	N/A	
<i>Persoonia hirsuta</i>	Hairy Geebung	All year	N/A	
<i>Petauroides volans</i>	Greater Glider	All year	N/A	
<i>Petaurus norfolcensis</i>	Squirrel Glider	All year	N/A	
<i>Petrogale penicillata</i>	Brush-tailed Rock-wallaby	All year	N/A	
<i>Phascolarctos cinereus</i>	Koala	All year	N/A	
<i>Phyllota humifusa</i>	Dwarf Phyllota	November to January	N/A	No
<i>Potorous tridactylus</i>	Long-nosed Potoroo	All year	N/A	
<i>Pseudophryne australis</i>	Red-crowned Toadlet	All year	N/A	
<i>Pteropus poliocephalus</i>	Grey-headed Flying-fox	N/A	October to December	No
<i>Pterostylis ventricosa</i>	Pterostylis ventricosa	March to May	N/A	
<i>Pultenaea glabra</i>	Smooth Bush-Pea	September to November	N/A	No
<i>Solanum armourense</i>	Solanum armourense	August to May	N/A	
<i>Tetradlea glandulosa</i>	Tetradlea glandulosa	August to November	N/A	No
<i>Tyto novaehollandiae</i>	Masked Owl	N/A	May to August	
<i>Tyto tenebricosa</i>	Sooty Owl	N/A	April to August	

Note: certain species may have habitat constraints that may exclude them from survey, these details are not available in Ecoplanning (2022).

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8.2 Minor Variation to Nattai Ponds Voluntary Planning Agreement

Report of: Deniz Kilic
Executive Manager Strategic Outcomes

Authorised by: Lisa Miscamble
General Manager

PURPOSE

The purpose of this report is to consider a proposed minor variation to Nattai Ponds Voluntary Planning Agreement (VPA) through a Fourth Deed of Variation. The variation relates to a VPA item that requires roadworks and shared path to be constructed at Beresford Street Braemar.

THIS MATTER WAS CONSIDERED BY THE WINGECARRIBEE LOCAL PLANNING PANEL ON 24 JANUARY 2024

OFFICER'S RECOMMENDATION

THAT:

- 1. Council endorse the minor variation as proposed, with street trees and landscaping be provided to enhance and beautify Beresford Street in lieu of wider road pavement.**
- 2. Council note that this variation does not require public notification given minor and immaterial nature of variation, noting prior exhibition of VPA and further noting DA underwent exhibition at the time.**
- 3. The General Manager be delegated authority to sign the Deed of Variation to the Nattai Ponds Voluntary Planning Agreement as per the conditions of this report.**

LOCAL PLANNING PANEL'S ADVICE

This matter was considered at the Local Planning Panel meeting of 24 January 2024 and the Panel advised as follows:

- The Panel endorses the Council Officer's opinion that the variation is minor and should be supported with street trees and landscaping being provided to enhance and beautify Beresford Street in lieu of wider road pavement.
- The Panel endorses the Council Officer's opinion to not require public notification given the minor and immaterial nature of the variation, noting prior exhibition of the VPA and further noting the DA underwent exhibition at the time.

REASONS: As outlined in the Council Officer's report.

VOTING: 4:0

REPORT

MINOR VARIATION TO NATTAI PONDS VPA

Introduction

The Nattai Ponds residential subdivision development is located at 71-72 Old Hume Highway Braemar NSW, comprising Lot 2 and Lot 3 DP 607486 and Lots 1 to 8 DP1044854.

The 252-lot subdivision was approved in 2013 and incrementally delivered across Stages 1 to 4 since that time. The final Stage 4 subdivision has been built and comprises 44 lots.



Section 138 Approval

A Section 138 (under the Roads Act 1993) Approval was issued on 5 October 2023 for *driveway construction work, dig up or disturb the surface of a public road, pavement work including kerb and gutter and stormwater drainage construction work.*

Condition 18 of the Approval requires conditions to be satisfied prior to issue of the Section 138 Final Certificate. The condition requires a modification of the Nattai Ponds VPA Schedule 1 Clause 9 to reference the approved roadworks plans.

CONDITIONS TO BE SATISFIED PRIOR TO ISSUE OF THE FINAL CERTIFICATE

18. Voluntary Planning Agreement amendment

The applicant shall submit documentation to modify the Voluntary Planning Agreement Schedule 1 Clause 9 to reference the approved "Proposed Beresford St. Upgrade Old Hume Highway Braemar, Sheets 1 – 13, Revision C, Dated 22/09/23" by CDS. The Voluntary Planning Agreement shall be amended to Council's satisfaction and executed prior to the issue of Section 138 Final Certificate.

The approved roadwork plans referenced as "Proposed Beresford St Upgrade Old Hume Highway Braemar, Sheets 1-13, Revision C, Dated 22/09/23" consist of a 9m wide pavement, kerb and gutter and shared path that is 2.5m wide generally with pinch points of 1.9m width due to existing utility services.

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Nattai Ponds Voluntary Planning Agreement (VPA)

The original Nattai Ponds VPA was executed on 11 April 2013 and amended three (3) times for various matters since that time. Schedule 1 Clause 9 Item 7 of the VPA requires upgrade of Beresford St to form an 11m wide pavement with kerb and gutter on each side and shared path on one side at 2.5m.

7. Road works – Beresford Street upgrade	Roads and traffic	Upgrade of Beresford Street from the boundary of the Development on Beresford Street to the intersection of Balaclava Street, to 11m wide pavement with kerb and gutter on each side and shared pathway on one side at 2.5m. Works to be in the location shown on and in accordance with a plan prepared by the Developer at its cost and submitted to and approved by the Council.	Prior to the issue of the Subdivision Certificate that creates the last Final Lot in Stage 4.	\$362,747.00
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Therefore the VPA requires a minor variation to reconcile the approved roadworks plans referenced in the Section 138 Approval and satisfy its condition 18. The minor variation to the VPA will reconcile:

Upgrade of Beresford Street to a 9m wide pavement, rather than 11m wide pavement,

Shared pathway that is 2.5m wide generally with pinchpoints of 1.9m due to existing utility services.

The road reserve at Beresford Street is not wide enough to accommodate an 11m wide pavement and a 2.5m wide shared pathway and existing kerb and gutter and utility services. A site inspection on 23 November 2023 confirmed the facts on the ground and deemed the rationale for the variation to be fair and reasonable.

The pinchpoints for the shared path width is deemed negligible given the width in 2.5m generally.

In lieu of a wider Beresford Street, street trees and landscaping are proposed to demonstrate public benefit. This is a fair and reasonable outcome for a VPA that relates to the final stage of an approved development.

Proposed wording to be inserted to vary the VPA reads as follows:

On and from the date of this Deed, Column 3 of Item 7 of Schedule 1 of the Planning Agreement is deleted and replaced with the following: “Upgrade of Beresford Street from the boundary of the Development on Beresford Street to the intersection of Balaclava Street, in accordance with the plans entitled Proposed Beresford St. Upgrade Old Hume Highway Braemar, Sheets 1 – 13, Revision C, Dated 22/09/23 prepared by CDS, and provide 10 x 45L trees and 300 x 150mm plants on Beresford Street as per the Street Tree Master plan and planted accordingly to Wingecarribee Street Tree Implementation Plan 2016”.

The following explanation of intended effect is proposed to be inserted:

Effect of the Draft Deed

The Draft Deed varies the works involving the upgrade of Beresford Street from a road with an 11 metre wide pavement with kerb and gutter each side and shared pathway 2.5m wide, to a 9 metre wide pavement with kerb and gutter each side and shared pathway that is 2.5 metres wide generally (minimum 1.9 metres wide only where service utilities require lesser width). This variation is due to the road reserve at Beresford Street not being wide enough to accommodate an 11 metre wide pavement and a 2.5 metre wide shared pathway and existing kerb and gutter and utility services. In lieu of a

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widened Beresford Street, landscaping is required to demonstrate public benefit, including a minimum of 10 street trees and 300 plants on selected verges to enhance and beautify Beresford Street.

STREETS NOT SHOWN FOR STRATEGIC PLANTING		
Verges with unrestricted Planting Space (>1.5m)		
Location	Botanical Name	Common Name
Under Power Lines	Callistemon viminalis	Weeping Bottlebrush
	Lagerstroemia fauriei 'Fantasy'	White Flowering Crepe Myrtle
	Tristaniopsis laurina	Water Gum
Not Under Power Lines	Acer platanoides	Norway Maple
	Brachychiton populneus	Kurrajong
	Celtis australis	Nettle Tree
	Eucalyptus cinerea	Argyle Apple
	Lophostemon confertus	Brush Box
	Melaleuca linarifolia	Narrow-leaved Paperbark
	Melia azedarach 'Caroline'	White Cedar
	Nyssa sylvatica	Sour Gum
	Taxodium distichum	Swamp Cypress
	Ulmus parvifolia 'Todd'	Chinese Elm
Waterhousea floribunda 'Green Avenue'	Green Avenue Lilly Pilly	

STREETS NOT SHOWN FOR STRATEGIC PLANTING		
Verges with restricted Planting Space (<1.5m)		
Location	Botanical Name	Common Name
Under Power Lines	Callistemon viminalis	Weeping Bottlebrush
	Lagerstroemia fauriei 'Fantasy'	White Flowering Crepe Myrtle
Not Under Power Lines	Melaleuca styphelioides	Prickly Paperbark
	Nyssa sylvatica	Sour Gum
	Pyrus calleryana 'Chanticleer'	Callery Pear
	Tristaniopsis laurina	Water Gum

Next steps

The minor variation to the Nattai Ponds VPA is recommended for support. A Fourth Deed of Variation shall be prepared with the Applicant and presented to Council at its meeting scheduled for 21 February 2024.

It is recommended the proposed variation to the Nattai Ponds VPA not undergo public notification given the minor and immaterial nature of variation, noting prior exhibition of the VPA and further noting the original DA underwent exhibition at the time. The NSW Department of Planning Practice Note on Planning Agreements dated February 2021 provides guidance for public notification, with discretion afforded for immaterial variations to a VPA. The Section 138 Approval references roadworks plans that have already been approved and the condition to vary the VPA is a requirement prior to the issue of a Final Section 138 Certificate. The proposed variation is minor and immaterial in nature.

The proposed outcome is fair and reasonable, facilitating good VPA negotiation outcomes and achieving public benefit by enhancing and beautifying Beresford Street with street trees and landscaping in lieu of pavement.

COMMUNICATION AND CONSULTATION

Community Engagement

Broader community engagement is not required as the original Development Application and original VPA have already undergone extensive community consultation at the time.

Internal Communication and Consultation

Internal consultation has occurred, led by Council's Executive Manager Strategic Outcomes.

External Communication and Consultation

Further external consultation is not required as the proposed variation is minor and immaterial in nature.

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report. The proposed outcome enhances our Shire environment by requiring additional landscaping and new street trees to beautify and enhance Beresford Street Braemar.

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. This a local matter with mutually beneficial outcomes for the community, applicant and Council.

Culture

There are no cultural issues in relation to this report.

Governance

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

The proposed changes to the VPA have no immediate impact on Council's financial position.

It is noted that additional maintenance budget will be required in Council's Long Term Financial Plan to fund the additional street tree maintenance when the assets transitioned to Council, along with the other infrastructure assets.

RELATED COUNCIL POLICY

Assessment has been made against Council's VPA Policy, which requires revision in early 2024 to reflect the NSW Department of Planning Practice Note on Planning Agreements dated February 2021 that provides guidance for public notification, with discretion afforded for immaterial variations to a VPA.

CONCLUSION

The minor variation to Nattai Ponds VPA is recommended for support, with street trees and landscaping to be provided to enhance and beautify Beresford Street in lieu of wider road pavement.

ATTACHMENTS

1. 23/1425 Stamped Plans Kamilaroi Crescent Braemar S 68-2023-83 - **Under Separate Cover** [8.2.1 - 13 pages]
2. 23/1425.02 Notice of Determination Beresford Street Braemar R A-2023-4427 - **Under Separate Cover** [8.2.2 - 7 pages]
3. Nattai Pond VPA- **Under Separate Cover** [8.2.3 - 46 pages]

8.3 Fitz Roy Iron Works Precinct (and moveable heritage) Notice of Intention to Consider Listing the on the State Heritage Register

Report of: Sarah Farnese
Senior Strategic Planner

Authorised by: Deniz Kilic
Executive Manager Strategic Outcomes

PURPOSE

The purpose of this report is to inform Council of the Notice of Intention to consider listing the *Fitz Roy Iron Works Precinct (and moveable heritage)* on the State Heritage Register that was received from Heritage NSW (NSW Department of Planning and Environment – now Department of Climate Change, Energy, the Environment and Water) in late December 2023.

This report provides details of the affected properties, discusses the implications on affected Council assets and presents a draft submission to the Heritage Council of NSW in support of the proposed listing for Council’s consideration and endorsement.

OFFICER’S RECOMMENDATION

THAT Council:

- 1. Endorse in principle, the proposal to list the *Fitz Roy Iron Works Precinct (and moveable heritage)* on the State Heritage Register.**
- 2. Support the recommended State Heritage Register curtilage and the site-specific exemptions proposed for the Ironmines Oval site at 42A Bessemer Street, Mittagong (namely part of Lot A DP 26366, the whole of Lot 19 DP 26366, and part of the remnant road reservation between those lots).**
- 3. Endorse the submission to the Heritage Council of NSW attached to this report AND THAT the submission be signed by the General Manager and sent to the Heritage Council of NSW through the Department of Climate Change, Energy, the Environment and Water.**

REPORT

BACKGROUND

On 21 December 2023, Council received a Notice of Intention to consider listing a precinct along the Old Hume Highway in Mittagong on the State Heritage Register (SHR) to be referred to as the *Fitz Roy Iron Works Precinct (and moveable heritage)* in recognition of the importance of the Fitz Roy Iron Works to the history and heritage of NSW. The SHR is the register of items of significance to the whole of the State of NSW.

REPORT

The Heritage Council of NSW have notified their intention to consider the listing of the remaining components of the Fitz Roy Iron Works in Mittagong on the SHR.

A copy of the Notice of Intention to consider listing on the SHR is contained at **Attachment 1** and the supporting heritage inventory sheet which provides a detailed description, context and justification for the proposal is contained at **Attachment 2**.

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The proposed Statement of Significance from the heritage inventory sheet (**Attachment 2**) commences with the following:

The Fitz Roy Iron Works Precinct (and moveable heritage) is likely of State heritage significance for its historical importance as the first site in NSW where iron was smelted from native ores and processed for commercial purposes. It was a pioneering site in Australia in this regard. The precinct demonstrates the earliest phase of the development of a viable iron industry in Australia. The phases of development and failure evident in the fabric of the precinct (and moveable heritage) reflect the commercial optimism of the mid-19th century and the impact of the global 'iron rush' of the 1870s.

The proposed listing comprises the following components:

1. ***Iron Works Archaeological Site—193-203 Old Hume Highway, Mittagong (whole of Lot 2 DP 1142703)***

In the basement car park of the Highlands Marketplace shopping centre there is an archaeological display of the remains of the initial period of operation of the Fitz Roy Iron Works through the 1840s and 1850s. The site is currently listed as an archaeological site of local heritage significance in Schedule 5 of the Wingecarribee Local Environmental Plan (WLEP) 2010.

2. ***Ironstone Cottage—185 Old Hume Highway, Mittagong (whole of Lot 4 DP 1142703)***

Ironstone Cottage is the currently home of Bangkok House Thai Restaurant. The building may have commenced construction as early as the 1860s and with later alterations between the mid-1870s to the early-1890s when it was probably used as the Fitz Roy Iron Works site manager's cottage. It is the only remaining intact above ground remains of the Fitz Roy Iron Works and it listed as a heritage item of local significance in Schedule 5 of the WLEP 2010.

3. ***Blast Furnace Archaeological Site—Ironmines Oval, 42A Bessemer Street, Mittagong (part of Lot A DP 26366, whole of Lot 19 DP 26366, and part of the remnant road reservation)***

This site contains the remains of the footings of the blast furnace and associated structures and represents a later period of development of the Fitz Roy Iron Works (1860s-1870s). It is readily identifiable by the large memorial stone cairn that was erected in 1948 by the Royal Australian Historical Society and BHP in recognition of the site to the history of the iron industry in Australia. The photo at **Figure 1** shows the Fitz Roy Iron Works structures that once sat on this site. The stone footings of the blast furnace (the round building just left of centre in the Figure 1 photo) are preserved on this site along with a drain cut into the stone bedrock. This site is listed as both a general heritage item and an archaeological site of local significance in Schedule 5 of the WLEP 2010.

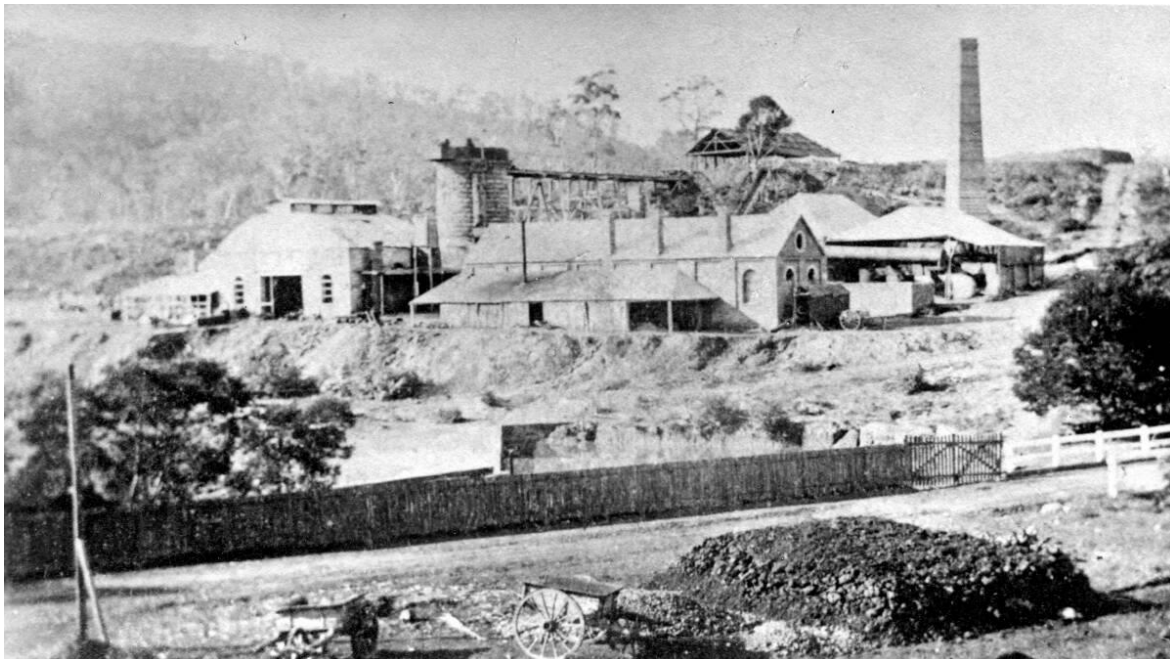


Figure 1: Fitz Roy Iron Works Blast Furnace site in the 1870s on the present site of Ironmines Oval. Photo courtesy of the Berrima District Historical and Family History Society.

4. ***Highlands Marketplace Moveable Heritage Collection***—currently housed at various locations at 193-203 Old Hume Highway, Mittagong
The items of moveable heritage include the two Chilean mill stones located outside Lincraft on the upper level, and smaller items located in a glass display case at the bottom of the escalators on the basement level along with other items housed in a relics room.
5. ***Aldi Mittagong Moveable Heritage Collection***—Currently housed at 181-183 Old Hume Highway, Mittagong
These items are located in a glass display case at the entry to the Aldi store and were discovered on the site during the construction of the building.

Sites 1, 2 and 3 listed above are shown on the curtilage plans contained at **Attachment 3**. The curtilage determined for the *Blast Furnace Archaeological Site* at Ironmines Oval is based on a sketch of estimated building locations from the Blast Furnace era (1860s to 1870s) shown in **Figure 2** below.



Figure 2: Sketch plan of estimated location of buildings on the site during the 1860s and 1870s (Prepared by Heritage NSW from available sources).

Impact on operational aspects of Ironmines Oval

There are likely to be some minor impacts on the operational aspects of Ironmines Oval for works within the SHR curtilage if the listing proceeds. However, Heritage NSW is cognisant of this and is proposing the following inclusion within the listing to specifically identify non-significant or intrusive fabric, thereby opening up exemption pathways for minor repairs and alterations to those identified elements:

For the purposes of the Heritage Council of NSW Standard Exemptions the memorial cairn and its associated features (constructed in 1948 by the RAHS and BHP), the modern metal fence around the stone lined drain, the asphalt access road, the modern interpretation and wayfinding signs, the telegraph poles and lines, and any modern fencing on the boundaries of surrounding properties and roads are considered to be intrusive or non-significant fabric.

In addition, Heritage NSW is proposing two site-specific exemptions for the *Blast Furnace Archaeological Site* to allow exemptions to be used for vegetation and access road maintenance and repair works within the SHR curtilage. The wording of these site-specific exemptions are included below.

EXEMPTION: BLAST FURNACE ARCHAEOLOGICAL SITE: ROAD MAINTENANCE AND REPAIRS

The following specified activities and works at the Blast Furnace Archaeological Site do not require approval under subsection 57(1) of the Heritage Act 1977 if the specified activities and works are undertaken in accordance with each of the relevant standards prescribed below.

Specified activities and works:

- (a) All works and activities associated with the maintenance and repair of the access road.

Relevant standards:

- (a) Works and activities must not result in the disturbance or removal of archaeological relics as defined by the Heritage Act 1977

- (b) If relics are discovered, work must cease in the affected area and the Heritage Council of NSW must be notified in writing in accordance with section 146 of the *Heritage Act 1977*. Depending on the nature of the discovery, assessment and an excavation permit may be required prior to the recommencement of work in the affected area.

EXEMPTION: BLAST FURNACE ARCHAEOLOGICAL SITE: VEGETATION

The following specified activities and works at the Blast Furnace Archaeological Site do not require approval under subsection 57(1) of the *Heritage Act 1977* if the specified activities and works are undertaken in accordance with each of the relevant standards prescribed below.

Specified activities and works:

- (a) All works and activities to manage or control trees and vegetation, including removal.

Relevant Standards:

- (a) Works and activities must not result in the disturbance or removal of archaeological relics as defined by the *Heritage Act 1977*
- (b) Removal of trees and/or plant material must not disturb archaeological relics (for example through stump grinding or removal of tree boles, in such situations stumps and tree boles should be left in place).
- (c) If relics are discovered, work must cease in the affected area and the Heritage Council of NSW must be notified in writing in accordance with section 146 of the *Heritage Act 1977*. Depending on the nature of the discovery, assessment and an excavation permit may be required prior to the recommencement of work in the affected area.

These proposed site-specific exemptions along with the list of non-significant fabric have been included in internal consultations with relevant Council officers and no objections or amendments were made.

The ability to access exemptions for items on the State Heritage Register can be of considerable benefit to an owner in undertaking works to non-significant fabric both in terms of cost and time. The inclusion of the site-specific exemptions are supported.

Submission

The submission period for the SHR proposal has officially ended. However, Council has been permitted to lodge a late submission to allow Council endorsement of its submission. A copy of the draft submission is contained at **Attachment 4**. If Council adopts the officer's recommendation to this report, this submission will be signed by the General Manager and sent to the Heritage Council of NSW as Council's official submission.

COMMUNICATION AND CONSULTATION

Community Engagement

This is a Heritage Council of NSW proposal which has been notified and promoted through their normal community engagement channels. It is noted that the submission period has closed but Council has been permitted to lodge a late submission.

Internal Communication and Consultation

The following Teams were consulted on the proposal via email. The information included with the email(s) comprised the proposed curtilage and details of site-specific exemptions:

- Assets
- Business & Property
- Development Assessment
- Environment and Sustainability
- Community Life and Libraries
- Shire Presentation (including Open Space and Buildings, and Tree Management)

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Assets and Tree Management had no objection to the site-specific exemptions. No other Teams raised any objections or made any comments.

A meeting between Strategic Outcomes, Assets and Community Life and Libraries officers resulted in further negotiations with Heritage NSW over the proposed curtilage on the road reserve allotment which has been subsequently reduced from that which was originally notified. The revised curtilage has reduced the curtilage on the southern part of the road reserve allotment as shown in the *Blast Furnace Archaeological Site* recommended curtilage plan included in **Attachment 3**.

External Communication and Consultation

No external consultation was undertaken.

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

The proposed State Heritage Register listing over part of the Ironmines Oval site may add an additional layer of consideration and approvals in any comprehensive development proposal for the site. However, the area is relatively small and located in a discrete area on one of the corners of the site so it is unlikely to impact on the ongoing use or economic viability of the site.

Culture

The site is very important component in the story of industrial development in Mittagong and the establishment of the town of Mittagong. State Heritage recognition of the importance of this early local industry is supported in principle.

Governance

As outlined in this report, State Heritage Register listing of the site would potentially add another layer of approvals onto works on the site. However, considerable effort has been made to ensure that minor works to non-significant fabric in the proposed curtilage area can utilise exemption processes, thereby reducing the cost and complexity of minor works in this area.

COUNCIL BUDGET IMPLICATIONS

There are no immediate budget implications. However, State Heritage Register listing would need to be taken into account in the planning and implementation of any development proposals affecting that part of the site.

RELATED COUNCIL POLICY

The Community Strategic Plan, Wingecarribee 2041, states as one of its strategies under the goal of "Unique Towns, Villages and Rural Landscapes" to be "Identify, protect and promote places of significant cultural heritage". Although the three physical sites subject to the proposed SHR listing are already listed as local heritage items, the elevated recognition of these sites directly relates to the community's vision, goals, strategies and measures as articulated in the Community Strategic Plan.

CONCLUSION

The proposed listing of the *Fitz Roy Iron Works Precinct (and moveable heritage)* on the State Heritage Register recognises the high level of heritage significance of this precinct and the listing is supported in principle. In relation to the proposal as it affects a Council owned site—Ironmines Oval at 42A Bessemer Street, Mittagong—the recommended curtilage is considered to be reasonable in size, intrusive or non-significant elements have been identified to ensure works to these elements can be undertaken with minimal intervention, and site specific exemptions have been proposed to cover vegetation management and maintenance to the road. A draft submission to the proposal is attached to this report and it is recommended that Council support the proposal and endorse the submission for lodgement with the Heritage Council of NSW.

ATTACHMENTS

1. Letter to Council - Notice of Intention to list the Fitz Roy Iron Works Precinct (and moveable heritage) on the State Heritage Register – **Under Separate Cover** [8.3.1 - 7 pages]
2. Proposed heritage inventory sheet for Fitz Roy Iron Works Precinct (and moveable heritage) - **Under Separate Cover** [8.3.2 - 57 pages]
3. Revised Curtilage Plans for the Fitz Roy Iron Works Precinct - **Under Separate Cover** [8.3.3 - 3 pages]
4. Draft Submission to Heritage Council of NSW re Fitz Roy Iron Works Precinct (and moveable heritage) State Heritage Register proposal- **Under Separate Cover** [8.3.4 - 4 pages]

8.4 Draft Wingecarribee Community Heritage Study - Update on Independent Peer Review

Report of: Deniz Kilic
Executive Manager Strategic Outcomes

Authorised by: Lisa Miscamble
General Manager

PURPOSE

The purpose of this report is to provide an update on the Independent Peer Review of the draft Wingecarribee Community Heritage Study.

THIS MATTER WAS CONSIDERED BY THE WINGECARRIBEE LOCAL PLANNING PANEL ON 24 JANUARY 2024

OFFICER'S RECOMMENDATION

THAT Council:

- 1. Note the update on the appointment of the Consultant to undertake the independent Peer Review of the draft Wingecarribee Community Heritage Study 2021-23.**
- 2. Note the proposed timeline for public exhibition of the peer-reviewed draft Study in accordance with Council Resolution dated 13 December 2023.**
- 3. Allocate \$22,000 at the next quarterly budget review to fund the heritage peer review.**

LOCAL PLANNING PANEL'S ADVICE

This matter was considered at the Local Planning Panel meeting of 24 January 2024 and the Panel advised as follows:

The Panel endorses the proposed timeline for public exhibition of the peer-reviewed draft Study in accordance with Council resolution dated 13 December 2023.

Staff response:

The Panel's advice is consistent with the Officer's recommendation in relation to this matter. As a result, no changes have been made to the report as considered by the Panel.

REPORT

INDEPENDENT PEER REVIEW OF DRAFT COMMUNITY HERITAGE STUDY

Introduction

The draft Wingecarribee Community Heritage Study 2021-2023 explored places of potential heritage significance through a genuine partnership with local volunteer heritage and history specialists.

The draft Study culminated in identifying potential heritage items and heritage conservation areas and extensions to existing heritage conservation areas.

The draft Community Heritage Study underwent community consultation in October and November 2023. The consultation period included online engagement, drop-in information sessions across our towns and villages, inviting broader engagement and formal submissions.

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Council staff are collating submissions received during this period, equating to approximately 120 submissions. Most of these submissions are expected to be objections to recommended heritage listing, and these items are known as “contested items”.

The remaining 371 proposed heritage items and proposed conservation areas are generally referred to as “uncontested items”.

A report to the December 2023 Council provided options for peer review, including a full scope option and phased scope option to better balance scope, timeframes and costs. The professional officer’s recommendation was for a two-phase assessment peer review, to utilise internal staff resourcing to manage the scope and costs for the peer review.

On 13 December 2023 Council resolved the following:

THAT Council:

- 1. Council receive and note the report and Council Officer's play no further role in the matter.*
- 2. Council support the option for peer review of the Community Heritage Study and all submissions received in response to the public consultation process with the view to the final Heritage Study and Planning Proposal being submitted to the NSW Department Planning Department for Gateway determination no later 30 June 2024.*
- 3. The cost for the independent peer review of the Community Heritage Study and exhibition of same by a suitably qualified heritage contractor reporting directly to the General Manager be considered as part of the December budget quarterly review.*
- 4. In relation to point 2, it will be necessary for the General Manager to prepare a timeline for public exhibition of the final draft study for consideration by both the Planning Panel and Council.*
- 5. The General Manager be delegated authority to place the draft Community Heritage Study, post peer review on public exhibition.*

DECLARED CARRIED BY THE ADMINISTRATOR

This report responds to the resolution of 13 December 2023, to provide a timeline for public exhibition of the final draft study post-peer review.

Operationalising the Peer Review

The timeline required by the Council Resolution of 13 December 2023 is not achievable, based on requests for quotations from suitably qualified heritage professionals and an intensive selective procurement process.

Submission of the peer reviewed Heritage Study for Gateway Determination by 30 June 2024 is not achievable.

The proposed timeline extends the milestone submission for Gateway milestone to December 2024. No further options are known at this time.

Scope of Peer Review

The scope is to conduct a peer review of the draft Wingecarribee Heritage Study and all submissions (approximately 120) received in response to the public consultation process.

The outcome is for the independent peer reviewer to form a professional opinion and provide a recommendation. This professional opinion and recommendation shall be based on the content of the draft Study, community submissions and a site visit of the proposed heritage item or conservation area.

Methodology of Peer Review

The Independent heritage peer reviewer received a documentation package. This project initiation meeting was held in January.

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The documentation included:

- Draft Wingecarribee Community Heritage Study
- Spreadsheet of proposed items and areas
- Evidence Sheets by Locality x 18
- Up to 120 Submissions

After the project initiation meeting, an “ethical wall” between the heritage contractor and Council staff has been put in place to ensure the rigour and independence of the peer review. This “ethical wall” responds to the Council resolution of 13 December 2023 and community expectations for an independent peer review.

Any correspondence from the heritage contractor will be via the General Manager and Executive Manager Strategic Outcomes only, for the duration of the “ethical wall”.

Any conflicts of interest will be declared by the heritage professional. Any conflicts of interest shall be suitably managed by exclusion or variation and can be negotiated with the General Manager and the Executive Manager Strategic Outcomes only.

This approach responds to community expectation and the Council resolution of 13 December 2023 for a rigorous and independent peer review of the draft Heritage Study.

PROPOSED TIMELINE

Timeframe	Milestones
22 January 2024	Peer Review initiated with consultant
15 May 2024	Peer Review Finalised
15 May 2024	Consultant presents peer-review outcomes to LPP
29 May 2024	Extraordinary LPP consider peer-reviewed draft Heritage Study
19 June 2024	Council considers peer-reviewed draft Heritage Study to proceed to 28-day public exhibition
19 July 2024	Peer-reviewed Study exhibition period concludes
31 July 2024	Extraordinary LPP considers outcomes of public exhibition and makes recommendation to proceed to Gateway determination
7 August 2024	Council considers outcomes of peer review and LPP advice and considers proceeding to Gateway determination
14 August 2024	Council caretaker mode commences

DELIVERABLES

The heritage peer reviewer is required to submit three (3) deliverables:

1. Master Spreadsheet summarising professional opinion, under the following explanatory heading tabs:
 - Reference Number from Spreadsheet
 - Suburb
 - Address
 - Item Name
 - Property Description
 - Heritage Item (Council Officer) Recommended – Yes or No
 - Submissions - Objection or Support or Neutral
-

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- Professional Opinion of Independent Heritage Peer Reviewer – Recommended Listing or Not Recommended
2. Summary of methodology and heritage peer review approach to reach a professional opinion and recommendation. A brief explanation shall be provided for any contested matters, where a submission objects to the proposed heritage listing or the peer reviewer disagrees with the recommendation in the draft Study.
 3. Summary of heritage qualifications and experience of the independent peer reviewer on letterhead.

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental impacts 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 Planning Proposal (will be / has been) processed in accordance with relevant legislation and Departmental guidelines.

COUNCIL BUDGET IMPLICATIONS

It is recommended that a budget allocation of \$22,000 be made at the next quarterly budget review to fund the heritage peer review.

RELATED COUNCIL POLICY

There are no Council policies related to this report.

CONCLUSION

The proposed peer review is a balanced approach to scope, timeframes and costs. It noted the proposed timeframes are ambitious and requires timely delivery of all milestones.

Council is requested to note the update and timeline for the independent peer review of the draft Wingecarribee Community Heritage Study.

ATTACHMENTS

Nil

9 REPORTS

9.1 Bulky Waste Collection Service - Preferred Option

Report of: **Clinton McAlister**
Manager Waste and Resource Management

Authorised by: **Adan Davis**
Director Communities and Place

PURPOSE

The purpose of this report is present to Council the analysis undertaken and options for the ongoing provision of a Bulky Waste Collection Service across the Shire. Based on community feedback received, it is recommended that Council continues to provide a Bulky Waste Collection Service into the future, in one form or another, funded through domestic waste management annual charges rather than the previous user pays system. The report recommends a pre-booked model as the preferred option for this service, based on value proposition.

OFFICER'S RECOMMENDATION

THAT Council:

- 1. Confirm that a Bulky Waste Collection Service continue to be made available to residents into the future and be included in the requirements for future contracts.**
- 2. Endorse the change to the bulky waste collection model from scheduled to a pre-booked service.**
- 3. Endorse an annual entitlement of two (2) collections per financial year for each eligible resident capped at 16800 collections in total per annum.**
- 4. Endorse the entitlement to the service, to be the provision of a Domestic Waste Service to the premise.**
- 5. Delegate to the General Manager authority to execute a variation to the Collections and Haulage Contract to establish a pre-booked (on call) Bulky Waste Collection Service.**

REPORT

BACKGROUND

Prior to 2022, Council provided a bulky waste kerbside collection service under a user pay system. This was reflected in the waste collection contract which facilitated two collection cycles per year, where bookings are taken, and payment made prior to residents using the service.

At the Council meeting held on the 12 May 2021, the draft Operational Plan and Budget was adopted for the purposes of public exhibition. Incorporated into this resolution was the following (MN 125/21):

THAT Council staff provide further information regarding a free biannual kerbside collection service as part of the post exhibition report of the draft 2021/22 Operational Plan and Budget.

At the Council meeting held on 28 July 2021, Council staff presented service options and costs for the provision of one (annual) bulky waste kerbside collection service to eligible residents who currently receive a domestic waste management service. The adopted recommendations included a resolution that (MN 218/21):

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THAT:

1. Council adopt Option One in relation to the Bulk Waste Kerbside Collection Service, that Council formally varies its existing Waste Collection Contract to include a Bulk Waste Kerbside Collection rate of \$22.28 + GST per premise on all 19,500 premises.
2. Council vote expenditure of \$1,437,000 (Inclusive of Disposal Costs) as part of the September Quarterly Review of the 2021/22 Budget to fund this service, with the funding to be sourced from the Domestic Waste Management Cash Reserve.
3. Council determine the collection dates for the 2021/22 financial year with its external waste collection contractor and that this information be communicated to all residents through Council's communication channels.
4. Council provide a letterbox pamphlet to all eligible residents within two weeks of the collection cycle to notify all residents of the availability of this service.
5. Council include provision for a bi-annual bulk waste collection service within the next waste collection contract specifications, which will commence 1 July 2024
6. Council commission an independent review of its Domestic Waste Management Cash Reserve to ensure that the potential requirement to increase the domestic waste management annual charge is considered in the lead up to the new contract period.

A Domestic Waste Management Reserve Review was completed by Finch Consulting in September 2021. The Review confirmed that if the Domestic Waste Management Charge increases by 5% for FY2023 and FY 2024, as assumed in Council's Long-Term Financial Plan, Council will be able to both fund the bulky waste kerbside collection service and grow the Domestic Waste Management Cash Reserve.

Commencing in January 2022, Council provided a bulky waste clean-up collection service for residents with a domestic waste service funded through the Domestic Waste Reserve. Residents were not required to pre-book the service and were notified by letterbox drop a fortnight prior to the commencement of the pick-up in their area. The collection was scheduled across 5 zones with collection within each zone taking 2 weeks.

The same delivery model was again utilised in January 2023 for the bulky waste clean-up collection service although collection zones were increased to 10 zones to assist in improved communication with residents.

At the Council meeting held on 20 September 2023, Council staff presented the outcome of the bulky waste kerbside collection service for the 2022/23 financial year.

The adopted recommendations included a resolution that Council (MN 2023/489):

THAT:

1. Note the report.
2. Be provided with a further report on the bulky waste collection model options and the preferred model.

At the Council meeting held on 13 December 2023, Council staff presented the outcome of the service options and costs for the provision of the bulky waste kerbside collection service to eligible residents.

The adopted recommendations included a resolution that (MN 2023/579):

THAT the report on Bulky Waste Collection Service be deferred to the February 2024 Ordinary Meeting of Council 2024 AND THAT:

1. A report be prepared on any relationship on the failure of the contractor to comply with the

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- specification and the illegal dumping complaints outlined in the report;*
2. *A review be undertaken of the total appointments listed in the report and participation rates; further a costing be prepared for two booked collections each year maintaining the precinct basis.*
 3. *Further consideration be given to the collection for other disposal options for mattresses (non commercial).*

BULKY WASTE COLLECTION SERVICE SUMMARY

The following tables outlines both the 2022 and 2023 program performance.

The number of eligible premises has increased as a result of population growth.

Table 1: Number of Eligible Premises

2022	19,674
2023	19,926

The participation rate for 2023 was 71% and down from the 85% experienced the during the 2021/22 program.

Table 2: Participation Rates

2022	16,769	85%
2023	14,127	71%

The following table provides a direct comparison of the waste volumes generated as part of the program. Of note, the average weight per property is higher than average with the typical range being 40-50kg per property.

Table 3: Waste collection Summary

Waste type	2022	2023
Bulky waste sent to landfill	1,265.11 tonnes	998.38 tonnes
Scrap metal recycled	192.15 tonnes	224 tonnes
Mattresses recovered	1,880	1274
Waste /resident (participating)	75.44 kg	70.78 kg

The Collection cost comparison compares the cost of undertaking the service in 2023 against that of the previous year.

Table 4: Collection Costs comparison

Waste Collection year	2022	2023
Total	\$945,120 (ex GST)	\$ 945,292 (ex GST)

Not captured within the costs were Council employee efforts within the RRC team as a result of resolving customer complaints, collection of missed collections and illegal dumping or any loss in general waste gatehouse revenue.

The revenue from the sale of scrap metal has been impacted by the commodity price for ferrous metal (with a reduction of \$110/ tonne).

Table 5: Revenue from Scrap metal

Service	Rate	Amount	Revenue
2022 Metal	\$396 per tonne	192.15 tonnes	\$76,091

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2023 Metal	\$286 per tonne	224 tonnes	\$64,064
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Improved reporting (through ECM) for the 2023 program enabled the tracking and resolution of complaints. During 2023 we received more than double the 2022 complaints that were both a mixture of residents and proactive community members utilising Snap, send solve.

Table 6: Illegal dumping complaints

2022	21
2023	359

During the 2023 service, 426 notices of non-collection/Unaccepted waste were issued where residents placed out items in contravention to the guidelines. This waste was left on the kerbside and often resulted in complaints from the resident, along with claims that a different household placed the unaccepted item on their pile of waste. There were several piles that continued to grow based upon opportunistic dumping. Of these non-collection notices Moss Vale Township contributed 123 notices alone followed by Bowral with 60 and Hilltop with 38 notices.

As a result, Council undertook over 120 additional collections contributing to the costs of the service utilising contractors and our own staff to resolve the issue for the community as quickly as possible. This approach was undertaken due to the low likelihood of the successful identification of the owner of the waste.

2022/23 SERVICE DELIVERY DELAYS

A review has been undertaken of the contractor's performance against the service specifications that were included in the Waste Collection and Haulage Contract as part of a variation deed executed post Council Motion (MN 218/21). This variation/ contract did not include any penalties in relation to the provision of the Bulky Waste Collection Service. The Amendment deed refines the service specifications to adopt a zoned collection system, one (1) per household per annum, implement a multiple pass system and volumes of two (2) cubic metres/ collection.

The 2022/23 program experienced several issues that affected the delivery of the Service including:

- Resources affected by illness and COVID.
- Highly transient workforce, due to the short duration of project recruiting and retaining resources was difficult against full time work within the labour market.

In relation to the delays and perceived negative performance, the contractor was responsive and proactive in undertaking:

- Collection of oversize cleanups that were presented.
- Collection of wrong materials being placed out and not segregated. This resulted in resources having to sort through the waste.
- Items not being placed out on time or in the correct the week, resulting in the resources having to return.

These efforts were implemented to resolve customer issues and provide a prompt response to streetscape presentation issues.

The collection of illegal dumping as a service has not historically been preformed by the contractor but rather by Council themselves. Due to the linkage with the Bulky Waste Service, high resource effort across council and the low likelihood of determining the owner, the contractor was engaged to remove this waste as an additional collection. The main reason was streetscape presentation and removal of opportunistic dumping.

In addition, Council determined the collection areas and the schedule for the collections in the 2022/23 program based upon learnings from the previous year. Council anticipated a lower than realised participation rate and collection volumes per resident, leaving one of the larger areas until last and not allowing a number of catch-up weeks throughout the program all adding to the delay of the service.

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It is considered that the Contractor has conformed to the service specifications in the delivery of services and the general specification of the contract through the provision on plant, equipment and resources, systems, and notification of issues with Council throughout the delivery of the service.

REPORT

BULKY WASTE COLLECTION SERVICE OPTIONS

Abraxa Management Consulting has been engaged by Council to undertake a review of the Bulky Waste Kerbside Collection (Bulky Waste) service delivery options and the impacts on the Domestic Waste Management Charge (DWMC).

There are generally three options are offered to residents to manage bulky waste.

- Scheduled Collection
- Pre-booked Collection
- Direct delivery to a Waste Management Centre. This option is generally based on either a voucher system or specific weekends.

Each service has characteristics which are summarised in the following table.

Table 8: Service Options

Service Characteristic	Pre-booked	Scheduled	Direct Delivery
Participation Rate	30-40%	70-85%	20-25%
Collection Cost	\$80-90	\$25 - 35	\$0
Recycling	Minimal (10-20%)	Minimal (10-20%)	Moderate (40-60%)

Note- Pre-booked collection costs include disposal, participation and recycling rates are forecast from industry average.

The Project 24 waste contract enables improved resource recovery of 50% (or greater) for both prebooked and scheduled.

The trend in metropolitan Councils is to offer a pre booked service. The number of collections varies widely, some offering 2 per year (Inner West there is no limit on the number of bookings with the limitation for Inner West Council is the fixed capacity of the service).

The trend in regional Councils is more towards a direct delivery to a Waste Management Centre. The key factors in this decision are reduction in the cost of the service and increased recycling capacity and impact to waste diversion rates.

The three options for the Bulky Waste service have different participation rates, cost of service and environmental benefits. The table below summarises the key metrics for the service options.

Table 9: Service Comparison (based upon 2023 volumes)

	Participation rate	Tonnes Collected	Net Cost \$	Cost Per Property \$	Cost per tonne\$
Scheduled	70%	1394	973,000	48.82	697.47
	30%	418	350,000	17.58	836.91

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	Participation rate	Tonnes Collected	Net Cost \$	Cost Per Property \$	Cost per tonne\$
Prebooked	60%	836	700,000	35.15	836.91
Direct Delivery	20%	278	84,604	4.51	322.34

Notes: Cost per Property – Net cost divided by number of properties receiving domestic waste services

Waste volumes have been calculated on 70kg/ collection

Participation numbers are the participation rate % x 2023 eligible households (19,926)

Net cost includes assumptions of revenue for scrap metal sales

Net costs are heavily influenced by the participation rate %

Survey of Similar Councils

The table below summarises the service offerings from similar and surrounding Councils. There is only one offering a pre booked service, the 3 offering Scheduled only, 5 Direct Delivery and one hybrid.

Table 10: LGA BWCS Delivery Options

Council	Population	Bulky Waste Service	Frequency
Wingecarribee	51,000	Scheduled Service	1 per Annum
Wollondilly	54,000	Scheduled Service	2 per Annum
Goulburn Mulwarree	31,500	Direct Delivery	2 Weekends per year
Dubbo	54,000	Scheduled Service /Direct Delivery	1 per Annum plus 1 free Direct Delivery
Orange	42,500	Scheduled Service	1 per Annum
Albury	55,055	Direct Delivery	4 Digital vouchers per Annum
Ballina	45,200	Direct Delivery	User Pays full cost no limit
Bathurst	43,900	Direct Delivery	4 vouchers per Annum
Bega	34,700	Direct Delivery	4 vouchers per Annum
Camden	107,800	Pre-Booked	3 Free (incorporated into rates), User Pays for additional (\$120)

Note- Wollondilly is currently transitioning to a pre-booked service.

Advantages and Disadvantages

The table below summarises the advantages and disadvantages of each option.

Table 10: BWCS Advantages and Disadvantages

Service	Advantage	Disadvantage
Scheduled	High participation rate Reduced illegal dumping Reuse occurs based on pickers Ease to participate Good recycling performance 50% diversion from landfill (under new contract)	High overall cost Bulky waste left out for long periods of time Street scape presentation Opportunistic dumping High numbers of customer inquiries/complaints Resource management
Pre-booked	Fixed cost model/ Resource assurance Moderate participation rate Reduced illegal dumping Waste presentation is more controlled than scheduled Flexible solution for residents Good recycling performance 50% plus diversion from landfill Matches customer need	Moderate ease to participate
Direct Delivery	Significant recycling opportunity dependant on process/ machinery for resource recovery Low cost Increases the community use of the RRC and recycling throughout the year Matches customer need	Disadvantage to residents without transport or trailer/ disability/ illness/ injury Level of uptake is lowest

Impact to Waste Diversion

The current kerbside operational model has a significant impact to the overall waste diversion rates. This is in contradiction to the draft Waste and Resource Recovery Plan objection to “Pursue a staged resource recovery rate/target through adopting the NSW targets – to minimise waste, divert more waste from landfill and improve resource recovery.”

In 2022, less than 20 per cent of material collected through Council’s bulky waste service was recycled. Metals and mattresses were collected separately and recycled while the remaining items were sent to landfill. Undertaking a bulky waste collection in this manner decreases our waste diversion percentage by

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3.6%. In 2023, recycling increased slightly to 21.5%. Due to the low recycling percentage the bulky waste collection program has adversely affect Councils waste diversion rate by 2.8% (based on a projected total waste volume of 35,000).

Targets have been adopted in the NSW Strategy, as set out in the National Waste Policy Action Plan. The NSW Strategy relies on local councils contributing to meeting the targets. One of the key result areas and aims for the NSW Strategy is to increase waste diverted from landfill to 75% by 2030. Council is slowly improving waste diversion with current performance at 60%, therefore any improvement in the recovery from the Bulky Waste Collection Service will impact on the overall waste diversion rate.

The adoption of a prebooked model coupled with the new disposal/ processing contract will allow anticipated recovery rates of 50% through material recovery, reducing the impact on the waste diversion rate to 1-1.5%.

PREFERRED MODEL

This report recommends the adoption of a prebooked collection service based upon the following principles:

- Needs to be fair and accessible to all eligible residents
- Needs to support the Waste and Resource Recovery Strategy,
- Needs to provide participation ease and
- Provide the best overall value to the community.

Benefits of a prebooked system include:

- Waste is not presented for any more than one day
- Declaration of waste improves efficiencies (collection/ separation/ recovery)
- Opportunity for recycling though Reuse function- Reusable/ saleable goods improving diversion.
- Planned collection of like material improves resource recovery (timber, metal)
- Consistent uniform system that is:
 - Available to residents when they need it
 - Available to all eligible residents capped at two (2) collections / resident
 - Addresses social impact issues (health, mobility, resources)
 - Addresses non-compliant items before they are placed out.
 - Limits opportunistic illegal dumping
 - Strengthens eligibility/ service entitlements.
- This option also provides greater resource certainty due to the ongoing requirement for the services rather than a periodic opportunity.
- Significantly limits negative street scape presentation.

The proposed commencement date would align with the commencement of the new financial year (July 2024).

Impact to customers

Each eligible customer would be required to book a collection (phone or online) and be eligible for two collections per annum, with the cap being the limitation of total service appointments/ year.

The shire will be split into zones and have a rotating roster for collections to be booked and collected within each zone. It is proposed to separate the shire into five (5) Zones that align to the nominal kerbside collection zones, with booked kerbside collections to be placed out on the same day as normal kerbside collection. This will mean that residents will be provided with an opportunity to participate each week depending on the availability of collections within the schedule. The eligible residents will be uploaded at the commencement of the financial year with monthly updates for new customers.

Customers would prebook based upon their collection zone on a first come basis being able to book the next available time in their respective zone and will be required to declare type/ nature of goods. By declaring the nature of goods, it provides the opportunity to harvest these items for resale through the Reuse centre and supporting circular economy principles by extend the life and value of the resources.

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The collection service will operate for 48 weeks of the year with 35 appointments/ day (initially) scaling to 70/ day based upon need, driven through participation rates.

The total appointments available are 16,800 for the year representing 85% of eligible residents @ one collection per year.

Requirements

The requirements for participation, accepted items and non-accepted items remain the same as previous years (as follows):.

- All residents participating must have a domestic waste service;
- Each collection is limited to 2 cubic metres per household or not more than 1 metre tall, 1 metre wide and 2 metres in length;
- Two collections per rateable property / year per annum
- Placement of items out on the kerbside in front of your property the night before (your booked collection);
- Secure loose items to avoid being blown around;
- Place all your metal items together on the side of the pile so it can be easily accessed for recycling; and
- Avoid blocking driveways, letterboxes and footpaths;

Accepted items for collection:

- Household furniture - broken or unwanted items that can be lifted by two people;
- Household goods and loose items such as toys, cutlery and crockery, clothing, bikes and kitchen appliances;
- Metals and white goods (excluding refrigerators);
- Sawn timber off cuts; (limitation on length of 1.2m) and
- Small hot water systems (excludes large hot water systems).
- Mattresses (one / collection).

Not accepted:

- Asbestos or items contaminated with asbestos;
- Car tyres and batteries, vehicle engines or parts;
- Chemicals and household hazardous wastes such as oils, paint, gas bottles, pesticides, herbicides, house or pool chemicals, fire extinguishers and poisons;
- Demolition waste including fibro, roofing iron, concrete, bricks, builder's rubble, fencing wire;
- Electronic waste such as televisions, computers and phones;
- General, food or green waste such as food scraps, household waste, general recycling, compost, garden clippings, and tree branches;
- Glass and mirrors;
- Oil heaters;
- Refrigerators, freezers and air conditioners.

COMMUNICATION AND CONSULTATION

Community Engagement

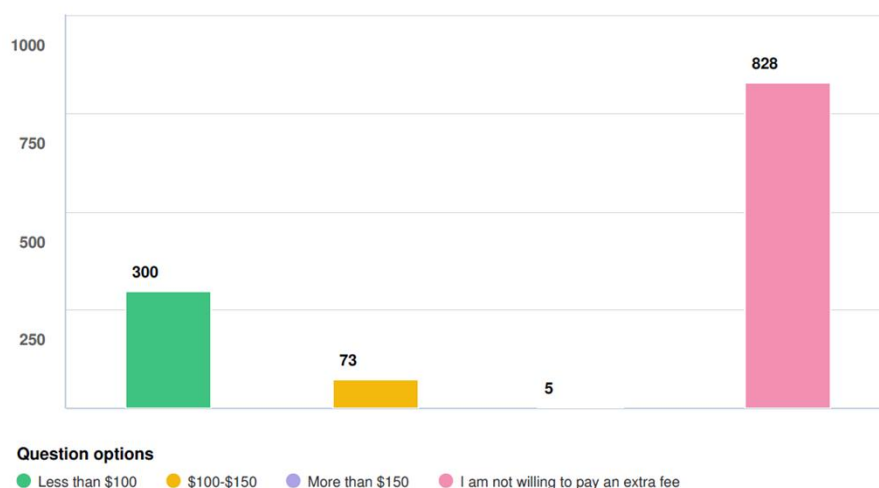
An online bulky waste survey seeking feedback on the format of the bulky waste collection service was available for the community to complete from 30 May to 14 June 2022 via Council's Your Say Wingecarribee website. The survey was promoted through Council's communication channels including Council's website, Your Say Wingecarribee e-newsletter, community update e-newsletter, social media, and radio. The survey received a lot of interest with 1,204 residents completing the survey. Some key results from the survey include:

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- The vast majority of respondents (86%) used the 2022 bulky waste service but only 38% had used the previous user pays system;
- 87% would likely use the bulky waste service in the future;
- The majority of respondents (67%) would prefer a kerbside bulky waste collection service over a voucher to self-haul waste to the RRC;
- The preferred format of the bulky waste service was a Shire wide scheduled collection (63%) compared to a bookable kerbside collection (37%);
- If self-haul vouchers to the RRC were provided instead of a kerbside service, the majority of respondents (65%) reported this would not make them more likely to visit the RRC;
- The majority of respondents (69%) are not willing to pay for a bulky waste collection service (see extract from survey results below)

Your Say Wingecarribee : Summary Report for 15 February 2010 to 16 June 2022

How much would you be willing to pay for 2 bulky waste collections per year?



The survey results offer insight into what aspects of the bulky waste service are valued by the community and that the preference is for a scheduled kerbside bulky waste service at no extra cost to the resident. This must be balanced with operational costs, reducing waste to landfill, improving Shire amenity, and reducing illegal dumping.

It is considered that the inclusion of the costs to provide the Bulky Waste Collection Service into the Domestic Waste Management Charge is the fairest for the community and will ensure the costs for the service are covered. It needs to be stated that the continuation of a bulky waste service will increase the Domestic Waste Management Charge applied to residents.

Internal Communication and Consultation

The finance team has been consulted in modelling the bulky waste collection costs into the Domestic Waste LTFP.

SUSTAINABILITY ASSESSMENT

Environment

Under the new contract for the Receiving, Processing and Disposal Services for Municipal Waste and Resource Streams Bulky clean up waste is to be received at the Spring Farm facility and transferred by Veolia to be processed for resource recovery at a facility in Cecil Hills (operated by Brandown Pty Ltd). This option offers over 50% recovery of materials, resulting in a positive impact of 1-1.5% diversion of waste from landfill.

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Social

A pre-booked Bulky Waste Collection Service model provides equity and access for all residents within the shire that are eligible through a domestic waste service, overcoming many issues that may be present through illness, disability, resources, or distance. It also minimises any streetscape presentation or potential health issues from having bulky waste piled on the kerbside for periods of time.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

The costs to deliver a scheduled Kerbside Collection Bulky Waste Collection service over the past 2 years has an even split of collection costs and waste disposal and processing costs. Each contributing approx. \$500,000 to the \$1 million annual costs.

The proposal to transition to a bi-annual bulk waste collection service from 1 July 2024 will further increase costs to \$1.66 million, if the waste volumes generated remain the same (due to two rounds of collection costs)

The cost to residents and the contribution to the Domestic Waste Management Charge is represented in table 11 as a percentage increase to the annual standard 80L weekly waste service charge (\$510.90)

Table 11: DWMC increase.

Model	Total cost	Charge / resident	% increase
Scheduled	\$1,100,000	\$55.20	10.81
Schedule (bi/annual)	\$1,662,312	\$83.42	16.33
Pre-booked	\$544,104	\$27.31	5.34
Pre-booked (2/ resident)	\$932,772	\$46.81	9.16

Table 12: The BWCS cost summary.

Number of collections	16,800
Collection cost / collection (including call centre management)	\$36.02
Total collection costs (participation % variances)	\$302,568- 605,136
Waste costs @ 70kg/ resident (lowered to 50kg/ resident where there are two collections)	\$204,750- 273,000
Haulage costs	28,350-37,800
BWCS costs	\$544,104- 932,772

Note- the variance in costs is a different collection numbers as a result of the participation rate and forecast range for the waste volumes collected.

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The cost of providing the service will be added to the 2024/25 Domestic Waste Management Charge and incorporated into the LTFP from 2024/25 financial year.

RELATED COUNCIL POLICY

The proposed model aligns with the Community Strategic Plan:

Goal 4.2 A community that lives sustainably for the betterment of the planet.

Goal 4.3 A low-waste community

Waste and Resource Recovery Strategy (draft)

Direction- Resource Recovery

Direction- Waste Responsibility

Environment and Climate Change Strategy (draft)

Focus Area 5: Environmentally Sustainable Communities

CONCLUSION

Based on community feedback received, it is recommended that Council continues to provide a Bulky Waste Collection Service into the future, funded through the annual Domestic Waste Management Charge.

It is considered that a pre-booked service provides the best value service to the community due to:

- the limited impact to customers,
- provides more opportunity for residents to participate,
- is more focused on customer need,
- alignment with Waste and Resource Recovery Strategy, through reduction in waste to landfill
- access and fairness to all eligible residents
- Presentation of our shire and streetscapes
- cost per resident.

The costs to provide the service are within the forecast that has been modelled for the Long-term Financial Plan for Waste Services.

The conclusion and recommendation to move to a pre-booked service is made on the grounds of value for money, noting that the service will be funded through increased annual Domestic Waste Management Charges. However, Council may wish to adopt the alternative scheduled service model based on community feedback it has received.

ATTACHMENTS

Nil

9.2 Resource Recovery Centre - Change of Service Levels

Report of: Clinton McAlister
Manager Waste and Resource Management

Authorised by: Adan Davis
Director Communities and Place

PURPOSE

The purpose of this report is to seek Council endorsement for a change to the Resource Recovery Centre (RRC) service levels in relation to extension of opening hours to the community.

OFFICER'S RECOMMENDATION

THAT Council endorse the opening hours of the Resource Recovery Centre being increased by an hour to 7.00am to 4.00pm Monday to Saturday and half an hour from 7.30am to 1.00pm on Sundays.

REPORT

BACKGROUND

A review of the Resource Recovery Centre (RRC) service levels has been completed following the community consultation undertaken as part of the Resource and Waste Management Strategy development and a review of operational practices. The proposed changes are in relation to the extension of Opening Hours of the Resource Recovery Centre.

One of the key focus areas that the Resource and Waste Management Strategy community survey highlighted was that 55% of residents did not have enough opportunity to recycle waste materials. This issue was explored through the community workshops conducted in Renwick and Moss Vale February 2023, with community members providing further insight to needing additional collection facilities (captured in the strategy) and extended opening hours at the RRC.

At the Council meeting held on 13 December 2023, it was resolved (MN 2023/580) that the report on Resource Recovery Centre - Change of Service Levels be deferred to the February 2024 meeting.

Opening Hours

In line with the insight from the community feedback a review of the opening hours and roster arrangements identified that an earlier opening time would provide the best benefit to the broader community. The extended hours would allow the community to dispose of waste/ recycling prior to commencing the working day and would especially support small businesses missing morning traffic and meeting morning customer appointments (noting the many small landscaping/ gardening businesses were used as examples).

This proposal will see the following RRC availability to the public:

- Monday to Saturday Open 7:00am Close 4:00 pm resulting in 1-hour additional opening, and
- Sunday Open 7:30am Close 1:00 pm resulting in an additional 30 min opening.

In conjunction with the extended operating hour proposal, a review of the staffing levels and roster arrangements has been undertaken due to the impact of the extended hours having on the weekly hours worked. In consultation with employees', efficiencies have been identified in the rostering arrangements that will not have an impact on the service levels and customer experience at the Resource Recovery Centre.

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Should council resolve to proceed with the proposed increased service, the extended hours would commence from the 31 March 2024, allowing due time to provide notice to the community and employees and change signage.

COMMUNICATION AND CONSULTATION

Community Engagement

A key focus throughout the development of the strategy has been the engagement of the community. And the capturing of resident waste needs and expectations for materialisation within the strategy and action plan.

Residents have contributed to the development through:

- A. Bulky waste survey. Your say Wingecarribee June 2022 (1,204 participants).
- B. Resource Recovery Centre Your Say Wingecarribee June 2022 (139 participants).
- C. Waste Management Strategy January 2023 (331 engaged participants)
- D. Community workshops conducted in Renwick and Moss Vale February 2023 (20 participants).

Internal Communication and Consultation

Council's Finance Branch have been consulted through the modelling of the proposed roster and labour costs associated with the change in service levels.

Waste and Resource Recovery employees at the Resource Recovery Centre have participated in a formal consultation period in accordance with the relevant clauses of the Local Government State Award 2020 for the change of working hours and roster arrangements. This consultation concluded on 3 August 2023.

SUSTAINABILITY ASSESSMENT

Environment

The Strategy has a direct, positive impact on the aligned objectives within the Environment and Climate Change Policy (draft).

Social

There are no social issues in relation to this report, and the proposal represents a service increase to the local community.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

The introduction of the extended opening hours in combination with the required operational changes from a rostering arrangement will result in an operational cost saving (labour) of \$103,000 per annum.

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RELATED COUNCIL POLICY

Council's *Wingecarribee 2041 Community Strategic Plan* includes ideas specific to waste management, including for the community to:

- work collaboratively to reduce pollution and its impact in the environment.
- maximise recovery of resources from the waste stream.

The proposal supports Councils' Waste and Resource Recovery Strategy in the provision of additional opportunities specifically time.

CONCLUSION

The proposed change to service levels at the RRC through the change in the extension of opening hours will have a positive affect both in the availability of the services to the community and in the reduction of operating costs of the facility.

ATTACHMENTS

Nil

9.3 Environment and Climate Change Strategy - Post Exhibition Report

Report of: Barry Arthur
Manager Environment and Sustainability

Authorised by: Adan Davis
Director Communities and Place

PURPOSE

The purpose of this report is to present Council with the submissions made during the public exhibition of the Draft Environment and Climate Change Strategy, advise Council on how these submissions have been considered and to seek Council's adoption of the final Environment and Climate Change Strategy.

OFFICER'S RECOMMENDATION

THAT Council adopt the Environment and Climate Change Strategy included in Attachment 1.

REPORT

BACKGROUND

At Ordinary Council Meeting 18 October 2023, it was resolved:

THAT:

- 1. Council endorse the draft Environment and Climate Change Strategy to be released for public consultation and placed on public exhibition for an extended eight (8) week period to allow extensive opportunity for the community to be informed and provide feedback.*
- 2. A further report be presented to Council to consider submissions received during the public exhibition period and the adoption of the Environment and Climate Change Strategy.*

REPORT

As per the resolution of Ordinary Council Meeting of 18 October 2023, the draft Environment and Climate Change Strategy was placed on public exhibition period between 18 October and 13 December 2023. The draft strategy was available from the former Your Say page from 20 October and then transferred to Participate Wingecarribee and stakeholders were notified of this change.

The page was promoted via direct email to stakeholders, Council's eNewsletter and through the Participate platform.

The Participate Wingecarribee page was visited by 307 people, with 510 views (the number of times a visitor views any page), 363 new followers and a total of 20 contributions (16 quick poll and 4 survey responses). There were a total of 145 downloads, with 101 of the draft strategy documents downloaded.

The quick poll results from the question: *Do you feel that the draft strategy provides a way forward for the community and Council to care for our natural environment and to adapt to and mitigate the impacts of climate change over the next 10 years?*

Yes - 69% of respondents (11 out of 16 respondents)

No - 31% (5 out of 16 respondents)

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Three respondents provided comments via the Participate Wingecarribee platform.

Council received seven written submissions received during the exhibition period.

The Draft was also considered at an out of session meeting with members of the Climate Change and Environment Community Reference Panel. Feedback from the meeting has been collated into a spreadsheet and comments assessed by staff.

Feedback from the Community Reference Panel members and submissions made during the public exhibition period have been considered in the final draft prior to editing by the graphic designer.

All submissions made during the public exhibition have been collated in **Attachment 2** to this report.

Summation and Consideration of Feedback

Seven written submissions, three Participate Wingecarribee submissions, and feedback from Community Reference Panel members were received, covering a broad range of subjects and concerns. All written submissions have been collated in **Attachment 2** to this report.

The below table provides a summary of the themes and concerns that were raised in the written submissions.

Submission Themes	Action	Response and Recommendation
Grammatical and formatting	Updated	A number of grammatical and format changes have been made to improve readability and remove errors. A list of the grammatical and formatting changes are listed in the table below.
Definitions of unclear terms, including “the green between”, “blue infrastructure” “Great Western Wildlife Corridor”, “Green Infrastructure”, “Circular Economy “ etc	Updated	Several definitions and glossary section has been added to the final document to provide clarity and improve understanding of the concepts in the Strategy.
Questions on the level of detail provided at the Strategy level and the difference to more implementation / action based documents.	Updated	Additional information has been included explaining the alignment of strategies in the Integrated Planning and Reporting framework and how the Strategy feeds into other Plans, Operational Plans, Delivery programs etc, and how action plans will come from this strategy.
Concern regarding the removal of mountain bike tracks on Mt Gibraltar.	No update required	Tracks were removed due to environmental and heritage constraints at the site. An alternative downhill track has since been established in the nearby Mt Alexandra Reserve (Welby) after proper environmental assessment and with the support of the community. Council has resolved to prepare a Natural Areas Recreation Strategy.
Questioning acceptance of climate change science and agendas behind this.	Not updated	Wingecarribee Shire Council are accepting of the science regarding climate change and our policies and plans regarding climate change and the environment reflect those of the both the NSW State and Federal governments. While there are varying opinions on the

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Submission Themes	Action	Response and Recommendation
		issue of climate change, the scientific consensus overwhelmingly supports the fact that human activity is contributing to global warming and its impacts on the environment.
Environmental impact of new housing developments and greenfield sites.	No update	This Strategy aligns with Council's Local Strategic Planning Statement and The Local Housing Strategy. Environmental and risk considerations are built into the planning processes.
Weed management	No update	Weed management strategies on a regional level are dictated by the Regional Weed Committees. Weed futures are already discussed in the strategy and are included and changed as necessary in the regional plan.
Additional actions that are out of scope of the strategy document such as renewable energy advocacy.	Not updated	The strategy has only included actions that are feasible and within the scope of available resources. Any actions that were out of scope or cannot be resourced have not been included. To address education-related issues, promote energy efficiency, and encourage the use of renewable energy, Council is currently creating emissions action plans that will cover both council operations and the community. Council collaborates with various community groups, schools, and businesses to engage with environmental issues.
Inclusion of existing resilience actions	Updated	Updated to include more detail on current actions.
Access to plans and strategies	Not updated	All Council adopted strategies and plans are available via Council website.
Suggestion of new key principles to Value Our Natural Environment	Updated	New principle added to this section of the Strategy
Inclusion of a statement of intent on the Community Vision page.	Updated	This is appropriate for a strategy document and included in the draft.
Update of data and figures	Updated	Out of date data replaced as appropriate.
Recommendation for an introductory section overviewing the predicted climate change implications for the Shire focusing on natural hazards	Not updated	Council accepts the peer-reviewed science of greater frequency of extreme weather in a hotter climate. Council may need to undertake research, modelling or mapping of risks of changing/increasing natural hazards. The Local Emergency Management Committee also addresses Planning, Preparedness, Response and Recovery framework and Council is actively engaged with this.
The Catchments and Waterways focus area is appropriately comprehensive for a	Not updated	The commitments within Catchments and Waterways are a priority for WaterNSW as a bulk drinking water supplier. Council's partnership with WaterNSW will remain a priority.

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Submission Themes	Action	Response and Recommendation
local government area located within Sydney's Drinking Water Catchment (SDWC)		
Habitat corridors need to be adequately mapped and incorporated into planning instruments such as Local Environmental Plan.	Not updated	While these are actions, the key principle of data and evidence-based decision making and the Bushland and Biodiversity focus area addresses habitat connectivity and corridors. Council is committed to preparing a Koala Habitat and Priority Corridor Map through the Southern Highlands Koala Regional Partnership. Mapped habitat will be incorporated into the NSW government Biodiversity Values Map, which influences development applications and planning decisions.

Revisions to Community and Recreation Facilities Strategy

As a result of consideration of the submissions made during the Public Exhibition, the following changes have been made to the Environment and Climate Change Strategy:

Page	Current	Change to	Grammatical(G) Content (C) Format (F) Definition (D)
5	This strategy identifies key focus areas under two Priority Areas. Each focus area has a goal/s and the relating commitments to action which will support work that must be done	The strategy includes two priorities that include focus areas with goals and commitments that relate to actions that will support work that must be done.	G
5	We are leaders in sustainable living and our shire has a strong 'sense of place' where people feel connected to and belong within the network of unique towns and villages separated by rich natural areas and rural landscapes.	We are leaders in sustainable living and our shire has a strong 'sense of place' where people feel connected and belong within the network of unique towns and villages separated by rich natural areas and rural landscapes.	C
9	plans of management, management plans	plans of management, action plans	C
12	This strategy aims to address the environmental goals as outlined in the Community Strategic Plan: Wingecarribee 2031+ Our Future Our Choice.	This strategy aims to address the environmental goals as outlined in the Community Strategic Plan: Wingecarribee 2041 Our Future Our Choice.	C

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Page	Current	Change to	Grammatical(G) Content (C) Format (F) Definition (D)
13	Our Community vision section	<p>The 'Our Community Vision' content has been removed as it is covered elsewhere in the strategy. It has been replaced with a graphic and text.</p> <p>The Environment and Climate Strategy sits within Council's Integrated Planning and Reporting Framework. Council's framework as shown below (diagram inserted)</p> <p>The framework recognises that Council plans and policies should not exist in isolation and are strategically linked to the aspirations of the community. The framework ensures that Council, in partnership with the community, articulates the aspirations of the community within a Community Strategic Plan (CSP) which provides, at a minimum, a 10-year outlook. The NSW Government's Integrated Planning and Reporting Framework (IP&R) requires that all councils develop long, medium and short term plans which detail how the community's vision, aspirations and priorities will be delivered via projects and services.</p>	C
14	The country in its entirety is the basis for Aboriginal people's spirituality,	The country in its entirety is the basis for Aboriginal people's spirituality,	G
15	Consequently, the shire is home to plants, animals and ecological communities that are under threat of extinction, are restricted in distribution or are at the limit of their known range.	Consequently, the shire is home to plants, animals and ecological communities that are declining, are under threat of extinction, are restricted in distribution or are at the limit of their known range	C

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Page	Current	Change to	Grammatical(G) Content (C) Format (F) Definition (D)
17	Our Commitment to Climate Change currently has a composting picture and lacks climate change figures	Removal of the image and addition of text supplied	C
17	Environment Strategy at Council and the effects of climate change are now being felt in a very real way by the Wingecarribee community, as it is across the world.	Environment Strategy at Council and the effects of climate change are now being felt in a very real way by the Wingecarribee community, as they are across the world.	C
20	Hill top	Hill Top	G
22	Our natural environment is experiencing more compounding stresses than ever before.	Our natural environment is experiencing compounding stresses more than ever before.	C
23	The connection to the land and its ability to inform our identity and educate our people remains fundamental to the area.	Their connection to the land and its ability to inform our identity and educate our people remains fundamental to the area.	G
23	one sacred	one declared sacred	C
23	values and practices	values and practices, such as cultural burns	C
23	Waterways meander through the landscape, providing habitat for aquatic species and access to water for their terrestrial counterparts.	Waterways meander through the landscape, providing important corridor linkages across the shire, habitat for aquatic species and access to water for their terrestrial counterparts.	C
24	Maintain and enhance corridor	Maintain and enhance wildlife corridor connectivity across the Southern Highlands.	C
25	These waterways deliver an estimated X Gigalitres of water per year to drinking water supplies	These waterways deliver an estimated 5,000-6,000 mega litres of raw water per year which is then treated and delivered to our residents.	C
25	across Wingecarribee	across the Wingecarribee Shire	C
25	long-neck	long-necked turtle	C
26	management and	management and,	C
26	drying process	drying processes	C

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Page	Current	Change to	Grammatical(G) Content (C) Format (F) Definition (D)
26	...minimise the impact of waste run off on our waterways.	...minimise the impact of water run off from landfill into our waterways	C
27	Sydney Water Catchment Authority	replace Sydney Water Catchment with WaterNSW	C
27	However, the impacts of climate change, increased weather events and the growth of our urban environments demand.....	However, the impacts of climate change, increased extreme weather events, the growth of our urban environments, and unauthorised usage pressures, demand a new approach to ensuring we protect the health of our reserves and ensure the preservation of our high value corridors.	C
27	Supporting private landholders to actively participate in biodiversity conservation.	Supporting private landholders and community groups to actively participate in biodiversity conservation.	C
30	To prevent further	To minimise further	C
31	easy	delete easy promote and facilitate the easy adoption of sustainable solutions to our 52,000 residents in the Shire, across four focus areas:	C
31	Natural hazards	natural hazards	G
31	Unless we can significantly change our lifestyle	Unless we can significantly adapt our lifestyle	C
34	right	remove right and add correctly Our existing buildings and homes can be renovated and retrofitted to reduce our environmental footprint, while designing and building our neighbourhoods, homes and workplaces correctly will improve our overall community resilience.	C
34	that come with	that comes with	C
34	remove diagrams		C

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Page	Current	Change to	Grammatical(G) Content (C) Format (F) Definition (D)
35	Definition Box: Sustainable Us	Delete Definition Box text	F
35	Our communities and neighbourhoods are built to minimise our impact on the environment and increase our capacity to respond to natural hazards and changing climate.	Goal change to: Our communities and neighbourhoods are built to minimise our impact on the environment and atmosphere, and increase our capacity to respond to natural hazards and changing climate.	C
36	Partner with and support community groups to provide best practise sustainable living initiatives.	Partner with and support community groups to provide best practice sustainable living initiatives.	C
37	Solar photovoltaic	Any mention of PV should be expanded to the full name	C
37	that is already	that are already	C
37	sustainability to be an	sustainability to be an	C
38	green economy jobs are fastest growing sector	Green economy jobs are the fastest growing sector	C
38	What are the highest impact industries	Under key features the following dot points to be removed » Low impact – high tech » What are the highest impact industries » Possible levels of carbon capture from our agricultural and forestry land	C
38	Delivering the Emissions Reduction Plan	Developing and delivering the Emissions Reduction Plan	C
38	Council has signed onto a renewable electricity PPA from which 90% of current operational usage will be from renewable sources by 2023 with the remaining to roll in by 2026.	Council has signed onto a renewable electricity power purchasing agreement from which 90% of current operational usage will be from renewable sources by 2023 with the remaining 10% to roll in by 2026.	C
39	ADVOCATE state and federal agencies for minimum performance standards and caps on emissions from industry	ADVOCATE to state and federal agencies for minimum performance standards and caps on emissions from industry	G

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Page	Current	Change to	Grammatical(G) Content (C) Format (F) Definition (D)
40	In the 24 months prior to developing this strategy, our community have experienced;	In the 24 months prior to developing this strategy, our community has experienced;	G
44	3.1 Protect and conserve our bushland reserves in alignment with our Plans of Management.	3.1 Protect and enhance our bushland reserves in alignment with our Plans of Management.	
45	5.3 Provide best practise waste diversion, through planned review of waste management strategies, policies, and required assets.	5.3 Provide best practice waste diversion, through planned review of waste management strategies, policies, and required assets.	G
45	5.8 Explore opportunities for improved Water Sensitive Urban Design (WSUD) and those ongoing costs relating to monitoring and maintenance is considered at the planning proposal stage.	5.8 Explore opportunities for improved Water Sensitive Urban Design (WSUD) and those ongoing costs relating to monitoring and maintenance are considered at the planning proposal stage.	C
10 & 11	why is the Regional Strategic Alignment not subjugated to the National and State ones in the order?	Order changed to ... Global, National, State, Regional	F
All	council, state, federal lower case in some locations. Should be capitalised throughout	Capitalised throughout	G
All	Terms and definitions	Glossary Section has been provided with important definitions of terms used throughout the document.	C

The final version of the Environment and Climate Change Strategy is provided in **Attachment 1** to this report.

COMMUNICATION AND CONSULTATION

Community Engagement

Community engagement activities during the public exhibition included:

- Participate Wingecarribee page on Council's website
- Direct email to stakeholders
- Council's eNewsletter
- Out of session meeting with the Climate Change and Environment Community Reference Panel members.

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Internal Communication and Consultation

There has been significant internal communication and consultation within the organisation. This engagement was initially led by JOC through two workshops to help shape the commitments under each focus area, followed by engagement led by the Environment and Sustainability branch to identify lead and support areas for each of the commitments, including funding sources. Business units engaged included the following Council branch functions: Strategic Outcomes, Development Assessment and Regulation, Waste and Resource Management, Community Life and Libraries, Shire Presentation (Roads and Parks), Water and Sewer, Assets, Project Delivery, Governance and Corporate Performance, Business Transformation and Environment and Sustainability.

External Communication and Consultation

One submission has been received from an external agency, namely WaterNSW.

SUSTAINABILITY ASSESSMENT

Environment

This draft strategy provides a framework to guide actions for Council and the community over the next ten years. It will guide investment in the natural environment and conservation of natural resources, influence decision-making and planning to provide our community with green and liveable places, promote and advocate for sustainable living practices and sustainable businesses as well as guide the organisation and the community plan to be resilient in the face of climate extremes. Council will continue to drive and advocate for change and become more sustainable in its operations.

Social

There are no social issues in relation to this report.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

Council officers have reviewed each of the 49 commitments and determined the following:

Forty-seven commitments are wholly or partly funded through recurrent funding from the Environment Levy or General Revenue. Some standalone projects within these commitment areas may also be supported by grant funding (for example, the NSW Koala Regional Partnership).

Eight commitments are not funded by recurrent funds and are partly dependent on grant funding. Some commitments have both recurrent and non-recurrent components, for example staff time is recurrent, but a specific project may be required to fulfil a commitment, and this may be reliant on grant money.

RELATED COUNCIL POLICY

There are no policies related to this report

CONCLUSION

The draft Environment and Climate Change Strategy provides a framework and overarching principles for future resourcing to prepare and adapt to climate change, reduce greenhouse gas emissions, improve energy efficiency, reduce waste and pollution, and protect biodiversity and natural assets into the future.

This strategy will guide the development (or review) and implementation of related strategies and action plans.

Valuable feedback was received on the draft strategy through the public exhibition period and the strategy has been updated in accordance with the consideration of submissions made. It is recommended that Council adopt the Environment and Climate Change Strategy.

ATTACHMENTS

1. Environment and Climate Change Strategy final – **Under Separate Cover** [9.3.1 - 54 pages]
2. Environment and Climate Change Strategy Submissions - **Under Separate Cover** [9.3.2 - 42 pages]

9.4 Customer Experience Standards and Charter - Post Exhibition Report

Report of: **George Harb**
Chief Information Officer

Authorised by: **Carmel Foster**
Director Corporate Strategy and Resourcing

PURPOSE

The purpose of this report is to recommend Council's formal endorsement of the Customer Experience Standards and Charter.

By endorsing the Customer Experience Standards and Charter, Council establishes clear levels of service and quality-of-service delivery. Council is committed to providing a consistently positive customer experience to our community members and aligning our processes with the highest standards of customer service excellence.

OFFICER'S RECOMMENDATION

THAT Council:

- 1. Endorse the Customer Experience Standards and Charter with minor amendments.**
- 2. Publish the Customer Experience Standards and Charter on Councils Website.**

REPORT

BACKGROUND

and Charter At the September 2023 Ordinary Council Meeting, it was resolved that the Draft Customer Experience Standards and Charter be placed on Public Exhibition for 28 Days. Following the Exhibition period a further report was put forward at the December 2023 Ordinary Council Meeting in which feedback from the community was provided. After the report was published, it was brought to the attention of Council Officers that survey detail was omitted. The Council resolved in the December 2023 meeting:

"THAT Council defer the report on the Customer Experience Standards and Charter until the February 2024 Ordinary Meeting of Council to allow for the report to be updated to include the information that was overlooked from submissions."

This report provides an update to Council on the outcomes of the exhibition and minor changes to the Customer Experience Standards including the exhibition feedback responses.

REPORT

The Customer Experience Standards and Charter were developed to meet changing customer expectations and ensure transparent, efficient, and timely service. Following Council's endorsement, a community consultation process was undertaken to provide an opportunity for feedback to the proposed Standards and Charter.

Community engagement was conducted via the online "Have Your Say" (now "Participate") platform. Stakeholders were asked to review the Customer Experience Standards and Charter, provide feedback, and advise whether they feel that the Draft meets the needs of the community. Following consultation, minor changes to the Charter were made:

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- Adjustment of wording in Charter from “treat every customer equally and sensitively” to “treat every customer equally and with respect”, as per community feedback.
- Change of wording in Charter from “Take responsibility for answering your enquiry” to “Take responsibility for resolving your enquiry” to clarify expectations, as per community feedback.
- "Have systems in place to protect your confidential information" altered to "have appropriate systems in place to protect confidential information", as per community feedback.

Community comments were as follows:

CUSTOMER EXPERIENCE CHARTER

Contributor	Comments	Do you feel the draft Charter meets the needs of the community?	Council Response
Shazza High Range	Accountability if the charter is not met????? At present nothing happens if council does not follow the charter. It is pointless unless there is accountability if not followed through.	No	Each Department within Council will be held accountable to the proposed Customer Experience Standards and Charter through ongoing reporting and frequent review of service level agreements. It will be clear when commitments within the charter are unmet, triggering a review of relevant processes, allocated resources and staff training levels.
J Odermatt Moss Vale	<p><i>“Respond to your letter or email; Acknowledge all Customer Service Requests; Provide an update or notify of completion of Customer Service Requests”.</i></p> <p>These need to be grouped together or worded better.</p> <p>It is not clear if it is 15 working days to be told if a customer service request has been completed, and this is notifying the requestor or this is the time to finalise the matter from being raised to closure.</p> <p>What does 'Acknowledge all Customer Service Requests' mean?</p> <p>Greet you at the Customer Service Counter – not sure this metric is even required/necessary. The counter should just be staffed during business hours?</p> <p>Our People Will – "treat every customer equally and</p>	NO	<p>Each of these services have been identified as individual standards as they refer to separate processes or request stages. Letters and emails are distributed throughout Council by the Corporate Information team; the 10-working day period allows the relevant staff member to receive, review and respond to the correspondence accordingly. Requests received via Council’s Customer Request Management System are delivered directly to the relevant department, therefore shortening the timeframes for acknowledgement to 5 working days. Within the 15 working day timeframe the customer should at minimum receive an update on the status of their request (e.g. notification that their road request has been added to the maintenance schedule). In cases where the request is completed within this timeframe, the customer can expect to receive a notification via their nominated email address or mobile number.</p> <p>When received via Council’s Customer Request Management System, an acknowledgement is received within one business day via the nominated email or mobile number. If logged via the Snap Send Solve app and contact details provided, Council commits to an email or SMS</p>

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Contributor	Comments	Do you feel the draft Charter meets the needs of the community?	Council Response
	<p>sensitively". Why is sensitively necessary? Are all ratepayers and customers sensitive? Change it something like "Our people will – treat every customer equally and with respect".</p> <p>Our People Will – "take responsibility for answering your enquiry". Should be changed to something like "Our people will – take responsibility for resolving your enquiry".</p> <p>Our People Will – "have systems in place to protect your confidential information". Should be changed to something like "have appropriate processes systems in place to protect confidential information"</p>		<p>acknowledgement within 5 working days.</p> <p>The Counter will certainly be staffed during business hours. The Standard outlined here relates to service wait times. Council will strive to serve customers at the Counter within 5 minutes on average.</p> <p>Noted, wording of these commitments will be adjusted to:</p> <p>"...treat every customer equally and with respect."</p> <p>"... take responsibility for resolving your enquiry."</p> <p>And</p> <p>"...have appropriate systems in place to protect confidential information."</p>
Charly23 Renwick	All staff in your customer service team need to be trained together in the same way. I have had dealings with your customer service team a few times and all have been frustrating as no one seems to know what that are talking about. There needs to be a system where all staff are trained in the same way. If you talk to more than one person, each advise different things, to the point you need to escalate the matter to higher staff member to get a simple answer to something a standard customer service team member should be able to answer. Also getting call backs are like pulling teeth.	NO	Council is in the process of populating an internal knowledgebase system, which will aid in the consistent training of staff. Frequent enquiries and key processes are being reviewed and documented by the relevant departments, ensuring that the information provided by Council's Customer Experience team is accurate and delivered during the first point of contact wherever possible. The implementation of specific service level agreements (SLAs) for responses to enquiries, as outlined in the Customer Experience Standards, will set clear expectations for staff. These SLAs will be included in reporting, allowing Council to monitor response timeframes and identify key areas for improvement.
J Fitzpatrick Mittagong	No Comment	YES	N/A
Resident007 Moss Vale	DA Approvals deadline is way too long.	NO	
J Slattery Colo Vale	From my perspective the Customer Experience Charter and Standards Feedback is lacking in two areas	NOT PROVIDED	1) One of the functions of the General Manager as outlined in the Local Government Act 1993 is to implement, without undue delay, lawful decisions of

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Contributor	Comments	Do you feel the draft Charter meets the needs of the community?	Council Response
	<p>1) The WSC General Manager should proactively provide regular updates on the status of each and every resolution / motion passed at Council General Meetings, Extraordinary Meetings, Council Committee Meetings until the resolution / motion is fully actioned.</p> <p>2) The WSC General Manager should proactively provide regular updates on the status of each and every action item listed in Council Strategies, Policies, Action Plans, Master Plans, Plans of Management etc until they are fully actioned. This is particularly important for those action items not included in Council's delivery plan.</p> <p>The information should be provided in a searchable database that can be easily accessed by the General Public. The timeframes for providing the status updates need to be agreed with the community. It is disappointing that our community needs to advocate for their particular interest item / motion to be considered by Councillors / the Administrator for a resolution or have it included in a strategy, policy, action plan, master plan, Plan of Management etc and then need to advocate for Council staff to actually implement the resolution or action item in its entirety and in a timely manner.</p> <p>It is also disappointing that strategies, policies, action plans, master plans, Plans of Management etc have Action Items that I understand are considered by staff to be</p>		<p>Council. The General Manager and Directors currently proactively monitor the implementation of all Council resolutions quarterly.</p> <p>Consideration will be given to providing a report to Council quarterly on outstanding Council Resolutions as well as publishing this information on Council's Website.</p> <p>2) Council is currently developing a single framework of Strategies and Plans. A project plan is in place with a view to having the framework completed in the first half of 2024.</p> <p>The framework will cover; the strategies and plans within Council's control and management, current status and how progress is reported. The framework also includes standard information on guidelines for developing strategies and plans including resourcing strategies.</p> <p>The framework will be used to inform the community, incoming councillors and staff, ensuring a wholistic view of the strategies and plans the Council is responsible for and how they are developed, implemented, reported and reviewed. Once the framework has been developed individual actions will be confirmed and strategies and plans will be entered into Council's new online reporting portal. This work will align to the development of Council's Delivery Program 2025-2029..</p> <p>There is also work underway to review and potentially combine some strategies and plans. This work will need to be confirmed in discussion with the incoming Council prior to engaging the community.</p> <p>It is important to note that individual strategies and plans are working to different reporting requirements and timeframes (i.e. some are mandated, along with how often progress is reported and where). Some actions items are long term, others are medium to short term. This will influence how often progress status is reported and this will be addressed in the framework.</p>

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Contributor	Comments	Do you feel the draft Charter meets the needs of the community?	Council Response
	<p>simply aspirational and or subject to grant funding which is not proactively sought by council, and this has not been clearly communicated to or agreed by the community. To me, this gives rise to Council being 'all talk and no action'</p>		

CUSTOMER EXPERIENCE STANDARDS

Contributor	Comments	Do you feel the draft Standards meet the needs of the community?	Council Response
<p>J Odermatt Moss Vale</p>	<p>NOT PROVIDED</p> <p><i>In additional comments field:</i> Respond to urgent incidents - 24 hour. Urgent matters should be dealt within 4 hours minimum. no more than 8 hours, not minimum 24 hours. Urgent matters should also be specified as to what is in scope/applicable.</p> <p>Pothole repair (>50mm deep) - maintained under a standard schedule that may change due to weather and other factors. What is a "standard schedule"? Is that a day, week, month, or ad-hoc?</p> <p>Replacement street sign - 20 days. 20 business days? Time is too long.</p> <p>Illegal dumping on Council land - 10 days to investigate, removal timeframe subject to incident. How can council effectively ensure they are investigating the issue if it takes 10 days for it to be actioned? If anything it incentives more people to illegally dump.</p> <p>Public garbage bins - maintained</p>	<p>YES</p>	<p>Urgent incidents are escalated to the relevant department immediately upon report, and typically responded to within a 4-hour timeframe. The 24-hour timeframe relates to resolution of incidents and is necessary as often additional resources and external parties must be consulted prior to rectification. Urgent matters will vary, however typically cover any serious water or sewerage issues, safety incidents, animal attacks and road obstructions.</p> <p>Incoming pothole reports are reviewed on a daily basis and prioritised based on severity and road usage levels. This schedule is subject to constant review, as it depends heavily on weather conditions and reporting of urgent issues requiring immediate action.</p> <p>A 20-day timeframe is listed for replacement signs due to ordering and delivery timeframes. Replacement of standard signage will often be completed ahead of this timeframe.</p> <p>Whilst Council endeavours to investigate all Illegal Dumping reports as soon as practicable, reporting volumes will at times contribute to a 1–2-week turnaround. In most instances, substantial evidence will have been obtained at the time of reporting, assisting Council Officers to effectively</p>

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Contributor	Comments	Do you feel the draft Standards meet the needs of the community?	Council Response
	<p>under a standard schedule that may change due to weather and other factors. What is a "standard schedule"? Is that a day, week, month, or ad-hoc?</p> <p>Respond to urgent safety incidents - 24 hours. As above, should be less time if it is urgent.</p> <p>Overgrown private property - 1 week to investigate, timeframe subject to incident. Council should de-prioritise this and extend this timeframe to the same timeframe as "Application to prune/remove trees on private property - 30 days"</p> <p>Respond to urgent pollution incidents - 24 hours. As above, should be less time if it is urgent.</p> <p>Council should use the wording for the timeframes "within" or "less than". Respond to urgent safety incidents - "Within 24 hours"</p>		<p>investigate the matter and issue any applicable fines within the 10-day timeframe.</p> <p>Public garbage bins are maintained on a weekly schedule.</p> <p>Feedback relating to overgrown private property noted.</p> <p>Urgent pollution incidents are reported to the EPA immediately.</p>
Charly23 Renwick	The development applications as well as CC & CDC need to be approved in less than half the time you have allocated. 50 days and 80 days are still unacceptable, and I am surprised those long timeframes is what you are hoping to achieve. Standard DAs should be approved within 2 weeks like they did a few years ago not 3 months.	NO	The proposed target standards are below both the current assessment timeframes, Council's assessment timeframes over the past 10 years and the State average timeframes. Service standards should be aspirational, but also realistic and achievable within Council's financial resources. It is appropriate to maintain the proposed service standards and continue to work towards meeting these over the next 6 months.
Shazza High Range	Again accountability ????? Items such as Construction certificates are not even occurring. What is listed on the service standards seems fair and reasonable but who will enforce? Otherwise, what is the point of having service standards?	NO	Each Department within Council will be held accountable to the proposed Customer Experience Standards and Charter through ongoing reporting and frequent review of service level agreements. It will be clear when commitments within the charter are unmet, triggering a review of relevant processes, allocated resources, and staff training levels.
J Fitzpatrick Mittagong	You have slipped in terrible D/A	NO	The proposed target standards are below both the current assessment

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Contributor	Comments	Do you feel the draft Standards meet the needs of the community?	Council Response
	<p>and CC turnaround times with other areas that have reasonable times.</p> <p>DA times should be separate to the rest of the Turnarounds considering its one of our biggest economic drivers in this area.</p> <p>The aim should be for CCs to be completed within 5 days and D/A's to be completed under 3 months.</p> <p>Currently council do not do CCs at all so to present as if you are going to stick to a timeframe of something that does not exist is misleading.</p>		<p>timeframes, Council's assessment timeframes over the past 10 years and the State average timeframes. Service standards should be aspirational, but also realistic and achievable within Council's financial resources. It is appropriate to maintain the proposed service standards and continue to work towards meet these over the next 6 months.</p> <p>Council does accept construction certificates and currently has over 20 being processed.</p>
Resident007 Moss Vale	DA Approvals deadline is way too long.	NO	<p>The draft charter proposed development assessment timeframes of 80 days for development applications generally, but 50 days for uncomplicated 'Fast Track Development', which would include many dwelling houses and proposed shop uses.</p> <p>It is acknowledged that current assessment timeframes are lengthy, and Council has been addressing this through several means including implementing new systems, process improvements, training and development and recruitment of additional qualified assessment staff (which is challenging in the current highly competitive labour market). The proposed target standards are below both the current assessment timeframes, Council's assessment timeframes over the past 10 years and the State average timeframes. Service standards should be aspirational, but also realistic and achievable within Council's financial resources. It is appropriate to maintain the proposed service standards and continue to work towards meeting these over the next 6 months.</p>

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COMMUNICATION AND CONSULTATION

Community Engagement

The Draft Customer Experience Standards and Charter were exhibited via community engagement platform "Have Your Say" for a 28-day period; from 4th October 2023 until 1st November 2023.

59 individuals viewed the consultation page, with 31 downloading the Customer Experience Standards and Charter for review. Of these 31, six provided feedback; five through the Have Your Say platform and one via the Wingecarribee Shire Council email address.

Internal Communication and Consultation

The Draft Customer Experience Standards and Charter were produced in collaboration with Council's internal management and executive teams providing insights and feedback during the development phase. Their support is critical to the ongoing success of the initiative, and its alignment with community expectations.

External Communication and Consultation

The Draft Customer Experience Standards and Charter were exhibited via community engagement platform "Have Your Say" for a 28-day period; from 4th October 2023 until 1st November 2023.

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

The primary focus of the Customer Experience Standards and Charter is to enhance the quality-of-service delivery. By setting clear standards and expectations, Council ensures that services are delivered efficiently, effectively and with an elevated level of quality. Ongoing reporting will be used to monitor standards of service across Council, identifying areas for improvement against the proposed Customer Experience Standards and Charter.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

There are no budget implications in relation to this report.

RELATED COUNCIL POLICY

There is no relevant Council Policy associated with this report.

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CONCLUSION

The Customer Experience Standards and Charter provides a structured framework that empowers Council to deliver exceptional customer service. Ongoing reporting will support a culture of continuous improvement, identifying areas where service level agreements are not currently being met.

The community engagement process identified a need for minor revisions to phrasing within the Customer Experience Standards and Charter, however minimal feedback was received relating to the proposed standards and commitments. It is proposed that Council publish the Customer Experience Standards and Charter, with minor revisions to draft phrasing.

ATTACHMENTS

1. Wingecarribee Shire Council Customer Experience Charter 2023 [9.4.1 - 2 pages]
2. Wingecarribee Shire Council Experience Standards 2023 [9.4.2 - 2 pages]
3. Customer Experience Standards and Charter Post Exhibition Report [9.4.3 - 1 page]

Customer Experience Charter







Wingecarribee Shire Council (Council) strives to provide a positive experience to Customers at every opportunity.

Council is committed to delivering programs and services with a strong customer experience focus. Our staff are committed to being open, honest, fair, and accountable in all our dealings with Customers and strive to provide timely, efficient, and consistent services.

Our Customer Experience Charter outlines standards we will use to deliver professional, reliable, and consistent customer experiences that meet your expectations.

Our Commitment to you

You can expect that we will

 <p>Tailor our response to your needs and provide you with the information you require</p>	 <p>Do what we say we will do and update you if we are unable to meet our commitments</p>	 <p>Actively measure and monitor our performance against the Customer Experience Standards</p>
 <p>Treat you with respect, integrity, and honesty</p>	 <p>Provide consistent and clear information across our communication channels</p>	 <p>Actively pursue continuous improvement and understand the needs of our customers now and into the future</p>

Our people will

 <p>Greet you in a friendly way and identify ourselves</p>	 <p>Be open and transparent about our processes</p>	 <p>Communicate clearly and in plain language</p>	 <p>Be experienced and knowledgeable</p>
 <p>Treat every customer equally and with respect</p>	 <p>Focus on helping you find solutions to your needs</p>	 <p>Take responsibility for resolving your enquiry</p>	 <p>Have appropriate systems in place to protect confidential information</p>

Customer Experience Standards

Our Service We Will	Our Standard
Answer your telephone call to the Customer Service Contact Centre	80% of the time within 180 seconds
Return your call	1 working day
Acknowledge receipt of your email	1 working day
Respond to your letter or email	10 working days
Acknowledge all Customer Service Requests	5 working days
Provide an update or notify of completion of Customer Service Requests	15 working days
Greet you at the Customer Service Counter	Within five minutes on average

If you use our digital services, you can expect



To contact us when and where it is convenient for you



The website to be easy to use, with clear navigation and content so you can find what you need quickly



That you can access our online services at anytime



That if you sign up to receive our information you always have the option to unsubscribe

To allow us to help, we expect you will



Treat us with mutual respect and behave in a courteous matter



Provide us with information that is timely, accurate and complete



Work with us to solve and reach problems



Contact us if you believe we have made an error or acted inappropriately




Provide us with honest, constructive feedback on our service


Feedback

Feedback includes compliments, complaints, suggestions or any information about our program delivery, services or performance.


Feedback and complaints can be made through our online feedback form, by phone, in writing, by email or in person.


Whilst most problems can be resolved quickly, there are times when detailed investigation is required. We will keep you informed of the progress if this is the case. If you are still dissatisfied with the response you have received, you may ask for a review of our handling of the matter. The review process will determine if we acted according to our policies and guidelines.


wsc.nsw.gov.au



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68 Elizabeth Street,
Moss Vale, Nsw 2577


mail@wsc.nsw.gov.au


02 4868 0888



Service Standards


Residential waste collection

General (red) waste bin - Weekly (optional fortnightly service available)
Garden organics (green) waste bin - fortnightly
Recycling (yellow) waste bin - fortnightly
Missed general waste service - next business day
Missed green waste service - 3 days
Missed recycling waste service - 2 days
Bulky waste collection service - annually


Building and development

Assessment of development applications (assumes State authority response within 21 days of referral):

- Fast Track Development Type - 50 days
- General Development Type - 80 days
- Major Development Type - 150 days


Certificates

Planning Certificate - 5 days
Rates (603) Certificate - 5 days
Complying Development Certificate - 20 days
Construction Certificate - 20 days
Drainage Diagram - 5 days
Fire Safety Certificate - 10 days
Outstanding Notices and Orders - 10 days
Swimming Pool Compliance Certificate - 10 days


Rates

Process your pension rebate - 10 days


Roads and signage

Pothole repair (>50mm deep) - maintained under a standard schedule that may change due to weather and other factors.

Replacement street sign - 20 days

Unsealed roads - maintained under a standard schedule that may change due to weather and other factors.


Trees

Respond to urgent incidents - 24 hour
Inspect a street or reserve tree - 20 days
Application to prune/remove trees on private property - 30 days


Companion animals

Respond to urgent incidents - 24 hours.
Respond to routine incidents - 3 days
Contained animal pick-up - 1 day


Livestock

Respond to urgent incidents - 24 hours


Illegal dumping

Illegal dumping on Council land - 10 days to investigate, removal timeframe subject to incident

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Amenities and facilities maintenance

Amenities cleaning (high-use facilities) - daily Monday-Friday, weekends during summer
Amenities cleaned reported issues - 2 days
Public garbage bins - maintained under a standard schedule that may change due to weather and other factors


Abandoned vehicles

Respond to urgent incidents - 24 hours
Respond to non-urgent – 5 days, timeframe subject to incident


Parking complaints

Respond to urgent safety incidents - 24 hours
Respond to non-urgent safety incidents - 5 days


Parks and open spaces (subject to weather)

Sports field - maintained under a standard schedule that may change due to weather and other factors.
Outer sports field - 7 times a year
Community parks - maintained under a standard schedule that may change due to weather and other factors


Overgrown property

Overgrown private property - 1 week to investigate, timeframe subject to incident


Environment

Respond to urgent pollution incidents - 24 hours

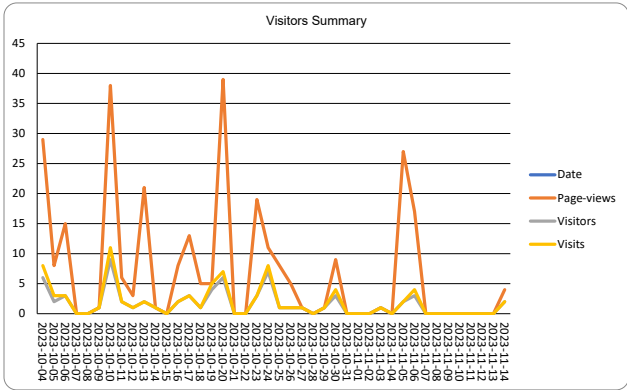

Water and sewer

Respond to urgent incidents - 24 hours
Respond to non-urgent incident - 5 days

Timeframes are in business days, are subject to change, and can be dependent on factors that are beyond our control, including severe weather incidents, withholding of information and special circumstances.

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Project Report: Customer Experience Standards & Charter Public Exhibition



Project Highlights

Total Visits	78
New Registrations	2
Video views	0
Photo Views	0
Document Downloads	68

Admin Notes

ENGAGED PARTICIPANTS	5		
Engaged Actions Performed	Registered	Unverified	Anonymous
Contributed on Forums	0	0	0
Participated in Surveys	5	0	0
Contributed to Newsfeeds	0	0	0
Participated in Quick Polls	0	0	0
Posted on Guestbooks	0	0	0
Contributed to Stories	0	0	0
Asked Questions	0	0	0
Placed Pins on Places	0	0	0
Contributed to Ideas	0	0	0

INFORMED PARTICIPANTS	36
Informed Actions Performed	Participants
Viewed a video	0
Viewed a photo	0
Downloaded a document	31
Visited the Key Dates page	0
Visited an FAQ list Page	0
Visited Instagram Page	0
Visited Multiple Project Pages	28
Contributed to a tool (engaged 5	

AWARE PARTICIPANTS	59
Aware Actions Performed	Participants
Visited at least one Page	59

ENGAGEMENT TOOLS SUMMARY									
Forum Topics	0	Guestbooks	0	Places	0	News Feeds	0	Ideas	0
Qandas	0	Quick Polls	0	Stories	0	Survey Tools	1		

Tool Type	Engagement Tool Name	Tool Status	Visitors	Contributors		
				Registered	Unverified	Anonymous
SurveyTools	Customer Experience Charter and Standards Feedb Published		13	5	0	0

INFORMATION WIDGET SUMMARY									
DOCUMENTS	2	PHOTOS	0	VIDEOS	0	FAQS	0	KEY DATES	0

Widget Type	Engagement Tool Name	Visitors	Downloads/Views
Document	Draft Wingecarribee Shire Council Customer Experience Charter 2023	28	39
Document	Draft Wingecarribee Shire Council Experience Standards 2023	22	29

9.5 Traffic Convex Safety Mirrors on Local Roads Policy for Public Exhibition

Report of: Shaun Robinson
Manager Assets

Authorised by: Karin Targa
Director Service and Project Delivery

PURPOSE

This report proposes that Council adopts a new policy to:

- Allow limited use of convex safety mirrors on local public roads at specific locations to assist in the delivery of the key objective of reducing road casualties on local public roads in the Local Government Area of the Shire.
- The attached policy will delegate to Council staff a mechanism for approval or otherwise of requests for such mirrors.

OFFICER'S RECOMMENDATION

THAT:

1. Council endorse the Traffic Convex Safety Mirror Policy to be placed on public exhibition for 28 days.
2. A further report be submitted to Council following the conclusion of the public exhibition period.

REPORT

BACKGROUND

Currently, Wingecarribee Shire Council does not allow the use of traffic convex safety mirrors on public roads. Council resolved on 16 August 2023 General Council meeting that (in part):

"Council seeks from the Minister for Transport the Government's policy on the installation of convex safety mirrors on regional and state roads. i.e., seek from TfNSW formal guidance / comment of convex safety mirrors on TfNSW owned roads."

Council wrote to the Chief Executive of the Office of Local Government (OLG) requesting advice as to The Office of Local Government's current policy on the installation of convex safety mirrors on regional and state roads if available.

A response from The Hon Jenny Aitchison MP, Minister for Regional Transport and Roads in part below:

"I am advised Transport for NSW does not support using convex safety mirrors on State and regional roads. These mirrors are appropriate for local roads with low traffic volumes and roads with a low signposted speed limit."

Transport for NSW found convex mirrors are generally ineffective and sometimes unsafe. They can give a false sense of the speed and distance of oncoming traffic. Drivers have misinterpreted what they saw in convex mirrors, which put them and other road users at risk."

Direction from the Administrator at the 13 December Council Meeting is that Council creates a policy to enable the approval of the installation of traffic safety mirrors on Council roads with low traffic volumes and low posted speeds as below:

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“At the 21 February meeting of Council, I requested that the government policy in relation to the installation of convex safety mirrors be sought. The Minister for Regional Transport and Roads has now advised that Transport NSW does not support the use of such mirrors on state and regional road; however, notes these mirrors are appropriate for local roads with low traffic volumes and roads with a low posted speed limit. Resulting from the reply I have asked the General Manager to report to the February meeting on a policy that will delegate to Council staff a mechanism for approval or otherwise of requests for such mirrors subject to the applicant paying the costs involved.”

REPORT

Transport for NSW suggest that traffic convex safety mirrors are suitable on local roads with low traffic volumes and roads with a low sign posted speed limit. Traffic safety mirrors should only be used to determine the presence of road users and not to be used for judging speed or distance.

It is therefore proposed that Wingecarribee Shire Council adopts a new proactive policy that allows the limited use of traffic convex safety mirrors. Each site would need to meet Transport for NSW criteria (e.g. traffic safety mirrors are suitable on local roads with low traffic volumes and roads with a low sign posted speed limit) and would require approval through Traffic Committee.

Members of the community will be able to apply for the installation of traffic convex safety mirrors. If approved by Council, community members will be required to fund the installation and future maintenance of the mirrors.

A Draft copy of WSC POLICY for the Use of Safety Mirror on Local Public Road Version 1 is attached with the report, along with a sample of the proposed Traffic Safety Mirror Application Form.

The process for a member of the community to gain permission and install a traffic safety mirror is as follows:

1. Complete a Traffic Safety Mirror Application form and pay the application fee of \$120.
 - a. Note: The application fee will be introduced in the 2024/25 Fees and Charges and is to accommodate two hours of processing by a Traffic Engineer.
2. Council Officers will assess the request for a mirror and, if appropriate, a report will be presented to Traffic Committee for approval.
3. If approval is granted through Traffic Committee, the applicant will attach this approval to their subsequent Section 138 Application for their installation of the traffic mirror by an appropriate contractor.

The traffic mirror will remain the ownership and maintenance responsibility of the applicant. Future maintenance of the traffic mirrors will be the responsibility of the applicant. Like all private infrastructure, any repairs to the mirrors will require approval through the Section 138 process to undertake works in the road reserve.

If the traffic convex safety mirror is left in a dilapidated state for a long period, the mirror will be removed by Council and the applicant will be required to reapply for their installation of a new traffic mirror.

COMMUNICATION AND CONSULTATION

Community Engagement

The Policy will be placed on public exhibition for 28 days, with feedback and recommendations to be received via Council’s online engagement platform, Participate Wingecarribee.

Internal Communication and Consultation

Project Delivery

Shire Presentation

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External Communication and Consultation

Transport for NSW

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

There are no social issues in relation to this report.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

This report has no significant budget implications on Council. The introduction of a \$120 application fee will accommodate for two hours of processing by a Traffic Engineer, and all construction and maintenance costs will be the responsibility of the applicant – similar to a residential driveway.

RELATED COUNCIL POLICY

- Community Strategic Plan
- 3.1.4 Work in partnership to ensure a safe and reliable road and infrastructure network

CONCLUSION

The draft Traffic Convex Safety Mirror will enable residents on low speed, low traffic local roads to make application for their installation of a traffic mirror. Similar to a residential driveway, the traffic mirror will remain the ownership and maintenance responsibility of the applicant. It is recommended that the draft policy is place on public exhibition for 28 days and if no submissions are received that it is subsequently considered adopted.

ATTACHMENTS

1. Minister for Regional Transport and Roads re Traffic Mirror Advice [9.5.1 - 1 page]
2. DRAFT Traffic Convex Safety Mirror Policy [9.5.2 - 6 pages]
3. Draft Traffic Mirror Application Form [9.5.3 - 3 pages]

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The Hon Jenny Aitchison MP
Minister for Regional Transport and Roads



Ref: 01895623

Ms Lisa Miscamble
General Manager
Wingecarribee Shire Council
PO Box 141
Moss Vale NSW 2577

Dear Ms Miscamble,

Thank you for your correspondence to the Minister for Transport on behalf of Wingecarribee Shire Council about installing convex safety mirrors on State and regional roads. Your correspondence was referred to me as it falls within my portfolio responsibilities as Minister for Regional Transport and Roads. I apologise for the delay in responding.

I am always grateful to hear about ways we can improve our road network and appreciate Council taking the time to share its views. Access to quality transport and roads has a major impact on health, education, jobs and opportunity. They are particularly vital in regional, rural and remote areas.

I am advised Transport for NSW does not support using convex safety mirrors on State and regional roads. These mirrors are appropriate for local roads with low traffic volumes and roads with a low signposted speed limit.

Transport for NSW found convex mirrors are generally ineffective and sometimes unsafe. They can give a false sense of the speed and distance of oncoming traffic. Drivers have misinterpreted what they saw in convex mirrors, which put them and other road users at risk.

Thank you for taking the time to write to me. I genuinely appreciate the effort Wingecarribee Shire Council made to raise this matter with the NSW Government.

Yours sincerely,



03/12/2023

The Hon Jenny Aitchison MP
Minister for Regional Transport and Roads

52 Martin Place Sydney NSW 2000
GPO Box 5341 Sydney NSW 2001

02 7225 6060
nsw.gov.au/ministers



Traffic Convex Safety Mirror Policy



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WINGECARRIBEE SHIRE COUNCIL

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DRAFT Traffic Convex Safety Mirror Policy.docx

Document Type	Council Policy
Document Reference No.	
Version No.	Draft Version 1
Council File Reference	
Adoption Date	
Resolution Number	
Document Owner	Manager Assets
Responsible Branch	Assets
Responsible Business Unit	Assets Roads and Drainage
Review Schedule	Four Years
Review Date	30 June 2028

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DRAFT Traffic Convex Safety Mirror Policy.docx

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1. Objectives

The objective of this Policy is that Council adopts a new proactive policy allowing the limited use of traffic convex safety mirrors at specific locations on local public roads to assist in the delivery of one of our key objectives of reducing road casualties.

2. Policy Statement

Local public road safety is a priority for Wingecarribee Shire Council. Allowing limited use of traffic convex safety mirrors at specific locations will assist in the delivery of Councils key objectives of safer roads.

3. Assessment Criteria

Council will only consider traffic convex safety mirrors on local public roads where: -

- Visibility for vehicles emerging from the side road is severely restricted.
- The 85th percentile speed on the road(s) is 60 km/h or less.
- Traffic volume on the road(s) is less than 300 vehicles / peak three-hour period.
- It is not possible to improve sight distances by some other practical means, such as:
 - removal of vegetation/ hedges, walls, trees or other obstacles;
 - realignment or removal of a structure, such as a fence;
 - trimming of a bank/cutting soil removal;
 - relocation or realignment of a driveway, if practical; and
 - making the desired driving manoeuvre at another location.

For concealed entrances, traffic convex safety mirrors will only be considered as a last resort where any of the following treatment cannot be justified:

- Relocation of the driveway or private access;
- Turning restrictions;
- Improvements to sight distance such as vegetation trimming;
- Bank/cutting soil removal;
- Alteration and/or relocation of property fencing;
- Shoulder acceleration or deceleration area; and
- Use of CONCEALED ENTRANCE signage.

4. Permit Specifications

The community can apply to Council to install traffic convex safety mirrors. The cost of the mirror installation and maintenance will be incurred by the applicant. All traffic safety mirror installation must have approval through Local Traffic Committee before installation can be undertaken.

Attached with this policy is Traffic Safety Mirror Application Form [\(website link to the application form be included in the final draft\)](#). This form is to be completed and returned to Council for Officers to consider if a traffic safety mirror is appropriate in the requested location, and if the request will be reported to Local Traffic Committee.

Once approved through Local Traffic Committee, the applicant will be required to engage a contractor to install the mirror. Applicants will be required to apply for a Section 138 Application through the NSW Planning Portal for the installation works to be given permission to be undertaken on the road reserve.



The NSW Planning Portal can be accessed from Council's website.

Future maintenance of the traffic safety mirror will be the responsibility of the applicant. Any maintenance will require approval through a Section 138 Application to undertake works in the road reserve.

If a mirror is left in a dilapidated state for a long period, the mirror will be removed by Council. Reinstallation of the mirror will require the whole process to begin again from the first step.

Properties where the requested location of a traffic safety mirror is on a private road, regional road or a classified main road (State Road) are not eligible to apply.

5. Fees

Applicants will be required to pay a designated fee for Council Officers to assess the application, information provided and the requested location as appropriate. The fee is shown on the Traffic Safety Mirror Application Form.

The applicant will be responsible for the installation of the mirror by engaging a contractor to install the mirror as approved through by Traffic Committee.

The applicant must apply for a Section 138 Application through the NSW Planning Portal to gain permission from Council to undertake works on the road reserve.

6. Privacy protection notice

Wingecarribee Shire Council collects personal information to enhance our ability to provide services to our community. Your personal information is intended for use by Council staff only and will not be released to anyone other than you, unless your written authorisation has been obtained. If you choose not to supply your personal information, it may result in Council being unable to provide the services you seek.

You can access and correct your personal information by submitting the Traffic Convex Safety Mirror Application form. If you require any additional information, please read Council's Privacy Statement on the website.

7. Responsibilities

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

Councillors

- Councillors shall lead the community in their understanding of and compliance with this Policy.

Executive

- Executive shall implement and comply with this Policy; and
- Lead staff in their understanding of and compliance with this Policy.

Manager Assets

- The Manager Assets shall implement and comply with this Policy;

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- 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
- conduct investigations into alleged non-compliance with this Policy.

Council Staff

Council staff shall comply with this Policy. Council staff responsible for dealing with applications for the use of mirror in local public road must do so in accordance with this Policy, relevant legislation and any other applicable guidelines or policies.

8. Version Control

Version Control

Version	Adoption Date	Notes
Version 1	TBC	WSC Policy for the Use of Convex Safety Mirror on Local Public Road

Superseded

Version	Adoption Date	Notes
nil		

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Traffic Convex Safety Mirror Application 24/25



If you need help lodging your form, contact us	
Email	council@wsc.nsw.gov.au
Phone	02 4868 0888
Customer Service Centres	Moss Vale Civic Centre 68 Elizabeth Street Moss Vale NSW 2577

Office use only	
Form ID	-----
Ref.	-----
Last updated	Feb 2024
Business unit	Assets Roads and Drainage
Application no.	

Privacy Protection Notice	
Purpose of collection	For Council to provide services to the community
Intended recipients	Wingecarribee Shire Council
Supply	If you choose not to supply your personal information, it may result in Council being unable to provide the services you seek
Access/Correction	Please contact Customer Service on 02 4868 0888 to access or correct your personal information

When is a Traffic Convex Safety Mirror Application required?

This application is required to request permission to install a traffic convex safety mirror on a public land (roadway and/or footway).

About this Application Form:

1. The application will not be considered for assessment until the required fees have been paid.
2. Application fee is non-refundable if the application is not approved.
3. Failure to provide the required information may result in the application not considered for assessment and not approved.
4. The processing time for the application is a minimum of 20 working days excluding weekends and public holidays.
5. The traffic mirror is to be inspected by Council annually to ensure compliance with Transport for NSW requirements. Notification will be made prior to any inspection. Additional fees may apply.
6. Properties located on a private road, regional road or a classified main road (State Road) are not eligible to apply. Requests for a traffic mirror on a State or Regional Road are to be submitted to Transport for NSW for consideration.

Part 1: Applicant Details

Applicant Details	
Applicant name	
Business name	
Business address	
Suburb	Postcode
Phone number	
Mobile	
Email	

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Part 2: Site Location

Address of Property: Please note this address must be where the permit will apply			
Address			
Suburb		Postcode	
Nearest crossroad/street			
Stand on street name			
Has Council previously approved this proposal		<input type="radio"/> Yes	<input type="radio"/> No
If yes, please supply original documentation and enter only the details that have changed			
Sketch the location of the proposed Traffic Mirror			

Part 3: Fees

Required fees	Fee Amount
Application fee	\$120
Total fees due	\$

Part 4: Declaration

I certify that I am the property owner or have obtained permission from the property owner(s) to make this application on their behalf. I certify that the above information is true and correct in every detail. I have read and agree to the conditions listed above. I understand that if the information declared on this form is not true and correct, Wingecarribee Shire Council may refuse my request.	
Property Owner's Signature	
Date	

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Part 5: Conditions

1. Permit specifications

Properties where vehicular access is on a private road, regional road or a classified main road (State Road) are not eligible to apply.

I/my organisation am/is aware that the application will be investigated by Council staff for a recommendation to the Wingecarribee Shire Council Local Traffic Committee at its next meeting. If the application is successful and approved by Council, I/my organisation am/is aware that:

- a. I/my organisation will accept responsibility for the purchase, cost of installation (according with Transport for NSW standards and attached Council Policy) and ongoing maintenance of the traffic mirror. Should the mirror (and attached sign) not be maintained in good order, Council may revoke its permission and have the mirror removed for public safety.
- b. I/my organisation will be responsible for the installation of the mirror by engaging a contractor to install the mirror as approved through by Traffic Committee on the public land (roadway and/or footway).
- c. I/my organisation will apply for a 138 Application through the NSW Planning Portal to gain permission from Council to undertake works in the road reserve.
- d. The Convex Traffic Mirror provides a distorted image, gives a false sense of the speed of and distance to approaching vehicles and the onus is still on the driver to exercise caution and control at all times when leaving the property onto the road.
- e. I/my organisation indemnify Council from and against all actions, claims, costs, expenses and damages (including the costs of defending or settling any action or claim) in respect of loss of or damage to property (including Council's property) or personal injury (including death) to any person arising out of or by reason of anything done or omitted intentionally or negligently by me/my organisation and will maintain current Public Liability Insurance. Council accepts no liability or responsibility for loss, damage or accidents that occur on Council's reserves your organisation is to effect, at its own cost, Public Liability Insurance for a cover not less than \$10,000,000 for each claim in the names of Council as owners and your organisation as occupiers of the area concerned as to their respective rights and liabilities.

It is your responsibility to ensure Council has a copy of your current Public Liability Insurance policy for the above mentioned cover.
- f. Residents adjacent (if applicable) to the location where the traffic mirror is proposed to be located have been consulted with respect to the placement of the traffic mirror on Council's nature strip adjacent their property.

2. Privacy protection notice

Wingecarribee Shire Council collects personal information to enhance our ability to provide services to our community. Your personal information is intended for use by Council staff only and will not be released to anyone other than you, unless your written authorisation has been obtained. If you choose not to supply your personal information, it may result in Council being unable to provide the services you seek. You have the opportunity to access and correct your personal information by submitting this form. If you require any additional information, please read Council's Privacy Statement on the website.

9.6 Quarterly Delivery Program and Budget Review 31 December 2023

Report of: **Danielle Lidgard**
Manager Governance and Corporate Performance

Authorised by: **Carmel Foster**
Director Corporate Strategy and Resourcing

PURPOSE

The purpose of this report is to provide an overview of Council’s progress towards delivering its Delivery Program and Operational Plan 2023/24 for the period 1 October 2023 to 31 December 2023. The report also provides the projections of Council’s financial position for the period ending 31 December 2023. The report also seeks approval to the proposed adjustments to the 2023/24 Budget attached to this report. The Quarterly Review of the Budget is reported to Council at the end of each quarter in accordance with Section 203 of the *Local Government (General) Regulation 2021*.

OFFICER’S RECOMMENDATION

THAT Council:

1. **Note the Quarterly Progress Report on the Delivery Program and Operational Plan for the period ended 31 December 2023 in Attachment 1.**
2. **Approve the budget adjustments and endorse the projected financial position as of 31 December 2023.**
3. **Note the revised format that incorporates the Level 4 (Coordinator Level) financial reporting incorporated into the quarterly review.**
4. **Note the update on the monthly financial reporting to Council outlined in the body of this report.**
5. **Repay the balance on the Robertson Sewerage Scheme loan of \$595,419.11 in May 2024 from Sewer Fund reserves.**
6. **Note the successful grants received during the quarter.**

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 2041, within its area of responsibility and with regard to its available resources. Annually Council adopts an Operational Plan that details the projects and activities (priority actions) that will be undertaken during the financial year.

At its Extraordinary meeting of 28 June 2023, Council adopted refreshed Delivery Program 2023-25 and Operational Plan 2023/24. The structure of the Delivery Program was reviewed and presented in a new format. This is to provide greater transparency to the community and promote greater accountability across each service area. It is intended that this will assist the community in better understanding of the breadth of services provided by Council and the context each service operates within as well as the resource

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implications. The Operational Plan format has also been revised to reflect the changes in the Delivery Program.

REPORT

This Quarterly Review reports outcomes against Council's Delivery Program and Operational Plan 2023/24 for the quarter. Progress for each service is reported against one of the five themes of the Community Strategic Plan. In some cases, these services and activities will be contributing to multiple themes and therefore will be presented under the best fit goal.

A summary of progress for the December 2023 quarter is outlined below.

Table 1: Priority Action Progress

Priority Action Status	Number of Actions	Percent Status
Not Due to Start	12	6%
On Hold	4	2%
Progressing – Behind Schedule	27	12%
Progressing – On Track	164	72%
Complete	19	8%
Total	226	100%

Highlights from December 2023 quarter include:

- Residents of East Bowral witnessed the installation of the Southern Highlands' inaugural community battery by Endeavour Energy on 16 October 2023. As part of a national trial, this initiative marks the first step toward deploying larger, more efficient batteries in the region. Council's collaboration with Endeavour Energy facilitates the installation of this trial community-shared battery, storing excess energy from residents' solar panels. This initiative addresses supply challenges and offers a cost-effective alternative for residents, potentially leading to lower energy costs and an expanded network of community batteries. Additionally, measures to deter graffiti and enhance the battery's visual appeal are underway, reflecting community feedback.
- In the December Quarter, the Tulip Time Festival drew a record attendance. Securing funding for tourism is crucial, and Council successfully obtained the Destination New South Wales (DNSW) Triennial grant for Tulip Time promotion. This facilitated extensive marketing across multiple channels, including Garden Australia magazine, digital campaigns, photography, videography, Sydney Weekender promotion spots, and sponsorship of WIN TV News in the Illawarra.
- Council organised community engagement sessions to develop a Community Emissions Action Plan (CEAP). This plan aims to establish goals for reducing greenhouse gas emissions across the Shire. It builds upon Council's existing emissions reduction strategies and seeks community input to address climate change impacts. Rising temperatures and heightened fire risks underscore the urgency of this initiative. Notably, electricity usage constitutes 48% of community emissions, followed by industrial processes, transport, agriculture, gas, and waste. Through partnerships, infrastructure enhancements, and advocacy, Council supports emission reduction efforts. Residents were encouraged to participate in sessions or complete the survey to contribute to this initiative.
- The Community Resilience Small Grants Program received twenty applications, with fourteen projects successfully delivered during this reporting period. Initiatives such as "Angels in our Town," Bundanoon's Community Resilience Expo, trauma and resilience workshops, and preparedness activities were executed across the Shire, demonstrating impactful community engagement and resilience-building efforts.

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- The draft Community Heritage Study was initially reviewed by the community and Council. Following this, Council authorised an independent peer review, set to begin in early 2024, to ensure thorough evaluation and validation of the study's conclusions and proposals. Once completed, the consultation outcomes and peer review findings will be presented to the Local Planning Panel and Council. Their endorsement will pave the way for the public exhibition of the draft Community Heritage Study.
- The rejuvenated Wingecarribee Shire Council website, launched in November 2023, offers a refreshed look and simplified navigation pathways, ensuring an enhanced user experience. Regular content reviews maintain accuracy and consistency across platforms, while adherence to accessibility standards ensures inclusivity for all users. The website serves as a central hub for accessing information and services, fostering greater community engagement and participation. By showcasing Council initiatives and facilitating efficient communication, it promotes transparency and accountability in governance. Overall, the website's improvements aim to provide residents, businesses, and visitors with a user-friendly platform for accessing Council resources and staying informed.
- Council secured \$200,000 from the NSW Government Club Grants Category 3 Infrastructure Grants Program for the new Emergency Operations Centre (EOC) at Civic Centre Moss Vale. This funding accelerates the EOC's fit out, ensuring it meets the highest standards for a prompt operational launch. Council has committed an additional \$270,000 to establishing a purpose-built emergency hub, to enable a coordinated and efficient response to future emergencies. This success aligns with the 2021 Bushfire Response Recovery Review's call for an upgraded central operations facility. The EOC, strategically located near key agencies, enhances crisis response coordination, offering improved safety and security for Shire residents. The co-design process involved collaboration with emergency response agencies, ensuring operational alignment and a high-level outcome.

Table 2 below outlines the ten (10) priority actions that were completed during the reporting period.

Table 2: Priority Actions - Complete

Code	OP Action	Status	Comments
3.1 PA5	An efficiency of \$270,000 be generated from Salaries and Wages and these funds be allocated to a proposed Emergency Operations Centre, as outlined in the Shires Priorities document, to be delivered during the 2023/24 financial year.	Completed	In the September 2023 Quarter Budget Review, Council resolved its cost efficiencies for a sustainable financial position. The process generated extra savings in Salaries and Wages, supporting the efficiency factor in the 2023/24 budget. These savings will fund the Emergency Operations Centre (EOC), aligning with Shires Priorities. They are recurring and integral to Council's Long Term Financial Plan (LTFP).
4.1 PA1	Transition Council's core software package to the cloud (TechnologyOne) to enable a digital customer experience and support the Customer Experience Charter.	Completed	We successfully migrated our core Corporate Systems to Technology One's Cloud on October 23 2023. The migration lays the foundation for future integration of other web-based applications (eServices, payment gateways, ubiquitous access) which will allow members of our Community 24/7 online access to register and pay for applications and certificates and in the future access to "real-time" data through web-based mapping services which are currently in development.

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Code	OP Action	Status	Comments
4.4 PA4	Deliver a training program to support 355 Management Committees	Completed	Council delivered 5 sessions of Orientation and Induction to 355 Management Committees. Nominees who attended the training were appointed to the respective 355 Management Committees on 15 November 2023.
4.5 PA3	Rejuvenate Council's website to ensure the community have up to date information available	Completed	The rejuvenated Wingecarribee Shire Council website launched in November 2023, with a refreshed look and simplified navigation pathways. The website content will continue to be reviewed and refreshed to ensure accuracy and consistency across Council platforms.
4.5 PA5	Rejuvenation of Council's Websites for consistency in messaging and "look and feel"	Completed	The rejuvenated Wingecarribee Shire Council website launched in November 2023, with a refreshed look and simplified navigation pathways. The website content will continue to be reviewed and refreshed to ensure accuracy and consistency across Council platforms.
8.1 PA1	Construction of Ritchie Park Playground	Completed	Project Completed during the December Quarter.
12.2 PA4	Develop a Domestic Waste Scenario Model	Completed	Waste scenario model was developed in conjunction with Abraxa Consultants.
12.2 PA11	Develop the Waste Management Strategy	Completed	The resource Recovery and Waste Management Strategy was endorsed by Council at the December meeting 2023
13.1 PA1	Undertake electrical control cabinet renewals	Completed	The electrical control cabinet renewal program has been completed for wastewater assets.
15.3 PA3	Coordinate Children's Week activities	Completed	Childrens day was held on the fourth Wednesday of October. A number of care-based activities were undertaken as part of the day by the team.

Table 3 below outlines the four (4) priority actions that were on hold during the reporting period.

Table 3: Priority Actions - On Hold

Code	OP Action	Status	Comments
12.2 PA6	Plan the Food Organics and Garden Organics (FOGO) program	On Hold	Reviewing developments in legislation and contracts. Initiative on hold pending the release of the updated EPA FOGO guidelines early 2024.
14.1 PA4	Prepare the Economic Development Strategy - Integrated Action Plan	On Hold	Due to other priorities taking precedence, this item has not been progressed.
14.1 PA7	Facilitate local disability awareness	On Hold	An industry forum is envisaged to be held in June 2024. Council looks to appointing an Economic

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Code	OP Action	Status	Comments
	training for local businesses		Development Specialist in early 2024 to liaise and coordinate these new initiatives with local businesses.
14.2 PA8	Implement the Community and Recreational Facilities Strategy	On Hold	The Community and Recreation Facilities Strategy will be implemented by the Strategic Outcomes team through a review of the Development Contributions Framework. This will occur once Council adopts a final Strategy and after detailed Infrastructure Schedules have been prepared to inform the relevant Contributions Plan. The implementation of the Community and Recreation Facilities Strategy will be an ongoing process involving all relevant sections of Council.

Table 4 below outlines the twenty-seven (27) priority actions that were identified as progressing behind schedule during the reporting period.

Table 4: Priority Actions - Progressing Behind Schedule

Code	OP Action	Status	Comments
2.1 PA1	Explore options to engage in a more meaningful way with local businesses	Progressing - Behind Schedule	Council is developing documentation and information for presentation and distribution to assist local business to better understand Council's procurement policy and processes, in order to encourage more local business to partner with Council on current and future projects. This initiative is currently progressing behind schedule due to resourcing limitations.
3.3 PA3	Implement the Integrated Risk Management Road Map and Action Plan	Progressing - Behind Schedule	Implementation of the Integrated Risk Management Road Map and Action Plan is delayed due to resourcing constraints.
4.2 PA1	Review and implement a Cyber Security Policy and framework to ensure Council data is managed in a secure manner	Progressing - Behind Schedule	Key milestones have been achieved in strengthening the foundations, which include implementing a reliable and efficient backup solution and datacentre. Work is yet to commence the creation of a Cyber Security Framework. Council does have a Cyber Security Policy which is in line with the Australian Government and Australian Signals Directorate. Noting that work has not stopped in enhancing Council's security posture.
4.5 PA4	Implement Online Forms to increase ease of submitting information remotely	Progressing - Behind Schedule	Council continues to enhance accessibility through the introduction of Online Forms. A thorough review of existing paper-based forms is being conducted following the launch of Council's refreshed website. Where possible, documents

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Code	OP Action	Status	Comments
			will be digitised to allow the submission of information via digital means, allowing for better flow of information from our community to internal Council departments.
5.1 PA2	Implement training to support organisational change	Progressing - Behind Schedule	A Training Calendar is in place which supports organisational change and mandatory training.
6.1 PA2	Work with community to strengthen resilience through a focus on prevention, preparedness, response, and recovery as identified within the 'Resilience Connect' blueprint	Progressing - Behind Schedule	As of December, the Canberra region Joint Organisation is currently completing a variation to the Blueprint and are not prepared to present on the project until the variation is approved from the funding body. The variation will bring CRJO to the completion of the grant and all stakeholders will be informed as the final activities/deliverables when approved.
6.1 PA3	Deliver an Oral History project in the Shires Northern Villages with the focus on their stories of place, including Balmoral Green Space	Progressing - Behind Schedule	The Oral History Project has officially begun with the outcome to document the unique stories and experiences of the residents of the Shire's northern villages. Interviews with Balmoral Village residents commenced in this reporting period with the project to run through to March 2024.
6.1 PA5	Update Community Safety Plan	Progressing - Behind Schedule	NSW Bureau of Crime Statistics and Research has completed within Community safety Plan in this quarter. In the next reporting period Council will be engaging with external stakeholder in the development of the plan.
7.1 PA2	Prepare Parks Asset Management Plan (AMS)	Progressing - Behind Schedule	We have started to develop the Parks Asset Management Plan and 30% of the plan is complete. We continue to work on making adequate resources available to complete the draft of the document as intended.
7.1 PA4	Complete Masterplans for the locations to be determined by the Community and Recreation Facilities Strategy (CRFS)	Progressing - Behind Schedule	Since the adoption of the Community Recreation and Facility Strategy, Council has considered the need for a couple of sports fields to have well-developed Masterplans that can guide future planning, investigation and design works. Jurk Park at Colo Vale and Centennial Park at Bowral have been chosen with the aim to ensure that user groups requirements are met while promoting a positive impact for the surrounding environment for the whole community.
7.3 PA3	Update the Integrated Water Cycle Management (IWCM) Plan, including the	Progressing - Behind Schedule	The project specification to engage a consultant to commence in 2024 has been prepared.

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Code	OP Action	Status	Comments
	Financial Model (Finmod) (AMS),		
9.1 PA1	Reduce Development Application assessment timeframes	Progressing - Behind Schedule	Development assessment time frames have improved slightly during the quarter, and a further reduction in assessment times is expected over the remainder of 2023-24. During the December Quarter, Council recruited the new Manager and a Fast Track Team Coordinator as well as additional assessment planners. Council commenced the integrated assessment and approval of s.68 Local approvals with Development Applications and reviewed its standard consent conditions.
9.1 PA2	Implement Development Assessment process review changes to reduce Development Application timeframes and accelerate delivery of housing and jobs for the community	Progressing - Behind Schedule	During the December Quarter Council continued its DA Process Review and implemented a number of process and system changes for efficiency. The process review will be completed in the March quarter.
11.2 PA2	Complete the Plant Community Type Map for the koala habitat and priority corridor mapping project	Progressing - Behind Schedule	Our partners at Department of Planning and Environment employed a spatial mapping officer to support the regional koala agreement areas and habitat mapping. A contract botanist will be engaged to work with the DPE and Council team to finalise and validate the fine-scale Plant Community Type map for Wingecarribee Shire. Council is seeking two written quotes from suitably qualified botanists.
12.1 PA1	Develop and implement a facility Master Plan	Progressing - Behind Schedule	Future Facility improvements projects still progressing. 2024/25 budget bids have been submitted as part of the budget process
12.1 PA2	Deliver recycling opportunities to villages	Progressing - Behind Schedule	EPA has provided approval for the operational plan for the Mobile CRC. Trial Scheduled for mid to late January 2024
13.1 PA4	Replace pneumatic controls for filter valves at Wingecarribee Water Treatment Plant	Progressing - Behind Schedule	New Pneumatic panels have been installed. All the pneumatic lines installation completed. Changeover of filters to the new pneumatic panel will start in January.
13.1 PA5	Deliver the Water mains renewals program 2023-24	Progressing - Behind Schedule	Several renewal projects are due to start early next year.
13.4	Action Customer	Progressing	The amount of Customer requests has increased

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Code	OP Action	Status	Comments
PA3	Requests and undertake preventative maintenance	- Behind Schedule	while preventative cleaning has decreased. Work practices have been reviewed and the implementation of the required changes is ongoing.
14.1 PA1	Prepare and implement a Master Plan and Servicing Strategy framework for development of the Southern Highlands Innovation Park	Progressing - Behind Schedule	Council has engaged a consultant team to prepare the SHIP Master Plan and Governance Strategy. Landholder consultation workshops are booked for early February 2024. This project is behind schedule due to delays in receiving funding from the NSW Government.
14.1 PA2	Establish a Governance Framework for the Southern Highlands Innovation Park	Progressing - Behind Schedule	Council has engaged consultants to prepare a Governance Strategy for the Southern Highlands Innovation Park. Initial stakeholder (landholder and tenant) engagement is underway for February 2024. The SHIP project is behind schedule due to delays in receiving grant funding.
14.1 PA3	Prepare an Implementation Plan for the Destination Strategy in consultation with industry	Progressing - Behind Schedule	Council has been investigating funding and resourcing opportunities for this project and it is behind schedule due to competing priorities taking precedence. Further funding sources will be explored in early 2024.
14.2 PA1	Finalise the Robertson Village Place Plan	Progressing - Behind Schedule	The Public Exhibition period for the Draft Robertson Place Plan concluded on 16 October 2023. Council officers are currently working towards reviewing the submissions received during the exhibition period. A brief analysis of the submissions warrants some amendments to the draft Place Plan. This project is progressing slightly behind track as the analysis and preparation of the draft Place Plan warranted more time than anticipated.
14.2 PA2	Complete the Bowral Town Centre Master Plan	Progressing - Behind Schedule	The draft Bowral Town Centre Master Plan was presented to the Local Planning Panel on 25 October 2023 and a report was considered at the Council meeting of 13 December 2023. Council endorsed the draft Master Plan for it to proceed to public exhibition for a period of eight weeks in early 2024. The project is progressing but is currently behind schedule due to conflicting project priorities.

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Code	OP Action	Status	Comments
14.2 PA3	Implement the Medium Density Residential controls	Progressing - Behind Schedule	Council reviewed the submissions received during the exhibition of the draft Medium Density Residential Controls in March 2023, and a report is currently being prepared for the Local Planning Panel and Council to report the outcomes of the exhibitions and necessary changes made to the draft Medium Density Residential Controls. This project is progressing behind schedule due to multiple project priorities.
14.2 PA5	Prepare a detailed Master Plan for the Southern Highlands Innovation Park	Progressing - Behind Schedule	Council appointed Architects to develop a Master Plan and Astrolabe to develop the Governance Strategy for the Southern Highlands Innovation Park (SHIP), in August 2023, who have completed the initial analysis of the area and are currently preparing for stakeholder consultation in early 2024. The project's commencement was delayed due to delays in receiving the funding for this project, from Depart of Regional NSW.
14.2 PA6	Develop the Integrated Transport Strategy	Progressing - Behind Schedule	At the Council meeting of 13 December 2023, Council endorsed the progress of the Wingecarribee Integrated Transport Strategy, which is being prepared by the Institute for Sensible Transport (IST). A report on the Integrated Transport Strategy is expected in early 2024. The project is behind schedule due to procurement delays and multiple project priorities.

QUARTERLY BUDGET REVIEW

Budget Adjustments

This report also brings to account a range of necessary income and expenditure adjustments arising from proposed changes during the quarter. Additional resources have been allocated to the Development Application team as they continue to work through development applications. This has been partially offset by development application income that will be brought to account as applications are completed. To ensure this matter is managed in a financially sustainable manner, a further report will be provided at the March 2024 Council meeting with an update of the Development Assessment performance. The report will outline a proposed approach of achieving development related service levels in a financial sustainable manner.

It is noted that the legal expenses will also be increased during the quarter and monitored during the following quarter due to the higher than budgeted costs relating to Development Assessment.

Several adjustments have been made during the quarter, of which the material adjustments (greater than \$50,000) have been listed below:

Operating Expenditure Adjustments

Income

- \$500K increase in income relating to development applications forecast to be completed during financial year.

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- \$269K increase in the Financial Assistance Grant for 2023/24.
- \$2.1M increase in Capital Grants for the Regional Emergency Road Repair Fund for various projects (as listed under Capital Expenditure).
- \$200K increase for the Clubs Grant for the Moss Vale Emergency Operations Centre.

Expenditure

- \$960K increase to contractor expenses for Planning Assessment & Regulation partially offset by \$80K in salary savings to continue reducing the backlog of Development Applications whilst recruitment to fill staff vacancies.
- \$500K increase in legal expenses for Planning Assessment & Regulation partially offset by \$150K in recovery of legal fees (net increase of \$350K).
- \$538K decrease in Salaries and Wages relating to savings from staff vacancies.
- \$300K increase in Water Treatment Plant carbon dioxide costs.
- \$250K increase for biosolids expenses in sewage treatment.
- \$150K increase for software licences.
- \$118K increase for Joadja Heritage Conservation Management Plan.

Capital Expenditure Adjustments

- Regional Emergency Road Repair Fund grant;
 - \$1M for Taylor Avenue rehabilitation
 - \$760K for asphalt road renewal program
 - \$360K for Bowral Lookout access road
- \$100K decrease in guardrail replacement and upgrade program
- \$100K decrease in Moss Vale Hill Road reservoir duplication
- \$120K decrease in Berrima Road bridge overpass
- \$190K decrease in David Wood adventure playground
- \$200K increase in Emergency Operations Centre
- \$215K decrease in design Bessemer Street drainage
- \$462K decrease in design Sunninghill Avenue drainage
- \$474K decrease in Robison Street stormwater renewal DRFA funding rephase to 2024/25
- \$585K decrease in design Priestly Street culvert
- \$62K increase in Edridge Park Road Walking saving reallocated from Ritchie Park play space
- \$64K increase in Fitzroy Falls Rural Fire Service Shed grant funded
- \$999K increase in Retford Park detention basin design
- \$99K increase in design Ella Street drainage.

Further adjustments less than \$50K can be found in Attachment 2 of the Quarterly Budget Review Statement.

Robertson Sewerage Scheme additional loan

On 30 April 2014, Council resolved to borrow \$1,000,000 to part fund the Robertson Sewerage Scheme.

The loan contract for \$1,000,000 was drawn down in May 2014 with Westpac Bank at an interest rate of 4.90%. The loan was amortised over 20 years with repricing to occur each 5 years with final maturity in May 2034. In May 2019 the loan was refinanced with Westpac Bank at an interest rate of 3.01% and is due for repayment or refinancing on 8 May 2024.

The balance of the loan payable will be \$595,419.11 on 8 May 2024 and in accordance with Council's Loan Borrowing Policy, Council should review outstanding loans to take advantage of flexibility in the repayment profile should Council's financial situation change over time.

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The options available to Council on this loan are:

1. Repay the outstanding balance of the loan of \$595,419.11 to Westpac Bank on 8 May 2024, or
2. Offer the loan to approved lenders for refinancing at current market rates, which will be higher than the current interest rate of 3.01%.

Option 1 is preferred as repaying the loan and reducing Council's total borrowings could make Council more appealing to potential lenders in the future, particularly with significant borrowing amounts anticipated to be required for the construction and upgrade of the three Sewerage Treatment Plants. It will also reduce Council's interest expense, especially as interest rates have increased and Council will be required to refinance at a higher interest rate.

Repayment of the outstanding principal will be funded from existing cash reserves in the Sewer Fund.

Budget Reporting Format Update

At the May 2023 Extraordinary Council meeting, Council resolved the following (Point 7 of the Resolution):

From 1 January 2024 that all income, expenditure and full-time equivalent details be presented to Council to level 4 (Coordinator) responsibility areas as a part of the December 2023 Quarterly Review.

In response to this resolution, a refreshed reporting format has been provided which includes statutory and non-statutory reports.

The statutory report (**Attachment 1**) complies with the budgetary requirements included in the Integrated Planning and Reporting framework and Office of Local Government reporting requirements.

The non statutory report (**Attachment 2**) is additional information presented at the Coordinator level which aligns to the Principal Activity as per the adopted 2023/24 Operational plan and Budget. This is to ensure that Council and the community have insights as to the cost of and the resources allocated to each Service. This reporting format will also be incorporated into the 2024/25 Operational Plan when presented to Council.

Further Planned Financial Reporting Updates

At the Extraordinary Meeting of Council on 28 June 2023 (MN 2023/422), Council resolved the following (Point 15 of the resolution):

The General Manager report on the feasibility of providing monthly financial reports that disclose Year to Date financial results, in operating statement format by fund.

Upon reviewing the outcomes of the Finance Service review (to be tabled at the March 2024 Council meeting), priorities of resources have been allocated to automating and streamlining processes and systems. This includes additional probity controls within the procurement team to ensure good governance efficient procurement practices through the re-establishment of a Centre Led Procurement approach. Once the proposed recommendations have been implemented, it is proposed to review resourcing to prioritise month end reporting.

It is noted, that IPART have issued a Draft Terms of Reference paper on the review of the Council's financial model in NSW. The draft terms of reference covers financial and operational reporting to Council's and will determine what is appropriate reporting to Council and the community. It is envisaged that the outcomes of that report will have similar implications to this resolution and reporting requirements to Council. A report will be presented to the March 2024 Council meeting on Council's response to the draft terms of reference issued by IPART.

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At this stage, if monthly reporting were to be prioritised, existing resourcing would be required to be increased to ensure that all reconciliations can be performed on a monthly basis, noting that some reconciliations are performed quarterly and annually.

At this stage, unless additional resources are allocated to the finance area, it is recommended that Council work through the IPART Review of Financial Models in NSW Council's to implement the outcomes of that review. If capacity is developed within the Finance team, resources will be allocated to prioritise monthly reconciliations and monthly reporting.

Grant Debtors

The following significant grant related debtors and contract assets are carried on the balance sheet as at 31 December 2023:

Grant	Funding Body	Type	Amount
DRFA Storm Flood February, July and October 2022	Transport for NSW	Operating	\$10.83M
SRLX Main Contract 6330/20.10 Yards Proway	Infrastructure NSW	Capital	\$0.51M
Safer Road Program - Old South Road Renewal	Transport for NSW	Capital	\$0.50M
GNAP - Eridge Park Road Walking	Transport for NSW	Capital	\$0.29M

As of 30 June 2023, Council had spent \$15.6M (over two financial years) in Disaster Recovery Funding Arrangement (DRFA) works which were initially funded from Council funds cash due to the nature of the funding arrangement. The nature of the DRFA is that the payment is not made until after the claims are assessed by Transport for NSW. A DRFA Contract Asset was included in Council's balance sheet to represent the claim lodged. The nature of this funding arrangement has had a temporary impact on Council's cash position.

Transport for NSW paid \$4.7M of the DRFA claim in December 2023.

For many capital grant programs, which may span multiple financial years, Councils perform the work and/or pay for work performed by contractors upfront. The funding agreements in many of these cases are in a "reimbursement" style similar to the DRFA outlined above. Funds are paid to Council upon completion of the works.

In January 2024, Council officers met with the NSW Reconstruction Authority relating to Council's outstanding claims and the timeliness of fund acquittals. The outcome of these conversations noted that funding acquittals can be issued in smaller components, resulting in more time funds being received by Council. Council officers will continue to work with the relevant authorities to ensure funds are being acquitted in a timely manner.

Unrestricted Working Capital Position

The forecast working capital position for 30 June 2023 is summarised as follows:

Description	Working Capital (\$M)
Opening Balance (as per audited 2022/23 financial statements)	\$6.008M
Original budget surplus	\$0.056M
September 2023 Quarterly Budget Review	\$0.005M
December 2023 Quarterly Budget Review	\$0.007M
Revised Forecast Working Capital as at 30 June 2024	\$6.076M

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GRANT UPDATE

Grant Applications 01 October 2023 to 31 December 2023

As of 30 September 2023, 5 grant applications and 1 expression of interest were awaiting determination. In the second quarter of the 2023/24 financial year, Council officers submitted 11 grant applications to fund various operational and capital projects. Council officers also completed 1 variation to an existing agreement to access increased funding. As of 31 December 2023, 6 applications and 1 variation were successful securing a total of \$3.5M. Three applications were unsuccessful, with a total value of \$57,500. 12 applications are still pending, with a potential total value of \$8.2M. This is shown in the table below.

Description	Number	Value
Applications		
Submitted applications pending outcome as at 30/09/2023	5	\$727,840
Applications submitted for period 01/10/2023 to 31/12/2023	12	\$7,994,890
Variations to existing agreement as at 31/12/2023	1	\$3,118,206
Total	18	\$11,840,936

Outcomes	Number	Value
Successful Applications	6	\$400,580
Successful Variation	1	\$3,118,206
Unsuccessful Applications	3	\$57,500
Pending Outcome as at 31/12/2023	12	\$8,264,650
Total	22	\$11,840,936

A detailed list of grant applications in each category can be found in **Attachment 3**.

Grant Applications Financial Year to Date

Council officers have secured a total of \$7,413,813 in grant funding for the first and second quarter of the 2023/24 Financial Year. This is spread across 12 successful applications, 1 variation and 1 ongoing grant arrangement. As at 31 December 2023, Council Officers has been unsuccessful in 5 applications with a total value of \$250,500 for the Financial Year to Date. Council officers are currently preparing several applications to a variety of grant programs. The total value of proposed future applications as at 31 December 2023 is \$28M.

Furthering Shire Priorities 2023

In the second quarter of the 2023/24 fiscal year, Council have submitted grant applications to support the following Shire Priorities as outlined in the WSC Shire Priorities Document 2023.

1. Mittagong Playhouse

Council's expression of interest to the Growing Regions Program – Round 1 was successful. Council was invited to apply on Friday 01 November 2023 and submitted our complete application on 15 January 2024.

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The Growing Regions Program is highly competitive and received many expressions of interest (EOI). Those invited to apply in Stage Two are seeking funding well in excess of the available round funding of \$300M.

2. Emergency Operations Centre

Council officers have been successful in securing \$200,000 from the Office of Responsible Gambling under the ClubGrants Category 3 Grant Program. These funds will accelerate the fit-out of the new Emergency Operations Centre at the Civic Centre Moss Vale, so the facility can become fully operational as soon as possible. Council has committed an additional \$270,000 to establish the emergency operations hub.

Partnership With Goulburn Mulwaree Council

Wingecarribee Shire Council has partnered with Goulburn Mulwaree Council to successfully apply to the Regional Drought Resilience Planning Program Round 2. This funding will accelerate the development of a Regional Drought Resilience Plan for our function economic region. Once adopted, further funding of \$250,000 will be made available to our consortia to begin implementation.

INVESTING IN OUR FUTURE SPECIAL RATING VARIATION (SRV) UPDATE

The Investing in our future SRV is used to fund specific expenditure on the following asset classes for maintenance and capital related works. The table below sets out the expenditure compared with Council’s 2023/24 budget.

Description	Original Budget 2023/24	Revised Budget 2023/24	Expenditure 2023/24	Variance 2023/24
Maintenance				
Buildings	\$942,000	\$937,638	\$680,045	\$257,593
Parks	\$320,000	\$432,552	\$231,488	\$201,064
Drainage	\$187,000	\$148,236	\$37,137	\$111,099
Roads	\$1,049,000	\$939,856	\$265,739	\$674,117
Total maintenance	\$2,498,000	\$2,458,282	\$1,214,409	\$1,243,873
Capital				
Buildings	\$200,000	\$503,342	\$172,429	\$330,913
Parks	\$279,000	\$674,749	\$332,263	\$342,486
Drainage	\$4,410,000	\$4,456,756	\$1,118,910	\$3,337,846
Roads	\$10,961,000	\$8,507,568	\$3,690,991	\$4,546,577
Total capital	\$15,851,000	\$14,142,415	\$5,584,593	\$8,557,822
Total SRV	\$18,349,000	\$16,600,697	\$6,799,002	\$9,801,965

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COMMUNICATION AND CONSULTATION

Community Engagement

Nil

Internal Communication and Consultation

Progress updates and budget adjustments were provided by Coordinators, Managers and Executive.

External Communication and Consultation

Nil

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

Some of the grants received during the third quarter of 2023/24 have contributed towards achieving social outcomes.

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 2023/24.

COUNCIL BUDGET IMPLICATIONS

The budget adjustments listed in **Attachment 1** presents the budget movements for the period ending 31 December 2023 as a part of this quarterly review. The forecast working capital position as at 30 June 2024 has been outlined in the report as \$6.076M.

RELATED COUNCIL POLICY

Nil

CONCLUSION

This report provides an overview of Council's progress towards achieving the deliverables in the 2023/24 Operational Plan. After all adjustments have been considered, Council's projected budget result for the 2023/24 financial year remains positive with a working capital position greater than \$5M.

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ATTACHMENTS

1. Quarterly Progress Report - December 2023 – **Under Separate Cover** [9.6.1 - 101 pages]
2. Quarterly Budget Review Statement - Statutory Report - **Under Separate Cover** [9.6.2 - 25 pages]
3. Quarterly Budget Review Statement - Non-Statutory Report - **Under Separate Cover** [9.6.3 - 88 pages]
4. Grants Update - **Under Separate Cover** [9.6.4 - 7 pages]

9.7 Rates, Water & Sewerage Access Subsidy Programme 2023/24

Report of: Pav Kuzmanovski
Chief Financial officer

Authorised by: Carmel Foster
Director Corporate Strategy and Resourcing

PURPOSE

The purpose of this report is to advise Council of the outcomes of the second round of rate and access charge subsidies after applications were open from November 2023 and closing in mid-January 2024. The report also recommends providing full rate subsidies to those who provide a community hall facility within the Shire.

OFFICER'S RECOMMENDATION

THAT:

1. Council note the outcome of the 2023/24 program.
2. Council allocate 100% Rates subsidy to the following eligible applicants who provide a community hall facility, similar to those owned and operated by Council:
 - a. Kangaloon Hall Incorporated for \$1,451.96
 - b. Avoca Community Advancement Co-op Society for \$5,067.69
 - c. Robertson School of Arts Incorporated for \$3,294.87
 - d. Burrawang School of Arts for \$6,187.70
3. The existing guidelines be updated so that a 100% Rates subsidy is provided in future annual programmes to those applicants who provide a community hall facility as outlined in this report.

REPORT

BACKGROUND

The purpose of the Rates, Water and Sewer Access Subsidy Scheme is to assist community and sporting organisations (including religious bodies) that provide services or facilities to the Shire that reduces the need for Council resources.

Applications for the 2023/24 program were accepted during September 2023 under guidelines that were revised to distribute subsidy amounts more equitably.

When the outcome of the September application process was reported to Council at its meeting of the 15 November 2023, Council resolved that funds remaining from the program be made available via a second application process where applicants successful in the 2022/23 program and who had not applied for the 2023/24 program were to be contacted.

REPORT

The Rates and Access Charge subsidy program was open on Council's from the 20th of November until 22nd of January 2024. After closure of the second round, 33 applications had been received of which the following 32 applications were successful. Below is a list of successful applications and the proposed subsidies.

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Property No.	Ratepayer	Rates Subsidy	Access Charges subsidy
60200	TRUSTEES OF THE SOCIETY OF STVINCENT DE PAUL	\$0.00	\$500.00
60300	TRUSTEES OF THE SOCIETY OF STVINCENT DE PAUL	\$0.00	\$500.00
231700	FIRST CHURCH OF CHRIST SCIENTIST BOWRAL	\$0.00	\$500.00
235900	TRUSTEES OF THE SOCIETY OF STVINCENT DE PAUL	\$0.00	\$500.00
358900	ANGLICAN CHURCH PROPERTY TRUST DIOCESE OF SYDNEY	\$0.00	\$500.00
474401	ROYAL FREEMASON'S BENEVOLENT INSTITUTION	\$0.00	\$500.00
487700	QUEST FOR LIFE FOUNDATION	\$0.00	\$500.00
507000	DAUGHTERS OF OUR LADY OF SACRED HEART	\$0.00	\$500.00
698500	ANGLICAN CHURCH PROPERTY TRUST DIOCESE OF SYDNEY	\$0.00	\$500.00
777200	KANGALOOON HALL INCORPORATED	\$500.00	\$0.00
866700	SCOUT ASSOC OF AUSTRALIA	\$0.00	\$500.00
1119100	GIRL GUIDES ASSOC OF NSW	\$0.00	\$92.00
1205100	DADIRRI INCORPORATED	\$0.00	\$500.00
1222600	COUNTRY WOMENS ASSOCIATION OFNSW	\$0.00	\$500.00
1248400	CONNECT CHRISTIAN CHURCH T/AS SOUTHLANDS CARE OP-SHOP	\$0.00	\$500.00
1314700	DADIRRI INCORPORATED	\$0.00	\$500.00
1319000	AVOCA COMMUNITY ADVANCEMENT CO-OP SOCIETY	\$500.00	\$0.00
1333600	BOWRAL AND DISTRICT ART SOCIETY INCORPORATED	\$0.00	\$500.00
1449000	ANGLICAN CHURCH PROPERTY TRUST DIOCESE OF SYDNEY	\$0.00	\$92.00
1469200	ROBERTSON SCHOOL OF ARTS INCORPORATED	\$500.00	\$500.00
1490400	BRIDGES FOR LEARNING	\$0.00	\$500.00
1641200	CHURCH OF CHRIST BOWRAL TRUSTEES	\$0.00	\$500.00
1641500	PRESBYTERIAN CHURCH TRUSTEES	\$0.00	\$500.00
1705570	C THROSBY, H BADGERY, W BOWMAN, GMC BOWEN, G VIDAL	\$0.00	\$92.00
1707048	DADIRRI INCORPORATED	\$0.00	\$500.00
1751940	DADIRRI INCORPORATED	\$0.00	\$500.00
1759450	PRESBYTERIAN CHURCH TRUSTEES	\$0.00	\$92.00
1777820	ANGLICAN CHURCH PROPERTY TRUST DIOCESE OF SYDNEY	\$0.00	\$92.00
1778910	BOWRAL BOWLING CLUB	\$500.00	\$500.00
1801130	THE NATIONAL TRUST OF AUSTRALIA (NEW SOUTH WALES)	\$0.00	\$500.00
1836760	BERRIMA DISTRICT AERO CLUB	\$500.00	\$0.00
TOTAL SUBSIDIES		\$2,500.00	\$11,960.00

One applicant was not successful as they were not able to provide documentation confirming their not-for-profit status.

Including the subsidies granted in September 2023 program (\$7,819), a total of \$22,279.00 has now been approved for the 2023/24 program.

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During the second round of applications, Council officers received feedback relating to those who operate Community Halls, similar to those that are operated by Council. The Community Halls that are owned and operated by Council do not pay rates. It is recommended that these community halls that are not owned by Council and operated by non-for-profit organisations have their rates fully subsidised.

The applicants who are eligible are:

Property No.	Ratepayer	Additional Amount for 100% Rates Subsidy
777200	KANGALOOON HALL INCORPORATED	\$1,451.96
1319000	AVOCA COMMUNITY ADVANCEMENT CO-OP SOCIETY	\$5,067.69
1469200	ROBERTSON SCHOOL OF ARTS INCORPORATED	\$3,294.87
1769500	BURRAWANG SCHOOL OF ARTS	\$6,187.70
TOTAL SUBSIDIES		\$16,002.22

The provision of this additional subsidy will address the inequity raised in the Administrator Minute dated 13 December 2023 in which it was identified that halls run by Community Committees are required to pay rates and those that remain Council owned are not.

In addition to the provision of this funding, discussions have been held with some of the above groups and Council staff in which other means of reducing the rate burden of these groups were discussed. Discussions primarily centred around the lodgement of a valuation objection with the Valuer General which if successful would reduce the rates payable.

Upon endorsement of this report, it is proposed to write to all applicants advising them of the outcomes of their application and that the rate subsidy will apply to their account accordingly.

COMMUNICATION AND CONSULTATION

Community Engagement

N/A

Internal Communication and Consultation

N/A

External Communication and Consultation

Prior successful applicants were contacted directly via email, whilst the second application process was advertised in e-news and on Council's website.

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.

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Culture

There are no cultural issues in relation to this report.

Governance

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

The total amount of \$38,281.22 was allocated in rates and access charge subsidies for the 23/24 program which was within the allocated budget.

RELATED COUNCIL POLICY

N/A

CONCLUSION

The program has concluded for the 2023/24 year and all applicants have been notified of the outcomes in accordance with the guidelines.

ATTACHMENTS

Nil

9.8 Mittagong Playhouse - Update

Report of: Ned Tripkovic
Manager Project Deliver

Authorised by: Karin Targa
Director Service and Project Delivery

PURPOSE

The purpose of this report is to provide an update for the Mittagong Playhouse Restoration and Refurbishment project in relation to Development Application (DA) approval impacts and the Growing Regions Program grant application.

OFFICER'S RECOMMENDATION

THAT: Council

- 1. Note that the Growing Regions Program grant expression of interest was successful and application for grant funding of \$4.33M was submitted on 15 January 2024.**
- 2. Note that the balance of \$4.33M is funded by loans funds and associated loan repayments funded by general revenue in the Long-Term Financial Plan.**
- 3. Acknowledge and thank the Hon. Stephen Jones MP, Member for Whitlam, Assistant Treasurer and Minister for Financial Services and Judy Hannan MP, Member for Wollondilly for their continued support in delivering the Mittagong Playhouse Restoration and Refurbishment project.**

REPORT

BACKGROUND

The Mittagong Playhouse Restoration and Refurbishment project will include the restoration of the heritage listed Mittagong Memorial Hall and revitalisation of the connected School of Arts and Old Administration Building.

The project will address structural integrity, accessibility, fire safety compliance, and asbestos removal for a safe and inclusive space. Council will preserve the building's heritage features while integrating modern audio-visual technology to create a unique experience.

Upon completion of the project, critical infrastructure will be delivered to create a thriving cultural centre at the gateway to the Southern Highlands, fostering artistic expression, community engagement and economic growth. This will drive the Tourism engine and stimulate the local visitor economy.

DA 22/1512 was determined by way of approval via the Local Planning Panel meeting of 28 June 2023, subject to conditions of consent which are detailed further in the following section of this report. A report within the 20 September 2023 Ordinary Meeting of Council – MN 2023/496 further explained the planning approval pathway for development of this nature.

A report within the 16 August 2023 Ordinary Meeting of Council – MN 2023/471 detailed the Growing Regions Program and the overall project funding strategy, along with the expression of interest application which was submitted by 1 August 2023.

To date, Council has invested \$592k of funding into the design development and development approvals for this project.

DEVELOPMENT APPLICATION DETERMINATION AND IMPACTS

Following an assessment of the conditions of consent contained in the determination of DA 22/1512, Council allocated \$160k as part of the 2023/24 Operational Plan to address certain conditions that could be satisfied prior to undergoing the tender process for construction. These include;

- Reassessment of the design against the 2022 update of the National Construction Code (NCC) and Building Code of Australia (BCA).
- Further plans and schedules that address heritage related design detail and impacts, which are to be reviewed and approved by Council's Heritage Advisory function.
- A waste management plan.

Addressing these conditions now will help expedite the application for a future Construction Certificate.

Council Officers are awaiting an updated set of architectural drawings resulting from amendments to the current design; however, a preliminary assessment has revealed that the only major impacts are;

- The proposed platform lift to the main stage is required to be replaced with a full proprietary lift, including lift shaft.
- The adjacent staircase to this lift, also accessing the main stage, is to be rearranged.

The financial impacts of these changes are to be assessed in line with the design amendments.

Should Council source funding to progress the project to construction, an open tender would be ready for release.

GROWING REGIONS PROGRAM

On 24 November 2023, Council was formally notified that the expression of interest application was successful and was invited to submit a further application.

A subsequent application was submitted on 15 January 2024, which expanded on the preliminary information provided in the expression of interest along with a business case for the project and alignment with key assessment criteria including;

- Contribution to economic opportunity and social and community inclusion.
- Alignment with broader government and regional strategic priorities.
- Capacity, capability and resources to deliver and sustain the project.

Prior to the application being submitted, the previous Quantity Surveyors report (QS report) was updated as of January 2024 to reflect current market conditions which predominantly reflects an escalation of construction costs Australia wide. As a result of this report, the updated total project cost of \$8.65M was used as the basis for the application amount of \$4.33M funding with a matched Council contribution.

The grant guidelines do not specify an exact notification date for successful applications, however successful projects are expected to commence no later than 15 May 2024, with a completion date prior to 31 December 2025.

Regardless of the outcome of this application, Council will continue to identify and advocate for funding opportunities to deliver the Mittagong Playhouse Restoration and Refurbishment project.

PROJECT SUPPORT

Council has received ongoing support from key stakeholders such as the Highlands Theatre Group and the Berrima District Historical Family History Society as well as the Hon. Stephen Jones MP, Member for

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Whitlam, Assistant Treasurer and Minister for Financial Services and Judy Hannan MP, Member for Wollondilly. Both of whom have visited Mittagong Memorial Hall and continue to advocate for the project on behalf of Council.

COMMUNICATION AND CONSULTATION

Community Engagement

Community stakeholders have been engaged in relation to the ultimate design of the Mittagong Playhouse and provided Letters of Support to strengthen Council's' Growing Regions Program grant application.

Internal Communication and Consultation

Council's Executive Team, Assets and Project Delivery department team members contributed to the development of the Expression of Interest with Finance confirming the revised funding strategy.

External Communication and Consultation

Nil

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

There are no social issues in relation to this report.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

Council endorsed a \$4M Council contribution funding strategy at the 16 August 2023 Ordinary Meeting of Council, through loans and General Revenue efficiencies to be sought as part of the 2024/25 budget process to fund the loan repayments.

This funding strategy of 50% loan funds and 50 % grant funds will be maintained in the Long-Term Financial Plan and grant opportunities will continue to be sourced to reduce the dependency on loan funding. if this grant application is successful, it will be proposed that the loan will be drawn down during the latter part of the 2024/25 financial year and loan repayments to commence in the 2025/26 financial year.

The application to the Growing Regions Program and further subsequent grant applications are consistent with this funding strategy.

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RELATED COUNCIL POLICY

None

CONCLUSION

Council is continuing the progression of the Mittagong Playhouse Restoration and Refurbishment project considering the DA22/1512 approval conditions of consent, while further funding opportunities are sought and applied for. Council submitted a full grant application for the Growing Regions Program on 15 January 2024, with the continued support from key community stakeholders, the Hon. Stephen Jones MP, Member for Whitlam, Assistant Treasurer and Minister for Financial Services and Judy Hannan MP, Member for Wollondilly.

ATTACHMENTS

Nil

9.9 Mayoral Relief Fund

Report of: Kathryn Baget-Juleff
Manager Community Life & Libraries

Authorised by: Adan Davis
Director Communities and Place

PURPOSE

The purpose of this report is to endorse the remit of the remaining Mayoral Relief Fund (MRF) monies of \$44,007.10 to GIVIT and the subsequent dissolution of the Mayoral Relief Fund Committee.

OFFICER'S RECOMMENDATION

THAT Council:

- 1. Endorse the transfers of balance of funds of \$44,007.10 to GIVIT to be administered in accordance with how the Mayoral Relief Fund was established, for the purpose of providing financial relief to individuals in necessitous circumstances within the Wingecarribee Local Government Area.**
- 2. Dissolve the Mayoral Relief Fund Committee.**

REPORT

BACKGROUND

At the 13 December 2023 Council Ordinary Meeting Council resolved :

THAT:

- 1. Council supports the New South Wales Reconstruction advice to use GIVIT to establish and manage monetary donations during and after any disaster events.*
- 2. That a further report be presented to the February 2024 Council meeting on how the remaining Mayoral funds be allocated and subsequent closing of the Mayoral Fund.*

This report addresses point 2 of the resolution.

REPORT

In December 2019, during the Black Summer bushfires, Wingecarribee Shire Council opened the Mayoral Relief Fund with a donation of \$20,000. The fund was established and maintained as a public fund for the relief of persons in the Southern Highlands who were in necessitous circumstances, as a result of the Green Wattle Creek and Morton Fires.

In the weeks after the fires, the fund topped over \$100,000. Council staff were responsible for distributing and transferring funds to bushfire-affected residents across the Shire in Balmoral, Buxton, High Range, Hill Top, Bundanoon, Exeter, Meryla, Penrose and Wingello. Applications for financial assistance via the Mayoral Relief Fund closed in February 2020.

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On the 12 May 2021, Council undertook a review into Councils' response to the 2019/20 Black Summer Bushfires. The 2021 Bushfire Response & Recovery Review would look at the application and utilisation of State and Commonwealth bushfire and recovery funding, including the effectiveness of the Mayoral Relief Fund. The review recommended that consideration be given to independent representatives being appointed to oversee the fund along with the establishment of permanent rules around the release of funding post a natural disaster (recommendations #43 and #44).

The balance of funds within the Mayoral Relief Fund Bank Account at the end of January 2024 is \$44,007.10. After reviewing the transactions, the balance of funds was collected during the 2019/20 bushfires appeals. These funds are currently managed an internal Committee of Management. The Office Bearers of the Committee consist of the following:

- President – The Administrator for the time being of Wingecarribee Shire Council
- Secretary – The General Manager for the time being of Wingecarribee Shire Council
- Assistant Secretary – The Director Corporate Strategy and Resourcing for the time being of Wingecarribee Shire Council
- Treasurer – The Chief Financial Officer for the time being of Wingecarribee Shire Council

The Mayoral Relief Fund Rules are outlined in **Attachment 1** of this report.

Transfer of funds to GIVIT

GIVIT provides a free emergency recovery service that supports charities, front-line services, agencies and government by coordinating the influx of donations that commonly occur post-emergency. It receives financial donations from corporates which it can use to fund these requests as well as from the public. 100% of publicly donated funds go to those in need. GIVIT coordinates donations of money, goods and services and works with NGOs to match these donations to the needs of disaster-affected individuals.

Council officers met with staff representatives from GIVIT and assurances have been provided by GIVIT that funds will be managed in accordance with how the fund was initially established and quarantined to the Wingecarribee Local Government Area. A service agreement between Council and GIVIT will be entered to ensure the funds are managed adequately. GIVIT will provide Council with a detailed acquittal as to how the funds were managed and distributed.

Based on the outcomes of these conversations, pending the execution of a service agreement, it is recommended to transfer the funds to GIVIT and dissolve the current Mayoral Relief Fund committee. Any associated bank accounts will be subsequently closed.

COMMUNICATION AND CONSULTATION

Community Engagement

Internal Communication and Consultation

The Community Resilience Officer and Chief Financial Officer engaged in consultation with key Council service areas with responsibilities in the area covered in this report.

External Communication and Consultation

Council engaged with the following GIVIT staff in relation to this report:

- CEO
 - Financial Controller
 - NSW Engagement Officer
 - NSW Manager
-

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

Relief organisations can be the first point of contact for an individual with more complex needs, allowing for referral to more intensive support such as financial counselling and mental health support. The organisation delivering emergency relief can help minimise people's potential dependence on assistance and build strong networks within their local communities.

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

All accounts should be paid by EFT or cheque.

The management of the monies shall be vested in GIVIT. Membership of the organisation responsible for the management of the monies shall consist of:

- The CEO of GIVIT (or her nominee)
- Financial Controller of GIVIT

COUNCIL BUDGET IMPLICATIONS

As GIVIT provides a free service, there are no cost implications to Council. There will be no financial implications to Council in transferring the funds to GIVIT.

RELATED COUNCIL POLICY

Wingecarribee Shire Council Mayoral Relief Fund – Fund Rules

CONCLUSION

The recommendation is that Council supports GIVIT as a delegated authority to manage and administer the remaining balance of monies from the Mayoral Relief Fund account in accordance with how the fund was initially established. GIVIT's proven reputation for donation management will ensure the funds will be used for purposes as well as remove any burdensome reporting requirements for Council.

Once the monies have been transferred to GIVIT, Council is to dissolve the Mayoral Relief Fund and declare the account closed.

ATTACHMENTS

1. Wingecarribee Shire Council Mayoral Relief Fund [9.9.1 - 4 pages]
-

Wingecarribee Shire Council Mayoral Relief Fund

FUND RULES

1 NAME

The name of the fund shall be 'Wingecarribee Shire Council Mayoral Relief Fund' having its registered office at the Council Civic Centre, 68 Elizabeth Street, Moss Vale and its postal address being PO Box 141 Moss Vale NSW 2577.

2 OBJECTS

The objects of the fund shall be:

- a) To establish and maintain a public fund for the relief of persons in Australia who are in necessitous circumstances as a result of disaster caused by flood, fire, drought, tempest or other calamity.
- b) To assist approved social welfare organisations with deductible gift recipient endorsement set up in any locality for the purpose of providing relief to individuals in necessitous circumstances to be used at the discretion of such organisations in appropriate cases.

3 MANAGEMENT

The management of the fund shall be vested in a Committee of Management consisting of the Office Bearers and the Committee.

4 OFFICERS AND COMMITTEE

The Office Bearers shall consist of President, Secretary, Assistant Secretary and Treasurer, and such others as shall be decided by a majority vote of members at an Annual General Meeting.

The Officer Bearers shall be:

President - The Mayor for the time being of the Wingecarribee Shire Council.

Secretary - The General Manager for the time being of the Wingecarribee Shire Council.

Assistant Secretary - The Deputy General Manager Corporate, Strategy and Development Services for the time being of the Wingecarribee Shire Council.

Treasurer - The Chief Financial Officer for the time being of the Wingecarribee Shire Council.



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Wingecarribee Shire Council Mayoral Relief Fund

The Committee shall be:

- The Office Bearers being the; Mayor, General Manager, Deputy General Manager Corporate, Strategy and Development Services, and Chief Financial Officer for the time being of the Wingecarribee Shire Council.
- The Deputy Mayor for the time being of the Wingecarribee Shire Council.
- The Deputy General Manager Operations, Finance and Risk for the time being of the Wingecarribee Shire Council.
- The Group Manager Corporate & Community for the time being of the Wingecarribee Shire Council.

5 FINANCIAL YEAR

The financial year of the fund shall operate from 1 July to 30 June.

6 RECEIPT OF MONEYS

The public will be invited to contribute to the fund.

All moneys paid to the Fund shall be collected by the Chief Financial Officer of Wingecarribee Shire Council, or an officer of the Council authorised by them, and shall be banked in the Council's Relief Fund. The persons nominally authorised to operate on the accounts of the Council shall be the persons to operate this account.

If receipts are issued, the receipt must state:

- Mayoral Relief Fund.
- ABN 49 546 344 354.
- That the receipt is for a gift.

7 MEETINGS

If an event occurs which would trigger the activation of the fund to fulfil the objects as set out in clause 2 above, a meeting of the Committee will be convened by the President of the fund.

8 QUORUM

A quorum of the Management Committee shall be five (5) members, including either the Mayor or the Deputy Mayor.



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Wingecarribee Shire Council Mayoral Relief Fund

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Wingecarribee Shire Council Mayoral Relief Fund

9 DISBURSEMENTS

The Committee may approve the principles and procedures associated with making payments for financial relief to -

- a) Organisations set up in any locality for the purpose of providing relief to persons in necessitous circumstances, or who have suffered loss, as a result of a disaster caused by flood, fire, drought, tempest or other calamity including personal or family calamity.
- b) Individuals in necessitous circumstances, or who have suffered loss as a result of disaster caused by flood, fire, drought, tempest or other calamity including personal or family calamity.
- c) To assist approved social welfare organisations set up in any locality for the purpose of providing relief to individuals in necessitous circumstances to be used at the discretion of such organisations in appropriate cases.

To give immediate relief in necessitous cases, Committee members are authorised to approve payment of up to \$1,000, with any disbursement being required to be approved by two Committee members. Any assistance thus rendered shall be reported to an early meeting of the Committee for confirmation.

10 RETENTION OF MONEY

The Committee may hold funds in the Relief Fund of the Wingecarribee Shire Council to enable it to render early relief to persons suffering as a result of disaster.

11 DISSOLUTION

The fund shall be dissolved upon the vote of a majority of the members of the Committee. If the fund is wound up or if the endorsement (if any) of the organisation as a deductible gift recipient is revoked, all surplus assets shall be transferred to another(other) fund(s), authority(ies) or institution(s), which has(have) similar objects, and to which income tax deductible gifts can be made. The fund(s), authority(ies) or institution(s) to which surplus assets may be transferred shall be determined by a majority vote of the Committee.

12 AMENDMENT OF RULES

These rules may be amended from time to time on a majority vote of the Committee.

Any agreed changes to the fund rules will be notified to the Australian Taxation Office.



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Wingecarribee Shire Council Mayoral Relief Fund

13 NON-PROFIT BASIS

The fund will operate as a non-profit fund. All fund earnings will be returned to the fund. The Council will not use any funds donated for any administration purposes. All funds donated, and any interest income earned on the Mayoral Relief Fund bank account, will only be used for the fund's objects as set out in clause 2 above.

14 INTERNAL DISPUTES

The Committee shall ensure that a mechanism is established for resolving internal disputes within its membership. This may include –

- a the appointment of an independent person to arbitrate the dispute
- b a process to bring the parties together to resolve the dispute at an early stage
- c a process to ensure that all parties receive full and fair opportunity of presenting their case

15 LIMITATION OF LIABILITY

A member of the Committee is not by reason of being such a member, liable to contribute towards the payment of the debts and liabilities of the fund or the costs, charges and expenses of winding up the fund.

16 INDEMNITY

If a member of the Committee acts in good faith, that person –

- a) Is entitled to be indemnified out of the funds of the fund for all debts, damages, obligations or other liabilities incurred, arising or awarded by or against that person in the exercise of any power, duty, discretion or authority under these rules relating to or concerning the fund.
- b) Is entitled to reimbursement from the funds of the fund for all moneys expended and debts incurred in or about the administration of the fund.



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9.10 Illawarra Local Aboriginal Land Council Lease and Progress Update

Report of: Salomon Kloppers
Manager Business and Property

Authorised by: Carmel Foster
Director Corporate Strategy and Resourcing

PURPOSE

The purpose of this report is to provide Council with an update in relation to correspondence received from Illawarra Local Aboriginal Land Council (ILALC) and to seek Council approval to amend Clause 28 of the registered Lease for the Aboriginal Community Cultural Centre at 1A Rainbow Street, Mittagong. Additionally, this report seeks an amendment to the Financial Year End 2024 budget allocation to perform required works at the Aboriginal Community Cultural Centre.

OFFICER'S RECOMMENDATION

THAT:

1. Council give a minimum 28 days public notice of its intention to vary the terms of Clause 28 of the registered Lease to Illawarra Local Aboriginal Land Council for the Aboriginal Community Cultural Centre at 1A Rainbow Street, Mittagong as follows:

The Lessee must, within three (3) months of registration of the Variation of Lease, establish and maintain a Local Indigenous Advisory Group, the objectives of which must include:

- *identifying appropriate Local, State and National funding opportunities for the improvement of the facilities located at 1A Rainbow Street, Mittagong that will provide a broad benefit to the community;*
- *advising ILALC on appropriate approaches for engagement within the Southern Highlands Aboriginal community;*
- *provide guidance and advice on the views, needs and interests of Aboriginal people and communities in the Southern Highlands to inform strategic direction; and*
- *to promote an increased knowledge and understanding within the wider community on Aboriginal peoples culture, history, achievements and ongoing challenge.*

The Lessee, having consulted with local Aboriginal Elders and community members of the Wingecarribee Shire, must develop the terms of reference for the Local Indigenous Advisory Group.

The Indigenous Advisory Group shall consist of a maximum of twelve (12) members with eight (8) members being Aboriginal with voting rights, and four (4) non-voting members appointed from the staff or officials of Wingecarribee Shire Council and the Illawarra Local Aboriginal Land Council.

2. If there are any objections received during the period of public notice a further report be forwarded to a future ordinary meeting of Council for determination.
3. If there are no objections received by Council to the Variation of Lease, Council approves the amendment to Clause 28 of the Lease AND THAT, the General Manager and Mayor/Administrator be delegated authority to execute under the Common Seal of Council the Variation of Lease referred to in Resolution 1 above.
4. Council allocates an amount of \$25,905 at the next quarterly budget review, funded by General Revenue, to allow for necessary works to be completed at 1A Rainbow Street, Mittagong.

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REPORT

BACKGROUND

The Illawarra Local Aboriginal Land Council (ILALC) is a not-for-profit organisation that has a focus on the community's custodial responsibility for the protection and preservation of Country, cultural heritage, knowledge and traditions.

ILALC was formed under the *Aboriginal Land Rights Act 1983* that empowers Land Council's to claim ownership of Crown Land.

ILALC strives to protect, conserve and restore natural environments and cultural heritage sites through culturally appropriate land management, research and education programs, and through sustainable development initiatives. ILALC partners with the community to deliver community led projects to further the aspirations of their members and the broader Aboriginal community in their relationship to Country.

ILALC operates across the Local Government areas of Wollongong, Shellharbour, Kiama, Wingecarribee, and parts of Shoalhaven and Goulburn Mulwaree.

REPORT

Local Indigenous Advisory Group

At the Ordinary Council Meeting on the 13 November 2019, Council resolved to enter into a Lease with ILALC for the Aboriginal Community Cultural Centre at 1A Rainbow Street, Mittagong. This Lease is for a term of 99 years, for a nominal \$1 rental per annum payment.

At the Ordinary Council Meeting on the 9 December 2020, Council resolved to amend Clause 28 of the Lease. Clause 28 of the registered Lease noted that ILALC was to establish a Local Indigenous Advisory Group to advise the Lessee on strategic matters and to provide guidance on the management of the day-to-day operation of the premises within six (6) months of the commencement of the Lease. The Lease was varied by resolution in 2021, amending the constitution of this group.

On 13 February 2024, Council received correspondence from ILALC as shown in **Attachment 1**, requesting further amendment to Clause 28 of the registered Lease.

Establishment of the advisory group, in accordance with the terms of the Lease, for various reasons has not yet been achieved. Therefore, a change to Clause 28 has been requested to enable the best outcome for the activation and the use of the of the facility by the local Aboriginal community and ILALC as outlined in Attachment 1.

The table below outlines the requested changes to Clause 28 of the Lease by ILALC from the current Clause 28:

Matter/ subject	Current Lease	Proposed amendment
Number of members of the Local Indigenous Advisory Group	Twelve (12)	Twelve (12)
Number of voting members	Seven (7) voting members	Eight (8) Aboriginal members with voting rights
Number of non-voting members	Five (5) non-voting members	Four (4) ex officio members of ILALC and WSC
Minimum number of members	Seven (7) voting members	Eight (8) voting members

Having consideration to the requested changes received from ILALC, it is proposed that Clause 28 of the Lease be deleted in its current form and replaced with the following:

28. ESTABLISHMENT OF ADVISORY GROUP

The Lessee must, within three (3) months of registration of the Variation of Lease, establish and maintain a Local Indigenous Advisory Group, the objectives of which must include:

- *identifying appropriate local, State and National funding opportunities for the improvement of the facilities located at 1A Rainbow Street, Mittagong that will provide a broad benefit to the community;*
- *advising ILALC on appropriate approaches for engagement within the Southern Highlands Aboriginal community;*
- *provide guidance and advice on the views, needs and interests of Aboriginal people and communities in the Southern Highlands to inform strategic direction; and*
- *to promote an increased knowledge and understanding within the wider community on Aboriginal peoples culture, history, achievements and ongoing challenge.*

The Lessee, having consulted with local Aboriginal Elders and community members of the Wingecarribee Shire, must develop the terms of reference for the Local Indigenous Advisory Group.

The Indigenous Advisory Group shall consist of a maximum of twelve (12) members with eight (8) members being aboriginal with voting rights, and four (4) non-voting members appointed from the staff or officials of Wingecarribee Shire Council and the Illawarra Local Aboriginal Land Council.

As a minimum the Indigenous Advisory Group should consist of a minimum of eight (8) voting members.

Maintenance and upgrade to the facility

A number of issues have been identified at the facility, including maintenance works that fall under the responsibility of Council as Lessor. Works proposed includes upgrade to the main area, kitchen and conference room.

In order to assist with completion of the works, ILALC have obtained a \$10,000 grant from the Stronger Communities Grant Program. This grant will assist in meeting the costs associated with the proposed works as outlined in Table 2 below:

Work detail	Estimated excl GST cost
Building and carpentry works	\$5,920
Painting	\$4,580
Kitchen cabinets and cupboards	\$7,880
Flooring	\$16,095
Rubbish disposal, electrical and reconnections	\$1,430
Total cost	\$35,905
Less grant contribution	\$10,000
Amount to be funded	\$25,905

Table 2

In order to meet the costs associated with the proposed works, an allocation from the General Fund is required for the shortfall of \$25,905. The proposed works have been quoted and can be completed by the end of the 2024 financial year.

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Wingecarribee Shire Council collaboration with ILALC

Council is also in the process of exploring the possibility of closer partnership programs with ILALC, including:

- **Community - Programs Partnerships:**

Council continues to assist with grant funding support to the ILALC to ensure the Aboriginal Cultural Centre is fit for purpose for community use. Councils Community Development team will continue to partner with stakeholders to deliver programs and initiatives to meet the needs our First Nations community. Council will assist the ILALC to regularly promote any community-led programs booked through the Aboriginal Cultural Centre.

ILALC has employed a Community Stakeholder Liaison Officer to work in the Wingecarribee and Council has offered the incumbent a workspace at the Civic Centre one day per week, within the Community Life and Libraries branch. There will be opportunities for collaboration between the ILALC Leading Hand and Ranger roles and Council across the Wingecarribee area.

- **Environment and Sustainability:**

A number of discussions are under way to explore possible opportunities of cooperation and support with regards to the environment and environmental education and protection.

- **Provision of space for the community stakeholder liaison role within the Communities and Place Team:**

Council holds an Aboriginal Community Development Officer role within Councils Community Development team that is funded by the Department of Community & Justice. Council has extended the invitation to the ILALC for the Land Councils Community Stakeholder Liaison position to work alongside the Community Development team within council to enhance community development opportunities and engagement for our First Nation people across the Wingecarribee.

COMMUNICATION AND CONSULTATION

This report is aimed at reporting to Council the outcomes and focus of current communication and consultation with ILALC. The item also aims to ensure that Wingecarribee Shire Council can continue to support the growth of the Illawarra Local Aboriginal Land Council.

Community Engagement

Following Council endorsement, public notice of the intention to register a Variation of Lease will be advertised for a minimum 28 days. Internal Communication and Consultation:

Business Services

Communities and Place

Environment and Sustainability

Executive

External Communication and Consultation

Illawarra Aboriginal Land Council

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

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Social

There are no social issues in relation to this report. Ensuring that legal documents enable the development and evolution of ILALC will deliver ongoing community benefits.

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 outside of the benefits of ongoing support to ILALC.

Governance

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

An additional budget of \$25,905 will be required to fund the required works as outlined in the report. It is proposed to fund the changes from general revenue and be incorporated into the next quarterly budget review.

RELATED COUNCIL POLICY

Nil

CONCLUSION

This report provides details of the request from ILALC to amend the terms of Clause 28 of the Registered Lease of the Aboriginal Community Cultural Centre at 1A Rainbow Street Mittagong. This report further requests budget allocation to enable upgrade works to be undertaken at the Centre to support the delivery of community services at that Centre.

ATTACHMENTS

1. Letter to WSC Lease Review Received from ILALC 14 February 2024 [9.10.1 - 3 pages]

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Illawarra Local Aboriginal Land Council
Level 2 38-40 Young St Wollongong
PO Box 1306 Wollongong DC NSW 2500
P:02 4226 3338
E: admin@ilalc.org.au
ABN: 83 448 059 128

13 February 2024

Lisa Miscamble
General Manager
Wingecarribee Shire Council
PO Box 141
Moss Vale NSW 2577
(Email: Lisa.Miscamble@wsc.nsw.gov.au)

Dear Lisa,

Re: Review of Wingecarribee Aboriginal Cultural Centre Lease

The Illawarra Local Aboriginal Land Council ('ILALC') is formally requesting for the Wingecarribee Shire Council ('WSC') to review and update terms within the 99-year lease agreement for the Wingecarribee Aboriginal Cultural Centre ('WACC'), with particular focus to Clause 28 'Establishment of Advisory Group'.

Background

In 2020, the former ILALC CEO negotiated a 'deal' in conjunction with a vocational education organisation and a former WSC Councillor to utilise the land at the WACC as a vocational education learning space that include demountable buildings and use of the WACC facilities.

It is of the understanding, that at the time of entering the lease, there was no discussion or Development Application made to the WSC to obtain approval under the WSC Local Environmental Planning instruments to conduct such business.

Clause 28 of the lease required the ILALC to establish an Advisory Group consisting of local Elders and community members to advise on strategic matters and provide guidance on the management of the day-to-day operations of the premises.

The Advisory Group was to consist of 12 members, 8 voting and 4 non-voting, with 2 of the voting members to be Gundungarra Elders. Meetings were to be held quarterly for the term of the lease.

In March 2021, a variation to this Clause, changed the voting/non-voting numbers to 7 and 5 respectively.

The ILALC developed Terms of Reference for the 'WACC Aboriginal Advisory Committee' and undertook an Expressions of Interest process to fill the representatives' positions. While a number of positions were filled by local Aboriginal people from organisations such as Yamanda Aboriginal Association and local community groups, the Youth position remained vacant. The WSC was represented by the Aboriginal Community Development position.

Since the establishment of the Advisory Group, it has not complied with the conditions of Clause 28 of meeting on a quarterly basis. Due to members passing away, Aboriginal organisations folding and a breakdown in relationships with the Aboriginal community the group met only on a few occasions and became dysfunctional since the beginning of 2022.

Over the past 18 months, there have been general discussions with some community members and past Advisory Group members, who agree that the representation of the Advisory Group needs to be reviewed due to the lack of attendance by former members. For this reason, the ILALC has not

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 21 FEBRUARY 2024



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conducted any further meetings until such time that the matter relating to the lease and the purpose of the Advisory Group was reviewed.

Unfortunately, the Aboriginal community have and continue to express their disapproval and are disgruntled that the ILALC have 'control' over the WACC. The ILALC is aware that certain Aboriginal members of the community have access to or knowledge of the contents of the lease and have been using this information to make complaints of the ILALC breaching the lease to WSC.

As the ILALC has been the burden of community backlash, the ILALC consider it's options of opting out of the lease to enable the management to the WSC and community. The ILALC sought legal advice on terminating the lease as the management of the WACC has significant financial costs and maintenance liabilities. It has been noted that there is no termination clause within the lease, only that which could possibly bring litigation action against the ILALC.

Since June 2022, the ILALC has had to mitigate the conflict and expectations of community with the ongoing use of the WACC as a result of historical arrangements and management by community, the perceptions of the ILALC's role in relation to its operations ie having staff presence and conducting regular programs/projects for the community and the ongoing maintenance and repairs of the WACC. This conflict has arisen due to the direct correlation to the terms of the lease in relation to Clause 7 (Maintenance and Repair) and Clause 28.

Current Position

Primarily, the ILALC views its position as having a strategic role acting as the property manager of the WACC with its main purpose to manage booking requests, promote events through ILALC social media and maintain the upkeep of the WACC.

The role of the Advisory Group must also be aligned with this position and be established and operate at a strategic level.

Given the inability for the ILALC to terminate the lease agreement, the ILALC considers the need to create a positive position moving forward. The lease does provide an opportunity to strengthen the relationship between ILALC and WSC, developing a stronger partnership to deliver social, cultural, wellbeing and economical outcomes for Aboriginal people not only within the ILALC boundary but across the WSC electorate.

The update of Clause 28 to a more strategic position will enable the ILALC to work with the community, the Advisory Group and WSC to identify what the Aboriginal community needs and aspirations are in relation to creating a fit for purpose Centre for the purpose of delivering social, wellbeing, cultural and educational benefits.

It is the ILALC intent to establish the new Advisory Group within three (3) months of the approved revision of Clause 28 and review the Terms of Reference. It is proposed that the Advisory Group objectives could include:

- identifying appropriate local, State and National funding opportunities for the improvement of the WACC or that will provide a broad benefit to the community;
- advising ILALC on appropriate approaches for engagement within the Southern Highlands Aboriginal community;
- provide guidance and advice on the views, needs and interests of Aboriginal people and communities in the Southern Highlands to inform strategic direction

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- to promote an increased knowledge and understanding within the wider community on Aboriginal peoples culture, history, achievements and ongoing challenge

The ILALC is willing to partner with and support local Aboriginal community groups to host programs for the benefit of the community which is aligned with the ILALC Community Land and Business Plan. The ILALC may from time to time, coordinate community workshops/events for the purpose of community engagement and involvement in ILALC and/or WSC projects.

It should be noted, that although there has been community unrest with respect to the management of the WACC, the ILALC has continued to source funding to improve the WACC and assist programs that deliver social outcomes for Aboriginal people.

The ILALC has secured a \$10,000 grant to undertake internal renovations to the WACC to improve the cleanliness and provide a better space for use. The WACC building is aged, outdated and is not fit for purpose to host large numbers. It has many limitations to its use including aged flooring and kitchen facilities including utensils, outside toilets, no internal built in storage facilities (lockable cupboards are used by various Aboriginal groups/organisations) or internet/wifi provisions.

The ILALC has also secured a \$88,000 grant to provide an external storage facility, to provide more space for the WSC Department of Community Justice (DCJ) funded Dhungung food program to expand and move freezers and fridges and food storage facilities from the WACC to provide more space for other users. In addition, a community bus has also been purchased and will be made available to support Elders, single parents and those with no transport to access this program.

Recommendation

The ILALC is requesting the WSC at its next Council meeting to consider the following recommendation;

Approve a full update to the wording of Clause 28 to be aligned with the strategic position of the ILALC.

Approve the total number of participants of the Advisory Group to be 12, consisting of 8 Aboriginal representatives and 4 non-voting representatives. Whereby 8 Aboriginal representatives have voting rights and 4 ex-officio members of both the ILALC and WSC have non-voting rights.

The Aboriginal representatives will consist of

- 2 Recognised and accepted Elders from the Aboriginal community
- 4 local Aboriginal community members
- 2 local Aboriginal youth community member

We look forward to discussing this further with WSC and developing a long-lasting partnership for the benefit of Aboriginal people in the Southern Highlands.

If you have any questions please feel free to contact me.

Kind Regards



Adell Hyslop
CEO
Illawarra Local Aboriginal Land Council

9.11 Liebman Road, Medway - Proposed Lease of Road Reserve

Report of: **Amanda McCullagh**
Coordinator Property Services

Authorised by: **Carmel Foster**
Director Corporate Strategy and Resourcing

PURPOSE

This report seeks Council approval to enter into a five (5) year Lease for a portion of road reserve at Liebman Road, Medway, which adjoins the property known as 298 Medway Road, Medway.

The applicant is Wylarah Pastoral Company Pty Ltd, the owner of the adjoining property at 298 Medway Road, Medway ('the applicant').

OFFICER'S RECOMMENDATION

THAT:

- 1. Council approve a five (5) year road lease of part of the unformed road reserve at Liebman Road, Medway to the applicant, Wylarah Pastoral Company Pty Ltd.**
- 2. Rental for each year of the Road Lease be \$1,144.00 per annum inclusive of GST.**
- 3. Authority be delegated to the General Manager to execute the road lease.**

REPORT

BACKGROUND

Council was approached by the applicant enquiring of the possibility of closing and purchasing the segment of road reserve at Liebman Road, Medway which adjoins the applicant's property at 298 Medway Road, Medway.

Feedback from the relevant Council officers did not support the proposed closure and sale, however the applicant was advised that it may be possible to enter into a road lease with Council for a period of up to five (5) years, subject to approval.

Council has now been approached by the applicant seeking a road lease for use of the segment of road reserve for the purpose of agistment and maintenance of the road reserve.

The applicant has further advised that they acquired 298 Medway Road, Medway in May 2022 and at that stage was under the impression that their boundary fence along Liebman Road was their land, as it was previously grazed by the last owner and fenced off as a separate paddock. It was only when the applicant engaged a surveyor to do works associated with their property that they became aware that Council owned the portion of land which was in fact road corridor.

The applicant has noted that the area of road reserve the subject of this report is lightly scattered with Eucalyptus. It contains weeds such as separated tussock, blackberry, fireweed, fennel, St John's Wort and Yacca, which are invasive listed weeds. If the area of road was leased, it would be the lessee's responsibility to maintain the area and eradicate the invasive weeds. Council's Property officers have attended on site to inspect the proposed area of lease and photographs taken during that inspection are shown in **Attachment 2**.

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REPORT

In principle, agreement has been reached with the applicant to enter into a road lease for a period of five (5) years at a rental of \$1,144.00 per annum inclusive of GST, as determined by an independent market valuation.

The area or road reserve subject to the road lease is approximately 4,372.93 square metres as shown in **Attachment 1** to this report.

In accordance with Part 10 Division 2 of the *Roads Act 1993*, Council can grant a short-term lease of an unmade and unused section of road reserve.

Council has publicly exhibited its intention to enter into a road lease with the applicant for a period of twenty-eight (28) days. During the period of public exhibition, there were a total of two (2) submissions received. A summary of the submissions is outlined below:

Item No.	Feedback	Council Response
Roland Wong on behalf of Boral Cement Limited Medway	Boral Cement Limited (Boral) owns the Berrima Medway Colliery holding, comprising Lots 1 & 2 DP598101, Lot 1 DP707350, Lot 57 DP751251 and Lot 4 DP793839. Boral does not object to the proposed lease described in Council's attached letter, provided it does not give rise to any obstruction or hindrance of Boral's access between Medway Road and Lot 1 DP707350 via Liebman Road.	Boral's access between Medway Road and Lot 1 DP707350 via Liebman Road will not be affected by the granting of a road lease the subject of this report.
S. Douglas Bundanoon	I write to express concern that the proposed lease does not seem to mention the ecological values of the subject area, and there are no attachments in the public materials to indicate whether or not an ecological assessment of the area has been undertaken. The site appears to be modified, possibly by earlier unauthorised grazing, but retains at least some native tree cover. I ask that before the lease is progressed, the site be subject to independent ecological assessment to determine whether the proposed grazing is appropriate in relation to the need to conserve native vegetation and associated fauna habitat. I ask that this assessment be made public as part of the review process.	The applicant and his solicitors were advised that due to the submission received it was recommended he obtain an ecological assessment of the road reserve area the subject of the proposed road lease. The applicant advised that he did not wish to obtain an ecological assessment and his comments in relation to the area of road reserve are outlined below.

Comment was sought from Council's Environment and Sustainability Branch in relation to the submission made by Steve Douglas:

The section of road subject to the proposed lease is identified as having medium conservation value. Confirming the species of vegetation on the land would require an ecological assessment, which is recommended. It is noted that there is a high conservation value roadside intersecting this one and there are records of Eucalyptus macarthurii and E. aggregata (Black Gum) less than 1.4km away.

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There is minimal extant (remnant) native vegetation in that area and habitat fragmentation is high at that location. Remnant forest and woodland along roadsides are often important stepping stones for wildlife. This is one of the few locations where the roadside is wider and can support more habitat. It is recommended that, should Council proceed, that it be a condition of the lease that the area be used only for short term 'crash' grazing of livestock.

It was suggested to the applicant that he could obtain an ecological assessment to address the submission received during the period of public exhibition, however he did not wish to do so.

The applicant has advised that other neighbouring properties constructed their boundary fencing along Liebman Road, incorporating Council's Road allotment without permission decades ago for grazing purposes. Pending Council's decision in relation to this road lease request, Council officers will be contacting other landholders in the area in relation to the fencing of the road reserve within private property.

It is recommended that Council enter into the requested five (5) year road lease and authority be delegated to the General Manager to execute the road lease on behalf of Council.

COMMUNICATION AND CONSULTATION

Community Engagement

Public exhibition of the proposed Road Lease was advertised for a period of 28 days.

Internal Communication and Consultation

Relevant Council Officers and Managers.

External Communication and Consultation

The applicant and their Solicitors.

SUSTAINABILITY ASSESSMENT

Environment

Council's Environment and Sustainability Branch have advised the road the subject of the proposal lease is identified as having medium conservation value.

Social

There are no social issues in relation to this report.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

None identified. The applicant will be responsible for all fees associated with the road lease and will pay rental determined by market valuation.

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RELATED COUNCIL POLICY

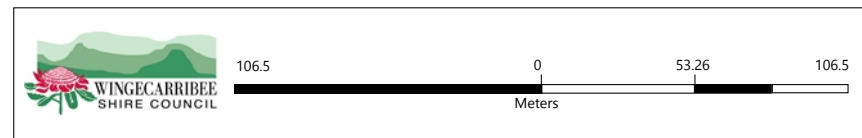
Permanent Road Closure and Road Lease Policy.

CONCLUSION

This report recommends that Council endorse a road lease for a five (5) year term to the applicant for lease of part of the road reserve located at Liebman Road, Medway at a rental of \$1,444.00 per annum inclusive of GST.

ATTACHMENTS

1. Aerial of Road Lease Area - Liebman Road, Medway [9.11.1 - 1 page]
2. Photographs for Report Liebman Road Medway [9.11.2 - 3 pages]



Wingecarribee Shire Council

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**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**



9.12 Bowral Sewage Treatment Plant - Strategic Land Acquisition

Report of: Ned Tripkovic
Manager Project Delivery

Authorised by: Karin Targa
Director Service and Project Delivery

PURPOSE

To inform Council of the opportunity to acquire privately owned vacant land adjacent to the Bowral Sewage Treatment Plant ("STP") being Lot 13 in Deposited Plan 716085 known as "Koongarra" 132 Burradoo Road, Burradoo ("the property") and to seek direction from Council to proceed with the purchase of the land.

OFFICER'S RECOMMENDATION

THAT Council:

- 1. Authorise the General Manager to proceed with the purchase of 132 Burradoo Road to be used for the purposes of Sewer related activity for a price of \$700,000 + GST.**
- 2. Delegate authority to the General Manager and Administrator to execute under the Common Seal of Council any agreement, plan, real property dealing or any other document in respect of the proposed purchase of Lot 13 in Deposited Plan 716085 referred to in resolution 2 above.**
- 3. Delegate authority to the General Manager to execute on behalf of Council any other document associated with the purchase of Lot 13 in Deposited Plan 716085 referred to in Resolution 2 above which does not require the affixing of the Common Seal.**
- 4. Approve the budget adjustment to the 2023/24 Budget, to allocate \$720,000 from Sewer Fund Reserves, to fund the acquisition and associated costs of Lot 13 in Deposited Plan 716085 being 132 Burradoo Road, Bowral at the next quarterly budget review**

REPORT

BACKGROUND

The Bowral Sewage Treatment Plant ("Bowral STP") is located in Burradoo and is adjacent to privately owned land being Lot 13 DP 716085 land known as "Koongarra" 132 Burradoo Road Burradoo. Below is an aerial of the privately owned land "Koongarra":



Koongarra is bounded by the Bowral STP to the north and east, by the access road to the Bowral STP on the south and by the ARTC rail corridor to the west. It is 7.14 Ha of vacant land zoned C3 Environmental Management.

At the ordinary meeting of Council in March 2023, Council resolved to award the upgrade of the Bowral STP to Haslin Constructions. Haslin considered using a portion of Koongarra as a site compound and material storage location and met with the landowner and her representative to negotiate terms and conditions to rent a portion of the property. Ultimately no agreement was reached.

During these negotiations it was mentioned that the landowner was considering selling the property and would be approaching Council regarding potential development and/or subdivision opportunities available for the property. The landowner has undertaken investigations and has subsequently discovered that the property does not enjoy dwelling entitlement and does not meet the minimum lot size required for subdivision.

In October 2023, Council staff approached the landowner's representative to enquire if the property was still being considered for sale and were advised that it was.

REPORT

Strategic Value to Council of 132 Burradoo Road, Burradoo

Based on current population growth forecasts it is anticipated that from approximately 2040 onwards, Council will need to start planning the next upgrade to the Bowral STP. Feedback from tenderers to the current STP upgrade indicated that one of the contributing factors to the higher than anticipated costs to construct the upgrade, was the increased complexity of working in and around the existing treatment plant and the associated implications of not disrupting the operation of the existing treatment plant.

Strategically, acquisition of 132 Burradoo Road, Burradoo at this time, whilst the land remains vacant and the owner wishes to sell, would provide additional space for future upgrades to be constructed in parallel to the operating treatment process simplifying, and therefore reducing the costs of design and construction of the future upgrades.

Purchasing this property now would also prevent any other party from acquiring it. While it has no dwelling entitlement under the current zoning it is possible that this could change in future Local Environment Plan's allowing the lot to be developed. It is considered a poor outcome to have residential housing located in such close proximity to the Bowral STP, as it would potentially result in noise and odour complaints from the operations of the facility.

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In addition, recent (2023) sewer modelling containment assessment of the Bowral sewerage catchment has identified the need to upgrade the existing sewerage pump station at Burradoo Road, Burradoo (SPS-BW1). SPS-BW1 collects sewage from over 900 properties in Burradoo. The existing pump station was built in the 1980's and does not have provision for upgrade at its current location due to:

- being within a flood zone
- next to residential properties
- adjacent to the railway corridor
- limited access (for construction and maintenance) from Burradoo Road.

The proposal for the upgrade of this pump station, includes construction of a new wet well (the existing is too small), plus a new emergency storage tank (250kL capacity). It is estimate that the storage tank alone would require at least 150m² of land (the existing lot is only 90m²). Purchase of the land adjacent to Bowral STP would enable construction of this new pump station.

Discussions with the Landowner

On 20 October, 2023 Council staff met with the landowner and her representative to outline the process Council would follow to be able to make a formal offer to purchase the property. At this meeting it was agreed that Council would commission an independent valuer to prepare a valuation report on the value of the property.

On 23 November 2023 Walsh and Monaghan submitted their valuation report to Council (see **attachment 1**) which Council supplied to the landowner. The independent valuation, based on recent sales of similar properties, was determined to be \$630,000 (with a range of \$560,000 - \$690,000).

On 4 December Council staff met with the landowner and her representative to discuss the findings of the independent valuation report. At this meeting the landowner advised that she would be willing to sell 132 Burradoo Road to Council for \$700,000 + GST.

COUNCIL BUDGET IMPLICATIONS

At the time the 2023/24 Budget was prepared Council staff were unaware of the opportunity to purchase 132 Burradoo Road. As such there is currently no funds allocated towards this acquisition. In resolving to proceed with the purchase Council would need to release \$720,000 from the Sewer Fund Reserve to cover the purchase cost and associated transfer costs.

Council would initially exceed the budget allocation in paying the GST component of the purchase price but would have the GST component reimbursed at a later date.

COMMUNICATION AND CONSULTATION

Internal Communication and Consultation

Purchase of 132 Burradoo Road Burradoo due to its strategic value for future upgrades to the Bowral STP and SPS BW-1 was endorsed by the Executive at the Executive Meeting on 13 December 2023.

SUSTAINABILITY ASSESSMENT

Environment

The property is zoned C3 Environmental Management and construction of a Sewage Treatment Facility is not currently permitted under the land use of this zoning. Should Council proceed with the purchase of this

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property there would need to be follow on report to Council requesting the property be re-zoned to SP2 Infrastructure in order for it to be used for purpose intended by Council staff.

In consultation with Strategic Planning no obvious impediment has been identified that would prevent a planning proposal successfully re-zoning the land to SP2 Infrastructure.

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.

CONCLUSION

The acquisition of 132 Burradoo Road represents an opportunity for Council to strategically plan for future upgrades to the Bowral Sewage Treatment Plant by securing additional land for the treatment plant to expand into. It is unknown when, if ever, this land would become available again for Council to purchase.

It is recommended that Council resolve to proceed with the purchase of 132 Burradoo Road at the offered price of **\$700,000 + GST**.

ATTACHMENTS

1. Valuation Report - Walsh & Monaghan - 132 Burradoo Road [9.12.1 - 24 pages]

Valuation Report

Vacant rural land
Koongarra
132 Burradoo Road
Burradoo NSW 2576

Our reference: 20231325

CLASSIFIED: Official Sensitive

On behalf of Wingecarribee Shire Council



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132 Burradoo Road, Burradoo - 20231325

Executive summary

Property	Vacant rural land Koongarra - 132 Burradoo Road, Burradoo, New South Wales, 2576
Instructed by	Mandy McCullagh Coordinator Property Services Wingecarribee Shire Council PO Box 141 Moss Vale 2527 mandy.mccullagh@wsc.nsw.gov.au
Our reference	20231325
Purpose	Purchase negotiation purposes
Interest valued	Unencumbered fee simple basis
Basis of valuation	Market value on a vacant possession basis
Site area	7.016 hectares
Town planning	The subject property is zoned C3 in the Wingecarribee Shire Council Plan 2010 which was gazetted on the 16 th June 2010.
Brief description	<p>The subject property comprises a vacant, low lying, flood liable C3 Environmental Management zoned, slightly irregular, elongated site located to the north-west corner of the T-intersection with Burradoo Road and Railway Road at Burradoo Railway Station and to the eastern side of Bowral Sewage Treatment Plant (currently undergoing an upgrade).</p> <p>The land is generally level throughout, however gently falls from the southern side boundary and south-east corner of the site, then continues to gently rise towards the northern boundary with gentle crossfall to the western side boundary.</p> <p>There is also a small strip of near level to gentle undulating R5 Large Lot Residential zoned land located to the eastern side of Burradoo Railway Station/platform and the adjoining property known as Lot 10 in DP 716085 with narrow frontage to Burradoo Road.</p>
Previous sale	NSW Government records do not indicate any previous sale on the subject property which is understood to have been in the current ownership for many years.
Critical assumptions	<p>The subject property has been valued on the market approach and cost approach (if improved) after having regard to recent sales evidence as outlined in the report. The valuation assessment is based on the cautions and critical contained herein.</p> <p>No responsibility is accepted to any third party who may use or rely on the whole or any part of the contents of this valuation.</p>

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132 Burradoo Road, Burradoo - 20231325

Date of inspection	14 th November 2023
Date of valuation	14 th November 2023
Date of issue	22 nd November 2023
Valuation	SIX HUNDRED AND THIRTY THOUSAND DOLLARS (\$630,000).
Valuation range	FIVE HUNDRED AND SIXTY THOUSAND DOLLARS (\$560,000) and SIX HUNDRED AND NINETY THOUSAND DOLLARS (\$690,000).

This executive summary must be read in conjunction with the entire report and the details contained therein.

Market Uncertainty

This valuation is current at the date of valuation only. The value assessed herein may change significantly and unexpectedly over a relatively short period of time (including as a result of factors that the valuer could not reasonably have been aware of as at the date of valuation). We do not accept responsibility or liability for any losses arising from such subsequent changes in value.

Despite any other comment/forecast in this advice, should a major local or global financial event, natural disaster or pandemic occur, we recommend Walsh & Monaghan be instructed to review the potential impact on the assessed value.

Assumptions, disclaimers, limitations and qualifications summary

This valuation report is provided subject to the assumptions, disclaimers, limitations and qualifications detailed throughout this report. Reliance on this report and extension of Walsh & Monaghan's liability is conditional upon the reader's acknowledgement and understanding of these statements. This valuation is for the use only of the party to whom it is addressed and for no other purpose. No responsibility is accepted to any third party who may use or rely on the whole or any part of the content of this valuation.

As part of Walsh & Monaghan's ISO/IEC 27001 accreditation to the international information security, cybersecurity and privacy standard, this document is CLASSIFIED as Official Sensitive Information. As such, the content of this report is confidential and exclusive access to this document and its contents is granted only to the instructing party and/or entity or entities and their legal or otherwise authorised representatives.

Prepared by

Walsh & Monaghan Pty Limited



Andrew Kelkert AAPI (Director)
Certified Practising Valuer
Certified Property Practitioner
API Member 69005

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132 Burradoo Road, Burradoo - 20231325

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1.0 Introduction and instructions

1.1 Property

Vacant rural land

Koongarra - 132 Burradoo Road, Burradoo, New South Wales, 2576

1.2 Instructing party

Mandy McCullagh
Coordinator Property Services
Wingecarribee Shire Council
PO Box 141
Moss Vale 2527

mandy.mccullagh@wsc.nsw.gov.au

1.3 Instructions

My instructions are to assess the market value of the subject property for purchase negotiation purposes.

The valuation is to reflect the market value of the freehold interest and is to be undertaken in accordance with the Australian Property Institute's definition of market value which is -

"The estimated amount for which an asset or liability should exchange on the valuation date between a willing buyer and a willing seller in an arm's length transaction, after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion".

Neither the valuer nor any member of our firm has any conflict of interest or direct or indirect financial interest in relation to the property nor any parties to the transaction including agent, purchaser, seller, developer or associated entities.

1.4 Date of inspection

14th November 2023

1.5 Date of valuation

14th November 2023

1.6 Date of issue

22nd November 2023

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 21 FEBRUARY 2024

CLASSIFIED: Official Sensitive

132 Burradoo Road, Burradoo - 20231325

2.0 Property details

2.1 Legal description

2.11 Title details

The title search (extract below) describes the property as Lot 13 in Deposited Plan 716085, at Burradoo, in the Local Government Area of Wingecarribee, Parish of Mittagong, County of Camden.

2.12 Registered owner

The title search indicates the registered owner to be Judith Anne Hellyer.

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FOLIO: 13/716085
-----
          SEARCH DATE      TIME      EDITION NO  DATE
          -----
          31/10/2023      3:37 PM          1      16/2/1994

LAND
----
LOT 13 IN DEPOSITED PLAN 716085
AT BURRADOO
LOCAL GOVERNMENT AREA WINGECARRIBEE
PARISH OF MITTAGONG COUNTY OF CAMDEN
TITLE DIAGRAM DP716085

FIRST SCHEDULE
-----
JUDITH ANNE HELLYER

SECOND SCHEDULE (5 NOTIFICATIONS)
-----
1  RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
2  C467447 COVENANT AFFECTING PART
3  U9882   EASEMENT FOR ACCESS & SEWER RISING MAIN AFFECTING
        PART OF THE LAND ABOVE DESCRIBED SHOWN AS "PROPOSED
        EASEMENT VARIABLE WIDTH FOR ACCESS & SEWER RISING
        MAIN" ON DP716085
        5828020 EASEMENT NOW VESTED IN WINGECARRIBEE SHIRE
        COUNCIL GAZ.30/10/1998 FOL.8626
4  U9882   EASEMENT FOR SEWER RISING MAIN & WATER SUPPLY
        TRUNK MAIN AFFECTING PART OF THE LAND ABOVE DESCRIBED
        SHOWN AS "PROPOSED EASEMENT 4 WIDE FOR SEWER RISING
        MAIN & WATER SUPPLY TRUNK MAIN" ON DP716085
        5828020 EASEMENT NOW VESTED IN WINGECARRIBEE SHIRE
        COUNCIL GAZ.30/10/1998 FOL.8626
5  U9882   EASEMENT FOR ELECTRICITY SUPPLY AFFECTING PART OF
        THE LAND ABOVE DESCRIBED SHOWN AS "PROPOSED EASEMENT
        FOR ELECTRICITY SUPPLY 2.5 WIDE" ON DP641921
        5828020 EASEMENT NOW VESTED IN WINGECARRIBEE SHIRE
        COUNCIL GAZ.30/10/1998 FOL.8626

NOTATIONS
-----
UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***
```

Figure 1 Extract from Title Search

2.13 Easements/encumbrances

The second schedule of the title search indicates the property is subject to five (5) notifications relating to the reservation and condition in the crown grant, covenant, easement for access and sewer of variable width, easement for sewer rising main and water supply trunk main and an easement for electricity supply as outlined above.

I am unaware of any easements or encumbrances which detrimentally affect the subject property and my report is made on that understanding.

2.2 Location and surrounding development

The subject property is located at the far western end of Burradoo Road at the north-west corner of the T-intersection of Burradoo Road and Railway Road at Burradoo Railway Station and to the eastern side of Bowral Sewage Treatment Plant (currently undergoing an upgrade) within the leafy suburb of Burradoo.

Burradoo is a suburb of Bowral, in the Southern Highlands of New South Wales, Australia, in Wingecarribee Shire which is well known as an expensive area in the Southern Highlands (among other residential areas including Mount Gibraltar, Knotts Hill, Central Bowral, Kangaloon and East Kangaloon). This is because Burradoo is home to many historic manor houses and large modern architectural homes on small acreages. Often Burradoo is compared to parts of England largely reflected in the architecture & gardens.

Surrounding development comprises Bowral Sewage Treatment Plant and mostly rural land to the west, industrial development and rural land slightly further to the north plus Burradoo Railway Station/Main Southern Railway Line directly east of the subject property. To the east Burradoo features generally attractive historic homes and architectural designed residences on small, landscaped acreages.

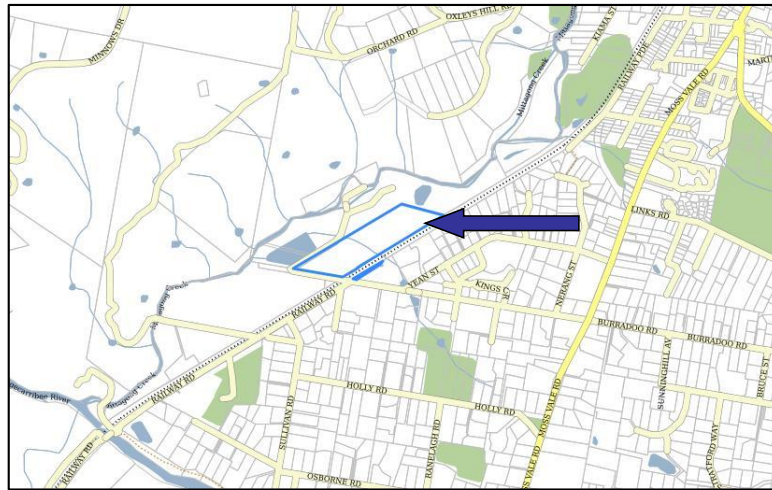


Figure 2 Location Map
(Source: EAC online mapping)

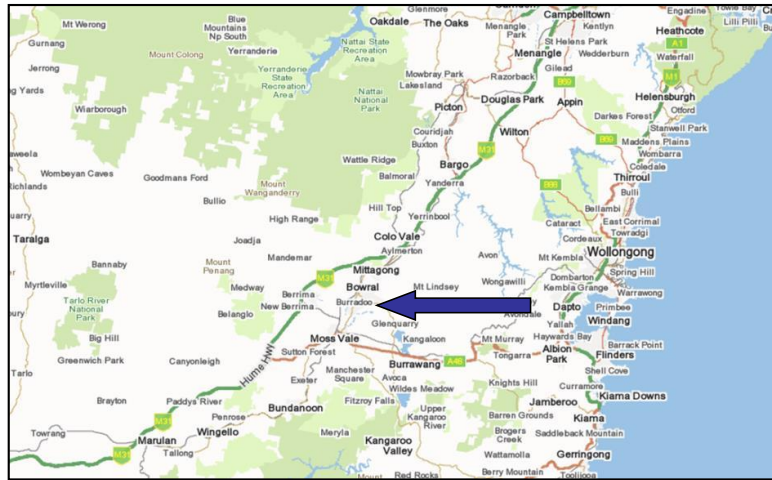


Figure 3 Location Map
(Source: Whereis.com)

2.3 Site and services

2.31 Site description and topography

The subject property comprises a vacant, low lying, flood liable C3 Environmental Management zoned, slightly irregular, elongated site located to the north-west corner of the T-intersection with Burradoo Road and Railway Road at Burradoo Railway Station and to the eastern side of Bowral Sewage Treatment Plant (currently undergoing an upgrade).

The land is generally level throughout, however, gently falls from the southern side boundary and southeast corner of the site, then continues to gently rise towards the northern boundary with gentle crossfall to the western side boundary. The land is affected by various easements including an easement for sewer rising main and water supply trunk main traversing through the site.

There is also a small strip of near level to gentle undulating R5 Large Lot Residential zoned land located to the eastern side of Burradoo Railway Station/platform and the adjoining property known as Lot 10 in DP 716085 with narrow frontage to Burradoo Road.

Some rural views are available from this location to the west, however are diminished by the adjacent sewage treatment plant.

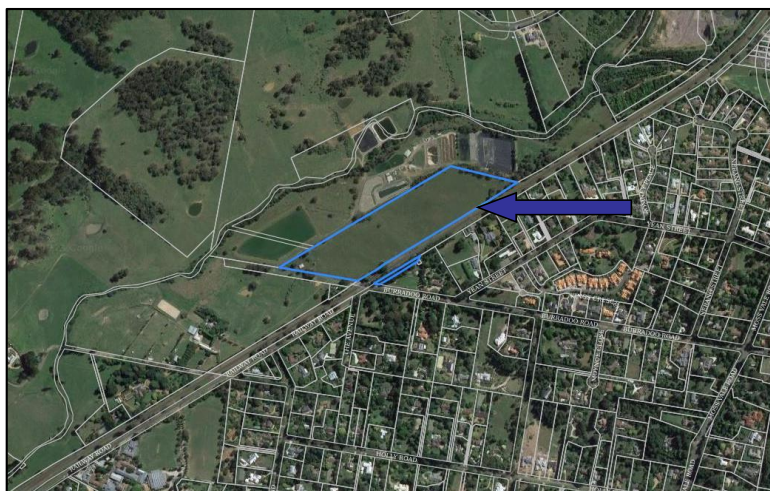


Figure 4 Aerial Photograph
(Source: EAC online mapping)



**Adjoining Bowral Sewage Treatment Plant
undergoing upgrade**



View of subject land facing north



Security gated railway crossing that limits access



Small strip to the east



Small strip to the east



Small strip to the east

2.32 Site area

Deposited Plan 716085 (extract below) indicates Lot 13 has an area of 7.016 hectares.

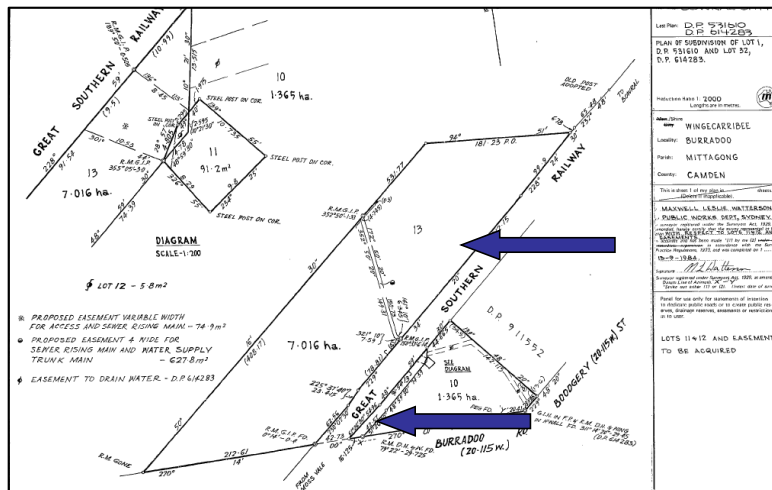


Figure 5 Extract from Deposited Plan 716085

2.33 Access

Access is available from Burradoo Road which runs along the southern boundary and part of the western boundary of the subject property. However, at the western end of Burradoo Road there is a security gated railway crossing limiting access to a gravel roadway. Burradoo Road to the east of the railway crossing is bitumen sealed with gravel and grass verges.

2.34 Services

All the essential services, namely electricity, telephone, town water and sewer are available for connection but not connected to the subject property.

2.35 Identification

The subject property has been identified with reference to the Deposited Plan, cadastral mapping and my physical inspection of the site.

2.4 Environmental hazards

2.41 Flooding

The flood planning map indicates the land is within a flood planning area as outlined below.

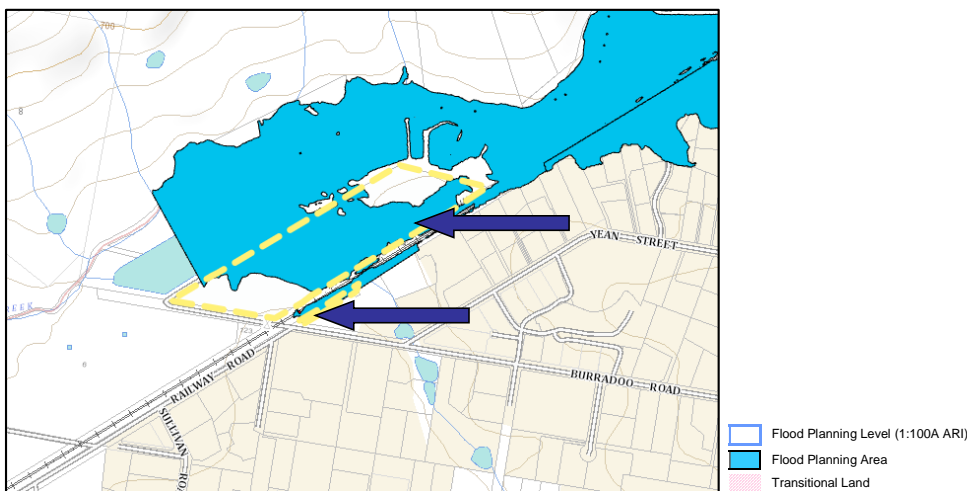


Figure 6 Flood Map
(Source: ePlanning Spatial Viewer)

My onsite inspection did not reveal any additional obvious environmental concerns or known hazards such as bushfire, landslip, drainage or mine subsidence. Interested parties should obtain a Section 10.7 Certificate from the relevant council to confirm.

2.42 Site contamination

My onsite inspection did not reveal any obvious site contamination. The status of the site has not been confirmed by an Environmental Audit or a search of the contaminated sites register.

Walsh & Monaghan are not experts in contamination issues and while there is no obvious hazard or contamination evident on the site or in the buildings, we cannot guarantee there is no contamination present. Therefore, the assessment of value has been provided on the basis that there is no contamination, which may require clarification if deemed appropriate.

If required, an Environmental Audit should be completed by a qualified expert and report referred to the valuer for comment if there is any contamination discovered.

2.43 Past uses

The valuer is unaware of any past or present uses of the subject property which give rise to significant risk of contamination.

3.0 Town planning

3.1 Local authority

Wingecarribee Shire Council

3.2 Zoning

The subject property is zoned C3 Environmental Management and R5 Large Lot Residential in the Wingecarribee Shire Council Plan 2010 which was gazetted on the 16th June 2010.

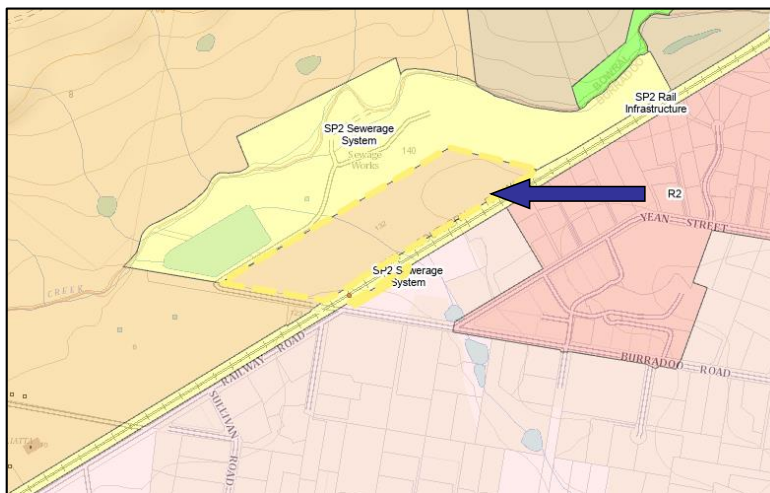


Figure 7 Zoning Map Wingecarribee LEP 2010
(Source: ePlanning Spatial Viewer)

The Land Use Table in Part 2 of the LEP lists the objectives, permitted and prohibited uses for the zone(s) as follows:

Zone C3 Environmental Management

1. Objectives of zone

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.
- To provide for a limited range of development that does not have an adverse effect on those values.
- To encourage the retention of the remaining evidence of significant historic and social values expressed in existing landscape and land use patterns.
- To minimise the proliferation of buildings and other structures in these sensitive landscape areas.
- To provide for a restricted range of development and land use activities that provide for rural settlement, sustainable agriculture, other types of economic and employment development, recreation and community amenity in identified drinking water catchment areas.
- To protect significant agricultural resources (soil, water and vegetation) in recognition of their value to Wingecarribee's longer term economic sustainability.

2. Permitted without consent

Environmental protection works; Extensive agriculture; Home-based child care; Home occupations

3. Permitted with consent

Agricultural produce industries; Airstrips; Bed and breakfast accommodation; Cellar door premises; Community facilities; Dairies (pasture-based); Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Environmental facilities; Farm buildings; Farm stay accommodation; Flood mitigation works; Health consulting rooms; Helipads; Home businesses; Horticulture; Information and education facilities; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Recreation facilities (outdoor); Roads; Roadside stalls; Secondary dwellings; Signage; Tank-based aquaculture; Viticulture; Water storage facilities

4. Prohibited

Industries; Local distribution premises; Multi dwelling housing; Residential flat buildings; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

Zone R5 Large Lot Residential

1. Objectives of zone

- *To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.*
- *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.*
- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To provide a restricted range of opportunities for employment development and community facilities and services that do not unreasonably or significantly detract from:*
 - (a) the primary residential function, character and amenity of the neighbourhood, and*
 - (b) the quality of the natural and built environments.*

2. Permitted without consent

Environmental protection works; Home-based child care; Home occupations

3. Permitted with consent

Bed and breakfast accommodation; Dual occupancies (attached); Dwelling houses; Group homes; Roads; Any other development not specified in item 2 or 4

4. Prohibited

Agriculture; Air transport facilities; Amusement centres; Animal boarding or training establishments; Camping grounds; Car parks; Caravan parks; Cemeteries; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Mortuaries; Open cut mining; Passenger transport facilities; Recreation facilities (indoor); Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Service stations; Sewage treatment plants; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies

3.3 Other planning information

Other relevant planning information for the subject property includes the following:

3.31 Minimum lot size

The Lot Size Map shows the minimum size of any lot resulting from the subdivision of the land is 40 hectares.

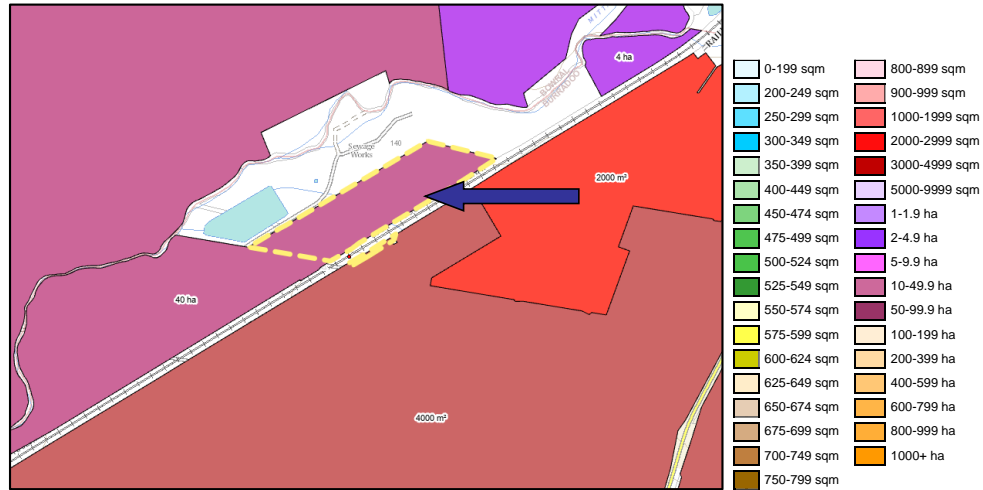


Figure 8 Minimum Lot Size Map Wingecarribee LEP 2010
(Source: ePlanning Spatial Viewer)

3.32 Development Control Plan and State Environmental Planning Policies (SEPP)

Development within Wingecarribee Shire Council is also subject to a range of Development Control Plans (DCP) and State Environmental Planning Policies (SEPP).

The planning information provided is based on our enquiries and should be confirmed by a Council Planning Certificate to ensure there are no amendments or variations applying to the property. If any amendments are discovered or consents and orders not complied with or expired, we reserve the right to amend our valuation.

4.0 Structural improvements

The subject property comprises a vacant low lying C3 Environmental Management and R5 Large Lot Residential zoned site devoid of any significant improvements, apart from several sheds and rural type boundary fencing.


Interested parties should note that Walsh & Monaghan Pty Ltd are not qualified to carry out a structural survey of the subject property. The description should not be construed to comprise a structural survey. Interested parties should obtain a survey from a suitably qualified building consultant or engineer if concerned.


5.0 Supporting evidence

5.1 Sales evidence

The following sales with no building entitlement were considered in assessing the potential market value of the subject property.

Table 1 Sales evidence


Sale 1	
Address	7 Station Road, Otford
Sale date	2 nd February 2023
Sale price	\$110,000
Site area	1.37 hectares
\$/ha of site area	\$80,292
\$/m ² of site area	\$8
	
<p>This property comprised a triangular parcel of land with rough gravel access and very heavily vegetated. The property was zoned C3 Environmental Management requiring a minimum lot size of 40 hectares for the erection of a dwelling and as such the property has no building entitlement.</p>	


Sale 2	
Address	18 Simla Road, Yerrinbool
Sale date	28 th January 2022
Sale price	\$180,000
Land area	6,690 square metres
\$/ha of site area	\$269,058
\$/m ² of site area	\$27
	
<p>This property comprised a vacant parcel of land on the north-western corner of the intersection of Simla Road and Alpine Road. The property had a dam at its north-eastern corner and was approximately 75% cleared. The property was zoned RU2 Rural Landscape having no building entitlement.</p>	

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WEDNESDAY 21 FEBRUARY 2024**

CLASSIFIED: Official Sensitive

132 Burradoo Road, Burradoo - 20231325

Sale 3		
Address	2651 Old Hume Highway, Woodlands	
Sale date	3 rd May 2023	
Sale price	\$700,000	
Land area	30.94 hectares	
\$/ha of site area	\$22,625	
\$/m ² of site area	\$2.26	
<p>This property is situated on both the eastern side of the Old Hume Highway and southern side of the Hume Motorway, at Woodlands in the Southern Highlands of NSW. The land is zoned C3 Environmental Management however falls below the minimum site area of 40 hectares required for a dwelling entitlement. It is mainly uncleared green timber.</p>		

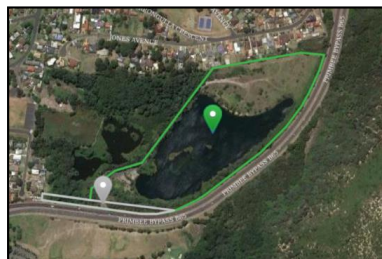
Sale 4		
Address	2 Lapstone Place, Leonay	
Sale date	26 th April 2022	
Sale price	\$1,000,000	
Land area	15.24 hectares	
\$/ha of site area	\$65,617	
\$/m ² of site area	\$6.56	
<p>This property is situated at the southern end of Lapstone Place, at Leonay, within the Penrith City Council area. The land is predominantly zoned C2 Environmental Conservation with approximately two hectares zoned C3 Environmental Management. It is an irregular shaped parcel directly adjoining the Nepean River to the east. It is 100% uncleared green timber and transmission line affected. The property has no building entitlement.</p>		

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 21 FEBRUARY 2024

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132 Burradoo Road, Burradoo - 20231325

Sale 5	
Address	Lot 1 DP 653310 & Lot 2 DP 773067 Windang Road, Primbee
Sale date	16 th September 2022
Sale price	\$1,100,000
Land area	12.81 hectares
\$/ha of site area	\$85,870
\$/m ² of site area	\$8.60
<p>This property is situated on both the northern and western sides of Windang Road, at Primbee. The land is zoned C2 Environmental Conservation and includes a large dam to its centre of approximately 5.7 hectares, with approximately 3.2 hectares cleared and the remaining 1.91 hectares being uncleared bushland. The property has no building entitlement.</p>	



Sale 6	
Address	317 Old Coach Road, Termeil
Sale date	21 st April 2022
Sale price	\$1,350,000
Land area	24.37 hectares
\$/ha of site area	\$55,396
\$/m ² of site area	\$5.53
<p>This property is situated on the eastern side of Old Coach Road, at Termeil, in the Shoalhaven City Council area. The land is zoned RU2 Rural Landscape however falls below the minimum site area of 40 hectares required for a dwelling entitlement. It is mainly uncleared green timber with approximately 1.3 hectares cleared.</p>	



5.2 Summary of sales evidence

The sales evidence that I have relied upon in assessing the land value for the subject site is summarised below.

Table 2 Summary of no building entitlement sales

Address	Purchase price (\$)	Area (ha)	\$/m ² of site area
7 Station Road, Otford	110,000	1.37	8
18 Simla Road, Yerrinbool	180,000	0.669	27
2651 Old Hume Highway, Woodlands	700,000	30.94	2.26
2 Lapstone Place, Leonay	1,000,000	15.24	6.56
Lot 1 DP 653310 & Lot 2 DP 773067 Windang Road, Primbee	1,100,000	12.81	8.60
317 Old Coach Road, Termeil	1,350,000	24.37	5.53

6.0 Valuation rationale

In assessing the market value of the subject land, I have utilised the market approach as the primary method to assess market value. This method applies a value to the subject property after having regard to market transactions of comparable properties with no building entitlement, making adjustments for differences where applicable in location, zoning, site area, shape, topography, environmental constraints and structural improvements (if improved).

The subject land proposed to be acquired comprises a vacant, low lying flood liable site zoned part C3 Environmental Management, located to the northwest corner of the T-intersection with Burradoo Road and Railway Road at Burradoo Railway Station and to the eastern side of Bowral Sewage Treatment Plant which is currently undergoing an upgrade.

There is also a small strip of near level to gentle undulating land zoned R5 Large Lot Residential located to the eastern side of Burradoo Railway Station/platform which is severed by the Southern Railway Line, adjoining the property known as Lot 10 in DP 716085 with narrow frontage to Burradoo Road.

Both the C3 Environmental Management and R5 Large Lot Residential zoned portions of the site are below the minimum land size of 40 hectares and 4,000 square metres required for a building entitlement, therefore I have analysed comparable sales of similar zoned parcels of land which have no building entitlements and directly compared these with the subject property.

In relation to the small R5 Large Lot Residential zoned portion, it could potentially be purchased by the adjoining landowner (Lot 10 in DP 716085) to make their lot more regular in shape or for use as additional yard space, however given there are no other adjoining landowners with the same zoned land, they would be the only potential purchaser for this portion of the site which significantly limits its market value.

The comparable sales evidence analysed in this report reflect values ranging from circa \$2.26 per square metre or \$22,625 per hectare for a large 30.94-hectare site at Woodlands and \$27 per square metre or \$269,058 per hectare of site area for a small 6,690 square metre site at Yerrinbool.

The remainder of the sales evidence reflect values ranging from circa \$5.53 per square metre or \$55,396 per hectare for a 24.37-hectare site at Termeil to \$8.60 per square metre or \$85,870 per hectare for a 12.81-hectare site at Primbee.

Having regard to the land size of the subject property, location and its physical constraints, I consider the rate per hectare of \$90,000, reflecting \$9 square metre of site area to be adopted on the subject land, which falls within the range outlined by the sales evidence for properties with no building entitlements.

My assessment calculations are briefly shown as follows:

Table 3 Market value

Land area – 7.016 hectares or 70,160 square metres @ \$9 per square metre	\$631,440
Adopt - \$630,000	

7.0 Effect of GST on valuation

The value as stated herein is expressed exclusive of GST (If applicable). I note that I have not been provided with legal advice regarding GST in this matter and have based my analysis upon my current understanding of the legislation; any user of this valuation should make appropriate enquiries in this respect. If any of these above assumptions prove to be incorrect, I reserve the right to revise my valuation as provided herein, should I deem it necessary.

8.0 Additional comments/valuation requirements

The subject property has been valued on the market approach and cost approach (if improved) after having regard to recent sales evidence as outlined in the report. The valuation assessment is based on the cautions and critical contained herein.

No responsibility is accepted to any third party who may use or rely on the whole or any part of the contents of this valuation.

Despite any other comment/forecast in this advice, should a major local or global financial event, natural disaster, or pandemic occur, we recommend Walsh & Monaghan be instructed to review the potential impact on the assessed value.

9.0 Valuation

Subject to the assumptions and stipulations contained within this report, I assess the market value of 132 Burradoo Road, Burradoo New South Wales, described as Lot 13 in Deposited Plan 716085, for purchase negotiation purposes, as at the 14th November, 2023, is the amount of **SIX HUNDRED AND THIRTY THOUSAND DOLLARS (\$630,000)**.

Valuation range - **FIVE HUNDRED AND SIXTY THOUSAND DOLLARS (\$560,000)** and **SIX HUNDRED AND NINETY THOUSAND DOLLARS (\$690,000)**.

Market Uncertainty

This valuation is current at the date of valuation only. The value assessed herein may change significantly and unexpectedly over a relatively short period of time (including as a result of factors that the valuer could not reasonably have been aware of as at the date of valuation). We do not accept responsibility or liability for any losses arising from such subsequent changes in value.

Walsh & Monaghan Pty Limited



Andrew Kelkert AAPI (Director)
Certified Practising Valuer
Certified Property Practitioner
API Member 69005

Liability limited by a scheme approved under Professional Standards Legislation



10.0 Report qualifications

The valuation is made subject to the following:

The co-signatory of this valuation has done so for risk management purposes. The co-signatory has not inspected the subject property(s) nor have they performed, or arrived at the valuation figures noted herein.

The valuation is for the use only of the party to whom it is addressed, and for no other purpose other than the purpose specified. No responsibility is accepted to any third party who may use or rely on the whole or any part of the content of this valuation. This report is a valuation report only and is not a structural survey.

This valuation is current as at the date of valuation only. The value assessed herein may change significantly and unexpectedly over a relatively short period (including as a result of general market movements or factors specific to the particular property). We do not accept liability for losses arising from such subsequent changes in value. Without limiting the generality of the above comment, we do not assume any responsibility or accept any liability where this valuation is relied upon after the expiration of 3 months from the date of the valuation, or such earlier date if you become aware of any factors that have any effect on the valuation.

This valuation cannot be relied upon for solicitor, private or second mortgage lending purposes, as this lending is not covered under Walsh & Monaghan Pty Limited's Professional Indemnity Insurance policy. "**Solicitor Lender**" means any solicitor involved in arranging, controlling, managing, broking or otherwise inducing the lending of money on mortgage security (including but not limited to any solicitor controlled or managed mortgage fund) BUT shall not include any mortgage fund registered as a Managed Investment Scheme.

The Professional Indemnity Insurance Policy will not indemnify Walsh & Monaghan Pty Limited in respect of any claim relating to a valuation of real property in connection with any Managed Investment Scheme (within the meaning of the Corporation Law) which:

1. has as its prime or substantial purpose, the provision of tax benefits to investors; or
2. is involved in any form of direct or indirect investment in primary production (including property used for primary production).

11.0 Annexures


Title search

Deposited Plan


**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

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132 Burradoo Road, Burradoo - 20231325



**NSW
LAND
REGISTRY
SERVICES**



Landchecker

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 13/716085

SEARCH DATE	TIME	EDITION NO	DATE
31/10/2023	3:37 PM	1	16/2/1994

LAND

LOT 13 IN DEPOSITED PLAN 716085
AT BURRADOO
LOCAL GOVERNMENT AREA WINGECARRIBEE
PARISH OF MITTAGONG COUNTY OF CAMDEN
TITLE DIAGRAM DP716085

FIRST SCHEDULE

JUDITH ANNE HELLYER

SECOND SCHEDULE (5 NOTIFICATIONS)

1	RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)	
2	C467447 COVENANT AFFECTING PART	
3	U9882 EASEMENT FOR ACCESS & SEWER RISING MAIN AFFECTING PART OF THE LAND ABOVE DESCRIBED SHOWN AS "PROPOSED EASEMENT VARIABLE WIDTH FOR ACCESS & SEWER RISING MAIN" ON DP716085	
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*	5828020 EASEMENT NOW VESTED IN WINGECARRIBEE SHIRE COUNCIL GAZ.30/10/1998 FOL.8626	

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

20231325
PRINTED ON 31/10/2023

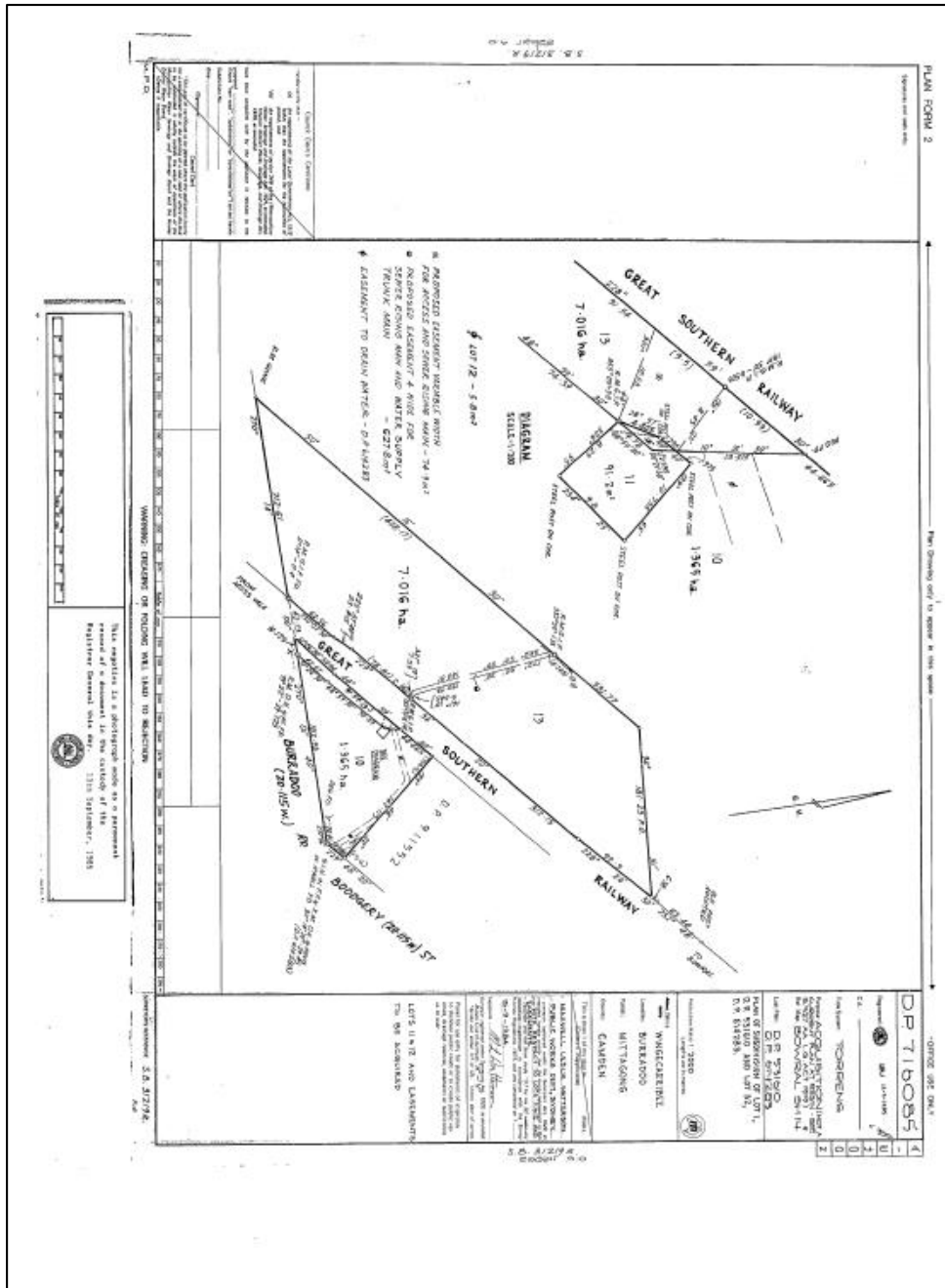
* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register. Landchecker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with section 96B(2) of the Real Property Act 1900. Note: Information contained in this document is provided by Landchecker Pty Ltd, ABN 31 607 394 696, <https://landchecker.com.au> an approved NSW Land Registry Services Information Broker.

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**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

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132 Burradoo Road, Burradoo - 20231325



9.13 State Waste Levy

Report of: **Clinton McAlister**
Manager Waste and Resource Recovery

Authorised by: **Adan Davis**
Director Communities and Place

PURPOSE

The purpose of this report to provide Council with an overview of the contribution Wingecarribee Shire makes to the NSW State Waste Levy.

OFFICER'S RECOMMENDATION

THAT Council note the report.

REPORT

BACKGROUND

The Protection of the Environment Operations Act 1997 (POEO Act) requires certain, specified licensed waste facilities in NSW to pay a contribution for each tonne of waste received at the facility. Referred to as the 'waste levy', the aim of the contribution is to reduce the amount of waste being landfilled and promote recycling and resource recovery.

One of the NSW Government's key priority actions is to increase recycling to limit the need for new landfills, reduce landfill disposal and turn waste into valuable resources. The Government has a range of policies in place to increase recycling and divert valuable resources from landfill back into the economy. The key economic instrument for greater waste avoidance and resource recovery is the Waste Levy.

The Waste Levy applies in the regulated area of NSW which comprises the Sydney metropolitan area (including Wollondilly, Hawkesbury and the Blue Mountains), the Illawarra and Hunter regions, the central and north coast local government areas to the Queensland border and Wingecarribee Local Government Area. The areas outside the regulated area do not contribute to the Waste Levy despite the intended State-wide purpose of the levy to reduce the amount of waste being landfilled and promote recycling and resource recovery.

The Waste Levy is paid on:

- waste received from the regulated area, if the landfill is located outside the regulated area.
- all waste received at an EPA-licensed landfill if the landfill is located in the regulated area.

The Waste Levy funding system is not a closed loop system with direct line of sight between funds collected via levy and funds returned to councils via grants. Waste Levy funds are collected by the EPA and remitted to the NSW Government Consolidated Fund daily.

Decision making in relation to the allocation of Waste Levy funds is determined by the NSW Cabinet. NSW Government Agencies, including the EPA, submit funding proposals for draw down from the Consolidated Fund. There is a Cabinet convention that roughly one-third of waste levy revenue is allocated to the environment portfolio, which is broader than just waste and resource recovery programs.

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Past funding commitments have included the Waste Less Recycle More Initiative which invested \$802 million over ten years from 2012-22 for waste and resource recovery programs. Under the Waste and Sustainable Materials Strategy, the NSW Government has committed \$356 million over 5 years with that funding commencing in July 2022. As part of this package the Government also committed an additional \$85 million in 2021-22 to continue key waste and resource recovery activities and support councils.

WINGECARRIBEE SHIRE COUNCIL CONTRIBUTIONS

Wingecarribee Shire Council is classified as a Metropolitan Levy Area (MLA) and as such is required to pay the Metropolitan Levy Area rate of \$163.20 per tonne (23/24FY) for waste that is disposed of in landfill. As a result, the NSW Waste Levy has a direct impact on the Domestic Waste Management Charge for residents increasing the charge by approximately 10% or \$50 per household per annum.

Wingecarribee Shire Council has made the following contributions to the State Waste Levy over the past 10 financial years.

Average	10 years	\$1,043,933.00
Average	5 years	\$ 966,917.86
Average	3 years	\$ 996,142.02

Payments to the NSW State Waste Levy by financial year.

FY23	\$1,071,198.55
FY22	\$ 867,727.28
FY21	\$1,049,500.24
FY20	\$ 964,973.70
FY19	\$ 881,189.55
FY18	\$1,403,127.37
FY17	\$1,220,274.37
FY16	\$1,177,479.17
FY15	\$ 989,217.06
FY14	\$ 814,642.71

WINGECARRIBEE SHIRE COUNCIL GRANT FUNDING

A review of the Council Grants register for the past 3 financial years has identified that Council has received Grants totalling \$425, 000. This excludes grants received for associated cleanup works following the 2019/20 bushfires and excludes any grant funding that partner organisations have received that Council has benefited from either directly or indirectly including:

- Joint procurement funding for the waste disposal and processing contract (P24- Campbelltown Council)
- FOGO Implementation Plan- MacArthur Waste Alliance
- Community Education and Materials Flow Analysis- Canberra Region Joint Organisation.

COMMUNICATION AND CONSULTATION

Internal Communication and Consultation

Council's Finance Branch provided the detailed expenditure breakdown for payments to the NSW State Waste Levy.

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External Communication and Consultation

NSW Environmental Protection Agency provided Waste Levy funding system information for inclusion into the report.

Council participated in the NSW Environmental Protection Agency consultation on the Waste Levy during 2023. The EPA are undertaking a review and sort Councils views on the performance of the Waste Ley and any key issues/ challenges that the review should consider as part of the review.

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues raised by this report.

Social

There are no social issues in relation to this report.

Broader Economic Implications

There are no broader economic implications raised by this report.

Culture

There are no cultural issues in relation to this report.

Governance

There are no governance issues raised by this report.

COUNCIL BUDGET IMPLICATIONS

Council as part of the normal budgeting process, plan for the expenditure associated with the forecast waste volumes and recovery rates for the period. This forecast cost is incorporated in the Long-Term Financial Plan and paid for through the Domestic Waste Management Charge.

RELATED COUNCIL POLICY

There are no implications for Council Policy resulting from the recommendations of this report.

CONCLUSION

The Waste Levy is a key economic instrument for greater waste avoidance and resource recovery and as such awaits the outcome of the NSW Environmental Protection Agency review.

Council should continue to identify and apply for applicable grants to support waste and resource recovery infrastructure and services for the residents of the community.

ATTACHMENTS

Nil

9.14 Welby Landfill WSP Australia Pty Ltd Engagement

Report of: Ned Tripkovic
Project Delivery Manager

Authorised by: Karin Targa
Director Service and Project Delivery

PURPOSE

The purpose of this report is to resolve the procurement approach to the consultancy services provided by WSP Australia Pty Ltd on the Welby Landfill project.

OFFICER'S RECOMMENDATION

THAT:

- 1. In accordance with Section 55 (3) (i) of the Local Government Act 1993, Council does not go to tender due to the extenuating circumstances of this procurement activity.**
- 2. Council engage WSP Australia Pty Ltd on the basis that a satisfactory result would not be achieved by inviting tenders as WSP Australia Pty Ltd possess the intellectual and historical knowledge relating to the Welby Landfill and proposed capping.**
- 3. Council note the estimated cost of the consulting services will be approximately \$645,000 over the life of the project based on current estimates.**

REPORT

BACKGROUND

In March 2022, WSP was engaged via Direct Engagement to undertake early investigations and develop the closure plan for Welby Landfill. Subsequent contract variations were approved to accommodate additional investigations as requested by the EPA. WSP acquired the initial vendor, Golder and Associates, who provided the original closure plan in 2005 which was not progressed.

WSP was further engaged in March 2023, via a separate contract, to design the landfill capping for the site in line with the closure plan requirements. The rationale for the engagement was as follows:

- WSP had developed the Welby Landfill Closure Plan, which was approved by EPA and given that the design of the landfill capping requires a close interface and coordination with the team that has prepared the closure plan documents, it was deemed feasible and practical to appoint the same consultant "WSP" to undertake the design works.

Furthermore, WSP has prepared a project cost estimate as part of the closure plan and they should remain accountable to their estimate during the design services. The project cost estimate was submitted to the Auditor General NSW and is regularly audited based on its accuracy.

REPORT

The Welby Landfill remediation project is progressing and reaching a critical milestone of Development Application. As the project has progressed, it has become evident that continuity is required due to the complex deliverables of the project. As the project is bespoke in nature, it has become evident that

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tendering the services required would require a detailed understanding of the Welby site. The proposed services that would be tendered are as follows:

- Welby Landfill Closure Development Application Proposal
- Community Consultation
- Technical tender evaluation advice
- Consultancy Services during project construction
- Advice relating to the Mountain Bike Track

These services align with key milestones of the project plan that has been developed. It is noted that there may be other requirements as project scopes are refined through the delivery of key milestones. If Council were to tender for these services, there would be a heavy weighting of site knowledge of the Welby Landfill site and the history of the site.

As WSP Australia was directly engaged for both the closure plan services and the capping design services, due their intimate knowledge of the site, it would be unlikely that any other vendor would be able to be competitive in a tender process.

As the cost for these services will exceed the tender threshold of \$250,000 (as prescribed in the Local Government Act 1993), it is recommended to seek a procurement exemption, under extenuating circumstances, that if a tender was issued to market, that it would be unlikely that any other vendor would be able to competitive throughout the process or provide an advantageous outcome.

Based on the deliverables of the project, the estimated cost (as at February 2024) for the listed deliverables is estimated to be approximately \$645,000 over the life of the project. This may vary as the project is executed and scopes are refined to deliver the outcomes of the project.

Council stands to derive greater benefits from employing the same consultant for the entire project, as the consultant possesses all the pertinent information, intellectual property and historical data and is accountable for the investigations that have already been completed and approved by the EPA through the closure plan as well as the design services that is currently in progress.

Council officers have sought independent advice from a member of Council's Probity Advisory Panel, who have advised that the procurement approach proposed is appropriate.

COMMUNICATION AND CONSULTATION

Community Engagement

Community engagement is not required.

Internal Communication and Consultation

Internal communication with procurement department remains ongoing to ensure appropriate procurement strategy and probity requirements are followed.

External Communication and Consultation

External communication has been ongoing with "SHOP single home of procurement" on the best procurement approach.

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

There are no social issues in relation to this report.

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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

Probity advice was sought from SHOP Consulting to ensure that the matter is being dealt with in a transparent manner.

COUNCIL BUDGET IMPLICATIONS

No Budget Implications at this stage.

RELATED COUNCIL POLICY

Procurement Policy

CONCLUSION

It is in Council's best interest to resolve future engagement of WSP Australia Pty Ltd on a Direct Engagement basis that is to be prepared and approved under delegation per task, to provide consultancy services for the Welby Landfill project.

ATTACHMENTS

Nil

9.15 Eridge Park Transfer Pump Station - Tender Evaluation Report

Report of: Ned Tripkovic
Manager Project delivery

Authorised by: Karin Targa
Director Service and Project Delivery

PURPOSE

This report presents the Tender evaluation for the Eridge Park Transfer Pump Station – Design and Construct project.

OFFICER'S RECOMMENDATION

THAT Council:

1. Accept the tender submission by Qmax Pumping Systems for RFT# T-2023-19 at a total lump sum price of \$1,335,800 excluding GST for the Eridge Park Transfer Pump Station – Design and Construct. The Lump Sum price includes \$110,000 provisional sum.
2. Delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.
3. Note the total project budget of \$1,550,000 to be funded from the Water Fund and to be incorporated into Council's Long Term Financial Plan.

REPORT

BACKGROUND

Eridge Park Transfer pump station has been identified as important project to support bi-directional pumping of watermain between Moss Vale and Bowral. The pump station would allow for short-term security to Moss vale, until such time that Wingecarribee Water Treatment plant to Moss Vale Transfer main is constructed.

After delivery of Moss Vale Transfer main, Eridge Park pump station will provide flushing ability along the existing DN375 Bowral to Moss Vale water main. The provision of this transfer pump station is also a requirement for the progression of the Ashbourne Estate development with approximately 480 lots.

REPORT

Council sought tenders from suitable and qualified contractors to provide a lump sum price for design and construction of Eridge Park pump station. The full scope of works was detailed in the tender documents.

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

Advertising

The tender advertising period was from 14th November 2023 to 12th December 2023 (21 days).

The Tender was advertised as follows:

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Advertising	Date Advertised
Council's website	For the duration of the advertising period
Council's eTendering Website	For the duration of the advertising period

Tender Site briefing

There was a non-mandatory site Tender Briefing held on 10am Thursday, 23rd November 2023.

TENDERS RECEIVED

A total of 1 tender submission were received:

Company Name	Location	Postcode
Qmax Pumping Systems Pty Ltd	72 High Street, Queanbeyan East, NSW	2620

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.

Role	Responsibility	Position
Evaluation Panel Chair	To manage the evaluation process and report to the Procurement Delegate.	Project Manager
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 Engineer Water and Wastewater
Panel Member	Perform a detailed evaluation of the Tender Submissions.	Coordinator Project Management
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

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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:

Mandatory Criteria
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
Works Insurance – 130% of Contract Value
Bank Guarantees – 2 x 2.5% of Contract Value

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

Non-Cost Selection Criteria & Weighting:

Non-Cost Criteria	Weighting
Community & Social (including local procurement)	10%
Capability & Experience	10%
Specifications, Service & Support, Fit for Purpose	35%
Quality Assurance, Innovation	5%
Total	60%

Summary of Selection Criteria & Weighting:

Criteria	Weighting
Total Non-Cost Criteria	60%
Total Cost Criteria	40%
Total	100%

NON-COMPLIANT TENDERS

There were no tender submissions determined to be non-compliant.

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TENDERED SUBMISSION PRICES

The tender submission price received was \$ 1,335,800 (Including provisional sum of \$110,000) (Excl. GST).

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 Procurement Initiation Plan (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.

Only one tender submission was received which is Qmax Pumping Systems Pty Ltd. Based on the differentiators in mandatory criteria, non-cost criteria and cost criteria; Qmax pumping Systems Pty Ltd have demonstrated to be qualified contractor for this project.

They demonstrated a thorough understanding of the scope of works supported by their proposed methodology and program.

Qmax has delivered an exemplary Project Quality Management Plan, along with ISO (International Organization for Standardisation) certificates, and a well-structured program of works for the project.

During the tender evaluation process, tender clarifications were sought to ensure clarity of information provided in the tenderer submission and to allow the tender panel to properly evaluate the tenderer submission. All received clarifications will be incorporated into the contract documents.

COMMENTS ON RECOMMENDED TENDER SUBMISSION

Overall, the tender received was of good quality and from a qualified and reputable contractor.

Qmax Pumping Systems Pty Ltd had demonstrated capability and capacity to delivery this project with a thorough understanding of the scope of works supported via their proposed methodology and program.

Previous projects completed by Qmax include South Jerrabomberra Water Pump station for Village Building/QPRC and Wallerawang SPS for Lithgow City Council. References checks were carried out on 23rd January via phone call and received satisfactory feedback from Qmax's previous projects in terms of quality of works and materials supplied, coordination during design and construction works as well as resourced inhouse design team.

Qmax Pumping solutions holds ISO (International Organising for Standardisation) accreditation for Occupation Health and Safety, Environmental and Quality Management Systems.

COMMUNICATION AND CONSULTATION

Community Engagement

Community will be notified regarding project prior to site works.

Internal Communication and Consultation

Internal consultation was undertaken between Assets, Project Delivery and Procurement.

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External Communication and Consultation

External stakeholders like Little Athletics, Bowral Touch, Highlands District Cricket, OZ Tag Juniors and OZ Tag Seniors were notified regarding upcoming projects via email on 19th October 2023.

SUSTAINABILITY ASSESSMENT

Environment

Contractors to do Review of Environmental Factors (REF) prior to any construction works and to be approved by Council.

Social

There are no social issues in relation to this report.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

Initial council budget was \$150,000 for the design phase in FY2023-2024 and \$350,000 for the construction phase in FY 2024-2025. Reasons for price differences are due to the original budget estimate was based on very high-level cost estimates from previous projects that were completed prior to 2020. Significant cost increases have occurred subsequently due to inflation.

The total project budget is now estimated to be \$1,550,000. This project budget will be phased across 2023/24 (\$150,000) and 2024/25 (\$1,400,000) and will be reflected in the 2024/25 Operational Plan accordingly. No budget adjustment is required in the current financial year, but the Long-Term Financial Plan will need to be updated to reflect the additional \$1,050,000 in the 2024/25 financial year.

RELATED COUNCIL POLICY

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

CONCLUSION

It is recommended that Council accept the tender and award this contract to Qmax Pumping System's Pty Ltd.

ATTACHMENTS

Nil

9.16 Ebury Street, Bundanoon Wastewater Trunk Main Upsizing - Tender Evaluation Report

Report of: Graeme Mellor
Manager Water Services

Authorised by: Karin Targa
Director Service and Project Delivery

PURPOSE

The purpose of this report is to present the evaluation of the Request for Tender for the Wastewater Trunk Main Upsizing – Ebury Street, Bundanoon.

OFFICER’S RECOMMENDATION

THAT Council:

1. Note the tenders received ranged from \$284,823 to \$910,726.
2. Accept the Tender for the Wastewater Trunk Main Upsizing – Ebury Street, Bundanoon from Killard Infrastructure at a lump sum price of \$340,940 (inclusive of GST)
3. Delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.

REPORT

BACKGROUND

This renewal project identified as S214 – Ebury Street, Bundanoon is a replacement and upsizing of 305m of original 150 mm vitrified clay pipe to a PVC DWV SN8 DN225 pipe. This is the final section of up-sized pipework that completes the recently constructed sewer relief main that extends from Ellsmore Road to Hill Street, it provides additional sewer flow capacity to prevent surcharges at times of excessive flow.

REPORT

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

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

ADVERTISING

The tender advertising period was from the 9 January 2024 to 30 January 2024 (21 days).
The tender was advertised as follows:

Newspaper / Website	Date Advertised
Council’s Website	For the duration of the advertising period
Council’s eTendering Website	For the duration of the advertising period

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TENDERS RECEIVED

A total of five (5) tender submissions were received:

Company Name	Location	Postcode
Benex Group Pty Ltd	Queanbeyan NSW	2620
Civil & Civic Pty Ltd	Canberra Airport ACT	2609
Dannik Civil Pty Ltd	Kirrawee NSW	2232
Killard Infrastructure Pty Ltd	Goulburn NSW	2580
RA Smith Pty Ltd	Moorebank NSW	2170

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.

Role	Responsibility	Position
Evaluation Panel Chair	To manage the evaluation process and report to Council.	Project Manager Renewals
Evaluation Panel Member	Perform a detailed evaluation of the Tender Submissions.	Project Officer
Evaluation Panel Member	Perform a detailed evaluation of the Tender Submissions.	Asset Engineer – Water and Wastewater
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

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SELECTION CRITERIA

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

Mandatory Criteria:

Mandatory Criteria
Public Liability - \$20 million
Workers Compensation OR [Self Employed] Personal Accident and Illness Insurance or Personal Income Protection
Motor Vehicle Comprehensive Insurance – Market value
Bank Guarantees – 2 x 2.5% of Contract Value
Compliance with Quality Management System 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:

Non-Cost Criteria	Weighting
Capability & Experience	20%
Specifications, Service & Support, Fit for Purpose	20%
Community & Social (including local content)	10%
Total	50%

Summary of Selection Criteria & Weighting:

Criteria	Weighting
Total Non-Cost Criteria	50%
Total Cost Criteria	50%
Total	100%

NON-COMPLIANT TENDERS

Upon evaluation a total of zero (0) tender submissions were determined to be non-compliant:

TENDERED SUBMISSION PRICES

Tenders received ranged from \$284,823 to \$910,726 Inclusive of GST.

COMMENTS ON OVERALL EVALUATION OUTCOME

There was tight competition for this tender, with the top three prices being closely matched between competent contractors.

COMMENTS ON RECOMMENDED TENDER SUBMISSION

The recommended tender submission is a high-quality submission from one of our most experienced and successful contractors. The submission was comprehensive and fully addressed all the requirements of the Response Schedules. Excellent case references have been submitted, showing capability and experience.

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COMMUNICATION AND CONSULTATION

Community Engagement

It is standard practice for neighbour notification by letter-drop to be done in advance of work commencing in residential streets. Likewise, notification of project works is notified on the Council website and affected roads are notified on the NSW Live Traffic website.

Internal Communication and Consultation

The Review of Environmental Factors for this project was prepared in consultation with Manager Environment and Sustainability.

External Communication and Consultation

N/A

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

There are no social issues in relation to this report.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

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

COUNCIL BUDGET IMPLICATIONS

This project is funded from the annual wastewater mains renewal budget.

RELATED COUNCIL POLICY

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

CONCLUSION

Killard Infrastructure is recommended as the preferred contractor for the Wastewater Trunk Main Upsizing in Ebury Street, Bundanoon based on their high-quality tender submission and competitive pricing.

ATTACHMENTS

Nil

9.17 Ellsmore Road, Bundanoon Wastewater Rising Main Upsizing - Tender Evaluation Report

Report of: Graeme Mellor
Manager Water Services

Authorised by: Shaun Robinson
Acting Director Service and Project Delivery

PURPOSE

The purpose of this report is to present the evaluation of the Request for Tender for the Wastewater Rising Main Upsizing – Ellsmore Road, Bundanoon.

OFFICER'S RECOMMENDATION

THAT Council:

- 1. Note the tenders received ranged from \$319,962.45 to \$744,019.79**
- 2. Accept the Tender for the Wastewater Rising Main Upsizing – Ellsmore Road, Bundanoon from Benex Group at a lump sum price of \$319,962.45 (inclusive of GST)**
- 3. Delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.**

REPORT

BACKGROUND

This renewal project identified as S016 – Bundanoon SPS-BU2 Rising Main Upsizing is a replacement and upsizing of 460m of original 100mm asbestos cement pipe with PE100 PN16 DN225 pipe. The project objectives include constructing a new sewer pipe to increase the SPS-BU2 pump station flowrate capacity along Ellsmore Road to the gravity sewer network connection on the corner of Ellsmore Road and Barnett Avenue. The project aims to relieve the pipe diameter restriction which is currently limiting the pump station SPS-BU2 pumps' discharge flowrate.

The construction work should be conducted in accordance with safe work practices and with minimal impact to affected residents, businesses, the environment, and the local community. There should be no disruption to sewerage services during the project. The new PE100 PN16 DN225 pipe should have a design life of at least sixty (60) years.

REPORT

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

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

ADVERTISING

The tender advertising period was from the 9 January 2024 to 30 January 2024 (21 days).
The tender was advertised as follows:

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Newspaper / Website	Date Advertised
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 five (5) tender submissions were received:

Company Name	Location	Postcode
Benex Group Pty Ltd	Queanbeyan NSW	2620
Civil & Civic Pty Ltd	Canberra Airport ACT	2609
Dannik Civil Pty Ltd	Kirrawee NSW	2232
Killard Infrastructure Pty Ltd	Goulburn NSW	2580
RA Smith Pty Ltd	Moorebank NSW	2170

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.

Role	Responsibility	Position
Evaluation Panel Chair	To manage the evaluation process and report to Council.	Project Manager Renewals
Evaluation Panel Member	Perform a detailed evaluation of the Tender Submissions.	Project Officer
Evaluation Panel Member	Perform a detailed evaluation of the Tender Submissions.	Asset Engineer – Water and Wastewater
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	Procurement Officer

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Role	Responsibility	Position
	advertisement and evaluation periods. Providing probity advice and support to the evaluation panel.	

SELECTION CRITERIA

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

Mandatory Criteria:

Mandatory Criteria
Public Liability - \$20 million
Workers Compensation OR [Self Employed] Personal Accident and Illness Insurance or Personal Income Protection
Motor Vehicle Comprehensive Insurance – market value
Bank Guarantees – 2 x 2.5% of Contract Value
Compliance with Quality Management System 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:

Non-Cost Criteria	Weighting
Capability & Experience	20%
Specifications, Service & Support, Fit for Purpose	20%
Community & Social (including local content)	10%
Total	50%

Summary of Selection Criteria & Weighting:

Criteria	Weighting
Total Non-Cost Criteria	50%
Total Cost Criteria	50%
Total	100%

NON-COMPLIANT TENDERS

Upon evaluation a total of zero (0) tender submissions were determined to be non-compliant:

TENDERED SUBMISSION PRICES

Tenders received ranged from \$319,962.45 to \$744,019.79 inclusive of GST.

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COMMENTS ON OVERALL EVALUATION OUTCOME

There was strong competition between highly capable contractors for this contract. The cost ultimately determined the outcome of this tender.

COMMENTS ON RECOMMENDED TENDER SUBMISSION

The detailed Methodology provided is complete, concise and consistent with the requirements of the Scope of Works – this shows the competence and experience level of Benex is expected to be of a high order. WSC have yet to see Benex deliver a project, although they have worked as a subcontractor to Carve Earthworks (one of our most successful contractors) in the past.

COMMUNICATION AND CONSULTATION

Community Engagement

It is standard practice for neighbour notification by letter-drop to be done in advance of work commencing in residential streets. Likewise, notification of project works is notified on the Council website and affected roads are notified on the NSW Live Traffic website.

Since this project is anticipated to have a significant impact on the traffic flow along Ellsmore Road Variable Message Sign boards (VMS boards) will be set up 2 weeks in advance of the work commencing (and for the duration of the works) to inform commuters of the changes to the traffic conditions due to the work.

Internal Communication and Consultation

The Review of Environmental Factors was prepared in consultation with Manager Environment and Sustainability.

External Communication and Consultation

N/A

SUSTAINABILITY ASSESSMENT

Environment

Focus is given to the safe handling and disposal of legacy asbestos cement pipework.

The alignment of the new main considers the environmental significance of the Southern Highland Shale Woodland remnants on the Ellsmore Road edges, and hence the new pipe alignment is in the roadway. The road surface will be reinstated to a comparative standard to the existing roadway once the work has been completed.

Social

There are no social issues in relation to this report.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

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

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COUNCIL BUDGET IMPLICATIONS

This project is funded by the annual Council wastewater mains renewal budget.

RELATED COUNCIL POLICY

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

CONCLUSION

Benex Group is recommended as the preferred contractor for the Wastewater Rising Main Upsizing from SPS-BU2 on Ellsmore Road, Bundanoon. The evaluation of tender submissions was close between five very capable contractors, so the outcome was determined by the very competitive pricing of the Benex proposal.

ATTACHMENTS

Nil

9.18 Wingecarribee Local Planning Panel and Southern Regional Planning Panel - Member Appointment

Report of: Jon Shillito
Manager Development Assessment and Regulation

Authorised by: Adan Davis
Director Communities and Place

PURPOSE

The purpose of this report is to provide an update on the membership to the Wingecarribee Local Planning Panel (WLPP) and the Southern Regional Planning Panel (SRPP) and to confirm Council's members to the panels.

OFFICER'S RECOMMENDATION

THAT Council:

1. Note the direction from the Minister of Planning to extend the approval of the chair and member pools for an interim period from 28 February to 30 June 2024.
2. In accordance with the Minister's Direction, extend the appointment of Ms. Julie Walsh as Chair of the Wingecarribee Local Planning Panel from 28 February to 30 June 2024.
3. In accordance with the Minister's Direction, extend the appointment of Mr Michael Mantei and Mr Stephen Leathley as Alternate Chairs of the Wingecarribee Local Planning Panel from 28 February to 30 June 2024.
4. Extend the appointment of the expert members of the Wingecarribee Local Planning Panel from 28 February to 30 June 2024 and add the two Alternate Chairs to the expert member pool. The Members are as follows: Scott Barwick, Larissa Ozog, Heather Warton, Linda Kelly, Michael Mantei and Stephen Leathley.
5. Extend the appointment of the Community Representatives, except for Robert Staas, for the Wingecarribee Local Planning Panel from 28 February to 30 June 2024. The Community Representatives are as follows: Richard Colley, Chris McCann, William (Bill) Davidson, Denis McManus, Anthony Geoffrey Neill.
6. Resolve to set the Local Planning Panel Remuneration in accordance with the current Remuneration Determination for LPPs as prescribed by the Minister for Planning under the Environmental Planning and Assessment Act, 1979.
7. Resolve that all Local Planning Panel Members must abide by the Code of Conduct for Local Planning Panel Members, achieve a satisfactory result in the relevant probity checks and complete all relevant and required administrative documentation (including a statutory declaration stating that they are not property developers or real estate agents) in a timely manner as required by the Local Planning Panels Code of Conduct -August 2020 (as amended) and in accordance with the Local Planning Panels Ministerial Direction.
8. Appoint the following members to the Southern Regional Planning Panel for three years (until 1 March 2027) with one Council representative and one alternate being involved on a rotating basis:
 - Heather Warton (Council Representative)
 - Stephen Leathley (Council Representative)
 - Richard Colley (Council Representative – Alternate)

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- Chris McCann (Council Representative – Alternate)
9. Resolve to set the Southern Regional Panel Remuneration in accordance with the current Remuneration Determination for independent persons for LPPs as prescribed by the Minister for Planning under the Environmental Planning and Assessment Act, 1979.
 10. Resolve that all Southern Regional Planning Panel Members must abide by the Code of Conduct for Sydney District and Regional Planning Panels, achieve a satisfactory result in the relevant probity checks and complete all relevant and required administrative documentation (including a statutory declaration stating that they are not property developers or real estate agents) in a timely manner.
 11. Forward the change in the nominees to the Southern Regional Planning Panel to the Panel Secretariat as soon as possible.

REPORT

BACKGROUND

At the Extraordinary meeting of Council on 26 July 2021 Council resolved:

THAT Council:

1. Adopt the name 'Wingecarribee Local Planning Panel (WLPP)' for its Local Planning Panel;
2. Appoint Ms. Julie Walsh as Chair of the Wingecarribee Local Planning Panel, as selected by the Minister for Planning, for a term from 01 July 2021 until 29 February 2024;
3. Appoint Mr Michael Mantei and Mr Stephen Leathley as Alternate Chairs of the Wingecarribee Local Planning Panel, as selected by the Minister for Planning, for a term from 1st July 2021 until 29 February 2024;
4. Appoint the Expert Members of the Wingecarribee Local Planning Panel, as selected by Council for a term from 1st July 2021 until 29 February 2024. The Members are as follows: Scott Barwick, Larissa Ozog, Alf Lester, Heather Warton, Linda Kelly;
5. Appoint the Community Representatives for the Wingecarribee Local Planning Panel, as selected by Council for a term from 1st July 2021 until 29 February 2024. The Community Representatives are as follows: Richard Colley, Chris McCann, William (Bill) Davidson, Robert Staas, Denis McManus, Anthony Geoffrey Neill;
6. Resolve to set the Panel Remuneration in accordance with the current Remuneration Determination for LPPs as prescribed by the Minister for Planning under the Environmental Planning and Assessment Act, 1979;
7. Resolve that planning proposals must be considered by and advised on by the Local Planning Panel as per the current Local Planning Panels Direction under S9.1 of the Environmental Planning and Assessment Act 1979 – Planning Proposals;
8. Resolve that all Panel Members must abide by the Local Planning Panels Code of conduct and complete all relevant and required administrative documentation in a timely manner as required by the Local Planning Panels Code of Conduct -August 2020 (as amended)."

The Environmental Planning and Assessment Act 1979 (the Act) details the membership of local planning panels. Pursuant to Section 2.18 of the Act each local planning panel is to comprise:

- (a) an approved independent person appointed as the chairperson of the panel with relevant expertise that includes expertise in law or in government and public administration,
- (b) 2 other approved independent persons with relevant expertise,
- (c) a representative of the local community who is not a councillor or mayor. ...

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(4) For the purposes of this section, an approved independent person is an independent person approved by the Minister for appointment to the local planning panel or a person selected from a pool of independent persons approved by the Minister for appointment to the local planning panel. The Minister may approve different pools of independent persons."

As the Ordinary Meeting of Council on 13 December 2023 Council resolved:

THAT Council:

- 1. Receive and note the report.*
- 2. Extend the term of the Wingecarribee Local Planning Panel for a further 3 years to 2027, with panel members to be appointed before June 2024.*
- 3. Receive a further report in February 2024 to consider and confirm the process and timeframes for the appointment of the Chair, Alternative Chairs, Expert Panel Members and Community Representative members to the Wingecarribee Local Planning Panel."*

REPORT

Local Planning Panel

A local planning panel consists of four members: a chair, two independent expert members and a community representative. If a council is required to constitute a local planning panel, which Wingecarribee Shire Council is, it must appoint chairs and independent expert members approved by the Minister for Planning and Public Spaces (Minister). Community representatives are recruited, selected and appointed by councils. Mayors, councillors, property developers and real estate agents are not eligible for appointment to local planning panels.

Pursuant to Section 9.1 of the Environmental Planning and Assessment Act ("the Act"), the Minister for Planning and Public Spaces made a Ministerial Direction on 22 January 2024, the objective of which was:

"...to extend the approval of chair and member pools and appoint existing chairs and members of local planning panels for an interim period from 28 February 2024 to 30 June 2024."

The Ministerial Direction applies to Wingecarribee Shire Council as Council has constituted a local planning panel under the Act. The Directions state:

"1. Direction 1 Continuation of the pools dated 28 February 2021 until 30 June 2024

1.1 A council to whom this direction applies must note that the chair/alternate chair pool dated 28 February 2021 is approved until 30 June 2024.

1.2 A council to whom this direction applies must note that the expert member pool dated 28 February 2021 is approved until 30 June 2024.

2. Direction 2 Interim appointment from the pool dated 28 February 2021

2.1 A council to whom this direction applies is to appoint a new or reappoint the current chair/alternate chair to a local planning panel for the period covering 28 February 2024 to 30 June 2024.

2.2 A council to whom this direction applies is to appoint a new or current panel member to a local planning panel for the period covering 28 February 2024 to 30 June 2024.

2.3 Any panel member who has served two terms on a specific local planning panel cannot be reappointed, this includes community representatives. In this case, a council to whom this direction applies must appoint a new panel member from the approved pool.

2.4 During this interim appointment period a council is permitted to have a reduced number of panel members in their approved pool, that is less than the 15 independent expert members and alternate

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members (see *Local Planning Panels Direction -Appointment of New Members dated 7 December 2022*).

3. Direction 3 Appointment of members

3.1 A council to whom this direction applies is to require in their letter of appointment or reappointment of any new or current panel member, that the proposed member agree to abide by the Code of Conduct for Local Planning Panel Members, in their acceptance of appointment to the local planning panel. The Code of Conduct for Local Planning Panel Members is the code approved by the Minister for Planning under section 28 of Schedule 2 to the Act.

3.2 Before appointing community representatives to a panel, a council must require proposed representatives to complete a statutory declaration stating that they are not:

- a) a councillor of that or any other council, or*
- b) a property developer within the meaning of section 53 of the Electoral Funding Act 2018, or*
- c) a real estate agent within the meaning of the Property, Stock and Business Agents Act 2002.*

Note: these are grounds for ineligibility for membership of a local planning panel under section 2.18 of the Act.

3.3 Before appointing community representatives to a panel, a council must also arrange probity checks for the proposed representatives which must include (but are not limited to):

- a. Search of the Public Register of real estate agents*
- b. Bankruptcy Register Search*
- c. A Nationally Coordinated Criminal History Check"*

As the Minister has extended the appointment of the Chair/Alternate Chair and experts until June 2024 it is also recommended that the community representatives be extended until this time to ensure that all panel members are appointed over the same time period. However, it is noted that Mr Robert Staas has withdrawn from the Panel due to other commitments that he is currently undertaking on Council's behalf.

Southern Regional Planning Panel

The principal function of Regional Planning Panels is to determine regionally significant development applications and modification applications. There are currently nine planning panels with the Southern Regional Planning Panel covering the Wingecarribee Shire Local Government Area (LGA). The Southern Regional Planning Panel was created in July 2009 and was originally known as the Southern Joint Regional Planning Panel.

The panel consists of five (5) members:

- 3 members, including the chair, appointed by the Minister (State members), and
- 2 members appointed by the relevant council (council members).

At least one council member must have expertise in one or more of the following areas: planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering, or tourism.

It is up to Council to determine how the members are selected. It is recommended that Council have four representatives to allow regular rotation for regionally significant matters.

The Council representatives on the Southern Regional Planning Panel are:

- Julie Walsh (Council representative)
- Michael Mantei (Council Representative – Alternate)
- Stephen Leathley (Council Representative – Alternate)

Council appointed the above members in May 2021 until 1 February 2024.

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One of the current representatives has recommended that Council consider having two expert planners and two community representatives on the panel. Based on this recommendation the following members are being recommended to Council to be appointed to the panel for the next three (3) years:

- Heather Warton (Council Representative – Planning Expert)
- Stephen Leathley (Council Representative – Planning Expert)
- Richard Colley (Council Representative – Community Representative)
- Chris McCann (Council Representative – Community Representative)

The appointment of two expert planners and two community representatives would allow a rotation of panel members on regionally significant matters.

COMMUNICATION AND CONSULTATION

Community Engagement

Expressions of interest will be sought for community representatives to be part of the local planning panel before the extended term ends as it is recommended that selecting community representatives be conducted concurrently with the appointment process for the expert members.

Local community representatives may be selected on the basis that they:

- are current residents within the LGA
- have an understanding of the LGA and issues of concern to the local community
- have the capacity to form independent views and to contribute constructively to the determination of applications
- are able to demonstrate a basic level of understanding of the planning system, i.e. knowledge of the council's local environmental plan, development control plan, local strategic planning statement or community strategic plan
- are committed to:
 - following the Code of Conduct for Local Planning Panel Members and the Local Planning Panels Operational Procedures;
 - attending local planning panel meetings and completing panel business in required timeframes.

Internal Communication and Consultation

The Development Assessment team have been made aware of the current progress on the appointment of the independent members to the Local Planning Panel.

External Communication and Consultation

Advertisements will be placed notifying the public of the Expression of Interest period for the Local Planning Panel. Letters will also be sent to the current community representatives inviting them to reapply towards the end of the extended period.

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.

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Culture

There are no cultural issues in relation to this report.

Governance

The NSW Government recommends probity checks be undertaken, including:

- “a. public register of real estate agents check*
- b. bankruptcy record check*
- c. National Police check (ACIC).”*

The NSW Government also recommend that members sign a statutory declaration stating that they are not property developers or real estate agents. It is recommended that satisfactory results from the probity check and a signed statutory declaration form part of the resolution from Council.

COUNCIL BUDGET IMPLICATIONS

Councils determine the fees they pay their Panel members and Council is responsible for making any payments to its panel members when they attend panel meetings, including travel costs.

The remuneration of Panel members and operational costs of administering the panel are included in the current budget. There are no impacts on Council’s budget raised as a result of this report.

RELATED COUNCIL POLICY

Nil

CONCLUSION

The members of the Wingecarribee Shire Council Local Planning Panel were appointed until 24 February 2024. In order to appoint a new Local Planning Panel the Minister of Planning needs to create a pool of independent persons to allow Council to choose the members for the next three (3) year term. The Department of Planning is recruiting a new pool of experts and chairs for the next 3-year term. Pursuant to Section 9.1 of the Environmental Planning and Assessment Act (“the Act”), the Minister for Planning and Public Spaces made a Ministerial Direction on 22 January 2024 that extends the approval of the chair and member pools and appoints existing chairs and members of local planning panels for an interim period from 28 February 2024 to 30 June 2024. It is recommended that Council endorse the reappointment of the chair and expert members to reflect the Ministerial Direction. It is also recommended that the community representatives be extended until this time (30 June 2024) to ensure that all panel members are appointed over the same time period. However, it is noted that Mr Robert Staas has withdrawn from the Panel due to other commitments that he is currently undertaking on Council’s behalf.

The Council representatives on the Southern Regional Planning Panel were:

- Julie Walsh (Council representative)
- Michael Mantei (Council Representative – Alternate)
- Stephen Leathley (Council Representative – Alternate)

Council appointed the above members in May 2021 until 1 February 2024.

It is recommended that Council consider having two expert planners and two community representatives on the Southern Regional Planning panel for the next three (3) years with those members being:

- Heather Warton (Council Representative – Planning Expert)
 - Stephen Leathley (Council Representative – Planning Expert)
-

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- Richard Colley (Council Representative – Community Representative)
- Chris McCann (Council Representative – Community Representative)

The appointment of two expert planners and two community representatives would allow a rotation of panel members on regionally significant matters.

ATTACHMENTS

Nil

9.19 Strategic Regional Integrated Transport Plan for the South East and Tablelands

Report of: Shaun Robinson
Manager Assets

Authorised by: Karin Targa
Director Service and Project Delivery

PURPOSE

The purpose of this report is to seek Council's endorsement for submission of comments to Transport for NSW for consideration in their preparation of the Strategic Regional Integrated Transport Plan for the South East and Tablelands Region.

OFFICER'S RECOMMENDATION

THAT Council, after receipt of the letter from Transport for NSW on 21 November 2023, reconfirm the submission as submitted in February 2023 in response to the draft South East and Tablelands Regional Transport Plan prepared by Transport for NSW, as well as further highlight the:

- a. Latent cycling opportunities within the Wingecarribee Shire
- b. Criticality and benefit of Moss Vale Bypass to both the Wingecarribee Shire and State Government.

REPORT

BACKGROUND

At the Ordinary Council Meeting 15 February 2023, Council endorsed a thorough submission of comments and recommendations in response to the draft South East and Tablelands Regional Transport Plan prepared by Transport for NSW.

Council subsequently received a letter from Transport for NSW on 21 November 2023 advising of a change in direction in that, in keeping with an election promise, Strategic Regional Integrated Transport Plans will now be developed for the nine regions of Regional NSW.

Transport for NSW has therefore requested Council to confirm that the key transport challenges and opportunities referenced in the February 2023 submission on the Draft Regional Transport Plan were still the highest priorities for the LGA and region, and that any additional feedback on transport issues still correctly reflect the current position of Council.

Both the submission to TfNSW and the subsequent response are provided in full in Attachment 1.

REPORT

Since the February 2023 submission, Council has engaged industry experts Institute for Sensible Transport (IST) for the preparation of a Wingecarribee Integrated Transport Plan. Significant progress has also been made on the detailed design of the Moss Vale Bypass.

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The Integrated Transport Plan will provide the direction for how Council can provide efficient and sustainable movement around the community, management of traffic congestion, advocate for improved public transport and support alternative modes of transport.

At the Ordinary Council Meeting 13 December 2023 the Draft Research Report from IST was tabled, which provides recommendations, critical initiatives and actions that can be incorporated into the development of the final Integrated Transport Strategy – which is on track for completion within 2023/24.

The comments and recommendations from the February 2023 are still relevant to the current transport situation of the Shire, and cover the areas of:

- Ensuring support for the enabling infrastructure for the Southern Highlands Innovation Park, as well as it being a key connection for a potential future Southern Inland Fast Rail route.
- Strengthen public transport services both within the Shire and to Greater Sydney and Wollongong.
- Improvements to the accessibility and reliability of the Hume Highway and Illawarra Highway.
- Support for Moss Vale Bypass.

As it has been 12 months since this submission and as a result of progression of both the Wingecarribee Integrated Transport Plan and Moss Vale Bypass, it is recommended that the following items are further highlighted in a submission to Transport for NSW for the Regional Integrated Transport Plans.

Wingecarribee Integrated Transport Plan – Draft Research Report

There are many strategies and policies across all three levels of government which contain commitments to encourage a mode shift in transport through an increase in walking and cycling.

However this mode shift has not occurred in the Wingecarribee Shire, with the mode share of cycling having halved over the past 10 years.

This does however create a clear opportunity for improvement in the Shire, with the Bike Use Propensity Index showing a significant latent demand for cycling within Shire.

This latent demand is primarily derived from the reality that 75% of Shire residents work in the Shire. And of these who live and work in the Shire, 27% have a commute less than 5km – and so these commutes could be by walking or cycling if the conditions were safe, attractive and convenient. Unfortunately, walking and cycling only accounts for 13% of these trips.

This identification of ‘short trips’ play a key role in influencing travel behaviour change. If safe, attractive and convenient walking and cycling routes can be provided throughout these short trip areas, it will create a meaningful mode shift within the Shire.

Therefore, in accordance with the Bike Use Propensity Index displayed in Attachment 2, it is recommended that it is further highlighted to Transport for NSW the criticality of addressing the latent cycling demand in the Shire by:

- Providing a safe, attractive and convenient walking and cycling connection between Mittagong and Bowral.
- Strengthen the pedestrian and cyclist connections within the town centres of Bowral, Moss Vale and Mittagong.
- Create cyclist connections between Moss Vale, Bowral and Mittagong Train Stations and their adjacent residential areas.

Moss Vale Bypass

The Moss Vale Bypass will connect Berrima Road in the west to Argyle Street in the east and will provide an additional crossing over the Main Southern Railway that is flood resistant and poses no height restrictions.

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An active transport link will also be provided through the entire length that connects Bong Bong Cycle Track in the east to Berrima Road in the west.

Traffic modelling shows that without Moss Vale Bypass, by 2031 Argyle Street will not be able to adequately service the traffic demand. Argyle Street will be past the saturation point, resulting in long queues and delays. It is the only solution.

Detailed design for the Moss Vale Bypass is in progress, with 100% completion of the design phase forecast for October 2024. However latest cost estimates for the construction phase of the project are in the order of \$150M – which is well beyond the funding capacity of Council.

It is therefore recommended that as Moss Vale Bypass will ensure the continued functioning Argyle Street, which is State Road, that it is further highlighted to Transport for NSW the criticality and benefit of this project for both Council and the State Government.

COMMUNICATION AND CONSULTATION

Community Engagement

Significant community engagement has been conducted through the delivery of both the Moss Vale Bypass Design and Wingecarribee Integrated Transport Strategy.

Internal Communication and Consultation

Executive Manager Strategic Outcomes

Coordinator Strategic Policy

External Communication and Consultation

Transport for NSW

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

There are no social issues in relation to this report.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

There are no budgetary implications as result of this report.

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RELATED COUNCIL POLICY

- Community Strategic Plan
- Goal 3.1 A physically and digitally connected Shire
- 3.1.1 Provide accessible, efficient and interconnected public transport systems and infrastructure within and out of the Shire
- 3.1.2 Plan and deliver an interconnected and accessible network of cycleways footpaths and walking trails between towns and villages

CONCLUSION

Since the February 2023 submission, Council has engaged industry experts Institute for Sensible Transport (IST) for the preparation of a Wingecarribee Integrated Transport Plan. Significant progress has also been made on the detailed design on the Moss Vale Bypass. It is therefore recommended that Council, along with reiterating the comments from February 2023, further highlight the criticality of the Moss Vale Bypass project and the latent cycling demand opportunities.

ATTACHMENTS

1. Transport for NSW Letter - November 2023 [9.19.1 - 14 pages]
2. Wingecarribee Integrated Transport Plan - Bike Use Propensity Index [9.19.2 - 1 page]

Transport for NSW



Lisa Miscamble
General Manager
Wingecarribee Shire Council

Email: Lisa.Miscamble@wsc.nsw.gov.au

Re: Draft South East and Tablelands Regional Transport Plan

21 November 2023

Dear Lisa,

I am writing to follow up on the submission from Wingecarribee Shire Council to the South East and Tablelands Regional Transport Plan earlier in 2023.

Transport appreciates the time that Council took to provide the formal submission (attached), and in particular highlighting some of the key transport challenges and opportunities for both Wingecarribee Shire and the wider South East and Tablelands region including:

- Recognising the preparation and future implementation of the Moss Vale Movement and Place Study;
- Supporting Council with planning and delivery of enabling works for the Southern Highlands Innovation Park, including the Moss Vale bypass;
- Continued investigation of a Southern Inland Fast Rail route between Greater Sydney and Canberra;
- Improved public transport connectivity between the Southern Highlands Cluster, Greater Sydney, and Wollongong;
- Rail improvements for the NSW Trainlink Southern Highlands Line; and
- New connections to the M31 Hume Highway at Welby and North Goulburn.

In the lead-up to the NSW Election in March, the Minns Government committed to develop Strategic Regional Integrated Transport Plans (SRITPs) for the nine regions across Regional NSW in this term of Government. Transport will deliver on this Election Commitment on behalf of the NSW Government, with the Hunter and South East and Tablelands regions being prioritised for SRITPs in the first tranche.

As a result of the Election Commitment, Transport will build on the comprehensive work already undertaken during development of the South East and Tablelands Regional Transport Plan (SETRTP) project, and transition the product into a Strategic Regional Integrated Transport Plan for the South East and Tablelands.

All Council feedback provided during previous engagement activities for the SETRTP project, as well as the formal submission on the Draft Regional Transport Plan earlier this year, will be used to inform the Strategic Regional Integrated Transport Plan for the South East and Tablelands.

A timeline of engagement activities on the Strategic Regional Integrated Transport Plan for the South East and Tablelands is being developed for 2024, and Council will be invited to participate once details are confirmed.

In the interim however, Minister Aitchison has asked Transport to write to all Councils across the South East and Tablelands to confirm that the key transport challenges and opportunities referenced in the formal submission on the Draft Regional Transport Plan were still the highest priorities for the LGA and region. We would welcome any additional feedback to ensure the transport issues listed in the attached letter correctly reflect the current position of Council.

OFFICIAL

Level 4, 90 Crown Street
Wollongong NSW 2500
www.transport.nsw.gov.au

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Additional feedback can be provided via email to the Project Director for the South East and Tablelands SRITP, Jennifer Adam, at Jennifer.Adam@transport.nsw.gov.au with a cc to sam.t.knight@transport.nsw.gov.au. Ideally, we would appreciate any additional feedback by Friday 22 December 2023. Please do not hesitate to reach out if this timeframe is difficult for Council to meet.

The Project Team is also available to talk through the pivot to the Strategic Regional Integrated Transport Plans should Council be interested.



Regional Director South
Community & Place South

OFFICIAL

Level 4, 90 Crown Street
Wollongong NSW 2500
www.transport.nsw.gov.au

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24 February 2023

Transport for NSW
South East and Tablelands Regional Transport Plan Project Team
Level 4, 90 Crown Street
Wollongong, NSW 2500

SouthEastTablelandsRTP@transport.nsw.gov.au



Civic Centre
68 Elizabeth Street Moss Vale
PO Box 141 Moss Vale NSW 2577

02 4868 0888

mail@wsc.nsw.gov.au

ABN 49 546 344 354

RE: South East and Tablelands Regional Transport Plan

Wingecarribee Shire Council is thankful for the opportunity to provide comment and feedback on the Draft South East and Tablelands Regional Transport Plan (Draft Plan).

The Draft Plan identifies 49 initiatives for the South East and Tablelands Region, several of which relate directly to the Wingecarribee Shire. The Draft Plan provides an exciting vision for the transport network of the Region Overall and so Council is on the whole supportive of the initiatives listed – however requests that 10 adjustments are considered prior to finalisation of the Draft Plan.

These recommended adjustments were endorsed by Council at Ordinary Council Meeting 15 February 2023 for submission to Transport for NSW (TfNSW), and are as follows:

- R1 – Page 41 revised to recognise the preparation and future implementation of the Moss Vale Movement and Place Study;
- R2 – Initiative Table 2 revised to also include Initiative 5;
- R3 – Page 58 revised to *“Support Wingecarribee Shire Council with the planning and delivery of enabling transport works for the regionally significant development of the Southern Highlands Innovation Park”*;
- R4 – Initiative 14 revised to *“Enabling transport works for the Southern Highlands Innovation Park, including Moss Vale Bypass”*;
- R5 – Page 32 revised to, *“Continued investigation of the Southern Inland Fast Rail route from Greater Sydney to Canberra, with connections including Southern Highlands Innovation Park and Goulburn.”*;
- R6 – Initiative 30 revised to, *“Improved public transport connectivity from the Southern Highlands Cluster to the Global Gateways of Greater Sydney and Wollongong”*;
- R7 – Page 32 revised to provide further description of the rail improvements for the NSW Trainlink Southern Highlands line;
- R8 – Initiative 36 revised to *“Medium and long-term improvements to NSW TrainLink rail services between Sydney and Canberra, including the Southern Highlands Line”*;
- R9 – Creation of new initiative, *Initiative 50 – New Hume Highway Connections at Welby and North Goulburn; and*
- R10 – Page 60 revised to recognise the Heritage Rail Loop Line Upgrade and potential future extension to Mittagong and possible commuter usage.

Working with you

WSC.NSW.GOV.AU

WINGECARRIBEE - A COAL MINING FREE SHIRE

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
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A copy of the Council Report and Subsequent Minutes are provided as an attachment to this letter for further reference.

If TfNSW has any further queries or concerns with the aforementioned recommendations, please direct any correspondence to Manager Assets, Shaun Robinson, on shaun.robinson@wsc.nsw.gov.au or (02) 4868 0888.



Shaun Robinson
Manager Assets

Attachment 1 – Council Report 15 February 2023 - Draft South East and Tablelands Regional Transport Plan - Response to Public Exhibition

Attachment 2 – Minutes of Council Meeting 15 February 2023

9.11 Draft South East and Tablelands Regional Transport Plan - Response to Public Exhibition

Report Author: Manager Assets
Authoriser: Director Service and Project Delivery

PURPOSE

The purpose of this report is to provide Council with a review of the Draft South East and Tablelands Regional Transport Plan that is on public exhibition until 24 February 2023 and a list of adjustments recommended for submission.

OFFICER'S RECOMMENDATION

THAT:

1. Council provide a submission on the Draft South East and Tablelands Regional Transport Plan recommending the following adjustments:
 - a. R1 – Page 41 revised to recognise the preparation and future implementation of the Moss Vale Movement and Place Study;
 - b. R2 – Initiative Table 2 revised to also include Initiative 5;
 - c. R3 – Page 58 revised to *“Support Wingecarribee Shire Council with the planning and delivery of enabling transport works for the regionally significant development of the Southern Highlands Innovation Park”*;
 - d. R4 – Initiative 14 revised to *“Enabling transport works for the Southern Highlands Innovation Park, including Moss Vale Bypass”*;
 - e. R5 – Page 32 revised to, *“Continued investigation of the Southern Inland Fast Rail route from Greater Sydney to Canberra, with connections including Southern Highlands Innovation Park and Goulburn.”*;
 - f. R6 – Initiative 30 revised to, *“Improved public transport connectivity from the Southern Highlands Cluster to the Global Gateways of Greater Sydney and Wollongong”*;
 - g. R7 – Page 32 revised to provide further description of the rail improvements for the NSW Trainlink Southern Highlands line;
 - h. R8 – Initiative 36 revised to *“Medium and long-term improvements to NSW TrainLink rail services between Sydney and Canberra, including the Southern Highlands Line”*;
 - i. R9 – Creation of new initiative, *Initiative 50 – New Hume Highway Connections at Welby and North Goulburn; and*
 - j. R10 – Page 60 revised to recognise the Heritage Rail Loop Line Upgrade and potential future extension to Mittagong.

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REPORT

BACKGROUND

Transport for NSW (TfNSW) released the Draft South East and Tablelands Regional Transport Plan (the Draft Plan) on 16 December 2022 for public consultation until 24 February 2023. The Draft Plan is accessible via the TfNSW website - <https://www.future.transport.nsw.gov.au/future-transport-plans/draft-south-east-and-tablelands-regional-transport-plan>

The Draft Plan outlines how TfNSW will respond to the transport needs of the South East and Tablelands Region (the Region) and also plan for future challenges. The Draft Plan has been developed simultaneously with the Department of Planning and Environment's (DPE) Draft South East and Tablelands Regional Plan 2041 (the 'Draft Regional Plan') to ensure the land use vision for the region is complemented with a bespoke transport response. The Draft Plan has been developed using a vision-led approach to transport planning. The structure of the Draft Plan reflects the vision-led approach with a general three stage structure:

1. The 'Transport Challenge' chapter highlighting the key issues that the transport network will likely face over the next 20 years;
2. The 'Transport Vision' chapter articulating an aspirational regional transport vision of what the transport network should look like by 2041; and
3. The 'Transport Response' chapter establishing the actions to deliver the regional transport vision.

The Draft Plan identifies 49 initiatives for the South East and Tablelands Region, several of which relate directly to the Wingecarribee Shire.

REPORT

The Draft South East and Tablelands Regional Transport Plan (the Draft Plan) is the culmination of a significant investment from TfNSW in specialist research and consultation across many government and non-government agencies. Of the 49 initiatives identified in the Draft Plan, many relate to the entire South East and Tablelands Region – however there are several that relate directly to the Wingecarribee Shire. These initiatives, as well as a review of the initiatives, are provided in table below.

Initiative	Response
5 - Moss Vale Town Centre Improvements and Station Upgrade	<p>The Draft Plan identifies Initiative 5 in response to the Transport Access Program upgrades being installed at Moss Vale Train Station (page 44).</p> <p>Although this provides clarity for the Station Upgrade component of the Initiative, the Draft Plan does not provide any commentary on the Town Centre Improvements.</p> <p>It is assumed that the Town Centre Improvements are linked to the Moss Vale Movement and Place Study that TfNSW is undertaking. The Draft Plan currently makes no mention of the Moss Vale Movement and Place Study, however it would add further value to the commitment of TfNSW working with Council to</p>

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	<p>improve walking and cycling connectivity and create 15-minute neighbourhoods within the Southern Highlands Cluster (page 41).</p> <p>Recommendation:</p> <p>R1 – Page 41 revised to recognise the preparation and future implementation of the Moss Vale Movement and Place Study.</p> <p>R2 – Initiative Table 2 revised to also include Initiative 5.</p>
<p>14 – Moss Vale Bypass Project</p>	<p>The Draft Plan identifies that TfNSW will investigate and plan improvements in freight connectivity (page 58) and improve pedestrian conditions within town centres (page 53) through supporting Council in the planning of the Moss Vale Bypass Project.</p> <p>The Moss Vale Bypass Project is a critical project in ensuring the transport network of the Wingecarribee Shire can accommodate the growing population and appeal of the town centres, as well as enable the regionally significant Southern Highlands Innovation Park.</p> <p>It is however noted that the Moss Vale Bypass Park is one of several transport upgrades required as part of the enabling works for the Southern Highlands Innovation Park. The Berrima Road Deviation Project, construction of Enterprise Road & Overbridge and New Berrima Bypass.</p> <p>Recommendation:</p> <p>R3 – Page 58 revised to <i>“Support Wingecarribee Shire Council with the planning and delivery of enabling transport works for the regionally significant development of the Southern Highlands Innovation Park”</i>.</p> <p>R4 – Initiative 14 revised to <i>“Enabling transport works for the Southern Highlands Innovation Park, including Moss Vale Bypass”</i>.</p>
<p>23 – Fast Rail connection improvements: Sydney to Canberra</p>	<p>The Draft Plan identifies the continued investigation of the Southern Inland Fast Rail as a key opportunity for the strengthen of regional connectivity both for passenger and freight transport.</p>

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	<p>The Draft Plan also identified the Southern Highlands Innovation Park as one of the few regionally significant projects for the Region and will be a key factor in achieving industry and freight growth.</p> <p>Connection of the Southern Highlands Innovation Park to the proposed Southern Inland Fast Rail would therefore be mutually beneficial to both endeavours.</p> <p>Recommendation:</p> <p>R5 – Page 32 revised to, <i>“Continued investigation of the Southern Inland Fast Rail route from Greater Sydney to Canberra, with connections including Southern Highlands Innovation Park and Goulburn.”</i></p>
<p>25 – Hume Highway Vehicle Access Review</p>	<p>The Draft Plan states that TfNSW will also investigate opportunities to consolidate property accesses and adjoining roads along the Hume Highway to better provide safe left and right-turn facilities onto the corridor (page 45).</p> <p>This will further improve road safety within the Wingecarribee Shire.</p> <p>It is recommended that Council support this initiative in its current form.</p>
<p>27 – Illawarra Highway Safety and Reliability Improvements</p>	<p>The Draft Plan states that TfNSW will undertake investigations for road safety (page 45) and resilience (page 54) improvements on the Illawarra Highway.</p> <p>The Illawarra Highway provides a critical transport connection between the Wingecarribee Shire and the Illawarra. The safety and resilience of this route is therefore of high importance.</p> <p>The Draft Plan recognises this and so the initiative has been designated Short timeframe (0-5yrs).</p> <p>It is recommended that Council support this initiative in its current form.</p>

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<p>28 – Improved public transport connectivity within the strategic centres of Batemans Bay, Bega, Cooma, Goulburn, the Southern Highlands Cluster and Young.</p>	<p>The Draft Plan identifies the Southern Highlands Cluster (Mittagong, Bowral and Moss Vale) as one of the centres for improved public transport within the centre.</p> <p>This is a great initiative that will further strengthen the liveability of the Wingecarribee Shire.</p> <p>It is recommended that Council support this initiative in its current form.</p>
<p>30 – Improved public transport connectivity to the Global Gateways of Greater Sydney and Wollongong.</p>	<p>The Draft Plan identifies the Southern Highlands Cluster (Mittagong, Bowral and Moss Vale) as one of the destinations for Tier 1 connections across the Region.</p> <p>The Draft Plan specifically identifies the investigation of more frequent public transport connections between the Southern Highlands Cluster and Greater Sydney and Wollongong (page 35).</p> <p>This commitment is assumed to form part of either Initiative 29, 30 and/or 36 - however this is not apparent within the Draft Plan. The precise wording of the Initiative 30 also changes throughout the Draft Plan, with the first reference on page 37 not including Eden.</p> <p>Recommendation:</p> <p>R6 – Initiative 30 revised to, <i>“Improved public transport connectivity from the Southern Highlands Cluster to the Global Gateways of Greater Sydney and Wollongong”</i>.</p>
<p>36 – Medium-term rail improvements between Macarthur and Canberra</p>	<p>As part of the strategy for improvement connections between centres, the Draft Plan identifies the delivery of medium and long-term improvements to NSW TrainLink rail services between Sydney and Canberra, including the Southern Highlands Line (page 32).</p> <p>This initiative is strongly supported however the Draft Plan offers little clarity in this section as to what the improvements will be and how they will be achieved.</p> <p>It may be that the improvements are described by the statements on Page 51 that the new Regional Rail Fleet will be powered by a diesel-electric hybrid system and that the feasibility of extending the electrification of the rail</p>

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	<p>line.beyond Macarthur Station will be investigated – however further clarity and consistency could be achieved across the Draft Plan.</p> <p>It is also noted that the identification of the rail line within Initiative 36 does not align with the formal naming.</p> <p>Recommendation:</p> <p>R7 – Page 32 revised to provide further description of the rail improvements for the NSW Trainlink Southern Highlands line.</p> <p>R8 – Initiative 36 revised to “<i>Medium and long-term improvements to NSW TrainLink rail services between Sydney and Canberra, including the Southern Highlands Line</i>”.</p>
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In addition to the above, the following comments are also provided in response to the Draft Plan:

- Hume Highway and Old Hume Highway Interchange:

The Draft Plan states that TfNSW will investigate the feasibility of a new connection onto the Hume Highway at the Old Hume Highway in Welby, to prevent vehicles needing to travel through nearby centres (page 53).

It is envisaged that additional connectivity with the Hume Highway will only further strengthen the capacity and resilience of the road network within Wingecarribee Shire. It is however noted that this commitment for investigation of additional Hume Highway interchanges is not currently captured within the formal initiatives.

Recommendation:

R9 – Creation of new initiative, *Initiative 50 – New Hume Highway Connections at Welby and North Goulburn*.

- Heritage Rail Loop Line Upgrade:

The Heritage Rail Loop Line Upgrade is a \$15M project funded by the NSW Government and delivered by Transport Heritage NSW. The Project will re-activate the line between Buxton and Colo Vale, a section out of commission for over 30 years, and upgrade the existing line between Picton and Buxton.

These works will provide an improvement connection with the main Southern Highlands Line and enable the safe operation of heritage trains. It is envisaged that the project will further enhance the NSW Rail Museum at Thirlmere, creating a unique range of heritage rail experiences which cannot be duplicated elsewhere in Australia and so attract interstate visitors and eventually international visitors to the area.

The Heritage Rail Loop Line Upgrade is envisaged to eventually reactivate the final 9km of line from Colo Vale to Mittagong – however this stage currently remains unfunded.

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The Heritage Rail Loop Line Upgrade is not captured within the Draft Plan at this stage, however its inclusion within the commitments of *Objective 9 – Transport supports the visitor economy* would further strengthen and diversify the resultant initiatives.

Recommendation:

R10 – Page 60 revised to recognise the Heritage Rail Loop Line Upgrade and potential future extension to Mittagong.

It is recommended that Council provide a submission on the Draft Plan expressing support for the development and consultation of the Regional Transport Plan – however also recommended the aforementioned 10 adjustments in the finalisation of the Plan.

COMMUNICATION AND CONSULTATION

Community Engagement

Throughout the development the Draft Plan, TfNSW has undertaken formal engagement and workshops with key stakeholders to inform the regional transport vision, identify key themes and values, and flag current and future challenges and opportunities for investigation. Stakeholders engaged during the development of the Draft Plan included representatives from all nine Councils across the South East and Tablelands Region, relevant NSW and ACT Government Agencies, the Canberra Region Joint Organisation, key industry and peak body groups, and First Nations community representatives.

Internal Communication and Consultation

Executive Manager Strategic Outcomes

Coordinator Assets Roads and Drainage

External Communication and Consultation

Nil

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

This report has no budgetary impacts on Council.

RELATED COUNCIL POLICY

Community Strategic Plan:

Goal 3.1 - We have an integrated and efficient network of public transport and shared pathways

CONCLUSION

Transport for NSW (TfNSW) has prepared the Draft South East and Tablelands Regional Transport Plan which outlines how TfNSW will respond to the transport needs of the region and also plan for future challenges. The Draft Plan identifies 49 initiatives for the South East and Tablelands Region, several of which relate directly to the Wingecarribee Shire. Whilst the Draft Plan is still being exhibited for consultation, it is recommended that Council make a submission on the recommended adjustments to the Draft Plan as outlined in this report.

ATTACHMENTS

Nil

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
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9.11 Draft South East and Tablelands Regional Transport Plan - Response to Public Exhibition

Report Author: Manager Assets
Authoriser: Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT:

1. Council provide a submission on the Draft South East and Tablelands Regional Transport Plan recommending the following adjustments:
 - a. R1 – Page 41 revised to recognise the preparation and future implementation of the Moss Vale Movement and Place Study;
 - b. R2 – Initiative Table 2 revised to also include Initiative 5;
 - c. R3 – Page 58 revised to *“Support Wingecarribee Shire Council with the planning and delivery of enabling transport works for the regionally significant development of the Southern Highlands Innovation Park”*;
 - d. R4 – Initiative 14 revised to *“Enabling transport works for the Southern Highlands Innovation Park, including Moss Vale Bypass”*;
 - e. R5 – Page 32 revised to, *“Continued investigation of the Southern Inland Fast Rail route from Greater Sydney to Canberra, with connections including Southern Highlands Innovation Park and Goulburn.”*;
 - f. R6 – Initiative 30 revised to, *“Improved public transport connectivity from the Southern Highlands Cluster to the Global Gateways of Greater Sydney and Wollongong”*;
 - g. R7 – Page 32 revised to provide further description of the rail improvements for the NSW Trainlink Southern Highlands line;
 - h. R8 – Initiative 36 revised to *“Medium and long-term improvements to NSW TrainLink rail services between Sydney and Canberra, including the Southern Highlands Line”*;
 - i. R9 – Creation of new initiative, *Initiative 50 – New Hume Highway Connections at Welby and North Goulburn; and*
 - j. R10 – Page 60 revised to recognise the Heritage Rail Loop Line Upgrade and potential future extension to Mittagong.

The Manager Assets introduced the item.

MN 2022/319

MOTION moved by the Administrator

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THAT:

1. *Council provide a submission on the Draft South East and Tablelands Regional Transport Plan recommending the following adjustments:*
 - a. *R1 – Page 41 revised to recognise the preparation and future implementation of the Moss Vale Movement and Place Study;*
 - b. *R2 – Initiative Table 2 revised to also include Initiative 5;*
 - c. *R3 – Page 58 revised to “Support Wingecarribee Shire Council with the planning and delivery of enabling transport works for the regionally significant development of the Southern Highlands Innovation Park”;*
 - d. *R4 – Initiative 14 revised to “Enabling transport works for the Southern Highlands Innovation Park, including Moss Vale Bypass”;*
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 - f. *R6 – Initiative 30 revised to, “Improved public transport connectivity from the Southern Highlands Cluster to the Global Gateways of Greater Sydney and Wollongong”;*
 - g. *R7 – Page 32 revised to provide further description of the rail improvements for the NSW Trainlink Southern Highlands line;*
 - h. *R8 – Initiative 36 revised to “Medium and long-term improvements to NSW TrainLink rail services between Sydney and Canberra, including the Southern Highlands Line”;*
 - i. *R9 – Creation of new initiative, Initiative 50 – New Hume Highway Connections at Welby and North Goulburn; and*
 - j. *R10 – Page 60 revised to recognise the Heritage Rail Loop Line Upgrade and potential future extension to Mittagong and possible commuter usage.*

DECLARED CARRIED BY THE ADMINISTRATOR

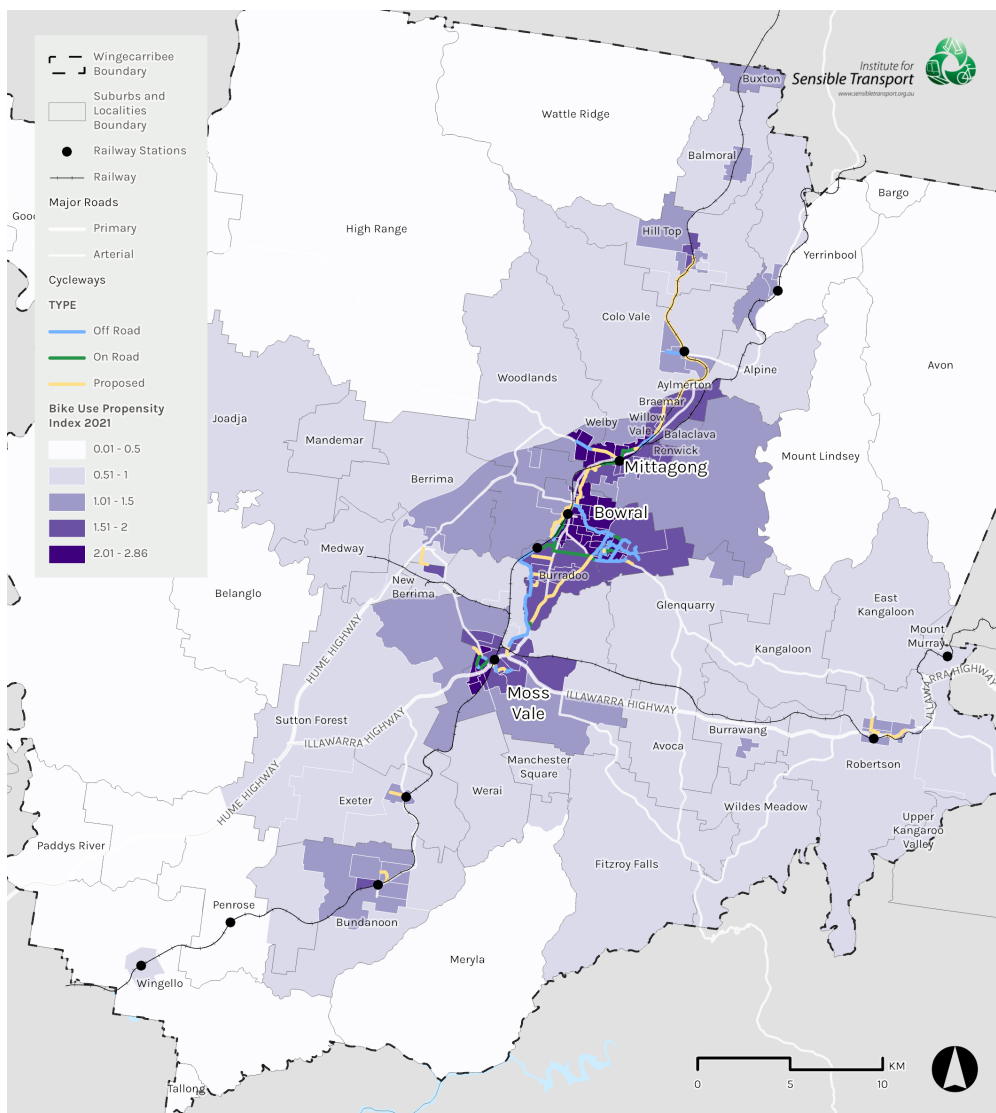


Figure 120 Propensity Index - Overall with cycling infrastructure

9.20 Southern Highlands Local Business Awards - Outgoing Sponsorship Opportunity

Report of: **Barry Arthur**
Manager Environment and Sustainability

Authorised by: **Adan Davis**
Director Communities and Place

PURPOSE

The purpose of this report is to advise Council of an outgoing sponsorship opportunity with the Southern Highlands Local Business Awards and to seek a resolution on the response to this offer.

OFFICER'S RECOMMENDATION

THAT Council authorise the sponsorship of the 2024 Southern Highlands Local Business Awards as a Support Partner.

REPORT

BACKGROUND

The Southern Highlands Local Business Awards (the Awards) are an annual business awards program run by Precedent Productions. This year the Awards will cover 26 business categories and nomination will commence in June with the awards presentation scheduled for 18 September 2024. It is regarded as one of the major business events for the local area where the public participate in nominating their favourite businesses.

Council has been a sponsor of these awards since 2012 with funding from the Environment Levy. This sponsorship has supported the inclusion of the award category of Excellence in Environmental Sustainability, and Council has assisted in the judging of this award.

REPORT

On 5 December 2023, Council received an offer to partner with the 2024 Southern Highlands Local Business Awards through a Support Partner sponsorship package. A copy of the offer is attached to this report as **Attachments 1 and 2**. Council has been offered a rate of \$3,000 plus GST.

Through this support, the awards organiser, Precedent Productions, provide an award category of Excellence in Environmental Sustainability. This category provides the opportunity for local businesses to nominate and receive recognition for their achievements in this area. Previously Council has used the awards to encourage and showcase business achievements and is used as an engagement tool with the local business sector. Recent winners have included the Joadja Distillery, Bulwarra Bees and Bare Body Beauty Co. There are no other similar environmental sustainability business award programs that are exclusive to the Shire businesses.

If the Council is of the mind to sponsor the Awards, this can be funded through Council's Sustainable Living program funded by the Environment Levy.

Sponsorship of the Award would not hinder any dealings Council may have with any other award program.

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GOVERNANCE CONSIDERATIONS

Council's Donations, Grants, and Sponsorship Policy, adopted in November 2022 covers matters relating to outgoing sponsorships. A financial contribution of \$3,000 plus GST is considered a "Low level" contribution and the proposed sponsor benefits are in line with those outlined in the Policy.

Council's new Policy outlines an expression of interest process calling for outgoing sponsorships, which are then assessed in accordance with predetermined criteria. It is noted that the timing of the invitation to sponsor this year's awards is such that it was not able to be the subject this process and as such the unsolicited proposal would be an exception to the policy for Council consideration.

While this is the case, there is merit to the proposal given it is a low-level contribution and it supports an environmental sustainability business award that is exclusive to the Shire's businesses, supports Council sustainability engagement with local businesses and showcases initiatives and good practice in environmental sustainability.

The Policy requires all outgoing sponsorship agreements to be authorised by a resolution of Council.

COMMUNICATION AND CONSULTATION

Community Engagement

Nil.

Internal Communication and Consultation

Nil.

External Communication and Consultation

Nil.

SUSTAINABILITY ASSESSMENT

Environment

Sponsorship of the awards would include an award category of Excellence in Environmental Sustainability which would engage with local businesses and showcase achievements in this area.

Social

There are no social issues in relation to this report.

Broader Economic Implications

The Awards are regarded as one of the major business events for the local area where the public participate in nominating their favourite businesses. The program supports and promotes local businesses across the Shire.

Culture

There are no cultural issues in relation to this report.

Governance

Governance issues are highlighted in the body of the report.

COUNCIL BUDGET IMPLICATIONS

If the Council is of the mind to sponsor the Awards, the amount of \$3,000 +gst can be funded through Council's current Sustainable Living program funded by the Environment Levy.

RELATED COUNCIL POLICY

Council's Donations, Grants, and Sponsorship Policy, covers outgoing sponsorships. A financial contribution of \$3,000 plus GST is considered a "Low level" contribution and the proposed sponsor benefits are in line with this e outlined in the Policy. The Policy outlines a process for requesting outgoing sponsorships, and applications for outgoing sponsorships will be assessed in accordance with predetermined criteria which have been published in advance or which are circulated to organisations that submit an expression of interest.

This process has not taken place and this outgoing sponsorship offer is an unsolicited proposal. While this is the case, there is merit to the proposal as it supports an environmental sustainability business award that is exclusive to the Shire's businesses and supports Council sustainability engagement with local businesses.

The Policy requires all outgoing sponsorship agreements to be authorised by a resolution of Council.

CONCLUSION

Council has received an unsolicited outgoing sponsorship proposal to support the Southern Highlands Local Business Awards. While the proposal has not been received via an outgoing sponsorship requisition process, there is merit to the proposal which Council could consider. This includes supporting an environmental sustainability business award that is exclusive to the Shire's businesses. The offer is presented to Council for its consideration.

ATTACHMENTS

1. Southern Highlands Local Business Awards Proposal [9.20.1 - 3 pages]
2. Southern Highlands Local Business Awards Background [9.20.2 - 9 pages]

precedent

22 January 2024

Barry Arthur
Manager - Environment and Sustainability
Wingecarribee Shire Council
Civic Centre, Elizabeth Street
Moss Vale NSW 2577



2024 Southern Highlands Local Business Awards Support Partnership

The Local Business Awards will once again be presented in 2024. The success of the Local Business Awards program, for 40 years has seen acknowledgement for businesses, their teams and owners. It is regarded as one of the major business events for the local area where the general public participate in nominating their favourite businesses.

Awards Partners contribute to the continued success of the Local Business Awards. We invite Wingecarribee Shire Council to give consideration in partnering with the Southern Highlands Local Business Awards. The benefits are included and listed in the attached Partnership Proposal. We are happy to offer the following:

Partner Type	Normal Rate	Special Rate
Support	\$5,000 + gst	\$3,000 + gst

Key Dates for the 2024 Southern Highlands Local Business Awards.

Date	Action
Tuesday, 16 July 2024	Partnership Deadline
Monday, 17 June 2024	Nominations Open
Wednesday, 18 September 2024	Presentation Evening at Mittagong RSL Club

To confirm Wingecarribee Shire Council's partnership, please sign the Partnership Agreement on the following page and email this to ben@precedent.net

We look forward to working with you on this prestigious awards program.

Yours sincerely



Ben Bradley
Project Coordinator

Precedent Productions Pty Ltd — ABN 35 052 469 799
1st Floor 30 Floss Street Hurlstone Park NSW 2193 — PO Box H211 Hurlstone Park NSW 2193
Telephone: (02) 8363 3333 — Email: steveloe@precedent.net



2024 LOCAL BUSINESS AWARDS PARTNERSHIP AGREEMENT

PROGRAM Southern Highlands

PARTNER LEVEL Support

AMOUNT \$3,000 plus GST

Program Details

Nominations Open Monday, 17 June 2024

Presentation Night Wednesday, 18 September 2024

Venue Mittagong RSL Club

Partner Details

Company Name Wingecarribee Shire Council

Contact Person Barry Arthur

Phone 4868 0852

Email barry.arthur@wsc.nsw.gov.au

I confirm that the details in the Agreement are correct and that I am authorised to enter into an agreement on behalf of Wingecarribee Shire Council.

Signed: _____ Date: _____

Name in Full: _____

Authorised on behalf of Precedent Productions

Signed: 
Ben Bradley, Project Coordinator

Date: 22 January 2024

PLEASE SIGN AND RETURN TO PRECEDENT PRODUCTIONS

ben@precedent.net

precedent



2024 Support Partner Coverage

Finalists and Winners Lists	Access to Finalists and Winners lists
Electronic Media	Partners highlighted on website Hyperlink to partner's landing page
Media Partner Coverage*	Logo in Finalist Feature Logo in Winners Feature Mentioned in editorials throughout program
Social Media Campaign	Partner logos on winners' announcement graphic Dedicated post as provided by Partner Share any important posts on request
Partner Logo	Finalist Certificates Invitations Presentation Evening Program
Presentation Evening	Partner logo appearing on Large Screen Speaking opportunities Presentation of 1-3 categories Two Complimentary Tickets Logo on large screen at entrance to event

*media coverage subject to Editor's discretion.





Local Business Awards The Trusted Brand

Since their inception in 1989, the Local Business Awards have become the program that business people aspire to each year.

2023 witnessed a record year, with 11,500 local business people attending 29 presentation evenings, and 38,927 businesses registered to participate in 2024.

The awards present opportunities for your organisation to build relationships with business owners, their employees and customers. It also provides opportunities to promote your goods and services to the local business community.



Our Mission

The program achieves a number of important outcomes. This includes local businesses engaging with their customers by encouraging them to nominate their business.

The design of the program around communities and regions, enables a unique and targeted community awards program to be run, with each program having a distinctive local community focus and flavour. This process assists in bringing the local community together, and has become the only recognition program that businesses look forward to annually.

The power of the program is in the recognition and acknowledgement of the unique journeys & achievements of local businesses. Feeling valued by both their customers and their communities has a hugely positive and motivating affect on the local business owners and their teams.

Success breeds success. The magic of the program is that participants are left with inspiring stories and examples of other local businesses who have achieved outstanding results.

The Local Business Awards has witnessed many businesses inspired to greatness through the program.

How the program works

Thirty individual highly successful Local Business Awards programs will be presented this year. It is an opportunity for customers to say thank you to their favourite businesses.

An annual orchestrated marketing campaign announces when the program has launched and encourages businesses to register for the awards. Public coverage includes advertisements and editorials in our media partner publications, social media and e-newsletter campaigns.

Each business has an individual poster with their personalised QR code that directs customers to their business profile.

Business finalists are selected based on the number of nominations received.

Our team contacts each successful business and congratulates them on their finalist status. A finalist pack is sent with all the award details and marketing collateral for them to use in their business.

The judging of winners relies on information provided by the business, a business' online presence including social media, and where possible, a visit by an anonymous judge.

The winners are announced at a sold-out presentation evening that is attended by business people, award's partners and special guests.

The presentation evening is the highlight of the year and a fantastic event that celebrates the outstanding businesses of each local area.

2023 Statistics



www.thebusinessawards.com.au

1.4 million	unique users
1.8 million	sessions
3.8 million	page views
38,000	registered businesses
310,000	public nominations
8,200	award finalists
29	presentation evenings
12,500	presentation attendees

Social Media

30,500	likes / followers
200,000	monthly reach
35,000	monthly engagement





Benefits

As an Awards Partner, benefits include:

- Recognition as a supporter of a reputable program whose status is confirmed within the business community and among the general public
- Opportunities to associate with the local area's most dynamic and successful business people
- Media exposure throughout the twelve weeks of each program sponsored
- Selection from a number of programs that best suit your company's marketing strategy, allowing you to target specific audiences
- Networking with other awards partners and supporters, including other businesses, media partners and local government

Targeting the Market

The Local Business Awards targets a variety of markets including:

Businesses

- Small businesses
- Medium Enterprises
- Franchises
- Chain Stores
- Corporations
- Community Organisations

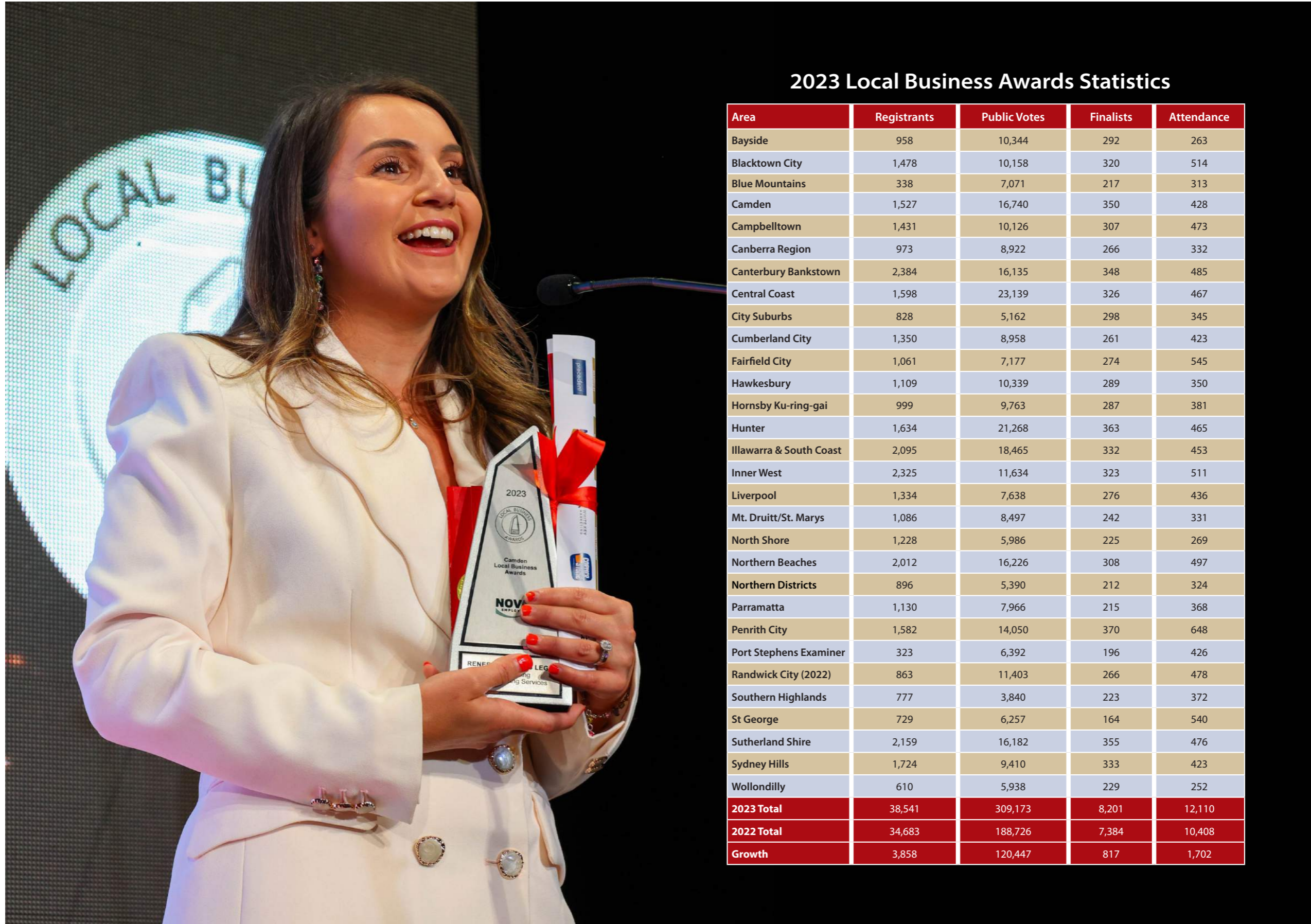
Employees

Employees have a high influence on business decisions. They are directly involved in the Awards by encouraging customers to make nominations, seeking methods on improving their standards to achieve success.

Community & General Public

The community participate in the Awards by nominating businesses within their local areas. They have come to rely on the Local Business Awards as a vital source of information to locate the most outstanding businesses in their specific region.





2023 Local Business Awards Statistics

Area	Registrants	Public Votes	Finalists	Attendance
Bayside	958	10,344	292	263
Blacktown City	1,478	10,158	320	514
Blue Mountains	338	7,071	217	313
Camden	1,527	16,740	350	428
Campbelltown	1,431	10,126	307	473
Canberra Region	973	8,922	266	332
Canterbury Bankstown	2,384	16,135	348	485
Central Coast	1,598	23,139	326	467
City Suburbs	828	5,162	298	345
Cumberland City	1,350	8,958	261	423
Fairfield City	1,061	7,177	274	545
Hawkesbury	1,109	10,339	289	350
Hornsby Ku-ring-gai	999	9,763	287	381
Hunter	1,634	21,268	363	465
Illawarra & South Coast	2,095	18,465	332	453
Inner West	2,325	11,634	323	511
Liverpool	1,334	7,638	276	436
Mt. Druitt/St. Marys	1,086	8,497	242	331
North Shore	1,228	5,986	225	269
Northern Beaches	2,012	16,226	308	497
Northern Districts	896	5,390	212	324
Parramatta	1,130	7,966	215	368
Penrith City	1,582	14,050	370	648
Port Stephens Examiner	323	6,392	196	426
Randwick City (2022)	863	11,403	266	478
Southern Highlands	777	3,840	223	372
St George	729	6,257	164	540
Sutherland Shire	2,159	16,182	355	476
Sydney Hills	1,724	9,410	333	423
Wollondilly	610	5,938	229	252
2023 Total	38,541	309,173	8,201	12,110
2022 Total	34,683	188,726	7,384	10,408
Growth	3,858	120,447	817	1,702

Partnership Benefits

MAJOR PARTNER

\$10,000 (PER PROGRAM PLUS GST)

Finalists and Winners Lists

Access to Finalists and Winners lists

Electronic Media

Partners highlighted on website
Hyperlink to Partner landing page
One eNewsletter Partner profile

Media Partner Coverage*

Logo in Finalist Feature
Logo in Winners Feature
Mentioned in editorials throughout program

Social Media Campaign

Partner logo on winners'announcement graphic
Dedicated post as provided by Partner
Share any important posts on request

Partner Logo

Finalist Certificates
Invitations
Presentation Evening Program

Presentation Evening

30 second Audio Visual Commercial
Partner logo appearing on Large Screen
Speaking opportunities
Presentation of 3-6 categories
Six Complimentary Tickets
Logo on Award Trophies
Promotional material at event (A5 size)
Partner logo on Winner's Poster
Logo on large screen at entrance to event

*media coverage is subject to Editor's discretion

SUPPORT PARTNER

\$6,000 (PER PROGRAM PLUS GST)

Finalists and Winners Lists

Access to Finalists and Winners lists

Electronic Media

Partners highlighted on website
Hyperlink to Partner landing page

Media Partner Coverage*

Logo in Finalist Feature
Logo in Winners Feature
Mentioned in editorials throughout program

Social Media Campaign

Partner logo on winners'announcement graphic
Dedicated post as provided by Partner
Share any important posts on request

Partner Logo

Finalist Certificates
Invitations
Presentation Evening Program

Presentation Evening

Partner logo appearing on Large Screen
Speaking opportunities
Presentation of 1 - 3 categories
Two Complimentary Tickets
Logo on large screen at entrance to event

*media coverage is subject to Editor's discretion



Celebrating community

We understand the worth of recognition, acknowledgement and the celebration of outstanding businesses. Since 1985, Precedent Productions have been rewarding and inspiring businesses to achieve greatness. We are positioned at the heart of it all, in local communities.

After a lifetime working with my parents in their small businesses, I recognised that the endless hours and commitment to serve their community was not being recognised and rewarded. This realisation led to the creation of the Local Business Awards 39 years ago.

Today by working together we will ensure the Future Success of the local business community.

Precedent Productions invites your organisation to become a Partner for the Local Business Awards. You will be supporting the recognition of the local businesses, helping to make a difference in the local community. Your support plays an important role in ensuring the many business people who participate in the awards programs are inspired and motivated to continue chasing their dreams.

It is just as meaningful and rewarding as it sounds; I hope you choose to experience the joy and satisfaction that comes with being a Local Business Awards Partner.



Steve Loe
Managing Director
Precedent Productions

precedent

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PO Box H211, Hurlstone Park, NSW 2193
Telephone: (02) 8363 3333
chris@precedent.net
www.thebusinessawards.com.au

9.21 August 2024 Ordinary Council Meeting Amended Date

Report of: Danielle Lidgard
Manager Governance and Corporate Performance

Authorised by: Carmel Foster
Director Corporate Strategy and Resourcing

PURPOSE

The purpose of this report is to seek Council approval to amend the date of the August Ordinary Meeting of Council from Wednesday, 21 August 2024 to Wednesday, 7 August 2024.

OFFICER'S RECOMMENDATION

THAT Council:

- 1. Approve the amendment of the date of the August Ordinary Meeting of Council from Wednesday, 21 August 2024 to Wednesday, 7 August 2024.**
- 2. Note the results of the NSW Local Government will be declared by 3 October 2024 and that the first meeting of Council will be scheduled for Wednesday 9 October 2024.**

REPORT

BACKGROUND

Council's Code of Meeting Practice states at Clause 3.1 that "*Ordinary Meetings of the Council will be held on the third Wednesday of each month between February and November ...*".

In compliance with that Clause, the August Ordinary Meeting of Council is currently scheduled to occur on Wednesday, 21 August 2024.

REPORT

The NSW Local Government Elections are scheduled to take place on Saturday, 14 September 2024. Councils are required to assume a 'caretaker' role during election periods to ensure that major decisions are not made which may limit the actions of an incoming Council. The caretaker period is the period of four weeks preceding the date of the 2024 NSW Local Government elections, which is from Friday, 16 August to Friday, 13 September 2024 (inclusive).

Clause 393B of the Local Government (General) Regulation 2021 states –

393B Exercise of council functions during caretaker period

- (1) The following functions of a council must not be exercised by the council, or the general manager or any other delegate of the council (other than a Joint Regional Planning Panel, the Central Sydney Planning Committee or a local planning panel), during a caretaker period—*

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 21 FEBRUARY 2024

- (a) entering a contract or undertaking involving the expenditure or receipt by the council of an amount equal to or greater than \$150,000 or 1% of the council's revenue from rates in the preceding financial year (whichever is the larger),*
- (b) determining a controversial development application, except where—*
 - (i) a failure to make such a determination would give rise to a deemed refusal under the [Environmental Planning and Assessment Act 1979](#), section 8.11(1), or*
 - (ii) such a deemed refusal arose before the commencement of the caretaker period,*
- (c) the appointment or reappointment of a person as the council's general manager (or the removal of a person from that position), other than—*
 - (i) an appointment of a person to act as general manager under section 336(1) of the Act, or*
 - (ii) a temporary appointment of a person as general manager under section 351(1) of the Act.*
- (2) Despite subsection (1), such a function may be exercised in a particular case with the consent of the Minister.*

As the Ordinary Meeting for August is currently scheduled to occur within the abovementioned caretaker period, it is proposed to reschedule the meeting to Wednesday, 7 August 2024.

ADDITIONAL INFORMATION

The timetable for counting and results of the election means postal votes can be received by the NSW Electoral Commission up to 6pm on Friday, 27 September 2024. Final counts and distributions of preferences will commence on Monday, 30 September, with the election results in each area progressively announced from Monday, 30 September to Wednesday, 2 October 2024. Candidates have 24 hours after results are announced to lodge a request for a recount, should they wish to do so. Unless a recount request is under consideration or a recount is to be conducted, results will be declared by the returning officers as soon as practical after the recount deadlines pass, from Tuesday, 1 October to Thursday, 3 October 2024.

It is proposed that the first meeting of the new Council will be held on Wednesday, 9 October 2024 to deal with the following key items of business –

- The administration of Councillors' oath or affirmation of office;
- A resolution declaring that casual vacancies in the office of Councillors will be filled using a countback in the first 18 months following the election where the Council wants to fill vacancies this way instead of a by-election; and
- The election of the Mayor and Deputy Mayor (where the Council has one)

As per Council's Code of Meeting Practice, ordinary meetings for the remainder of the year will be held on the third Wednesday of the month at 3:30pm.

COMMUNICATION AND CONSULTATION

Community Engagement

No community engagement was required in relation to this report.

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 21 FEBRUARY 2024

Internal Communication and Consultation

This report is a result of consultation between the General Manager and the Manager Governance and Corporate Performance.

External Communication and Consultation

No external communication or consultation was required in relation to this report.

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

There are no social issues in relation to this report.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

Council is committed to complying with the relevant legislation and adhering to the requirements of both the Office of Local Government and the Australian Electoral Commission.

COUNCIL BUDGET IMPLICATIONS

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

RELATED COUNCIL POLICY

This report complies with Council's Code of Meeting Practice.

CONCLUSION

For the reasons provided above, Council approval is sought to amend of the date of the August Ordinary Meeting of Council from Wednesday, 21 August 2024 to Wednesday, 7 August 2024.

ATTACHMENTS

Nil

9.22 Investments Report December 2023

Report of: Pav Kuzmanovski
Executive Manager Business Transformation

Authorised by: Carmel Foster
Director Corporate Strategy and Resourcing

PURPOSE

This report presents Council's Cash Investment Portfolio held at 31 December 2023.

OFFICER'S RECOMMENDATION

THAT Council receive and note this Cash Investment Report as at 31 December 2023.

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 December 2023.

Attachment 1 to this report provides Council's Cash 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 \$4,956,014 to 31 December 2023.

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

Fund	Annual budget	YTD budget	YTD actual	YTD variance
General Fund	3,232,000	1,817,333	1,617,407	-199,926
Water Fund	2,900,000	1,377,400	1,640,120	262,720
Sewer Fund	2,730,000	1,343,333	1,698,487	355,154
Total Council	8,862,000	4,538,066	4,956,014	417,948

It is noted that Council still has approximately \$11 million in debtors relating to the Disaster Recovery Financial Assistance claim owing as at the end of December 2023. Whilst the claims are still being processed, Council still continues to forgo revenue on the the amounts owed. The interest revenue as at the end of December 2023 is estimated to be approximately \$362,000 year to date for the 2023/24 financial year.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

COMMUNICATION AND CONSULTATION

Community Engagement

Not applicable

Internal Communication and Consultation

Not applicable

External Communication and Consultation

Not applicable

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

There are no social issues in relation to this report.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

Council's year to date investment returns exceeded to budget by \$417K

RELATED COUNCIL POLICY

Cash Investment Policy August 2022

CONCLUSION

Council receive and note the Cash Investment Portfolio held at 31 December 2023.

ATTACHMENTS

1. December 2023 - Investment Report Summary [9.22.1 - 6 pages]

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

**Wingecarribee Shire Council
Investment Report Summary**
For the period ending 31 December 2023

List of Investments

Council's investment portfolio as at 31 December 2023 consists of the following investments:

INVESTMENT PORTFOLIO AS AT 31 December 2023						
Institution	Type	Amount	Interest Rate	Investment Term - Days	Maturity Date	% Investment Portfolio
BOQ	Term Deposit	8,000,000	4.41%	731	2/09/2024	3.78%
CBA	Term Deposit	5,000,000	4.89%	720	16/09/2024	2.36%
CBA	Term Deposit	3,000,000	4.79%	364	5/01/2024	1.42%
CBA	Term Deposit	2,500,000	4.64%	365	16/01/2024	1.18%
GSB	Term Deposit	7,000,000	4.78%	365	30/01/2024	3.31%
GSB	Term Deposit	5,000,000	4.65%	365	6/02/2024	2.36%
GSB	Term Deposit	5,000,000	4.95%	364	16/02/2024	2.36%
CBA	Term Deposit	5,000,000	5.04%	365	22/02/2024	2.36%
ING	Term Deposit	10,000,000	4.98%	364	1/03/2024	4.72%
BankVIC	Term Deposit	5,000,000	5.00%	365	14/03/2024	2.36%
Judo	Term Deposit	3,000,000	4.75%	364	15/03/2024	1.42%
ING	Term Deposit	5,000,000	4.60%	364	22/03/2024	2.36%
AMP	Term Deposit	5,000,000	4.85%	366	26/04/2024	2.36%
Bendigo	Term Deposit	5,000,000	4.70%	364	26/04/2024	2.36%
Judo	Term Deposit	4,000,000	4.95%	364	3/05/2024	1.89%
GSB	Term Deposit	5,000,000	5.11%	365	21/05/2024	2.36%
GSB	Term Deposit	2,000,000	5.10%	365	23/05/2024	0.94%
Judo	Term Deposit	5,000,000	5.10%	365	29/05/2024	2.36%
ING	Term Deposit	7,000,000	5.10%	364	31/05/2024	3.31%
Judo	Term Deposit	5,000,000	5.70%	364	21/06/2024	2.36%
BankVIC	Term Deposit	5,000,000	5.65%	364	21/06/2024	2.36%
ING	Term Deposit	5,000,000	5.62%	365	27/06/2024	2.36%
MyState	Term Deposit	4,000,000	5.60%	364	28/06/2024	1.89%
GSB	Term Deposit	4,000,000	5.65%	364	28/06/2024	1.89%
AMP	Term Deposit	5,000,000	5.50%	364	26/07/2024	2.36%
CBA	Term Deposit	5,000,000	5.52%	365	2/08/2024	2.36%
CBA	Term Deposit	4,000,000	5.55%	365	7/08/2024	1.89%
CBA	Term Deposit	5,000,000	5.53%	365	20/08/2024	2.36%
CBA	Term Deposit	5,000,000	5.46%	364	23/08/2024	2.36%
CBA	Term Deposit	5,000,000	5.42%	365	27/08/2024	2.36%
CBA	Term Deposit	2,000,000	5.26%	365	29/08/2024	0.94%
CBA	Term Deposit	3,000,000	5.27%	365	30/08/2024	1.42%
NAB	Term Deposit	5,000,000	5.20%	365	11/09/2024	2.36%
ING	Term Deposit	5,000,000	5.35%	365	27/09/2024	2.36%
NAB	Term Deposit	2,500,000	5.25%	365	3/10/2024	1.18%

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

**Wingecarribee Shire Council
Investment Report Summary**
For the period ending 31 December 2023

INVESTMENT PORTFOLIO AS AT 31 December 2023						
Institution	Type	Amount	Interest Rate	Investment Term - Days	Maturity Date	% Investment Portfolio
BOQ	Term Deposit	10,000,000	5.25%	183	30/04/2024	4.72%
ING	Term Deposit	5,000,000	5.47%	365	1/11/2024	4.72%
Auswide	Term Deposit	8,000,000	5.50%	365	29/11/2024	2.36%
ING	Term Deposit	5,000,000	5.34%	365	4/12/2024	3.78%
BOQ	Term Deposit	5,000,000	5.35%	366	5/12/2024	5.57%
CBA	Call Account	11,789,573	3.75%	NA	NA	0.48%
Bendigo	Call Account	1,010,193	3.90%	NA	NA	0.00%
AMP	31 Day Notice Ac	58	2.55%	NA	NA	0.00%
Bendigo	Business Basic Ac	50	1.45%	NA	NA	0.00%
Total Investments		\$211,799,874				100.00%

Institution Legend

AMP = AMP Limited
ANZ = Australia & New Zealand Banking Group
Auswide = Auswide Bank
BOQ = Bank of Queensland
BDCU = Benima District Credit Union
Bendigo = Bendigo & Adelaide Bank
BankVIC = Bank Victoria

CBA = Commonwealth Bank of Australia
GSB = Great Southern Bank (formerly CUA)
IMB = IMB Bank
ING = ING Direct
ME = Members Equity Bank
MyState = MyState Bank

NAB = National Australia Bank
Newcastle = Newcastle Permanent
St George = St George Bank
WBC = Westpac Banking Corporation
Rural = Rural Bank
Judo = Judo Bank

Wingecarribee Shire Council Investment Report Summary

For the period ending 31 December 2023

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%	3.54%	7,500,000	YES	YES
CBA	A1+	40%	26.58%	56,289,573	YES	YES
ING	A1	25%	19.83%	42,000,000	YES	YES
AMP	A2	15%	4.72%	10,000,058	YES	YES
BOQ	A2	15%	10.86%	23,000,000	YES	YES
ME (acquired by BOQ)	A2	Combined with BOQ %		0	YES	YES
Bendigo	A2	15%	2.84%	6,010,243	NO	YES
MyState	A2	15%	1.89%	4,000,000	NO	YES
Auswide	A2	15%	3.78%	8,000,000	NO	YES
GSB	A2	15%	13.22%	28,000,000	NO	YES
BankVIC	A2	15%	4.72%	10,000,000	NO	YES
Judo	A3	10%	8.03%	17,000,000	NO	YES
Total			100.00%	211,799,874		

Portfolio Credit Limits

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

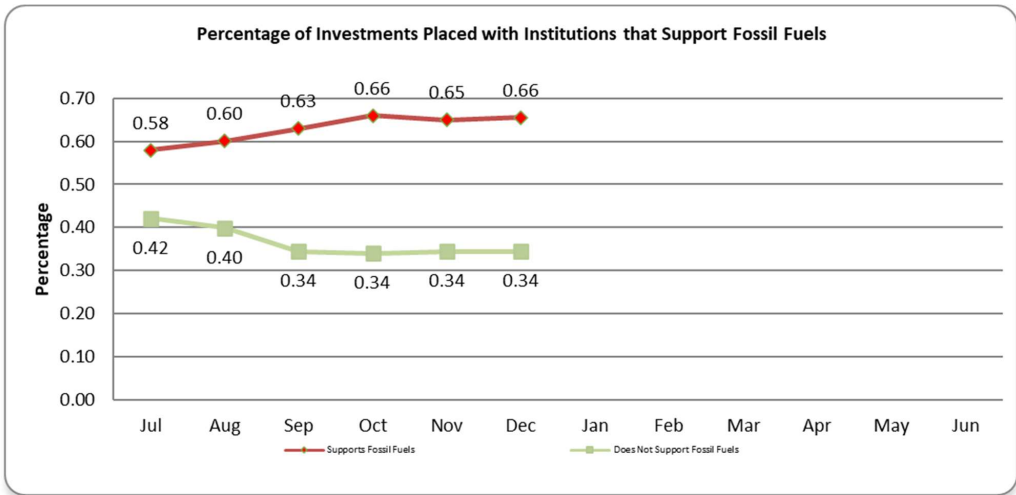
S&P Short Term Rating	Maximum %	Actual %	Invested \$	Policy Compliance
A1+	100%	30.12%	63,789,573	YES
A1	80%	19.83%	42,000,000	YES
A2	60%	42.03%	89,010,301	YES
A3	20%	8.03%	17,000,000	YES
Govt	25%	0.00%	0	YES
Total		100.00%	211,799,874	

**Wingecarribee Shire Council
Investment Report Summary**
For the period ending 31 December 2023

Non-Fossil Fuel Investment Preferecing

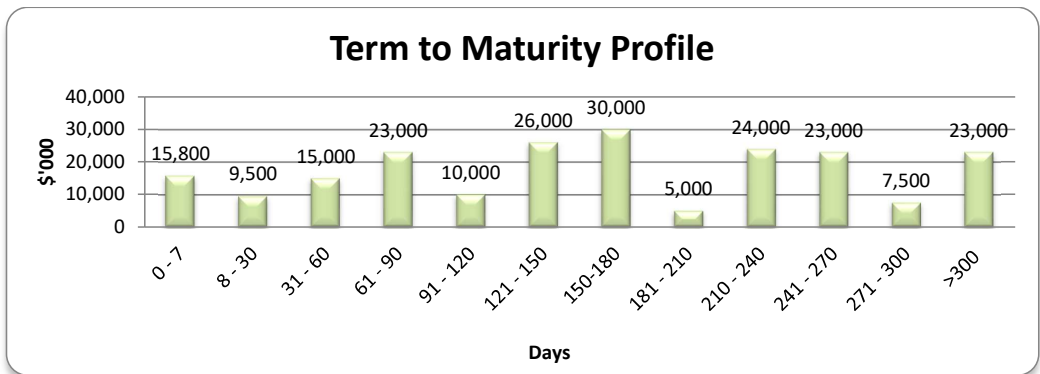
Council's adopted Investment Policy states a preference for placing funds with institutions that do not support the fossil fuel industry. The chart below identifies Council's percentage of investments placed with institutions that do not support the fossil fuel industry.

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



Term to Maturity

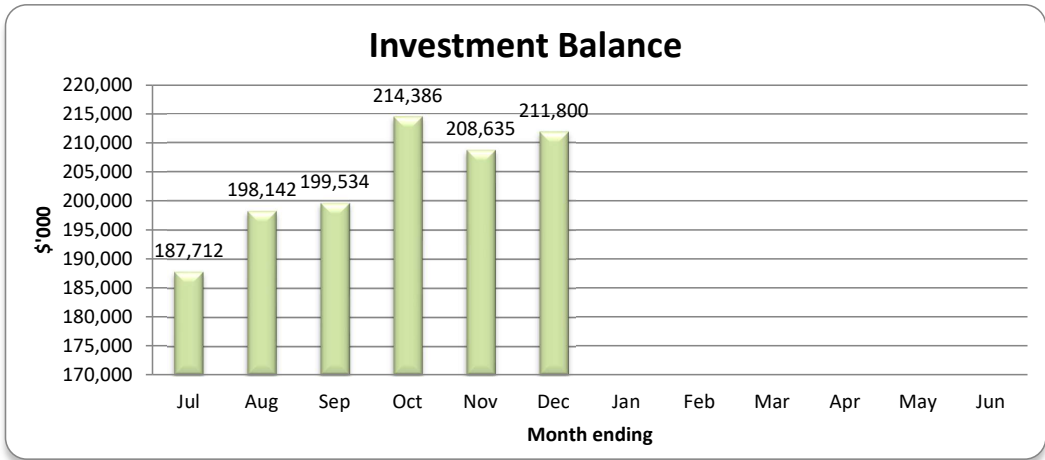
Investments have been placed giving due consideration to Council's liquidity requirements. Enough Working Capital is available to ensure Council continues to meet its ongoing cash flow requirements for operational and capital expenditure.



**Wingecarribee Shire Council
Investment Report Summary**
For the period ending 31 December 2023

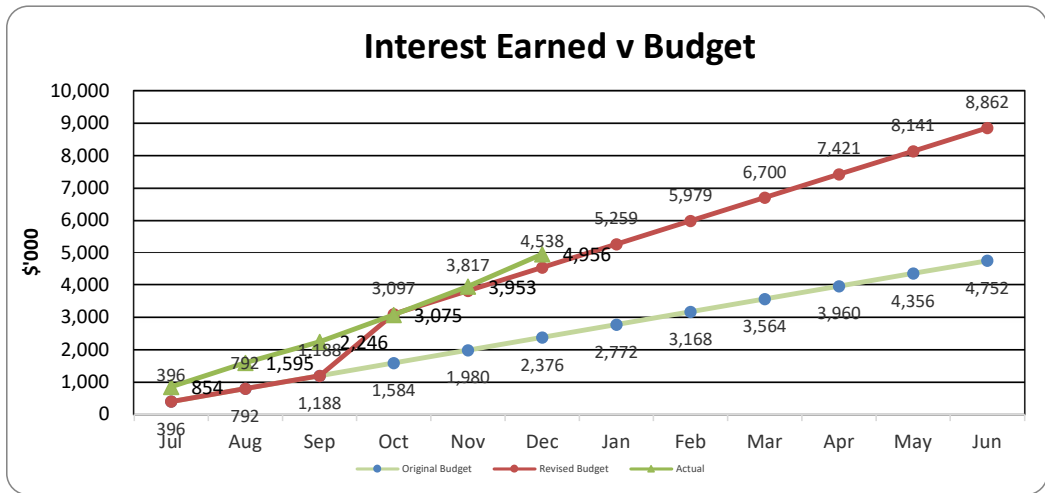
Portfolio Performance

Council's investment balance at the end of December 2023 was \$211.8 million. This has increased by \$3.16 million since the end of November 2023.



Interest Revenue

Council continues to seek the best available returns while managing the investment portfolio in accordance with Council's investment policy.

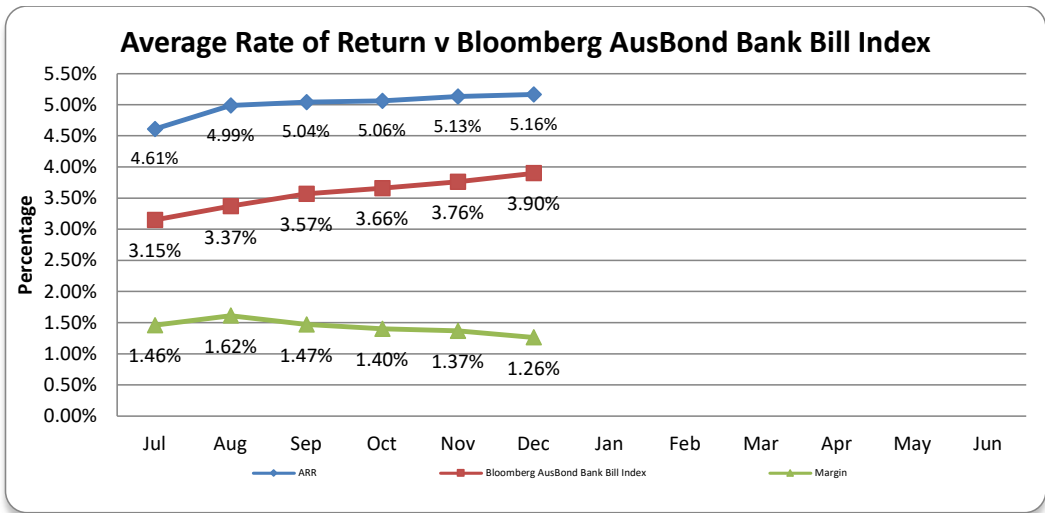


**Wingecarribee Shire Council
Investment Report Summary**
For the period ending 31 December 2023

Performance against Benchmark

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

The average rate of return (ARR) achieved for December 2023 was 5.16% which has increased by 0.03% since November 2023. The Bloomberg AusBond Bank Bill Index for 1 year was 3.90%. The margin against the Bloomberg AusBond Bank Bill Index was 1.26% for December 2023.



9.23 Investments Report - January 2024

Report of: Pav Kuzmanovski
Executive Manager Business Transformation

Authorised by: Carmel Foster
Director Corporate Strategy and Resourcing

PURPOSE

This report presents Council's Cash Investment Portfolio held at 31 January 2024.

OFFICER'S RECOMMENDATION

THAT Council receive and note this Cash Investment Report as at 31 January 2024.

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 January 2024.

Attachment 1 to this report provides Council's Cash 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 \$5,874,027 to 31 January 2024.

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

Fund	Annual budget	YTD budget	YTD actual	YTD variance
General Fund	3,232,000	2,053,111	1,898,392	-154,719
Water Fund	2,900,000	1,631,167	1,946,536	315,369
Sewer Fund	2,730,000	1,574,444	2,029,099	454,655
Total Council	8,862,000	5,258,722	5,874,027	615,305

It is noted that Council still has approximately \$11 million in debtors relating to the Disaster Recovery Financial Assistance claim owing as at the end of January 2024. Whilst the claims are still being processed, Council still continues to forgo revenue on the amounts owed. The interest revenue forgone as at the end of January 2024 is estimated to be approximately \$412,000 year to date for the 2023/24 financial year.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

COMMUNICATION AND CONSULTATION

Community Engagement

Not applicable

Internal Communication and Consultation

Not applicable

External Communication and Consultation

Not applicable

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

There are no social issues in relation to this report.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

Council's year to date investment returns exceeded budget by \$615K

RELATED COUNCIL POLICY

Cash Investment Policy August 2022

CONCLUSION

Council receive and note the Cash Investment Portfolio held at 31 January 2024.

ATTACHMENTS

1. January 2024 - Investment Report Summary 1 [9.23.1 - 6 pages]

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

**Wingecarribee Shire Council
Investment Report Summary**
For the period ending 31 January 2024

List of Investments

Council's investment portfolio as at 31 January 2024 consists of the following investments:

INVESTMENT PORTFOLIO AS AT 31 January 2024						
Institution	Type	Amount	Interest Rate	Investment Term - Days	Maturity Date	% Investment Portfolio
BOQ	Term Deposit	8,000,000	4.41%	731	2/09/2024	3.76%
CBA	Term Deposit	5,000,000	4.00%	720	16/09/2024	2.35%
GSB	Term Deposit	5,000,000	4.65%	365	6/02/2024	2.35%
GSB	Term Deposit	5,000,000	4.95%	364	7/02/2024	2.35%
CBA	Term Deposit	5,000,000	5.04%	365	8/02/2024	2.35%
ING	Term Deposit	10,000,000	4.98%	364	9/02/2024	4.70%
BankVIC	Term Deposit	5,000,000	5.00%	365	10/02/2024	2.35%
Judo	Term Deposit	3,000,000	4.75%	364	11/02/2024	1.41%
ING	Term Deposit	5,000,000	4.60%	364	12/02/2024	2.35%
AMP	Term Deposit	5,000,000	4.85%	366	13/02/2024	2.35%
Bendigo	Term Deposit	5,000,000	4.70%	364	14/02/2024	2.35%
Judo	Term Deposit	4,000,000	4.95%	364	15/02/2024	1.88%
GSB	Term Deposit	5,000,000	5.11%	365	16/02/2024	2.35%
GSB	Term Deposit	2,000,000	5.10%	365	17/02/2024	0.94%
Judo	Term Deposit	5,000,000	5.10%	365	18/02/2024	2.35%
ING	Term Deposit	7,000,000	5.10%	364	19/02/2024	3.29%
Judo	Term Deposit	5,000,000	5.70%	364	20/02/2024	2.35%
BankVIC	Term Deposit	5,000,000	5.65%	364	21/02/2024	2.35%
ING	Term Deposit	5,000,000	5.62%	365	22/02/2024	2.35%
MyState	Term Deposit	4,000,000	5.60%	364	23/02/2024	1.88%
GSB	Term Deposit	4,000,000	5.65%	364	24/02/2024	1.88%
AMP	Term Deposit	5,000,000	5.50%	364	25/02/2024	2.35%
CBA	Term Deposit	5,000,000	5.52%	365	26/02/2024	2.35%
CBA	Term Deposit	4,000,000	5.55%	365	27/02/2024	1.88%
CBA	Term Deposit	5,000,000	5.53%	365	28/02/2024	2.35%
CBA	Term Deposit	5,000,000	5.46%	364	29/02/2024	2.35%
CBA	Term Deposit	5,000,000	5.42%	365	1/03/2024	2.35%
CBA	Term Deposit	2,000,000	5.26%	365	2/03/2024	0.94%
CBA	Term Deposit	3,000,000	5.27%	365	3/03/2024	1.41%
NAB	Term Deposit	5,000,000	5.20%	365	23/05/2024	2.35%
ING	Term Deposit	5,000,000	5.35%	365	29/05/2024	2.35%
NAB	Term Deposit	2,500,000	5.25%	365	31/05/2024	1.18%
BOQ	Term Deposit	10,000,000	5.25%	183	30/04/2024	4.70%
ING	Term Deposit	5,000,000	5.47%	365	1/11/2024	2.35%
Auswide	Term Deposit	8,000,000	5.50%	365	29/11/2024	3.76%

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

**Wingecarribee Shire Council
Investment Report Summary**
For the period ending 31 January 2024

INVESTMENT PORTFOLIO AS AT 31 January 2024						
Institution	Type	Amount	Interest Rate	Investment Term - Days	Maturity Date	% Investment Portfolio
ING	Term Deposit	5,000,000	5.34%	365	4/12/2024	2.35%
BOQ	Term Deposit	5,000,000	5.35%	366	5/12/2024	2.35%
ING	Term Deposit	5,000,000	5.19%	335	16/12/2024	2.35%
NAB	Term Deposit	7,000,000	5.12%	343	7/01/2025	3.29%
CBA	Call Account	13,087,573	4.35%	NA	NA	6.16%
Bendigo	Call Account	1,011,437	0.90%	NA	NA	0.48%
AMP	31 Day Notice Ac	58	2.55%	NA	NA	0.00%
Bendigo	Savings acc	50	0.00%	NA	NA	0.00%
Total Investments		\$212,599,118				100.00%

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

Wingecarribee Shire Council Investment Report Summary

For the period ending 31 January 2024

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%	6.82%	14,500,000	YES	YES
CBA	A1+	40%	24.50%	52,087,573	YES	YES
ING	A1	25%	22.11%	47,000,000	YES	YES
AMP	A2	15%	4.70%	10,000,058	YES	YES
BOQ	A2	15%	10.82%	23,000,000	YES	YES
ME (acquired by BOQ)	A2	Combined with BOQ %		0	YES	YES
Bendigo	A2	15%	2.83%	6,011,487	NO	YES
MyState	A2	15%	1.88%	4,000,000	NO	YES
Auswide	A2	15%	3.76%	8,000,000	NO	YES
GSB	A2	15%	9.88%	21,000,000	NO	YES
BankVIC	A2	15%	4.70%	10,000,000	NO	YES
Judo	A3	10%	8.00%	17,000,000	NO	YES
Total			100.00%	212,599,118		

Portfolio Credit Limits

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

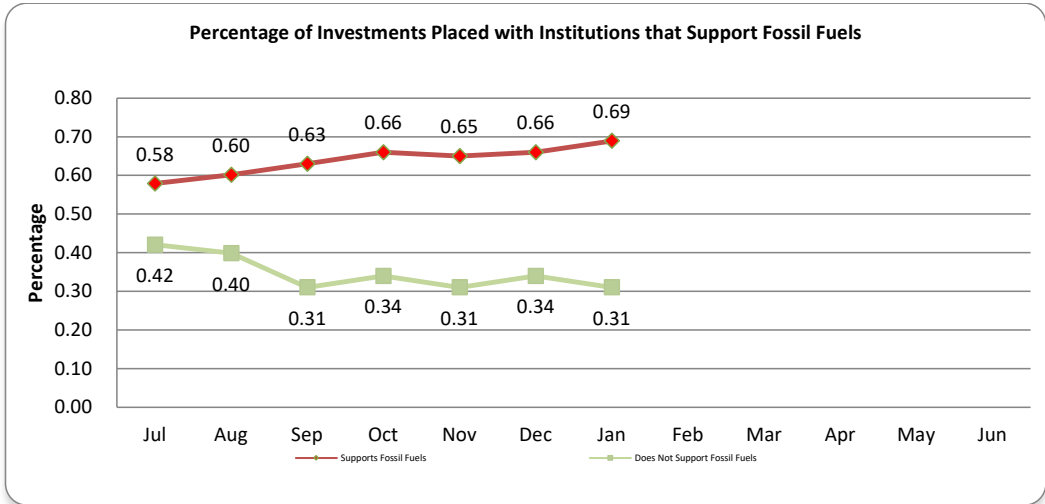
S&P Short Term Rating	Maximum %	Actual %	Invested \$	Policy Compliance
A1+	100%	31.32%	66,587,573	YES
A1	80%	22.11%	47,000,000	YES
A2	60%	38.58%	82,011,545	YES
A3	20%	8.00%	17,000,000	YES
Govt	25%	0.00%	0	YES
Total		100.00%	212,599,118	

**Wingecarribee Shire Council
Investment Report Summary**
For the period ending 31 January 2024

Non-Fossil Fuel Investment Preferecing

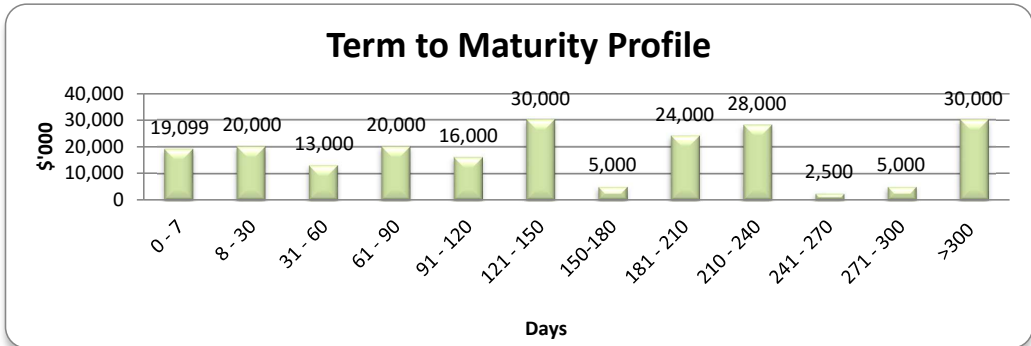
Council's adopted Investment Policy states a preference for placing funds with institutions that do not support the fossil fuel industry. The chart below identifies Council's percentage of investments placed with institutions that do not support the fossil fuel industry.

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



Term to Maturity

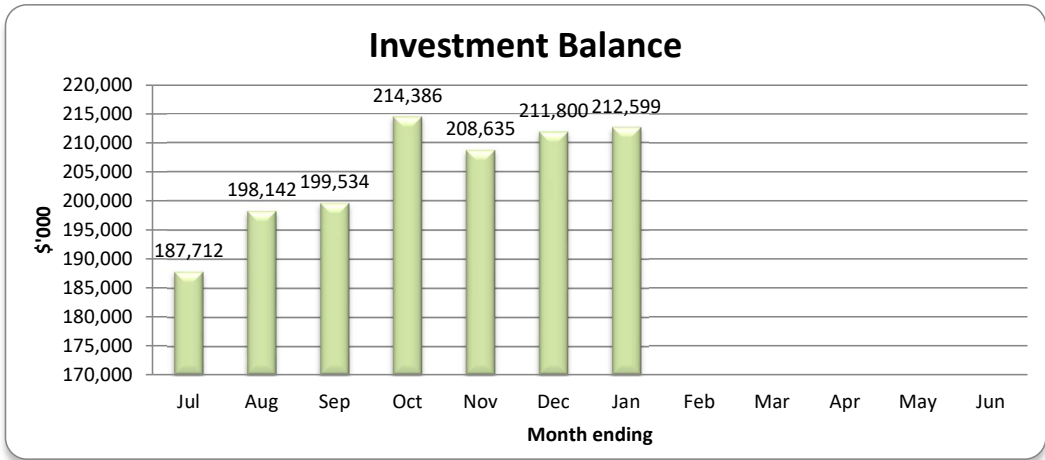
Investments have been placed giving due consideration to Council's liquidity requirements. Enough Working Capital is available to ensure Council continues to meet its ongoing cash flow requirements for operational and capital expenditure.



**Wingecarribee Shire Council
Investment Report Summary**
For the period ending 31 January 2024

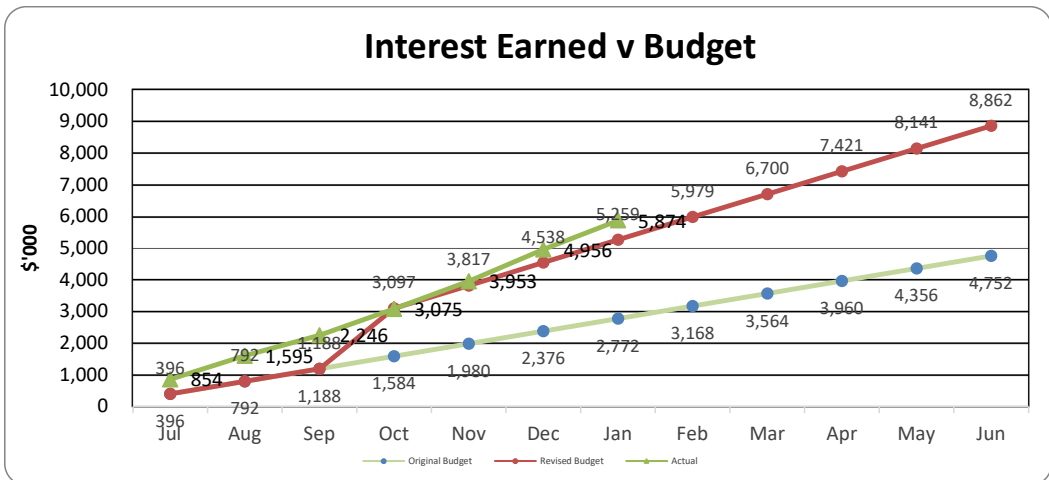
Portfolio Performance

Council's investment balance at the end of January 2024 was \$212.6 million. This has increased by 0.79 million since the end of December 2023.



Interest Revenue

Council continues to seek the best available returns while managing the investment portfolio in accordance with Council's investment policy.

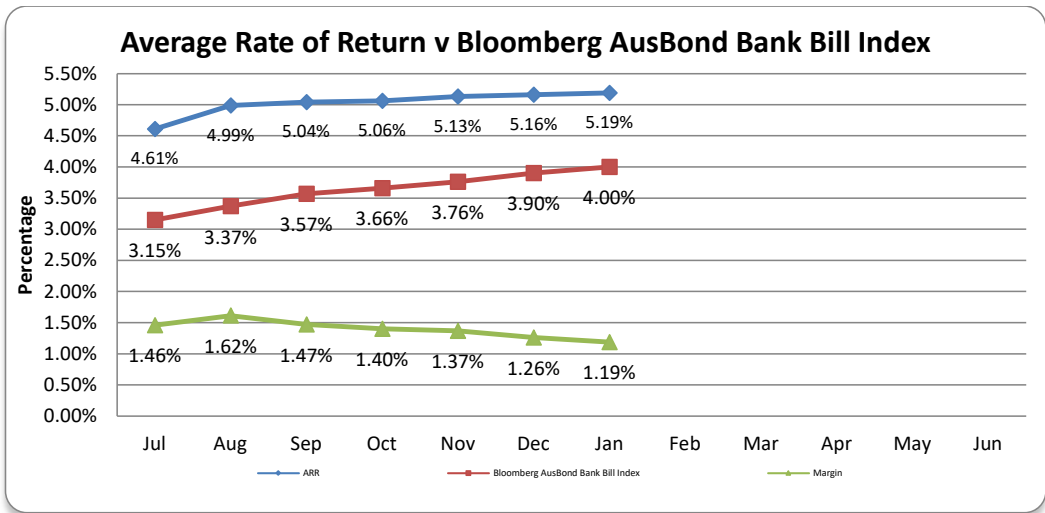


**Wingecarribee Shire Council
Investment Report Summary**
For the period ending 31 January 2024

Performance against Benchmark

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

The average rate of return (ARR) achieved for January 2024 was 5.19% which has increased by 0.03% since December 2023. The Bloomberg AusBond Bank Bill Index for 1 year was 4.00%. The margin against the Bloomberg AusBond Bank Bill Index was 1.19% for January 2024.



9.24 Audit, Risk and Improvement Committee December 2023 Meeting Minutes

Report of: Danielle Lidgard
Manager Governance and Corporate Performance

Authorised by: Carmel Foster
Director Corporate Strategy and Resourcing

PURPOSE

This report provides the Minutes of the Audit, Risk and Improvement Committee Meeting held on Thursday, 14 December 2023.

OFFICER'S RECOMMENDATION

THAT the Minutes of the Audit, Risk and Improvement Committee Meeting held on Thursday, 14 December 2023 be received and noted.

BACKGROUND

The Office of Local Government's draft Risk Management and Internal Audit Guidelines state the *"the audit, risk and improvement committee must provide an update to the governing body of the council of its activities and opinions after every committee meeting."*

REPORT

The Audit, Risk and Improvement Committee (the Committee) met on Thursday, 14 December 2023. The Committee will next meet in March 2024 and the attached Minutes will be confirmed at this meeting.

ATTACHMENTS

1. Draft Minutes - ARIC - 14 December 2023 [9.24.1 - 33 pages]



DRAFT MINUTES

Audit, Risk and Improvement Committee



We're with you

Thursday 14 December 2023

Bong Bong Room, Wingecarribee Shire Council Civic Centre

68 Elizabeth Street, Moss Vale

The meeting commenced at 10:40 AM

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE
THURSDAY 14 DECEMBER 2023**

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**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE
THURSDAY 14 DECEMBER 2023**

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AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 21 FEBRUARY 2024

MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE THURSDAY 14 DECEMBER 2023

MINUTES OF THE AUDIT, RISK AND IMPROVEMENT ADVISORY COMMITTEE MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN THE BONG BONG ROOM, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON 14 DECEMBER 2023 COMMENCING AT 10:40AM.

Present:

ARIC Members:	Mr Stephen Horne	Chair
	Mr Mark McCoy	
	Ms Simone Schwarz	
	Mr Michael Quirk	
In Attendance:	Ms Lisa Miscamble	General Manager
	Ms Carmel Foster	Director Corporate Strategy and Resourcing
	Mr Adan Davis	Director Communities and Place
	Ms Karin Targa	Director Service and Project Delivery
	Mr Pav Kuzmanovski	Executive Manager Business Transformation
	Ms Danielle Lidgard	Manager Governance and Corporate Performance
	Mr Clint McAllister	Manager Waste and Resource Management
	Mr George Harb	Chief Information Officer
	Ms Paige Zelunzuk	Governance Officer
Also in attendance	Mr Tahsin Hossain	Audit Leader, Audit Office NSW *
	Ms Vanessa Berends	Director, KPMG Australia
	Mr Bruno Maluto	Principal Consultant, Votar Partners*

NOTE: Some meeting participants attended the meeting remotely via Microsoft Teams audio visual link. This is indicated by *. The remaining participants were present in the Bong Bong Room, Civic Centre for this meeting.

1 OPENING OF THE MEETING

The Chairperson opened the meeting and welcomed the Committee members.

2 ACKNOWLEDGEMENT OF COUNTRY

The Chairperson acknowledged country: "Wingecarribee Shire Council acknowledge the Gundungurra and Tharawal people as the traditional custodians of this land we now call the

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 21 FEBRUARY 2024

MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE THURSDAY 14 DECEMBER 2023

Wingecarribee Shire. I pay my respect to Elders both past, present and emerging. I would also like to extend that respect to all Aboriginal and Torres Strait Islanders present here today.”

The Chair also acknowledged the traditional custodians of other lands for people joining the meeting online.

3 APOLOGIES

There were no apologies at this meeting.

4 ADOPTION OF MINUTES OF PREVIOUS MEETING

ARIC 2023/40

MOTION

That the minutes of the Audit, Risk and Improvement Advisory Committee meeting held on 14 September 2023, ARIC 2023/24 to ARIC 2023/39 inclusive, copies of which were forwarded to Committee members, be adopted as a correct record of the proceedings of the meeting.

5 DECLARATIONS OF INTEREST

Nil.

MATTER ARISING - IN CAMERA MEETINGS

The Chair advised the ARIC held separate in-camera meetings immediately before this meeting with:

- The General Manager
- The Internal Auditor, KPMG

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE
THURSDAY 14 DECEMBER 2023**

6 GENERAL MANAGER UPDATE

6.1 Update to ARIC on Organisational Matters

Report Author: General Manager

Authoriser: General Manager

PURPOSE

This report provides an update to the ARIC on organisational matters as the Organisational Road Map to reset the organisation is implemented.

PROCEEDINGS IN BRIEF

The General Manager addressed the meeting.

PRECIS

An update on the progress with the Organisational Road Map was provided.

DISCUSSION

The ARIC was provided with a brief update on the progress of the Organisational Road Map as outlined in the report and the following matters were discussed:

- Council now has full complement of staff in the management team.
- the Roadmap is progressing as expected, evidenced by the progress made against its Actions, with completion of Horizon 1 expected within 12-18 months.
- The scale of the strategic work being undertaken.
- That the budget for the Infrastructure and Servicing Strategy will be confirmed as overarching strategies, including the Integrated Transport Strategy and Recreation and Community Facilities Strategy are completed.

COMMITTEE RESOLUTION

ARIC 2023/41

MOTION

THAT the Audit, Risk and Improvement Committee note the report.

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 21 FEBRUARY 2024

MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE THURSDAY 14 DECEMBER 2023

7 REPORTS

7.1 WSC Annual Report 2022/23

Report Author: Governance Officer
Authoriser: Director Corporate Strategy and Resourcing

PURPOSE

This report provides an update of the completion of Council's Annual Report for the 2022/23 financial year.

PROCEEDINGS IN BRIEF

The Manager Governance and Corporate Performance addressed the meeting.

PRECIS

The status of completion of the Annual Report for the 2022/23 was presented.

DISCUSSION

The ARIC was provided with an update on the status of Council's Annual Report for the 2022/23 financial year including:

- Corrections to the table containing information relating to legal proceedings included in Part 2 of the Annual Report (pages 90-91) were presented to Council at its December meeting.
- The Annual Report will be updated and republished on Council's website and re-issued to the Office of Local Government noting the corrections.
- Confirmation by the Director Corporate Strategy and Resourcing that there were no significant implications to the current Financial Statements in relation to the legal proceedings amendment to the Annual Report.

The ARIC discussed:

- Whether any feedback had been received in relation to the Annual Report. It was advised that no feedback had been received on this or previous Annual Reports.
- That the Annual Report contained information that is important to the community.

ACTION

The Manager Governance and Corporate Performance will provide the ARIC with a copy of the updated table containing information relating to legal proceedings in Part 2 of the Annual Report.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE
THURSDAY 14 DECEMBER 2023**

COMMITTEE RESOLUTION

ARIC 2023/42

MOTION

THAT the Audit, Risk and Improvement Committee note the update on Council's Annual Report 2022/23.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE
THURSDAY 14 DECEMBER 2023**

7.2 Internal Audit Activity Status

Report Author: Governance Officer
Authoriser: Director Corporate Strategy and Resourcing

PURPOSE

This report provides the ARIC with an update on the status of the Internal Audit services performed against the approved Strategic Internal Audit Plan for FY24.

PROCEEDINGS IN BRIEF

Ms Vanessa Berends, Director, KPMG addressed the meeting.

PRECIS

The status of the Internal Audit services performed against the approved Strategic Internal Audit Plan for FY24 was presented.

DISCUSSION

The ARIC advised that they met with Ms Berends in-camera immediately prior to the meeting.

During the meeting the ARIC discussed:

- the three year plan suggestions for 24/25, including the Human Resources processes and controls and policy compliance audits.
- Inclusion of secondary employment in the Human Resources internal audit as there has been an increase in secondary employment during the Pandemic.
- The ARIC asked if Council was able to identify potential conflicts of interest arising from secondary employment and were advised that Council utilised tools such as its Related Parties Disclosure requirements, verifying bank account details of sole traders and creditors
- Ms Berends advised that the Policy Compliance Internal Audit includes Code of Conduct, Conflicts of Interest, expenses and will provide data analytics concerning duplicate addresses for suppliers, bank account details. There will be direct sample testing which, while not fail safe, will form part of the audit.

COMMITTEE RESOLUTION

ARIC 2023/43

MOTION

THAT the Audit, Risk and Improvement Committee note the report.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE
THURSDAY 14 DECEMBER 2023**

7.3 Risk Register Update

Report Author: **Manager Governance and Corporate Performance**
Authoriser: **Director Corporate Strategy and Resourcing**

PURPOSE

The purpose of this report is to advise the ARIC on Council's progress reviewing and updating its Risk Register.

PROCEEDINGS IN BRIEF

The Manager Governance and Corporate Performance and Vanessa Berends, KPMG, addressed the meeting.

PRECIS

The report provided an update on the status of Council's progress reviewing and updating its Risk Register.

DISCUSSION

- Ms Berends advised:
 - she has been working with management in relation to a strategic organisation-wide risk exercise, as well as the Risk Register, to review its intent and to consider how it can be rolled out broadly
 - the risk management framework is robust but needs consistency in monitoring and managing
- the Director Corporate Strategy and Resourcing agreed that the risk framework is robust but that its implementation requires people resources. The Director further advised that Council is in the process of recruiting an Integrated Risk Coordinator, which is proving to be a difficult position to fill due to a profession-wide shortage. As such, Council has approached a Risk Service to provide a back up plan for 12 months while recruitment is undertaken

The ARIC questioned:

- whether all participants of the workshops were active in discussions. Ms Berends advised that the workshops were typically well-balanced with representative discussion

COMMITTEE RESOLUTION

ARIC 2023/44

MOTION

THAT the Audit, Risk and Improvement Committee note the report.

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE
THURSDAY 14 DECEMBER 2023**

7.4 Audit Office Final Management Letter - 2023 Audit

Report Author: Executive Manager Business Transformation
Authoriser: Director Corporate Strategy and Resourcing

PURPOSE

The purpose of this report is to table the final 2023 Management Letter, issued by the Audit Office, for discussion at the Audit, Risk, and Improvement Committee.

PROCEEDINGS IN BRIEF

Tahsin Hossein, Audit Leader, from the Audit Office, presented the Management Letter on behalf of Michael Kharzoo, Director, Financial Audit.

PRECIS

The report provided tabled the final 2023 Management Letter issued by the Audit Office.

DISCUSSION

- Six (6) recommendations that were raised in prior management letters have been addressed as outlined in Table 2 of the Management Letter.
- There were 2 prior year matters not resolved by management, these were:
 - Quarterly Reports for Local Roads and Community Infrastructure were not submitted by Council; and
 - Reconciliation between general ledger and sub-ledger schedule. This gap was acknowledged and rectified by including quarterly reconciliation as opposed to monthly.
- There was one (1) matter from the current year not resolved, this was:
 - No audit log generated by the Conquest management system.
- The Audit Office advised there would be organisational change within the Audit Office occurring in the new year, including the replacement of Mr Michael Kharzoo with Furqan Yousuf.

The ARIC discussed the following:

- The preference for only one change in Audit Office team be made at any one time.
- Whether the due date of December for three Items listed in Appendix 1 to the Interim Audit Letter was realistic.

The Committee were advised:

- That all overdue policies will be updated by the end of the 23/24 financial year.
- A Draft Internal Audit Charter has been prepared and will be provided to the March meeting of the ARIC for consideration following the recent amendments to the *Local Government (General) Regulation 2022*.
- Council is working with the Commonwealth Bank in regard to security of payroll payment.
- The ARIC further discussed whether this would fall in the scope of the Procurement Internal Audit for 23/23.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE
THURSDAY 14 DECEMBER 2023**

COMMITTEE RESOLUTION

ARIC 2023/45

MOTION

THAT the Audit, Risk, and Improvement Committee note the report.

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE
THURSDAY 14 DECEMBER 2023**

7.5 Presentation - Waste & Resource Management Risk Overview

Report Author: Manager Waste and Resource Recovery
Authoriser: Director Communities and Place

PURPOSE

The Manager of Waste & Resource Management will present an overview of matters relating to risk and risk mitigation strategies to the ARIC.

PROCEEDINGS IN BRIEF

The Manager Waste and Resource Management addressed the meeting.

PRECIS

The Manager Waste and Resource Management made the attached [presentation](#) regarding Council's Waste and Resource Management risk and risk mitigation strategies.

DISCUSSION

The ARIC was provided with an overview of the following:

- Council's Waste and Resource Management Services as they relate to health and wellbeing in the community, protection of the environment, amplifying the circular economy and engagement with the local community.
- Council controls relating to the potential public health and hygiene risks arising from solid waste.
- Council controls relating to natural disaster response, deterioration of leachate system and decline in plant and equipment efficiency noting that Council currently maintains its capacity at 70% and has 6-7,000 tonnes of waste storage.
- Council controls relating to technology lag, community misunderstanding and the negative financial impact on Council operations.
- Council's future intention for Waste and Resource Management including tendering for new domestic and commercial waste services, innovation acquisition and secondary market maturity.

The ARIC questioned:

- The expiry dates of current waste contracts and were advised the current contracts expire on 30 June 2026 so will be put to market in 2024 with procurement being resolved by September 2025.
- Whether any consideration had been given to malicious interference. The Manager Waste and Resource Management advised if there was cyber interference, there is capacity to continue with manual methods. In relation to wastewater, he noted the grey water is not highly toxic and, although it would need to be reported, it would not be a huge environmental concern.
- The current diversion rate, noting the target of 80%.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE
THURSDAY 14 DECEMBER 2023**

COMMITTEE RESOLUTION

ARIC 2023/46

MOTION

THAT the Audit, Risk and Improvement Committee note the report.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE
THURSDAY 14 DECEMBER 2023**

7.6 IPART Rates Peg Methodology Change

Report Author: Acting Chief Financial Officer
Authoriser: Director Corporate Strategy and Resourcing

PURPOSE

The purpose of this report is to advise the ARIC and Council of the Final Report on the revised Rate Peg Methodology of The Independent Pricing and Regulatory Tribunal (IPART).

PROCEEDINGS IN BRIEF

The Acting Chief Financial Officer addressed the meeting.

PRECIS

The Acting Chief Financial Officer presented the final report on the Revised Rate Peg Methodology of the Independent Pricing and Regulatory Tribunal.

DISCUSSION

The ARIC discussed the implications of the rate peg being 4.6%.

COMMITTEE RESOLUTION

ARIC 2023/47

MOTION

THAT the Audit, Risk and Improvement Committee note the report.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE
THURSDAY 14 DECEMBER 2023**

7.7 Financial Update – Budget Review & Investments

Report Author: Acting Chief Financial Officer
Authoriser: Director Corporate Strategy and Resourcing

PURPOSE

This report provides the projections of Council's financial position for the period ending 30 September 2023 as well as the 2023/24 Budget adjustments presented to and adopted by Council on 15 November 2023. The Quarterly Review of the Budget is reported to Council at the end of each quarter in accordance with Section 203 of the *Local Government (General) Regulation 2021*.

PROCEEDINGS IN BRIEF

The Acting Chief Financial Officer addressed the meeting.

PRECIS

The acting Chief Financial Officer presented Council's financial position for the period ending 30 September 2023 and 2023/24 Budget adjustments presented to and adopted by Council on 15 November 2023.

DISCUSSION

The ARIC discussed the following items within the Budget Review:

- Outstanding grant funding for Disaster Recovery Funding Arrangement Storm Flood 2022 (Transport for NSW) noting that over \$700,000 of interest has been potentially lost. Council is in the process of drafting a letter to the Minister.
- The Mittagong Playhouse funding - Federal grant for \$4 million for the Playhouse application is due mid January, with the balance to be funded by Council (50%) and State Government (50%).
- Anticipated budget position following local government election in 2024.

ACTION

Manager Project Service and Delivery to provide the findings of the AMP asset mapping to the to next meeting of the ARIC.

COMMITTEE RESOLUTION

ARIC 2023/48

MOTION

THAT the Quarterly Budget Review Statement be noted.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE
THURSDAY 14 DECEMBER 2023**

7.8 Operational Plan 2023/24 Quarterly Progress Report September 2023

Report Author: Governance Officer
Authoriser: Director Corporate Strategy and Resourcing

PURPOSE

The purpose of this report is to provide an overview of Council's progress towards delivering its Delivery Program and Operational Plan 2023/24 for the period 1 July 2023 to 30 September 2023.

PROCEEDINGS IN BRIEF

The Manager Governance and Corporate Performance addressed the meeting.

PRECIS

An overview of Council's progress towards delivering its Delivery Program and Operational Plan 2023-24 for the period 1 July 2023 to 30 September 2023 was presented.

DISCUSSION

The ARIC questioned

- If the Kangaloon Road upgrades had been completed and were advised that the works had been completed.
- The status of the Priority Actions shown as 'On Hold' on page 62 of the report.

ACTION

The Director Communities and Place to advise the current status of Indigenous Recognition Commitment and delivery of surveys for the Southern Highlands Platypus Conservation Project.

COMMITTEE RESOLUTION

ARIC 2023/49

MOTION

THAT the Audit, Risk and Improvement Committee note the report.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE
THURSDAY 14 DECEMBER 2023**

7.9 Finance Service Review

Report Author: Executive Manager Business Transformation
Authoriser: General Manager

PURPOSE

The purpose of this report is to provide the ARIC with the outcomes of the Finance service review. The outcomes will be provided by via a presentation by Votar Partners.

PROCEEDINGS IN BRIEF

The Executive Manager Business Transformation and Mr Bruno Maluto, Principal Consultant from Votar Partners, addressed the meeting.

PRECIS

The outcomes of the Finance service review were presented.

DISCUSSION

The ARIC discussed the following:

- The findings from the Finance Service Review.
- That based on the pilot Finance Service Review, the framework is sound.

COMMITTEE RESOLUTION

ARIC 2023/50

MOTION

THAT the Audit Risk and Improvement Committee note the report.

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 21 FEBRUARY 2024

MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE THURSDAY 14 DECEMBER 2023

7.10 ICT Update

Report Author: Chief Information Officer
Authoriser: Director Corporate Strategy and Resourcing

PURPOSE

The primary objective of this report is to provide a regular update to the Audit, Risk, and Improvement Committee regarding the progress made in addressing the action items outlined in the report presented to the committee in March 2023. The central focus of this report centres on augmenting the Council's resilience, security, and operational efficacy through a series of strategic initiatives encompassing Business Continuity Planning (BCP), Disaster Recovery Planning (DRP), Cybersecurity, and the Essential 8 framework.

PROCEEDINGS IN BRIEF

The Chief Information Officer addressed the meeting.

PRECIS

The report provided a progress update regarding the items outlined in the report presented to the ARIC in March 2023.

DISCUSSION

The following matters were discussed:

- The successful completion of backups.
- Council will engage audit to check reliance of the network in March 2024.
- Mandatory Notification of Data Breach processes.
- Progress is on track in accordance with the ICT Roadmap, including additional requirements that have arisen as environment and needs have changed (a budget request has been submitted for these additions).
- Refurbishment of Council Chambers and establishment of paperless environment.
- Standard Operating Environment to be completed by March 2024.

The ARIC questioned:

- Whether there were any obvious patterns in relation to the results of the phishing campaign. The Chief Information Officer advised that the results appeared to be affected by the topics of the campaign more than by the type of business unit responding to it.
 - What action and timetable was in place to reduce the 70/30 percentage software update compliance rate. The Chief Information Officer confirmed the March Standard Operating Environment deadline.
 - Whether IT will have a dashboard to present to management. The Chief Information Officer advised they have the capacity to generate reports but there are security restrictions. The Director Corporate Strategy and Resourcing referred to the competing priorities contained in the ICT Roadmap and the ARIC suggested that the dashboard be left as a work in progress.
-

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE
THURSDAY 14 DECEMBER 2023**

COMMITTEE RESOLUTION

ARIC 2023/51

MOTION

THAT the Audit, Risk and Improvement Committee note the report.

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE
THURSDAY 14 DECEMBER 2023**

7.11 Fraud & Corruption Prevention - Draft Policy, Plan and Statement of Business Ethics

Report Author: Governance Officer
Authoriser: Director Corporate Strategy and Resourcing

PURPOSE

The current Fraud and Corruption Control Policy was adopted by Council in February 2019. This report provides the updated Policy, Plan and Statement of Business Ethics and details the changes made following a detailed review. The Executive endorsed the draft documents at their meeting on 6 December 2023.

PROCEEDINGS IN BRIEF

The Manager Governance and Corporate Performance addressed the meeting.

PRECIS

Council's draft updated Fraud and Corruption Control Policy, Plan and Statement of Business Ethics was presented.

DISCUSSION

That the documents have been benchmarked against the Australian Standard and other councils .

The ARIC suggested:

- It is important to raise awareness and create a high integrity culture, however, raising awareness of employees is not always effective and referred to ICAC's *Fraud and Corruption Control: evaluating compliance and its drivers* report issued in November, 2023.
- Providing all suppliers with a copy of the Statement of Business Ethics.
- Some minor amendments to the Fraud and Corruption Control documentation including the strengthening of language and more tailored provisions such as customised training for specific Council sites.

ACTION

The Fraud and Corruption Control documents be brought back to the ARIC on an annual basis.

COMMITTEE RESOLUTION

ARIC 2023/52

MOTION

THAT the Audit Risk and Improvement Committee note the Draft Fraud and Corruption Prevention Policy (Attachment 1), DRAFT Fraud and Corruption Control Plan (Attachment 2) and DRAFT Statement of Business Ethics (Attachment 3).

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE
THURSDAY 14 DECEMBER 2023**

**7.12 Public Interest Disclosure Policy Update and Implementation at
WSC**

Report Author: Governance Officer
Authoriser: Director Corporate Strategy and Resourcing

PURPOSE

The purpose of this report is to provide the ARIC with an update on Council's revised Public Interest Disclosure Policy adopted by Council on 18 October 2023 at **Attachment 1**, and implementation of the *Public Interest Disclosures Act 2022* (new PID Act).

PROCEEDINGS IN BRIEF

The Manager Governance and Corporate Performance addressed the meeting.

PRECIS

An update on Council's revised Public Interest Disclosure Policy adopted by Council on 18 October 2023 and implementation of the *Public Interest Disclosures Act 2022* was provided.

DISCUSSION

The practical application of the policy was discussed.

COMMITTEE RESOLUTION

ARIC 2023/53

MOTION

THAT the Audit, Risk and Improvement Committee note the report.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE
THURSDAY 14 DECEMBER 2023**

7.13 Legal Matters

Report Author: Governance Officer
Authoriser: Director Corporate Strategy and Resourcing

PURPOSE

The purpose of this report is to provide the Audit Risk and Improvement Committee with an update on the status of Council's current legal matters at 30 September 2023.

PROCEEDINGS IN BRIEF

The Manager Governance and Corporate Performance addressed the meeting.

PRECIS

The status of Council's current legal matters at 30 September 2023 was presented.

DISCUSSION

The ARIC discussed the legal report and made suggestions as to the format of future Legal Matters report to ARIC, which included analysis of the type of legal matter.

COMMITTEE RESOLUTION

ARIC 2023/54

MOTION

THAT the Audit Risk and Improvement Committee note the report.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE
THURSDAY 14 DECEMBER 2023**

7.14 Update on Regulations impacting on ARIC

Report Author: Governance Officer
Authoriser: Director Corporate Strategy and Resourcing

PURPOSE

The purpose of this report is to provide the ARIC with an update on amendments to the *Local Government (General) Regulation 2022* (the Regulation) which impact on audit, risk and improvement committees.

PROCEEDINGS IN BRIEF

The Manager Governance and Corporate Performance addressed the meeting.

PRECIS

An update on amendments to the *Local Government (General) Regulation 2022* which impact on audit, risk and improvements committees was provided.

DISCUSSION

The ARIC noted the commencement of the legislation and implementation by June 2024.

COMMITTEE RESOLUTION

ARIC 2023/55

MOTION

THAT the Audit, Risk and Improvement Committee note the report.

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE
THURSDAY 14 DECEMBER 2023**

7.15 Jardine Lloyd Thompson Public Sector Risk Report

Report Author: Insurance and Risk Officer
Authoriser: Director Corporate Strategy and Resourcing

PURPOSE

This report provides the Audit Risk and Improvement Committee with a summary of the Jardine Lloyd Thompson (JLT) Public Sector Risk Report, to highlight how the top risks identified for Local Government relate specifically to Insurance and Risk matters for Wingecarribee Shire Council and identify any opportunities or learnings that Council needs to action.

PROCEEDINGS IN BRIEF

The Manager Governance and Corporate Performance addressed the meeting.

PRECIS

A summary of the Jardine Lloyd Thompson Public Sector Risk Report was presented.

DISCUSSION

The ARIC noted the information on public sector risks.

COMMITTEE RESOLUTION

ARIC 2023/56

MOTION

THAT :

- 1. The Audit, Risk and Improvement Committee note the report.***
- 2. The Integrated Risk Management team continue with the Insurance review, considering the coverage as well as the premium return.***
- 3. The Integrated Risk Management team work with Infrastructure Maintenance to improve systems to continue to be able to successfully defend liability claims.***
- 4. The Audit, Risk and Improvement Committee continue to support the continuous improvement of the Business Continuity Plans.***

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE
THURSDAY 14 DECEMBER 2023**

7.16 ICAC Report - Operation Tolosa

Report Author: Governance Officer
Authoriser: Director Corporate Strategy and Resourcing

PURPOSE

This report provides a summary of the ICAC report on Operation Tolosa, an investigation into the conduct of the City of Canada Bay Mayor, Angelo Tsirekas and others. The report was released in November 2023 making findings of serious corrupt conduct against Mr Tsirekas and Mr Joseph Chidiac.

The recommendations made by ICAC provide learnings for Council and the integrity of council decision-making.

PROCEEDINGS IN BRIEF

The Manager Governance and Corporate Performance addressed the meeting.

PRECIS

A summary of the ICAC report on Operation Tolosa and its relevant recommendations was presented.

DISCUSSION

The ARIC noted that ICAC reports of this type should be used as a template for stop-gap analysis to identify any issues that need to be addressed by Council.

COMMITTEE RESOLUTION

ARIC 2023/57

MOTION

THAT the Audit Risk and Improvement Committee note the report.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE
THURSDAY 14 DECEMBER 2023**

**7.17 IPC Report - Follow up Audit of Councils' Compliance in Relation to
Returns of Interest**

Report Author: Governance Officer
Authoriser: Director Corporate Strategy and Resourcing

PURPOSE

This report provides a summary in relation to the four (4) recommendations of relevance arising from the [Local Government Sector – GIPA Compliance Report – Disclosure of Information \(return disclosing the interest of Councillors and Designated persons\) 2021](#) and Council's compliance and improvements implemented as a result.

PROCEEDINGS IN BRIEF

The Manager Governance and Corporate Performance addressed the meeting.

PRECIS

A summary of the four recommendations arising from the Local Government Sector - GIPA Compliance Report issued by the Information and Privacy Commission was presented.

COMMITTEE RESOLUTION

ARIC 2023/58

MOTION

THAT the Audit, Risk and Improvement Committee note the report.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE
THURSDAY 14 DECEMBER 2023**

7.18 External Audit Management Letter Recommendations Update

Report Author: Governance Officer
Authoriser: Director Corporate Strategy and Resourcing

PURPOSE

This report provides the ARIC with an update on the status of recommendations from previous Management Letters by Council's External Auditors.

PROCEEDINGS IN BRIEF

The Manager Governance and Corporate Performance addressed the meeting.

PRECIS

The status of recommendations from previous Management Letters by Council's External Auditors was presented.

DISCUSSION

The ARIC noted that outstanding recommendations have progressed.

COMMITTEE RESOLUTION

ARIC 2023/59

MOTION

THAT the Audit, Risk and Improvement Committee note the report.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE
THURSDAY 14 DECEMBER 2023**

7.19 Outstanding Internal Audit Recommendations

Report Author: Governance Officer
Authoriser: Director Corporate Strategy and Resourcing

PURPOSE

This report provides an update to the ARIC on the implementation of outstanding recommendations from previous internal audits.

PROCEEDINGS IN BRIEF

The Manager Governance and Corporate Performance addressed the meeting.

PRECIS

An update on the implementation of outstanding recommendations from previous internal audits was presented.

DISCUSSION

The ARIC noted:

- the pre-camera meeting held with the internal auditor
- the requirement to establish firm processes regarding active actions, particularly those overdue, by June 2024

COMMITTEE RESOLUTION

ARIC 2023/60

MOTION

THAT the Audit, Risk and Improvement Committee note the Outstanding Internal Audit Recommendations Progress Report for December 2023 (Attachment 1).

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE
THURSDAY 14 DECEMBER 2023**

7.20 Independent Review Recommendations Implementation Update

Report Author: **Manager Governance and Corporate Performance**
Authoriser: **Director Corporate Strategy and Resourcing**

PURPOSE

This report provides the Audit Risk and Improvement Committee with an update on the status of implementing the recommendations from the independent reviews undertaken during Council's period of Administration.

PROCEEDINGS IN BRIEF

The Manager Governance and Corporate Performance addressed the meeting.

PRECIS

An update on the status of implementing the recommendations from the independent reviews undertaken during Council's period of Administration was provided.

DISCUSSION

The ARIC discussed that Council has progressed well with the implementation of the recommendations despite resourcing challenges.

The ARIC questioned:

- Bushfire Management Training and were advised there was a bushfire exercise held at the end of October, with a live exercise to be carried out in May 2024 by which date the new EOC will be complete.

ACTION

The ARIC to be provided with clarification on the access available to the water reservoir referred to in Debrief 17 of the report.

COMMITTEE RESOLUTION

ARIC 2023/61

MOTION

THAT the Audit, Risk and Improvement Committee note the report.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE
THURSDAY 14 DECEMBER 2023**

7.21 Update on ARIC Actions

Report Author: Governance Officer
Authoriser: Director Corporate Strategy and Resourcing

PURPOSE

The purpose of this report is to provide an update on the progress of 2023 Audit, Risk and Improvement Committee (ARIC) action items.

PROCEEDINGS IN BRIEF

The Manager Governance and Corporate Performance addressed the meeting.

PRECIS

The update on the progress of the ARIC action items for 2023 was presented.

COMMITTEE RESOLUTION

ARIC 2023/62

MOTION

THAT the Audit, Risk and Improvement Committee note the report.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE
THURSDAY 14 DECEMBER 2023**

7.22 Meeting Dates for 2024

Report Author: Governance Officer
Authoriser: Director Corporate Strategy and Resourcing

PURPOSE

This report confirms the Audit Risk and Improvement Committee dates for 2024.

PROCEEDINGS IN BRIEF

The ARIC confirmed the meeting dates for 2024.

PRECIS

The ARIC confirmed the following meeting dates for 2024:

- 7 March 2024
- 6 June 2024
- 5 September 2024
- 28 November 2024

COMMITTEE RESOLUTION

ARIC 2023/63

MOTION

THAT the Audit, Risk and Improvement Committee confirm the following meeting dates for 2024:

- ***7 March 2024***
- ***6 June 2024***
- ***5 September 2024***
- ***28 November 2024***

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE
THURSDAY 14 DECEMBER 2023**

8 DATE OF NEXT MEETING

The next meeting of the ARIC will be held on 7 March 2024 in the Bong Bong Room, Wingecarribee Shire Council Civic Centre, 68 Elizabeth Street, Moss Vale commencing at 10:40am with in camera meetings commencing at 10:00am.

9 MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 1.25 PM

9.25 Canberra Region Joint Organisation Meeting Minutes 8 December 2023

Report of: Jessica Kaiser
Executive Assistant to General Manager

Authorised by: Lisa Miscamble
General Manager

PURPOSE

The purpose of this report is to provide the minutes from the Canberra Region Joint Organisation (CRJO) Board Meeting held on 8 December 2023.

OFFICER'S RECOMMENDATION

THAT the minutes of the Canberra Region Joint Organisation held on 8 December 2023 be received and noted.

REPORT

Council is a member of the the Canberra Region Joint Organisation, which is a government body that provides regional leadership to connect communities within the South East region, collaborating with all levels of government, industry and community to work together to provide a vibrant regional vision and deliver important key outcomes.

The CRJO Board Meeting was held on 8 December 2023 and attended by the General Manager and Administrator. The minutes from the meeting are attached to this report for the information of Council.



**CANBERRA REGION
JOINT ORGANISATION**

Regional leadership connecting our communities

BOARD MEETING

Friday, 8 December 2023
9am – 1pm
Queanbeyan-Palerang Regional Council
257 Crawford Street, Queanbeyan

MINUTES

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**



Meeting Agenda
Friday, 8 December 2023
9am – 1pm
257 Crawford Street, Queanbeyan

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**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**



Meeting Agenda
Friday, 8 December 2023
9am – 1pm

257 Crawford Street, Queanbeyan

MEMBERS	
Bega Valley Shire Council	Mayor Russell Fitzpatrick (Chair) Mr Anthony McMahon
Eurobodalla Shire Council	Mayor Mathew Hatcher Mr Warwick Winn
Goulburn Mulwaree Council	Mayor Peter Walker Mr Aaron Johansson
Hilltops Council	Mayor Margaret Roles Mr Anthony O'Reilly
Queanbeyan-Palerang Regional Council	Mayor Kenrick Winchester (Deputy Chair) Deputy Mayor Esma Livermore Ms Rebecca Ryan
Snowy Monaro Regional Council	Mayor Chris Hanna Mr David Hogan
Snowy Valleys Council	Mayor Ian Chaffey Mr Stephen Pinnuck
Upper Lachlan Shire Council	Mayor Pam Kensit Ms Alex Waldron
Wingecarribee Shire Council	Mr. Viv May (PSM) Ms Lisa Miscamble
Yass Valley Council	Mayor Allan McGrath Mr Chris Berry
Wagga Wagga City Council	Mayor Dallas Tout Mr Peter Thompson
ACT Government	Dr David Clapham
Canberra Airport	Mr Noel McCann
Canberra Region Joint Organisation	Mr Warwick Bennett Ms Hayley Chapman Ms Kirstie Mayne
GUESTS	
NSW Government	Anna Wyllie, Regional NSW Kalina Koloff, NSW Cross-Border Commissioner Heidi Stratford, NSW Reconstruction Authority Louise Taylor, Office of Local Government



1. Opening Meeting

The Chairperson, Mayor Russell Fitzpatrick opened the meeting at 9.06am.

2. Welcome & Acknowledgement of Country

The Chairperson, Mayor Russell Fitzpatrick welcomed members and guests and made an acknowledgment of country.

3. Apologies

The Chairperson, Mayor Russell Fitzpatrick called for any apologies. CRJO resolved to accept any apology and may grant leave of absence.

The following apologies have been received:

- Mayor Mathew Hatcher, Eurobodalla Shire Council
- Mayor Peter Walker, Goulburn Mulwaree Council
- Mayor Margaret Roles, Hilltops Council
- Mayor Dallas Tout, Wagga Wagga City Council
- Mr Peter Thompson, Wagga Wagga City Council
- Ms Anna Wylie, Regional NSW
- Dr David Clapham, ACT Government
- Ms Heidi Stratford, NSW Reconstruction Authority

4. Disclosure of interest

With reference to Chapter 14 Local Government Act 1993, and CRJO's Code of Conduct, Councillors are required to declare any conflicts of interest in the matters under consideration by CRJO at this meeting.

5. Notice of Rescission

Pursuant to Clause 372 of the Local Government Act 1993 a voting representative may lodge a notice to rescind a motion for the CRJO's consideration.

6. Notice of Motions

Pursuant to Clause 10.2 of the Code of Meeting Practice a voting representative may lodge a notice of motion for the CRJOs consideration.



7. Urgent Business

The Chairperson called for any Additional Business pursuant to Clause 9.3 of the Code of Meeting Practice. Any additional business to be discussed requires a Board resolution or a ruling by the Chairperson that the matter is of great urgency.

The CRJO Board may resolve to accept any late item, information or urgent business to be discussed and/or determined at this meeting.

8. Presentations

8.1 The Hon. Kristy McBain, MP (9am)

RESOLUTION 08/12 – 01

Moved: Mr Viv May

Seconded: Cr Pam Kensit

That the verbal update from The Hon. Kristy McBain MP, Minister for Regional Development, Local Government and Territories be received.

CARRIED

The Hon. Tara Moriarty MLC was a late apology for this meeting.

Mr Andrew Barr was a late apology for this meeting.

12. Government Agencies Updates

The following Government Agencies provided verbal updates to the CRJO Board.

- Ms Louise Taylor, Office of Local Government,
- Ms Kalina Koloff, NSW Cross-Border Commissioner.

RESOLUTION 08/12 – 02

Moved: Mr Viv May

Seconded: Cr Allan McGrath

That the verbal updates from Ms Louise Taylor and Ms Kalina Koloff be received.

CARRIED

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**



Meeting Agenda
Friday, 8 December 2023
9am – 1pm
257 Crawford Street, Queanbeyan

RESOLUTION 08/12 – 03

Moved: Cr Allan McGrath

Seconded: Cr Pam Kensit

That Cr Hanna Chairs the meeting in the absence of the Chair and Deputy Chair.

CARRIED

Chair Fitzpatrick and Deputy Chair Winchester left the meeting at 9.47am.

Cr Livermore joined the meeting at 9.50am.

8.2 The Hon. Steve Whan, MP (10.30am)

RESOLUTION 08/12 – 04

Moved: Cr Allan McGrath

Seconded: Cr Pam Kensit

That the presentation from The Hon. Steve Whan, Minister of Skills and TAFE, MP, Member for Monaro be received.

CARRIED

8.3 Mr Noel McCann & Mr Michael Thompson, Canberra Airport (11am)

RESOLUTION 08/12 – 05

Moved: Cr Ian Chaffey

Seconded: Cr Allan McGrath

That the verbal update from Mr Noel McCann and Mr Michael Thompson, Head of Aviation, Canberra Airport be received.

CARRIED

8.4 CRJO New CEO Introduction – Ms Sharon Houlihan

Ms Sharon Houlihan, CRJO's new Chief Executive Officer joined the meeting online at 11.45am to introduce herself. Sharon will commence with the CRJO on the 15 January 2024.



9. Confirmation of Minutes

9.1 Confirmation of Previous Minutes

RESOLUTION 08/12 – 06

Moved: Cr Ian Chaffey

Seconded: Cr Esmā Livermore

That the Minutes of the CRJO Board Meeting 22 September 2023 be received.

CARRIED

10. Chairs Minute

Pursuant to Clause 9.6 of the Code of Meeting Practice the Chairperson, without notice, may put to the meeting a minute on any matter or topic that is within the jurisdiction of the CRJO.

11. Reports

11.1 CRJO Audit Risk and Improvement Committee Representative

RESOLUTION 08/12 – 07

Moved: Mr Viv May

Seconded: Cr Allan McGrath

That the report from the CRJO Chief Executive be received and no political appointment be made to this Committee.

CARRIED

11.2 Circular Economy

RESOLUTION 08/12 – 08

Moved: Cr Pam Kensit

Seconded: Cr Allan McGrath

That the report from the CRJO Chief Executive on the Circular Economy be received.

CARRIED



11.3 Strategic Action Plan

RESOLUTION 08/12 – 09

Moved: Cr Allan McGrath

Seconded: Cr Esmá Livermore

That:

1. The report from the CRJO Chief Executive on the Strategic Action Plan be received.
2. The verbal update from Chief Executive, Warwick Bennett be received.

CARRIED

Chair Cr Fitzpatrick re-joined the meeting at 11.05am.

11.4 IPART Rate Cap Review

RESOLUTION 08/12 – 10

Moved: Cr Chris Hanna

Seconded: Cr Pam Kensit

That:

1. That the report from the CEO on Rate Cap Review by IPART be received.
2. CRJO writes to IPART and thank them for their recent review of the Rate Cap methodology. Further the thank you letter acknowledge that IPART had listened to the submission by the CRJO and the concerns of this region raised at the sector meeting held in Queanbeyan.
3. CRJO write to the Minister of Local Government and the Minister of Finance supporting the review and seeking they endorse those recommendations.

CARRIED

11.5 Regional Submissions

RESOLUTION 08/12 – 11

Moved: Cr Chris Hanna

Seconded: Mr Viv May

That the report from the CRJO Chief Executive on Submissions to Government be received.

CARRIED



11.6 Financial Statement

RESOLUTION 08/12 – 12

Moved: Cr Chris Hanna

Seconded: Cr Pam Kensit

That the CRJO Board receive the CRJO Finance Report and note the financial position of the Organisation at 31 October 2023.

CARRIED

11.7 2022-23 Audit

RESOLUTION 08/12 – 13

Moved: Mr Viv May

Seconded: Cr Chris Hanna

That the CRJO Board note the 2022/23 Financial Statements and authorise the Chair, Deputy Chair and Chief Executive and Chief Financial Officer to sign the statements now that the audit has been completed.

CARRIED

Cr Winchester returned 11.26am.

Cr Livermore left the meeting at 11.27am.

11.8 Regional Programs Update

RESOLUTION 08/12 – 14

Moved: Cr Allan McGrath

Seconded: Cr Pam Kensit

That the report from the Acting Director Operations on grant funded projects be received.

CARRIED

11.9 Regional Learning & Development Update

RESOLUTION 08/12 – 15

Moved: Cr Pam Kensit

Seconded: Cr Allan McGrath

That the report from Acting Regional Learning & Development Manager be received.

CARRIED



11.10 Corporate Services Update

RESOLUTION 08/12 – 16

Moved: Cr Kenrick Winchester

Seconded: Cr Allan McGrath

That the report from the Director Corporate Services be received.

CARRIED

11.11 GMAG Meeting Notes

RESOLUTION 08/12 – 17

Moved: Mr Viv May

Seconded: Cr Kenrick Winchester

That the meeting notes of the GMAG meeting on 27th October 2023 be received and the Chief Executive prepare a short report on the alignment of employees and external funding.

CARRIED

11.12 2024 Board Meeting Dates

RESOLUTION 08/12 – 18

Moved: Cr Kenrick Winchester

Seconded: Mr Viv May

That the CRJO Board endorse the meeting schedule noting that dates and times may change depending on potential conflicting appointments with members, in particular the February meeting to be held on the 29th February 2024 & 1st March 2024 and 22nd & 23rd August be in Snowy Monaro (Cooma) and 24th & 25th October be in Canberra.

CARRIED

13. Closed Session

The CRJO Board must resolve to move into Closed Session to deal with any items under s10 Local Government Act 1993.

14. Close

The Chairperson, Mayor Russell Fitzpatrick closed the meeting at 11.40am.

Sharon Houlihan joined for an a online introduction at 11.45am.

**9.26 Community Reference Panel - December 2023 Meeting Proceeding
(Minutes)**

Report of: **Danielle Lidgard**
Manager Governance and Corporate Performance

Authorised by: **Carmel Foster**
Director Corporate Strategy and Resourcing

PURPOSE

This report provided the meeting proceedings (minutes) from the December 2023 Community Reference Panel Meetings.

OFFICER'S RECOMMENDATION

THAT Council note the meeting proceedings (minutes) from the Community Reference Panel meetings held on 14 December 2023.

REPORT

BACKGROUND

At the meeting held on 21 September 2022 Council adopted an engagement structure that comprised of four strategically focused Community Reference Panels with the following focus areas

- Climate Change and Environment
- Community
- Sport, Recreation and Leisure
- Economy.

The role of the Community Reference Panel's (CRP's) is to support Council in reviewing the vision objectives and goals of the Community Strategic Plan and their translation to the Delivery Program through an active and ongoing community engagement program. The aim is to ensure that current knowledge, critical thinking, and analysis is applied to strategy development, increasing the confidence that Council is making the right decisions and that those decisions are not made in isolation, but in a genuine partnership with community.

REPORT

Community Reference Panel meetings were held on 14 December 2023. The meeting proceedings (minutes) for each Panel are included in **Attachments 1-4** to this report.

COMMUNICATION AND CONSULTATION

Community Engagement

Community Reference Panels are a key community engagement mechanism for Council.

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 21 FEBRUARY 2024

Internal Communication and Consultation

Manager Environment and Sustainability, Manager Assets, Manager Community Life and Libraries and Coordinator Strategic Policy.

External Communication and Consultation

Nil

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

There are no social issues in relation to this report.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

There are no budget implications arising from this report.

RELATED COUNCIL POLICY

Community Engagement Policy.

CONCLUSION

This report provides the meeting proceedings (minutes) from the December 2023 Community Reference Panel meetings.

ATTACHMENTS

1. Climate Change and Environment Community Reference Panel Meeting Proceedings (Minutes) December 2024 [9.26.1 - 2 pages]
2. Community Community Reference Panel Meeting Proceedings (Minutes) December 2024 [9.26.2 - 3 pages]
3. Sport, Recreation & Leisure Reference Panel Meeting Proceedings (Minutes) December 2024 [9.26.3 - 3 pages]
4. Economy Community Reference Panel Meeting Proceedings (Minutes) December 2024 [9.26.4 - 3 pages]

Community Reference Panel Meeting Minutes
Thursday 14 December 2023



Date: Thursday 14 December 2023	Time: 3pm-5pm	Venue: Gibraltar Room
Focus Area: Climate Change and Environment		
Attendees: Pat Hall, Derek White, Jen Slattery, Pip Rainey, Andy Lemann		
Council Staff facilitating with Workshops:		
Item 1: Morwenna Zabaks (Environment Officer Sustainability); Ironbark Sustainability, Sophie Beard - (Council’s consultant facilitating Item 1 CEAP process);		
Item 2: Karen Guymer (Coordinator Natural Resource Projects),		
Apologies: Janelle Menzies, Kim Zegenhagen, Suzannah Cowley, Chris Page (Department of Planning and Environment), Jacqueline Holland (South East Local Land Services),		
Chair: Barry Arthur, Manager Environment and Sustainability		

1.	Item: Community Emissions Action Plan - Workshop
	Description of Engagement: Council is drafting a Community Emissions Action Plan (CEAP) to assist the community in reducing carbon emissions. The drafting process involves a significant community engagement component with community workshops to hear from the community on what they can achieve and what they need assistance with. The meeting with the CRP follows the initial community workshop sessions and the panel considered and provided feedback on issues and actions raised by the community as well as providing feedback on additional actions. Briefing paper and the initial action list was circulated to the Panel members prior to the meeting.
	<p>Discussion</p> <ul style="list-style-type: none"> • The workshop session was facilitated by Ironbark Sustainability who is assisting Council in preparing the CEAP. • Potential community actions and interventions were grouped under themes of energy, transport, landuse/agriculture, and waste. These were arranged on butchers paper / poster on walls. • Panels members provided feedback captured on post it notes against the actions. Key Questions were – “Which of actions do you see working in Wingecarribee, and What else could the community do”. • All post it notes / feedback was collated by Ironbark Sustainability and will be used in the next phase of the CEAP development.
	Action Steps

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

	<ul style="list-style-type: none"> • All post it notes / feedback was collated by Ironbark Sustainability and will be used in the next phase of the CEAP development. • Follow up out of session meeting with panel members scheduled in February focusing on the collated list of action, and modelled emission reduction achievable against these action.
2.	<p>Item: Mt Gibraltar Heritage reserve Plan of Management</p> <p>Description of Engagement: The draft Mt Gibraltar Heritage Reserve Plan of Management is currently on public exhibition till 23 February 2024. A copy of the draft was provided to Panel members in advance of the meeting. The meeting provided an opportunity for Panel members to ask questions and provided initial feedback.</p> <p>Discussion</p> <ul style="list-style-type: none"> • The draft POM, exhibition process and Public Hearing process were explained to the Panel. • Questions answered regarding the categorisation process. • Suggestion to include in the POM a utilities/operational impact map to show the following: <ul style="list-style-type: none"> ○ Asset Protection Zones ○ Fire management units ○ Fire Trails ○ Water mains ○ Roads ○ Park facilities (eg tracks, toilet blocks, picnic facilities) ○ Water tanks ○ Sewer lines/services ○ Easements (eg Endeavour energy powerline easements) ○ Other operational land • Clarification sought of the meaning of the section on “other estates” on page 31 of the draft POM. A more detailed explanation may be needed here. • Clarification on the amalgamations of lots within the reserve was also raised. <p>Action Steps</p> <ul style="list-style-type: none"> • Feedback to be included in the report back to Council • Utilities / operational impact map to be prepared and incorporated in the draft.

Community Reference Panel Meeting Minutes
Thursday 14 December 2023



Date: Thursday 14 December 2023	Time: 3pm-5pm	Venue: Council Chambers
Focus Area: Community		
Attendees: Technical Representatives: Dominic Zappia, Melanie Brindley Community Representatives: Allan Stiles, Katie Constantinou, Peter Stewart Council Representatives: Meredith Lea – Community Development Officer, David Belic – Community Resilience Officer		
Apologies: Skye Cannon, Tam Johnson, Danielle Johns, Finette Sheather,		
Chair: Kathryn Baget-Juleff – Manager Community Life and Libraries		

1.	Item 1 - Community Resilience Programs
	Description of Engagement Presentation by Community Resilience Officer on what has been completed to date and programs to be delivered before funded position ceases at the end of March 2024.
	Discussion Projects to date include: <ul style="list-style-type: none"> - Paint the Town Wingecarribee telling stories of disaster affected community members. - Climate Disasters Workshop facilitated by South Western Sydney Local Health District. - Emergency Management & Resilience Meetings - Community Resilience Small Grants Program - Resilient Towns Initiative Stage 1 – workshops in Balmoral Village and Wingello.
	Action Steps <ul style="list-style-type: none"> • CommuniCouncil to advocate to telcos on behalf of the Shire to improve telco coverage across the Shire (separate to the 3G closure). • The Community Reference Panel would like noted that they recommend that the Community Resilience Officer role be funded on an ongoing basis through Council

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Community Reference Panel

Page 1

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

	budget.
2.	Item 2 – Council Updates
	Description of Engagement Update on Council’s website.
	Discussion <ul style="list-style-type: none"> • New website has launched. • There is a new emergency hub on the website. • Based on feedback from the Panel previously, Council have a residents tab on the website where information is available.
	Action Steps <ul style="list-style-type: none"> • Further work to be undertaken on new residents’ kits
3.	Item 3 – Seniors Directory
	Description of Engagement The 2024 Seniors Directory is being compiled which will cover the period 2024-2026. The Seniors Directory will be available in hard copy and in digital formats.
	Discussion <ul style="list-style-type: none"> • Council are looking at changing the layout slightly, not only to align with new look and feel of Council’s branding but to remove duplication and ensure key information is provided and to ensure content is up to date for as long as possible. • The panel provided insightful feedback which will be included.
	Action Steps <ul style="list-style-type: none"> • Panel to provide further feedback on the Seniors Directory by 198 January 2024.
4	Item 4 – Seniors Festival
	Description of Engagement Seniors Festival is running from 11-24 March 2024. Council called for Expressions of Interest from community groups and service providers to have their events listed in the Seniors Festival program.
	Discussion <ul style="list-style-type: none"> • 23 responses received including a few others that came in via email. • Some of the key event types (noting some fit in multiple categories) include: <ul style="list-style-type: none"> - 11 community connection - 8 talks and workshops - 5 musical performances

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**AGENDA OF THE ORDINARY MEETING OF COUNCIL
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	<ul style="list-style-type: none"> - 1 theatre performance - A few exercise related classes, few heritage and history, a couple of digital skills and scam awareness sessions. <ul style="list-style-type: none"> • The program will be available in a new format in hard copy and online.
	<p>Action Steps Not applicable.</p>
	<p>Item 5 – Feedback on Panel session</p>
	<p>Description of Engagement Panel to provide feedback on Community Reference Panel sessions.</p>
5	<p>Discussion</p> <ul style="list-style-type: none"> • Panel holding meetings across community locations. • General feedback from Panel on the CRP format and terms of reference included: <ul style="list-style-type: none"> - Agendas need to be sent out much sooner - Can minutes be sent in draft format before it goes to Council to be endorsed? - Strategic focus of the Panel needs to be realigned to what the Panel understand the initial focus was to be: Arts and Culture Strategy, Reconciliation Action Plan, Community Safety Plan. Feel that these objectives haven't been met. Clarity on panel role.
	<p>Action Steps Manager Community Life and Libraries to organise logistics for different venues in future.</p>
	<p>Item 6 – Christmas Program Update / Feedback</p>
	<p>Description of Engagement An overview was provided on the program to date and feedback (positive and negative) that we have heard from the community and businesses.</p>
6	<p>Discussion Panel raised that Council should be encouraging shopkeepers to do more festive displays, possibly with a prize available to the winner and discussed what is the role of the Chambers in encouraging shopkeepers to do Christmas displays.</p>
	<p>Action Steps Not applicable.</p>

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Community Reference Panel Meeting Minute
Thursday 14 December 2023



Day: Thursday 14 December	Time: 3pm to 5pm	Venue: Moss Vale Civic Centre
Focus Area: Sport, Recreation and Leisure		
Attendees: Community Representatives: John Vild, Lyn Collingridge, Miles Lochhead, Christopher Blaxland Technical Representatives:		
Apologies: Community Representatives: Peter Mitchell, Rebecca Duffy, Ryan Elphick, Stuart Perry Technical Representatives: Adam Lloyd, Blair Oliver/Ankit Bhangale		
Chair: Shaun Robinson Manager Assets		

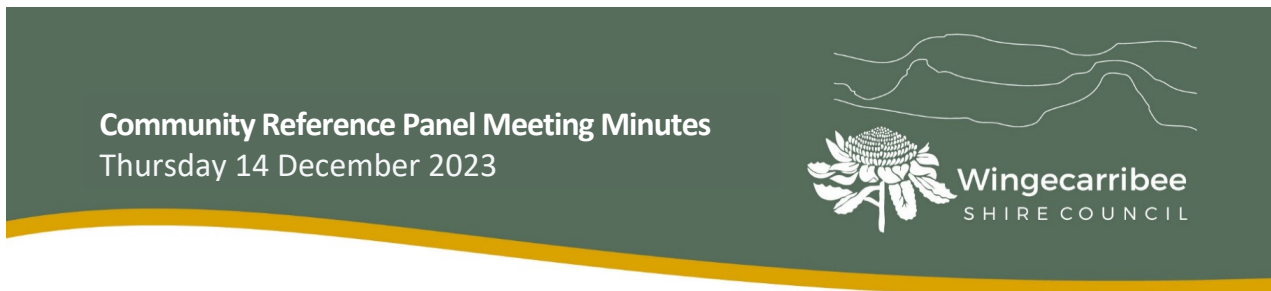
1.	Item: 2024 Meeting Dates
	Description of Engagement: NA
	Discussion <ul style="list-style-type: none"> • Community Reference Panel meeting dates for 2024: <ul style="list-style-type: none"> ○ 22 February 2024 ○ 16 May 2024 ○ 18 July 2024
Action Steps NA	
2.	Item: Bowral Town Centre Masterplan
	Description of Engagement: Discussion
	Discussion <ul style="list-style-type: none"> • Provision of relevant sections of Bowral Town Centre Masterplan • Workshop will be run on February 2024 Community Reference Panel Meeting.
Action Steps NA	

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
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Item: parks Strategy 2016				
Description of Engagement: Discussion				
Discussion				
<ul style="list-style-type: none"> • Engagement exercise on the Levels of Service sections of the Parks Strategy, whereby the components were reviewed against the criteria of: <ul style="list-style-type: none"> ○ Exceeds Expectations (4), Meets Expectations (3), Below Expectations (2), Significantly Below Expectations (1) • The outcomes of the engagement exercise are summarised below, as well as several comments discussed: 				
3.	<i>Parks Strategy</i>		<i>Review</i>	<i>Comments</i>
	Bushland Reserves	Provision	3	<ul style="list-style-type: none"> • Pedestrian/cyclist connections to parks are often lacking. • Update required to align with Community & Recreation Facilities Strategy • No reduction in provision should be supported • More park furniture required within linear parks • Botanic Gardens should be considered as a Premier Park • Public toilets to be more available and a contemporary standards
		Development Standards - Level 1	3.25	
		Development Standards - Level 2	3.25	
		Development Standards - Level 3	2.75	
	Community Parks	Provision	1.5	
		Development Standards - Level 1	3	
		Development Standards - Level 2	2.6	
		Development Standards - Level 3	3	
	Linear Parks	Provision	2.25	
		Development Standards	2	
	Premier Parks	Provision	1.3	
		Development Standards - Level 1	2.3	
		Development Standards - Level 2	2.5	
	Sports Parks	Provision	2.5	
		Development Standards - Level 2	2	
		Development Standards - Level 3	2	
	Categorisation of Parks			
Action Steps				
Feedback to considered during review of Parks Strategy within 2024/25				

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
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4.	Item: Public Toilet Strategy 2017																																						
	Description of Engagement: Discussion & Workshop																																						
	Discussion																																						
	<ul style="list-style-type: none"> • Engagement exercise on the Design Guidelines and Levels of Service sections of the Public Toilet Strategy, whereby the components were reviewed against the criteria of: <ul style="list-style-type: none"> ○ Exceeds Expectations (4), Meets Expectations (3), Below Expectations (2), Significantly Below Expectations (1) • The outcomes of the engagement exercise are summarised below, as well as several comments discussed: 																																						
	<table border="1"> <thead> <tr> <th><i>Public Toilet Guidelines</i></th> <th><i>Review</i></th> <th><i>Comments</i></th> </tr> </thead> <tbody> <tr> <td rowspan="2">Design Guidelines</td> <td>Generic Design</td> <td>2.5</td> </tr> <tr> <td>Location</td> <td>2.25</td> </tr> <tr> <td rowspan="3">Premier</td> <td>Provision</td> <td>2.5</td> </tr> <tr> <td>Development</td> <td>2.7</td> </tr> <tr> <td>Service</td> <td>2.7</td> </tr> <tr> <td rowspan="3">Community</td> <td>Provision</td> <td>2.3</td> </tr> <tr> <td>Development</td> <td>3</td> </tr> <tr> <td>Service</td> <td>-</td> </tr> <tr> <td rowspan="3">Sports</td> <td>Provision</td> <td>1.5</td> </tr> <tr> <td>Development</td> <td>-</td> </tr> <tr> <td>Service</td> <td>-</td> </tr> <tr> <td rowspan="3">Civic</td> <td>Provision</td> <td>2.3</td> </tr> <tr> <td>Development</td> <td>3</td> </tr> <tr> <td>Service</td> <td>3</td> </tr> </tbody> </table>			<i>Public Toilet Guidelines</i>	<i>Review</i>	<i>Comments</i>	Design Guidelines	Generic Design	2.5	Location	2.25	Premier	Provision	2.5	Development	2.7	Service	2.7	Community	Provision	2.3	Development	3	Service	-	Sports	Provision	1.5	Development	-	Service	-	Civic	Provision	2.3	Development	3	Service	3
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Sports	Provision	1.5																																					
	Development	-																																					
	Service	-																																					
Civic	Provision	2.3																																					
	Development	3																																					
	Service	3																																					
<ul style="list-style-type: none"> • Update design guidelines to meet contemporary standards • Facilities often seem to be locked • More facilities required in accessible and obvious locations • Self-cleaning facilities could be considered to reduce operating costs • Service standards should be checked against community usage and feedback 																																							
Action Steps																																							
Feedback to considered during review of Public Toilet Strategy within 2024/25																																							



Date: Thursday 14 December 2024	Time: 3pm-5pm	Venue: Bong Bong Room
Focus Area: Economy		
Attendees: Panel members: Liz Dixon, Michael Ellis, Stephen Lowe, Brigid Kennedy, Carisa Wells, Julianne Christie, Ross Muller, Ian Bollen Staff: Deniz Kilic, Executive Manager Strategic Outcomes, Carmel Foster, Director Corporate Strategy and Resourcing Rachel Murray Acting Senior Strategic Planner (via videoconference)		
Apologies: Michelle Pontello, Richard Colley, Shannan Perry-Hall, Greg Goodman		
Chair: Deniz Kilic, Executive Manager Strategic Outcomes		

1.	Item 1: Introductions & general feedback from previous CRP sessions
	Description of Engagement: Introductions from Economic CRP Panel members and appointment of Deniz Kilic as EM Strategic Outcomes. Acknowledgment
	Discussion <ul style="list-style-type: none"> • General discussion and criticism about unstructured nature of CRP meetings. Acknowledgement that recent Council staff movements, new appointments and pace of projects have contributed to general dissatisfaction with format, content, and structure of CRP meetings. • Request for clear Agenda and structured workshops so Panel members can make informed discussions and provide recommendations. • Request for achievable projects within the “Economy” theme, noting interest in creating action-oriented outcomes for the SHIP, town centre Master Plans and Council’s broader Economic Development strategy.
	Action Steps <ul style="list-style-type: none"> • Commitment by Chair to provide clear Agenda and framework for engagement for discussions and advice sought from Panel members at least 2-3 weeks before next CRP meeting. • Commitment by Chair to nominate achievable projects where Panel members can provide strategic advice and specific advice on subject matter expertise.

We're with you

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2.	<p>Item 2: Confirming <i>Action Steps</i> from previous CRP Meeting</p>
	<p>Description of Engagement</p> <ul style="list-style-type: none"> • SHIP feedback relayed to consultant team Architectus / Astrolabe / SGS Economics • SharePoint / cloud-based resource sharing and communications between meetings • Feedback about CRP format, frequency and scope of meetings
	<p>Discussion</p> <ul style="list-style-type: none"> • General comment for CRP meetings to occur more regularly, suggested MTeams meetings in between formal meetings. Sharepoint or cloud-based resource sharing platform has not proceeded since previous meeting. SHIP feedback has been relayed to consultants as requested during last meeting.
<p>Action Steps</p> <ul style="list-style-type: none"> • SHIP to be revisited in 2024 with latest Structure Plan from consultant team and outcomes of landholder/tenants workshop in February 2024. Further opportunities to test and confirm draft vision and draft structure plan, capitalising on the Panel members’ subject area expertise and commercial experiences across industries. • Cloud-based resource sharing not supported. CRP Chair to distribute reference material 2-3 weeks before CRP meetings to manage the scope of meetings. • CRP meeting frequency is commensurate with resourcing and pace of projects. Proposed monthly meeting frequency is not supported. • All feedback relayed to WSC Governance, GM and reported to Council Meetings. 	
3.	<p>Item 3: Ideation and advice for the SHIP and upcoming 2024 projects</p>
	<p>Description of Engagement</p> <ul style="list-style-type: none"> • CRP is a sounding board for all areas of economic development within the district. • Discussion for what industries can be attracted to the SHIP. • Strategy discussions about how Council can better collaborate to achieve desired the outcomes for economic development across the SHIP, town centres and across the whole district.
	<p>Discussion</p> <ul style="list-style-type: none"> • SHIP requires publicity and educational approach, informing residents that it’s about a diversified economy and not just industrial zoned land being master planned. • Hesitation around being too prescriptive of land uses and questions around how the planning system can be utilised to attract the desired industries and built form outcomes. • Highlighting SHIP for a potential equine centre of excellence, research centre with ancillary landuses. Potential for education and training through TAFE / University co-campus. Note proximity to Aerotropolis, Greater Sydney but also local more boutique businesses that require appropriately zoned land for future expansion to

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**AGENDA OF THE ORDINARY MEETING OF COUNCIL
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	<p>ensure they're based in Southern Highlands rather than other employment catchments.</p> <ul style="list-style-type: none">• Discussion around potential 2024 projects: liveability, wellness and population demographics of district; tourism and wine region; town centre / village revitalisation projects e.g. Bowral and Robertson; creative arts strategy, regional Community Strategic Plan; branding/re-branding Wingecarribee Shire as Southern Highlands.
	<p>Action Steps</p> <ul style="list-style-type: none">• Commitment by Chair to define scope of future CRP meetings and focus on achievable projects such as: SHIP, town centres and villages, economic development strategies, specific industries (e.g. equine, agriculture, value-add manufacturing, education and training) and branding/identity workshop of terms "Wingecarribee Shire" and "Southern Highlands."

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10 QUESTIONS TAKEN ON NOTICE

10.1 Question taken on Notice: Planning Portal Applications and Supporting Documents

Report Author: Imogen Baker
Executive Officer

Authoriser: Adan Davis
Director Communities and Place

BACKGROUND

At the Ordinary Council Meeting of 13 December 2023, Council received a report on the new Application Tracker being implemented that will allow for integration with the NSW Planning Portal and greater community access to development application documents. During the consideration of this report Council asked (MN 2023/576) the General Manager a question on notice:

“regarding development applications and supporting documents that are lodged on the Planning Portal (whether they will be) simultaneously available for public viewing on Council's Application Tracker.”

OFFICER'S RECOMMENDATION

THAT Council receive and note this report.

REPORT

The NSW Planning Portal is a State Government application that is being integrated with Council's Property and Rating system and will in turn inform the new Application Tracker. Upon submission of a development application, development application modification or development application review, the NSW Planning Portal will “talk” to the Council system and create a draft application number in Property & Rating. This draft application number will be available simultaneously on the Application Tracker and provide a status of the application.

However, no documents are automatically published to the Application Tracker as the application is not deemed to be ‘lodged’ at this stage on the NSW Planning Portal system, for the purposes of the *EP&A Act*. It must be reviewed by the clearance officer for completeness, any missing required documentation requested and received (uploaded), and a fee quote provided to the applicant. Once the payment is made, the application can then be lodged, and the process begins with referrals/notifications actioned. During the lodgement process, the Council's portal support team publish documents as appropriate to the Application Tracker and update the status of the application as appropriate. What is uploaded at this point is informed by the DA Precis Standard (**Attachment 1**).

COMMUNICATION AND CONSULTATION

Internal Communication and Consultation

No external communication or consultation was required in the preparation of this response.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 FEBRUARY 2024**

External Communication and Consultation

No external communication or consultation was required in the preparation of this response.

ATTACHMENTS

1. Development Application Precis Standard - What to upload to E Tracker [**10.1.1** - 2 pages]

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
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DA PRECIS STANDARD	
PRECIS: DA NUMBER - Document Type - Address	
eg: 21/0001 - 88B instrument - 68 Elizabeth Street Moss Vale	
DOCUMENT TYPE	eTRACKER
88B Instrument	N
Acknowledgement Letter	N
Acoustic Report	Y
Application	N
Arborist Report	Y
Architectural Plans	Y
Basix Certificate	Y
Building Code of Australia Report	Y
Bushfire Report	Y
Certificate of Compliance	N
Certificate of Insurance	N
Cost Summary	N
Covering Letter	N
DA Tracking Plan Ensure you include Elevations/Section Plans (if any)	Y
Deposited Plan Administration Plan Sheet	N
Development Application Checklist	N
Disabled Access Audit or Report	Y
Doors Certificate	N
Electrical Certificate	N
Engineering Plans	N
External Colour Schedule	Y
External Referral responses	
Fee Sheet	N
Fire Safety Schedule	Y
Flood Report	Y
Flora & Fauna Report	Y
Geotechnical Report	Y
Glazing Certificate	N
Heritage Report	Y
Home Owners Warranty - HOW	N
Hot Water Installation Certificate	N
Music Model Assessment	Y
Nathers	Y
Notice of Determination	Y
Norbe Assessment	N
Owners Consent	N
PCA	N



DA PRECIS STANDARD - PMT

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
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Pest Certificate	N
Plumbing Notice of Works	N
Portal Development Application Form	N
Receipt	N
Septic Tank Installation Certificate	N
Sewer Service Diagram	N
Shower Screen Certificate	N
Site Analysis Report	Y
Site Contamination Report	Y
Site Plan	Y
Smoke Alarm Certificate	N
Specifications	N
Statement of Environmental Effects SOEE	Y
Subdivision Plan	Y
Stamped Plans	N
Survey Plan	N
Termite Certificate	N
Traffic Control Plans	Y
Traffic/Parking Report	Y
Wall & Truss Bracing Certificate	N
Waste Management Plan	N
Water Cycle Management Report	Y
Wet Area Certificate	N
Windows Certificate	N



DA PRECIS STANDARD - PMT

11 MEETING CLOSURE