

# AGENDA

Notice is hereby given that an Ordinary Meeting of Wingecarribee Shire Council will be held in the Council Chambers at Wingecarribee Shire Council Civic Centre, 68 Elizabeth Street, Moss Vale on:

**Wednesday 20 November 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 the registration process can be found on Council's website, using the following link: [Public Forum Application Form | Wingecarribee Shire Council \(nsw.gov.au\)](#)

Lisa Miscamble  
General Manager

*We're with you*

# AGENDA

## Ordinary Meeting of Council



*We're with you*

Wednesday 20 November 2024

Council Chambers, Wingecarribee Shire Council Civic Centre  
68 Elizabeth Street, Moss Vale at 3:30 pm

**AGENDA OF THE ORDINARY MEETING OF COUNCIL  
WEDNESDAY 20 NOVEMBER 2024**

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## **Council Chambers**

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

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

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

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

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

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

The Council Chamber has 24 Hour Video Surveillance.

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## **1 OPENING OF THE MEETING**

The Mayor will open the meeting.

## **2 ACKNOWLEDGEMENT OF COUNTRY**

“Wingecarribee Shire Council acknowledges the Gundungurra and Dharawal people as the Traditional Custodians of this land. I pay my respect to the Traditional Custodians, their Ancestors who cared for this Country for many thousands of years, and their Elders and descendants who continue to care for Country. I would also like to extend that respect to all Aboriginal and Torres Strait Islander peoples, including those here today.”

## **3 STATEMENT OF ETHICAL OBLIGATIONS**

Councillors are reminded of the obligations conferred on them at the time of their appointment.

Councillors are to undertake the duties of the office of Councillor 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 their ability and judgement.

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

## **4 APOLOGIES**

Nil at time of print.

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

That the minutes of the Ordinary Meeting of Council held on 7 August 2024 (MN 2024/252 to MN 2024/290 inclusive), be adopted as a correct record of the proceedings of the meeting.

That the minutes of the Extraordinary Meeting of Council held on 9 September 2024 (MN 2024/291 to MN 2024/298 inclusive), be adopted as a correct record of the proceedings of the meeting.

That the minutes of the Ordinary Meeting of Council held on 9 October 2024 (MN 2024/299 to MN 2024/303 inclusive), be adopted as a correct record of the proceedings of the meeting.

That the minutes of the Extraordinary Meeting of Council held on 30 October 2024 (MN 2024/304 to MN 2024/316 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.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL  
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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 MAYORAL MINUTE**

**8 REPORTS**

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**8.1 Annual Report 2023/24 and State of Our Shire Report**

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**Report of:** Shayley McCracken  
**Coordinator Strategy & Business Improvement**

**Authorised by:** Shelley Jones  
**Director Corporate Strategy and Resourcing**

**PURPOSE**

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To present the Wingecarribee Shire Council Annual Report for 2023/24, the State of Our Shire Report, as required by Integrated Planning and Reporting (IP&R) legislation, and the 2024 Community Survey Research Report.

**OFFICER'S RECOMMENDATION**

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**THAT Council:**

- 1. Endorse the Annual Report for the financial year 2023/24 as included in Attachment 1.**
- 2. Endorse the State of our Shire Report as included in Attachment 2 to be appended to the Annual Report 2023/24.**
- 3. Note the 2024 Community Research Survey Results as included in Attachment 3.**
- 4. Consider the future focus areas from the State of the Shire Report and community feedback from the 2024 Community Research Survey Report in the preparation of the priorities for the Delivery Program 2025-2029.**

**REPORT**

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**BACKGROUND**

In accordance with section 428 of the Local Government Act 1993 (the Act) Council must prepare an Annual Report within five (5) months of the end of the financial year.

The Annual Report 2023/24 provides the community with an understanding of how Council has been performing as an organisation and community leader.

Following Local Government elections, all NSW councils must also prepare a State of our Shire Report. The State of our Shire Report must detail progress on the implementation and the effectiveness of strategies within the Community Strategic Plan to achieve the community's vision.

The State of the Shire Report must be presented at the second ordinary meeting of the newly elected Council and is an addendum to the Annual Report.



## **DISCUSSION**

### **Annual Report**

The Annual Report focuses on Council's achievements, progress against the outcomes described in the current Delivery Program and statutory information prescribed by the Local Government (General) Regulation 2021.

The Annual Report is published in conjunction with the audited financial statements for year ended 30 June 2024. The audited financial statements are included in a separate report for this meeting.

A copy of Council's Annual Report is included in **Attachment 1** to this report.

### **State of the Shire Report**

The State of the Shire Report covers the period July 2021 to June 2024 and considers progress against the Community Strategic Plan (CSP), achievements to date and recommendations for future work to be undertaken.

Its purpose is to assist in the review and update of the CSP as well as to inform the development of the incoming Council's Delivery Program. The report outlines progress against the social, environmental, economic and civic leadership outcomes, and reports this progress against the high-level strategies and priorities of the CSP.

Wingecarribee Shire Council is unique in that it has been under Administration for three and half years, following the outcome of the Public Inquiry undertaken in 2022 by the NSW Government.

This context is critical to understanding the Council's priorities and performance since the elected body was suspended in March 2021 and ultimately dismissed in July 2022 following recommendations from the Commissioner presiding over the Public Inquiry to the NSW State Government.

The State of Our Shire Report includes key performance indicators to track progress across the five (5) themes from the Community Strategic Plan.

A copy of the State of Our Shire Report is included in **Attachment 2** to this report.

### **Community Research Survey Results**

Council generally undertakes its Community Research (formerly known as Community Satisfaction Survey) biennially. The previous survey was conducted in February 2023 and the most recent survey was completed in July 2024 to inform the State of the Shire Report.

The survey was undertaken from 21 June to 2 July 2024 by Micromex Research. The survey involved a random telephone (mobile and landline), statistically significant survey over 400 residents, and this methodology provides a maximum sampling error of plus or minus 4.9% at 95% confidence. This means that if the survey was replicated 19 times out of 20 Council would expect to see the same results, i.e. +/- 4.9%.

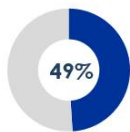
The objectives of the survey were to:

- Understand and identify community priorities for the Wingecarribee Shire Council LGA
- Identify the community's overall level of satisfaction with Council's performance
- Explore and understand resident experiences when contacting Council
- Identify the community's level of agreement with the Community Strategic Plan
- Identify the community's awareness of, and satisfaction with, the current administrator

Key results from the Survey are outlined below:

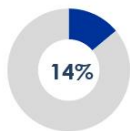
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## Where are we now?



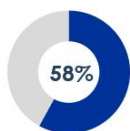
### Overall Satisfaction

Of Wingecarribee Shire residents are at least somewhat satisfied with the performance of Council over the last 12 months (-12% from 2022)



### Council's Image

Of residents rated Council's image as 'good' to 'excellent' (-4% from 2022)



### Communication

Of residents are at least somewhat satisfied with the communication from Council (-3% from 2022)



### Contact

Of residents who contacted Council in the last 12 months are at least somewhat satisfied with the way their contact was handled (-5% from 2022)

### Satisfaction with the Council Administrator

- 55% of residents are at least somewhat satisfied with the performance of Council Administrator (-15% from 2022)
- 57% of residents are at least somewhat satisfied with that the Administrator is 'representing a broad range of community matters fairly' (-14% from 2022)
- 51% of residents are at least somewhat satisfied with that the Administrator is providing 'effective leadership and guidance of the community' (-18% from 2022)



### Best things about living here:

- Natural environment/ open spaces
- Friendly community
- Country lifestyle
- Peace and quiet



### Top priorities:

- Improving/ maintaining roads
- Controlling development/ less houses
- Better Council management
- Infrastructure development

Based on the survey results, residents' overall satisfaction has reduced since 2022 and satisfaction with the Council Administrator is the most important key driver of overall satisfaction.

This indicates that being in administration since 2021 has significantly impacted community perceptions, and the outcomes of this research may not solely be a reflection on Council's delivery.

However, aside from the impact of Council Administration, communication and engagement, development, and roads may be priorities that need further focus.

## Importance & Satisfaction – Highest/Lowest Rated Services/Facilities

The analysis below identifies the highest and lowest rated services/facilities in terms of importance and satisfaction.

### Importance

The following services/facilities received the highest T2 box importance ratings:

Higher importance	T2 Box	Mean
Town drinking water quality	95%	4.74
Reliability of town water	94%	4.76
Domestic garbage collection	91%	4.58
Overall sewerage system performance	89%	4.58
Condition of local roads	87%	4.48

The following services/facilities received the lowest T2 box importance ratings:

Lower importance	T2 Box	Mean
Provision and maintenance of swimming pools	55%	3.60
Support for arts and culture	58%	3.63
Revitalisation/beautification of town and village centres as well as the surrounding areas	58%	3.64
Availability of, and access to, public transport	59%	3.66
Protecting heritage values and buildings	60%	3.77

T2B = important/very important  
Scale: 1 = not at all important, 5 = very important

### Satisfaction

The following services/facilities received the highest T3 box satisfaction ratings:

Higher satisfaction	T3 Box	Mean
Provision and operation of libraries	98%	4.11
Reliability of town water	96%	4.31
Overall sewerage system performance	91%	4.10
Domestic garbage collection	91%	4.03
Town drinking water quality	89%	3.91
Community safety/crime prevention	89%	3.63
Support for arts and culture	89%	3.59

The following services/facilities received the lowest T3 box satisfaction ratings:

Lower satisfaction	T3 Box	Mean
Condition of local roads	12%	1.51
Opportunities to participate in Council decision making	37%	2.23
Managing development and growth	44%	2.26
Enforcement of development and building regulations	49%	2.40
Council provision of information to residents	53%	2.59

T3B = somewhat satisfied/satisfied/very satisfied  
Scale: 1 = not at all satisfied, 5 = very satisfied

## **AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 20 NOVEMBER 2024**

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### Future Focus Areas Based on 2024 Community Research Survey Results

The outcomes of the 2024 survey provide key insight into those future focus areas that could improve community satisfaction with Council. These are:

- Communication and engagement
- Development
- Road maintenance.

Opportunities to participate in Council decision making and Council's provision of information to residents are top drivers of overall satisfaction. Advice from Micromex Research indicate that this is not surprising, given the impact of reduced satisfaction with Administration. Residents may feel they do not have a say in the management of the Council Local Government Area (LGA). However the return of Councillors and their representation of local democracy is expected to improve this sentiment in the future.

Managing development and growth is the third largest driver of overall satisfaction. The report indicates that given the overdevelopment and overpopulation spreading from Sydney, concerns about long-term planning and development management are very common across most areas in NSW.

The condition of local roads has a relatively large impact on overall satisfaction, with 40% of residents mentioning improving/ maintaining roads as the top priority for the Wingecarribee. This is also not surprising given the impact of consecutive rain and storm events over the last two years.

A copy of the Community Research Survey Results are included in **Attachment 3** to this report.

The next Community Research Survey is scheduled to be completed in July 2026.

### **COUNCIL BUDGET IMPLICATIONS**

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Nil

### **ATTACHMENTS**

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1. WSC Annual Report 2023/24 [**8.1.1** - 86 pages]
2. WSC State of Our Shire Report 2024 [**8.1.2** - 72 pages]
3. Wingecarribee Shire Council Community Research Survey Report [**8.1.3** - 77 pages]

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## **8.2 Presentation of the Audited Financial Statements for the year ended 30 June 2024**

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**Report of:** **Stephen Joss**  
**Deputy Chief Financial Officer**

**Authorised by:** **Pav Kuzmanovski**  
**Chief Financial Officer**

### **PURPOSE**

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The purpose of this report is for the Audit Office of New South Wales to present the Audited Financial Statements.

### **OFFICER'S RECOMMENDATION**

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#### **THAT:**

- 1. Council note the Independent Auditor's Report and Report on the Conduct of the Audit for the year ended 30 June 2024.**
- 2. Council adopt the Financial Statements for the year ended 30 June 2024.**

### **REPORT**

---

#### **BACKGROUND**

At its meeting held on 09 September 2024, Council resolved the following:

- 1. Council refer the Draft Financial Statements for the year ended 30 June 2024 for audit in accordance with Section 413(1) of the Local Government Act 1993.*
- 2. The Mayor and a nominated Councillor be authorised to sign the "Statement by Councillors and Management" pursuant to Section 413(2)(c) of the Local Government Act 1993, with the General Manager and the Responsible Accounting Officer.*
- 3. Council fixes the date of 20 November 2024 for the audited Financial Statements, together with the auditor's reports, to be presented to the public in accordance with Section 418(1)(a) and (1)(b) of the Local Government Act 1993.*
- 4. Council endorse the temporary release of Internally Restricted Reserves as outlined in the report until funds are received from external agencies*

The report outlines the outcomes of the audit conducted by the Audit Office of NSW.

#### **DISCUSSION**

The Audit Office of NSW have completed the audit of the Financial Statements for the year ended 30 June 2024 and have issued the independent Auditor's Report and Report on the Conduct of the Audit in accordance with Section 417 of the Local Government Act 1993.

The audited Financial Statements, which include the Independent Auditor's Report and Report on the Conduct of the Audit, are provided as **Attachment 1**.

## **AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 20 NOVEMBER 2024**

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In receiving the reports from the Audit Office of NSW, an unmodified audit opinion was received, meaning Council's Financial Statements have been prepared and presented in accordance with relevant accounting standards and legislation.

The Financial Statements were signed by the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer and subsequently lodged with the Office of Local Government on 31 October 2024 in line with statutory requirements.

In accordance with Section 418 of the Local Government Act 1993, Council has given seven days public notice of the date proposed to present the audited Financial Statements and the Independent Auditor's Report.

The audited Financial Statements have been placed on Council's website and printed copies have been available at the Civic Centre and the Bowral Library.

The Director of Financial Audit, Mr Furqan Yousuf, from the Audit Office of NSW, has accepted an invitation to provide comments on Council's audited Financial Statements and the Independent Auditor's Report for the year ended 30 June 2024

### **COMMUNICATION AND CONSULTATION**

The presentation of the audited Financial Statements to the public was:

- Advertised on Council's website.
- Published within Southern Highlands News on Wednesday 13 November

In accordance with Section 420 of the Local Government Act 1993, any person may make a submission in writing to Council with respect to Council's audited Financial Statements or the Auditor's Reports.

Submissions will be received until the close of business on 27 November 2024.

All submissions will be forwarded to Council's Auditor.

### **COUNCIL BUDGET IMPLICATIONS**

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It is noted that Council's unrestricted working capital position is approximately \$6M, above the adopted position of \$5.8M.

### **CONCLUSION**

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It is recommended that Council receive and adopt the audited Financial Statements for the year ended 30 June 2024.

### **ATTACHMENTS**

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1. Wingecarribee - Annual Financial Statements-2024 [8.2.1 - 108 pages]

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### **8.3 Audit Risk and Improvement Committee Annual Report 2023/2024**

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**Report of:** Paige Zelunzuk  
Coordinator Governance

**Authorised by:** Shelley Jones  
Director Corporate Strategy and Resourcing

#### **PURPOSE**

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This report presents the Wingecarribee Shire Council Audit Risk and Improvement Annual Report for the period 1 July 2023 to 30 June 2024. The Annual Report will be presented at the Council meeting by the Chair of the Audit Risk and Improvement Committee meeting, Mr Stephen Horne.

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

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**THAT Council note the 2023/2024 Audit, Risk and Improvement Committee Annual Report.**

#### **REPORT**

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##### **BACKGROUND**

Council resolved at its meeting held on 21 April 2021 to establish a new Audit, Risk and Improvement Committee (ARIC) with a new Terms of Reference.

At its 15 May 2024 meeting, Council adopted revised Audit, Risk and Improvement Committee Terms of Reference and an Internal Audit Charter, which came into effect on 1 July 2024.

##### **DISCUSSION**

The Annual Report included in **Attachment 1** to this report documents the operation and activities of the Audit, Risk and Improvement Committee for Wingecarribee Shire Council from 1 July 2023 to 30 June 2024. The Annual Report will be presented at the Council meeting by the Chair of the Audit Risk and Improvement Committee meeting, Mr Stephen Horne.

#### **COUNCIL BUDGET IMPLICATIONS**

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

#### **CONCLUSION**

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The 2023/24 Audit, Risk and Improvement Committee Annual Report documents the operation and activities of the Committee from 1 July 2023 to 30 June 2024.

#### **ATTACHMENTS**

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1. ARIC Annual Report 2023 24 [8.3.1 - 13 pages]

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## **8.4 Development Assessments Progress - October 2024**

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**Report of:** Jon Shillito  
**Manager Development Assessment and Regulation**

**Authorised by:** Michael McCabe  
**Director Communities and Place**

### **PURPOSE**

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The Development Applications Progress Report (DAP) has been developed to provide Council with a consistent snapshot on performance which is to be reported at each Ordinary Meeting of Council.

The DAP attached as **Attachment 1** profiles progress on matters relating to Development Applications (DAs) highlighted in the Mayoral Minute dated 30 October 2024.

Further, Council previously resolved on matters relating to DA progress, reporting and the Wingecarribee Local Planning Panel at the 7 August 2024 Council meeting. Reports on these matters remain scheduled for Council's consideration in December 2024 and February 2025.

### **OFFICER'S RECOMMENDATION**

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**THAT a report responding to the Council resolutions dated 7 August 2024 relating to development applications be presented to the Ordinary Council Meeting scheduled for 11 December 2024.**

### **REPORT**

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#### **BACKGROUND**

In response to the Mayoral Minute dated 30 October 2024, Council resolved to commence routine reporting on Development Application progress to monitor how Council is improving with a goal to meet the Minister's expectations.

As part of the Mayoral Minute the Mayor stated that *'my goal for our Shire is to lift Council's current percentage of DA's being determined within the Ministers expected timeframe from the current rate of 16% to 62%, matching the NSW average, at the one-year mark of the new council being sworn in.*

The DAP has been developed to provide Council with a routine snapshot on DA progress (Refer **Attachment 1**).

The NSW Planning - Council League Table (the League Table) consistently monitors the performance of NSW Councils individually and collectively for lodgement and determination of certain DAs against two timeframe expectations in response to the Minister's Statement of Expectations Order 2024:

<https://www.planning.nsw.gov.au/node/27186>

The League Table does not report on all DAs but does monitor most DAs received and is generally updated by NSW Planning within the fortnight following the conclusion of each month. The current data represents DAs through to 31 October 2024.

Link to the League Table:

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<https://www.planning.nsw.gov.au/policy-and-legislation/housing/faster-assessments-program/council-league-table>

Council's DAP (**Attachment 1**) primarily relies on data from the League Table.

### **DISCUSSION**

The DAP (**Attachment 1**) layout consists of 3 parts:

1. **The Left Half** which copies current images straight from the League Table profiling our Council's performance for the financial year to date.
2. **The Upper Right Quarter** which relies exclusively on data from the League Table to profile our Council's performance for the month which has just concluded (currently October 2024).
3. **The Lower Right Quarter** which relies on data from the League Table to calculate the Determination Rate and Council data for the other information profiled in that section.

The DAP highlights that Council is not meeting the Minister's expectations but is making progress to address the issues and to meet the Mayor's goal as outlined in the Mayoral Minute dated 30 October 2024.

Some observations of the DAP regarding DA progress for the month of October include:

- Financial Year to date (FYTD) Average Lodgement Days have reduced from 28 days in September to 26 days in October.
- FYTD Average Assessment Days have reduced from 263 days in September to 250 days in October.
- FYTD percentage of Applications Meeting Expectations has increased from 16% in September to 20% in October, representing an October monthly performance of 26%.
- The Determination Rate for October was 142% and sits at 99% for the FYTD. A Determination Rate above 100% demonstrates that Council is reducing the current Backlog of DAs.
- In-House Allocation refers to the percentage of DAs assigned to internal staff compared to consultant planners. The October allocation rate was 88% and it is expected that the Overall percentage of 37% will now lift following recent staff recruitment and upskilling activities.

### **OTHER RESOLUTIONS OF COUNCIL**

Council also resolved on matters relating to DA progress, reporting and the Wingecarribee Local Planning Panel at the 7 August 2024 Council meeting. Reports on these matters will be published for Council's consideration in December 2024 and February 2025.

### **COUNCIL BUDGET IMPLICATIONS**

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There are no specific budget implications associated with this report.

### **CONCLUSION**

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The DAP highlights that DA progress is improving to lift Council's current percentage of DA's being determined within the Ministers expected timeframe from the current FYTD rate of 20% to 62%, matching the NSW average, at the one-year mark of the new council being sworn in.

### **ATTACHMENTS**

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1. Attachment 1 - Development Assessment Progress Oct 24 [**8.4.1** - 1 page]



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## **8.5 Water Determination Policy - Draft for Public Exhibition**

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**Report of:** David Grima  
Coordinator Revenue

**Authorised by:** Pav Kuzmanovski  
Chief Financial Officer

### **PURPOSE**

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The purpose of this report is to outline the proposed changes to the draft Water Determination Policy (**Attachment 1**) and place it on public exhibition for 28 days. The proposed changes to the draft Water Determination Policy are outlined in this report.

### **OFFICER'S RECOMMENDATION**

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#### **THAT:**

- 1. Council endorse the draft Water Determination Policy as included in Attachment 1 to this report to be placed on public exhibition for 28 days.**
- 2. A further report be submitted to the 19 February 2025 Ordinary Council Meeting following the conclusion of the public exhibition period.**

### **REPORT**

---

#### **BACKGROUND**

At its meeting on 17 May 2023, Council adopted the current Water Determination Policy. This report proposes an updated draft Water Determination Policy to be placed on public exhibition for feedback.

#### **DISCUSSION**

The objective of the Water Determination Policy is to assist the owner of a property where the high-water usage charge on a water and sewerage account is the result of a concealed water leak at the property.

After an internal review of the policy, the following changes are proposed to be made to the existing Policy:

- 1) Period change from seven (7) year period provision to five (5) years between determinations**

**Existing wording:** One claim will be offered per property, per seven (7) year period of ownership irrespective of whether ownership is sole or part ownership of the property.

**Proposed wording change:** Only one application for assistance will be allowed every five (5) years of ownership (whether sole or part); and an entitlement to this assistance cannot be accrued. For example, if a property was purchased by a ratepayer in 2015 and an application for assistance approved in 2024, a new application cannot be made by the ratepayer until 2029.

**Reason for change:** to bring the Policy into line with Sydney Water who provide the same assistance to its customers; and to better define this provision and avoid any possible misinterpretation.

- 2) Wording change to the extreme weather event provision**

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**Existing wording:** Where an extreme weather event (like flooding) masks the presence of a leak or delays the repair of a leak, Council may choose to:

- provide an adjustment over more than one (1) billing period provided they are consecutive billing periods, and
- accept an application for a water determination outside of the deadline required by this Policy.

An extreme weather event counts as a claim within a 7-year period.

**Proposed wording change:** Where an extreme weather event (like flooding) masks the presence of a leak or delays the repair of a leak, Council may choose to:

- provide an adjustment over more than one (1) billing period provided they are consecutive billing periods, and
- accept an application for a water determination outside of the deadline required by this Policy.

An extreme weather event is one that is declared as a natural disaster by the NSW State Government ([Natural disaster declarations | NSW Government](#)).

An extreme weather event counts as a claim within a 5-year period.

**Reason for change:** to better define this provision and avoid any possible misinterpretation.

### **3) Associated sewerage usage charges wording update**

**Existing wording:** High water usage is referenced throughout the Policy, however, where the property has a commercial use, there may also be sewerage usage charges payable that are based on the amount of water used.

It is proposed to add the words “(and any associated sewerage usage charges)” to wherever “water usage” is referenced in the Policy.

For example, the currently Policy reads:

*To provide a determination (or adjustment) to the owner of a property in a situation where high-water usage on a water and sewerage account is the result of circumstances that are beyond the owner’s control.*

The draft Policy is updated to read as follows:

*To provide a determination (or adjustment) to the owner of a property in a situation where high-water usage (and any associated sewerage usage charges) on a water and sewerage account is the result of circumstances that are beyond the owner’s control.*

### **4) Associated sewerage usage charges**

It is proposed that the Policy be updated so that assistance be increased from 50% to 100% of the sewerage charges that are associated with the high-water usage that is the result of a concealed water leak at the property.

**Reason for change:** It is highly likely that water which escapes because of a leak will not empty into Council’s sewerage system. It is therefore reasonable to provide assistance for 100% of the sewerage charges that are associated with the high-water usage. This will bring our Policy into line with Sydney Water who provide the same assistance to its customers.

## **COUNCIL BUDGET IMPLICATIONS**

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It is projected that changes to the Policy will have minimal financial implications.

## **CONCLUSION**

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That the Water Determination Policy be updated with the changes proposed in this report.

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**ATTACHMENTS**

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1. Water Determination Policy - Draft for Public Exhibition [8.5.1 - 6 pages]

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## **8.6 Outdoor Dining and Goods on Footpath Policy - Draft for Public Exhibition**

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**Report of:** Shaun Robinson  
Manager Assets

**Authorised by:** Clinton McAlister  
Director Service and Project Delivery

### **PURPOSE**

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The purpose of this report is to endorse the draft Outdoor Dining and Goods on Footpath Policy (at **Attachment 1**) to be placed on public exhibition for 28 days. The purpose of this Policy is to enable staff to assess outdoor dining and goods on footpath applications, as well as to provide business owners with guidelines on the process.

### **OFFICER'S RECOMMENDATION**

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#### **THAT:**

- 1. Council endorse the draft Outdoor Dining and Goods on Footpath Policy as included in Attachment 1 to this report to be placed on public exhibition for 28 days.**
- 2. A further report be submitted to the 19 February 2025 Ordinary Council Meeting following the conclusion of the public exhibition period.**

### **REPORT**

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#### **BACKGROUND**

Council supports the provision of outdoor dining areas and goods on footpaths as they contribute to a vibrant and diverse local culture. Council is committed to facilitating outdoor dining in a way that balances the needs of businesses with the broader community and enhance tourism.

However Council does not currently have a dedicated Policy to manage the review and approval of applications received.

#### **REPORT**

Council encourages outdoor dining for businesses in the Wingecarribee Shire. Outdoor dining includes tables, chairs, benches and other facilities used for the service of food and beverages on Council managed footpaths, plazas and arcades. It is a great way to further enhance the vibrancy and livability of our town and village centres.

The footpaths, plazas and arcades managed by Council are all located within the road reserve and so the approval of outdoor dining in these areas is administered in accordance with the Roads Act 1993. Council currently does not permit outdoor dining on community land (parks, bushland, sportsfields etc).

The purpose of this Policy is to establish a framework and guidelines for outdoor dining under which Council will issue approvals and help business owners to expand their dining activities to outdoors.

The draft Policy has been developed in accordance with suite of Development Control Plans adopted by Council and is to apply to all businesses within the Shire that wish to offer outdoor dining options.

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The Policy will provide greater clarity to prospective applicants and ensure Council is consistent and fair in the assessment of applications. The document is structured to cover the areas of:

- Application process
- Considerations for approval
- Operating requirements post approval

It is therefore recommended that Council endorse the Policy to be placed on public exhibition for 28 days, after which it will be resubmitted to the 19 February 2025 Council Meeting for consideration of submissions received and final adoption.

### **COUNCIL BUDGET IMPLICATIONS**

---

There are no financial implications with this report.

### **CONCLUSION**

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It is proposed to publicly exhibit the draft Outdoor Dining and Goods on Footpath Policy for 28 days and provide a final report to Council at the 19 February 2025 Council Meeting for adoption.

### **ATTACHMENTS**

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1. Draft Outdoor Dining and Goods on Footpath Policy [8.6.1 - 9 pages]

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## **8.7 Data Breach Policy - Draft for Public Exhibition**

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

**Authorised by:** Shelley Jones  
Director Corporate Strategy and Resourcing

### **PURPOSE**

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The purpose of this report is for Council to endorse the Draft Data Breach Policy (**Attachment 1**) to be placed on public exhibition for 28 days.

### **OFFICER'S RECOMMENDATION**

---

#### **THAT:**

- 1. Council endorse the Data Breach Policy as included in Attachment 1 to this report to be placed on public exhibition for 28 days.**
- 2. A further report be submitted to the 19 February 2025 Ordinary Council Meeting following the conclusion of the public exhibition period.**

### **REPORT**

---

#### **BACKGROUND**

Amendments to the Privacy and Personal Information Protection Act 1998 (PPIP Act) were passed in the NSW Parliament in November 2022 to strengthen privacy legislation in NSW. The amendments created a Mandatory Notification of Data Breaches (MNDB) Scheme which requires public sector agencies bound by the PPIP Act to notify the Privacy Commissioner and affected individuals of data breaches, involving personal or health information likely to result in serious harm.

The MNDB Scheme also requires Council to satisfy other data management requirements, including the maintenance of data breach notification registers, and have a publicly accessible data breach policy.

#### **DISCUSSION**

The amendments to the PPIP Act have introduced new responsibilities for Council. These amendments specifically mandate the creation of a data breach policy to align with the Act's enhanced provisions.

The objective of this Policy is to ensure that Council manages and responds to data breaches in a systematic and legally compliant manner. The policy sets out clear procedures and responsibilities through the following measures:

- **Creation of a Mandatory Notification of Data Breach (MNDB) scheme:** Council will be required to notify the Privacy Commissioner and affected individuals of data breaches involving personal or health information.
  - **Setting expectations for managing data breaches:** These may be suspected or confirmed data breaches, with specific process for managing each type.
  - **Creation of a data breach notification register:** A public data breach notification register will be maintained on the Council's website. The register will list all notifications of data breaches, with each entry being accessible for a minimum of 12 months. In addition to the public register, Council will keep a more detailed internal register that includes comprehensive information related to the notifiable breaches.
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This Policy will be placed on public exhibition for 28 days, with feedback to be received via Council's online engagement platform, Participate Wingecarribee.

### **COUNCIL BUDGET IMPLICATIONS**

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There are no budget implication in this report.

### **CONCLUSION**

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The amendments to the Privacy and Personal Information Protection Act requires that a Data Breach Policy be endorsed and adopted by Council. This provides assurance to the public on Council's approach to identifying and managing a data breach.

The attached Policy for exhibition has been drafted with consideration of legislative requirements, Information and Privacy Commission (IPC) guidance, external legal advice, and risk mitigation measures.

It is recommended that the Policy is placed on exhibition for 28 days.

### **ATTACHMENTS**

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1. Data Breach Policy - Draft for Public Exhibition [**8.7.1** - 11 pages]

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## **8.8 Code Meeting Practice - Draft for Public Exhibition**

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**Report of:** Warwick Lawrence  
Governance Advisor

**Authorised by:** Shelley Jones  
Director Corporate Strategy and Resourcing

### **PURPOSE**

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To seek Council's endorsement to place on public exhibition the draft Code of Meeting Practice for a period of 28 days allowing 42 days for the receipt of any submissions from the public.

### **OFFICER'S RECOMMENDATION**

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#### **THAT:**

- 1. Council endorse the draft Code of Meeting Practice included in Attachment 1 to this report to be placed on public exhibition for 28 days, allowing submissions from the public for up to 42 days.**
- 2. A further report be submitted to the 19 February 2025 Ordinary Council Meeting addressing matters raised during the public exhibition process.**

### **REPORT**

---

#### **BACKGROUND**

Section 360 of the Local Government Act 1993 requires Council to adopt a Code of Meeting Practice which incorporates the mandatory provisions of the Model Code of Meeting Practice, not later than 12 months after an ordinary election of Councillors.

The Model Code of Meeting Practice (the Code) has been developed by the Office of Local Government. The Code also contains non-mandatory provisions that can be amended to best suit local circumstances.

Council is required to place the draft Code on public exhibition for 28 days and allow submissions to be made up to 42 days from the date the Code goes on exhibition.

At the end of the 42-day period a further report will be brought back to Council to address matters raised in all submissions received on the amended Code.

#### **DISCUSSION**

Council's Code of Meeting Practice was initially adopted in 2019 which conformed with the Office of Local Government's Model Code of Meeting Practice.

Since that time the Code has been amended several times, amending non-mandatory provisions as local circumstances changed. Council cannot amend the mandatory provisions of the Code.

A further review of the current Code has been undertaken. The main amendments proposed alter the timing of Council meetings and Public Forums. As a part of the review several minor amendments to the mandatory provisions of the Model Code by the Office of Local Government were also identified and were incorporated.

The following table outlines the proposed amendments and rationale for the amendments.



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Clause	Amendment	Rationale
3.1	Changing commencement times of Council meetings from <b>3.30pm to 1.30pm.</b>	To adopt a commencement time that better suits the newly elected Council
3.2	Add new clause “Council may by resolution alter the ordinary meeting date of any given meeting as determined in Clause 3.1 provided the alternative meeting date is within the same month as previously set and provided due notice is given in accordance with Clause 3.6.”	To allow Council the opportunity to amend an ordinary meeting date by resolution which the current code does not provide. This may be useful should a quorum not be available for some reason or may allow a rescheduling under other important circumstance.
3.8 and 20.6	Amending notification time of meetings from <b>3 to 7</b> days	To allow agendas to be made available to Councillors and the public earlier
3.11	Amending notification times for submission of Notices of Motions	As agendas are to be made available 7 days prior to a Council meeting (previously 3 days) notices of motions will be required earlier to ensure that they can be included on a Council agenda. The code has been amended <b>from 3 days to 10 days to lodge a Notice of Motion.</b>
3.24	Add new clause “Business papers for all ordinary and extraordinary meetings of the council and committees of the council must contain a statement reminding councillors of their oath or affirmation of office made under section 233A of the Act and their obligations under the council’s code of conduct to disclose and appropriately manage conflicts of interest.”	A new mandatory clause provided by the OLG to remind Councillors of their ethical obligations during council meetings
4.1	Amending clause to reflect a change to the date and timing of public forums	Previously public forums were held on the day of the council meeting immediately preceding a council meeting. Amendment recommends holding public forums <b>on the day prior to a meeting of the Council commencing at 4.30pm</b> to allow greater access by the public.
4.7	Amending clause to <b>allow two (2) speakers for and two (2) against</b> to each item of business	Increasing the number of speakers will allow greater participation and for Council to hear a diversity of views.
5.13	Minor amendments to the wording provided by the OLG	To ensure consistency of language between Council’s Code and the OLG’s Model Code. The minor amendment merely includes a reference to “a public health emergency”.

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Clause	Amendment	Rationale
5.18 to 5.23	Minor amendments to the wording provided by the OLG	To ensure consistency of language between Council's Code and the OLG's Model Code. The minor amendment in no way alters the intent of the clauses.
8.1	Amending the order of business	A slight amendment to the order of business has been made to include the provision for the adoption of matters by exception and deleting a previous heading of "Reports of Committees" as the only reports to Council relating to Committees (ie ARIC and Traffic Committee) can be provided under the heading of "Reports to Council".
11.6 and 20.23	<p>Add new clauses</p> <p>11.6 "All voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded"</p> <p>20.23 "All voting at meetings of committees of the council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded."</p>	Recording the voting on every Council decision is regarded as best practice.
13.9	<p>Remove clause 13.9</p> <p>"That those reports identified by the General Manager in Clause 13.8 be determined separately and not by exception."</p>	A supplementary provision not contained in the Model Code of Conduct. Removal reinforces the role of Council in determining how they wish to consider items on the agenda.
18.1 to 18.3	Amending restrictions on finishing times for Council meetings from 7.30pm to 5.30pm with a possible extension to 6pm	To reflect the previous Council's decision for Council meetings to run for no longer than 4 hours therefore the proposed new start time of 1.30pm would see a finish time of 5.30pm.

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The proposed changes to the draft Code of Meeting Practice are recommended to be placed on public exhibition for 28 days and members of the public invited to make a submission via Council's "Participate Wingecarribee" online consultation portal. The public will have 42 days to make a submission, and all submissions received will be reported back to Council.

### **REVIEW OF THE CODE OF CONDUCT AND CODE OF MEETING PRACTICE**

At the Extraordinary Meeting of Council held on the 30 October 2024 Council endorsed a submission to the Office of Local Government (OLG) in relation to a review of the proposed Councillor Conduct Framework.

The review being undertaken by the OLG also identified potential changes to the Local Government Act 1993 and the Model Code of Meeting Practice as well as the Model Code of Conduct. Should the changes identified by the Minister come into effect, future changes to the Code of Meeting Practice would be required and would be dealt with in future versions.

The amendments proposed at this time are considered necessary and should not be put on hold awaiting finalisation of the Minister's review process.

### **COUNCIL BUDGET IMPLICATIONS**

There are no budgetary implications relating to the adoption of this Code.

### **CONCLUSION**

Council is fulfilling its statutory obligations in adopting a Code of Meeting practice and undergoing a consultation process. Until the new Code is formally adopted by Council, all meetings of the Council will be run in accordance with the current Code of meeting practice. Given the need for public exhibition of the Code and that there is no scheduled Council meeting during January, it is intended to bring the matter back to Council for adoption in February 2025.

### **ATTACHMENTS**

1. Code of Meeting Practice - Draft for Public Exhibition [8.8.1 - 44 pages]

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**8.9 Memorandum of Understanding - Friends of Wingecarribee Animal Shelter & Animal Shelter Donations Policy - Drafts for Public Exhibition**

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**Report of:** James Borbone  
Supervisor Pools and Facilities

**Authorised by:** Shelley Jones  
Director Corporate Strategy and Resourcing

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**PURPOSE**

The purpose of this report is to seek Council endorsement to place the draft Memorandum of Understanding (MoU) between Wingecarribee Shire Council (WSC) and the Friends of Wingecarribee Animal Shelter (FoWAS) at **Attachment 1** and the draft Animal Shelter Donations Policy at **Attachment 2** on public exhibition for a period of 28 days.

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**OFFICER'S RECOMMENDATION**

**THAT:**

- 1. Council endorse the draft Memorandum of Understanding between Council and the Friends of Wingecarribee Animal Shelter as included in Attachment 1 to this report to be placed on public exhibition for a period of 28 days.**
- 2. Council endorse the draft Animal Shelter Donations Policy as included in Attachment 2 to this report to be placed on public exhibition for a period of 28 days.**
- 3. A further report be submitted to the 19 February 2025 Ordinary Council Meeting following the conclusion of the public exhibition period for both the draft Memorandum of Understanding and draft Animal Shelter Donations Policy to consider any feedback received.**

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**REPORT**

**BACKGROUND**

Friends of Wingecarribee Animal Shelter (FoWAS) was founded in 2006 and is a Not-for-Profit organisation and registered charity. The FoWAS mission is to work with Council, community and local businesses to enhance the welfare and rehoming of displaced animals whilst they wait for adoption at the Wingecarribee Animal Shelter. FOWAS is a proactive volunteer organisation with a significant brand influence across the Highlands.

Council has a long-standing partnership with FoWAS, established by MoU.

During Administration, an Animal Shelter Service Review was commissioned, for which the final report and its recommendations were presented to Council on 7 August 2024.

Council resolved at the meeting:

**THAT:**

- 1. Council note the outcomes of the Animal Shelter Service Review.*
- 2. A further report be tabled to the September 2024 Extraordinary Council Meeting with an update on the Memorandum of Understanding between Council and the Friends of Wingecarribee Animal Shelter.*

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A draft Animal Shelter Donations Policy has been developed to support the effective operation of the draft MoU and provides guidance on the acceptance of donations for the Animal Shelter from individuals, businesses and organisations including FoWAS.

### **DISCUSSION**

The Friends of the Wingecarribee Animal Shelter (FoWAS) raises funds to support the Wingecarribee Animal Shelter (WAS) with an emphasis on ensuring continued high rates of rehoming.

Through its fund-raising efforts, FoWAS can direct funds for specific needs that may arise for animals at the Shelter, including the purchase of speciality food and elective surgery required to improve the quality of life for the animals whilst in care, and to better their chances of rehoming.

FoWAS also provide important community education programs for responsible pet ownership.

The draft MoU between Council and FOWAS aims to:

- Establish a framework for collaboration between Wingecarribee Shire Council (Council) and Friends of the Wingecarribee Animal Shelter (FOWAS)
- Ensure that the provision of welfare for the animals within the care of the Wingecarribee Animal Shelter (WAS) is of a high standard and compliant with statutory requirements
- Explicitly define the separation of responsibilities of each of the parties to the MOU, being statutory obligations (Council) and discretionary, non-statutory activities as offered by Friends of the Wingecarribee Animal Shelter (FOWAS)
- Ensure the continuation of a strong working relationship between Council and FOWAS
- This MoU does not create legally enforceable rights or obligations for either party

The draft Animal Shelter Donations Policy works to support the successful operation of the draft Memorandum of Understanding and provides the framework for managing donations received by Council for the Shelter from individuals, businesses and organisations.

### **COUNCIL BUDGET IMPLICATIONS**

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There are no Council Budget Implications

### **CONCLUSION**

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Council's endorsement of placing the draft Memorandum of Understanding between Council and the Friends of Wingecarribee Animal Shelter and the draft Animal Shelter Donations Policy on public exhibition for 28 days will allow the community the opportunity to provide feedback on the Memorandum of Understanding and the Policy.

### **ATTACHMENTS**

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1. Wingecarribee Shire Council and Friends of the Wingecarribee Animal Shelter MOU - Draft for Public Exhibition [8.9.1 - 9 pages]
2. Animal Shelter Donations Policy - Draft for Public Exhibition [8.9.2 - 8 pages]

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## **8.10 Electric Vehicle Charging Stations on Public Land Policy - Draft for Adoption**

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**Report of:** Karen Thorogood  
Coordinator Sustainability Services

**Authorised by:** Michael McCabe  
Director Communities and Place

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### **OFFICER'S RECOMMENDATION**

#### **THAT Council:**

- 1. Adopt the Electric Vehicle Charging Stations on Public Land Policy as included in Attachment 1 to this report.**
- 2. Advise the people who made a submission of the outcome and thank them for their contribution.**

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### **REPORT**

#### **BACKGROUND**

At the Ordinary Council Meeting 7 August 2024, it was resolved:

#### **THAT:**

- 1. Council endorse the draft Electric Vehicle Charging Stations on Public Land policy to be released for public consultation and placed on public exhibition for a 28-day period to allow 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 Electric Vehicle Charging Stations on Public Land policy.*

#### **DISCUSSION**

As per the resolution of Ordinary Council Meeting of 7 August 2024, the draft Electric Vehicle Charging Stations on Public Land Policy (the draft Policy) was placed on public exhibition period between 12 August and 9 September 2024.

Community awareness was promoted via the Participate Wingecarribee page, direct email to stakeholders and Council's e-Newsletter.

The Participate Wingecarribee page was visited by 54 people with 73 views. There was a total of 16 downloads of the draft document. There were 0 followers and 1 contribution who provided comments via the page. Additionally, Council received 2 comments/questions via email which have been summarised in Table 1.

All submissions made during the public exhibition are outlined in **Attachment 2** to this report.

#### **REVISIONS TO THE ELECTRIC VEHICLE CHARGING STATIONS ON PUBLIC LAND POLICY.**

Consideration of the submissions received have prompted the following changes to the draft Policy:

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Table 1.

<b>Respondent details</b>	<b>Summary of submission</b>	<b>Response</b>	<b>Suggested change</b>
A Starr, NRMA-email	No issues with policy but noting there could be limitations around available charger types that meet AS1428.1 available in Australia.	Charger types can be discussed on a case-by-case basis in line with availability.	No Change
D Thai, Endeavour Energy	Does the policy apply to Electric Vehicle Charging Infrastructure (EVCI) installed on Distribution Network Service Providers property such as power poles?	Update needed to policy scope.	Add the words: "The policy also covers the use of parking spaces designated as EV only, on council owned or managed land and road reserve associated with EVCI."

The final version of the draft Policy is provided in **Attachment 1** to this report.

**Community Engagement**

The draft Policy was presented to the Climate Change and Environment Community Reference Panel (CCECCRP) at its meeting in May 2024. The community and the CCECCRP has also been consulted on various aspects of Electric Vehicle Charging Policies throughout the process of developing the Community Emissions Action Plan that was adopted in July 2024.

During that consultation the community was asked for ways that Council can support community emissions reduction. One of the recurring themes of the responses was that Council needs to support new technology that protects the environment, lowers air and noise pollution, be progressive, transition away from fossil fuel usage and encourage installation of EV charging stations.

**Internal Communication and Consultation**

Internal consultation included a joint meeting with Council’s Coordinator Strategic Outcomes and Senior Traffic Engineer. Strategy and locations for EVCI within current or draft Place Plans and Master Plans, traffic and asset management were key areas of consideration. Staff from the following areas were invited to review the draft Policy:

- Strategic Outcomes
- Environment and Sustainability
- Community Development
- Assets
- Governance
- Property Services
- Shire Presentation
- Compliance and Regulation

**External Communication and Consultation**

Collaboration with the Canberra Region Joint Organisation (CRJO) has allowed for insight into the development of similar policies by other Local Governments in our region to consider different installation

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options and leasing/licensing arrangements that are consistent with regional expectations. Council also advised contacts at the NRMA and Endeavour Energy about the public exhibition. Neither made formal comments during the exhibition period but in subsequent correspondence asked a question or commented but advised that they could not see any issues. Councils' responses to questions and comments are detailed in **Table 1** above.

### **Environment**

An increase in EVCI in our region will promote the uptake of electric vehicles both for Council and the community which will reduce fossil fuel emissions and assist Council on its path to Net Zero.

### **Broader Economic Implications**

Additional EVCI in the Southern Highlands Region will promote an increase in visitation by drivers of electric vehicles where range anxiety may have been an issue.

## **COUNCIL BUDGET IMPLICATIONS**

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There are no budget implications in relation to this report.

## **CONCLUSION**

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The draft Policy provides guidelines and consistent information for providers and Council when investigating and installing EVCI on public land in the Wingecarribee Shire.

Council is committed to ensuring that installation of EVCI on public land is appropriately located and sustainable to support and encourage the uptake of electric vehicles, aid in the reduction of greenhouse gas emissions as well as promoting visitation to the Southern Highlands.

## **ATTACHMENTS**

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1. Electric Vehicle Charging Stations on Public Land Policy - Draft for Adoption [**8.10.1** - 9 pages]
2. Submission [**8.10.2** - 2 pages]



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## **8.11 Complaints and Feedback Management Policy - Draft for Adoption**

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**Report of:** Warwick Lawrence  
Governance Advisor

**Authorised by:** Shelley Jones  
Director Corporate Strategy and Resourcing

### **PURPOSE**

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A review of Council’s Complaints and Feedback Management Policy has been undertaken. This report recommends the adoption of the draft Complaints and Feedback Policy (at **Attachment 1**) following public exhibition of the policy for a period of 28 days and consideration of the submission received.

### **OFFICER’S RECOMMENDATION**

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**THAT Council adopt the revised Complaints and Feedback Management Policy as included in Attachment 1 to this report.**

### **REPORT**

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#### **BACKGROUND**

Council’s existing complaints handling policy was last adopted on 17 August 2022.

At the time of the adoption of the Policy, the scheduled review date required the policy to be reviewed during 2024. As such, the Policy was reviewed, and an amended policy presented to the 7 August 2024 Council meeting.

The amended policy was reviewed in accordance with the provisions of the NSW Ombudsman’s model policy and clearly states Council’s position in relation to complaint and feedback management.

At the meeting held on 7 August 2024 Council resolved to place the amended policy on public exhibition for a period of 28 days after which a further report be brought back to Council to consider any submissions received during the exhibition period.

#### **DISCUSSION**

Council’s Complaints and Feedback Management Policy provides clear and transparent guidance for the management of complaints. The policy was placed on public exhibition on Council’s Participate Wingecarribee website whereby interested parties were invited to make a submission.

One (1) submission was received during the public exhibition period. The submission is provided below with a staff response in relation to the matter raised.

**Table 1: Submissions received during the exhibition period**

Name and Town/Village	Detail of Submission	Staff Response
S Fitzpatrick High Range	Instead of outlining measures on how to deal with	Council’s Customer Service Charter outlines, response

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Name and Town/Village	Detail of Submission	Staff Response
	<p>complaints including time frame for response etc. more time and effort is placed on definitions of what a complaint is</p>	<p>times, this includes one (1) for acknowledgement of receipt of correspondence and 10 days for response. The Charter also outlines as follows “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”. Related policies and procedure are outlined in section 7.2 of the policy, this includes reference to the Charter.</p> <p>A copy of the Charter is available via this <a href="#">link</a></p>

It is recommended that the Policy be adopted as placed on public exhibition. The Policy is included in **Attachment 1** to this report.

**COUNCIL BUDGET IMPLICATIONS**

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There are no budget implications associated with this report.

**CONCLUSION**

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The revised Complaints and Feedback Policy has been updated to explain the obligations and responsibilities concerning complaints and feedback management and is consistent with the NSW Ombudsman’s model policy for complaint handling. The amended Policy was placed on public exhibition for 28 days with one (1) submission received. It is recommended that the Policy be adopted as placed on public exhibition.

**ATTACHMENTS**

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1. Complaints and Feedback Management Policy for adoption [8.11.1 - 9 pages]
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## **8.12 Managing Unreasonable Conduct by Complainants - Draft for Adoption**

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**Report of:** Warwick Lawrence  
Governance Advisor

**Authorised by:** Shelley Jones  
Director Corporate Strategy and Resourcing

### **PURPOSE**

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This report presents the draft Managing Unreasonable Conduct by Complainants Policy for adoption following public exhibition of the policy for 28 days.

### **OFFICER'S RECOMMENDATION**

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**THAT Council adopt the Draft Managing Unreasonable Conduct by Complainants Policy as included in Attachment 1 to this report.**

### **REPORT**

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#### **BACKGROUND**

Council first adopted the Managing Unreasonable Conduct by Complainants Policy (the Policy) at the Ordinary Meeting of Council held on the 17 August 2022.

The Policy was developed in accordance with the NSW Ombudsman's model policy to ensure transparency, accountability, fairness, and consistency in the management of Unreasonable Conduct by Complainants (UCC) incidents.

A review of the Policy was undertaken which did not identify any requirements to amend the current policy. The policy was presented to the 7 August 2024 Council meeting whereby it was resolved to place the policy, as presented, on public exhibition for 28 days.

#### **DISCUSSION**

Council's Managing Unreasonable Conduct by Complainants Policy assists Council staff to better manage unreasonable conduct by complainants. While Council respects the public's right to complain when they are dissatisfied with a Council service, a member of staff or the handling of a complaint, it is expected and required that complainants behave in a manner that is neither threatening, abusive nor unreasonably persistent. This policy provides the framework to manage such behaviours.

The policy was placed on public exhibition for a period of 28 days with interested parties invited to make a submission in writing or via Council's Participate Wingecarribee website. No submissions were received during the exhibition period. As such it is recommended that the Policy be adopted as placed on public exhibition.

### **COUNCIL BUDGET IMPLICATIONS**

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There are no budget implications in relation to this report

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**CONCLUSION**

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The current Managing Unreasonable Conduct by Complainants Policy outlines obligations and responsibilities concerning the management of unreasonable complainants, consistent with the NSW Ombudsman's model policy for complaint handling. The policy has been on public exhibition for a period of 28 days with no submissions received therefore it is recommended that the draft Policy be adopted.

**ATTACHMENTS**

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1. Managing Unreasonable Conduct by Complainants Policy - Draft for Adoption [**8.12.1** - 22 pages]

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## **8.13 Appointment to Statutory and External Committees**

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

**Authorised by:** Shelley Jones  
Director Corporate Strategy and Resourcing

### **PURPOSE**

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The purpose of this report is to provide an overview of statutory and external Committees that require councillor delegates/members and note or appoint Councillor delegates/members to these committees.

### **OFFICER'S RECOMMENDATION**

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#### **THAT Council:**

1. Note that the Mayor is Council's delegate of the following committees:
  - a. Wollondilly/Wingecarribee Bush Fire Management Committee
  - b. Canberra Region Joint Organisation
  - c. Country Mayors Association
2. Note that the Mayor and Deputy Mayor are members of the General Manager Performance Review Panel.
3. Appoint one Councillor nominated member of the General Manager Performance Review Panel until September 2026.
4. Appoint two Councillors as members of the Floodplain Management Advisory Committee until September 2026.
5. Appoint the Mayor or a Councillor delegate to the Illawarra Academy of Sport until September 2026.
6. Appoint one Councillor representative NSW Public Libraries Association – South East Zone until September 2026.
7. Appoint one Councillor representative Southern Tablelands Arts Regional Advisory Panel until September 2026.

### **REPORT**

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#### **BACKGROUND**

Council has a number of statutory committees and participates in external committees. Following the Local Government Election in September 2024, Council is required to appoint members/delegates to these committees. The Mayor is an automatic member to some committees which are noted in this report.

#### **DISCUSSION**

The table below provide the details of statutory committee and external committees that have mayor or councillor membership, including councillor membership.

<b>Committee</b>	<b>Wollondilly/Wingecarribee Bush Fire Management Committee</b>
Purpose	Wollondilly/Wingecarribee BFMC is focused on providing a consultative forum for key stakeholders to be consulted on

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	<p>bushfire management activities for the benefit of their communities.</p> <p>Wollondilly/Wingecarribee Bush Fire Management Committee is made up of the following representatives:</p> <ul style="list-style-type: none"> <li>• NSW Rural Fire Service</li> <li>• NSW Department of Industry (Crown Lands)</li> <li>• Endeavour Energy</li> <li>• NSW Farmers' Association</li> <li>• Fire and Rescue NSW</li> <li>• Forestry Corporation of NSW</li> <li>• Local Aboriginal Land Councils</li> <li>• Nature Conservation Council of New South Wales</li> <li>• NSW National Parks and Wildlife Service</li> <li>• NSW Police Force</li> <li>• Transport for NSW</li> <li>• Wollondilly Shire Council</li> <li>• Wingecarribee Shire Council</li> <li>• WaterNSW</li> <li>• Sydney Water</li> </ul>
Type	External
Councillor Membership	<p>Mayor</p> <p>Note: Mayors of Wollondilly and Wingecarribee Chair the Committee on a rotating basis</p>
Meeting Schedule	Quarterly
Meeting Time	TBA
Location	Alternates between Mittagong and Picton.

Committee	Floodplain Risk Management Advisory Committee
Purpose	<p>Oversee the development and implementation of the Floodplain Management Program.</p> <p>The Floodplain Management Program consists of the preparation of Flood Studies, Floodplain Risk Management Studies and Plans, and then the subsequent implementation of actions identified.</p>
Type	Statutory
Councillor Membership	Two Councillors (one is the Chair)
Meeting Schedule	Quarterly
Meeting Time	Within business hours

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Location	Moss Vale Civic Centre
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Committee	General Manager Performance Review Panel
Purpose	<p>The GM Performance Review Panel undertakes the review of the GM's performance, to monitor progress and achievement of the identified outcomes and provide recommendations to Council.</p> <p>The Performance Review Panel operates in accordance with the OLG Guidelines for the Appointment and Oversight of General Managers</p>
Type	Statutory
Councillor Membership	<p>The Panel be comprised of:</p> <ol style="list-style-type: none"> <li>1. Mayor</li> <li>2. Deputy Mayor and</li> <li>3. Councillor</li> </ol> <p>Note:</p> <ul style="list-style-type: none"> <li>• The Guidelines for the Appointment and Oversight of General Managers specify that the General Manager may also nominate a councillor to be a part of the Performance Review Panel.</li> <li>• At the July 2024 Council meeting Mr John Elvy, a community representative from the 2023/2024 Review panel has been included as an observer for the June 2025 Review.</li> </ul>
Meeting Schedule	Every six months
Meeting Time	TBA
Location	Civic Centre, Moss Vale

Committee	Canberra Region Joint Organisation (CRJO)
Purpose	CRJO is a government body that provides regional leadership to connect communities within the South East region. We collaborate with all levels of government, industry and community to work together to provide a vibrant regional vision and deliver important key outcomes.
Type	External
Councillor Membership	Mayor
Meeting Schedule	Quarterly
Meeting Time	TBA
Location	Alternates

Committee	Country Mayors Association (CMA)
Purpose	CMA is an incorporated body formed to speak for the residents of

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	regional and rural New South Wales.
Type	External
Councillor Membership	Mayor
Meeting Schedule	Quarterly
Meeting Time	Meetings generally are held 8.30am - 12.30pm
Location	Alternates

<b>Committee</b>	<b>Illawarra Academy of Sport</b>
Purpose	<p>A not-for-profit sporting organisation that exists to provide localised training and education opportunities for talented young athletes and coaches across the Illawarra region.</p> <p>The IAS operates through the Illawarra’s geographic region comprising the five local government areas of; Wollongong, Kiama, Shellharbour, Shoalhaven and Wingecarribee. The region has a population of over 410,000 residents and covers an area of around 8,485 square kilometres.</p> <p>The Illawarra Academy of Sport, with the support of our many partners, provide athletes with the programs to develop, excel and achieve through sport while maintaining strong community ties —this in turn produces young ambassadors for the Illawarra community, the Illawarra Academy of Sport and their valued partners.</p>
Type	External
Councillor Membership	Mayor or delegate
Meeting Schedule	Quarterly
Meeting Time	TBA
Location	Alternates

<b>Committee</b>	<b>NSW Public Libraries Association – South East Zone</b>
Purpose	<p>NSWPLA is the peak body for public libraries across NSW providing advocacy, networking opportunities, professional development, collaboration, and recognition to strengthen the public library network across NSW. It is the only state based library association in Australia, formed by Councillors and includes Councillors on its executive committee and 100% of NSW Councils are members.</p> <p>Wingecarribee Shire Council is a member and part of the South-East Zone of the state.</p>
Type	External
Councillor Membership	One Councillor representative
Meeting Schedule	Twice per year plus Annual Conference



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Meeting Time	10.30am-1pm
Location	Various locations across SE Zone (Hybrid option)

<b>Committee</b>	<b>Southern Tablelands Arts Regional Advisory Panel</b>
Purpose	<p>Southern Tablelands Arts (STA) works with members, makers &amp; creative communities. Energising and supporting the living culture of the Southern Highlands &amp; Tablelands of NSW through a program of activities and events. We support, create, educate and advocate for the arts in the region. STA Councils are Goulburn Mulwaree Council, Hilltops Council, Queanbeyan-Palerang Regional Council, Upper Lachlan Shire, Wingecarribee Shire, Wollondilly Shire and Yass Valley Council. STA are part of the statewide network of Regional Arts Network supported by the NSW Government through Create NSW.</p> <p>The STA Delegates are the official conduit between our organisations and support contributing Councils to leverage maximum benefit from their membership to Southern Tablelands Arts.</p>
Type	External
Councillor Membership	One Councillor representative
Meeting Schedule	Twice per year
Meeting Time	During business hours
Location	Various locations across the STA region

**COUNCIL BUDGET IMPLICATIONS**

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

**ATTACHMENTS**

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Nil

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## **8.14 Centennial Park Concept Masterplan Adoption**

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**Report of:** Michael Hamilton  
Recreation Planner

**Authorised by:** Clinton McAlister  
Director Service and Project Delivery

### **PURPOSE**

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The purpose of this report is to present the results of the public exhibition period for the Centennial Park Concept Masterplan and recommend Council's formal adoption of the Concept Masterplan.

The report also seeks Council approval to reallocate the 2024/25 funds for Centennial Park Playspace Renewal to the David Woods Playing Fields Playspace Upgrade project, to enable the full delivery (including pump track) of the project.

### **OFFICER'S RECOMMENDATION**

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#### **THAT:**

- 1. Council adopt the Centennial Park Concept Masterplan as included as Attachment 1.**
- 2. The feedback received in response to the public exhibition (Attachment 2) of the Centennial Park Masterplan be noted.**
- 3. Council write to those community members who made submissions during the public exhibition period and thank them for their participation.**

### **REPORT**

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#### **BACKGROUND**

Centennial Park is located within Bowral and is situated adjacent to the Gibraltar Golf Course. The site consists of a fenced dog park, a natural watercourse, the Brian Martin Cricket Oval, public amenities, informal car parking areas and a small playspace.

The current lack of formal car parking areas has led to the deterioration of the ground and exposure of tree roots. Heavy rain, the slope of the site and inadequate drainage has led to further erosion at the site. The current playspace was built in 1999 and is in poor condition, with several components having since been removed due to the safety hazard they posed.

In early 2024 Council conducted consultation with the key stakeholders and the broader community as the first step in developing a Concept Masterplan for the Centennial Park facility.

From the consultation 64 submissions were received from the community. At the conclusion of the consultation period, and after a Request for Quotation process, Landscape Architects, Sturt Noble Associates were engaged to develop the Concept Masterplan.

At Council Meeting 17 July 2024, Council endorsed the Centennial Park Concept Masterplan to be placed on public exhibition.

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### **DISCUSSION**

The draft Concept Masterplan was placed on public exhibition from 22 July 2024 to 22 August 2024. Public exhibition actions undertaken by Council included a Participate Wingecarribee webpage and communication via Council's e-newsletter.

A total of nine submissions were received from 212 visits to the webpage. A summary of the community feedback is provided as **Attachment 2**.

Overall, the feedback was positive with majority of responses demonstrating support for the Concept Masterplan. The poor drainage of the entire site and poor car parking and access was noted and has been incorporated into the Concept Masterplan.

Recent heavy rain events shown in **Attachment 4** has increased the erosion of the natural waterways, **Attachment 3**. Council's Environmental Services staff have been meeting with Soil Conservation Services about the remediation of the waterways.

Due to the flooding and erosion of the waterway, the pump track has been removed from the initial Concept Design that went on public exhibition. With the David Woods Playing Fields Playspace Upgrade including the provision of a new pump track, it is envisaged that this adjustment to the Concept Masterplan is not of significant impact.

A copy of the final Concept Masterplan recommended for adoption is provided as **Attachment 1**.

### **COUNCIL BUDGET IMPLICATIONS**

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The purpose of preparing Masterplans for Council parks and sportsfields is to ensure that Council is applying a strategic mindset to the planning and utilisation of these spaces.

Without an adopted masterplan, decisions about provision of infrastructure are instead prone to be made on a reactive and rushed basis – which can lead to inconsistent and poor outcomes.

This masterplan therefore provides a pragmatic vision for Centennial Oval and defines the infrastructure renewal and upgrade projects that Council will pursue. Items not included in the masterplan will not be pursued or supported by Council.

None of the renewal and upgrade projects identified in the Masterplan feature in Council's Four-Year Capital Works Program. Implementation of the Masterplan will be primarily dependant on grant funding opportunities.

### **CONCLUSION**

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This masterplan therefore provides a pragmatic vision for Centennial Oval and defines the infrastructure renewal and upgrade projects that Council will pursue. Items not included in the masterplan will not be pursued or supported by Council.

None of the renewal and upgrade projects identified in the Masterplan feature in Council's Four-Year Capital Works Program. Implementation of the Masterplan will be primarily dependant on grant funding opportunities.

### **ATTACHMENTS**

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1. Centennial Park, Bowral Masterplan - Final after Public Exhibition [**8.14.1** - 5 pages]
  2. Public Exhibition Feedback [**8.14.2** - 6 pages]
  3. Erosion Photos [**8.14.3** - 3 pages]
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4. Flood Photos [8.14.4 - 3 pages]

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## **8.15 Jurd Park Concept Masterplan Adoption**

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**Report of:** Michael Hamilton  
Recreation Planner

**Authorised by:** Clinton McAlister  
Director Service and Project Delivery

### **PURPOSE**

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The purpose of this report is to present the results of the public exhibition period for the Jurd Park Concept Masterplan and recommend Council's formal adoption of the Concept Masterplan.

### **OFFICER'S RECOMMENDATION**

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#### **THAT:**

- 1. Council adopt the Jurd Park Concept Masterplan as included as Attachment 1.**
- 2. The feedback received in response to the public exhibition of the Jurd Park Concept Masterplan be noted.**
- 3. Council write to those community members who made submissions during the Public Exhibition period and thank them for their participation.**

### **REPORT**

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#### **BACKGROUND**

Jurd park is located withing the village of Colo Vale. The site currently provides two soccer fields, 2 baseball diamonds, two tennis courts, a small playspace, amenities building and facilities for the Loop Line Pony Club.

Wingecarribee Shire Council's Community and Recreational Facilities Strategy (CRFS) which was adopted in October 2023 is 20-year strategic document which has been developed to guide and inform Council and the Community to plan, fund and deliver formal community and recreation facilities across the Shire. It contains a list of shire-wide and local precinct actions.

For Hill Top – Balmoral – Colo Vale precinct, one action contained in the strategy is to "Undertake a Masterplan for the Jurd park facility to include additional recreation use, including potential cricket provision at the site".

In early 2024 Council conducted extensive consultation with the key stakeholders, local residents, and the broader community as the first step in developing a Concept Masterplan for the Jurd Park facility.

From the consultation 261 submissions were received from the community. At the conclusion of the consultation period, and after a Request for Quotation process, Landscape Architects, Sturt Noble Associates were engaged to develop the Concept Masterplan.

At its meeting held on 17 July 2024 Council approved the public exhibition of the Jurd Park Concept Masterplan.

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### **DISCUSSION**

The draft Concept Masterplan was placed on public exhibition from 22 July 2024 to 22 August 2024. Public exhibition actions undertaken by Council included a Participate Wingecarribee webpage and communication via Council's e-newsletter.

A total of seven submissions were received from 272 visits to the webpage. A summary of the community feedback is provided as **Attachment 2**.

Overall, the feedback was positive with majority of responses demonstrating support for the Concept Masterplan. One suggestion regarding drainage issues relating to the tennis courts has been included in the design statement of the Masterplan.

A copy of the draft Concept Masterplan which is recommended for adoption is provided as **Attachment 1**.

### **COUNCIL BUDGET IMPLICATIONS**

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The purpose of preparing Masterplans for Council parks and sportsfields is to ensure that Council is applying a strategic mindset to the planning and utilisation of these spaces.

Without an adopted masterplan, decisions about provision of infrastructure are instead prone to be made on a reactive and rushed basis – which can lead to inconsistent and poor outcomes.

This masterplan therefore provides a pragmatic vision for Jurd Park and defines the infrastructure renewal and upgrade projects that Council will pursue. Items not included in the masterplan will not be pursued or supported by Council.

None of the renewal and upgrade projects identified in the Masterplan feature in Council's Four-Year Capital Works Program. Implementation of the Masterplan will be primarily dependant on grant funding opportunities.

### **CONCLUSION**

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This masterplan therefore provides a pragmatic vision for Jurd Park and defines the infrastructure renewal and upgrade projects that Council will pursue. Items not included in the masterplan will not be pursued or supported by Council.

None of the renewal and upgrade projects identified in the Masterplan feature in Council's Four-Year Capital Works Program. Implementation of the Masterplan will be primarily dependant on grant funding opportunities.

### **ATTACHMENTS**

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1. Jurd Park Masterplan - Final after Public Exhibition [**8.15.1** - 5 pages]
2. Public Exhibition Feedback [**8.15.2** - 3 pages]

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## **8.16 Community Circles Funding Agreement**

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**Report of:** **Corinne Buxton**  
**Coordinator Community Development**

**Authorised by:** **Michael McCabe**  
**Director Communities and Place**

### **PURPOSE**

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Council funding is sought for the continuation of Community Circles in Wingecarribee Shire.

The \$15,000 proposed will be matched by the Touched by Olivia Foundation to continue the employment of the Wingecarribee facilitator until 31 December 2024, bringing together community groups, volunteers, friends and neighbours to provide intentional support and community connections.

The funding proposal was placed on public notice following a Council resolution dated 19 June 2024. This report also includes all submissions received during the public exhibition period.

### **OFFICER'S RECOMMENDATION**

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#### **THAT Council:**

- 1. Consider the submissions made during the public exhibition period.**
- 2. Endorse the one-off payment of \$15,000 to Touched by Olivia Foundation for the continuation of Community Circles in Wingecarribee Shire.**
- 3. Write to the residents who lodged a submission advising them of the outcome and thanking them for their feedback.**

### **REPORT**

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#### **BACKGROUND**

At the Council Meeting on 19 June 2024 Council resolved that:

1. Council commit payment of \$15,000 from the Community Life and Library 2023/2024 budget to Touched by Olivia Foundation for the continuation of Community Circles in Wingecarribee Shire.
2. The proposed funding agreement be placed on public notice for a period of twenty-eight (28) days.
3. Council extend the current Memorandum of Understanding (MoU) with the Touched by Olivia Foundation until 31 December 2024.

Council report 10.16 dated 19 June 2024 can be viewed from page 248 of the following link:  
<https://www.wsc.nsw.gov.au/files/assets/public/v/2/council/meeting-minutes/2024/19-june-2024/agenda-ordinary-meeting-of-council-19-june-2024.pdf>

Additionally, the Council resolution can be viewed on page 33 of the Council Minutes:  
<https://www.wsc.nsw.gov.au/files/assets/public/v/2/council/meeting-minutes/2024/19-june-2024/draft-minutes-ordinary-meeting-of-council-19-june-2024.pdf>

#### **DISCUSSION**

Community Circles Wingecarribee has demonstrated its widespread reach and effectiveness. Participants reported notable improvements in mental well-being (89%), community connectedness (88%), confidence in community living (85%), and independent living abilities (76%). By effectively linking various community

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resources and support systems, the initiative reduces volunteer strain while maximising support outreach. With 50 volunteers dedicating three hours weekly, the program has fostered a self-sustaining support network, strengthening social ties and community resilience.

To ensure continuation of the Community Circles Wingecarribee program and support to the Shire for the remainder of 2024, it was proposed in June to provide a further \$15,000 matched by the Touched by Olivia Foundation who have provided \$15,000 additional funding for the facilitator to continue the program, awaiting the outcome of this report.

During the 28-day public exhibition period, Council received 26 submissions from community members. The submissions were all in favour of the additional funding and are provided in **Table 1** below.

**Table 1 – Submissions**

Submission	Supports the Community Circles Funding Agreement?	Comment Provided
S.PETERS – NEW BERRIMA	YES	CC has been an invaluable asset for this community. Rose has worked tirelessly on the demand for this growing enterprise. I have worked in the Community Sector for over 20 years and I'm yet to find anything that compares. The simplicity of this grass roots model, I believe is what makes it work. I'm sure it has its complexities behind the scenes but the Service Delivery and connections made in our local community are nothing short of amazing. I am involved in a variety of Community areas and nearly everyone I speak to knows Rose already and if not I speak to them about the program. I am especially grateful for the opportunity and assistance to get my group off the ground and the ongoing support. The diversity of Community Circles and the Commitment to the Community is to be commended. It would be of great disservice for it to not continue on.
J.BHOIR - RENWICK	YES	This is so helpful
A.GUPTA - RENWICK	YES	It has helped me personally in so many ways to connect with the community. It's so important to connect with community in order to keep the community alive and our



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Submission	Supports the Community Circles Funding Agreement?	Comment Provided
		own well-being
F.BARTLETT - MITTAGONG	YES	<p>I fully support Council continuing to fund and support this project because</p> <ol style="list-style-type: none"> <li>1. Community Circles facilitation has already proven its worth in bringing people together</li> <li>2. Given the modern breakdown in community connectedness, facilitation is essential for success. If people were connected already, it would not be needed, but isolation and lack of inter-connections is the background to much mental illness and distress.</li> <li>3. The role fulfilled by the facilitator of community circles fits directly in Council's remit to improve the social and emotional wellbeing of residents - in fact this role could become part of the Community Development team permanently.</li> <li>4. Understanding just how much social factors are critical contributors to a wide range of social dysfunctions (crime, family violence, educational failure, school refusal, depression, anxiety, addictions, child maltreatment, neglect, physical illnesses, suicidality .....)</li> </ol> <p>would ensure that anything that improves social conditions would be high on Council's funding priorities. I know this well as a result of my 50 years experience in this field. As a Mental Health SW, Child &amp; Family therapist, an ex Youth Justice Conference Convenor, ex manager of an NGO, one of the first Community Social Workers employed in Local Government, as a social planner, community developer and activist, generalist Social Worker, I am very aware of just how powerful a project such as this can be for local residents. It has been shown to be viable,</p>

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Submission	Supports the Community Circles Funding Agreement?	Comment Provided
		effective and is a very cost effective preventative program that should be a permanent role to build Wingecarribee's social and emotional wellbeing.
D.SMITH - MOSS VALE	YES	Community circles is a fantastic program, and the proof of its success is the number of diverse groups that have formed and continue to meet bringing connection for large numbers of the community.
D.ERICKSON - HILL TOP	YES	(no comments left)
C.BRENNAN - BOWRAL	YES	So little \$ for maximum results. Community Circles continues to create communities of common interest, reducing isolation and improving health and wellbeing of our community. It is a whole of community support service that requires limited resources, providing responsive solutions to local needs. This service is unique with so much benefit
G.MCLAUGHLIN - BOWRAL	YES	It's a fantastic initiative that's been very successful to date.
J.NICHOLSON - EAST BOWRAL	YES	Community Circles was instrumental in helping me connect with parents of children with disabilities unable to attend mainstream school. Before this we were a very isolated family and now have a community of adults that I can connect with and our kids have friends with shared experiences.
S.CLARK - RENWICK	YES	I have found the facilitator to be exemplary in her efforts, local knowledge and inclusiveness in order to create opportunities for people to connect. I am particularly excited by upcoming and proposed activities to connect young neurodiverse people, immigrants, and unemployed people. We need more of this in our community not less.
N.BAKKER - BUNDANOON	YES	This is a crucial service for many in

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Submission	Supports the Community Circles Funding Agreement?	Comment Provided
		the community who are isolated by age, bereavement, illness or estrangement. As one of the facilitators, it is gratifying to see the laughter and friendships develop as people come together over similar interests. We cannot have a successful community if we leave people out to fend for themselves or suffering alone at home.
F.TURLAND - BOWRAL	YES	Having volunteered with Community Circles for almost a year, I can see that the need for residents of all ages, cultures, abilities have an avenue for getting together, talk, laugh, sing, share views on life in a congenial atmosphere, openly and safely. This takes funding to accomplish in a meaningful way. I would therefore strongly recommend that Council funds be released and in the future budgeted for to maintain this concept.
J.WATSON - BOWRAL	YES	Community Circles has had an incredibly positive impact on individuals within the Wingecarribee community. The power of Community Circles lies in Rose's ability to build communities trust and respect, showing empathy and fostering a sense of belonging and offering individuals the opportunity to express themselves and link to other "like minded" people by building resilience in individuals and community the sector. Highlands Community Centres are very privileged to work within this framework alongside Community Circles. We are committed to assisting CC wherever we can. To date we host several circles within our premises where participants and professional facilitators have a psychologically safe environment to assist with healing and connecting at no cost. Moreover, Community Circles has enhanced relationships

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Submission	Supports the Community Circles Funding Agreement?	Comment Provided
		within the community sector, not just by linking individuals with services, also encouraging services to work more collaboratively. It's heartening to know that Rose and others involved in Community Circles are making such a significant difference in people's lives and the wider community. Keep up the great work!
J.RASCHKE - BUNDANOON	YES	Community Circles has already had an incredible impact on the WSC community. It's essential to maintain its momentum and to ensure public perception of WSC support of community is not compromised.
R.RUSSELL - PENROSE	YES	Community Circles has been invaluable at bringing people together in healthy and healing ways when there is still much healing to be done post the intense stress of the bushfires and the COVID and associated compulsory vaccine programme which divided community members, and created much fear, anxiety and stress. It has become an essential service in the seeds it sows to enhance community wellbeing. I support the work it undertakes, and support this very modest funding, in the knowledge that what it is providing, in many cases, is preventative medicine as it can catch people before they fall down, or pick them up with much needed social support if they do fall. I have already seen the work Community Circles has done build considerable resilience in our community.
G.OLSEN - BUNDANOON	YES	I have been involved in two Community Circles groups and found them a highlight of my week.
D.CORDINGLEY - BUNDANOON	YES	(no comments left)
K.MILLER - COLO VALE	YES	This has been such a valuable initiative - wonderful to see steps to ensure it continues!

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Submission	Supports the Community Circles Funding Agreement?	Comment Provided
N.CHAHOUD - BOWRAL	YES	This program has been developed to help our community in so many ways. They allow us to build a connection and find support for everyone.
A.GUPTA - RENWICK	YES	The whole effort has been so amazing in last few months of my life. Because community Circles bringing together the community in so many possible ways and putting smiles on our faces. I feel that the funding will be a great help to keep the ball rolling enriching the community feeling amongst us.
F. HARRISON - MOSS VALE	YES	I totally support this
D.JENSEN - MOSS VALE	YES	The circles is a great community program and needs to be supported long term for the connection and community strength of the southern highlands residents.
K.MCLEOD - BUNDANOON	YES	I work full time and I'm a carer so time is an issue but I hope to access this service. It's great and I've heard wonderful feedback about it. \$15k is cheap at the price
E.SPINKS - BOWRAL	YES	The organisation has facilitated many community connections over the past 12 months. It would be good for Wingecarribee to continue this community development.
J.LE CHEMINANT - BUNDANOON	YES	The Community Circles groups I have attended, provide a warm welcome for all with interesting activities provided by the volunteers.
T.GREGORY - MITTAGONG	YES	(no comments left)
S.SHAW - BUNDANOON	YES	A great service that has helped me connect into the community

**External Communication and Consultation**

There has been engagement with Touched by Olivia Foundation in relation to alternative funding opportunities.

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### **Governance**

Community Circles have fulfilled requirements of the existing MoU to date by providing Council with a report and budget statement.

### **COUNCIL BUDGET IMPLICATIONS**

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Community Circles received an initial donation from Council in the 2022/2023 which was matched by Touched Olivia Foundation. In addition, Community Circles received \$7,000 through the Community Assistance Scheme 2023 for the 'Checked in care' program to assist volunteers to visit aged care facilities.

Unspent funds from the 2023/24 Community Grants Program totalling \$15,000 was to be carried forward into the current financial year to fund the June 2024 Council resolution. The funds were not carried forward as a part of the year end revote process. An allocation of \$15,000 will need to be allocated as a part of the December 2024 Quarterly budget review.

A copy of 'Touched by Olivia' financial statement can be found as **Attachment 1** of this report

### **CONCLUSION**

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Community Circles Wingecarribee initiative, supported by Council and The Touched by Olivia Foundation, has significantly exceeded its targets, demonstrating a profound positive impact on the Southern Highlands community. To ensure the continued success and sustainability of this impactful program, the proposed funding of \$15,000 for the community facilitator is considered essential in continuing to build community capacity and social cohesion for the remainder of 2024.

### **ATTACHMENTS**

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1. TBO Profit & Loss, Balance Sheet 2023.07.01 to 2024.06.30 [**8.16.1** - 3 pages]

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## **8.17 Section 355 Management Committee Report**

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**Report of:** **Amelia Pignatelli**  
**Building Maintenance Facilities Officer**

**Authorised by:** **Shelley Jones**  
**Director Corporate Strategy and Resourcing**

### **PURPOSE**

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The purpose of this report is to formally appoint new members to fill vacant positions to Council's section 355 Management Committee.

### **OFFICER'S RECOMMENDATION**

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#### **THAT Council:**

- 1. Appoint Jo Thomson and Noni Staggs to the Canyonleigh Hall Management Committee.**
- 2. Write to the newly appointed Section 355 Committee Members to congratulate them on their appointment and to all outgoing committee members to thank them for their service to the community.**

### **REPORT**

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#### **BACKGROUND**

Under Section 355, 377 and 378 of the Local Government Act 1993, Council is able to delegate some of its functions to a Committee of Council. These committees are known as section 355 Management Committees.

This includes appointing community members to manage facilities as Section 355 Management Committees.

As formal Committees of Council, their members assume the same responsibilities and accountabilities as Council Officers while carrying out their duties on behalf of the Council within their delegated authority.

Council appoints community members to these committees by resolution. Council last appointed members in November 2023. Since the initial appointment of committee members, further appointments were made in June 2024 to fill vacancies.

Following the Annual General Meetings of committees held in July, August and September, additional positions have become vacant and are required to be filled.

#### **DISCUSSION**

All Section 355 Management committees held their Annual General Meetings during July, August and September.

As a result, some members of committees resigned, creating vacancies.

These vacancies are required to be filled to ensure continued operation of the committees as they perform their functions.

This report recommends appointment of members to those vacancies in accordance with the adopted Procedures Manual for Council Section 355 Management Committees.

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A further report will be brought to Council in 2025 in relation to Council’s committee structure that aligns with Council priorities.

**COUNCIL BUDGET IMPLICATIONS**

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There are no Council budget implications of this report.

**CONCLUSION**

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This report recommends Council appoints community members to fill vacancies following the Annual General Meetings of Section 355 Management Committees held in July, August and September 2024.

**ATTACHMENTS**

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1. 355 Committees AGM 2023-2024 FY [8.17.1 - 35 pages]



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## **8.18 Floodplain Risk Management Advisory Committee**

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**Report of:** Shaun Robinson  
Manager Assets

**Authorised by:** Clinton McAlister  
Director Service and Project Delivery

### **PURPOSE**

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The purpose of this report is to re-establish the Floodplain Risk Management Advisory Committee and seek endorsement of the process for nomination and selection of community representatives to the Committee.

### **OFFICER'S RECOMMENDATION**

---

#### **THAT Council:**

- 1. Endorse the Terms of Reference (2024) for the Floodplain Risk Management Advisory Committee.**
- 2. Endorse the calling of community representatives for the Floodplain Risk Management Advisory Committee, with final appointments to be made at 19 February 2025 Ordinary Council Meeting.**

### **REPORT**

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#### **BACKGROUND**

In accordance with the Flood Risk Management (FRM) Manual adopted by the NSW Government, local councils are to each establish a Flood Risk Management Advisory Committee to oversee the development of balanced FRM plans through the FRM process. Committees provide important links to state agencies, key stakeholders and the community.

The Committee assists Council in developing and implementing a FRM plan by contributing ideas, professional expertise, experience, and local knowledge. Community members contribute their knowledge of historical information, local problems, and possible solutions.

The Committee should operate as a team with the community's interests being foremost. An important role of the management committee will be to assist in the presentation and resolution of conflicting desires and requirements on the part of various community groups and individuals.

#### **DISCUSSION**

The Wingecarribee Flood Risk Management Advisory Committee was aligned with the tenure of Council and so the Committee has not met since Council was placed under administration.

With the appointing of a new Council the Flood Risk Management Advisory Committee is to be re-established.

The latest Terms of Reference for the Committee were adopted in 2017 and so it is proposed that Council adopted the 2024 version attached to this report.

In accordance with the draft 2024 Terms of Reference, membership of the Committee is proposed to be as follows:

- Two Councillors – with one nominated as Chairperson.
- Four to six Community Representatives

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- Two Agency Representatives
  - State Emergency Services
  - Department of Climate Change, Energy, the Environment and Water

A call for nominations for Community Representatives will be made from 25 November to 13 December, with submissions to be received via the Wingecarribee Participate page.

As part of the nomination, the prospective application will need to provide responses to the following questions of:

- Location
- Personal experience with flooding
- Knowledge of flooding and flood management processes
- Motivation for application

Final selection of community representatives will be made according to the objectives of:

- Representatives are in different floodplain catchment areas.
- Representatives are actively engaged with the community.
- Representatives have either a personal experience of flooding or sound knowledge of flood management processes.
- Achieving a gender and age balance as much as possible

A subsequent report will then be submitted to the 19 February 2025 Ordinary Council Meeting for appointment of selected community representatives. Community representatives will be appointed for an initial two-year term, with the opportunity for extension to then align with tenure of Council following a review of their performance/contribution.

The first meeting of the new FRM Committee is to be held on the 5 March 2025, with subsequent meetings held at three-month intervals.

### **COUNCIL BUDGET IMPLICATIONS**

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There are no budgetary implications as result of this report.

### **CONCLUSION**

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In accordance with the NSW Government Flood Risk Management Manual, Council is to re-establish the Floodplain Risk Management Advisory Committee. A call for nominations for Community Representatives will be made from 25 November to 13 December, with submissions to be received via the Wingecarribee Participate page. Appointment of community representatives will be made at the 19 February 2025 Ordinary Council Meeting, ahead of the first committee meeting on 5 March 2025.

### **ATTACHMENTS**

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1. Terms of Reference - Floodplain Management Advisory Committee [8.18.1 - 5 pages]

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## **8.19 Project Reinvigorate - Civic Centre Back of House Refurbishment**

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**Report of:** Mark Watling  
Project Manager

**Authorised by:** Clinton McAlister  
Director Service and Project Delivery

### **PURPOSE**

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The purpose of this report is to inform the newly elected Council of the project history and premise of the Civic Centre Refurbishment Project, titled Project Reinvigorate.

At the extraordinary meeting of Council of 30 October 2024, it was resolved:

*THAT Council:*

- 1. Note the Quarterly Progress Report on the Delivery Program and Operational Plan for the period ended 30 September 2024 in Attachment 1.*
- 2. Approve the budget adjustments and endorse the projected financial position as of 30 September 2024 in Attachment 2.*
- 3. That a report is presented to the next Council meeting on the rationale behind the prioritisation of back of house Civic Centre refurbishment resolved by Council in July 2024 over the delivery of infrastructure for the community in the Quarterly Delivery Program.*
- 4. That a report is presented to the next Council meeting on the rationale behind the prioritisation of back of house Civic Centre refurbishment resolved by Council in July 2024 over the delivery of infrastructure for the community in the Quarterly Delivery Program.*

This report addresses item 4 of the resolution.

### **OFFICER'S RECOMMENDATION**

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**THAT the report be received and noted.**

### **REPORT**

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#### **BACKGROUND**

The Wingecarribee Council Civic Centre is the most significant civic building in the Shire, accommodating over 250 staff each day. Further the Civic Centre receives numerous visitors including residents, business owners, government officials, stakeholders and consultants who conduct business with Council and utilise services within the building. On average, the Customer Service Centre receives 15,000 visitors annually and near 32,000 visitors to the Moss Vale Library.

Major renovations were undertaken between 2020 and 2021, that refurbished, transformed and modernised the public areas of the building including the Library, Foyer, Atrium, Customer Service, Chambers and Civic areas (but left out the back of house including the timber windows installed in 1971).

The Administrator commissioned an independent review of the 2020/2021 project which was reported to Council on 8 December 2021.

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The report highlighted among other things that:

*“In relation to the design of the facility, the work that has been completed is representative of the costs incurred however the development failed to address other areas of the building highlighted in early investigations that would bring those areas up to an acceptable standard”.*

The report also provided a range of recommendations including, but not limited to:

*“That Council provide Refurbishment to the rear area of the Civic Centre including, replace windows, replace carpet, paint the interior and review the office design layout at the rear of the Centre. Review the budgetary and funding impact and include it within the Capital Works Programme.”*

Council resolved the recommendations at that Ordinary Meeting of Council (MN 346/21).

In March 2023, Council engaged Architects - Figgis & Jefferson Tapa (Figgis) to undertake the development of the scope, prepare the conceptual design and costing and subsequent tender documentation for the refurbishment to the rear area of the Civic Centre as per the Council resolution.

In April 2024, Council undertook an Expression of Interest (EOI) for suitable and qualified contractors to form a select Tender Panel. A total of 13 EOIs were received. This was reported to Council on 15 May 2024 where it was resolved

THAT:

1. Council undertake a selective tender process in accordance with Clause 168 of the Local Government (General) Regulation 2005 for Project Reinvigorate – Moss Vale Civic Centre Internal Refurbishment.
2. The following companies who responded to the Expression of Interest (EOI) for Project Reinvigorate - Moss Vale Civic Centre Internal Refurbishment be invited to submit a tender:
  - Barpa Pty Ltd
  - Dignan Constructions Pty Ltd
  - Grindley Interiors Pty Limited
  - INTREC Management (NSW) Pty Ltd
  - Patterson Building Group Pty Limited
  - Stephen Edwards Constructions Pty Ltd
  - Trinity Quality Interiors Pty Ltd

At Council’s Meeting on July 17, 2024, it was resolved (MN 2024/231) to accept the Tender from Trinity Quality Interiors Pty Ltd at a lump sum price of \$4,323,949.30 (inclusive of GST).

### **DISCUSSION**

Project Reinvigorate is to repair, refresh and update the back of house areas of the Moss Vale Civic Centre, noting some sections of the building were originally built in 1971, and have not been upgraded since.

The project addresses non-compliant issues, significant maintenance issues, Workplace Health and Safety issues, and improves energy efficiency.

Works include creating compliant accessible amenities, ensuring new internal building egress paths that comply with the National Construction Code (NCC, former BCA), replacing timber windows which have

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been impacted by wood rot and are at the end of their useful life, addressing WHS issues and improving the energy efficiency of the building.

In addition to Workplace Health and Safety considerations, the refurbishment project tackles maintenance issues that have accumulated over time, including worn-out fixtures, furniture, and equipment.

### Key Outcomes

The key outcomes are:

- Addressing WHS issues associated with the current windows and increased building life and reduced water damage through improved windows and glazing by replacement of the remaining original timber windows that are at the end of their useful life with new windows that improve thermal efficiency through improved sealing to the building, and modern glazing options.
- Creating adaptable spaces with virtual capability by incorporating improved meeting spaces for our staff who collaborate with our community and key stakeholders online.
- Removing non-compliant fire egresses i.e. internal staircase that does not comply with the National Construction Code, and ensuring all egress paths meet current requirements.
- Meeting compliance with Disability Discrimination Act and Australian Standards.
- Upgrading electrical systems to meet current standards and compliance.
- Addressing potential hazards, such as trip hazards and unsafe working conditions.
- Enhancing the overall physical security of the back of house space.
- Improving ventilation and climate control to improve overall energy efficiency and compliance which in turn reduces electricity consumption for heating, cooling and lighting.
- Incorporating energy-efficient lighting systems, improved insulation (especially through window replacement), reducing the number of kitchenettes.
- Providing a contemporary work environment that enables collaboration between staff.
- Providing the opportunity for additional revenue through creation of leasable space and introducing potential additional services for residents.

A by-product of the project is that it also supports Council's staff attraction and retention strategies by offering a contemporary work environment, when competing with adjoining Council's such as Camden and Wollondilly. Improved facilities in the Civic Centre has the potential to assist Council in attracting high calibre technical/engineering staff who can provide technical solutions aiding in productivity, process and resilience of transport assets through newer technologies and methods of works.

The replacement of the windows is a significant proportion of the cost and provides significant benefits. The existing windows were installed in 1971, are single pane glass, and the window frames are rotted with gaps in the window frames resulting in draft issues and the windows leaking heat in winter and gaining heat in summer. The new windows are energy efficient, as they can reduce heat loss or heat gain by almost 35% in comparison the current windows resulting in reduced energy usage estimated to be as much as 25%.

The current windows are the most basic form of glazing. It consists of one thin pane of glass in the window. The average single glazed window u value is approx. 5.2 W/m<sup>2</sup>K. As the current windows are also leaking through the frames it is anticipated that the value is worse.

U-value measures how well a product prevents heat from escaping. It is a measure of the rate of non-solar heat loss or gain through a material or assembly and U-value ratings generally fall between 2.0-10.0 W/m<sup>2</sup>K for Australian products with the lower the U-value, the greater a window's resistance to heat flow and the better its insulating value.

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The U value of the new windows is 3.2 W/m<sup>2</sup>K. The glazing used in modern construction has much better U values, thermal and acoustic insulation properties, making it highly suitable for standard modern properties. This will result in an improvement in heat loss or heat gain and reduced energy consumption.

Images depicting some of the non-complying issues, deteriorated and dilapidated building fabrics and materials, are provided below:



Electrical Sub Mains Cabling (Black Cables) laying on HVAC Ducting. Non-compliant with Australian Standard - AS3000



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Electrical Sub Mains Cabling (Black Cables) penetrations between ground floor and first floor. Non-compliant with Building Code of Australia and Australian Standard - AS3000.



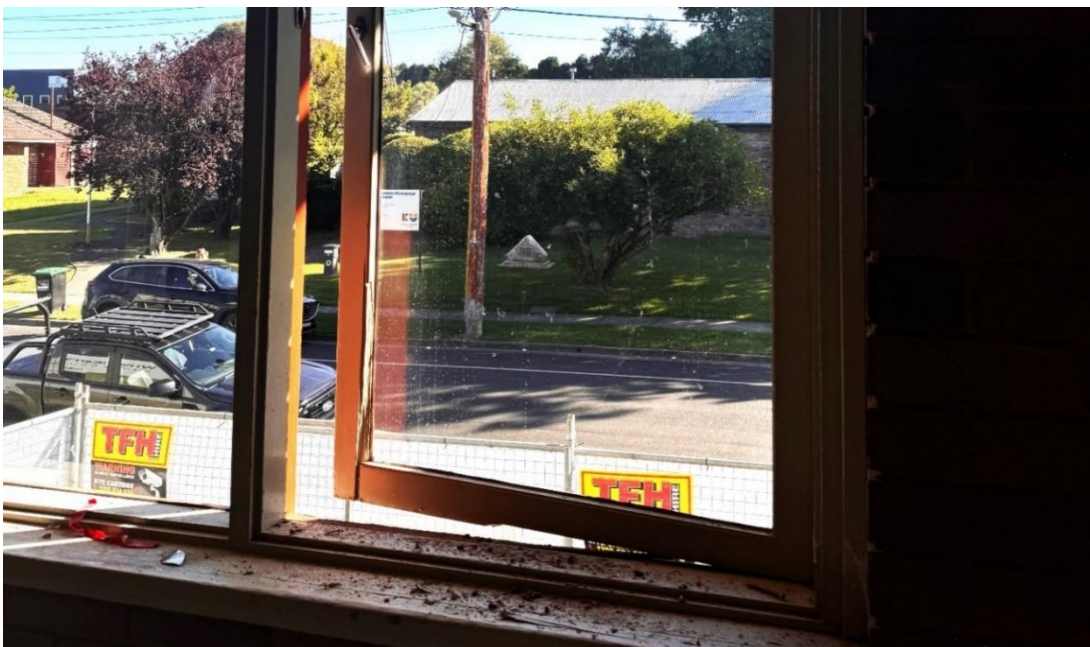
Holes in the ceiling



Window Framing Timber Rot and Weather Damage



Window Framing Weather Damage and Rot



Damaged window frame resulting in window not closing properly and danger of glass falling out when open.

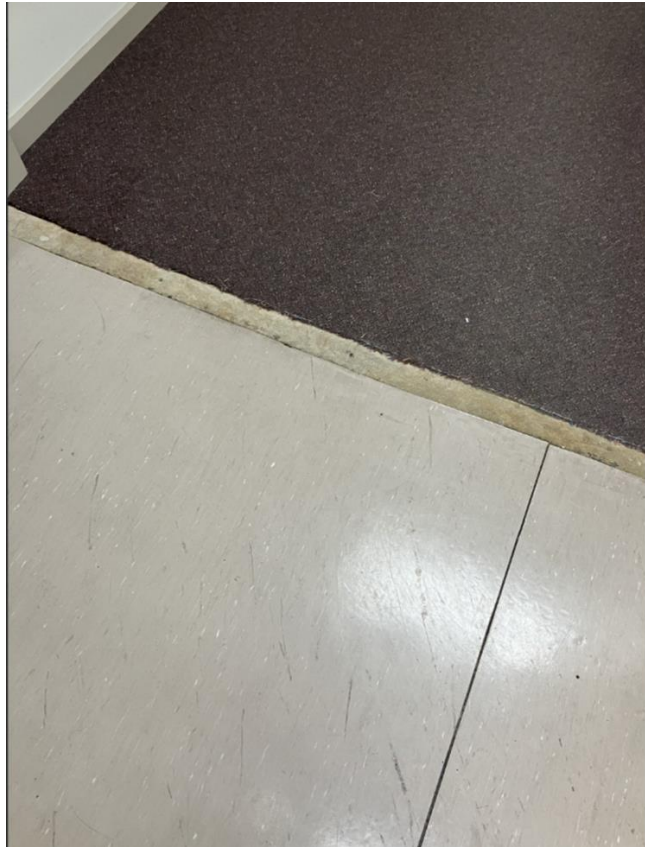




Windows sealed with tape to try and prevent draft and the cold coming in.



Water Damage internally suggesting water ingress through window framing



Worn Carpet – Safety and Trip Hazard as no floor transition trim



Worn Carpet on thoroughfare

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Worn carpet



Poor Cable Management – Hook or Trip Hazard



Minimal Storage - leading to items being placed in corridors and path of travel for fire egress



Poor layout, whereas staff lunchroom is in direct eye line of bathrooms. Additionally, Kitchenette is not large enough to house fridge.

### **COUNCIL BUDGET IMPLICATIONS**

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There are no budget implications in relation to this report.

The Total Budget for Project Reinvigorate for the 2024/2025 financial year is \$5,190,833.00

This budget amount is funded by loan borrowings and general revenue.

A Commercial lease opportunity is available for about 305 m2 of office space as three separate (or one combined) suite fronting Elizabeth and Donkin streets within the new Civic Centre layout. The income from this lease is envisioned to service the loan.

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**CONCLUSION**

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This report provides information on the background and premise of Project Reinvigorate to refurbish the back of house areas of the Moss Vale Civic Centre.

Project Re-Invigorate supports the delivery of Council’s services over the life of the Community Strategic Plan by creating an environment where the vast majority of the professional and administrative staff are able to serve and support the community.

“Wingecarribee 2041” is divided into five themes (Leadership, People, Places, Environment & Economy), each of which has its own vision and goals for the future and strategies to help the community reach those goals. Whilst being high level, the underlying intent and objectives of these themes, goals and strategies are reflected in, and supported by, Project Reinvigorate.

This report recommends Council receive and note the information contained within.

**ATTACHMENTS**

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Nil

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## **8.20 T-2024-15 Pavement Stabilisation Works Tender**

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**Report of:** David Ellison  
Maintenance & Contracts Engineer

**Authorised by:** Clinton McAlister  
Director Service and Project Delivery

### **PURPOSE**

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The purpose of this report is to present the evaluation of the Request for Tender for Pavement Stabilisation Services.

### **OFFICER'S RECOMMENDATION**

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#### **THAT Council:**

1. Accept the Tenders from the successful contractors as outlined in this report to establish a panel contract for the provision of providing Pavement Stabilisation Services to Council for the period of twelve (12) months, with provision for 2 (two) x one (1) year extension options (possible combined total of three (3) years), to be exercised at Council's discretion under the following categories:
  - a. Pavement Stabilisation Services – Part Service
    - i. Denrith Pty Ltd
    - ii. Downer EDI Works Pty Ltd
    - iii. Fenworx Pty Ltd
    - iv. First Choice Earthworks Pty Ltd
    - v. Fulton Hogan Industries Pty Ltd
    - vi. Roadworx Surfacing Pty Ltd
    - vii. Stabilcorp Pty Ltd
    - viii. Stabilised Pavements Australia Pty Ltd
  - b. Pavement Stabilisation Services – Full Service
    - i. Denrith Pty Ltd
    - ii. Downer EDI Works Pty Ltd
    - iii. Fenworx Pty Ltd
    - iv. First Choice Earthworks Pty Ltd
    - v. Fulton Hogan Industries Pty Ltd
    - vi. Roadworx Surfacing Pty Ltd
    - vii. Stabilcorp Pty Ltd
    - viii. Stabilised Pavements Australia Pty Ltd
2. Note that the awarded contractors under this contract will be engaged in accordance with their tendered schedule of rates.
3. Delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.

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## REPORT

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### BACKGROUND

Council conducted an open tender process for the purpose of establishing a contract to engage contractors from the panel on an ad-hoc basis for providing pavement stabilisation services to Council to support the delivery of capital works Projects and Maintenance Programs.

The tender invited contractors to submit rates for the following listed categories:

- Pavement Stabilisation Works – Part Service (Contractor to supply, deliver and spread binder, mix to nominated depth and provide adequate water to achieve optimum moisture content for compaction)
- Pavement Stabilisation Works – Full Service (Contractor to notify residents & businesses two (2) weeks prior to start date, provide all materials, labour, traffic management, plant and equipment to carry out the service which includes sealing of pavement)

The initial contract will be for a period of twelve (12) months, with provision for 2 (two) x one (1) year extension options (possible combined total of three (3) years, to be exercised at Council's discretion.

Council will be undertaking pavement rehabilitation works on urban and rural roads throughout the shire, pavement stabilisation is a cost-effective method to improve the strength of the existing pavement.

Historically Council engaged contractors through quotations, however a decision was made for Council to tender for these services for the purpose of reviewing and benchmarking the market while maintaining probity, transparency and procurement efficiency.

Council outsources these specialised services due to the requirement for purpose built machinery and a shortage of inhouse available skills and labour to undertake the works, as a result of the very tight labour market.

### DISCUSSION

Council sought tenders for suitable and qualified contractors to provide schedule of rates for partial and full stabilisation services. 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 the 30 July 2024 to 27 August 2024 (28 days).

The tender was advertised as follows:

Newspaper / Website	Date Advertised
Council's Website	For the duration of the advertising period
NSW Government – Buy NSW	For the duration of the advertising period

### TENDERS RECEIVED

A total of thirteen (13) tender submissions were received:

Company Name	Location	Postcode
Capstone Builders and Engineers Pty Ltd	Gosford, NSW	2250
Country Wide Asphalt Pty Ltd	Wodonga, VIC	3690
D & M Excavations and Asphaltting Pty Ltd	Greenacre, NSW	2190



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Company Name	Location	Postcode
Denrith Pty Ltd	Goulburn, NSW	2580
Downer EDI Works Pty Ltd	Eastern Creek, NSW	2766
Durack Civil Pty Ltd	Moranbah, QLD	4744
Fenworx Pty Ltd	Tomago, NSW	2322
First Choice Earthworks Pty Ltd	Robertson, NSW	2577
Fulton Hogan Industries Pty Ltd	Campbelltown, NSW	2560
Roadworx Surfacing Pty Ltd	Unanderra, NSW	2526
Stabilcorp Pty Ltd	Wauchope, NSW	2446
Stabilised Pavements of Australia Pty Ltd	Somersby, NSW	2250
The Stabilising Pty Ltd	Tamworth, NSW	2340

**LATE TENDERS**

No late tender submissions were received.

**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 of 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.	Maintenance & Contracts Engineer, Shire Presentation
Evaluation Panel Member	Perform a detailed evaluation of the Tender Submissions.	Coordinator Construction – People and Resources, Shire Presentation
Evaluation Panel Member Independent*	Perform a detailed evaluation of the Tender Submissions.	Project Engineer, Project Delivery
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, Finance & Procurement

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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
Professional Indemnity Insurance - \$5 million (Category 2)
Workers Compensation OR [Self Employed] Personal Accident and Illness Insurance or Personal Income Protection
Comprehensive Motor Vehicle Insurance

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
Community, Sustainable & Social (including local content)	10%
Capability & Experience	10%
Specifications, Service & Support, Fit for Purpose	10%
Work Health and Safety & Environment	10%
<b>Total</b>	<b>40%</b>

**Summary of Selection Criteria & Weighting:**

Criteria	Weighting
Total Non-Cost Criteria	40%
Total Cost Criteria	60%
<b>Total</b>	<b>100%</b>

**NON-COMPLIANT TENDERS**

Upon evaluation a total of five (5) tender submissions were determined to be non-compliant:

Company Name	Reason for Non-Compliance
Capstone Builders and Engineers Pty Ltd	Mandatory Items – Rates not submitted
Country Wide Asphalt Pty Ltd	Mandatory Items – Rates not submitted
D & M Excavations and Asphaltting Pty Ltd	Mandatory Items – Rates not submitted

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<b>Company Name</b>	<b>Reason for Non-Compliance</b>
Durack Civil Pty Ltd	Mandatory Items – Rates not submitted
The Stabilising Pty Ltd	Mandatory Items – Rates not submitted

**TENDERED SUBMISSION PRICES**

Awarded Contractors under this tender will be engaged in accordance with their schedule of rates submitted under the tender process.

**COMMENTS ON OVERALL EVALUATION OUTCOME**

Eight (8) out of thirteen (13) submissions that tendered passed the mandatory criteria and therefore considered conforming to be further assessed in accordance with their non-cost and cost weighted criteria. All 8 submissions had received a score above the non-cost weighted criteria threshold demonstrating that they were suitably qualified to be consideration for a contract under this tender process.

**COMMENTS ON RECOMMENDED TENDER SUBMISSION**

The panel, in consideration of the quantity and reduced timeframe of works to be completed in the warmer months determined an extended contract to include all 8 complying contractors would provide the best outcome for Council.

All eight (8) contractors were competitive in their provision of services and experience.

Upon this decision, it is recommended for the following contracts to be awarded under the following tender categories:

**Pavement Stabilisation Services – Part Service**

1. Denrith Pty Ltd
2. Downer EDI Works Pty Ltd
3. Fenworx Pty Ltd
4. First Choice Earthworks Pty Ltd
5. Fulton Hogan Industries Pty Ltd
6. Roadworx Surfacing Pty Ltd
7. Stabilcorp Pty Ltd
8. Stabilised Pavements Australia Pty Ltd

**Pavement Stabilisation Services – Full Service**

1. Denrith Pty Ltd
2. Downer EDI Works Pty Ltd
3. Fenworx Pty Ltd
4. First Choice Earthworks Pty Ltd
5. Fulton Hogan Industries Pty Ltd
6. Roadworx Surfacing Pty Ltd
7. Stabilcorp Pty Ltd
8. Stabilised Pavements Australia Pty Ltd

**Internal Communication and Consultation**

Extensive consultation took place between Council's procurement area and operational areas. This consultation included scope, technical requirements, and evaluation methodologies.

**External Communication and Consultation**

Tenders are part of a commercial arrangement, and all external communication was conducted in accordance with Council Conditions of Responding – Council Tenders.

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**COUNCIL BUDGET IMPLICATIONS**

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Funding for pavement stabilisation services has been considered when developing Capital Works Projects and Maintenance Programs in Council's annual budgets. Councils' has limited budget for pavement rehabilitation works with a total of \$2,590,647 (GST exclusive) for 2024/25 financial year.

**CONCLUSION**

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Council has a need to undertake pavement stabilisation works to ensure that Council can efficiently source contractors to meet Council's operational needs on delivering Council's delivery of capital works Projects and Maintenance Programs.

**ATTACHMENTS**

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Nil

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## **8.21 Moss Vale Trunk Main Duplication - Tender Evaluation Report**

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**Report of:** Karin Targa  
**Director Service and Project Delivery**

**Authorised by:** Clinton McAlister  
**Director Service and Project Delivery**

### **PURPOSE**

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The purpose of this report is to present the evaluation of the Request for Tender for the Moss Vale Trunk Main Duplication - Design

### **OFFICER'S RECOMMENDATION**

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#### **THAT Council:**

- 1. Accept the Tender for the Moss Vale Trunk Main Duplication – Design from Stantec Australia Pty Ltd at a lump sum price of 554,104.05 (inclusive of GST)**
- 2. Note the tenders received ranged from \$243,045.00 to \$1,345,054.07.**
- 3. Delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.**

### **REPORT**

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#### **BACKGROUND**

Council operates a water supply system with over 17,000 customer connections and an estimated serviced population of 40,000. An efficient and effective system that meets the needs of a growing population is crucial to Council's operations.

Council is seeking to address deficiencies in the supply system which were identified in the System Master Planning Review (Focused Asset Services, 2020). A number of upgrades were recommended as part of this report, including the construction of a new 710mm diameter water main between the Hill Road Reservoir in Moss Vale and the existing Wingecarribee Water Treatment Plant at Glenquarry.

The System Master Planning Review (Focused Asset Services, 2020), detailed the following drivers for this duplication pipe:

- The existing main between Bowral and Moss Vale is unable to adequately fill the Hill Road Reservoir; and
- The existing trunk main has limited capacity to supply the Moss Vale system, as the transfer rate is limited by the small elevation difference between the Bowral Reservoirs Top Water Level (TWL) and the Moss Vale Reservoir TWL.

The existing water main pipeline consists mainly of 375 mm diameter Asbestos Cement (AC) pipe (7,747 m), installed around 1985 according to Council's GIS data, with a section of 525 mm diameter AC from Narellan Road connecting to the Hill Road Reservoir (770 m), which was installed in 1986. This AC pipeline carries water from the Wingecarribee Reservoir to Moss Vale via Bowral and Burradoo. A Report outlining the options for the new water main was completed in July 2022, detailing the potential sizing and proposed route of the pipeline. Further modelling was completed in house by Council's modelling engineer in August 2022 and June 2024 to determine the feasibility for these additional routes.

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The preferred route for the new pipeline includes traversing Council owned land, Council and Transport for NSW road reserves, and private property. Council has begun liaising with affected landowners and Transport for NSW to notify them of the project and to better understand existing site constraints.

This Tender has been released to source suitability qualified and experienced consultants to conduct the various elements of design in order to produce a set of drawings and specifications suitable for the construction of the new Trunk Main pipeline. These elements include;

- Pipeline alignment refinement
- Site investigations
  - Service Locating
  - Detailed site survey
  - Geotechnical Investigation
  - Environmental investigations and survey
- Final alignment confirmation
- Detailed design, documentation and cost estimate
- Design support during tender for construction contract
- Design support during construction phase

The scope of work included with this Tender will allow Council to complete the design phase of the project and provide the necessary information to support the commencement of the Construction Phase.

### **DISCUSSION**

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 8 October 2024 to 29 October 2024 (21 days).

The tender was advertised as follows:

<b>Newspaper / Website</b>	<b>Date Advertised</b>
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 seven (7) tender submissions were received:

<b>Company Name</b>	<b>Location</b>	<b>Postcode</b>
JJ Ryan Consulting Pty Ltd	Mascot, NSW	2020
Kellogg Brown & Root Pty Ltd	Sydney, NSW	2000
Orion Consulting Engineers Pty Ltd	Wollongong, NSW	2500
Rouqa Management and Engineering	Austral, NSW	2179

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<b>Company Name</b>	<b>Location</b>	<b>Postcode</b>
Savon Engineering Pty Ltd	Baulkam Hills, NSW	1755
SMEC Australia Pty Ltd	North Sydney, NSW	2060
Stantec Australia Pty Ltd	Wollongong, NSW	2500

**LATE TENDERS**

No late tender submissions were received (therefore non-conforming).

**TENDER EVALUATION**

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

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

**TENDER ROLES AND RESPONSIBILITIES**

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

<b>Role</b>	<b>Responsibility</b>	<b>Position</b>
Evaluation Panel Chair	To manage the evaluation process and report to Council.	Senior Project Manager
Evaluation Panel Member	Perform a detailed evaluation of the Tender Submissions.	Asset Engineer Water and Wastewater
Evaluation Panel Member	Perform a detailed evaluation of the Tender Submissions.	Project Manager
Evaluation Panel Member	Perform a detailed evaluation of the Tender Submissions.	Cadet Engineer
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
Professional Indemnity - \$10m
Motor Vehicle Insurance – Comprehensive – Market Value

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
Community and Social (including local content)	10%
Relevant Experience	15%
Specification – Methodology	20%
Specification – Program	5%
<b>Total</b>	<b>50%</b>

A *Non-Cost Evaluation Criteria Threshold* was applied to the evaluation of submissions. A submission must receive a *Non-Cost Evaluation Criteria Threshold* of at least 60% of the 50% of non-cost criteria to be eligible to be shortlisted and progress in the evaluation process.

**Summary of Selection Criteria & Weighting:**

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

**NON-COMPLIANT TENDERS**

Upon evaluation a total of three (3) tender submissions were determined to be non-compliant:

Company Name	Reason for Non-Compliance
JJ Ryan Consulting Pty Ltd	Did not meet the Non-cost Evaluation Criteria Threshold



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<b>Company Name</b>	<b>Reason for Non-Compliance</b>
Rouqa Management Consulting and Engineering	Insufficient evidence of insurance certificates at time of tender
Savon Engineering Pty Ltd	Insufficient evidence of insurance certificates at time of tender

**TENDERED SUBMISSION PRICES**

Tenders received ranged from \$243,045.00 to \$1,345,054.07

**COMMENTS ON OVERALL EVALUATION OUTCOME**

This Request for Tenders has received a strong response from the market with seven (7) submissions received at the close of Tenders.

Generally respondents demonstrated an understanding of the project requirements with the level of understanding ranging from good to excellent. There was a range of experience and capability with some respondents demonstrating their capability to complete all the works and demonstrating comprehensive experience with equivalent projects, and some respondents demonstrating less substantial experience and an ability to complete part of the works.

There was a large spread in between the highest and lowest price which can occur with a large number of submissions and varied understanding of the project scope. There were three submissions within the range of \$500,000 to \$800,000 with 3 submissions over \$1,000,000.

The submission with the lowest price could only deliver part of the work and excluded the provision of specialist consultants which is considered to be just over 50% of the work. This would require Council to complete the remaining portion of the work with separate consultants which would incur an administrative and financial cost to Council and also put the coordination risk on Council. Given that there are suitable alternative proposals at a competitive price this option does not present overall value to Council.

**COMMENTS ON RECOMMENDED TENDER SUBMISSION**

Stantec Australia Pty Ltd provided a strong submission which included an appropriately detailed methodology demonstrating an excellent understanding of the project requirements and clearly outlining their ability to deliver the scope of works. They demonstrated a good range of experience with similar projects in a similar context and proposed an appropriately experienced and qualified team to perform the works.

Stantec provided a commercially competitive price which was the lowest price to undertake the full scope of work. The Stantec team proposed for the work are based in Wollongong and propose to use local suppliers and subcontractors where practical and available. Stantec have worked successfully with Wingecarribee Shire Council on previous similar projects.

**COMMUNITY ENGAGEMENT**

No community engagement has been conducted as part of the Tender evaluation and recommendation report.

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Targeted engagement with affected landowners has begun to assist with informing the design development and commence the process of securing adequate easements to support the construction, operation and maintenance of the proposed trunk main pipeline.

### **EXTERNAL COMMUNICATION AND CONSULTATION**

The Tender was advertised on Council's website and Council's eTendering Website (Buy NSW) for the period 8 October 2024 to 29 October 2024 (21 days).

Targeted engagement with TfNSW and affected utility authorities has commenced to inform the design development and ensure adequate approvals required for the construction phase are obtained.

### **ENVIRONMENT**

The scope of works which are the subject of this Request for Tender include the assessment of environmental impacts of the proposed project which will be reported via a report titled Review of Environmental Factors. This report will be prepared by the consultant and will consider the likely environmental impacts of the works and measures to avoid, minimise and mitigate the negative impacts and maximise the positive impacts. The Review of Environmental Factors will be prepared for review and approval by Council staff under the relevant delegated authority

### **SOCIAL**

The provision of this trunk main duplication is a critical element of Council's water supply network that is required to support the efficient and effective management of the potable (drinking) water within the Shire. This will allow Council to continue to meet the water supply needs of the growing community.

The scope of work involves the design of water pipelines that impact private property. It is expected that the acquisition of easements on affected properties will be required. Engagement with affected landowners has commenced and Council's property team will manage the property acquisition process as the design develops. The creation of easements on private property is a burden on the affected property and there is a process for Council to agree on appropriate compensation with affected landowners.

### **BROADER ECONOMIC IMPLICATIONS**

The provision of this trunk main duplication will allow Council to continue to meet the growing demand for potable water which will support the range of community and business activities that occur within the Shire.

### **CULTURE**

The scope of works which is the subject of this Request for Tender includes an assessment of the project to protect Aboriginal object in accordance with the NSW Department of Environment, Climate Change and Water Code of Practice.

### **GOVERNANCE**

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

### **COUNCIL BUDGET IMPLICATIONS**

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There is adequate budget allocated in 2024/25 (\$370K) and 2025/26 (\$9M) budget to fund this project. The large 2025/26 budget of \$9M is due to construction initially being anticipated to commence, however this will be rephased as part of the adoption of the 2025/26 Operational Plan and associated Four-Year Capital Works Program - with construction now expected to commence in 2026/27. No additional funds are required.

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**CONCLUSION**

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A competitive tender process was conducted for the provision of design services for the Moss Vale Trunk Main Duplication. The outcome of the tender evaluation process has determined that the proposal from Stantec Australia Pty Ltd is the preferred submission. It is recommended that Council accepts the tender proposal from Stantec Australia Pty Ltd as the preferred vendor for these services for the lump sum price of \$554,104.05 (incl GST)

**ATTACHMENTS**

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1. App A - Preferred Trunk Main Alignment July 2024 [8.21.1 - 1 page]

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**8.22 Welby Community Centre, 14 Currockbilly Street, Welby Proposed Lease to Highlands Theatre Group**

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**Report of:** **Natasha Woods**  
**Acting Coordinator Property Services**

**Authorised by:** **Shelley Jones**  
**Director Corporate Strategy and Resourcing**

**PURPOSE**

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This report seeks Council approval to enter into a Lease with Highlands Theatre Group Inc, for occupation of Welby Community Hall, 14 Currockbilly Street, Welby (being Lot 1 Section 10 in Deposited Plan 759070). This report also seeks Council direction to dissolve the Welby Hall 355 Management Committee.

**OFFICER'S RECOMMENDATION**

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**THAT:**

1. The General Manager be delegated authority to negotiate the terms and conditions of the Lease with Highlands Theatre Group Inc for occupation of Welby Community Hall, 14 Currockbilly Street, Welby (being Lot 1 Section 10 in Deposited Plan 759070) **AND THAT** it be noted that the total term of the Lease be for five (5) years.
2. Authority be delegated to the General Manager and Mayor to execute under the Common Seal of Council the Lease referred to in Item 1 above.
3. Authority be delegated to the General Manager to execute on behalf of Council any documents associated with the Lease referred to in Item 1 above which does not require the affixing of the Common Seal of Council.
4. Council dissolve the Welby Hall 355 Management Committee and work with the outgoing members in transferring the operational management of bookings at Welby Hall to The Highlands Theatre Group Inc.
5. Council allocate the funds of the Welby Hall Reserve toward future maintenance and/or capital works at the Welby Hall.

**REPORT**

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**BACKGROUND**

On Wednesday 15 November 2023 a report was presented to Council which provided an update on discussions that had been held with Highlands Theatre Group Inc ("HTG") for the provision of a storage facility at Welby Oval and sought endorsement of the next steps of the project. Council resolved (MN2023/561):

**THAT:**

1. Council commences negotiations with the Highlands Theatre Group (HTG) for a lease or licence of an area of land at Welby Oval for a storage facility at a nominal rent;
2. The HTG be requested to negotiate a usage agreement with the Welby 355 Committee for rehearsals; and

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3. *Options for Council's funding of its portion of the project be considered in conjunction with the December quarterly budget review.*

Following the above Council resolution, a request was received in early 2024 from HTG proposing that Highlands Theatre Group be provided with a Lease of Welby Community Hall ("the Hall"), the purpose of the Lease being to utilise the existing facility for Arts and Culture purposes. As well as use of the Hall for HTG activities, it was proposed the space be made available for other cultural and community groups within the Shire including:

- Southern Highlands Youth Arts Council (SHYAC) for drama workshops and rehearsals;
- Interchange Wingecarribee for music activities and performances;
- Reframe, who provide free mental health services for young people aged 12-25;
- Wingecarribee Vocal Muster who run music classes and performances for local youth;
- local music teachers conducting concerts for their students; and
- any other arts and culture activities, particularly those run by community organisations.

HTG have advised that their rationale for the Lease and usage is based on current activities in the Shire which are currently run at "The Venue" in Bowral. HTG have further advised that Lease of "The Venue" is coming up for renewal and ongoing use of the premises is uncertain.

Following receipt of the Lease proposal from HTG, Council received a letter from the Welby Hall Management Committee, offering support of the Lease proposal from Highlands Theatre Group.

The Welby Hall Management Committee advised they unanimously supported the Lease and *"After 35 years as a community hall, Welby Hall is tired and infrequently used as a venue by local residents and this usage trend is continuing. The two 'regular' users of the Hall would be unaffected by the proposed changes.*

*Under the HTG proposal, the building would be repurposed to provide a small venue with a (removable) stage, lighting and sound and removable terraced theatre style seating creating a dedicated venue for the creative arts community managed by the HTG who would also be the major user with rehearsals, workshops, play reading nights etc.*

*The current 355 committee structure is not as flexible or adept at operating this type of venue and the proposed usage as a creative arts centre is not compatible with the current offering of the building as a party house."*

If a Lease is granted to HTG, all bookings associated with the Hall will be managed by HTG from the Lease taking effect and will accommodate current users. Accordingly, the section 355 Committee would no longer be required to manage the Hall. Any upgrades associated with making the facility fit-for-purpose will be the responsibility of the Lessee.

The Lease has been drafted to provide future accommodation for regular users of the Hall (in place at the commencement of the Lease) and will also ensure availability for future compatible bookings requested by the community/residents (if availability allows) in line with Council's adopted fees and charges.

### **DISCUSSION**

The property is classified Community land in accordance with the *Local Government Act, 1993*. Section 47(1) and (2) of the *Local Government Act 1993* required Council to give a minimum twenty-eight (28) days public notice of the intention to enter into a proposed Lease.

The request for Lease from HTG was reported to Council Executive in July 2024 with direction given to place the proposed five (5) year Lease on public exhibition.

Accordingly, the period of public exhibition commenced on Friday 2 August 2024 and concluded on Friday 30 August 2024.

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During the period of public exhibition, a total of twenty-seven (27) submissions were received, one (1) objecting to the proposed Lease, one (1) request for further information and twenty-five (25) in support of the proposal. A summary of the submissions is outlined below:

Item No.	Feedback	Council Response
1. M. Rogers Welby (against)	<p>I do not support the proposal on the basis, as I understand it, that it includes the building storage facility for the storage of the Theatre Groups equipment.</p> <p>I understand its plan is to be constructed adjacent to the children’s playground and cricket nets. I am sure there’re are spaces around the shire for this storage facility.</p> <p>I just hope that the decision makers are not treating residents of Welby as a dumping ground – we are trying to move away from legacies.</p>	<p>The storage facility is not the subject of this report.</p> <p>The storage facility was reported to Council at its meeting 7 August 2024 following public consultation with Council granting a five (5) year Lease to the HTG for a storage facility at Welby Oval.</p> <p>This report deals solely with the proposed Lease of the Welby Community Hall.</p>
2. H. Rowe Mittagong (queries raised)	<p>I would like to know if with the proposal lease to the Highlands Theatre Group of Welby Centre if:</p> <p>a) Are they definitely going to allow current/regular hirers of the hall to continue hiring the hall on a regular basis next year and ongoing or will they phase us out?</p> <p>b) What about the hall hiring fees? Are they going to stay the same or are they going to be increased when the theatre group takes over the Welby Hall.</p> <p>c) If there were interruptions to the hiring of the hall, how often would these be? As this dramatically effects community members attending classes.</p> <p>I would be more obliging with the forthcoming changes if I was guaranteed that the fees and charges remain aligned with Councils adopted fees and charges which would allow me to predict my business costs per annum, etc.</p>	<p>A meeting was held Monday 26 August 2024, on site between Council, the President of the HTG and Ms Rowe to discuss queries raised.</p> <p>Current Hirers of the hall and their bookings will be accommodated. There is a provision in the proposed lease which requires HTG to:</p> <p><i>“The Lessee will, during the term, accommodate the regular users of the hall (in place at the commencement of this agreement). Further the lessee will make the premises available for future compatible bookings requested by the community/general public (if availability allows).</i></p> <p>HTG has confirmed that hiring fees associated with use of the hall will stay consistent with Councils adopted fees and charges.</p> <p>Interruptions to the hall will be associated with performances, not rehearsals. Whilst it is difficult to determine when these dates will be at this stage, current users of the hall will be notified in advance of any interruption to use.</p> <p>The meeting was positive, with Ms Rowe offering her support of the proposal.</p>
3. A Elbourne Sutton Forest (in favour)	<p>I support the idea of the HTG having access to Welby Hall for rehearsal and performance space.</p> <p>Access for other users, however, should be maintained.</p>	<p>Current Hirers of the hall and their bookings will be accommodated. There is a provision in the proposed lease which requires HTG to:</p>

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Item No.	Feedback	Council Response
	<p>Theatre preparation requires uninterrupted use of a space during performance season, and this should be taken into account.</p> <p>HTG is big and growing and many members are now well trained in musical and spoken performance.</p> <p>As a long-time member of the Moss Vale Players Inc, I was sad to see that the Memorial Theatre within Council chamber is no longer available for performances. It is a public war memorial hall don't forget.</p> <p>The point is that very little support or credence is given to the performance arts in our Shire. Just check how many celebs now live in here though!</p>	<p><i>"The Lessee will, during the term, accommodate the regular users of the hall (in place at the commencement of this agreement). Further the lessee will make the premises available for future compatible bookings requested by the community/general public (if availability allows).</i></p> <p>The Theaterette within the Council Civic Centre is available for use/booking by members of the public.</p>
4. K. Street Burradoo (in favour)	A little used and tired old building has a chance for rebirthing as the Welby Performing Arts Centre. A much needed and public resource for the entire community.	Noted.
5. E. Crossman (in favour)	Leasing Welby Community Centre to the Highlands Theatre Group will support the performing arts to thrive in the Southern Highlands, contributing to community engagement in arts and activities.	Noted.
6. M. Bransgrove SHYAC Manager (in favour)	<p>I am writing on behalf of Southern Highlands Youth Arts Council members to express our staunch support of the above proposal to lease Welby Hall to the HTG.</p> <p>Our large performing arts community are in desperate need of dedicated venues to run workshops, classes, rehearsals and as a performance space.</p> <p>Welby Hall would ensure the room required to facilitate our many projects for the creative youth of the Highlands.</p> <p>With no space to call home, Welby Hall would be a welcome facility.</p>	Noted.
7. J. Cheesley Hill Top (in favour)	Due to the lack of suitable performance spaces, since the closure of Mittagong Playhouse, Welby Hall would be ideal for community groups in the performing arts and small production space.	Noted.
8. R. Kumar Mittagong (in favour)	This is an excellent idea and will provide HTG with a much-needed good quality rehearsal space.	Noted.
9. P. Debono Bowral (in favour)	<p>I was made aware of the above proposal just this morning and would like to express my strong support for it.</p> <p>HTG is a wonderful organisation that delivers a range of art and culture that would otherwise be lacking in the Southern Highlands. The quality of their productions far exceeds that of many larger groups operating in Sydney, they achieve this on a shoestring budget and we should be doing all we can to support their activities. Please record my strong support for the proposal.</p>	Noted.
10. L. Swanson	I'd be very pleased if the HTG leased Welby Community	Noted.

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Item No.	Feedback	Council Response
Unknown (in favour)	Centre.	
11. B. van Diemen Willow Vale (in favour)	<p>Having been a resident of the Southern Highlands for over 20 years, I have had the pleasure of attending many productions put forward by the HTG.</p> <p>I believe this group deserves to have the lease of the hall at Welby, because of the enjoyment that they have provided to the community for many years now.</p> <p>Also, they deserve to be supported in this way, to provide that outlet for the artistic residents of the Southern Highlands, young and old.</p>	Noted.
12. C. van Diemen Willow Vale (in favour)	<p>We have been in the Highlands for over 20 years.</p> <p>We have seen many shows from many different community groups. But by far the HTG provide to the community a quality amateur show.</p> <p>There is always a need for this in the community. Granting them this lease will help lift the burden to put on a show both financially and physically.</p> <p>I hope you will consider this, as it affects the whole area. Who knows when the playhouse will get repaired or updated.</p> <p>So this provides a place to rehearse.</p>	Noted.
13. A. Wheatley Burrawang (in favour)	<p>An excellent idea. HTG is a vibrant, local theatre group with many active members.</p> <p>Providing excellent amateur shows and giving locals the opportunity to participate in the arts.</p> <p>Welby is a terrific location, easy to access from all over the Highlands.</p>	Noted.
14. P. Topp	<p>I wish to give my full support to the proposal to lease the Welby Community Centre to the HTG.</p> <p>This group adds a huge amount to our community with its commitment and expertise.</p> <p>Its productions are always well attended, in fact often sold out, and it is therefore enormously important that they have a permanent (for 5 years) space in which to rehearse, store their props and then perform.</p> <p>Since the closure of the Mittagong Playhouse some years ago, HTG has had to do the rounds of various venues, none of which are completely suitable and yet still maintain their professionalism and optimism.</p> <p>Welby Community Centre could not have a more fitting purpose than to be leased to HTG.</p> <p>I commend this proposal to Council.</p>	Noted.
15. M. Dunn	I think this is a very important move by the Council to	Noted.



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Item No.	Feedback	Council Response
Penrose (in favour)	<p>support Arts in the area.</p> <p>Since the Playhouse has been shut (pending restoration) Arts in the area have suffered the loss of an adequate rehearsal and performance space.</p> <p>This is a very real need in the Arts Community, and it would be greatly appreciated if attention and solution was given to this need.</p> <p>If you consider how much the Playhouse was used before it was shut down, you will get an idea of the amount of people both professional and amateur are involved in the Arts in the Highlands.</p> <p>And that does not even include the audience who support it. Please give the people who are involved in the Arts in the Southern Highlands, a temporary home. And help keep the Arts supported and alive in this community.</p>	
16. Powerhouse Music Bowral (in favour)	<p>I'm writing in support of this proposal.</p> <p>Performing arts and in this case, theatre has long been a traditional area of appeal to the Highlands.</p> <p>In recent times, theatre has struggled with no physical theatre for local groups to perform or touring professional groups to visit.</p> <p>Any assistance to help the local theatre thrive and financially viable is valuable.</p>	Noted.
17. G. Cheers Burradoo (in favour)	<p>I am fully supportive of the HTG being allowed to use the Welby Hall for rehearsal space and small performances.</p> <p>It is wonderful for the Council to show such support for our much-loved group to allow the HTG a home to rehearse and continue to provide quality theatre to our community.</p>	Noted.
18. T. Coleman Unknown (in favour)	<p>The Southern Highlands Theatre Group plays a pivotal role in the cultural life of the region, offering much more than just entertainment.</p> <p>Through their diverse and engaging productions, they create a space where community members can come together to share in the joy of live performance.</p> <p>The group is committed to nurturing local talent, providing opportunities for actors, directors, designers, and technicians to develop and showcase their skills.</p> <p>Their work spans a variety of genres, from classic plays and musicals to contemporary works and original productions, ensuring that there is something for everyone in their repertoire.</p> <p>This diversity not only entertains but also educates the community, exposing audiences to different perspectives and ideas.</p> <p>Beyond the stage, the Southern Highlands Theatre Group</p>	Noted.

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Item No.	Feedback	Council Response
	<p>is deeply involved in community outreach. They offer workshops, classes, and mentoring programs, particularly focusing on youth and those new to the arts, fostering a new generation of theatre enthusiasts and practitioners.</p> <p>Their educational initiatives help build confidence, teamwork, and communication skills, making a lasting impact on participants' personal and professional lives.</p> <p>Moreover, the group's performances often serve as fundraising events for local charities and causes, highlighting their commitment to giving back to the community.</p> <p>By creating accessible and affordable cultural experiences, they ensure that the arts remain a vital part of life in the Southern Highlands.</p> <p>In summary, the Southern Highlands Theatre Group is not just a theatre company; it is a vital cultural institution that enriches the lives of those in the Southern Highlands through its dedication to the arts, education, and community service.</p> <p>Their work fosters a sense of belonging and pride, making the Southern Highlands a vibrant and culturally rich place to live.</p>	
<p>19. M. Archibold-Hession Bowral (in favour)</p>	<p>I wish to support the lease of the Welby Community Centre to the HTG.</p> <p>The HTG is an important part of the arts in the Highlands and having a place for them to rehearse, put on performances is necessary for our community and an opportunity to support and develop talented artists both young and old.</p> <p>They have been waiting for the Mittagong Playhouse to be open again, however at this time there is still no concrete timeframe for this venue.</p> <p>I believe, as the Welby Centre is available, I again wish to confirm my support for this great and established organisation to have a base from which to continue their endeavours in providing wonderful, professional and successful place to the Wingecarribee Community.</p>	<p>Noted.</p>
<p>20. E. Crossman Bowral (in favour)</p>	<p>Leasing Welby Community Centre to the Highlands Theatre Group will support the performing arts to thrive in the Southern Highlands, contributing to community engagement in arts and cultural activities.</p>	<p>Noted.</p>
<p>21. B Collins Mittagong (in favour)</p>	<p>In total support of HTG managing the hall. HTG have been severely impacted by the loss of use of the Mittagong Playhouse for the last (almost) five (5) years. They need a home base to continue to function.</p> <p>The recent approval for them to build a storage facility at Welby opposite the Community Centre is indeed wonderful news and the addition of the lease of the Hall can only be of further benefit to HTG and indeed the community as a whole.</p>	<p>Noted.</p>

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Item No.	Feedback	Council Response
	<p>Hopefully in the future the Playhouse will receive the necessary funding enabling the restoration/renovation that is needed. This will add to the work/enjoyment that HTG provides to the community.</p> <p>We need to support HTG in every way possible, and the allowance for them to be given the Lease for Welby Community Hall is one way the Highlands Community can do so.</p>	
<p>22. N Freeman Bowral (In favour)</p>	<p>I wanted to voice my support for the lease of the Welby Hall to the Highlands Theatre Group.</p> <p>They have a long history in the community - HTG can trace its roots back to the 1880's, (albeit through a variety of groups that merged and changed names) even before The Lieder Theatre in Goulburn was established in 1891 which claims to be the oldest theatre company in Australia!</p> <p>However, unlike the Lieder which has its own theatre and spaces, HTG has moved back and forth over the years, having to rely on the kindness of supporters and also having to be at the mercy of landlords who aren't always so generous.</p> <p>For a community that prides itself on its cultural scene, we lack the vital infrastructure which makes cultural activities easier to facilitate.</p> <p>Having a dedicated rehearsal space is an important step in the right direction, which includes the storage space that has already been allocated and the Mittagong Playhouse renovation that is in the works.</p> <p>It's worth noting that in the mid 20'teens, the Southern Highlands was home to 9 drama organisations but putting together shows requires venues (and hence money, often charged at commercial rates) and more than half have wound up as a result.</p> <p>It's also worth noting that HTG is the only local theatrical group (aside from SHYAC which is purely for youth performers) that holds totally open auditions with a panel including a panellist from outside the group.</p> <p>I mention this because anyone in the community is welcome to audition and has as much opportunity to secure a role as a long term member. Opportunities like this allow groups to invest more in shows and to produce more shows and that is great for local performers and audiences alike!</p>	<p>Noted.</p>
<p>23. G Lawrence Bowral (In favour)</p>	<p>I am a member of the Highlands Theatre Group, and I wholeheartedly support the proposal to grant the lease. It is very welcome move on Council's behalf, and I am grateful for the initiative taken by Council.</p>	<p>Noted.</p>
<p>24. J Kinsella Bowral (In favour)</p>	<p>I am writing to express my support for the proposal to lease to Highlands Theatre Group the Welby Community Centre for a period of five years.</p>	<p>Noted.</p>

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Item No.	Feedback	Council Response
	<p>As a member of the group, and regular performer in local productions, I am well aware of the need the group has for a rehearsal space. It has been extremely challenging since the Playhouse became in-operational to find places to rehearse and perform for the Southern Highlands community.</p> <p>As you will be aware, we provide regular entertainment for the local community, not to mention a place where likeminded and talented individuals can get to know each other and engage in the performing arts.</p> <p>As a result, the group is key for the well-being of many in the community, whether they are members of the group, supporters, or people who enjoy coming to a range of shows.</p> <p>Having a designated place where we can rehearse, and even store many of the things required to put on theatre, will make a huge difference to workload and costs, as well as to the quality of performances. It will also only help the group to grow into an even stronger part of our community.</p> <p>It is still disappointing that we do not have the use of a local theatre, despite the size of the Wingecarribee community, the wealth of talented artists living in the area and the interest in the arts that exist here. A functioning local theatre would be brilliant for housing a variety of local and travelling performances and it continues to concern and perplex me that we do not have similar facilities to other regional areas and Council has not yet acted to rectify this.</p> <p>This ongoing deficit impacts every decision of the group, restricting the type and amount of shows that can be put on. I absolutely welcome this move from Council and hope that it is indicative of strengthening, and now ongoing support for theatre in the area.</p> <p>As you know, we all give of our time freely, for the love of the community.</p>	
25. S Farrington Moss Vale (In favour)	I would like to support the lease of Welby Community Hall to Highlands Theatre Group for the furthering of dramatic activities and prop storage in the Highlands.	Noted.
26. K & B Novarina Wollongong (In favour)	<p>I am writing in support of this proposal. The Highlands Theatre Group has been an active group in the Highlands district for many years.</p> <p>Contributing positively to the social fabric of the district Since the Mittagong building was shut down several years ago, they have been rehearsing under very challenging circumstances.</p> <p>Even so, they have been successful in presenting many quality productions which have been very well attended. My husband and I travel from Wollongong to the Highlands as often as possible to attend their plays.</p> <p>This is testament to the commitment and quality of the Group in not letting circumstances deter them from</p>	Noted.

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Item No.	Feedback	Council Response
	<p>achieving their goals. They don't give up!</p> <p>We feel that by having a definite venue for rehearsals etc, would be a huge relief to the members, all actors, the management, producers etc. It would create certainty for all concerned, and that obviously impacts the quality of the community in a positive way.</p> <p>We urge Council to negotiate the lease as described.</p>	
27. B Manning Mittagong (in favour)	<p>I certainly hope this can happen, I have a strong connection with the hall as I was a part of the volunteer group "Welby Progress Association," that built the hall with funding from the council!</p> <p>I'm a keen audience member of anything that Highlands theatre group produces! With the safety issues, still not resolved for the Hall in Centre of Mittagong, this would be of great value to HTG for a venue.</p>	Noted.

As the proposed Lease is for a period of five (5) years, referral to the Minister for Local Government for consideration of objections is not required.

Noting the unanimous support of the Committee, this report recommends Council dissolve the Welby Hall 355 Management Committee and enter into a five (5) year Lease with Highlands Theatre Group for the Welby Community Hall.

**COUNCIL BUDGET IMPLICATIONS**

If Council were to agree to the requested Lease, assessment would be undertaken to ascertain renewal and maintenance/inspection costs for the Welby Community Hall for the Lease period. The Lessee would then be required to pay into a sinking fund/reserve to cover the renewal and maintenance costs associated with the building. Alternatively, the Lease would be drafted so all renewal/maintenance for the building is the responsibility of the Lessee (and therefore cost neutral to Council) with Council to be reimbursed for all mandatory inspections (including fire safety inspections).

**CONCLUSION**

This report seeks resolution of Council to enter a five (5) year Lease with Highlands Theatre Group for the Welby Community Hall, and dissolution of the Welby Hall 355 Management Committee, as outlined in this report.

**ATTACHMENTS**

- Attachment 1 [8.22.1 - 1 page]

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## **8.23 Stockade Street, Berrima - Proposed Lease of Road Reserve**

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**Report of:** **Amanda McCullagh**  
**Coordinator Property Services**

**Authorised by:** **Shelley Jones**  
**Director Corporate Strategy and Resourcing**

### **PURPOSE**

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This report seeks Council approval to enter a five (5) year Road Lease for a portion of road reserve at Stockade Street, Berrima, which adjoins the property known as 7-9 Oldbury Street, Berrima.

The applicant is the owner of the adjoining property.

### **OFFICER'S RECOMMENDATION**

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#### **THAT:**

- 1. Council approve a five (5) year Road Lease of part of the unformed road reserve at Stockade Street, Berrima with commencement rental of \$1,220.00 per annum.**
- 2. Authority be delegated to the General Manager to execute the Road Lease.**

### **REPORT**

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#### **BACKGROUND**

Council was approached by the applicant enquiring about the possibility of closing and purchasing the segment of road reserve at Stockade Street, Berrima, which adjoins the applicants' property at 7-9 Oldbury Road, Berrima.

Feedback from the relevant Council officers did not support the proposed closure and sale, however the applicants were advised that it may be possible to enter a Road Lease with Council for a period of up to five (5) years, subject to approval.

Council has now been approached by the applicants seeking a Road Lease for use of the segment of road reserve for the purpose of enclosure and maintenance of the habitat corridor.

Figure 1. below shows the area of road reserve proposed for Lease outlined in red:

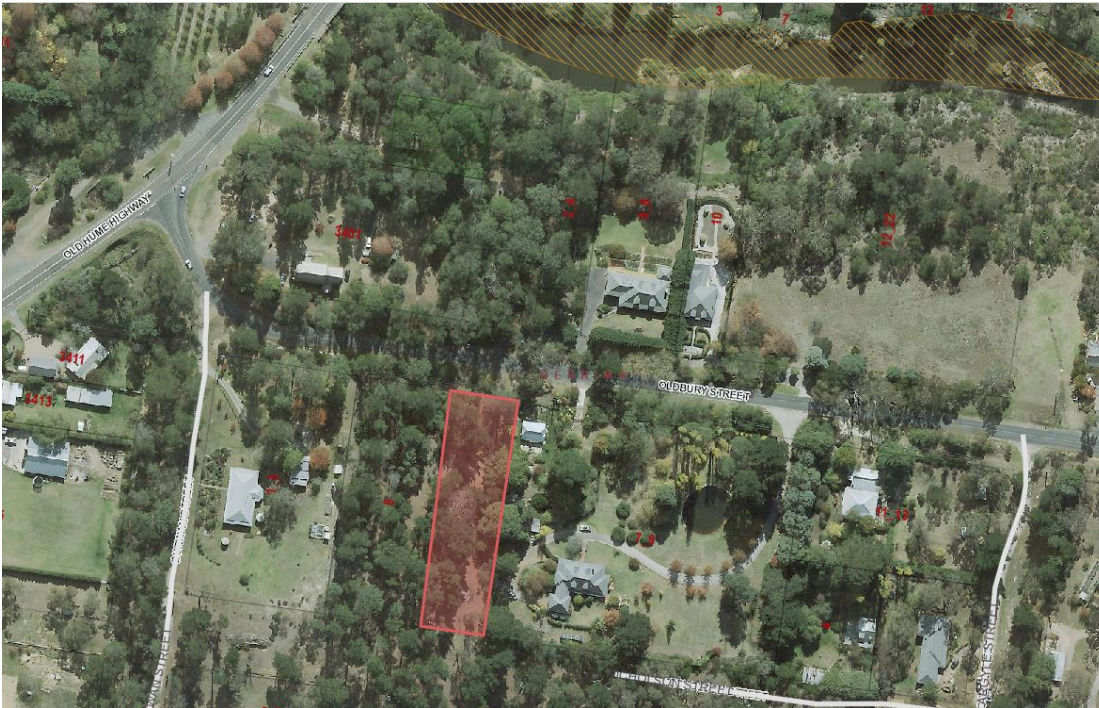


Figure 1. area of unformed road adjoining 7-9 Oldbury Road Berrima

**DISCUSSION**

In principle, agreement has been reached with the applicants to enter a Road Lease for a period of five (5) years at a rental of \$1,220.00 per annum inclusive of GST, as determined by an independent market valuation.

The area of road reserve subject to the Road Lease is approximately 2,714.27 square meters 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 a Road Lease with the applicants for a period of twenty-eight (28) days. During the period of public exhibition, there was one (1) submission received. A summary of the submission is outlined below:

Item No.	Feedback	Council Response
C Froome Berrima	<p>I wish to lodge an objection to the proposed road lease for part of a road reserve known as Stockade Street Berrima.</p> <p>Please note that I lodged a strong objection to the previous lease that was granted in 2015 – for a period of 2 years – which to my knowledge was never re-advertised.</p> <p>My objection remains the same as in 2015. Should you wish I can provide all documents relating to that although you should be able to locate in council’s</p>	<p>The applicant has advised that he has removed the chicken wire from the gates at both the northern boundary of the road reserve with Oldbury Street and the Southern boundary of the road reserve with Nicholson Street to allow wildlife such as wombats, kangaroos and wallabies to pass through the road reserve.</p> <p>The applicant has further agreed to:</p>

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Item No.	Feedback	Council Response
	<p>records. The file reference for this was RD1433.</p> <p>But basically, this section of Stockade Street formed a very important walkway link and allowed for safer position to cross the busy Oldbury Street that at the corner, where currently forced to do so from Burwan Street or walking down the road after crossing from Argyle Street.</p> <p>I note that the notification indicates the purpose of the lease is for “enclosure and maintenance of the habitat corridor”. This is a farce. By definition a corridor would have exit points, which the current fencing and gates prohibits. It is not a habitat corridor and only prevents the wildlife, such as wombats, kangaroos and wallabies from passing through. We get many of these and they ae funnelled up the open tracks. this section of Stockade Street was one of the easiest points for them to gain direct access down to the river, continuing on beside the Church land. Now, and has not been since 2015 this is not possible.</p> <p>When the lands either side were under the same ownership, it was understandable and the argument for maintenance was understood, but these lots have been sold to two different groups, and thus exactly how are they to share the “maintenance of the habitat corridor”?????</p> <p>Additionally, I note that the owner of the land to the west, one of the applicants for this lease, has recently cleared their land, reducing the habitat! I do not know why they have provided new access points off Nicholson Street, and I can only assume they did not obtain a S138 approval to do this work or the works they carried out to the access track of Nicholson Street, or the clearing within the property. They firstly damaged the existing track with the heavy vehicles that accessed the site, then proceeded to place gravel to ensure the vehicles could drive bank down there. They have also provided a compacted gravel driveway and hardstand area</p>	<ol style="list-style-type: none"> <li>1. Ensure the gates at both the Southern and Northern ends remain unlocked;</li> <li>2. Remove 1 panel of chicken wire on the Southern (top) fence; and</li> <li>3. Insert a wombat gate into the Northern fence.</li> </ol> <p>The owner of 5 Oldbury Street, Berrima is no longer a party to the proposed Road Lease.</p> <p>The comments in relation to works at 5 Oldbury Street, Berrima are not relevant to the proposed Road Lease to the owners of 7-9 Oldbury Street, Berrima.</p>



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Item No.	Feedback	Council Response
	<p>within the property. It should be noted that to my knowledge this property does not have a dwelling entitlement and cannot be built upon, so the drive and access appear to be illegal development and this should be investigated.</p> <p>The lease and enclosure of this section of Stockade Street appears to serve no purpose but to provide the two property owners with additional land which should be available for use by all members of the community.</p>	

It is recommended that Council enter the requested five (5) year Road Lease and authority be delegated to the General Manager to execute the Road Lease on behalf of Council.

**COUNCIL BUDGET IMPLICATIONS**

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None identified. The applicant will be responsible for all fees associated with the Road Lease and will pay rental determined by market valuation.

**CONCLUSION**

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This report recommends that Council endorse a Road Lease for a five (5) year term to the applicant for part of the road reserve located at Stockade Street, Berrima at a commencement rental of \$1,220.00 per annum.

**ATTACHMENTS**

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1. Stockade Street Berrima - Standard A 3 Landscape [8.23.1 - 1 page]

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## **8.24 Rates, Water & Sewerage Access Subsidy Programme 2024/25**

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**Report of:** David Grima  
**Coordinator Revenue**

**Authorised by:** Pav Kuzmanovski  
**Chief Financial Officer**

### **PURPOSE**

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The purpose of this report is to advise Council of the outcome of the 2024/25 Rates, Water and Sewerage Access Subsidy programme.

### **OFFICER'S RECOMMENDATION**

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#### **THAT Council:**

1. Endorse the outcome of the 2024/25 Rates, Water and Sewerage Access Subsidy Scheme totalling \$44,689.02.
2. Endorse a 100% Rates subsidy for the Glenquarry Peace Memorial Hall for the amount of \$2,160.94 for 2023/24 financial year and \$2,261.64 for 2024/25 financial year.

### **REPORT**

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#### **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 as outlined in Council's Operational Plan.

#### **DISCUSSION**

Applications for assistance under the Rates, Water & Sewerage Access Charge Subsidy programme were accepted using the online form available on Council's website during September 2024.

In total 37 applications were received, all of which were approved. Subsidies totalling \$16,386.50 were provided to the applications which are detailed in **Attachment 1**.

In addition to the above, subsidies totalling \$28,302.52 were also provided to the below groups specified in the existing guidelines who each provide community hall facilities:

<b>Property Number</b>	<b>Property Address</b>	<b>Owner's / Lessee's Name(s)</b>	<b>Rates Subsidy</b>	<b>Access Subsidy</b>
1825750	26-28 Railway Avenue Collo Vale	Colo Vale Community Association Incorporated	\$4,208.44	\$500.00
777200	1536 Kangaloon Road Kangaloon	Kangaloon Hall Incorporated	\$2,042.89	\$0.00
1469200	55-57 Hoddle Street Robertson	Robertson School of Arts Incorporated	\$3,964.70	\$500.00
1319000	963 Sheepwash Road Avoca	Avoca Community Advancement Co-op Society	\$5,827.11	\$0.00

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<b>Property Number</b>	<b>Property Address</b>	<b>Owner's / Lessee's Name(s)</b>	<b>Rates Subsidy</b>	<b>Access Subsidy</b>
1769500	33-35 Hoddle Street Burrawang	Burrawang School of Arts	\$6,995.82	\$252.00
1618600	2 Hall Road Balmoral Village	LW Eyles & T Bennett & WS Main (trustees)	\$4,011.56	\$0.00
<b>TOTAL</b>			<b>\$27,050.52</b>	<b>\$1,252.00</b>

Glenquarry Peace Memorial Hall applied for the 2024/25 subsidy and satisfy the scheme criteria as those in the table above. It is noted that Glenquarry Peace Memorial Hall did not receive a subsidy for the 2023/24 year as the notification relating to the change in policy did not reach their office bearers due to an incorrect email address. It is recommended that amounts of \$2,160.94 (2023/24) and \$2,261.64 (2024/25) be included as a part of the scheme.

Details of the scheme were included on the annual rate notice issued for the 2024/25 year; and on the water & sewerage notice issued for the 1<sup>st</sup> billing period of the 2024/25 year. The scheme was also advertised on Council's website during the period applications were opened.

Correspondence was also sent to groups who were successful for the 2023/24 year.

**COUNCIL BUDGET IMPLICATIONS**

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The total amount of \$49,111.60 is within the budget allocated for the 2024/25 year including the 2023/24 and 2024/25 Glenquarry Peace Memorial Hall subsidy. There is adequate budget to fund the 2024/25 scheme.

**CONCLUSION**

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The program has concluded for the 2024/25 year and all applicants will have their rates and water accounts updated with the subsidies as outlined in this report.

**ATTACHMENTS**

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1. Attachment 1 [8.24.1 - 1 page]

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## **8.25 Monthly Financial Report - as at 31 October 2024**

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**Report of:** **Stephen Joss**  
**Deputy Chief Financial Officer**

**Authorised by:** **Pav Kuzmanovski**  
**Chief Financial Officer**

### **PURPOSE**

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This report presents to Council the monthly financial report for the period ending 31 October 2024.

### **OFFICER'S RECOMMENDATION**

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**THAT Council receive and note the monthly financial report for October 2024.**

### **REPORT**

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Attachment 1 to this report includes the Income Statements for Council's:

- Consolidated Fund
- General Fund
- Water Fund
- Sewer Fund
- Consolidated Capital Expenditure Program by Asset Class.

The report presents Council's financial position as of 31 October 2024, with unaudited figures allocated according to the Code of Accounting Practice and Financial Reporting standards.

#### **Income Statement**

As of 31 October 2024, Council's consolidated Income Statement shows an actual year to date operating surplus of approximately \$44M. Monthly monitoring by the Finance team, Managers, and Coordinators ensures expenditures align with budgets, with any adjustments reported to Council as a part of the Quarterly Budget Review proces. At a consolidated level, all spending remains within forecast budget allocations.

#### **Key Context for Figures**

- The majority of land rates are levied in July. With the introduction of part-year rating, allowing newly subdivided properties to be charged rates and levies within the current rating year, generating additional rates revenue throughout the year.
- Water and Sewerage rates and annual charges reflect access charges raised up to 31 July 2024. Additional notices will be issued in January and April for charges up to the end of March 2025. Income is forecast to meet budget.
- Development Application fees are now recognised on determination, rather than receipt. Current development application income will be aligned to revised budgeted forecasts reported in the September 2024 Quarterly Budget Review.
- Materials and Services accruals are not included, leading to an approximate one-month lag that is reconciled at year end.
- Depreciation and amortisation are based on budget figures, with final adjustments following asset capitalisation at year end.

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- Grants and Contributions are brought to account on a cash basis and adjusted at year end to align with accounting standards.
- Transfers to and from reserves are finalised during year-end processing.

### **Capital Expenditure Program**

The Council's approved capital budget for 2024/25 began at \$105M, revised to \$122M after adjustments as a part of the year end carry overs and September 2024 Quarterly Budget Review. The year to date actuals as at the end of October 2024 are approximately \$19M or 16% of the revised budget and is being monitored, noting that there a number of large scale, multi year projects.

It is noted that capital expenditure does not follow a uniform monthly pattern, as the timing of major projects varies throughout the year. Larger projects are scheduled to commence in the latter half of the financial year, which significantly impacts the year-to-date expenditure figures.

### **COUNCIL BUDGET IMPLICATIONS**

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There are no budget implications in presenting this report.

### **CONCLUSION**

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Council receive and note the Monthly Financial Report.

### **ATTACHMENTS**

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1. Monthly Reporting Oct [8.25.1 - 12 pages]

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## **8.26 Investments Report - October 2024**

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**Report of:**                    **Stephen Joss**  
   **Deputy Chief Financial Officer**

**Authorised by:**            **Pav Kuzmanovski**  
   **Chief Financial Officer**

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### **PURPOSE**

This report presents Council’s Cash Investment Portfolio held at 31 October 2024.

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### **OFFICER’S RECOMMENDATION**

**THAT Council receive and note this Cash Investment Report as at 31 October 2024.**

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### **REPORT**

In accordance with section 212 of the Local Government (General) Regulation 2021, the Responsible Accounting Officer must provide Council with a written report setting out details of all money that Council has invested under section 625 of the Local Government Act 1993.

This report provides details of Council’s Investment Portfolio as at 31 October 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 \$231,340,756 to 31 October 2024.

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

<b>Fund</b>	<b>Annual budget</b>	<b>YTD budget</b>	<b>YTD actual</b>	<b>YTD variance</b>
<b>General Fund</b>	<b>3,070,000</b>	<b>1,023,333</b>	<b>1,580,075</b>	<b>556,742</b>
<b>Water Fund</b>	<b>2,900,000</b>	<b>966,667</b>	<b>1,351,483</b>	<b>384,816</b>
<b>Sewer Fund</b>	<b>2,430,000</b>	<b>810,000</b>	<b>1,089,008</b>	<b>279,008</b>
<b>Total Council</b>	<b>8,400,000</b>	<b>2,800,000</b>	<b>4,020,566</b>	<b>1,220,566</b>

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**COUNCIL BUDGET IMPLICATIONS**

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Council's year to date investment returns exceeded budget by \$1,220,566 with \$663,824 of this revenue restricted to the water and sewer funds. This will be monitored and adjusted in the December 2024 Quarterly Budget Review.

**CONCLUSION**

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Council receive and note the Cash Investment Portfolio held at 31 October 2024.

**ATTACHMENTS**

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1. October 2024 - Investment Report Summary [**8.26.1** - 6 pages]

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## **8.27 Traffic Committee Meeting Minutes - 26 September 2024**

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**Report of:** Elizabeth de Graaf  
Administration Officer - Assets

**Authorised by:** Clinton McAlister  
Director Service and Project Delivery

### **PURPOSE**

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This report provides the Minutes of the Local Traffic Committee meeting held on 26 September 2024 and seeks Council's adoption of the relevant recommendations.

### **OFFICER'S RECOMMENDATION**

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#### **THAT Council:**

1. Receive and note the Minutes of the Traffic Committee meeting held on Thursday 26 September 2024.
2. Adopt the recommendation contained in TC 2024/55 THAT Council approves the installation of rumble strips on Railway Parade on the approaches to the intersection of Railway Parade and Murrimba Road for both east & west bound traffic.
3. Adopt the recommendation contained in TC 2024/58 THAT the proposed realignment of Taylor Avenue and Berrima Road, New Berrima, and associated signage, line marking and raised median, as designed in Design Plan 19052, drawing number C6.01 by Novati Consulting Engineers, be recommended for approval.
4. Adopt the recommendation contained in TC 2024/59 THAT the pedestrian blister and Bus Zone proposed on Penrose Road, Penrose, as designed in Wingecarribee Shire Council Design Plan 2430, be recommend for approval and THAT the EL1 line through the blisters is maintained and that the 3.5m lane width is maintained between the centre line and EL1 line.

### **REPORT**

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#### **BACKGROUND**

The Local Traffic Committee (the Committee) is established to provide advice to Council which enables Council to meet its responsibilities to Transport for NSW (TfNSW) as part of the powers delegated to it by TfNSW under the Transport Administration Act 1988.

The control of traffic functions delegated to TfNSW to Council are:

1. Regulation of traffic under Division 2 of Part 8 (Sections 116 to 119) of the Roads Act 1993;
2. Authorisation of prescribed traffic control devices covered under Division 1 Part 4 (Sections 50 to 55) of the Road Transport (Safety & Traffic Management) Act 1999; and
3. Authorisation of special event parking schemes under Division 2 of Part 5 (Clauses 122 and 123) of the Road Transport (Safety & Traffic Management) Regulation 1999 on public roads other than classified roads.

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



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In accordance with the Local Traffic Committee Terms of Reference and resolution of Ordinary Council Meeting 8 December 2021, Council has sub-delegated the traffic management powers relating to Items 2 and 3 as listed above to the General Manager. Traffic management powers relating to Item 1 cannot be sub-delegated.

As a general guide, the following matters relate to the respective Items:

- Item 1 – Permanent installation of traffic control devices like speed humps, medians & blisters. As well as street closures and formalisation of one-way streets;
- Item 2 – Regulatory signs and line marking; and
- Item 3 – Temporary closures for special events.

### **Local Traffic Committee Meeting – 26 September 2024**

A Local Traffic Committee meeting was held on 26 September 2024. The [Traffic Committee Agenda](#) is available on Council's website.

Traffic Committee recommendation numbers TC 2024/55, TC 2024/58 and TC 2024/59 require Council's endorsement.

TC 2024/55 - Item 6.5 Railway Parade, Wingello – Installation of proposed rumble strips on both approaches to the intersection at railway level crossing

*THAT Council approves the installation of rumble strips on Railway Parade on the approaches to the intersection of Railway Parade and Murrimba Road for both east & west bound traffic.*

TC 2024/58 – Item 6.8 Road Realignment – Berrima Road and Taylor Avenue, New Berrima

*THAT the proposed realignment of Taylor Avenue and Berrima Road, New Berrima, and associated signage, line marking and raised median, as designed in Design Plan 19052, drawing number C6.01 by Novati Consulting Engineers, be recommended for approval.*

TC 2024/59 – Proposed Pedestrian Blisters and Bus Zone on Penrose Road, Penrose

1. *THAT the pedestrian blister and Bus Zone proposed on Penrose Road, Penrose, as designed in Wingecarribee Shire Council Design Plan 2430, be recommend for approval.*
2. *THAT the EL1 line through the blisters is maintained and that the 3.5m lane width is maintained between the centre line and EL1 line.*

### **CONCLUSION**

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Traffic Committee recommendation numbers TC 2024/55, TC 2024/58 and TC 2024/59 require Council's endorsement.

The remaining items considered at the meeting on 26 September 2024 were approved under sub-delegation, it is therefore recommended that Council receive and note the Minutes.

### **ATTACHMENTS**

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1. Traffic Committee Minutes - 26 September 2024 [8.27.1 - 16 pages]
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**8.28 Audit, Risk and Improvement Committee Meeting Minutes - 3 and 5 September 2024**

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**Report of:** Paige Zelunzuk  
Coordinator Governance

**Authorised by:** Shelley Jones  
Director Corporate Strategy and Resourcing

**PURPOSE**

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This report provides the Minutes of the Extraordinary Meeting of the Audit, Risk and Improvement Committee held on Tuesday 3 September 2024 and the Minutes of the Ordinary Meeting of the Audit Risk and Improvement Committee held on Thursday 5 September 2024.

**OFFICER'S RECOMMENDATION**

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**THAT:**

1. The Minutes of the Extraordinary Meeting of the Audit, Risk and Improvement Committee held on Tuesday 3 September 2024 be received and noted.
2. The Minutes of the Ordinary Meeting of the Audit Risk and Improvement Committee held on Thursday 5 September 2024 be received and noted.

**REPORT**

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**BACKGROUND**

The Audit Risk and Improvement Terms of Reference were adopted by Council on 15 May 2024 (MN 2024/112) and came into effect on 1 July 2024. The Terms of Reference provide that the Audit Risk and Improvement Committee “will provide an update to the governing body and the General Manager of its activities and opinions after every Committee meeting.”

**CONCLUSION**

The Audit, Risk and Improvement Committee (the Committee) met on Tuesday 3 September 2024 and Thursday 5 September 2024. The Committee will next meet on 28 November 2024 and the attached Minutes will be confirmed at that meeting.

**ATTACHMENTS**

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1. Audit Risk and Improvement Committee Meeting Minutes - 3 September 2024 [8.28.1 - 7 pages]
2. Audit Risk and Improvement Committee Meeting Minutes - 5 September 2024 [8.28.2 - 23 pages]

- 9 NOTICES OF MOTION**
- 10 QUESTIONS WITH NOTICE**
- 11 MEETING CLOSURE**