

## **ADMINISTRATOR MINUTE**

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There are a number of matters which I would like to address in this Minute that are of general community interest and I think it important that they be formally reported to Council.

As previously advised, and with the support of the Office of Local Government, Council held four Candidate Information Sessions, the final one being on 12 June 2024. I was very pleased with the content and presenters at all sessions and thank them for making themselves available. A total of 35 potential candidates attended across all sessions and while I initially indicated that I would be naming those who attended and when, it has not proved practical and I do not want to become involved in a potential political issue by not naming some who may have attended.

The content of all sessions is now available on the Council's website – as is a plethora of information relating to the period of Administration including the final report of the Public Inquiry, each day's transcripts and YouTube recordings of the proceedings, together with all reports I commissioned and Administrator Minutes. They can be easily found on either the Administrator Page or Council Election page.

In my presentation to the final session, I raised concerns about the potential of the new Council again entertaining spot rezonings – something that I have a strong view on and that believe led to an adhoc approach in land use planning at the Council.

Council remains committed to strategically-led land use planning practices, which have been adopted in the Wingecarribee Local Housing Strategy 2021 (LHS). This document received considerable community input and is based on statutory requirements that align with the State Governments population and housing projections. Speculative, unsolicited, and un-strategic spot-rezonings should not be supported and closer to the elections I will be calling on candidates to publicly state their position on such matters.

The report on this agenda of the Executive Manager Strategic Outcomes on the NSW Housing Targets clearly indicates that the adopted LHS commits to 6,080 dwellings over the next 30 years balanced between New Living Areas and Infill within existing urban areas (basically 50/50), adequately responds to the State Government's demands. Additionally, it should be noted that this Shire is not generally regarded as a high growth regional area by the State Government.

In partnership with the General Manager (GM) and Council Officers, I have worked hard to return strategic land use planning to the Community and adhoc spot rezonings by developers and advocate planners should be totally rejected – to do otherwise in my view will only damage the wonderful environment – both built and natural that makes Wingecarribee such a special place to live, work or play.

It was very disappointing that the Council's application to the Federal Government under the Growing Regions Program for the Mittagong Playhouse was not successful.

Following the success of the Council's initial Expression of Interest, and subsequent invitation by the Department to submit a detailed application, we were hopeful of an approval and with the cooperation of the Berrima District Historical Society and the Highlands Theatre Group a Development Application has been approved and the project is 'shovel ready'. Council will maintain its allocation of \$4M in the 2024/25 budget and will continue to explore funding opportunities and submit another application under the next funding round - Growing Regions Round 2.

At the May 2024 meeting of Council, consideration was given to the possible closure and sale of roads in Mittagong, where it was subsequently resolved that Council not proceed with the proposed closure and sale of Charles Street, Part Thomas Street and Part William

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Street, Mittagong until the strategic connectivity implications arising from potential long-term infill development opportunities in Mittagong West are further investigated.

At the meeting I agreed to meet with residents, and this happened on Sunday 16 June on site when I was amazed to be told that the owner of lands immediately to the west of the site had prepared a detailed subdivision plan for consideration and residents provided me with an internet link.

It is acknowledged that at the meeting of Council held on 14 July 2021 in adopting the Local Planning Panel's advice not to include 9 Howards Way Mittagong in the Local Housing Strategy, it was resolved that the matter be referred back to the Panel for consideration as a future infill development opportunity for Mittagong.

As indicated earlier in this Minute, Council remains committed to implementing and facilitating Infill and New Living Areas already identified in the adopted Wingecarribee Local Housing Strategy (LHS) 2021. Mittagong West is not identified in the adopted LHS and is therefore not considered for rezoning proposals at this time. Council does not support un-strategic and out-of-sequence rezoning proposals due to the known infrastructure capacity constraints. Parts of Mittagong West may be considered in the longer-term, in the late 2040's or 2050's, once the adopted LHS has been exhausted.

Accordingly, I would recommend that no further action be taken in relation to Council's resolution of 14 July 2021 in relation to 9 Howards Way Mittagong – this is consistent with the original recommendation of the Panel.

On behalf of the residents who attended the meeting, I raised this matter with the General Manager who has indicated that consistent with other like speculative proposals, Council's lawyers will be instructed to write to the landholders requesting that they refrain from making any representations about future residential development proposals on the site that may mislead the community.

When considering the draft Medium Residential Development Controls at a meeting held in February 2023 Council endorsed, inter alia, a recommendation from the Planning Panel that it considers establishing a local design review panel in accordance with the NSW Local Government Design Review Panel manual and report the matter back to Council in due course.

There is an enormous amount of work being undertaken by the Council in relation to land use management in the Shire and development applications generally.

Wingecarribee's Local Planning Panel hosts a broad range of experience and highly respected professionals across several disciplines including architecture, urban design and town planning. The Panel considers, deliberates, and determines Development Applications (DAs) and provides advice on Strategic Planning matters such Land Use Policy and Planning (Rezoning) Proposals. The Panel's advice extends to best-practice architectural outcomes, urban design and assessment of local character. I take the view that a separate design panel would be an unnecessary duplication to the existing practical functions and capabilities of the Panel and recommend no further action be taken on the Council's decision of 15 February 2023 as it an unreasonable administrative load that is not required at this time.

Congratulations are in order to the Council Officers for bringing Bridgerton to Bowral. I am informed that a whopping \$2.4 million more was spent in Bowral alone, this April compared to April 2023 – and this does not include accommodation. At a time where there are acknowledged cost of living issues across the Nation I am confident that retailers – particularly in Bowral would have been pleased with the initiative of the Council Officers. Well done!

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For some time, the Berrima Residents Association (BRA) have been working with Council in relation to the installation of sandstone blocks within the road reserve at Berrima Marketplace. An application for consent for works on Councils road was refused under delegation in mid-May for the installation of a series of hewn sandstone blocks measuring approximately 500 by 500 and in lengths of one metre for a total length of approximately 132 metres around part of the Jellore Street, Bryan Street and Market Street boundaries to the park. The BRA noted that the purpose of the sandstone blocks was to protect the ageing trees, the grass, the park generally and to assist with pedestrian safety in and around the site. It was proposed that the cost of the works (approx. \$20k) would be borne by the BRA. The refusal was based on two heritage reports even though the plan was prepared by a recognised landscape consultancy acknowledging the aesthetic values of the Berrima Marketplace and the Berrima Conservation Area.

An option proposed by the Council Officers, and I understand generally supported by the BRA, allows for the installation of sandstone blocks of a smaller dimension, laid in a similar manner to the existing, it being noted in the second heritage report '*would allow for a sense of continuum to the established treatment along the edges of the marketplace*'. The Heritage Consultant noted however that at this time he could not recommend the above for two reasons:

- Not to obscure or confuse the existing sandstone block edging and distract from its significance with any new work being distinguished as such;
- It is essential that any works do not negatively impact upon the health and vigour of the existing trees.

Following discussions and onsite meetings I take the view that the most practical solution is the installation of sandstone blocks similar to the existing, and recommend that an approval be given by Council, subject to advice from a suitable qualified arborist that there would be no adverse impacts on the existing trees and other matters that may be required by the GM for technical reasons.

I am informed that if it was not for the recent spell of wet and cold weather, Stage 3 of Old South Road, from Alymerton Road to the Old Hume Highway, would now be completed. I am sure many residents would be, like me, in not knowing that unless the ground temperature is 12 degrees, it is not possible to finally seal the road – hopefully this will occur and the road will be re-opened this coming weekend – with only line marking remaining and scheduled within two weeks post seal. There is no question that the work on Old South Road has had its problems and residents have been considerably inconvenienced but I am confident that the outcome will be worthwhile.

The GM has advised that legal proceedings have been initiated against a resident in a criminal prosecution in the Land and Environment Court. The action follows successful class 4 proceedings and will pursue unauthorised building works, the removal of vegetation and landfilling and earthworks that could potentially create environmental harm.

Given the severity and legal opinion of good prospects of securing findings of guilt in relation to the unlawful works, I support the actions of the General Manager to undertake the legal action as a criminal matter, as no one is above the law. Be assured that your Council works tirelessly to protect the environment and coming after the well publicised recent success at Canyonleigh a clear message must be sent to builders, developers and advocate planners that a new page has been turned in relation to such matters at Wingecarribee Shire Council.

Council Officers tell me that the new Application Tracker - One Source of Truth - is now fully operational and is proving a success with residents and applicants alike. In the short time it has been in operation there have been over 9000 views (with 4600 actually viewing

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an Application) and over 170 now registered to automatically follow an application. It is important for the success of the Application Tracker that public access to development applications is provided in an open and transparent way, without inconvenience to residents and considerable workload on Council Officers.

Finally, the General Manager will be taking leave from Saturday, 6 July 2024 to Sunday, 4 August 2024 and in view of the heavy workloads and the fact that two of the Directors will be very fresh to the organisation, has recommended that an external acting General Manager be appointed for the four weeks and I formally give notice and endorse the General Managers recommendation that Mr Hamish McNulty will be acting General Manager during the period of Ms Miscamble's absence.