

AGENDA

Ordinary Meeting of Council



We're with you

Wednesday, 19 June 2024

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

MEETING NOTICE

An Ordinary Meeting of Wingecarribee Shire Council will be held in Council Chambers at Wingecarribee Shire Council Civic Centre, 68 Elizabeth Street, Moss Vale on Wednesday 19 June, 2024 at 3.30pm.

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

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

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

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Council Chambers

Recording and Webcasting of Ordinary and Extraordinary Meetings of Council

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

The Council Chamber has 24 Hour Video Surveillance.

1 OPENING OF THE MEETING

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

2 ACKNOWLEDGEMENT OF COUNTRY

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

3 STATEMENT OF ETHICAL OBLIGATIONS

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

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

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

4 APOLOGIES

Nil at time of print.

5 ADOPTION OF MINUTES OF PREVIOUS MEETING

That the minutes of the Ordinary Meeting of Council held on 15 May 2024, *MN 2024/100 to MN 2024/146* inclusive, be adopted as a correct record of the proceedings of the meeting.

That the minutes of the Extraordinary Meeting of Council held on 29 May 2024, *MN 2024/147 to MN 2024/157* inclusive, be adopted as a correct record of the proceedings of the meeting.

6 DECLARATIONS OF INTEREST

The provisions of Chapter 14 of the Local Government Act 1993 regulate the way in which nominated staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public trust.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest and the reasons for declaring such interest must be disclosed as soon as practicable after the start of the meeting.

As members are aware, the provisions of the Local Government Act restrict any member who has declared a pecuniary interest in any matter from participating in the discussions or voting on that matter and further require that the member vacate the Chamber.

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Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code also provides for a number of ways in which a member may manage non pecuniary conflicts of interest.

7 ADMINISTRATOR MINUTES

8 ITEMS FOR CONSIDERATION BY EXCEPTION

9 GENERAL MANAGER

9.1 NSW Housing Targets Department of Planning Housing and Infrastructure

Report of: Sarah Farnese
Senior Strategic Planner

Authorised by: Deniz Kilic
Executive Manager Strategic Outcomes

PURPOSE

The purpose of this report is to inform Council about housing targets recently released by the NSW Department of Planning, Housing and Infrastructure.

OFFICER'S RECOMMENDATION

THAT Council note the NSW Housing Targets Department of Planning Housing and Infrastructure report.

REPORT

BACKGROUND

On 29 May 2024, the NSW State Government through the Department of Planning, Housing and Infrastructure (DPHI) announced housing targets for NSW Councils for the five (5) years commencing on 1 July 2024 to 30 June 2029. These housing targets aim to address the housing crisis and the NSW Government's commitment under the National Housing Accord to complete 377,000 new homes by 30 June 2029.

REPORT

Specific housing targets have been announced for 43 councils in the Greater Sydney, Illawarra-Shoalhaven, Central Coast, Lower Hunter and Greater Newcastle regions and one target for regional NSW. The regional NSW target (in which Wingecarribee is a part) is set at 55,000 homes.

The table below provides information about how the targets were set:

A robust evidence-base was used to inform the targets, that:

- *allows NSW to meet its share of 1.2 million homes nationally (377,000 new homes)*
- *delivers diverse and well-located housing close to existing centres and transport connections*
- *aligns with existing, available infrastructure capacity.*

The targets are informed by the latest available data and evidence, including:

- *baseline estimate of homes already in the pipeline and planned for completion*
- *additional homes expected from new planning reforms, including the Transport Oriented Development Program (TOD) and the reforms to low- and mid-rise housing*
- *local environmental risks (e.g. flood and bushfire)*

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- *development feasibility of new, diverse housing*
- *information on infrastructure capacity and planned servicing*
- *demand for new housing in outer regional NSW.*

Source: Department of Planning, Housing and Infrastructure

<https://www.planning.nsw.gov.au/policy-and-legislation/housing/housing-targets/how-we-developed-the-targets>

The new targets include additional housing supply expected resulting from recent housing reforms under the *Transport Oriented Development* program and the under the *Diverse and Well-Located Homes* program. Council lodged a submission to DPHI in March 2024 on the low- and mid-rise housing reforms. The proposed reforms did not propose any planning changes that affect Wingecarribee Shire and the Transport Oriented Development program does not apply in the Shire.

Although there are specific targets set for each of the 43 councils in the Greater Sydney, Illawarra-Shoalhaven, Central Coast, Lower Hunter and Greater Newcastle regions, there is little explanation of how the 55,000 home target for regional NSW is to be divided apart from the following comment from the DPHI website (<https://www.planning.nsw.gov.au/policy-and-legislation/housing/housing-targets/housing-targets-frequently-asked-questions>):

We expect the majority of new homes to be built in high-growth regional areas with existing amenities, infrastructure and services.

We will work with the Department of Regional NSW to strategically plan for new homes. Together we have a common goal to make regional NSW an even better place to live, work, play and invest in.

The Wingecarribee Shire is not generally regarded as a high-growth regional area.

COUNCIL'S COMMITMENT TO HOUSING

The adopted *Wingecarribee Local Housing Strategy—Housing Our Community 2021* commits to 6,080 dwellings over the next 30 years balanced between development of new living areas and infill within existing urban areas. The anticipated numbers contained in the Local Housing Strategy for new living areas are very conservative and each new living area will be subject of detailed investigation and master planning to determine optimal housing mix, density and yield. This work is already underway for the Bowral South New Living Area and early estimates suggest that this area can accommodate 2000-2500 dwellings which is double the anticipated number of dwellings estimated in the Local Housing Strategy.

The Local Housing Strategy designates 50% of new dwellings to be constructed within existing zoned areas through infill development. This includes the development of multi-dwelling housing within existing R3 Medium Density Residential zoned land, dual occupancies which are permissible on all Residential zoned land, and secondary dwellings, which are also permissible within Residential zones either through the Wingecarribee Local Environmental Plan 2010 or State Environmental Planning Policy (Housing) 2021, in addition to an increase in dwellings within town centres.

The strategic approach to master planning of each New Living Area and forward infrastructure planning of each New Living Area to occur ahead of any rezoning will ensure the regulated supply of land to the housing market and provides certainty to the community. Council reaffirms its commitment to the strategic identification and planning of future housing areas and averting any speculative and ad-hoc proposals.

COMMUNICATION AND CONSULTATION

Community Engagement

This is a State Government initiative and information is contained on the Department of Planning, Housing and Infrastructure's website.

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Internal Communication and Consultation

The Strategy and Place team of Strategic Outcomes were consulted in the preparation of this report.

External Communication and Consultation

On 6 June 2024, the NSW Department of Planning, Housing and Infrastructure provided Councils with a briefing via teleconference. The briefing explained the rationale for the State's local housing targets, approach to target setting and infrastructure funding opportunities. No LGA-specific targets were offered beyond the 55,000 target for all of Regional NSW, which includes housing already in the pipeline.

There has been no external communication or consultation on this matter. This is a routine informative report about a State Government announcement and the Council Agenda report will be publicly available.

SUSTAINABILITY ASSESSMENT

Environment

Strategic identification of appropriate areas for new housing and prevention of spot rezonings help to protect and retain areas of high environmental value within our Shire.

Social

The provision of suitable land for housing for our residents is an important role of Council. Council is committed to the strategic identification of appropriate areas for new housing and prevention of spot rezonings.

Broader Economic Implications

The orderly provision of land for housing is essential to support the local economy both in the construction of new dwellings and for the residential accommodation of our local workforce.

Culture

There are no cultural issues in relation to this report.

Governance

Council's Local Housing Strategy and Local Environmental Plan are key documents in supporting Council's Integrated Planning and Reporting Framework.

COUNCIL BUDGET IMPLICATIONS

There are no Council budget implications related to this report.

RELATED COUNCIL POLICY

The Wingecarribee Local Housing Strategy is the relevant related Council policy that is referred to in this report.

CONCLUSION

The State government's new 5-year housing targets provide an overall figure for regional NSW but does not provide targets for individual Councils within the non-metropolitan regions. Although the Wingecarribee Shire is not regarded as a high-growth regional area, Council is confident that its current approach to housing supply through its Local Housing Strategy provides sufficient scope and flexibility to maintain and expand the local housing supply pipeline.

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ATTACHMENTS

Nil

9.2 Draft Medium Density Study

Report of: Rachel Murray
Strategic Land Use Planner

Authorised by: Deniz Kilic
Executive Manager Strategic Outcomes

PURPOSE

The purpose of this report is to present the outcomes of the public exhibition of the Draft Medium Density Study and seek the adoption of the revised Draft Medium Density Study and endorsement of the Post-Exhibition Report.

THIS MATTER WAS CONSIDERED BY THE WINGECARRIBEE LOCAL PLANNING PANEL ON 22 MAY 2024.

OFFICER'S RECOMMENDATION

THAT:

- 1. The revised Medium Density Study be adopted.**
- 2. The Post-Exhibition Report be endorsed.**
- 3. The General Manager write to all persons who made a submission through the public exhibition period and advise them of the resolution.**

LOCAL PLANNING PANEL'S ADVICE

A report was prepared for the Local Planning Panel (LPP) meeting of 22 May 2024, for their advice. The staff recommended the following in the report:

- 1. *The revised Draft Medium Density Study be adopted.***
- 2. *The Post-Exhibition Report be endorsed.***
- 3. *Council write to all persons who made a submission through the public exhibition period and advise them of the resolution.***

Following a briefing of the Panel by Council staff on the Draft Medium Density Study, the Panel provided the following advice:

The Panel supports the adoption of the Draft Medium Density Study and that the Post Exhibition Report be endorsed. The Panel also noted that the Draft Community Heritage Study 2021-2023 had not been considered as part of this study process as it has not yet been adopted and implemented.

STAFF RESPONSE

The Planning Panel's advice has been considered by Council staff and a response to the advice is detailed below.

The Panel supports the adoption of the Draft Medium Density Study and that the Post Exhibition Report be endorsed. The Panel also noted that the Draft Community Heritage Study 2021-2023 had not been considered as part of this study process as it has not yet been adopted and implemented.

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The Draft Community Heritage Study 2021-2023 identifies a number of proposed heritage items and Heritage Conservation Areas (HCA) within the study area. All heritage inventory/evidence sheets are known and the draft Heritage Study underwent an independent heritage peer review process. The results of the Independent Peer Review are currently on Public Exhibition. Therefore, it is considered premature to integrate this information with the Draft Medium Density Study (Draft Study) at this stage, as the Draft Community Heritage Study has not yet been adopted by Council.

In addition, the suite of controls that have been proposed in the Draft Medium Density Study are intended to inform a new Medium Density Development Control Plan (DCP) chapter. Following the adoption of the Draft Study and during the development of this separate body of strategic work, the new Medium Density DCP chapter will consider the outcomes of the Community Heritage Study, following adoption.

REPORT

BACKGROUND

Following the approval of grant funding from the then NSW Department of Planning – Project Delivery Unit, Council commenced a review of existing Medium Density Residential Development Controls in June 2022. The review aligns with Council's transition to a better place-based planning framework and additionally responds to key priority actions identified within the adopted Wingecarribee Local Strategic Planning Statement (Planning Priority 4.1 (xi)) and Local Housing Strategy (Planning Priority 1).

The Draft Medium Density Study (Draft Study) reviewed the existing medium density development controls that apply to land zoned R3 Medium Density, being land situated in Mittagong, Bowral, Moss Vale and Bundanoon and proposes a suite of new development controls which will inform a new Medium Density Development Control Plan (DCP) chapter. The purpose of the review is to ensure that when future medium density development occurs that it respects local character, supports good design outcomes and is in keeping with the community's expectations.

Initial community and industry engagement informed the development of the Draft Study, which was presented to the Ordinary Meeting of Council 15 February 2023 and was subsequently placed on public exhibition for a period of four (4) weeks.

At the Ordinary Meeting of Council 15 February 2023, a Planning Proposal was also presented with the Draft Study which recommended the amendment of the Wingecarribee Local Environmental Plan 2010 (WLEP 2010) to include of height of buildings, floor space ratios and incentive clauses and maps. The resolution of Council is referenced below.

THAT:

- 1. The attached draft Medium Density Residential Development Controls be supported for public exhibition and as part of the public exhibition information sessions held for residents and practitioners.*
- 2. The attached Planning Proposal to amend Wingecarribee Local Environmental Plan 2010 to reflect recommendations from the Study and advice from the Wingecarribee Local Planning Panel with regard to Height of Buildings, Floor Space Ratio and Incentive clauses and maps be supported for submission for a Gateway Determination in accordance with s.3.34 of the Environmental Planning & Assessment Act 1979 and progressed in accordance with the Gateway Determination.*
- 3. Council 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.*

The resolution stated that the Planning Proposal reflect the recommendations from the Study and the advice of the Planning Panel and progress to Gateway Determination. However, as the Draft Study is yet to be adopted by Council and its intent is to inform a new Medium Density Development Control Plan (DCP) chapter, it is recommended that the Planning Proposal form part of a separate body of strategic work that will ensue following the adoption of the Draft Study and be presented back to Council at a later date.

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INTRODUCTION

The Wingecarribee Local Housing Strategy (LHS) identifies that there is a significant demand for smaller housing typologies in the Shire, due to the shift in our demographics, namely our aging population, changing household structures, shrinking household sizes and increase in lone person households. However, there is an apparent disconnect between the housing needs of the Shire and the type of housing currently being provided. The LHS, therefore, plans for the long-term housing needs of the Shire by setting a target of a 50/50 split of infill and greenfield (New Living Areas) development to meet our housing needs.

The review of the existing Medium Density Controls aligns with priority actions identified within the adopted Wingecarribee Local Strategic Planning Statement (LSPS) and Local Housing Strategy (LHS). Studio GL, who are a specialised urban design consultancy, were engaged to undertake the review of the medium density controls that apply to existing R3 zoned land, being land situated in Mittagong, Bowral, Moss Vale and Bundanoon. The Draft Study was developed in consultation with the community and industry representatives, and feedback directly informed the preparation of the recommended development controls.

The Draft Study was presented to the Ordinary Meeting of Council 15 February 2023 and was subsequently placed on public exhibition for a period of four (4) weeks from Wednesday, 01 March to Friday, 31 March 2023. During this time, targeted community and industry consultation was conducted, and several submissions were received. The outcomes of the public exhibition period are detailed in **Attachment 1** of this report. The feedback that was attained during the public exhibition period has informed the revision of the Draft Study and this has been provided as **Attachment 2** of the report.


More information regarding the exhibition period has been provided in the 'Community Consultation' section of the report. In addition, an overview of amendments made to the Draft Study following the review of feedback received during the exhibition period, is detailed below in the 'Summary of Amendments'.

SUMMARY OF AMENDMENTS

Following the review of submissions that were made during the public exhibition period of the Draft Study, several amendments were completed, and a summary of the key revisions have been provided below.

Section of Draft Study	Amendment Overview
Local Character	<p>The recommendations of the Draft Study were informed by the analysis of the local character of Mittagong, Bowral, Moss Vale and Bundanoon. The spatial analysis comprised of an assessment of the underlying landform, urban structure and buildings.</p> <p>While heritage items and heritage conservation areas were identified and referenced through the text in the Draft Study, the local character spatial maps did not highlight these areas. Therefore, the maps have since been updated to reflect this (p. 15, 23, 31 and 39).</p>
Local Character – Bundanoon	<p>Feedback from the community and industry indicated that there were a number of community facilities that were not included in the local character assessment of Bundanoon, and this has since been updated (p. 36).</p>
General Recommendations –	<p>The exhibited Draft Study recommended the increase of the FSR of land zoned R3 Medium Density north of the Mittagong Rivulet</p>

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Section of Draft Study	Amendment Overview
Bowral	<p>from 0.5:1 to 0.6:1. Post public exhibition, this recommendation has since been amended and the existing FSR of 0.5:1, is proposed to be retained in order to limit the impact of views to Mount Gibraltar (p.49).</p>  <p>The map shows a street grid in Bowral. A legend indicates three sub-zones: Sub-zone A-0.4:1 (light blue), Sub-zone-0.5:1 (medium blue), and Sub-zone-0.6:1 (green). A black line represents the study area boundary. The map shows the 0.5:1 sub-zone covering a large area, with the 0.4:1 sub-zone to its north and the 0.6:1 sub-zone to its east. Streets labeled include Mitchell Road, Chinese Street, Oakley Drive, and Park Street.</p>
Landscaped Open Space	<p>During the panel discussion engagement session, the community and industry raised concerns that landscaping should not be solely restricted to native species, as they do not always support the best outcome. The recommended control has since been amended and proposes that <i>'Landscaped areas, tree planting and deep soil zones should be provided in all setbacks, with a focus in the front and rear setbacks'</i> (p.70). At the stage of developing the new Medium Density DCP chapter, Council officers will additionally refer to the Street Tree Master Plan and consult with the Shire Presentation Team.</p>

A more detailed overview of the outcomes of the exhibition period and the amendments that have been implemented in the Draft Study are available in the Post-Exhibition Report (**Attachment 1**).

COMMUNICATION AND CONSULTATION

Community Engagement

Development of the Draft Medium Density Study

Spatial analysis of the study area was conducted and entailed the review of urban design qualities, such as the street and block structure, built form patterns, street proportions (width and height), heritage character, built form age and use, and the topography, landform and intersection density. The outcomes of the spatial analysis exercise are referenced in Chapter Two of the Draft Study, which forms **Attachment 1** of this report.

An engagement session was held on 21 June 2022 and encouraged the community and industry to identify place-based ideas and concerns around medium density development. Approximately fifty attendees participated in the workshop and the feedback supported the review of the existing medium density development controls for Bowral, Mittagong, Moss Vale and Bundanoon. A detailed summary of the outcomes of the engagement session is included in Appendix B - Stakeholder Engagement of the Draft Study, which forms **Attachment 2** of this report.

Public Exhibition

The Draft Medium Density Study was placed on public exhibition for a period of four (4) weeks from 01 March to 31 March 2023. During the public exhibition period, the Draft Study was available to be viewed

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via the 'Document Library' on Your Say Wingecarribee and a hard copy was available at Customer Service at Council's Civic Centre, Moss Vale. In addition, community and industry consultation sessions were organised on 16 March 2023 and five (5) formal submissions were received during the public exhibition period. Community and industry representatives were additionally encouraged to enter their feedback via the online submission entry form which was available on the Your Say Wingecarribee project page and six (6) submissions were received.

As an overview, a summary of the key discussion topics raised as part of the public exhibition period included, but were not limited to:

- Encouraging the use of high-quality materials.
- Built form outcomes that are reflective of local character.
- Deep soil planting controls and open space requirements.
- Setbacks, building height and solar access controls.
- Supporting active transport.

All feedback received during the public exhibition period has directly informed the post-exhibition review of the Draft Study. A more detailed overview of the engagement opportunities mentioned above, and the outcomes of the consultation session is provided in the Post-Exhibition Report, which forms **Attachment 1** of this report.

Internal Communication and Consultation

Internal consultation with Council representatives from the Strategic Outcomes and Development Assessment branch was undertaken during the preparation and public exhibition of the Draft Study. Feedback received from internal communications additionally supported the post-exhibition review of Draft Study, which forms **Attachment 2** of this report.

External Communication and Consultation

Please refer to the 'Community Engagement' section of this report, which details the external consultation that was conducted, during the preparation of the Draft Study.

SUSTAINABILITY ASSESSMENT

Environment

The Draft Study recommends a number of sustainability driven controls to ensure the long-term sustainability of medium density development in our three main towns and Bundanoon, such as the requirement for infrastructure to support the installation of electric vehicle charging points and the promotion of using external materials that are non-reflective and are of a light colour in order to minimise reflection and heat retention.

Social

The Draft Study recommends development controls that seek to ensure that the medium density provides a greater mix of housing typologies thereby meeting the social needs of the broader community.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

This report has been prepared to seek the endorsement of Council for the adoption of the Draft Study and the endorsement of the supplementary Post-Exhibition Report.

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COUNCIL BUDGET IMPLICATIONS

The Draft Study has been developed from grant funding from the then NSW Department of Planning – Project Delivery Unit, therefore there are no budget implications.

RELATED COUNCIL POLICY

The Draft Study has been prepared in response to priority actions identified in the Wingecarribee Local Strategic Planning Statement (LSPS) and Local Housing Strategy, specifically:

LSPS:

- Planning Priority 4.1 (xi) - Introduce new development controls that ensure medium density development is in keeping with the desired future character of our towns and villages. (H).

LHS:

- Planning Priority 1 – Promote infill development and increased densities in appropriate locations and facilitate a greater mix of housing types to ensure our housing stock is reflective of the needs of our community.

CONCLUSION

The Draft Study was supported by spatial analysis and informed by feedback received from Council staff, the community and industry representatives. The proposed medium density development controls in the Draft Study expand upon existing controls and additionally recommend the inclusion of new controls, such as development controls relating to site amalgamation, street presentation, landscaped open space, materials and colours and setbacks. The objective of proposing a new set of development controls that apply to existing R3 Medium Density zoned land, is to ensure that when medium density development occurs that it respects local character, supports good design outcomes and is in keeping with the community's expectations.

The purpose of this report is, therefore, to seek the adoption of the Draft Medium Density Study and the endorsement of the Post-Exhibition Report, which will inform the development of a new Medium Density DCP chapter.

ATTACHMENTS

1. Under Separate Cover - Draft Medium Density Study - Post Exhibition Report [9.2.1 - 15 pages]
2. Under Separate Cover - Draft Medium Density Study [9.2.2 - 118 pages]

9.3 Update and Draft Wingecarribee Community Heritage Study 2021-2023 and Independent Peer Review

Report of: Susan Stannard
Coordinator Strategic Policy

Authorised by: Deniz Kilic
Executive Manager Strategic Outcomes

PURPOSE

The purpose of this report is to provide an update on the Community Heritage Study 2021-2023 process including the public exhibition of the Independent Peer Review 2024 which is currently underway and upcoming milestones.

OFFICER'S RECOMMENDATION

THAT

- 1. Council receive and note the Update and Draft Wingecarribee Community Heritage Study 2021-2023 and Independent Peer Review report.**
- 2. A further report be submitted to Council following consideration by the Local Planning Panel.**

REPORT

BACKGROUND

The following table provides a timeline of the milestones of the Draft Community Heritage Study project.

Date	Milestone and Commentary
2021-2023	Compilation of the Draft Community Heritage Study 2021-2023 The Draft Community Heritage Study was compiled by a Study Team led by the former (non-Councillor) members of Council's former Heritage Advisory Committee and comprised of members of the Committee and the community with heritage, history and architecture qualifications and experience. The Study was prompted by a Council resolution to re-examine some 250 items that were recommended for heritage listing in a 2009 heritage study but deferred by Council in 2012.

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Date	Milestone and Commentary
29 June 2023	<p>Initial Consideration of Draft Community Heritage Study 2021-2023 by Local Planning Panel</p> <p>The Draft Community Heritage Study was first considered by the Local Planning Panel and the following advice was given by the Panel:</p> <ol style="list-style-type: none"> 1. <i>The Panel acknowledges the enormous amount of detailed work put into the Wingecarribee Community Heritage Study 2021-2023 by the Study Team and Council planning staff.</i> 2. <i>The Panel supports the commencement of owner and community consultation in accordance with this report of the Wingecarribee Community Heritage Study 2021-2023.</i> 3. <i>The Panel recommends that consideration be given to initiating the Peer Review of the Study concurrently with the proposed community consultation with the final Peer Review to be carried out at the conclusion of the community consultation.</i>
19 July 2023	<p>Council resolution for consultation and public exhibition of Draft Community Heritage Study</p> <p>The Panel's advice was considered by Council as part of a report on the Draft Community Heritage Study where it was resolved:</p> <p><i>MN 2023/434</i></p> <p><i>THAT:</i></p> <ol style="list-style-type: none"> 1. <i>The Wingecarribee Community Heritage Study 2021-2023 be supported to commence owner and community consultation in accordance with this report.</i> 2. <i>The Study Team and other volunteer contributors be acknowledged and thanked for their significant contribution in research, photography and compilation of the information contained in the Wingecarribee Community Heritage Study 2021-2023.</i>
31 July 2023	<p>Commencement of owner consultations</p> <p>Consultation commences with owners of individual properties affected by the recommendations of the Draft Community Heritage Study. Access to the Draft Study documents was provided by a website link and affected owners of recommended heritage items were invited to attend 15-minute individual one-on-one sessions with Council staff that were conducted from 11 September until 30 October 2023. In total 326 meeting slots were made available to owners on 22 dates and 6 different venues across the Shire.</p>
3 October 2023 to 6 November 2023	<p>Public exhibition of Draft Community Heritage Study</p> <p>Public exhibition of the Draft Study commences. Letters were sent to owners of properties within proposed heritage conservation areas and emails were sent to local village associations and heritage groups. Thirteen four-hour community drop-in information kiosks were held between 9 October and 2 November 2023 at six locations across the Shire.</p>

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

Date	Milestone and Commentary
<p>13 December 2023</p>	<p>Council consideration of Peer Review Options</p> <p>Council considers a report on the <i>Draft Community Heritage Study – Options for Peer Review</i> where it was resolved:</p> <p><i>MN 2023/570</i></p> <p><i>THAT Council:</i></p> <ol style="list-style-type: none"> <i>1. Council receive and note the report and Council Officers play no further role in the matter.</i> <i>2. Council support the option for peer review of the Community Heritage Study and all submissions received in response to the public consultation process with the view to the final Heritage Study and Planning Proposal being submitted to the NSW Department Planning Department for Gateway Determination no later 30 June 2024.</i> <i>3. The cost for the independent peer review of the Community Heritage Study and exhibition of same by a suitably qualified heritage contractor reporting directly to the General Manager be considered as part of the December budget quarterly review.</i> <i>4. In relation to point 2, it will be necessary for the General Manager to prepare a timeline for public exhibition of the final draft study for consideration by both the Planning Panel and Council.</i> <i>5. The General Manager be delegated authority to place the draft Community Heritage Study, post peer review on public exhibition.</i>
<p>31 January 2024</p>	<p>Appointment of Peer Review consultant</p> <p>The appointment of Mr Robert Staas as the heritage consultant to undertake the independent peer review of the Draft Community Heritage Study is announced.</p>
<p>21 February 2024</p>	<p>Council consideration of update report on Peer Review</p> <p>Council considers a report on the update of the independent peer review where it was resolved:</p> <p><i>MN 2024/7</i></p> <p><i>THAT Council:</i></p> <ol style="list-style-type: none"> <i>1. Note the update on the appointment of the Consultant to undertake the independent Peer Review of the draft Wingecarribee Community Heritage Study 2021-2023.</i> <i>2. The proposed timeline for public exhibition of the peer-reviewed draft Study in accordance with Council's Resolution dated 13 December 2023 be the subject of a further report to the March 2024 meeting noting the delegation in place.</i> <i>3. Allocate \$22,000 at the next quarterly budget review to fund the heritage peer review.</i>

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Date	Milestone and Commentary
20 March 2024	<p>Council consideration of further update report on Peer Review</p> <p>Council considered a further report on the revised timeline for the independent peer review where it was resolved:</p> <p><i>MN 2024/39</i></p> <p><i>THAT Council note the revised proposed timeline for public exhibition of the peer-reviewed draft Study in accordance with Council's Resolutions dated 13 December 2023 and 21 February 2024.</i></p>
29-30 May 2024	<p>Local Planning Panel consideration of Independent Peer Review 2024 of the Wingecarribee Community Heritage Study</p>

The revised proposed timeline was presented to Council at its meeting held on 20 March 2024:

Timeframe	Milestone
22 January 2024	Peer Review initiated with independent consultant
15 May 2024	Peer Review Finalised
15 May 2024	Consultant presents peer review outcomes to Local Planning Panel (LPP)
29 May 2024	Extraordinary LPP considers peer reviewed draft Heritage Study
30 May 2024	General Manager places peer-reviewed draft Study on public exhibition for 28 days
30 June 2024	Public exhibition concludes
15 and 16 July 2024	Extraordinary LPP considers outcomes of public exhibition and makes recommendations to proceed to Gateway Determination
7 August 2024	Council considers outcomes of peer review and LPP advice and considers proceeding to Gateway Determination

The Draft Community Heritage Study 2021-2023 comprised investigation of 609 individual items and 16 areas, nine (9) of which are new areas and six (6) are extensions to existing conservation areas. Of the 609 individual items, 478 (or 78.5%) were recommended for heritage listing within the Draft Study, 131 (or 21.5%) were not recommended for heritage listing and all 16 proposed areas were recommended as heritage or landscape conservation areas as either standalone new areas or extensions to existing heritage or landscape conservation areas. However, two of these (Sutton Forest/Exeter Landscape Conservation Area and Northern and Southern Extensions to the Berrima Landscape Conservation Area) were recommended by the Draft Study for later implementation.

Owner consultations and public exhibition of draft Community Heritage Study 2021-2023

Owner consultations commenced in early September 2023 following the sending out of a letter to owners of recommended heritage items. The first round of Public Exhibition commenced on 3 October and public exhibition and the submission period closed on 6 November 2023. The submission period was subsequently extended a further 2 weeks to allow for late submissions.

The following consultation and notifications occurred during the consultation and public exhibition period:

- Letters to owners of properties affected by the Draft Community Heritage Study (including those within the proposed heritage conservation areas) and notified community interest and heritage groups. (Note: owners within the proposed Northern and Southern Extensions to the Berrima

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Landscape Conservation Area and the Sutton Forest/Exeter Landscape Conservation Area were not notified due to the proposed later implementation of these areas. These owners will be consulted at a later date.)

- 26 documents were made available on Council's community engagement platform (*Your Say Wingecarribee* and later *Participate Wingecarribee*) made up of 21 documents comprising the 3 volumes of the Draft Community Heritage Study and 5 supporting documents including fact sheets. A submission form was included on this site.
- Individual one-on-one owner consultation sessions were made available from 11 September until 30 October 2023. In total 326 meeting slots were made available to owners on 22 dates and 6 different venues across the Shire. 143 of these slots were taken up by owners.
- 13 four-hour community drop-in information kiosks were held between 9 October and 2 November 2023 at 6 locations across the Shire. These were open to owners of properties affected by the Draft Study and interested members of the community.

A total of 208 unique submissions were received resulting from the consultations and public exhibition.

Scope of independent peer review

Council resolved at the 13 December 2023 meeting to undertake an independent peer review by engaging a suitably qualified and experienced heritage consultant/contractor to review the recommendations of the Draft Community Heritage Study and review all submissions received and make recommendations about the heritage listing of each property within the Study. The Independent Peer Reviewer that was appointed to undertake the peer review was provided copies of all 208 submissions along with the draft Study documents that were exhibited in 2023.

The Peer Reviewer was asked to provide two deliverables for Public Exhibition:

1. **Independent Peer Review Report** with heritage practitioner's professional background, peer review methodology and approach to reviewing submissions and a brief itemised response to submissions. Site visits were also conducted from the public domain.
2. **Independent Peer Review Recommendations Spreadsheet** with Peer Reviewer's final professional recommendation for all 609 items.

Summary of the Independent Peer Review 2024 Findings

Of the 609 individual items contained within the Draft Community Heritage Study, 417 items (68.5%) are recommended in the Peer Review report for heritage listing, 184 items (or 30.2%) are not recommended for heritage listing, and 8 (or 1.3%) are either recommended to be deferred for further study or, in the case of one item, had been demolished since the public exhibition of the Draft Study in 2023.

The majority of items recommended to be heritage listed by the Peer Review were also recommended for listing within the Draft Study. However, the Peer Review has recommended for heritage listing a further 14 items that were not recommended in the Draft Study.

There are 70 items not recommended for heritage listing by the Peer Review that *were* recommended for heritage listing by the Draft Study and of them, 36 items are contained within existing conservation areas, 19 items are contained in proposed conservation areas and 15 items are outside existing or proposed conservation areas.

In relation to conservation areas, 14 of the 16 heritage and landscape conservation areas are recommended for listing as conservation areas by the Peer Review, one (1) area is recommended to be deferred for further investigation, and one (1) area is not recommended. The table below contains a summary of the recommendations for each area.

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Area Name	Peer Review Recommendation
Berrima—Northern and Southern Extensions to the Berrima Landscape Conservation Area	<p>The proposed area should be included as an extension to the Berrima Landscape Conservation Area with a review of the Statement of Significance to exclude references to Sutton Forest and Exeter.</p> <p><i>Note: this proposed area was recommended for later implementation within the Draft Community Heritage Study 2021-2023.</i></p>
Bowral—Bowral Northern Entrance Landscape Conservation Area	<p>The proposed area should be included as a new landscape conservation area subject to a review of the Statement of Significance. It is further recommended that a Plan of Management be prepared for this area.</p>
Bowral—Bowral Southern Entrance Heritage Conservation Area	<p>The proposed area should be included as a new heritage conservation area subject to the area being reduced to the western side of Moss Vale Road and the Statement of Significance amended accordingly.</p>
Bowral—Bowral Conservation Area Extension (Shepherd Street North)	<p>The proposed area should be included as an infill extension to the Bowral Conservation Area subject to amendments to “many” early buildings being replaced with “some” early buildings and other corrections.</p>
Bowral—Bowral Conservation Area Extension (Merrigang Street)	<p>The proposed area should be included as an extension to the Bowral Conservation Area.</p>
Bowral—Bowral Conservation Area Extension (Holly and Elm Streets)	<p>The proposed area should be deferred pending a more detailed assessment of its value as a conservation area.</p>
Bowral—Bowral Conservation Area Extension (Glebe Estate)	<p>The proposed area should be included as an extension to the Bowral Conservation Area.</p>
Bowral—Station Street Heritage Conservation Area	<p>Subject to inclusion of the church buildings at the rear, the proposed area should be included as a new heritage conservation area.</p>
Bundanoon—Bundanoon Conservation Area Extension (Church Street)	<p>The proposed area should be included as an extension to the Bundanoon Conservation Area.</p>
Burradoo—Links Road & Bowral Golf Course Heritage Conservation Area	<p>The proposed area should be included as a new heritage conservation area.</p>
Exeter—Exeter Village Heritage Conservation Area	<p>The proposed area should be included as a new heritage conservation area. However, further community consultation should be undertaken regarding the expansion of this area and planning controls for the area.</p>
Kangaloon—Kangaloon Village Heritage Conservation Area	<p>The proposed area should be included as a new heritage conservation area. It is further recommended that a larger Cultural Landscape Area should be identified and analysed.</p>

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Area Name	Peer Review Recommendation
Mittagong—Mittagong Conservation Area Extension	The proposed area should be excluded as an infill extension to the existing Mittagong Conservation Area.
Robertson—Robertson Heritage Conservation Area	The proposed area should be included as a new heritage conservation area.
Sutton Forest—Sutton Forest/Exeter Landscape Conservation Area	The proposed area should be included as a new Cultural Landscape Conservation Area. <i>Note: this proposed area was recommended for later implementation within the Draft Community Heritage Study 2021-2023.</i>
Wildes Meadow—Wildes Meadow Village Heritage Conservation Area	The proposed area should be included as a new heritage conservation area.

Extraordinary planning panel meeting of 29 and 30 May 2024

At the Council Meeting of 20 March 2024, it was resolved that the Peer Review of the Community Heritage Study 2021-2023 would be considered by the Local Planning Panel at an Extraordinary Meeting on 29 May 2024 and that public exhibition of the Peer Review would commence on 30 May. An additional day (30 May 2024) was added to the Panel meeting to enable sufficient time for the members of the Local Planning Panel to consider the matter.

An Extraordinary Local Planning Panel was convened for 29 and 30 May 2024 to consider a report on the Independent Peer Review 2024 of the Community Heritage Study 2021-2023. As part of this consideration, the Panel was addressed by 20 property owners, representatives of property owners and members of the Wingecarribee community in public forum. On consideration of the public addresses and the Independent Peer Review reports, the Panel provided the following advice which includes a commentary of their actions during the Extraordinary Meeting:

1. *The Panel support that the Wingecarribee Community Heritage Study 2021-2023 Independent Peer Review 2024 as attached to these minutes be endorsed for public exhibition for a minimum of 28 days commencing on or before 1 June 2024 and concluding on 30 June 2024 via the Participate Wingecarribee platform.*
2. *The Panel supports a report on the results of the public exhibition of the Wingecarribee Community Heritage Study 2021-2023 Independent Peer Review 2024 and a draft Planning Proposal to implement the final recommendations be considered by the Local Planning Panel at the conclusion of public exhibition.*
3. *The Panel notes that the published Peer Review by Robert Staas (ATTACHMENT 1 to the Agenda paper) did not include commentary in relation to a number of submissions received on proposed heritage items. An Addendum Peer Review report by Robert Staas has now been published via the Participate Wingecarribee platform and is an ATTACHMENT to these minutes.*
4. *The Panel notes that the Peer Review by Robert Staas followed the same process whether the review was dealt with in the main report or the addendum.*
5. *The Panel notes a number of submissions were critical of the process followed in the preparation of the Wingecarribee Community Heritage Study. Robert Staas was satisfied that the process followed was sound and the Panel endorses this.*

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6. *The Panel notes the comments of Robert Staas that decisions regarding heritage listing inevitably involve an element of subjectivity and it is not an empirical process. The Peer Review aims to provide an expert assessment.*
7. *Robert Staas inspected all properties from the public domain and where it was not possible to obtain a full viewing from the public domain, familiarised himself by other means including the material in the Community Heritage Study, Google Street View, Nearmap and other readily available sources.*
8. *Individual Panel members carried out physical site inspections from the public domain in respect to some properties proposed for heritage listing. The Panel members also considered the material in the study, other material such as Google Street View and Nearmap. The Panel also considered all submissions lodged with Council during the exhibition of the Community Heritage Study and additional information provided by some speakers at the meeting on 29 May 2024.*
9. *The Panel notes that, as part of the exhibition process following this meeting, affected property owners (including those properties identified as not warranting heritage listing in the Wingecarribee Community Heritage Study but recommended for listing by Robert Staas in the peer review) will have an opportunity to make a written submission.*
10. *The Panel did not consider it appropriate at this stage to alter any of the recommendations in the Peer Review or Peer Review addendum. However, the Panel may when it considers the matter on 31 July 2024, make recommendations in that regard.*
11. *The Panel recommends that Robert Staas be engaged to:*
 - a. *Review the submissions received and considered at the LPP meeting on 29 May 2024*
 - b. *Review any further submissions received as a result of the exhibition of the Wingecarribee Community Heritage Study Peer Review and Peer Review Addendum*
 - c. *Review the final statement of significance to be included in the report to be considered by the LPP on 31 July 2024*

The Peer Review 2024 documents as considered by the Local Planning Panel are provided as attachments to this report, as follows: **Attachment 1**, (Main Report) **Attachment 2** (Addendum to Main Report) and **Attachment 3** (Spreadsheet).

These documents are currently on Public Exhibition.

Public exhibition of Independent Peer Review 2024

Public exhibition of the Independent Peer Review reports commenced on 31 May 2024 under the delegation of the General Manager and will conclude on 30 June 2024. Public exhibition is being conducted online through Council's Participate Wingecarribee platform at <https://participatewingecarribee.wsc.nsw.gov.au/community-heritage-study> and submissions are being invited through that site. Submissions are due on or before 30 June 2024.

In addition to the Peer Review reports, the Draft Community Heritage Study 2021-2023 and supporting documentation as publicly exhibited in 2023 is also available for viewing and download from the Participate Wingecarribee platform.

Future Steps

Following the conclusion of Public Exhibition, the Local Planning Panel is scheduled to convene an extraordinary meeting on 15 and 16 July 2024 to consider the results of the Public Exhibition of the Independent Peer Review including any submissions, as well as a Planning Proposal to set out the details of how the Wingecarribee Local Environmental Plan 2010 is proposed to be amended to effect the final recommendations of the peer reviewed Community Heritage Study.

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Following the Local Planning Panel consideration of the results of the Public Exhibition of the Independent Peer Review, a report will be presented to Council on 7 August 2024 seeking endorsement of final recommendations of the Independently Peer Reviewed Study and seeking a resolution to endorse the Planning Proposal and send it to the NSW Department of Planning, Housing and Infrastructure for a Gateway Determination.

A Gateway Determination will confirm the consultation required on the Planning Proposal, including consultation with public authorities and a final third round of Public Exhibition. All affected property owners and interested parties will be notified of the details of the post-Gateway Public Exhibition of the Planning Proposal which is likely to occur in early 2025.

Items recommended for deferral by the Independent Peer Reviewer are anticipated to be revisited by Council for further investigations and a separate process by June 2025.

COMMUNICATION AND CONSULTATION

Community Engagement

Affected owners were consulted from September until November 2023 on the Draft Community Heritage Study 2021-2023 and the Draft Study was on public exhibition in October into November 2023 as detailed in this report.

The Independent Peer Review 2024 of the Draft Community Heritage Study 2021-2023 is currently on public exhibition until 30 June 2024 on Council's community engagement website, Participate Wingecarribee.

Internal Communication and Consultation

Council's Assets and Property teams were notified in September 2023 of the inclusion of Council-owned buildings and sites recommended for heritage listing within the Draft Community Heritage Study 2021-2023.

External Communication and Consultation

There have been a number of media releases and external communications relating to the Draft Study and Peer Review, including over 930 letters to owners in September and October 2023 and a further mailout of 803 letters and 336 emails in early May 2024 informing owners, submission makers and other interested parties of the 29-30 May Local Planning Panel meeting and subsequent public exhibition.

SUSTAINABILITY ASSESSMENT

Environment

The listing of heritage significant sites throughout the Shire assists in protecting existing private green space (including gardens) and would encourage development proposals that are sympathetic to heritage and streetscape values.

Social

There are no social issues in relation to this report.

Broader Economic Implications

The Wingecarribee Shire is renowned for its heritage character. Heritage listing of sites and areas serves to maintain this character which, among other things, has a positive effect on tourism.

Culture

Identifying, protecting and promoting places of significant cultural heritage is one of the strategies identified in the Community Strategic Plan: Wingecarribee 2041 under Goal 3.2 (Unique towns, villages and

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rural landscapes) under the Places theme. Council is committed to ensuring that places of heritage significance are identified, investigated and, as appropriate, listed within Schedule 5 of the Wingecarribee Local Environmental Plan 2010 through a formal Planning Proposal process.

Governance

There are no relevant Governance matters in relation to this report. However, the Planning Proposal to be prepared from the recommendations of the Study will be processed in accordance with relevant legislation and NSW Government Departmental guidelines.

COUNCIL BUDGET IMPLICATIONS

There are no further budget implications arising from this report. The budget allocation for an Independent Peer Review occurred in December 2023. The public exhibition of the Peer Review and the future Planning Proposal will be prepared utilising existing Council resources.

RELATED COUNCIL POLICY

There is no other relevant Council policy.

CONCLUSION

The findings of the Independent Peer Review of the Draft Community Heritage Study have been presented in this report along with a summary of the previous community engagement and exhibition undertaken in 2023.

The Peer Review has produced a list of recommendations along with justification for all 609 individual items investigated as part of the Draft Community Heritage Study along with the 16 proposed heritage conservation areas, landscape conservation areas and existing conservation area extensions.

The Community Heritage Study 2021-2023—Independent Peer Review 2024 is currently on public exhibition until 30 June 2024 following which the results of the public exhibition and the Study recommendations will be considered by the Local Planning Panel on 15 & 16 July for final advice and by Council on 7 August 2024 for the endorsement of the final study recommendations and the processing of the Planning Proposal to amend the Wingecarribee Local Environmental Plan 2010 to effect the final recommendations.

ATTACHMENTS

1. Under Separate Cover - Wingecarribee Independent Peer Review 2024 Vol 1 Main Report [9.3.1 - 104 pages]
2. Under Separate Cover - Wingecarribee Independent Peer Review 2024 Vol 1 Addendum to Main Report [9.3.2 - 17 pages]
3. Under Separate Cover - Wingecarribee Independent Peer Review 2024 Vol 2 Spreadsheet [9.3.3 - 32 pages]

9.4 Councillor Onboarding and Induction Program and Dates

Report of: Lisa Miscamble
General Manager

Authorised by: Lisa Miscamble
General Manager

PURPOSE

The purpose of this report is to advise Council of the Councillor Onboarding and Induction Program. The NSW Local Government elections are scheduled to be held on the 14 September 2024. The NSW Electoral Commission have advised that they anticipate the outcome of the election to be declared between Tuesday 1 and Thursday 3 October 2024. The Councillor Onboarding and Induction program will apply to elected representatives after the election results have been formally declared.

OFFICER'S RECOMMENDATION

THAT:

- 1. Council note the Councillor Onboarding and Induction Program.**
- 2. Following the closure of Candidate registrations with the NSW Electoral Commission on 14 August 2024, that General Manager write to all registered candidates advising of the Induction and Onboarding Program key dates.**

REPORT

BACKGROUND

The NSW Office of Local Government requires all NSW councils to develop and deliver induction training and ongoing professional development activities for their mayor and councillors that will assist them to acquire and maintain the skills necessary to perform their roles. All Councillors, returning or newly elected have a reciprocal obligation to undertake induction, training and professional development.

The aim of the Onboarding and Induction Program is to establish a well-functioning, ethical decision-making body who are acting in the Council's and the Community's best interests, so that the community they serve are strong, healthy and prosperous.

REPORT

The Onboarding and Induction Program (Induction Program), post the election, is a key element of this, providing a strong base and shared understanding of roles and setting the foundation for the upcoming term.

The Induction Program provides a range of topics to enable Councillors to be effective in their roles. This includes aspects such as:

- Governance framework.
- Roles and responsibility.
- Legislative framework.
- Strategic planning and policies.

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- Relationship building – both between the elected Council/ Councillors and the elected Council and Administration.

The Induction Program, whilst intense, will provide a balance between forming effective working relationships as well as understanding the tasks required to fulfil civic duties. The Induction Program is aimed at ensuring that the newly elected Council has the knowledge to effectively govern and sufficient time to form a constructive, cohesive and collaborative team environment focussed on a common purpose with shared values and goals.

In addition to the activities for Councillors, additional training opportunities will be provided to the Mayor to enable them to :

- Act as a stabilising influence and show leadership; and
- Promote a culture of integrity and accountability within Council and when representing the Council in the community and elsewhere.

Program

The Induction Program will be undertaken in two phases:

Phase 1: Essentials and onboarding sessions: October 2024 – February 2025

Phase 2: Professional development – February 2025 onwards (ongoing)

Key to the success of the newly elected Council will be:

- A clear understanding and respect for the roles and responsibilities of the elected Council as well as the role of individual Councillors and the Mayor.
- An understanding and awareness of the operating environment including local, regional, State and Federal Government impacts and influences.
- An awareness of and compliance with the principles of good governance.
- Forming and sustaining effective working relationships between the Mayor, Councillors and the General Manager and in addition the local community (residents, rate payers, business, government and non-government agencies) throughout the term of Council (2024 – 2028).

Ultimately a successful Council that delivers positive outcomes for its community, will have been built on mutual trust and respect.

This induction program balances:

1. **Knowledge** about legislation, processes, resources available for compliance and governance matters.
2. **Tasks and skills** required to be effective in being a civic leader.
3. **Relationships** based of trust and respect - how we are going to work together, respecting the roles we have to make a positive impact in our community.

Set out below are the key dates and times for the onboarding and professional development sessions, as well as local government industry events, that are also scheduled in the three (3) months post election.

Date/ Times	Event	Who
Tue 8 Oct 3 00 -6.00pm	Councillor Meet and Greet: <ul style="list-style-type: none"> • Orientation tour • Provision of required equipment. • Practice Council meeting and run through in preparation for the first meeting 	Councillors GM, Directors Key staff

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Date/ Times	Event	Who
Wed 9 Oct 3.00 – 5.00pm	Prior to First Council Meeting: <ul style="list-style-type: none"> Taking of the Oath or Affirmation First Council meeting <ul style="list-style-type: none"> Election of the Mayor and Deputy Mayor Resolution regarding the Count back Method for any vacancy in office 	Councillors Management Team & Governance Team
Wed 16 Oct - 3.00pm - 6.00pm	The Essentials: Your First Few Months <ul style="list-style-type: none"> Learning about each other Governance 101 Finance 101 Media & Communications 101 	Councillors Management Team & Governance Team
Tue 22 Oct 4.00pm – 6.00pm	Training: for Mayor and Deputy Mayor including: <ul style="list-style-type: none"> Chairing Council meetings Conducting Citizenship Ceremonies 	Mayor & Deputy Mayor GM Governance
Wed 23 Oct 3 - 6	The Essentials: Introduction to IP&R <ul style="list-style-type: none"> Introduction to IP&R statutory requirements Local Government Finances – Part 2 	Councillors Management Team & Governance Team
Thu 24 PM (1/2 day) & Fri 25 Oct (all day)	CRJO Board Meeting <ul style="list-style-type: none"> Election of the Chair of the CRJO Induction program for the Mayor & Deputy Mayor 	Mayor Deputy Mayor GM
Mon 28 Oct 9.00am – 4.00pm Tue 29 Oct 9am - 4pm	Professional Development: Strategic Public Leaders <ul style="list-style-type: none"> Session will focus on what is needed as a Council to be Strategic and effective for our community; decision-making, strategy and how to stay “out of the weeds”. 	Councillors GM & Directors Managers
Wed 30 Oct 3.00pm – 6.30pm	Extraordinary Council Meeting <ul style="list-style-type: none"> September Quarterly Operational Plan and Budget Review Attendance at the LGNSW Conference 4 voting delegates State of the Shire report 	Councillors GM Directors & Governance Team
Wed 13 Nov 3.00 – 6.00pm	The Essentials: <ul style="list-style-type: none"> Fostering a safe workplace & Councillor responsibilities Audit, risk and improvement Risk Appetite 	Councillors GM Directors
Fri 15 Nov All day	Country Mayors Meeting	Mayor General Manager
Sun 17 - Tue 19 Nov	LGNSW State Conference	Mayor + 3 Councillors (4 voting delegates) General Manager
Wed 20 Nov	Council Meeting	Councillors GM & Directors Governance
Fri 22 Nov 9.00am – 4.00pm Sat 23 Nov 9.00am – 4.00pm	Onboarding & Professional Development: <ul style="list-style-type: none"> Legislative frameworks Our community & Our place Overview of Council key functions & operations Site visits IP&R and legislative requirements 	Councillors GM Directors Management Team
Thu 5 Dec (1/2 day) & Fri 6 Dec (all day)	CRJO Board Meeting	Mayor General Manager

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Date/ Times	Event	Who
Wed 11 Dec 3.00 – 6.30pm	Council Meeting	Councillors GM & Directors Governance
Wed 12 Feb 3.00pm – 6.00pm	Professional Development: Communication and Media the role of the Councillor as a Civic Leader	Councillors GM Directors
Wed 19 Feb	Council Meeting	Councillors GM & Directors Governance
Fri 21 & Sat 22 Feb	Professional Development & Strategy Session: <ul style="list-style-type: none"> Resourcing Plans Approach to the 4 year Delivery Program 	
Wed 27 Feb	Performance Review Panel Training	Mayor Deputy Mayor Councillor
Wed 19 Mar	Council Meeting	Councillors GM & Directors Governance
Wed 26 Mar 3.00 – 6.00pm	Session: TBC based on Council feedback and review of onboarding program	
Wed 16 Apr	Council Meeting	Councillors GM & Directors Governance
Wed 23 Apr 3.00 – 6.00pm	Session: TBC based on Council feedback and review of onboarding program	
Wed 21 May	Council Meeting	Councillors GM & Directors Governance
Wed 28 May 3 – 6pm	Professional Development: Governance Refresher & updates legislation <ul style="list-style-type: none"> Related Parties Disclosures of Interest Code of Conduct 	

In addition to the training provided to Councillors, supplementary training will also be provided to the Mayor in relation to their role and responsibilities as a leader of the Council, including being an effective leader of the governing body; role of the Chair; role and responsibilities in relation to the General Managers employment and as a representative of Council at regional and other representative bodies and in civic and ceremonial functions.

Ongoing program of professional development

Accompanying the program will be resources to support the Councillors. This will include:

- Online supplementary training
- A comprehensive Wingecarribee Shire Council Orientation Package that brings together resourcing relating to local government generally as well as information specific to the Wingecarribee Shire.

Whilst this report outlines the initial six (6) month induction and onboarding program, there will be ongoing professional development program throughout the Term of Council as well as individual learning and development plans.

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COMMUNICATION AND CONSULTATION

Community Engagement

Nil

Internal Communication and Consultation

Nil

External Communication and Consultation

Office of Local Government's Councillor Induction and Professional Development Guidelines were considered in the development of the induction program.

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

There are no social issues in relation to this report.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

The *Local Government (General) Regulation 2021* requires all general managers to deliver induction and ongoing professional development programs that will assist mayors and councillors to acquire and maintain the skills necessary to perform their roles. Mayors and councillors have a reciprocal obligation to participate in these programs. The Office of Local Government's Councillor Induction and Professional Development Guidelines issued under section 23A of the *Local Government Act 1993* were considered in the development of the induction program.

Outcomes from the Wingecarribee Shire Council Public Inquiry that were reported in 2022 have been considered in the development of the Induction Program.

COUNCIL BUDGET IMPLICATIONS

There is an allocated budget for Councillor Onboarding and Induction in the 2024/2025 budget. A budget allocation has also been provided for ongoing professional development in the 2024/2025 budget.

RELATED COUNCIL POLICY

Nil

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CONCLUSION

The Induction Program is structured to support Councillors, post election as they commence their term in representing the Shire. A Councillor's role is complex and challenging. The Induction Program and ongoing professional development program is designed to provide the support, information and framework to enable Councillors to be effective in their roles representing the community as expeditiously as possible post election, without being overwhelming.

Substantial work has been undertaken over the past 3 years to reset the organisation and to create a strong foundation for the new Council to leverage off as they focus on the future of the Shire, what their contribution will be to the community in their four-year term of office and importantly, the legacy for future generations.

ATTACHMENTS

Nil

10 REPORTS

10.1 Conservation Management Plan for Bowral Vietnam War Memorial and Cherry Tree Walk Draft for Public Exhibition

Report of: Michael Hamilton
Recreation Planner

Authorised by: Karin Targa
Director Service and Project Delivery

PURPOSE

The purpose of this report is to present the Conservation Management Plan for the Bowral Vietnam War Memorial and Cherry Tree Walk, for Council's endorsement to be placed on public exhibition for 28 days.

OFFICER'S RECOMMENDATION

THAT:

- 1. Council endorse the Draft Conservation Management Plan for the Vietnam War Memorial and Cherry Tree Walk to be placed on public exhibition for 28 days.**
- 2. A further report be submitted to Council following the conclusion of the public exhibition period.**

REPORT

BACKGROUND

The war memorial is a concrete walkway running alongside Mittagong Creek in Bowral. The walk starts in Rivulet Park on Mittagong Road. The route is approximately 1.3 kilometres long and is lined with Taihaku cherry trees on both sides.

While it was intended that there would be one tree for each Australian service person who died during the Vietnam War, the Cherry Tree walk terminated at Boolwey Street and only 307 trees were planted. A focal point of the walk is a group of five stone pillars, located in a grove near the start of the path, four of which have honour rolls attached. The pillars and associated works were DA approved and constructed in 1999. Also located on the path is the Royal Australian Regiment Vietnam War Memorial.

In accordance with the Administrator minute of the Ordinary Council Meeting 19 April 2023, minor upgrades were to be completed on the site in preparation for the 50th Anniversary of the Vietnam War and the commemorative services held in August 2023.

REPORT

A Conservation Management Plan (CMP) details the importance of the place or the items and its heritage significance. It outlines the policies to achieve the best possible conservation of its heritage significance, including any future works and ongoing management and maintenance.

The objectives of the Bowral Vietnam War Memorial and Cherry Tree Walk CMP is to:

- Investigate and analyse documentary and physical evidence to formulate a statement of cultural significance
- Provide a conservation policy to conserve this significance

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Industry expert Louise Thom Heritage was engaged to prepare the CMP. Members of the six Ex-Service Organisations located in the Shire, several persons associated with the original construction of the memorial, the Berrima and District Historical Association and the Australian Garden Historical Society were consulted in the preparation of the CMP.

The Bowral Vietnam War Memorial and Cherry Tree Walk CMP includes a statement of significance, a conservator's report and an arboriculture report. These provide guidance in respect of the works required, maintenance and management of the Taihaku Cherry Trees, the Monument and entry obelisks and maintenance of the park in general.

COMMUNICATION AND CONSULTATION

Community Engagement

Significant community consultation has been completed as part of the preparation of the draft CMP.

- Community survey via Participate Wingecarribee. Submissions available from 31 January 2024 until 21 February 2024. Over 70 submissions were received, the results of which are detailed within the CMP.
- Face to face discussions were held with community stakeholders
- Review of statement of significance completed by RSL sub-branches and community stakeholders.

It is proposed that the Draft Conservation Management Plan for the Vietnam War Memorial and Cherry Tree Walk be placed on public exhibition for 4 weeks. Public notice of the exhibition period will be via:

- Notification to community contacts
- Notification on the Participate Wingecarribee website
- Notification to customers who provided initial feedback into Draft CMP
- Notification to registered subscribers of Council's e-newsletter

Internal Communication and Consultation

The Draft CMP has been prepared in consultation with the Council branches of:

- Assets
- Shire Presentation

External Communication and Consultation

The Conservation Management Plan has been prepared in consultation with external stakeholders of the Memorial, including:

- Face to face discussions were held with the following:
 - Original team members of the construction of the memorial
 - Southern Highlands Vietnam Veterans, Peacekeepers and Peacemakers Association
 - Community stakeholders
- A Draft Statement of Significance was also sent to the following for review and comment:
 - Berrima & District Historical Society
 - Original team members of the construction of the memorial
 - Southern Highlands Vietnam Veterans, Peacekeepers and Peacemakers Association
 - Community stakeholders
 - Sub Branch President, Mittagong RSL
 - Sub Branch President, Bowral RSL
 - Sub Branch President, Moss Vale RSL
 - Sub Branch President, Bundanoon RSL
 - Sub Branch President, Southern Highlands National Servicemen (NSAA)

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SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

The site has high social significance at a local level and the CMP will help maintain the site for future generations.

Broader Economic Implications

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

Culture

Sections of the Memorial are included in the Bowral Conservation Area (HCA) which is listed in Schedule 5 of Wingecarribee Local Environmental Plan # C59, C89. The Vietnam Cherry Tree Walk is contributory to the significance of Heritage Conservation Area C89 as a cultural landscape that is highly valued by the local community and visitors alike.

Governance

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

Council has been working with experts Speciality Trees for the propagation of a specific species of Taihaku Cherry Trees from root stock known as F12/1. This species is more resilient to the disease largely responsible for the dead Taihaku Cherry Trees along the memorial walkway. It is therefore envisaged that the majority of original trees will require replacement, at which point they will be replaced with the more resilient species and the surrounding soil treated.

Completion of the propagation process itself can be managed within existing budgets and efforts will be made to increase the propagation as recommended in the CMP.

The current tree management budgets cannot accommodate the approximate \$1,000/tree cost of removal of existing tree and transportation, planting and establishment of a new propagated tree. It is estimated that an annual budget of \$15,000/yr for six years will enable the progressive replacement of Taihaku Cherry Trees at a sustainable pace. This will therefore be considered for inclusion in future Operational Plans and Budgets and potential grant opportunities pursued.

RELATED COUNCIL POLICY

Community Strategic Plan

Goal 3.2 - Unique towns, villages and rural landscapes

3.2.3 Identify, protect and promote places of significant cultural heritage, including First Nations heritage

CONCLUSION

The Conservation Management Plan (CMP) will retain the site as a site of significance at a local level. The CMP will help inform any renewal works and ongoing maintenance of the Vietnam War Memorial and Cherry Tree Walk into the future.

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ATTACHMENTS

1. Under Separate Cover - Draft Vietnam War Memorial Cherry Tree Walk Conservation Management Plan [10.1.1 - 175 pages]

10.2 Fraud and Corruption and Statement of Business Ethics Draft for Adoption

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

Authorised by: **Pav Kuzmanovski**
Acting Director Corporate Strategy and Resourcing

PURPOSE

This report presents the draft Fraud and Corruption Prevention Policy and draft Statement of Business Ethics for adoption following a period of public exhibition for 28 days.

OFFICER'S RECOMMENDATION

THAT Council adopt the Fraud and Corruption Prevention Policy (Attachment 1) and Statement of Business Ethics (Attachment 2).

REPORT

BACKGROUND

The NSW Independent Commission Against Corruption (ICAC) advises NSW public sector agencies must have a Fraud and Corruption Control Policy, outlining the agency's appetite or tolerance for fraud and corruption. Council's Statement of Business Ethics is an important part of Council's fraud and corruption prevention framework.

At its meeting 20 March 2024 Council endorsed the draft Fraud and Corruption Prevention Policy and draft Statement of Business Ethics for public exhibition for a period of 28 days.

REPORT

The Fraud and Corruption Prevention Policy and Statement of Business Ethics were placed on public exhibition from 2 April 2024 to 30 April 2024. A project page on the Participate Wingecarribee website was created seeking feedback.

During the period of public exhibition, seven (7) people viewed the project page with no (nil) submissions received. Following an internal review, it was identified that the Professional Conduct Coordinator should be included in Section 7 of the Statement of Business Ethics 'Reporting Unethical Behaviour'. Section 7 has been updated to include the Professional Conduct Coordinator as an Officer, who reports of unethical behaviour may be made to, along with the General Manager and Public Officer (Manger Governance and Corporate Performance).

It is recommended that Council adopt the Fraud and Corruption Prevention Policy and Statement of Business Ethics be adopted.

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COMMUNICATION AND CONSULTATION

Community Engagement

The Fraud and Corruption Prevention Policy and Statement of Business Ethics were placed on public exhibition from 2 April 2024 to 30 April 2024. A project page on the Participate Wingecarribee website was created seeking feedback and the opportunity to provide feedback on the draft document via Council's e-newsletter 'Your Shire'.

Internal Communication and Consultation

Nil.

External Communication and Consultation

The draft documents were reviewed by the Audit, Risk and Improvement Committee at the December 2023 meeting.

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

There are no social issues in relation to this report.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

Council is committed to minimising fraud and corruption in the workplace. To achieve this, Council will adopt a fraud and corruption control framework that aligns to better practice.

COUNCIL BUDGET IMPLICATIONS

There are no budget implications in relation to this report.

RELATED COUNCIL POLICY

Code of Conduct

CONCLUSION

The Fraud and Corruption Prevention Policy and Statement of Business Ethics affirms Council's commitment to building and sustaining an ethical, efficient and effective culture where opportunities for fraud are minimised. It is recommended that the draft documents be adopted as placed on public exhibition.

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ATTACHMENTS

1. Statement of Business Ethics 4 0 [**10.2.1** - 6 pages]
2. Fraud and Corruption Prevention Policy v4 0 [**10.2.2** - 8 pages]



Statement of Business Ethics

Foreword from the General Manager

Wingecarribee Shire Council delivers an extensive range of services to the community. Quality service delivery at a reasonable cost increasingly requires Council to work in partnership with external service providers. Wingecarribee Shire Council is committed to conducting its business in a sound commercial and ethical manner.

This Statement of Business Ethics is a means of providing guidance regarding the standards of ethical behaviour that external service providers can expect from Council officials. Similarly, the Statement of Business Ethics also articulates the standards of ethical behaviour expected of external service providers in their dealings with Wingecarribee Shire Council.

1. Our Vision and Values

Council's vision and values are the underlying attitudes that consistently affect all of our actions and decision-making processes.

Our Vision

We strive to make a positive impact in our community!

Our Values

Our Values Statement

R E S P E C T

Resilience Empathy Sustainability Pride Efficiency Courage Teamwork

Our Values have been developed by our people. We use them to guide our behaviours and use them strive towards providing the best possible outcomes for the community.

RESPECT - is the foundation of our culture and shapes our Values Statement. Our moral compass which guides us on our roadmap.

They define what behaviours are acceptable, expected, and celebrated. We will use them as our moral compass and guide us in decision-making and help navigate conflict.

They will also instil a sense of pride and create a foundation for our roadmap and cultural growth.

We're with you



2. Doing Business with Council

Wingecarribee Shire Council is committed to this Statement of Business Ethics. The community rightly expects Council officials to be honest, reasonable and equitable in their dealings and always to act in the best interest of the public.

Similarly, we expect the same standards of behaviour from those we do business with. Council has a zero-tolerance approach to fraud and corruption or modern slavery in its business dealings.

Our Code of Conduct articulates the standards of conduct expected of Council officials to enable them to fulfil their statutory duty and to enhance public confidence in the integrity of local government.

For the purposes of this Statement, **Council officials** are defined as:

- Mayor and Councillors
- Council employees
- Consultants and contractors of Council
- Members of Council committees (including those under section 355 of the *Local Government Act 1993*)
- Delegates and volunteers of Council
- Administrators and Council advisors

Our **external service providers** include applicants, objectors, business partners, contractors, suppliers and anyone with whom we do business.

We have specific requirements in the following areas and we require our external service providers to meet these expectations.

2.1 Gifts and Benefits

In general, Council officials are expected to decline gifts or benefits offered during the course of their work. You should refrain from offering any such incentives to Council officials. All gifts offered, accepted or declined are required to be formally recorded in our public Gifts and Benefits Register.

2.2 Conflicts of Interest

Council officials are required to disclose any actual, potential or perceived conflicts of interest. Council extends this duty of disclosure to all external service providers.

2.3 Use of Council equipment and resources

Council resources include financial, material and human resources. All Council equipment and resources are to be used for their intended, proper and official purpose. This requirement clearly extends to the private sector's use of our resources.

2.4 Use of Council Information

Any confidential Council information should be treated as such and should not be revealed to persons other than those with a genuine need and authority. Private, confidential and commercial-in-confidence or proprietary information contained within applications, objections, tenders,



quotations, expressions of interest, proposals, heads of agreements and the like, should never be given to competing interests or unauthorised persons. Suppliers handling private information on behalf of Council are expected to adhere to Council's Privacy Management Plan.

2.5 Development Applications

Council is committed to assessing development applications in a manner which is compliant with legislation, open and transparent. There shall be no undue influence on the development assessment process by Council officials.

2.6 Communication

All communication should be clear and direct to minimise the risk of perception of inappropriate influence on the business relationship.

2.7 Secondary and post-separation employment

Council officials have a duty to maintain public trust and confidence and not use commercially sensitive information to facilitate future employment opportunities in the private sector. External service providers are to refrain from exerting pressure, offering inducements or incentives or offering future employment to Council officials.

2.8 Intellectual Property Rights

In business relationships with Council, parties are expected to respect each other's intellectual property rights, and formally negotiate any access, licence or use of intellectual property.

2.9 Tenderers, Contractors and Subcontractors

All tenderers contracted and sub-contracted employees are expected to comply with this Statement. It is the responsibility of contractors to make sub-contractors, if they are engaged, aware of this Statement.

2.10 Work Health and Safety

When you work with Council you must give work health and safety top priority and comply with all safety laws, regulations, procedures and standards.

2.11 Sponsorship

Council has adopted a Financial Assistance and Support Policy which applies to sponsorship arrangements with Council.

2.12 Political donations

The law requires that persons who have a financial interest in or have made a submission in relation to a development application or a planning instrument, are to disclose information about political donations and other gifts. This is a mandatory requirement if a donation or gift has been made to a Councillor or Council employee within the previous two years of the application of submission.



3. What you can expect from Council

Council will ensure that all policies, procedures and practices related to approvals, tendering, contracting and the purchase of goods and services are consistent with best practice and the highest standards of ethical conduct. All approvals and procurement activities and decisions will be fully and clearly documented to provide an effective audit trail and allow for effective performance review. Council officials must adhere to Council's Code of Conduct and they are expected to:

- Respect those with whom they deal with in the course of their duties;
- Use public resources effectively and efficiently;
- Abide by all relevant and applicable laws and regulations;
- Respect and comply with Council's policies and procedures;
- Deal fairly, honestly and ethically with all individuals and organisations;
- Assess applications objectively, considering all relevant and material factors;
- Promote fair and open competition while seeking best value for money;
- Avoid actual, potential or perceived conflicts of interest;
- Protect confidential information;
- Never solicit or accept remuneration, gifts or other benefits from a supplier or applicant for the discharge of official duties; and
- Respond promptly to reasonable requests for advice and information.

4. What is expected of you when dealing with Council

We ask all external service providers to observe the following when doing business with Council:

- Act ethically, fairly and honestly in all dealings with Council;
- Respect and be courteous towards members of the public and Council officials;
- Comply with all relevant contractual and statutory obligations;
- Respect and comply with the conditions set out in any documents supplied by Council;
- Provide accurate and reliable advice and information when required;
- Declare actual, potential or perceived conflicts of interest to Council as soon as possible;
- Take all reasonable measures to prevent unauthorised release of privileged and confidential information, particularly to the media;



- Refrain from engaging in any form of modern slavery;
- Immediately report instances of corruption, maladministration and waste;
- Refrain from lobbying or canvassing Council officials during procurement and tendering processes;
- Refrain from engaging in any form of collusive practice, such as offering Council officials inducements or incentives designed to improperly influence the conduct of their duties;
- Refrain from engaging in any activity with the purpose of reducing or eliminating competition;
- Refrain from behaving in a way that might bring the Council into disrepute; and
- Refrain making any statement or acting in any way that could mislead anyone to believe that they are representing Council, or expressing Council views or policies.

5. Why you must comply with this Statement

By complying with the principles and standards in this Statement of Business Ethics, members of the public, applicants, objectors and suppliers will be able to advance their objectives and interests in a fair and ethical manner. Wingecarribee Shire Council expects all external service providers to comply with this Statement of Business Ethics,

There will be consequences for external service providers not complying with the standards of behaviour outlined in this Statement. Demonstrated corrupt conduct or unethical conduct could lead to:

- Disqualification of tender
- Termination of contracts
- Termination of meetings
- Loss of future work with Council
- Investigation for corruption, inappropriate or unethical conduct
- Loss of reputation or
- Referral of the matter for criminal investigation.

Consequences for non-compliance with this Statement of Business Ethics for Council officials include:

- Disciplinary action
- Dismissal



- Loss of civic office
- Investigation for corruption, inappropriate or unethical conduct
- Referral of the matter for criminal investigation

6. Reporting Unethical Behaviour

If you do not believe Council or an external service provider is meeting the requirements described in this Statement, or have concerns about any conduct that could involve unethical behaviour, corrupt conduct (including fraud), maladministration or waste please contact:

- Council's Public Officer (Manager Governance and Corporate Performance), Professional Conduct Coordinator or the General Manager on 02 4868 0888

Reports can also be made to the following external agencies:

- Independent Commission Against Corruption on (02) 8281 5999 concerning corruption conduct (including fraud)
- NSW Ombudsman on (02) 9286 1000 concerning maladministration
- NSW Office of Local Government on (02) 4428 4100 concerning corrupt conduct, maladministration or waste

Public officials reporting corrupt conduct, maladministration or waste are protected by the *Public Interest Disclosures Act 2022*.

Wingecarribee Shire Council also has several policies which relate to the Statement of Business Ethics, including:

- Code of Conduct
- Fraud and Corruption Prevention Policy
- Model Privacy Management Plan
- Public Interest Disclosure Policy

These policies can be found on our [website](#) or contact us for further information:

- Our Civic Centre is open Monday to Friday between 8:30 am and 4:30 pm and is located at:
Civic Centre
68 Elizabeth Street
Moss Vale NSW 2577
- Call us on 02 4868 0888 or email us at mail@wsc.nsw.gov.au
- Please send all correspondence to:
Wingecarribee Shire Council
PO Box 141
Moss Vale NSW 2577



Fraud and Corruption Prevention Policy

Leadership

Achieve ethical governance and improve decision making through open, accountable and positive leadership

Document Type	Council Policy
Document Reference No.	[Governance to insert]
Version No.	4.0
Council File Reference	Policy – Organisation Wide Policies (CMGT)
Adoption Date	[Governance to insert]
Resolution Number	[Governance to insert]
Responsible Officer	Manager Governance and Corporate Performance
Responsible Branch	Corporate Strategy and Resourcing
Responsible Business Unit	Governance
Review Schedule	3 years
Review Date	[Governance to insert]

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1. Objectives

This policy has been developed to set the framework for Council's zero-tolerance approach to fraud and corruption. Fraud and corruption are incompatible with our values and present a risk to the achievement of our objectives and the provision of our services to the public, in a cost-efficient, effective and ethical manner. The public, our employees and other people we deal with are entitled to expect all Council officials to act with integrity and to protect resources, information, reputation and the public interest. Therefore, Council is committed to an honest and ethical environment that minimises fraud and corruption.

2. What is Fraud and Corruption?

Fraud refers to dishonestly obtaining a benefit, or causing a loss, by deception or other means. Fraud against Council may include (but is not limited to):

- theft
- accounting fraud (e.g. false invoices, misappropriation);
- misuse of Council credit cards;
- unlawful use of, or unlawful obtaining of, property, equipment, material or services;
- causing a loss or avoiding and/or creating a liability;
- providing false or misleading information to Council or failing to provide information when there is an obligation to do so;
- misuse of Council assets, equipment or facilities;
- making, or using, false, forged or falsified documents; and/or
- wrongfully using Council information or intellectual property.

Corruption is deliberate, serious wrongdoing that involves dishonest or preferential use of power or position, a breach of public trust or the misuse of information or material acquired in the course of official functions.

In addition, the *Independent Commission Against Corruption Act 1998* (ICAC Act) further defines **corrupt conduct** as including but not being limited to:

- a) any conduct of any person (whether or not a public official) that adversely affects, or that could adversely affect, the honest or impartial exercise of official functions by any public official, any group or body of public officials or any public authority; or
- b) any conduct of a public official that constitutes or involves the dishonest or partial exercise of any of his or her official functions; or
- c) any conduct of a public official or former public official that constitutes or involves a breach of public trust; or
- d) any conduct of a public official or former public official that involves the misuse of information or material that he or she has acquired in the course of his or her official functions, whether or not for his or her benefit or for the benefit of any other person.



While it can take many forms, corrupt conduct occurs when:

- a Council official improperly uses, or tries to improperly use, the knowledge, power or resources of their position for personal gain or the advantage of others.
- a member of the public influences, or tries to influence, a public official to use their position in a way that affects the probity of the public official's exercise of functions.
- a member of the public engages in conduct that could involve one of the matters set out in section 8(2A) of the ICAC Act where such conduct impairs, or could impair, public confidence in public administration.

The community expects Council officials to perform their duties with honesty and in the best interests of the public. Corrupt conduct by a Council official involves a breach of public trust that can lead to inequity, wasted resources or public money and reputational damage.

Some examples of corrupt conduct are:

- a Council official participating in a decision-making process in which they have a financial or other type of conflict of interest.
- a member of the public bribing a Council official to influence a decision of that official.
- a Council official (including a former Council official) selling or distributing confidential information gained while working in an official capacity.

3. Policy

Council is committed to protecting its revenue, expenditure, information and assets from any attempt either by Council officials, external service providers or members of the public to gain financial or other benefits by deceit.

General Principles

Council will not tolerate any act of fraud or corruption.

Council is committed to:

- Minimising the opportunities for fraud and corruption by maintaining an effective system of internal controls for the prevention and detection of fraud and corruption.
- Ensuring Council officials are aware of their obligations to report suspected fraud or corruption through regular training.
- Conducting periodic fraud risk assessments to identify emerging opportunities for fraud.
- Detecting, investigating and disciplining/prosecuting individual cases of fraud or corruption.

Fraud and Corruption Control Plan

Council has a Fraud and Corruption Control Plan that underpins this Policy. It details Council's approach to the detection and deterrence of fraud and corruption, and strategies to assist managers to meet their fraud and corruption control responsibilities, including:

- **Prevention and Training**
To ensure that Council creates a culture of zero tolerance amongst Council officials in relation to fraud and corruption a regular fraud and corruption training and awareness



program will be implemented.

- **Reporting**

Any Council official who suspects fraudulent or corrupt behaviour must report it in accordance with Council's Public Interest Disclosures Policy.

- **Investigation**

All cases of alleged fraud and/or corruption will be investigated and where appropriate, reported to ICAC and may be referred to the NSW Police for prosecution.

4. Scope

This Policy is part of Council's fraud and corruption control framework and applies to all officials of Council, including temporary staff and contractors. Community members who undertake volunteer roles with Council will be removed from their position as a volunteer if they are found to have behaved fraudulently or corruptly.

5. Roles and Responsibilities

General Manager

- Ensure that Council's powers, duties and responsibilities are exercised in an open, fair and proper manner to the highest standards of probity.
- Report any matter that is reasonably suspected to involve corrupt or fraudulent conduct to ICAC (Section 11 ICAC Act).
- Lead Council staff and external service providers in their understanding of and compliance with this Policy and related Council policies.

In cases of complaints against the General Manager, the Mayor (or Administrator) assumes the aforementioned responsibilities.

Mayor and Councillors (or Administrator)

- Guide the proper management of Council resources and the development and implementation of systems and practices to minimise the risk of fraud and corruption.
- Ensure that the investigation of suspected fraud and corruption adheres to relevant Council policies, and where appropriate is reported to the ICAC in accordance with the ICAC Act.

Executive and Managers

- Ensure there are adequate measures to prevent, detect and respond to fraud and corruption within the respective business areas under their control, in accordance with Council's fraud and corruption control framework.
- Lead team members in their understanding of and compliance with this Policy and related Council policies.

Manager Governance and Corporate Performance

- Implement and monitor Council's fraud and corruption control framework.
- Provide advice and assistance to Council staff in relation to this Policy.

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- Nominated under the Public Interest Disclosures Policy as Council's Disclosures Coordinator, who has a central role in Council's internal reporting system.

Council Officials

- Read, understand and comply with this and related policies.
- Report known or suspected fraud or corruption as soon as possible after becoming aware of it, in accordance with the processes outlined in the Public Interest Disclosures Policy.

Internal Audit and External Audit

- Be alert to the possibility of fraud and corruption within Council.
- Examine and evaluate the adequacy and effectiveness of internal controls.

Audit, Risk and Improvement Committee (ARIC)

- Provide oversight of Council's risk management, control, governance and external accountability responsibilities. The responsibilities of the ARIC include that the ARIC must keep fraud control under review in accordance with section 428A of the *Local Government Act 1993*.

6. Performance Measures

The success of this Policy will be demonstrated by:

- No reports of breaches of this Policy.
- Audits making positive findings about Council's fraud and corruption control measures, where applicable.

7. Definitions

Benefit	A non-tangible item of value that one person or organisation confers on another (for example, hospitality, preferential treatment, access to confidential information, free access to services which are normally charged at a fee, or access to a private spectator box at a sporting or entertainment event).
Corrupt conduct	This is defined in Part 2 of this Policy.
Corruption	This is defined in Part 2 of this Policy.
Council official	Means Councillors, Council employees or contractors, administrators, Council Committee members (excluding members of wholly advisory committees), delegates of Council and volunteers.
External service provider	An entity engaged to deliver a function or service for and on behalf of Council.
Fraud	This is defined in Part 2 of this Policy.



- ICAC** Independent Commission Against Corruption
- Internal control** A process, policy or other action that acts to minimise risk and enhance the likelihood that stated objectives and goals will be achieved.

8. Related Material

8.1 Related Legislation

The following legislative materials are related to this Policy:

- *Independent Commission Against Corruption Act 1988*
- *Local Government Act 1993*
- *Local Government (General) Regulation 2005*
- *Public Interest Disclosures Act 1994*

8.2 Related Policies and Procedures

The following documents are related to this Policy:

- Code of Conduct
- Code of Conduct Procedures
- Fraud and Corruption Control Plan
- Gifts and Benefits Procedure
- Public Interest Disclosures Policy
- Related Party Disclosures Policy
- Statement of Business Ethics

9. Non-compliance with this Policy

Non-compliance with this Policy may constitute a breach of Council’s Code of Conduct and may result in disciplinary action. However, where a Council official is reasonably suspected of behaving corruptly, that conduct will be reported to the ICAC and the Council official may be investigated under the ICAC Act.

10. Document Control

Version Control

Version	Adoption Date	Notes
1.0	11/7/2012	Initial adoption of document
2.1	23/7/2014	Policy updated
3.0	13/2/2019	Substantial amendments to ensure consistency with the 2015 Sample Fraud Control Policy published by the NSW Audit Office
4.0	[insert date on which version was adopted]	Substantial amendments to ensure consistency with the 2021 Sample Fraud Control Policy published by ICAC



11. Attachments

There are no attachments to this Policy.

Approved by:

WINGECARRIBEE SHIRE COUNCIL

[Governance to insert adoption date]

10.3 Superannuation for Councillors

Report of: Damien Jenkins
Acting Chief Financial Officer

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

PURPOSE

The purpose of this report is to endorse superannuation contributions payable to the incoming Councillors following the ordinary council election on 14 September 2024.

OFFICER'S RECOMMENDATION

THAT Council endorse superannuation to be paid to the incoming Councillors in accordance with section 254B of the *Local Government Act 1993*.

REPORT

BACKGROUND

In May 2021, an amendment to the *Local Government Act 1993* was enacted to permit the payment of superannuation contributions to Councillors from 1 July 2022.

The making of superannuation payments for Councillors is optional and is at each Council's discretion.

REPORT

To exercise the option of making superannuation contribution payments for Councillors, Council must resolve at a meeting to make superannuation contributions for the Councillors.

Where Council resolves to make superannuation contribution payments for its Councillors, the amount of the payment is to be the amount that Council would have been required to contribute under the Commonwealth *Superannuation Guarantee (Administration) Act 1992* as superannuation if the councillors were employees of the council.

As of 1 July 2024, the superannuation guarantee rate will be 11.5%. This rate will increase to 12.0% from 1 July 2025.

The superannuation contribution payment is to be paid at the same intervals as the annual fee is paid to Councillors and is in addition to the Councillor allowance.

To receive a superannuation contribution payment, each Councillor must first nominate a superannuation account for the payment before the end of the month to which the payment relates. The superannuation account nominated by Councillors must be an account for superannuation or retirement benefits from a scheme or fund to which the Commonwealth Superannuation Guarantee (Administration) Act applies.

Councils must not make a superannuation contribution payment for a Councillor if the Councillor fails to nominate an eligible superannuation account for the payment before the end of the month to which the payment relates.

Individual Councillors may opt out of receiving superannuation contribution payments or opt to receive reduced payments and must do so in writing.

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Council must not make superannuation contribution payments for Councillors during any period in which they are suspended from their Civic Office or their right to be paid any fee or other remuneration, or expense, is suspended under the Act.

Councillors are also not entitled to receive a superannuation contribution payment during any period in which they are not entitled to receive their fee under section 254A of the Act because they are absent.

The outcome of this report is not applicable to the Administrator as the Administrators allowance is determined by the Office of Local Government.

It is recommended to endorse the payment of superannuation for Councillors to be paid from October 2024.

COMMUNICATION AND CONSULTATION

Community Engagement

Nil

Internal Communication and Consultation

Governance

Finance

External Communication and Consultation

Nil

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

There are no social issues in relation to this report.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

In accordance with Section 254B of the *Local Government Act 1993*, a Council may make a payment as a contribution to a superannuation account nominated by a Councillor.

COUNCIL BUDGET IMPLICATIONS

At the Extraordinary Meeting of Council held on 29 May 2024, it was resolved that the annual fees payable to Councillors for the period 1 July 2024 to 30 June 2025 be set at the maximum amount.

Applying the superannuation contribution rate of 11.5% to the maximum fees payable to Councillors, the superannuation cost will be \$26,759, with superannuation contributions commencing from October 2024 when Councillors resume office following the ordinary Council election to be held on 14 September 2024. This has been included in the 2024/25 budget.

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RELATED COUNCIL POLICY

Nil

CONCLUSION

The payment of superannuation to Councillors is seen as an important tool in encouraging a more diverse range of potential candidates to participate in local government. It is recommended that Council endorse this payment of superannuation to Councillors as outlined in this report.

ATTACHMENTS

Nil

10.4 Expenses and Facilities for the Mayor and Councillors Policy - Public Exhibition of Draft Policy

Report of: **Warwick Lawrence**
Coordinator Governance

Authorised by: **Pav Kuzmanovski**
Acting Director Corporate Strategy and Resourcing

PURPOSE

The purpose of this report is to seek Council endorsement to place the amended Draft Expenses and Facilities for the Mayor and Councillors Policy (Expenses Policy) for public exhibition for 28 days.

OFFICER'S RECOMMENDATION

THAT:

- 1. Council endorse the Draft Expenses and Facilities for the Mayor and Councillors Policy, as amended and place it on public exhibition for 28 days.**
- 2. A further report be presented to Council at the end of the exhibition period to consider any submissions received.**

REPORT

BACKGROUND

Council is required to adopt a policy to allow for Councillors and the Mayor to receive adequate and reasonable expenses and facilities to enable them to carry out their civic duties, as elected representatives of their community.

Section 252 (3) of the *Local Government Act 1993* (the Act) provides that council must not pay any expenses incurred or to be incurred or provide any facility to the Mayor or a Councillor other than in accordance with its adopted Expenses Policy.

Council undertook a review of Expenses Policy in 2021 to address the facilities and expenses to be provided to the Administrator, however a general review of the policy prior to that review had not been undertaken since 2017.

Section 252 (1) of the Act requires Council to adopt a policy within the first twelve (12) months of each term of office, however pending the 2024 Local Government Elections in September a significant review of the Expenses Policy was required to ensure that the policy was current prior to a new Council taking office in early October 2024.

A further review of the policy will be undertaken within the first twelve (12) months of their appointment as provided in the Act.

REPORT

A review of the current policy has highlighted the need to make several significant amendments, however the majority of changes are of a relatively minor nature such as updating references to legislation, additional text for clarification of intent or to the language used in the policy.

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The amended Expenses Policy has been provided at **Attachment 1**, with significant changes highlighted within the document. To assist with the consideration of the more significant changes proposed the following table (Table 1) has been provided.

Table 1

Reference	Commentary
Table 1 (page 4)	<ul style="list-style-type: none"> - Conferences and Seminars section - Max. Amount increased from \$15k to \$18k (to provide an even allocation of \$2k per councillor) - LG NSW Conference identified as provided in Section 5.30 of the policy - Intrastate travel added - ICT Devices updated to reflect current devices to be provided to Councillors - Mayoral vehicle provided below luxury tax threshold - Name badge added
Clause 1.6 Introduction	Added reference to Superannuation paid in accordance with Section 254B of the Act and at the rate as prescribed by Commonwealth Superannuation legislation.
Clause 5.1 General travel arrangements	Added the opportunity for councillors to use a council pool vehicle for approved travel
Clause 5.2	Added clauses to clarify reimbursement of travel by the Mayor, in a private vehicle.
Clause 5.5 -5.7	Adding reference to Intrastate travel
Clause 5.20	Additional clause to specify that Council will not reimburse the cost of any alcoholic beverage consumed
Previous Clause 5.21	Clause deleted as it is only a guide for the General Manager to consider when providing refreshments for Council meetings based on a state award for Crown Employees and is not considered necessary for inclusion in this policy
Clause 5.27	Updated clause to reflect what is provided in Table 1 i.e. \$2K / Councillor.
Clause 5.30	Increased attendance of LGNSW (Local Government NSW) Conference from 3 to 4 councillors
Clause 5.35 - 5.36	Amended wording to reflect the latest requirements and information in relation to ICT provided to Councillors
Clause 8.1 - 8.2	Previous reference to expenses relating to the Administrator has been deleted and a heading added to address the non-attendance of conferences etc by a councillor
Clause 9.1 – 9.2	Amended to reflect the general facilities to be provided for Councillors at the Administration building
Clause 10.9	Add a requirement for the Mayors vehicle to be returned to Council upon extended absences
Previous Clauses 11.6 -11.9 (Advance payment)	Delete the requirement to provide a cash advance for Councillors attending approved conferences etc as these costs can be paid directly by Council and the Councillor will only be responsible for less expensive costs that may be associated with their attendance at such events.

It is proposed that the draft amended Expenses Policy be placed on public exhibition for 28 days.

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COMMUNICATION AND CONSULTATION

Community Engagement

The Draft Policy will be placed on public exhibition for a period of 28 days with feedback to be received via Council's online engagement platform, Participate Wingecarribee.

Internal Communication and Consultation

The policy has been reviewed with input from Executive, Finance and Information Services.

External Communication and Consultation

The Policy will be placed on public exhibition for 28 days and submissions. A further report will be provided to Council to consider any submissions received during the exhibition period prior to adoption.

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

There are no social issues in relation to this report.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

Section 252 (3) of the *Local Government Act 1993* provides that council must not pay any expenses incurred or to be incurred or provide any facility to the Mayor or a Councillor other than in accordance with its adopted "Expenses Policy".

This policy has been reviewed and updated to ensure it is up to date prior to the appointment of a new Council.

COUNCIL BUDGET IMPLICATIONS

Council has provided an appropriate allocation in its 2024/2025 budget to meet the costs of all possible expenditure identified in the policy.

RELATED COUNCIL POLICY

Nil

CONCLUSION

The updated Expenses Policy is considered appropriate and reflects current standards and legislative requirements and subject to any submission received during the exhibition period will be adopted and in place prior to the newly elected Council taking office in October 2024.

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ATTACHMENTS

1. Draft Expenses and Facilities for the Mayor and Councillors Policy [**10.4.1** - 16 pages]



Expenses and Facilities for the Mayor and Councillors Policy

Draft for Public Exhibition



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WINGECARRIBEE SHIRE COUNCIL

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Expenses and Facilities for the Mayor and Councillors Policy – Draft for Public Exhibition

LEADERSHIP Wingecarribee Community Strategic Plan 2041 -
An enhanced culture of positive leadership, accountability and ethical governance that guides well informed decisions to advance agreed community priorities

Document Type	Council Policy
Document Reference No.	249531
Version No.	3
Council File Reference	Policy – Administrative and Operational (CMGT)
Adoption Date	[Governance to insert]
Resolution Number	[Governance to insert]
Document Owner	Manager Corporate Strategy and Governance
Responsible Branch	Corporate Strategy and Governance
Responsible Business Unit	Corporate Strategy and Governance
Review Schedule	Within the first 12 months of a newly elected Council
Review Date	[Governance to insert]

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Expenses and Facilities for the Mayor and Councillors Policy – Draft for Public Exhibition

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1 Objectives

The objectives of this Policy are to:

- enable the reasonable and appropriate reimbursement of expenses incurred by the Mayor and Councillors while undertaking their civic duties
- enable facilities of a reasonable and appropriate standard to be provided to Councillors to support them in undertaking their civic duties
- ensure accountability and transparency in the approval and reimbursement of expenses and provision of facilities to Councillors
- ensure facilities and expenses provided to the Mayor and Councillors meet community expectations
- support a diversity of representation
- fulfil Council's statutory responsibilities.

2 Policy Statement

Policy Summary

This policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to Councillors to help them undertake their civic duties.

It ensures accountability and transparency and seeks to align Councillor expenses and facilities with community expectations. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.

The policy has been prepared in accordance with the Local Government Act 1993 (the Act) and Local Government (General) Regulation 2021 (the Regulation) and complies with the Office of Local Government's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

The policy sets out the maximum amounts Council will pay for specific expenses and facilities. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

The main expenses and facilities are summarised in the table below. All monetary amounts are exclusive of GST.

Table 1: Maximum Expense or Facility Limits

Expense or facility	Maximum amount	Frequency
General travel expenses	\$5,000 per Councillor \$10,000 for the Mayor	Per year
Interstate, Intrastate and overseas travel expenses	\$10,000 total for all Councillors	Per year
Accommodation and meals	As per the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, adjusted annually	Per meal/night
Professional development	\$3,500 per Councillor	Per year
Conferences and seminars (other than the NSW LG Conference)	\$18,000 total for all Councillors (\$2k/Clr)	Per year
LG NSW Conference	In addition to the total budget for Conferences and Seminars Council will pay for registration fees, accommodation and conference dinners for the attendance of a Max. 4 attendees.	Per year

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AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 JUNE 2024



Draft Expenses and Facilities for the Mayor and Councillors Policy.docx

Expense or facility	Maximum amount	Frequency
Community meetings and non-council functions/events	\$500 per Councillor	Per year
ICT expenses	ICT devices supplied by Council One Laptop with up to 15GB of data per month One Smart mobile phone with unlimited talk (within Australia to standard Australian numbers and SMS/MMS and up to 10GB of data per month.	Term of Office
Carer expenses	\$2,000 per Councillor	Per year
Home office expenses	\$500 per Councillor	Per year
Mayoral Council vehicle and fuel card	(Below luxury tax threshold)	Term of Office
Reserved parking space for the Mayor at Council offices	No cost	Term of Office
Furnished office	Provided to the Mayor	Term of Office
Mayor and Councillor Name Badge	\$100/badge	Term of Office

Additional costs incurred by a Councillor in excess of these limits are considered a personal expense that is the responsibility of the Councillor.

Detailed reports on the provision of expenses and facilities to Councillors will be publicly tabled at a Council meeting every six months and published in full on Council's website. These reports will include expenditure summarised by individual Councillor and as a total for all Councillors.

Part A - Introduction

1. Introduction

- 1.1. The provision of expenses and facilities enables the Mayor and Councillors to fulfil their civic duties as the elected representatives of Wingecarribee Shire Council.
- 1.2. The community is entitled to know the extent of the expenses paid to the Mayor and Councillors, as well as the facilities provided.
- 1.3. The purpose of this policy is to clearly state the facilities and support that are available to the Mayor and Councillors to assist them in fulfilling their civic duties.
- 1.4. Council staff are empowered to question or refuse a request for payment from the Mayor and a Councillor when it does not accord with this policy.
- 1.5. Expenses and facilities provided by this policy are in addition to fees paid to the Mayor and Councillors. The minimum and maximum fees a council may pay each Mayor and Councillor are set by the Local Government Remuneration Tribunal as per Section 241 of the Act and reviewed annually. Council must adopt its annual fees within this set range.
- 1.6. Superannuation, as resolved by Council, will be paid in accordance with Section 254B of the Act and at the rate determined by Commonwealth superannuation legislation.

2. Principles

- 2.1. Council commits to the following principles:
 - Proper conduct:** Councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions
 - Reasonable expenses:** Providing for the Mayor and Councillors to be reimbursed for expenses reasonably incurred as part of their role.

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Participation and access: Enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a Mayor or Councillor

Equity: There must be equitable access to expenses and facilities for the Mayor Councillors

Appropriate use of resources: Providing clear direction on the appropriate use of Council resources in accordance with legal requirements and community expectations

Accountability and transparency: Clearly stating and reporting on the expenses and facilities provided to the Mayor and Councillors.

3. Private or political benefit

- 3.1. The Mayor and Councillors must not obtain private or political benefit from any expense or facility provided under this policy.
- 3.2. Private use of Council equipment and facilities by the Mayor and Councillors may occur from time to time. For example, telephoning home to advise that a Council meeting will run later than expected.
- 3.3. Such incidental private use does not require a compensatory payment back to Council.
- 3.4. The Mayor and Councillors should avoid obtaining any greater private benefit from Council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of Council facilities does occur, the Mayor and Councillors must reimburse Council.
- 3.5. Campaigns for re-election are considered to be a political benefit. The following are examples of what is considered to be a political interest during a re-election campaign:
 - production of election material
 - use of Council resources and equipment for campaigning
 - use of official Council letterhead, publications, websites or services for political benefit
 - fundraising activities of political parties or individuals, including political fundraising events.

Part B - Expenses

4. General Expenses

- 4.1. All expenses provided under this policy will be for a purpose specific to the functions of holding civic office. Allowances for general expenses are not permitted under this policy.
- 4.2. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

5. Specific Expenses General travel arrangements and expenses

- 5.1. All approved travel by Councillors should be undertaken using the most direct route and the most practicable and economical mode of transport. Where possible a Council "pool" vehicle may be made available for Councillors use to attended approved conferences, seminar or training but not to attend community meetings and non-council functions or events.
- 5.2. Each Councillor may be reimbursed up to a total of \$5,000 per year, and the Mayor may be reimbursed up to a total of \$10,000 per year (when travelling in their private vehicle), for travel expenses incurred while undertaking official business or professional development or attending approved conferences and seminars within NSW. This includes reimbursement:
 - for public transport fares
 - for the use of a private vehicle or hire car
 - for parking costs for Council and other meetings
 - for tolls
 - by Cabcharge card or equivalent
 - for documented ride-share programs, such as Uber, where tax invoices can be issued.



- 5.3. Allowances for the use of a private vehicle will be reimbursed per kilometre travelled at the rate provided in the Local Government (State) Award.
- 5.4. Councillors seeking to be reimbursed for use of a private vehicle must record on the Councillor expense claim form the date, distance and purpose of travel being claimed and the engine capacity of the vehicle used.

Interstate, Intrastate and overseas travel expenses

- 5.5. In accordance with Section 4, Council will scrutinise the value and need for the Mayor and Councillors to undertake Interstate and overseas travel. The Mayor and Councillors should avoid interstate and overseas trips unless direct and tangible benefits can be established for the Council and the local community. This includes travel to any sister or friendship city arrangement entered into by Council.
- 5.6. Total interstate and overseas travel expenses for the Mayor and Councillors will be capped at a total of \$10,000 per year.
- 5.7. Councillors seeking approval for any interstate travel must submit a case to, and obtain the approval of, the Mayor and General Manager prior to travel.
- 5.8. Councillors seeking approval for any overseas travel must submit a case to, and obtain the approval of, a full Council meeting prior to travel.
- 5.9. The case should include:
 - objectives to be achieved in travel, including an explanation of how the travel aligns with current Council priorities and business, the community benefits which will accrue as a result, and its relevance to the exercise of the Councillor's civic duties
 - who is to take part in the travel
 - duration and itinerary of travel
 - a detailed budget including a statement of any amounts expected to be reimbursed for the participant/s.
- 5.10. For approved interstate journeys by air of less than three hours, the class of air travel is to be economy class.
- 5.11. For approved interstate journeys by air of more than three hours, the class of air travel may be premium economy.
- 5.12. For approved international travel, the class of air travel is to be premium economy if available. Otherwise, the class of travel is to be economy.
- 5.13. Bookings for approved air travel are to be made through the General Manager's office.
- 5.14. For air travel that is reimbursed as Council business, the Mayor and Councillors will not accrue points from the airline's frequent flyer program. This is considered a private benefit.

Travel related expenses not paid by Council

- 5.15. Council will not pay any traffic or parking fines or administrative charges for road toll accounts.

Accommodation and meals

- 5.16. In circumstances where it would introduce undue risk for a Councillor to travel to or from official business in the late evening or early morning, reimbursement of costs for accommodation and meals on the night before or after the meeting may be approved by the General Manager. This includes where a meeting finishes later than 9.00pm or starts earlier than 7.00am and the Councillor lives more than 50 kilometres from the meeting location.
- 5.17. Council will reimburse costs for accommodation, meals and appropriate non-alcoholic refreshments while Councillors are undertaking prior approved travel or professional development outside a 100 km radius of the Moss Vale Civic Centre.



- 5.18. The daily limits for accommodation and meal expenses within Australia are to be consistent with those set out in Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.
- 5.19. The daily limits for accommodation and meal expenses outside Australia are to be determined in advance by the General Manager, being mindful of Clause 5.18.

Meals and Refreshments for Council related meetings

- 5.20. Appropriate meals and non-alcoholic refreshments will be available for Council meetings, Council Committee meetings, Councillor briefings, approved meetings and engagements, and official Council functions as determined by the General Manager.

Professional development

- 5.21. Council will set aside \$3,500 per Councillor annually to facilitate professional development of the Mayor and Councillors through programs, training, education courses and membership of professional bodies.
- 5.22. In the first year of a new Council term, Council will provide a comprehensive induction program for the Mayor and Councillors which considers any guidelines issued by the Office of Local Government (OLG). The cost of the induction program will be met by Council in addition to the ongoing professional development funding.
- 5.23. Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the Councillor's civic duties, the Councillor actively participates in the body and the cost of membership is likely to be fully offset by savings from attending events as a member.
- 5.24. Approval for professional development activities is subject to a prior written request to the Mayor and General Manager outlining the:
 - details of the proposed professional development
 - relevance to Council priorities and business
 - relevance of the exercise of the Councillor's civic duties.
- 5.25. In assessing a Councillor request for a professional development activity, the Mayor and General Manager must consider the factors set out in Clause 5.25, as well as the cost of the professional development in relation to the Councillor's remaining budget.

Conferences and seminars

- 5.26. Council is committed to ensuring that the Mayor and its Councillors are up to date with contemporary issues facing Council and the community, and local government in NSW.
- 5.27. Council will set aside a total amount of \$18,000 annually (i.e. \$2k each) to facilitate Mayoral and Councillor attendance at conferences and seminars, excluding the Local Government NSW Annual Conference whereby a separate allocation will be provided for the attendance of up to (four) 4 attendees. The General Manager will ensure that access to expenses relating to conferences and seminars is distributed equitably.
- 5.28. Approval to attend a conference or seminar is subject to a Council resolution or approval by both the Mayor and General Manager. A written request considering the following factors is required:
 - relevance of the topics and presenters to current Council priorities and business and the exercise of the Councillor's civic duties
 - cost of the conference or seminar in relation to the total remaining budget.
- 5.29. Council will meet the reasonable cost of registration fees, transportation and accommodation associated with attendance at conferences for approved conferences. Council will also meet the reasonable cost of meals when they are not included in the



conference fees. Reimbursement for accommodation and meals not included in the conference fees will be subject to Clauses 5.16-5.19.

Local Government NSW Annual Conference

- 5.30. Up to four (4) Councillors may attend the Local Government NSW Annual Conference each year. Council will reimburse the cost of registration fees and where the conference is outside a 100 km radius of the Moss Vale Civic Centre, the cost of travel, accommodation and meals not covered by the conference registration, subject to Clauses 5.17-5.19.
- 5.31. For the Local Government NSW Annual Conference only, Council will meet the costs of the official conference dinner for an accompanying person of a Councillor.

Community Meetings and Non-Council Functions or Events

- 5.32. Where a Councillor accepts an invitation to attend a community meeting or non-Council function/event Council will reimburse up to \$500 per annum per Councillor for travel and other reasonable out of pocket expenses associated with attendance at the meeting or function. All claims must be supported by appropriate documentary evidence.
- 5.33. Council will not cover the costs associated with an accompanying spouse or partner attending community meetings and non-Council function or events.
- 5.34. Council will not reimburse to a Councillor, any costs associated with attendance at any political fundraising event, for any donation to a political party or candidate's electoral fund, or for some other private benefit.

ICT expenses

- 5.35. Council will provide to the Mayor and Councillors upon the commencement of their term of office essential ICT devices and services to fulfil their civic office duties. This will include a:
- Smart phone integrated with government contracted mobile and data services, each with unlimited local and standard calls (no international calling or roaming) and up to 10GB of data per device per month.
 - A Laptop computer provided with a data SIM service offering up to 15GB of data per month

Councillors must not take Council supplied ICT devices overseas unless specifically authorised by the General Manager as part of an approved Council travel arrangement.

- 5.36. Council will procure all equipment on behalf of Councillors and will supply its preferred and supported equipment only. The determination as to what equipment (i.e. make and model) will be provided will be made by the General Manager based upon Council's General ICT program and identified needs. Council will update ICT equipment as and when required as determined by the General Manager.

All ICT devices will be fully maintained and approved software or smartphone applications will be updated by staff. Councillors must not upload unapproved software or smart phone applications without the prior approval of the General Manager.

Special requirement and carer expenses

- 5.37. Council encourages wide participation and interest in civic office. It will seek to ensure Council premises and associated facilities are accessible, including provision for sight or hearing impaired Councillors and those with other disabilities.
- 5.38. Transportation provisions outlined in this policy will also assist Councillors who may be unable to drive a vehicle.
- 5.39. In addition to the provisions above, the General Manager may authorise the provision of reasonable additional facilities and expenses in order to allow a Councillor with a disability to perform their civic duties.



- 5.40. Councillors who are the principal carer of a child or other elderly, disabled and/or sick immediate family member will be entitled to reimbursement of carer's expenses up to a maximum of \$2,000 per annum for attendance at official business, plus reasonable travel from the principal place of residence.
- 5.41. Child care expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.
- 5.42. In the event of caring for an adult person, Councillors will need to provide suitable evidence to the General Manager that reimbursement is applicable. This may take the form of advice from a medical practitioner.

Home office expenses

- 5.43. Each Councillor will be provided with minor home office consumables associated with the maintenance of a home office, such as stationery and printer ink cartridges up to the cost of \$500 per year. These items will be procured by Council and all requests for items must be submitted in writing on the prescribed form.

6. Insurances

- 6.1. In accordance with Section 382 of the Local Government Act 1993, Council is insured against public liability and professional indemnity claims. Councillors are included as a named insured on this Policy.
- 6.2. Insurance protection is only provided if a claim arises out of or in connection with the Councillor's performance of his or her civic duties, or exercise of his or her functions as a Councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance.
- 6.3. Council shall pay the insurance policy excess in respect of any claim accepted by Council's insurers, whether defended or not.
- 6.4. Appropriate travel insurances will be provided for any Councillors traveling on approved interstate and overseas travel on Council business.

7. Legal assistance

- 7.1. Council may, if requested, indemnify or reimburse the reasonable legal expenses of:
 - a Councillor defending an action arising from the performance in good faith of a function under the Local Government Act 1993
 - a Councillor defending an action in defamation, provided the statements complained of were made in good faith in the course of exercising a function under the Act
 - Councillor for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the matter has proceeded past any initial assessment phase to a formal investigation or review and the investigative or review body makes a finding substantially favourable to the Councillor
 - a conduct complaint made against a Councillor, legal costs will only be made available where the matter has been referred by the General Manager to a conduct reviewer or conduct review panel to make formal enquiries into that matter in accordance with Council's Code of Conduct and that the findings are substantially favourable to the Councillor
- 7.2. Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the Act are distinguished from expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term in office. For example, expenses arising from an investigation as to whether a Councillor acted corruptly would not be covered by this section.
- 7.3. Council will not meet the legal costs:
 - of legal proceedings initiated by a Councillor under any circumstances
 - of a Councillor seeking advice in respect of possible defamation, or in seeking a non-

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- litigious remedy for possible defamation
 - for legal proceedings that do not involve a Councillor performing their role as a Councillor.
- 7.4. Authorisation of the payment or reimbursement of legal expenses for a Councillor will be subject to approval by Council, following consideration of the relevant matters, including this policy, via a report to open Council.

8. Non-Attendance of conference, seminar and training

- 8.1 Where costs are paid by Council for a councillor to attend an approved conference, seminar, function or training, and the Councillor does not attend and has not provided opportunity for Council to seek a refund of the costs incurred or to substitute another Councillor to attend, the Councillor shall be personally liable to repay all amounts incurred (and not refunded) to Council. In such a case the costs incurred (less any refund received) by Council will be charged to the Mayor or Councillor.
- 8.2 Where a Mayor or Councillor believes that there are extenuating circumstances for non-attendance (i.e. family or medical emergency) they may apply to the General Manager to have such payment waived.

Part C - Facilities

9. General facilities for all Councillors

- 9.1. Council will provide: -
- a name badge which may be worn at official functions, indicating that the wearer holds the office of a Councillor and/or Mayor or Deputy Mayor.
 - personal protective equipment for use during site visits
- 9.2. Councillors may book meeting rooms for official business in a specified Council building at no cost. Rooms may be booked through a specified officer in the Mayor's office or another specified staff member.

Stationery

- 9.3. Council will provide the following stationery to Councillors each year:
- letterhead, to be used only for correspondence associated with civic duties
 - business cards.

Administrative support

- 9.4. Council may provide administrative support to Councillors to assist them with their civic duties only. Administrative support may be provided by staff in the Mayor's office or by a member of Council's administrative staff as arranged by the General Manager or their delegate.
- 9.5. As per Section 3, Council staff are expected to assist Councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.

10. Additional facilities for the Mayor.

- 10.1. Council will provide to the mayor a maintained vehicle to a similar standard of other council vehicle below, [Luxury car tax thresholds](#) with a fuel card. The vehicle will only be supplied for use on Council business, professional development, and attendance at the mayor's office and for any irregular incidental travel.



- 10.2. The mayor must keep a logbook setting out the date, distance and purpose of all travel. This must include any incidental travel for private benefit. The logbook must be submitted to council on a monthly basis.
- 10.3. The mayoral allowance will be reduced to cover the cost of any approved private travel recorded in the logbook, calculated on a per kilometre basis by the rate set by the Local Government (State) Award.
- 10.4. A parking space at Council's offices will be made available for the Mayor's use on official business, professional development, and attendance at the Mayor's office.
- 10.5. Council will provide the Mayor with a furnished office incorporating a computer configured to Council's standard operating environment, telephone, and meeting space.
- 10.6. In performing his or her civic duties, the Mayor will be assisted by a small number of staff providing administrative and secretarial support, as determined by the General Manager.
- 10.7. The number of exclusive staff provided to support the Mayor and Councillors will not exceed the number of full-time equivalents identified in the adopted organisational structure and as provided in the adopted budget.
- 10.8. Staff in the Mayor's office are expected to work on official business only, and not for matters of personal or political interest, including campaigning.
- 10.9. In the event of a vacancy in office or an extended absence from the Council by the Mayor, the Mayoral vehicle will be returned to Council to be utilised as determined by the General Manager.

Part D - Processes

11. Approval, payment, and reimbursement arrangement

- 11.1. Expenses must only be incurred by Councillors in accordance with the provisions of this policy.
- 11.2. Up to the maximum limits specified in this policy, approval for the following may be sought after the expense is incurred:
 - travel relating to the conduct of official business
 - carer costs.
- 11.3. Final approval for payments made under this policy will be granted by the General Manager or their delegate.

Direct payment

- 11.4. Council may approve and directly pay expenses. Requests for direct payment must be submitted to the Manager Governance and Corporate Performance for assessment against this policy using the prescribed form, with sufficient information and time to allow for the claim to be assessed and processed.

Reimbursement

- 11.5. All claims for reimbursement of expenses incurred must be made on the prescribed electronic form, supported by appropriate receipts and/or tax invoices, and be submitted to the Manager Governance and Corporate Performance

Notification

- 11.6. If a claim is approved, Council will make payment directly or reimburse the Councillor through accounts payable
- 11.7. If a claim is refused, Council will inform the Councillor in writing that the claim has been refused and the reason for the refusal.



Reimbursement to Council

- 11.8 If Council has incurred an expense on behalf of a Councillor that exceeds a maximum limit, exceeds reasonable incidental private use, or is not provided for in this policy:
- Council will invoice the Councillor for the expense
 - the Councillor will reimburse Council for that expense within 14 days of the invoice date.
- 11.9. If the Councillor cannot reimburse Council within 14 days of the invoice date, they are to submit a written explanation to the General Manager. The General Manager may elect to deduct the amount from the Councillor's allowance.

Timeframe for reimbursement

- 11.10. Unless otherwise specified in this policy, Councillors must provide all claims for reimbursement within three months of an expense being incurred, however all claims made for the reimbursement of expenditure incurred during April, May and June must be submitted no later than two weeks after the end of the financial year to ensure Council can accurately report on all Councillor payments made under this policy as part of its Annual Report. Claims made after this time will not be approved unless authorised by the General Manager. All claims must be made and submitted online on the prescribed electronic form and must be sufficiently detailed and accompanied by appropriate documentary evidence. Claims made after this time cannot be approved.

12. Disputes

- 12.1 If a Councillor disputes a determination under this policy, the Councillor should discuss the matter with the General Manager.
- 12.2 If the Councillor and the General Manager cannot resolve the dispute, the Councillor may submit a notice of motion to a Council meeting seeking to have the dispute resolved.

13. Return or retention of facilities

- 13.1 All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon a Councillor or Mayor ceasing to hold office or at the cessation of their civic duties.
- 13.2 Should a Councillor desire to keep any equipment allocated by Council, then this policy enables the Councillor to make application to the General Manager to purchase any such equipment. The General Manager will determine an agreed fair market price or written down value for the item of equipment.
- 13.3 The prices for all equipment purchased by Councillors under Clause 14.2 will be recorded in Council's Annual Report.

14. Publication

- 14.1 This policy will be published on Council's website.

15. Reporting

- 15.1 Council will report on the provision of expenses and facilities to Councillors as required in the Act and Regulation.
- 15.2 Detailed reports on the provision of expenses and facilities to Councillors will be publicly tabled at a Council meeting every six months and published in full on Council's website. These reports will include expenditure summarised by individual Councillor and as a total for all Councillors.

16. Auditing

- 16.1 The operation of this policy, including claims made under the policy, will be included in Council's audit program and an audit undertaken at least every two years.

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17. Breaches

- 17.1 Suspected breaches of this policy are to be reported to the General Manager.
- 17.2 Alleged breaches of this policy shall be dealt with by following the processes outlined for breaches of the Code of Conduct, as detailed in the Code and in the Procedures for the Administration of the Code.

3 Scope

This Policy applies to the Mayor and Councillors during their elected term.

4 Responsibilities

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

4.1 Councillors

- To communicate, implement and comply with this Policy

4.2 Executive

- To ensure the distribution and communication of the Policy and to ensure the approved Policy is available in hardcopy and electronically on Council's website
- To ensure that all claims and reimbursements are made in accordance with this policy

4.3 Council staff

- To comply with this policy and to facilitate the provision of training to all Council officials on their role and responsibilities and to manage the claims approval process and the coordination of attendance at approved conferences, seminars and training as provided in the policy.

5 Performance Measures

The success of this Policy will be measured through Council's audit program. Audits of claims made under this policy will be audited at least every two years.

6 Definitions

accompanying person	Means a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a Councillor
appropriate refreshments	Means food and non-alcoholic beverages provided by Council to support Councillors undertaking official business
Act	Means the Local Government Act 1993 (NSW)
Annual Conference	Means Local Government NSW Annual Conference
clause	Unless stated otherwise, a reference to a clause is a reference to a clause of this policy
Code of Conduct	Means the Code of Conduct adopted by Council or the Model Code if none is adopted
Councillor	Means a person elected or appointed to civic office as a member of the governing body of Council who is not suspended, including the Mayor

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Draft Expenses and Facilities for the Mayor and Councillors Policy.docx

General Manager	Means the General Manager of Council and includes their delegate or authorised representative
ICT	Means Telecommunications and Information Communications and Technology
incidental personal use	Means use that is infrequent and brief and use that does not breach this policy or the Code of Conduct
maximum limit	Means the maximum limit for an expense or facility provided in the text and summarised in Table 1
NSW	New South Wales
official business	Means functions that the Mayor or Councillors are required or invited to attend to fulfil their legislated role and responsibilities for Council or result in a direct benefit for Council and/or for the local government area, and includes: <ul style="list-style-type: none">• meetings of Council• meetings of committees facilitated by Council, as per Council's adopted committee structure• civic receptions hosted or sponsored by Council• meetings, functions, workshops, and other events to which attendance by a Councillor has been requested or approved by Council
professional development	Means a training course or other development opportunity relevant to the role of a Councillor or the Mayor
Regulation	Means the Local Government (General) Regulation 2021 (NSW)
year	Means the financial year, that is the 12-month period commencing on 1 July each year.

7 Related Material

7.1 Related Legislation

The following legislative material(s) are related to this Policy:

- Local Government Act 1993, Sections 252 and 253
- Local Government (General) Regulation 2021, Clauses 217 and 403
- Commonwealth Superannuation Guarantee (Administration) Act 1992

7.2 Related Policies, Procedures

The following policy materials are related to this Policy:

- Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW, 2009
- Local Government Circular 09-36 Guidelines for Payment of Expenses and Facilities
- Local Government Circular 05-08 legal assistance for Councillors and Council Employees
- Wingecarribee Shire Council Code of Conduct

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8 Document Control

8.1 Version Control

Version	Adoption Date	Notes
1.0		
2.0	23 August 2017	Policy modelled on a new template endorsed by the Office of Local Government
2.1	9 June 2021	To include the provision of facilities for the Administrator

9 Attachments

There are no attachments to this Policy.

**Approved by:
WINGECARRIBEE SHIRE COUNCIL**

DRAFT

10.5 Contaminated Land Policy Draft for Public Exhibition

Report of: Barry Arthur
Manager Environment and Sustainability

Authorised by: Clinton McAlister
Acting Director Communities and Place

PURPOSE

The Draft Contaminated Land Policy at Attachment 1 has undergone a scheduled review. This report seeks approval for it to be placed on public exhibition prior to adoption by Council.

OFFICER'S RECOMMENDATION

THAT:

- 1. Council endorse the amended Draft Contaminated Land Policy, as set out in attachment 1, for public exhibition for a period of 28 days.**
- 2. A further report be submitted to Council following the conclusion of the public exhibition period.**

REPORT

BACKGROUND

Council previously adopted a Contaminated Land Procedures Policy in 1997, and clauses around the contaminated land management procedures were included in previous versions of Development Control Plans. There is no record of the 1997 Policy being reviewed since its original adoption. A draft Contaminated Land Policy is being proposed for Council which will provide clarity and guidance to the community and staff on contaminated land management issues.

The Canberra Region Joint Organisation (CRJO) has undertaken a project to support its member Councils in the development of contaminated land management tools and procedures. This was a project funded by the NSW EPA. A Model Contaminated Land Policy was developed by the CRJO through this process, and this reflects similar model policies produced across the State. Member councils have been encouraged to adopt this Policy.

REPORT

Land contamination and its effects on human health and the environment can remain untouched within the existing natural environment for long periods of time. By developing a Contaminated Land Policy, Council is provided a framework to integrate and manage land contamination within the planning and development process.

This policy establishes the best practice methods for council officers in relation to:

- Identifying, evaluating, and managing contaminated land through the use of land use planning instruments
 - Recording contaminated land information
 - Disclosing contaminated land information to the public
 - Preventing or minimizing the potential for land contamination
-

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- Reporting contamination to the NSW EPA

Under 145B of the *NSW Environmental Planning and Assessment Act 1979 (EP&A Act)*, councils who act in good faith are afforded exemptions of liability for any planning decisions made by council.

Contaminated land in New South Wales (NSW) is primarily managed through two avenues:

1. Sites where contamination is considered significant enough to warrant regulation are regulated by the NSW Environment Protection Authority (EPA) through the powers provided to it under the *Contaminated Land Management Act 1997*.
2. Other sites are managed by Councils via land use planning instruments, through the powers provided to it under the *Environmental Planning and Assessment Act 1979*.

The Model Contaminated Land Policy produced by the CRJO has been used as the basis for the Draft policy attached to this report. Amendments have been made to this to reflect the conditions in Council and the Shire.

COMMUNICATION AND CONSULTATION

Community Engagement

This draft Policy is to be placed on public exhibition for 28 days, with feedback to be received via Council's online engagement platform, Participate Wingecarribee.

Internal Communication and Consultation

The Draft policy has been prepared with input from the Development Assessment and Regulation, Strategic Outcomes and Council's GIS Information Services teams.

External Communication and Consultation

The Draft policy utilises the Model Contaminated Land Policy developed by the Canberra Region Joint Organisation.

SUSTAINABILITY ASSESSMENT

Environment

The Draft policy will help manage environmental issues related to contaminated land.

Social

There are no social issues in relation to this report.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

This Draft policy has been developed with the assistance of the Model policy developed by the Canberra Region Joint Organisation.

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COUNCIL BUDGET IMPLICATIONS

This report has no budget implications on Council. The implementation of the principles and procedures outlined in the policy will be carried out with the current resources / budget.

RELATED COUNCIL POLICY

Not applicable.

CONCLUSION

It is prudent that Council reviews its contaminated plan procedures and previous policy tools due to significant changes that have been made since previous policy documents were adopted. Council has utilised the Model Contaminated Land Policy produced by the Canberra Region Joint Organisation and adapted to meet the Council's and Shire's needs. It is recommended that the draft Policy be placed on public exhibition for 28 days.

ATTACHMENTS

1. Draft Contaminated Land Policy [10.5.1 - 24 pages]



Draft Contaminated Land Policy Policy



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WINGECARRIBEE SHIRE COUNCIL

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{Main Category} Wingecarribee Community Strategic Plan 2041 -
{Subcategory -Link to CSP Goal}

Document Type	Council Policy
Document Reference No.	[Governance to insert] (example: 2020/001)
Version No.	[Governance to insert]
Adoption Date	[Governance to insert]
Resolution Number	[Governance to insert]
Document Owner	Manager Environment and Sustainability
Responsible Branch	Environment and Sustainability
Responsible Business Unit	
Review Schedule	[Governance to insert]
Review Date	[Governance to insert]

Acknowledgements

This policy is based on the Model Policy produced by the Canberra Region Joint Organisation through a project funded by the New South Wales Government through the EPA's Contaminated Land Program.



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1 Objectives

The objectives of this policy are:

- To ensure that changes in land use do not increase the risk to human health or the environment.
- To consider the likelihood of contamination as early as possible when carrying out Council regulatory, management or planning activities.
- To ensure Council maintains a suitable contaminated land information system, enabling Council to provide stakeholders with accurate information relating to land contamination.
- To ensure Council exercises its functions relating to the development of contaminated land in accordance with the relevant legislation, guidelines, and codes
- To avoid any inappropriate restrictions on land use arising from contamination
- To ensure site investigation, remediation and reporting works are completed in a satisfactory manner
- To provide information to support Council decision making, and to inform the community of potential restrictions on development arising from land contamination.

2 Policy Statement

2.1 Managing Contaminated Land

The management of contaminated land is a shared responsibility between the EPA, NSW Planning and Environment (DPE), and Council - in very broad terms:

- the EPA, which uses its powers under the Contaminated Land Management Act (1997) to deal with site contamination that is significant enough to warrant regulation under the Act given the site's current or approved use;
- local councils who deal with other contamination under the planning and development framework, including SEPP (Resilience and Hazards) and the Contaminated Land Guidelines, on sites which, though contaminated, do not pose an unacceptable risk under their current or approved use. In these cases, the planning and development process determines what remediation is needed to make the land suitable for a different use.

Under the provisions of this policy, Council has developed a framework to manage contaminated or potentially contaminated land within the City in accordance with the EP& A Act and SEPP (Resilience and Hazards).

Note - Schedule 6 of the EP& A Act provides that, planning authorities that act substantially in accordance with SEPP (Resilience and Hazards) and related guidelines, are taken to have acted in good faith when carrying out planning functions.

When carrying out planning functions under the EP& A Act, Council must consider the possibility that a previous land use, or an adjoining/nearby land use, has caused contamination of the site; as well as the potential risk to health or the environment from that contamination. The general principle of contamination management under SEPP (Resilience and Hazards), and the related guidelines, is that a precautionary approach be adopted when exercising a planning function, and that the identification of land contamination issues occurs at an early stage in the planning process in order to prevent harm and reduce delays and costs.

Upon receipt of a Planning Proposal for LEP amendment request or a Development Application, relevant staff will undertake a review of the application to determine if the land warrants further investigation in relation to contamination. If this review identifies evidence of potential or actual contamination, further assessment of contamination will be conducted.



2.2 Assessing Development Application Involving Contamination

When assessing development applications, Council is required to initiate the Contaminated Land Process if it considers that land contamination may be present and could pose a risk to human health and/or the environment.

This typically occurs in two stages:

1. Request for Information; and
2. Conditions of Development Consent

2.3 Requests for Information

Council, as the regulatory authority, is unable to provide consent for a development until it is satisfied that the site is, or can be made, suitable (during the development stage with the implementation of remediation and/or management) for the proposed land use. For that reason, Site Investigation and Remedial Action Plan stages will typically be addressed through a "Request for Information" process rather than specifying them as conditions of development consent.

It should be noted that the level of information needed to ensure the land is, or can be made, suitable for the proposed land use needs to be assessed on a case-by-case basis. In some situations, the request for information may include further stages of the Contaminated Land Process if deemed necessary for Council to make a determination on the development application.

2.4 Development Applications and Planning Proposals

Whilst performing its role as a planning authority, Council must consider the likelihood of a previous or current land use (or nearby land use) contaminating the site, and the potential associated risk to human health and the environment. All planning proposals for land rezoning must include a Preliminary Site Investigation, stating whether the site is likely to be contaminated.

Policy Statement:

Council will not approve a Development Application or Planning Proposal, unless it is satisfied that, based off the information available to it:

- Contamination has been considered;
- If the land is contaminated, that the land is suitable in its contaminated state (or will be suitable following remediation) for all of the uses permissible under the approval; or
- If the land is contaminated, that conditions can be placed through planning instruments or on development consents and approvals under Part IV of the *Environmental Planning and Assessment Act 1979* that will ensure any contaminated land can be remediated to a level appropriate to its intended use, prior to, or during the development stage.

2.5 Contaminated Land Information System

Council has a responsibility to provide the community information relating to land contamination, land use history and remediation and validation works. Council also has a statutory responsibility to include certain information on planning certificates issued for the purpose of s10.7 of the *Environmental Planning and Assessment Act 1979*. The information required to be provided by Council includes;

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- s59 of the *Contaminated Land Management Act 1997* (i.e. information provided to Council by either the NSW EPA or Accredited Auditors).
- Schedule 4 of the *Environmental Planning and Assessment Regulation 2000* (i.e. whether there is a policy adopted by Council or any other public authority that restricts the development of the land, in this case due to actual or potential contamination).

The development and implementation of an accurate Contaminated Land Information System will aid Council in meeting its legislative requirements. Whilst there is no legislative requirement for Council to notify a land owner when their parcel of land is included as 'potentially contaminated' in a Contaminated Land Information System, notifying the landowner provides the opportunity for them to establish that the land is not contaminated and should not be notified on a Section 10.7(2) Planning Certificate, or alternatively, to manage or undertake remediation of the land. Notifying the property owner of a site's inclusion also allows the owner the opportunity to reduce the potential risk of harm to the health of the land's occupants and to the environment.

Information contained within Councils Contaminated Land Information System is also available to the public via access to documents on request in accordance with the requirements of the *Government Information (Public Access) Act 2009*. This includes making publicly available and free of charge land contamination consultants reports filed within the system.

Council does not provide information pertaining to land contamination issues on s10.7(5) Planning Certificates. This should not be an indication that information about contamination or a history of potentially contaminating activities do not exist. Records of this nature that may exist are not comprehensive and or risk assessed. Additional information relating to a property may be available under the *Government Information (Public Access) Act 2009*. Further information about accessing information held by Council is available on Council's website.

Policy Statement:

- Council will develop and maintain a Contaminated Land Information System to support its planning functions and provide relevant and accurate information regarding contaminated land to the public, in accordance with the *NSW Government Information (Public Access) Act 2009*.
- Where Council has a Contaminated Land Information System in place, and the inclusion of a property in the system has the potential to restrict the development or use of the land, the property owner will be notified of the inclusion, on request, via a 10.7(2) Planning Certificate.
- Council does not routinely provide information pertaining to land contamination issues on s10.7(5) Planning Certificates. Additional information relating to a property may be available under the *Government Information (Public Access) Act 2009*.
- Council will request that all contaminated land reports provided exempt Council from any claim for copyright that may restrict Council's ability to provide information to the public in accordance with the *Government Information (Public Access) Act 2009* and the *Contaminated Land Management Act 1997*.

2.6 s10.7 (2) Planning Certificates

Under the *Environmental Planning and Assessment Regulation 2000* (schedule 4) and s59 (2) of the *Contaminated Land Management Act 1997*, Council has a legal obligation to provide certain information through section 10.7(2) planning certificates in relation to land contamination.

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Section 10.7 (2) certificates issued by Council will include information relevant to the property on the date the certificate is issued. This information will include;

- a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act—if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,
- b) that the land to which the certificate relates is subject to a management order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,
- c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act—if it is the subject of such an approved proposal at the date when the certificate is issued,
- d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,
- e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act—if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

Policy Statement:

Section 10.7(2) Planning Certificates issued by Council are to:

- Contain information on matters prescribed under Section 59(2) of the *Contaminated Land Management Act* 1997 that are relevant to the property.
- Whether or not the land is affected by an adopted policy of the Council or any other public authority that restricts the development of land because of the likelihood of any risk of contamination.
- Council does not routinely provide information pertaining to land contamination issues on s10.7(5) Planning Certificates. Additional information relating to a property may be available under the Government Information (Public Access) Act 2009.

2.7 Contaminated Land Certification Requirements

Engaging professionals who have the relevant qualifications, competencies and experience is important when investigating and managing contaminated sites. Contaminated Land Consultant certification schemes have been developed to ensure consultants dealing with contaminated sites have the necessary competencies to carry out the work. Certification under a recognised scheme should be interpreted as the consultant meeting an acceptable minimum standard of competency. Currently, the certification schemes recognised by NSW EPA and Council are:

- Site Contamination Practitioners Australia (SCPA) scheme for Certified Practitioner – Site Assessment and Management (CP SAM)
- Environment Institute of Australia and New Zealand’s (EIANZ) Contaminated Land Assessment Specialist Certified Environmental Practitioner (CLA Specialist CEnvP) scheme



- Soil Science Australia (SSA) Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) certification.

Policy Statement:

- Contaminated land reports are to be prepared or reviewed and approved by an appropriately qualified and certified Environmental Consultant (for any reports submitted from 1 July 2021 and onwards). Currently, the certification schemes recognised by NSW EPA and Council are (noting other schemes may become recognised):
 - o Site Contamination Practitioners Australia (SCPA) scheme;
 - o Environment Institute of Australia and New Zealand's (EIANZ) Contaminated Land Assessment Specialist Certified Environmental Practitioner (CLA Specialist CEnvP) scheme; or
 - o Soil Science Australia (SSA) Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) certification.

2.8 Investigation and Reporting

It is essential that consultants reporting on contaminated land sites complete their investigations and reports in accordance with the NSW EPA prepared and adopted guidelines. To assist Council staff when assessing planning applications, an accompanying report synthesis, presenting project background, qualifications relevant to scope of work, objectives, key issues, investigation findings and recommendations is to be provided with each report.

Policy Statements:

- All investigations and accompanying reports provided to Council are to be completed in accordance with NSW EPA prepared and adopted guidelines.
- All contaminated land reports provided to Council are required to include a summary report synthesising qualifications, key findings and recommendations.

2.9 Site Investigation, Remediation and Validation

To ensure Council satisfy their legislative requirements when considering planning applications, an appropriate investigation process is required.

Initial Evaluation

An initial evaluation of potential site contamination is to be completed by council. The initial evaluation will determine whether contamination needs to be addressed during the assessment of a Planning Application, and to determine whether further information is required for Council to conduct its planning functions in good faith.

Policy Statement:

- An initial evaluation of a sites potential contamination is to be completed by Council for all land use Planning Applications.



Preliminary Site Investigation

A Preliminary Site Investigation is to be provided by the proponent when an Initial Evaluation indicates that contamination is or may be present on the site. The main objectives are to identify any past or present potentially contaminating activities, provide a preliminary assessment of any site contamination, and if required, provide a basis for a Detailed Site Investigation.

Policy Statement:

- A Preliminary Site Investigation is required when an Initial Evaluation identifies that contamination is, or may be present on the site, or if potential or actual contamination on an adjacent area has the potential to migrate to the site.

Detailed Site Investigation

A Detailed Site Investigation is to be provided by the proponent. The main objectives are to define the nature, extent and degree of contamination, to assess potential risk posed by contaminants to human health and the environment, and to obtain sufficient information to develop a Remedial Action Plan, if required. It should be noted that the Detailed Site Investigation Stage of the process may entail several investigations and reports.

Policy Statement:

- A Detailed Site Investigation is required when:
 - o A Preliminary Site Investigation indicates that the land is, or may be contaminated;
 - o When the site is, or was, used for an activity listed in Table 1 of the Managing Land Contamination Planning Guidelines (refer Attachment A), or other potentially contaminating activities known to Council, and a land use change is proposed that has the potential to increase the risk of exposure to contamination; or
 - o To accompany a remediation proposal or notification.

Remedial Action Plan

A Remedial Action Plan is to be provided by the Proponent. The objectives are to set remediation objectives and formally document the process to remediate the site. The proposed remediation is to (as a minimum) reduce the risk from contamination to acceptable levels for the proposed land use scenario. The Remedial Action Plan should be based on the information from previous

Policy Statements:

- A Remedial Action Plan is required where the Detailed Site Investigation identifies that remediation or management is needed to render the site suitable for its intended land use
- A Remedial Action Plan (and accompanying investigation reports) must accompany the Planning Application where development consent is required for remediation (i.e. Category 1 Remediation Works as defined in Attachment B).
- A Remedial Action Plan (and accompanying investigation reports) must accompany any notification to Council for proposed Category 2 Remediation work.



investigations.

Validation and Ongoing Monitoring

Validation and / or Environmental Monitoring Reports are to be provided by the Proponent. The objective of Validation is to demonstrate whether the objectives stated in the Remedial Action Plan and any conditions of development consent have been achieved. At times, this may include ongoing monitoring following the completion of remediation. Monitoring undertaken for a limited time is typically incorporated into the Validation Report.

In situations where full clean-up is not feasible or on-site containment of contamination is proposed, the need for an On-going Environmental Management Plan including monitoring, maintenance and management measures should be determined by both the Proponent's Consultant and the Planning Authority.

SEPP (Resilience and Hazards) requires a Notice of Completion to be provided to Council for all remediation work. The Notice of Completion is to include the Validation Report (with monitoring results if monitoring was undertaken).

Policy Statements:

- A Validation Report (including monitoring results where applicable) is required to validate the completion and effectiveness of all remediation works for which consent has been provided by Council (i.e. Category 1 Remediation Works).
- The Notice of Completion provided to Council for any Category 2 remediation works is to include the Validation Report.
- An On-going Environmental Management Plan is required to be provided to Council and implemented where contamination remains on site, and there is uncertainty as to its potential to migrate; and / or the effectiveness of the management measures implemented to contain the contamination following remediation and validation; and / or monitoring and ongoing management forms part of the remediation strategy.

2.10 Site Audits

A Site Audit is an independent review of any or all stages of the site investigation process, conducted by a Site Auditor accredited by the NSW EPA in accordance with the *Contaminated Land Management Act 1997*. Engaging a Site Auditor can provide greater certainty about the information on which the planning authority bases its decision, particularly where sensitive uses are proposed, and / or where contamination and remediation is complex.

Policy Statements:

- Council may require a Site Audit to be carried out where Council:
 - o Believes on reasonable grounds that the information provided by the Proponent is incorrect or incomplete;
 - o Wishes to verify whether the information provided by the Proponent has adhered to appropriate standards, procedures and guidelines; or
 - o Does not have the internal resources to conduct its own internal technical review.
- All costs associated with providing a Site Audit or Site Audit Statement are to be borne by the Proponent.

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2.11 Control of Remediation Works

Remediation is generally considered beneficial as it improves the quality of the environment, reduces health risks and restores land to productive use. However, in some situations remediation work itself has the potential for environmental impact, and the planning process must ensure that these impacts are adequately identified and mitigated. SEPP (Resilience and Hazards) provides consistent state-wide planning and development controls for the remediation of contaminated land. Remediation work which requires development consent is known as Category 1 Remediation Work. All other remediation work may be carried out without development consent and is known as Category 2 Remediation Work, however Council must be notified prior to commencement and upon completion of Category 2 Remediation Works. The triggers for Category 1 Remediation Works are presented in Attachment B.

Policy Statements:

- Development consent is required for the following remediation work:
 - o Category 1 Remediation Work requiring consent as defined by SEPP (Resilience and Hazards) Chapter 4 Section 4.8 9 (refer to Attachment B);
 - o Proposed works that are inconsistent with the requirements of this policy (i.e. remediation works that do not comply with the conduct of remediation works specified in Attachment C, and are thereby reclassified as Category 1 Remediation Work); or
- Council must be notified of proposed Category 2 Remediation Works no less than 30 days prior to their scheduled commencement.

2.12 Duty to Report

The duty to report contamination to the NSW EPA is a requirement under the *Contaminated Land Management Act 1997*, with updates provided in the *Contaminated Land Management Amendment Act 2008*.

The following people are required to report contamination as soon as practical after they become aware of any contamination that meets the triggers for the duty to report:

- Anyone whose activities have contaminated land; or
- An owner of land that has been contaminated.

It should be noted that although the above people have the duty to report contamination, anyone can at any time report suspected contamination to the NSW EPA.

Policy Statement:

- Where Council reasonably believes that contamination on a site triggers the duty to report contamination, and it is not clear if the polluter or site owner has reported the contamination, it may notify the EPA for possible action under the *Contaminated Land Management Act 1997*.

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2.13 Preventing Contamination

Proactive measures to prevent possible contamination at its source can help to reduce the need for remedial action in the future. Preventing contamination occurring in the first place can therefore have significant environmental and financial benefits for Council and the Community.

Policy Statements:

- For potentially polluting activities, Council will apply and enforce conditions of development consent that ensure effective and ongoing control measures are implemented.
- Council may undertake risk-based compliance inspections of potentially contaminating industries / activities to ensure compliance with consent conditions and environment protection legislation.

3 Scope

This policy outlines a framework for the management of Contaminated Land regulated by local Council, as determined by the *Environmental Planning and Assessment Act 1979* and Managing Land Contamination Planning Guidelines SEPP 55 - Remediation of Land (1998) ("the Planning Guidelines").

In accordance with the planning guidelines, this policy aims to;

- Ensure any land use changes will not increase the risk to human health and the environment
- Avoid inappropriate restrictions on land use; and
- Providing information to support decision making and to inform the community of Council's requirements.
-

This policy applies to the following functions of Council:

- The preparation, amendment, and application of Local Environmental Plans
- The preparation, amendment, and application of Development Control Plans
- The Preparation, amendment, and application of Plans of Management for Community Land
- The determination of Development Applications
- The modification of Development Consent Conditions
- The determination of activities pursuant to part 4 of the Environmental Planning and Assessment Act 1979; and
- The storage and sharing of contaminated land information through s10 planning certificates.

The content of this policy is relevant to:

- Local government staff
- Contaminated land practitioners
- Land owners
- Developers
- The general public

4 Responsibilities

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

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4.1 Councillors

Councillors shall:

- Understand the processes in place to manage contaminated land and the distinction in roles of Council staff.

4.2 Executive

The Executive shall:

- Understand the processes in place to manage contaminated land and provide leadership to the organisation
- Integrate the Policy with the other Council policies and processes

4.3 Manager Environment and Sustainability

The Manager Environment and Sustainability shall:

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

4.4 Managers

Managers shall:

- provide guidance to Council staff within their respective branches as to the content and implementation of this Policy, seeking guidance from the policy owner as required

4.5 Council staff

Council staff shall:

- implement application of this policy in development applications
- updating Council property information system / contaminated land information system with applicable contamination information
- Contaminated land information is provided to the GIS team.
- Application of this policy in relation to planning proposals and zoning changes within the Local Environmental Plan (LEP)

5 Performance Measures

The success of this Policy will be measured by:

- Development applications and planning certificates processed in an efficient and effective manner.
- Community understanding of the requirements surrounding the management of contaminated land

6 Definitions

Define any specific terms relating to the policy that may not be obvious to a member of the public or other external stakeholder. Include any acronyms and their meanings. The following table should be used:

Category 1 Remediation	Remediation works requiring Development Consent
Category 2 Remediation	Remediation works that do not require Development Consent (but must be notified to Council)
Contamination	The condition of land or water where any chemical substance or waste has been added as a direct or indirect result of human

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	activity at above background level and represents, or potentially represents, an adverse health or environmental impact
CLM Act	<i>Contaminated Land Management Act 1997 (NSW)</i>
Detailed Site Investigation (DSI)	An investigation with the objective to define the nature, extent and degree of contamination; assess potential risk posed by contaminants to health and the environment; and obtain sufficient information to develop a Remedial Action Plan (if needed)
Development Application	A Development Application is a formal request for consent to carry out development and is considered under Part IV of the <i>Environmental Planning & Assessment Act 1979</i>
Development Consent	Formal approval from Local Councils to proceed with a development. Development Consent is required prior to commencement of any works associated with development governed by Part IV of the <i>Environmental Planning & Assessment Act 1979</i>
Duty to Report	The duty to report significant contamination to the NSW EPA is a requirement under the <i>Contaminated Land Management Act 1997</i> , with updates provided in the <i>Contaminated Land Management Amendment Act 2008</i> . The triggers for reporting are presented in the "Guidelines on the Duty to Report Contamination under the <i>Contaminated Land Management Act 1997</i> " (2015)
EPA	Environment Protection Authority
LEP	Local Environmental Plan. An LEP guides planning decisions for Local Government Areas through zoning and development controls, which provide a framework for the way land can be used. LEPs are Planning Instruments from the <i>Environmental Planning & Assessment Act 1979</i>
LGA	Local Government Area
Ongoing Environmental Management Plan (OEMP)	A plan outlining monitoring and management requirements where contamination remains on site, and there is uncertainty as to its potential to migrate; and / or the effectiveness of the management measures implemented to contain the contamination following remediation and validation; and / or monitoring and ongoing management forms part of the remediation strategy
Planning Application	A Development Application or Planning Proposal made to Council in accordance with the <i>Environmental Planning and Assessment Act 1979 (NSW)</i>
Planning Guidelines	NSW Managing Land Contamination Planning Guidelines – SEPP 55 Remediation of Land (1998)
Planning Proposal	A formal application submitted to Council proposing to rezone land
POEO	<i>Protection of the Environment Operations Act 1997 (NSW)</i>
Preliminary Site Investigation (PSI)	An investigation to identify any past or present potentially contaminating activities, to provide a preliminary assessment of any site contamination, and if required, to provide a basis for a more detailed investigation
Remedial Action Plan (RAP)	A plan that sets objectives, and documents the process, for remediating a contaminated site

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s10.7 Certificate	Planning Certificate under Section 10.7 of the <i>Environmental Planning and Assessment Act 1979</i> (NSW)
Significantly Contaminated Land	A site is declared Significantly Contaminated Land by the EPA where contamination is considered significant enough to warrant regulation under the <i>Contaminated Land Management Act 1997</i> (with changes made through the <i>Contaminated Land Management Amendment Act 2008</i>) given the site's current or approved use
Site Audit	An independent review by a Contaminated Land Auditor, accredited by the NSW EPA, of any or all stages of the site investigation process, conducted in accordance with the requirements of the <i>Contaminated Land Management Act 1997</i>
Site Audit Report (SAR)	A report which summarises the report(s) audited, and provides the Auditor's opinion and conclusions. A Site Audit Report must be accompanied by a Site Audit Statement
Site Audit Statement (SAS)	A statement which outlines the conclusions of a site audit. A Site Audit Statement must be accompanied by a Site Audit Report
Validation	The objective of the validation stage of the contaminated land process is to demonstrate whether or not the objectives stated in the Remedial Action Plan have been achieved

7 Related Material

7.1 Related Legislation

This policy is supported by key legislative instruments, including:

- Contaminated Land Management Act 1997
- Contaminated Land Management Regulation 2013
- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2000
- Government Information (Public Access) Act 2009
- Guidelines endorsed by the NSW EPA under the CLM Act.
- Local Government Act 1993
- Local Government (General) Regulation 2005
- Managing Land Contamination Planning Guidelines – SEPP 55 Remediation of Land
- National Environment Protection (Assessment of Site Contamination) Measure 1999, 2013 amendment
- Protection of the Environment Operations Act 1997
- Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019
- State Environmental Planning Policy (Resilience and Hazards) 2021
- Work Health and Safety Act 2011

8 Non-compliance with this Policy

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

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9 Document Control

9.1 Version Control

Version	Adoption Date	Notes
Contaminated Land Procedures Policy	26 March 1997	There is no record of this policy ever being reviewed after this time. This Policy is significantly out of date and the new Policy brings into line with current legislative and procedural requirements. New Policy based on the Model Contaminated Land Policy developed by the Canberra Region Joint Organisation.

9.2 Superseded Documents

Document Title	Adoption Date	Notes
Contaminated Land Procedures Policy	26 March 1997	There is no record of this policy ever being reviewed after this time.

10 Attachments

- Attachment A – Potentially Contaminating Activities
- Attachment B - Category 1 Remediation Works
- Attachment C - Site Management Requirements Remediation Works

Approved by:

WINGECARRIBEE SHIRE COUNCIL
[Governance to insert adoption date]



11 Attachment A Potentially Contaminating Activities

Source: Managing Land Contamination. Planning Guidelines SEPP 55 – Remediation of Land (1998)

Table 1. Some Activities that may Cause Contamination

- acid/alkali plant and formulation
- agricultural/horticultural activities
- airports
- asbestos production, disposal and demolition
- chemicals manufacture and formulation
- defence works
- drum re-conditioning works
- dry cleaning establishments
- electrical manufacturing (transformers)
- electroplating and heat treatment premises
- engine works
- explosive industry
- gas works
- iron and steel works
- landfill sites
- metal treatment
- mining and extractive industries
- oil production and storage
- paint formulation and manufacture, including lead paint contamination
- pesticide manufacture and formulation
- power stations
- railway yards
- scrap yards
- service stations
- sheep and cattle dips
- smelting and refining
- tanning and associated trades
- waste storage and treatment
- wood preservation

Note: It is not sufficient to rely solely on the contents of this Table to determine whether a site is likely to be contaminated or not. This Table is a guide only. A conclusive status can only be determined after a review of the site history and, if necessary, sampling and analysis.



12 Attachment B - Category 1 Remediation Works

State Environmental Planning Policy No 55—Remediation of Land, Clause 9 defines Category 1 Remediation Work as:

"For the purposes of this Policy, a category 1 remediation work is a remediation work (not being a work to which clause 14 (b) applies) that is:

- (a) designated development, or*
- (b) carried out or to be carried out on land declared to be a critical habitat, or*
- (c) likely to have a significant effect on a critical habitat or a threatened species, population or ecological community, or*
- (d) development for which another State environmental planning policy or a regional environmental plan requires development consent, or*
- (e) carried out or to be carried out in an area or zone to which any classifications to the following effect apply under an environmental planning instrument:*
 - i. coastal protection,*
 - ii. conservation or heritage conservation,*
 - iii. habitat area, habitat protection area, habitat or wildlife corridor,*
 - iv. environment protection,*
 - v. escarpment, escarpment protection or escarpment preservation,*
 - vi. floodway,*
 - vii. littoral rainforest,*
 - viii. nature reserve,*
 - ix. scenic area or scenic protection,*
 - x. wetland, or*
- (f) carried out or to be carried out on any land in a manner that does not comply with a policy made under the contaminated land planning guidelines by the Council for any local government area in which the land is situated (or if the land is within the unincorporated area, the Western Lands Commissioner).*

Note. See Section 5A of the [Environmental Planning and Assessment Act 1979](#) for the factors to be taken into account in assessing whether there is likely to be a significant effect as referred to in paragraph (c) above. The terms used in that paragraph are defined in that Act by reference to both the [Threatened Species Conservation Act 1995](#) and the [Fisheries Management Act 1994](#)."



13 Attachment C – Site Management Requirements Remediation Works

All Category 2 remediation works must be carried out in accordance with the following site management requirements. These have been established to prevent Category 2 work adversely impacting on the environment and public amenity.

Category 2 remediation works that do not comply with these requirements will be classified as Category 1 remediation work and will require development consent.

Remediation Work

All remediation work must be carried out in accordance with:

- Managing Land Contamination Planning Guidelines SEPP 55- Remediation of Land
- Any guidelines published by the NSW Environment Protection Authority under the *Contaminated Land Management Act 1997*.

Hours of Operation

All remediation work must be carried out between the following hours:

Monday – Saturday 7:00am to 5:00pm
No work is permitted on Sundays or Public Holidays

Site Signage

A sign displaying the contact details of the remediation contractor and site manager (if different from the remediation contractor) must be displayed on the site adjacent to the site access, including a contact telephone number that is available 24 hours a day, 7 days a week. The sign must be clearly legible from the street and be displayed for the duration of the remediation works.

Notification of Adjacent Owners and Occupiers

The occupiers of all adjacent premises must be notified of the proposed remediation works at least 7 days before the works commence.

Site Security

The site must be securely fenced and any other necessary precautions taken, to prevent unauthorised entry to the site for the duration of the remediation works.

Soil and Water Management

All remediation work must be carried out in accordance with a soil and water management plan. A copy of the soil and water management plan must be kept on-site and be made available to Council Officers on request.



Sediment and Erosion Controls

Appropriate sediment and erosion controls must be installed before remediation works are commenced and be maintained in a functional condition until site stabilisation works have been completed.

Prior to the commencement of any remedial work, an erosion and sediment control plan prepared by a suitably qualified person in accordance with "*The Blue Book – Managing Urban Stormwater (MUS): Soils and Construction*" (Landcom) must be submitted to and approved by the certifying authority. Control over discharge of stormwater and containment of run-off and pollutants leaving the site/premises must be undertaken through the installation of erosion control devices including (and not limited to) catch drains, energy dissipaters, level spreaders and sediment control devices such as hay bale barriers, filter fences, filter dams, and sedimentation basins.

Stockpiles

No stockpiles of soil or other materials are to be placed on footpaths or nature strips without the prior written approval of Council.

All stockpiles of soil or other materials must be placed away from drainage lines, gutters, stormwater pits or inlets, trees or native vegetation and be provided with appropriate erosion, sediment and leachate management controls.

All stockpiles of soil or other materials likely to generate dust or odours must be covered (where practical).

All stockpiles of contaminated soil must be stored in a secure area.

Site Access

Vehicular access to the site must be restricted to a stabilised access point.

Protection of Public Roads

Appropriate measures must be taken to prevent the spreading of mud, soil or sediment by vehicles leaving the site. These measures could include the installation of shaker grids or wash-down bays to minimise the transportation of sediment.

Any wastewater from washing the wheels and underbodies of vehicles must be collected and disposed of in a manner that does not pollute waters.

Any mud, soil or sediment tracked or spilled on the roadway must be swept or shoveled up immediately. Hosing of the roadway is not permitted.

Disposal of Water from Excavations

All excavation pump-out water must also be analysed for suspended solids, pH and any contaminants of concern identified during the contamination assessment phase, and comply with relevant EPA and ANZECC water quality criteria prior to discharge to the stormwater system.

Other options for the disposal of excavation pump-out water include disposal to sewer with the prior approval of the relevant water utility, or off-site disposal by a licensed liquid waste transporter at an appropriately licensed liquid waste treatment or processing facility.

Site Stabilisation and Revegetation

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All exposed areas shall be progressively stabilised and revegetated or resealed on the completion of remediation works.

Bunding

All land farming areas of hydrocarbon contaminated soils must be banded to contain surface water runoff and to prevent the leaching of contaminants into the underlying soils. This will typically require placement on a sealed surface or on durable plastic.

All contaminated water from banded areas must be discharged to sewer with the prior approval of the relevant water authority, or be disposed of off-site by a licensed liquid waste transporter at an appropriately licensed liquid waste treatment or processing facility.

Protection of Trees

Trees on the site must not be removed, lopped or otherwise trimmed without the prior approval of Council.

Trees to be retained on the site must be protected from damage to their foliage and root systems. Suitable measures may include erecting fences or barriers to keep earthmoving equipment and heavy vehicles well clear of trees.

Noise

Noise must be minimised as far as practicable, by the selection of appropriate methods and equipment, and by the use of silencing devices where practicable.

Noise from remediation work must comply with the guidelines for construction site noise specified in the interim Construction Noise Guideline (OE&H- EPA 2009).

Wingecarribee Shire Council is the appropriate regulatory authority for noise from non-scheduled construction activities in its area, except as described in Section 6(2) of the POEO Act 1997, and thus has discretion in dealing with noise.

Any noise monitoring must be carried out by a suitably qualified Acoustical Consultant if complaints are received, or if directed by Council, and any noise control measures recommended by the Acoustical Consultant must be implemented throughout the remediation work.

Vibration

The use of plant or machinery must not cause vibrations to be felt on any other premises.

Air Quality

Dust Control

Dust emissions must be confined within the site boundaries. The following dust control measures may be employed to comply with this requirement:

- Erection of dust screens around the perimeter of the site
- Use of water sprays across the site to suppress dust
- Keeping excavation surfaces moist
- Covering of all stockpiles of soil and other materials likely to generate dust (where practical)
- Securely covering all loads entering or exiting the site.

Asbestos

Works involving the potential disturbance of asbestos containing materials must be carried out in strict accordance with SafeWork NSW requirements.

Odour Control

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Remediation work must not result in the emission of odours that can be detected at any boundary of the site by an Authorised Council Officer. The following measures may be employed to comply with this requirement:

- Use of appropriate covering techniques, such as the use of plastic sheeting to cover excavation faces or stockpiles
- Use of fine mist sprays
- Use of mitigating agents on hydrocarbon impacted areas or materials
- Maintaining equipment and machinery to minimise exhaust emissions.

If odours are detected, the site is to be inspected by a suitably qualified Environmental Consultant and recommended control measures are to be implemented throughout the remediation process.

Burning of Materials

No materials are to be burned on site.

Transport

All haulage routes for trucks transporting soil, materials, equipment or machinery to and from the site must be selected to meet the following objectives:

- Comply with all road traffic rules
- Minimise noise, vibration and odour to adjacent premises
- Minimise use of local roads.

All transport operators and drivers transporting soil, materials, equipment or machinery to and from the site must:

- Use the designated haulage routes and site access points
- Make all deliveries and pick-ups between the hours specified in Hours of Operation
- Securely cover all loads to prevent any dust or odour emissions during transportation
- Not track soil, mud or sediment onto the road.

Hazardous Wastes

Hazardous wastes arising from the remediation work must be removed, stored and disposed of in accordance with the requirements of the EPA and SafeWork NSW, including the following legislation and guidelines:

- *Work Health & Safety Act 2011*
- *Work Health & Safety Regulation 2011*
- *Protection of the Environment Operations Act 1997*
- *Protection of the Environment Operations (Waste) Regulation 2005*
- Waste Classification Guidelines (NSW EPA, 2014), and associated addenda (available on <http://www.epa.nsw.gov.au/wasteregulation/classify-waste.htm>), resource recovery orders and exemptions (current list available on <http://www.epa.nsw.gov.au/wasteregulation/orders-exemptions.htm>)
- *Environmentally Hazardous Chemicals Act 1997*.

Documentary evidence verifying that all wastes have been classified and disposed of appropriately must be included in the Monitoring and Validation report for the site.

Disposal of Contaminated Soil

Contaminated soil must be disposed of in accordance with the requirements of the *Protection of the Environment Operations Act 1997* and Regulations and any relevant NSW EPA guidelines such as the publication titled Waste Classification Guidelines (NSW EPA, 2014) and associated addenda

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(available on <http://www.epa.nsw.gov.au/wasteregulation/classify-waste.htm>), and resource recovery orders and exemptions (current list available on <http://www.epa.nsw.gov.au/wasteregulation/orders-exemptions.htm>)

NOTE: If contaminated soil or other waste is transported to a site unlawfully, the owner of the waste and the transporter are both guilty of an offence.

Containment / Capping of Contaminated Material

On-site containment or capping of contaminated soil is not permitted if the concentrations of contaminants are statistically above the soil investigation levels specified in The *National Environment Protection (Assessment of Site Contamination) Measure 1999*, amended in 2013 (ASC NEPM, 2013) for the range of land-uses permitted on the site (unless otherwise agreed with Council or other relevant authority through the endorsement of a Remedial Action Plan and an On-going Environmental Management Plan).

Importation of Fill

Fill material must be validated (at its source if practicable), prior to being imported onto the site. The validation must indicate that the material is free of contaminants (i.e. comprises Virgin Excavated Natural Material (VENM) or Excavated Natural Material (ENM)) or as otherwise approved by the NSW EPA, or the relevant resource recovery exemptions and orders. Fill imported on to the site should also be compatible with the existing soil characteristic for site drainage purposes.

Fill material may be validated by one or both of the following methods:

- The fill should be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material or the known past history of the site where the material is obtained
- The fill should be sampled and analysed in accordance with the relevant EPA Guidelines, to ensure that the material is not contaminated.

Documentary evidence verifying that any fill material has been appropriately validated must be included in the Validation Report for the Site.

Groundwater

An appropriate license must be obtained from the NSW Office of Water for approval to extract groundwater. Prior to discharge to the stormwater system, site groundwater must be analysed for any contaminants of concern and comply with relevant EPA and ANZECC water quality criteria. Other options for the disposal of groundwater include disposal to sewer with the prior approval of the appropriate water authority, or off-site disposal by a liquid waste transporter at an appropriately licensed liquid waste treatment or processing facility.

Removal of Underground Storage Tanks

The removal of underground storage tanks (UST) must be undertaken in accordance with the requirements of the *Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019*, WorkSafe NSW and relevant Australian Standards. Following the removal of USTs, the tank pits must be remediated and validated in accordance with *Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019* and relevant guidelines provided under the Regulation.



Excavation and Backfilling Work

All excavation and backfilling work must be carried out by competent persons in accordance with WorkSafe requirements, including the publication titled *Excavation Work Code of Practice: (WorkCover, 2015)*.

If it is necessary to excavate adjacent to an adjoining building or structure, and the excavation work may damage or impair the stability of the building or structure, the person proposing to carry out the work must:

- Take all necessary precautions to protect the building or structure from damage, including any shoring or underpinning where appropriate
- Provide details of the proposed work to the adjoining owner at least seven (7) days before the works commence.

Building and Demolition Work

Development consent may be required from Council for any associated building or demolition work.

DRAFT

10.6 Farmland Rating Policy for Adoption

Report of: David Grima
Coordinator Revenue

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

PURPOSE

The purpose of this report is to provide the outcome of the public exhibition of Council's Draft Farmland Rating Policy.

OFFICER'S RECOMMENDATION

THAT:

- 1. Council notes the feedback provided during the public exhibition period.**
- 2. A further report on the Draft Farmland Policy be presented at the November 2024 Council meeting with the outcomes of consultation, noting the complex matters that were raised during the public exhibition period.**

REPORT

BACKGROUND

At the March 2024 Council meeting, the following was resolved in relation to the Draft Farmland Policy:

- 1. Council endorse the draft Farmland Policy to be placed on public exhibition for a period of 28 days.*
- 2. A further report be submitted to Council following the conclusion of the public exhibition period*

The Draft Farmland Rating Policy was placed on public exhibition for 28 days and the report outlines the outcomes of the exhibition period.

REPORT

The Draft Farmland Rating Policy was placed on public exhibition between the 2 April 2024 and 30 April 2024.

The Participate Wingecarribee website was used to facilitate the public exhibition and receive submissions, in addition to the Draft Farmland Rating Policy being made available in printed format at Council libraries. Letters were also issued to the 1,086 owners of properties in the Shire that are currently categorised as Farmland for rating purposes.

During the period of public exhibition, Participate Wingecarribee was viewed 681 times and a total of 11 submission were received.

The submissions and summary of responses can be found at **Attachment 1**.

The intention of the Draft Farmland Rating Policy was to document the criteria that is currently used to assess applications and provide transparency to rate payers. In considering the submissions made during the exhibition period, the following themes were captured:

- The minimum criteria (including, but not limited to the number of head, the area used for farming, the relevance of Dry Sheep Equivalents, the requirement for irrigation and documentation required to support an application) with respect to:

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- the relevance of the criteria to farming operations in the Shire.
 - the relevance of the criteria to modern farming techniques.
 - the fact that farming operations might not satisfy any minimum criteria because of the weather, the farming cycle (for e.g. destocking, when land is left to recover).
-
- That a farming operation might not always show a profit.
 - The application and review process with respect to when a new application is required, the review cycle and how objections are dealt with.
 - Clarification as to what are the ownership requirements when assessing an operation that covers more than one parcel of land.

The matters raised above are complex in nature and require time to work through, to ensure that any changes made are compliant with the relevant legislation.

It is recommended that the Draft Farmland Rating Policy be further reviewed with consultation with submission makers, commencing in August 2024, to determine if they can be incorporated into the draft Policy.

COMMUNICATION AND CONSULTATION

Community Engagement

The Farmland Rating Policy was placed on public exhibition for 28 days, through Participate Wingecarribee.

Internal Communication and Consultation

Not applicable.

External Communication and Consultation

A letter was posted to the 1,086 owners of properties that are categorised for rating purposes as Farmland inviting their feedback on the Policy.

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

There are no social issues in relation to this report.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

This report has no financial implications.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

RELATED COUNCIL POLICY

This report impacts the Statement of Revenue Policy included in Council's Operational Plan each year.

CONCLUSION

The Draft Farmland Policy was placed on public exhibition for 28 days. During the period of consultation, eleven submissions were received. It is recommended that further consultation be undertaken, with submission holders with a view of table a report on the Draft Farmland Policy to the November 2024 Council meeting.

ATTACHMENTS

1. Submissions to Public Exhibition - Draft Farmland Rating Policy [**10.6.1** - 21 pages]



Public Exhibition Submissions

Draft Farmland Rating Policy



We're with you

WINGECARRIBEE SHIRE COUNCIL

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**



Public Exhibition Feedback Summary Table

Submission maker	Feedback	Council response
<p>H Kerr EXETER</p>	<p>The feedback was made using the online form and therefore addresses the questions in that form.</p> <p>In general do you support the proposed Draft Farmland Rating Policy? Yes</p> <p>Do you have any comments about your answer above? I have looked at the draft primarily, however not totally, from our own perspective i.e. the raising of beef cattle and find the draft to be very comprehensive and apparently very fair to farmland operators.</p> <p>Can you identify any areas for opportunity or concerns for this draft policy? One area, as applied to our own operation, may be short of absolute clarity. "Where a parcel of rateable land is used in conjunction with other parcel(s) of rateable land, the parcels covered by the whole of the operation will be assessed as being eligible for categorisation for rating purposes as Farmland." For some decades we have used DP 1016963 Lots 1 and 2, and DP 751281 Lots 45 and 6, rated as a single parcel, for cattle raising. However, the single rating no longer exists as recently we transferred ownership of 1016963 Lot 1 and DP 751281 Lots 45 and 6 from our company to the two sole shareholders. There is no change of beneficial ownership. The cattle raising operation remains unchanged. I raise the question of absolute clarity as the clause in question does not specifically permit the parcels of rateable land to be held under non-identical ownership and/or require the same beneficial ownership.</p>	<p>Agree, consequently a legal opinion will be obtained before addressing this matter when developing the new Policy.</p>
<p>L Forbes WILDES MEADOW</p>	<p>TO WHOM IT MAY CONCERN,</p> <p>I write to assure the Council that my property at 84 Myna Vale Road has been used as a farm since purchased in 1997.</p> <p>The area is not large but is fully electrically fenced, has working cattle yards & ramp & two dams & we have run cattle here from the start. We have traded & raised stock not always profitably but consistently. The land has been cared for with weed control, fertilizer use & tree planting. It would be contrary to our use of the farm to change the zoning.</p> <p>Your faithfully.</p>	<p>The feedback provided is in relation to zoning which is not affected by the Policy.</p>



Public Exhibition Feedback Summary Table

<p>R Baillieu BOWRAL</p>	<p>The feedback was made using the online form and therefore addresses the questions in that form.</p> <p>In general do you support the proposed Draft Farmland Rating Policy? Unsure</p> <p>Do you have any comments about your answer above? I have owned my property for 25 years and sheep, cattle and goats have been farmed during that time. I am now retired and on a pension and a local farmer has agisted his cows and calves for 2 years in return for keeping weeds (fireweed/tussock/thistles and blackberry) under control and fences in good order as well as chain-sawing the many fallen trees that have fallen in the recent wet years.</p> <p>Can you identify any areas for opportunity or concerns for this draft policy? Head of cattle depends on soil type. My soil type on the edge of Penrose Forest is sandy and therefore in order not to degrade/over graze the land no more than 10-12 head is appropriate on the approx 70 acres available for cattle. Head of stock (20) in the Draft Policy a concern. We do not have secure water and if the spring/dams (2) dry up we need to pump from the bore (not necessary in the last few years due to rainfall) which also impacts stock numbers. In my situation I cannot use the farmland to make any income or profit but can care for the land and ensure it is used for farming. I believe this needs to be taken into account in the Draft Policy if evidence can be provided to ensure it is permanently used for farming purposes. Do you have any other comments you would like to share? I want to continue to care for the land by ensuring appropriate grazing. Although I do not graze stock I have a PIC number and Rural Rates document.</p>	<p>The minimum criteria (including but not limited to the number of head, the area used for farming, the relevance of DSE's, the requirement for irrigation and documentation required to support an application) is a concern raised in various submissions.</p> <p>The relevance of the criteria with current farming operations both in general and the Shire itself will be reviewed and addressed when developing the new Policy, noting that the Act requires that the criteria set by the new Policy must show that the farming operation is of "significant and commercial purpose or character".</p>
<p>J Sherbourne BURRAWANG (multiple pages)</p>	<p>Policy Proposal – Suggestions to Draft Farmland Rating Policy</p> <p>Challenge we're trying to solve.</p> <ul style="list-style-type: none"> *Transparent rating *Under-productive farmland. *Rating penalty/increase for non-productive farmland. *Encourage farmland to remain for food security, environmental and economic values *Discourage high value farmland being under productive *Farmland ownership is a plan and a responsibility that should not be taken lightly, accountability for land productivity and fertility is a must. *Promoting a productive green scape in a urban developments, by encouraging active productive farming. *encourage productive farm planning from farmland owners *encourage consumers to recognize the value and need for productive farming – food security and biosecurity for the benefit of all. (bridging the gap knowledge/understanding for producers/consumers) <p>Preferred behavior-What is our policy position.</p> <ul style="list-style-type: none"> *Farmland is rated according to use. *Farmland is retained for productive purposes. 	<p>The submission raises matters that are "bigger picture" and sit outside the scope of the Policy.</p> <p>Agree that:</p> <ul style="list-style-type: none"> - there is a need for the Policy to be able to adapt to and consider new farming techniques; - that there should reviews & of the circumstances when those reviews should occur; - and the use of smaller allotments for farming purposes noting that smaller allotments will need to be large enough to show that the farming operation is of "significant and commercial purpose or character" as required by the Act. <p>These matters will be reviewed and addressed when developing the new Policy.</p>



Public Exhibition Feedback Summary Table

<p>J Sherbourne BURRAWANG (cont)</p>	<p>*Non farmer/retired owners can seek and partner with farmers that are professional, forward thinking and profitable, to utilise farmland, of a harvestable/usable size, (dependent on purposed use within the farm business), on a lease basis to retain farmland rating for land used in farming activities. *Prevent land being wasted, or neglected, encouraging weeds and pest infestation.</p> <p>Behavior required from leadership- in order for this policy to be adopted, we must lead from the front.</p> <p>*Community engagement *Seek feedback from farmers already leasing land from non-farmers/retirees. *Seek to understand what is usable and why, using current and future progressive technics *Seek to ensure that farming remains an important part of our region (food production/food security) *Be aware and adaptive to updated farm practices/infrastructure/systems</p> <p>Review-How will the policy be reviewed.</p> <p>*Every four years, or when properties are sold or land use changes. *Be aware of the need for council to update policy to accommodate changes in farming practices, for enhanced productivity and advancements in carbon abatement/mitigation, backed by research, to increase animal welfare, soil health and fertility, farming infrastructure, practices, and implement and use of technology.</p> <p>Any Training required-Outline training required to assist with change management. Are there any gaps in knowledge or skills?</p> <p>* Council staff aware that-There are multiple ways to use smaller land holding when used in conjunction with current farming businesses if on a lease basis, even if not adjoining or limited infrastructure, are still productive, (commenting as a dairy farmer and recognising current dairy farming practice). *Council staff aware that there is research that helps farming to be more productive, while protecting water, soil integrity, health and fertility. *New landowners, need to understand the value of agricultural land and the potential productive value, maintenance required and expected to prevent weed and pest infestation. *Landowners -should plan for the care and fertility of land. *Landowners-If land use plan is for production, how will it be managed (skills, experience and knowledge). *What is the market? *If not skilled, employed/specialist/contractor costs to be factored in.</p> <p>Implementation-How will this policy be communicated to the existing team members and new members?</p> <p>*It becomes an expectation that agricultural landowners are responsible for land use for productive purposes. *If not- a difference in council rating will apply. *Information is shared via council, that estate agents must inform potential buyers. *Be aware of estate agents who then want to supply land management services. *Council will/should know professional, progressive and profitable farmers in the area, and may suggest contacts if agreeable.</p>	
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Public Exhibition Feedback Summary Table

<p>J Sherbourne BURRAWANG (cont)</p>	<p>Non farmers/retired urban owners or under skilled landowners, with little knowledge, rely on gardeners/contractors/agents/etc. to manage cattle and properties (with varying degrees of success). These persons are an expense and often outweigh the returns that hopeful owners anticipate. These businesses may never make a profit due to skills, knowledge, size, equipment and infrastructure needed to operate. However when leased to be used in conjunction with a proven production farming operation, often has better outcomes for the owner, and limits their risk and skills required. I'm speaking as a dairy/beef farmer and is currently leasing smaller blocks (under purposed draft would negatively impact on these owners and our business). We currently work with these owners to manage the land to increase fertility and productivity and creates a landscape that they are able to enjoy without the expense, effort or risks.</p> <p>There maybe agricultural businesses that can make productive use of smaller areas of agricultural land, but I'm unqualified to make an informed comment on.</p> <p>I think it is worth noting that if land is leased for the purpose of agricultural production and has the market for realising the value of production, then these smaller blocks (area marked-used for production) should still be valued as farmland, as long as there is a plan, lease/purchase agreement with a profitable farming business. Land that is used for other non-farm production maybe be mapped out and rated accordingly.</p> <p>Excerpt from Land Use Policy Volume 120, September 2022, 106265</p> <p>The loss of peri-urban agricultural land and the state-local tensions in managing its demise: The case of Greater Western Sydney, Australia</p> <p>This data suggests that GWS continues to be a significant food bowl for the city region, and the contribution of its peri-urban agricultural sector to the economy and local food security, particularly for certain perishable food products, is significant. However, this value, not just in economic but also in social, environmental, and cultural terms, is likely to be discounted when compared to the higher and more immediate economic returns of continued housing growth and other more profitable land uses in GWS.</p> <p>Along with an ongoing focus on the contribution of peri-urban agricultural land to food security (Budge, 2013, James, 2016, Cordell et al., 2022), there has been a greater acknowledgment of the range of other ecological, economic, and social benefits resulting from retaining agricultural activity (Siegner, Sowerwine and Acey, 2018). Like many locations internationally, GWS has been hit by a succession of anthropogenic disasters, notably bushfires, floods, drought, and a global pandemic. These crises place additional pressures on the planning system in the Greater Sydney area, and specifically within GWS, which is grappling with the needs of a rapidly growing and changing population. Yet these shocks can also lead to some fruitful questioning of pro-growth agendas, and scope for highlighting the importance of preserving agricultural land and other natural resources. The value of agricultural land in strengthening the capacity of city systems to recover from crises is gaining greater recognition, whether it be through its role in flood mitigation, or through local food provision when longer food supply chains are disrupted (Smith et al., 2015; Olsson et al., 2016; Morrison et al., 2021; Morrison and Harris, 2022). However, until broader political priorities change and (perceived and actual) power imbalances in the planning system addressed, local planning practitioners require practical tools, advice, and support not only on how to navigate existing overarching statutory frameworks, but also guidance on when and how to support peri-urban agricultural land preservation within their local communities (Carey et al., 2018).</p>	
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Public Exhibition Feedback Summary Table

<p>J Sherbourne BURRAWANG (cont)</p>	<p>Our research also confirms the need for a larger debate around the range of social, environmental, and economic functions that agricultural land and its activities play in peri-urban regions. These broad range of functions, especially those not currently accounted for in economic terms, need to be more extensively considered in land use policy and decision making (Ives and Kendall, 2013, Petrescu et al., 2020, Cordell et al., 2022). As city regions around the world, like Greater Sydney, continue to struggle with a range of crises, it is imperative that public actors and regulatory planning processes consider the overall benefits of peri-urban agricultural land and its contribution to building more sustainable and resilient cities now and in the future. While our case study is positioned within a specific institutional locality or setting, and planning systems, public actors, and market players will vary from context to context, the findings gleaned are indicative of – and can serve to highlight – similar processes within other peri-urban regions nationally and internationally.</p> <p>Science Direct</p> <p>The Southern Highlands is the place where you can live a better life – it is a unique location sitting atop the Great Dividing Range, and enjoy a climate with four distinct seasons, a natural landscape of rolling hill and pastureland, wide pockets of national parks and state forests and distinct towns and villages. - Destination Southern Highlands</p> <p>What is peri urban farming? Peri-Urban is defined as an area of land adjacent to or immediately surrounding a city or town to a truly rural or hinterland.</p> <p>Why does it matter?</p> <p>It matters-population growth, food and nutrition security, tourism, water, flood mitigation, bridging knowledge gap, livestock environmental benefits and economic gains.</p> <p>Why is urban sprawl a threat to food security?</p> <p>Expansion of urban spaces reduces the land available for agricultural production. Urbanisation stresses rural and peri-urban farming practices We need to think differently, we will need a cultural shift, with research, innovation and technology.</p> <p>Council has a role to support agriculture land use for professional farming.</p> <p>Non-professional agriculture needs to be responsible, for better land use, management, and production. (Not all farm owners should be farmers). Tax incentives and rate reductions can help retain professional farmers in urban/peri urban areas. Safeguarding current zoning opportunities for farmers with development rights, to continue to operate in professional and commercial food production/activities. (Canberra/ACT are already looking to the Southern Highlands as a food bowl- security for the capital) Supportive and knowledgeable council and staff are needed to support and encourage better infrastructure and farming practises, that are highly productive. These gains will help meet sustainability and productivity goals, to better feed the growing populations with food and nutritional security. Professional Dairy farming is a highly skilled occupation, with large investment in equipment and infrastructure. Professional Dairy Farmers trust research, innovation and tech to farm. These professional dairy farmers rely on local labour, services and suppliers keeping the economy going with approximately \$8</p>	
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Public Exhibition Feedback Summary Table

<p>J Sherbourne BURRAWANG (cont)</p>	<p>in every \$10 going through the local economy. Add to this the benefit of having well managed views, environmental conservation, that creates tourism and has a potential to generate energy, reuse waste water, recycle food wastes, etc. Successful, supported and professional Dairy farmers are important to the regions that they live, work and feed, by doing what they do best caring for their animals, environment and the people that they work with.</p> <p>Questions What is Councils policy - value of Professional Dairy Agriculture in the Wingecarribee? How is Commercial Dairy businesses being supported in Wingecarribee? Has Council thought about nutritional food security, environment and economic value of Dairy? What is Council doing to encourage professional Dairy farmers in agricultural businesses to remain in the Southern Highlands? Has Council thought of the benefits of Dairy to the Southern Highlands? Council could offer support through rate reduction recognising the multiple benefits, dairy has to offer, as well as supportive approachable and knowledgeable staff, that understand farming.</p>	
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Public Exhibition Feedback Summary Table

<p>P Graham MOSS VALE (multiple pages)</p>	<p>I am generally supportive of the draft policy.</p> <p>That said, may I make the following observations/suggestions:</p> <ol style="list-style-type: none"> 1. Categorisation will, of necessity, apply to parcels of rateable land. The notion of use requiring "approval" (see 2. Policy Statement, second paragraph) is, I suggest, inappropriate. What is important is "what is the dominant use?" 2. The ultimate question as stated in "2.Policy Statement", first paragraph, is correct. Should the dominant use be categorised as "Residential", should it be categorised as "Farmland", should it be categorised as "Mining" or should it be categorised as the catch-everything else, "Business"? 3. The Policy speaks of evaluating "Commercial Purpose or Character", by reference to documentation on page 5 of 14. May I suggest that there are better or more important ways. True, documentation may be helpful, when addressing land by reference to a new owner who is a novice, but where does categorisation come into play when a dairy farmer for (say) 40 years sells up and a new owner commences a different form of rural business on that rateable land? Surely it can't cease to be farmland, just because it has a new owner. May I suggest that the use to which the land is put will be determinative of whether it remains farmland or becomes rural residential land or something else. 4. May I suggest that Council should focus on aerial photographs of the rateable land, dams and other sources of stock watering, fencing, stockyards, sheds, farm equipment, stocking, cropping, etc. Duration of the continuance of a rural operation will always be material, but not necessarily critical for assessing the rateable land of newcomers. Querying whether an owner is an "expert" (see the second bullet point) may be overstating what one needs, to be a good farmer. Experience is probably more relevant. Knowing how to handle livestock, yard them, drench them, tag them with NLIS tags etc and knowing how to repair or build fences may have much more relevance. 5. Perhaps determining whether a particular rural operation is "genuine" or simply a camouflage for something else, is the important issue. 6. The idea of farmers having to have documented business plans, sounds like they may not know what they are doing, when in truth they carry their plans in their brains rather than on paper which may help to persuade a council officer. 7. Carrying on business with a view of profit is a material consideration, but the vagaries and uncertainty of rural life are invariably unpredictable. A farmer growing crops may have hit and miss success, with some years paying for the bad ones. Droughts come and go and often one has to feed stock in bad times. The definition of "grazing" on page 6 of 14, may be right conceptually, but in reality, there will be less growth than reasonably anticipated, over the years, when buying in supplementary feed will be a necessity- quite different from feeding stabled horses. When drought strikes, one either sells up or seeks to maintain a quality herd, buying in expensive feed and trying to save them. 8. In Wingecarribee Shire, reliance on DSEs seems odd. Are there many sheep? 	<p>The minimum criteria (including but not limited to the number of head, the area used for farming, the relevance of DSE's, the requirement for irrigation and documentation required to support an application) is a concern raised in various submissions.</p> <p>The relevance of the criteria with current farming operations both in general and the Shire itself will be reviewed and addressed when developing the new Policy, noting that the Act requires that any criteria in the new Policy must show that the farming operation is of "significant and commercial purpose or character".</p> <p>Agree that an operation may not always be profitable, and this is taken into consideration already when assessing applications. The appropriate wording will be included in the new Policy.</p> <p>Do not agree that all reviews be undertaken by a third party as often an application is rejected because of missing documentation.</p>
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<p>P Graham MOSS VALE (cont)</p>	<p>9. Under "Review Process", the penultimate paragraph reads: "Council may choose to engage a third party to consider any appeals lodged by a ratepayer"</p> <p>Perhaps it should be mandatory for all ratepayer appeals to be determined by independent assessors, perhaps stock and station agents, if the third bullet point in paragraph 1 "Objectives", is to be fulfilled- "To promote the image of Council as efficient, consistent and fair".</p> <p>Hopefully, you will find these suggestions helpful.</p> <p>As drafted the Policy is pretty good, but maybe taking the above points into account will make it even better.</p>	
<p>M & H Bond GLENQUARRY</p>	<p>We write to state our objections to your proposed changes and implementation of The Draft Farmland Rating Policy.</p> <ol style="list-style-type: none"> 1. We find that this measure is being introduced during a period of Administration when the Council is not subject to the discipline of elections. This should be put aside until a new Council is elected. 2. Council is trying to circumvent limits on Rate increases with the introduction of a new rate subcategory. 3. Council is introducing more compliance costs onto rate payers by subjecting them to provide documentation to exempt them from further increases in rates. 4. When we had elected Councillors they long held the desire for the district to maintain its rural atmosphere. Subjecting 1,240 already designated rural holdings to an increase in rates will have unintended effects on the community and district. 5. Introduction of increased compliance and fees will change how the affected holdings will be managed. 6. Council in implementing such a measure will increase the costs in maintaining the properties and increase the staff costs within Council administrating such a policy. <p>We strongly disagree with this policy and would be better served if Council concentrated on more important issues affecting the district.</p>	<p>This Policy is not a new measure being introduced by Council. As mentioned in the report, the intention of this Policy was to document the criteria that is already used to assess applications for categorisation for rating purposes as Farmland.</p> <p>However the nature and quality of the feedback received has resulted in a rethink (refer to the recommendation of the report).</p> <p>A new subcategory of rate is not being introduced by this Policy, nor is Council able to circumvent any approval process for a rate increase as Council's overall rate income is still restricted by the rate peg limit announced each year by IPART.</p> <p>Where there is an increase in rate income from one category(s) there will be a proportionate decrease in rate income from either another rate category(s) or other properties in the same rate category. Simply, there is an element of cross funding between the categories of rate.</p> <p>For this reason, a review is required to be undertaken to ensure that properties categorised as Farmland (which provides them with lower rates that are funded by other rate categories) continue to meet the criteria set by any Policy.</p>

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<p>H Fagan SUTTON FOREST</p>	<p>The feedback was made using the online form and therefore addresses the questions in that form.</p> <p>In general do you support the proposed Draft Farmland Rating Policy? Yes</p>	<p>Noted</p>
<p>B Nettleton HIGH RANGE</p>	<p>I wish to comment on the draft Farmland Policy and express my disapproval with its operation and definitions.</p> <p>We purchased our property of 58 hectares approximately 3 years ago.</p> <p>During this time, we have extensively improved what was a near derelict cattle property.</p> <p>We are now a registered Australian White Sheep Stud and have test planted 250 trees which are certified as carrying a mix of Black Truffles (Hazelnut trees) and White Truffles (French Oak). It will take some 5 years before we know if our investment in this business is successful.</p> <p>Our investment in the property will be approaching \$1m, which includes such assets as new fencing, the re-commissioning of an approved water bore and a new associated water tank storage tank of 250,000L.</p> <p>Despite the above, it would appear that under your definitions, our property would not be treated as farmland.</p> <p>No doubt, should you apply the suggested definitions, we would then cease to be entitled to any of the current benefits which are applied to assist investment into new farming operations. If there is no investment by people such as ourselves into new rural based businesses, then the council will be responsible for destroying any increased employment or economic growth that small businesses generate. It is hard enough to grow a business, let alone to have the council actively seeking to discourage any new business at all.</p> <p>It is acknowledged by most governments, that small business is a major contributor to the economic wellbeing of this country. the councils proposal is misdirected, flawed and will ultimately lead to a substantial reduction in business investment and the economic growth that such investment delivers.</p> <p>The proposed changes should not be brought into operation.</p>	<p>Council has not previously had any experience with either sheep studs or truffle farming.</p> <p>Initial indications are that sheep studs do satisfy the criteria and that a combination of both these operations will allow the property to be eligible for Farmland rating.</p> <p>Legal opinion will be obtained before the appropriate wording is inserted or updated in the new Policy (if deemed necessary in relation to sheep studs).</p>



Public Exhibition Feedback Summary Table

<p>D Miller MOSS VALE (multiple pages)</p>	<p>DRAFT FARMLAND RATING POLICY</p> <p>This letter is in response to correspondence received from Wingecarribee Shire Council by mail dated 28 March 2024. Thank-you for the opportunity to review the Draft Farmland Rating Policy as proposed at The Ordinary Meeting of Council, Wednesday 20 March 2024 (9.19) and as available for review on the Council website.</p> <p>In principle, it appears as a reasonable approach, however much of it will come down to how this is communicated and the assessment process undertaken by council, as the potential exists for a substantial burden to be unnecessarily placed upon individual ratepayers, as well as a possible abuse of process by council. The council promotes agricultural as one of the key industries and council should be mindful of unreasonably burdening members of the community who are engaged in this industry (either part-time or full-time).</p> <p>As such, please accept below a number of specific questions for council to consider:</p> <ol style="list-style-type: none"> 1. How is council proposing to determine which of the 1,240 rateable assessments are not able to satisfy the requirements for "farmland" categorisation? Is it councils intention to simply issue a notice to all 1,240 rateable assessments? What steps is council undertaking to identify specific rateable assessments that are arguably not "farmland" for rating purposes? <p>I believe it would be unreasonable to place the burden of proof on each and every rate payer without reasonable cause. It is not unreasonable to expect an appropriate benchmark to be applied which may be location, size of holding or other criteria as reasonably determined by council, as clearly there are going to be obvious differences between certain rateable allotments. For example, a 40+ ha holding that is predominantly cleared and surrounded by other similar sized rateable allotments arguably should be treated differed to a 5 ha rateable allotment that is predominately not cleared and/or surrounded by residential development, as it is less likely that a holding of this nature is able to meet the dominant use test.</p> <ol style="list-style-type: none"> 2. I note the Draft Farmland Rating Policy appears to be focused on ensuring those rate payers who are currently categorised as "farmland" are entitled to this category. Presumably, there may be rateable assessments that are currently categorised as "residential" that meet the requirements for "farmland" – is it councils' intention to communicate with these rate payers as well? 3. Commercial enterprises in agriculture are subject to significant external risks that can be difficult to mitigate. As such, operators of a commercial enterprise may choose to scale back or suspend their enterprise for periods of time. This may be as a result of a substantial increase or decrease in rainfall, adverse market conditions which may impact the cost of materials, labour or the price for finished products, or even a change in personal circumstances. <p>There are also instances where the nature of the enterprise has changed, which can lead to a suspension in income whilst old infrastructure is removed and new infrastructure installed. For example, it takes time to transition from equine to beef cattle, or from dairy cattle to lamb production, particularly if a Development Application is required or there are adverse environmental conditions such as those listed in the previous paragraph.</p>	<p>After the new Policy has been established, a review will be commenced to ensure that properties categorised as Farmland continue to meet the criteria set by any Policy.</p> <p>This is reasonable given the lower rates provided to eligible properties are funded by the remaining ratepayers in the Shire.</p> <p>The Draft Policy indicates that the review will occur over a 4 yearly cycle or when ownership of a property changes, but this will be reviewed as part of the new Policy.</p> <p>The minimum criteria (including but not limited to the number of head, the area used for farming, the relevance of DSE's, the requirement for irrigation and documentation required to support an application) is a concern raised in various submissions.</p> <p>The relevance of the criteria with current farming operations both in general and the Shire itself will be reviewed and addressed when developing the new Policy, noting that the Act requires that any criteria in the new Policy must show that the farming operation is of "significant and commercial purpose or character".</p>
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<p>D Miller MOSS VALE (cont)</p>	<p>As such, it is reasonable to measure a commercial enterprise over a multi-year period, which would still satisfy the "purpose of profit on a continuous or repetitive basis".</p> <p>4. There is an over-reliance on external reports, particularly in reference to "land (being) suitable for the activity". This may be appropriate for a limited number of niche enterprises, but I would object for this to be a requirement for grazing, equine or other enterprises that are widespread throughout the shire. I would hope that council is able to demonstrate some common sense in these instances.</p> <p>5. I note the use of the term "application" in multiple places throughout the draft farmland rating policy. Is it councils intention to EITHER:</p> <p>a. Notify some or all of the 1,240 rateable allotments that their holding has been changed from "farmland" to "residential" and then place the burden on the ratepayer to demonstrate why it should be changed back to "farmland", OR</p> <p>b. Notify some or all of the 1,240 rateable allotments (see point 1 above) that their holding will be changed from "farmland" to "residential", unless the rate payer is able to satisfy the definition of "farmland" under Section 515 of the Act.</p> <p>Please note that point (a) above should be considered unreasonable and in the case of point (b), a minimum of 60 days should be provided to the rate payer, extendable under reasonable circumstances.</p> <p>6. Are payments to LLS considered in the assessment process? If not, will council be supporting an exemption of LLS fees where land has been recategorised from "farmland" to "residential"?</p> <p>7. Is the availability of council services (for example, water and sewer connections, rubbish collection, etc.) considered in the assessment process?</p> <p>8. How is council planning to deal with a change in ownership or a change in the type or scale of a commercial enterprise being undertaken on a rateable allotment? It is not unreasonable to expect that this may change the manner in which the land is being used.</p> <p>9. Comments on the "Type of Farming" section (pages 6-8 of 14):</p> <p>a. Grazing – the minimum are of 10 hectares is not an unreasonable benchmark, however I believe it would be appropriate to add the words "predominantly cleared" to this benchmark, as there are many lots that may meet the 10 hectare benchmark, but not suitable for undertaking a commercial enterprise. I note there may be some exceptions to this benchmark.</p> <p>b. Agistment - Many of these agreements are informal in nature and therefore council should not rely on a written agreement (verbal contracts are just as binding). As such, In the absence of a written agreement, a properly formatted Tax Invoice should be also acceptable as evidence of an adjustment arrangement.</p> <p>c. Viticulture – Not all viticulture enterprises require irrigation, particularly in higher rainfall areas such as the Southern Highlands. As such, I object to the inclusion of</p>	
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Public Exhibition Feedback Summary Table

<p>D Miller MOSS VALE (cont)</p>	<p>irrigation as part of this assessment d. The reference to Dairying refers to only milking cows, however sheep and goats can also be commercially milked, as well as also be used for the production of cheese. All of this will have an impact on the number of "head". e. Registration or membership of a related Association or governing body is a poor form of assessment to determine if a genuine commercial enterprise is being undertaken. All references to this should be removed.</p> <p>I thank you for your time in considering this feedback and hope that there are some constructive comments here that you have found useful and can consider for the final policy.</p> <p>Yours sincerely</p>	
<p>A Rea & S Brown BUNDANOON</p>	<p>Farmland stewardship Higher rates for landholders currently rated as farmland may impact farmland stewardship and provide a disincentive for landholders to care for their land. All farmland greater than 10 hectares (or any land with a current farmland rating) requires ongoing maintenance to manage weeds and vermin and to undertake proactive bushfire control measures. This stewardship comes at a cost proportional to the size of the property and requires ongoing vigilance. The impact of this not happening affects all of the surrounding properties as well as the district.</p> <p>Council management costs This change will increase the burden on the Council to manage and review claims (with reasonable review timelines) and to manage disputes arising from the re-rating of farmlands. These changes will cause increased costs for the Council.</p> <p>Grazing The policy indicates that the minimum land size to be considered is 10 ha and the minimum head of stock is 20. For cattle, even in good conditions in the Highlands, this ratio is unreasonable and unsustainable and will lead to irresponsible land management; ie: it could lead to inappropriate stocking levels in order to meet the farm rating policy.</p> <p>Profitability requirement Profitability on small parcels of land (even above 10ha) is more likely to be affected by seasonal and climatic variations. Profitability is more difficult to predict and to prove unless measured over an appropriate time period. For example, in Bundanoon in 2019 the yearly rainfall was 19 inches and in drought. The 2019-2020 bushfires caused significant disruption to most farming activities, particularly for smaller landholders with less ability to hold profitable stock levels during these catastrophic times. In 2021 the average rainfall was 82 inches, similarly making normal farming activities difficult.</p>	<p>Only legitimate farming operations are eligible for Farmland rating, and the Act does not allow for properties to be categorised as Farmland as a means of providing lower rates.</p> <p>There will be no extra burden created, because as previously mentioned, this Policy simply documents the criteria that is currently used to determine applications for Farmland rating.</p> <p>As previously mentioned the other matters raised (i.e. the minimum & that an operation may not always be profitable) is being considered when developing the new Policy.</p>



Public Exhibition Feedback Summary Table

<p>D Savill HIGH RANGE (multiple pages)</p>	<p>Dear Council,</p> <p>I have noted the draft farmland rating policy with professional interest and am making this submission.</p> <p>Firstly, I commend the Council for having a consistent and transparent approach. I understand there have been frustrations in the community around perceived inconsistencies in how land is rateable as farmland. Hopefully, this policy can address this. In its draft form, it contains several matters that create confusion instead of clarity. It may also require the Council to assess matters it is not equipped to evaluate needlessly.</p> <p>Commercial Character I note that the draft policy has aspects of "commercial character", which have been taken from ATO ruling TR 97/11 and are also in line with the Standard Instrument. It is logical to use existing and well-tested definitions on the same matter.</p> <p>Assessing a business is a complex matter. Rather than council oXicers navigating these issues, a letter from an accountant (who professionally deals with such matters) could outline how the landholder complies. This should be suXicient. I encourage the Council to provide this simple guidance in the policy.</p> <p>Types of Farming I note the Act requires the dominant use of land to be of commercial character consistent with primary production. EXorts have been put into the draft policy to quantify various farming operations so assessments can easily be made. Where specific infrastructure is ubiquitously consistent with an enterprise, it's logical to include these (as has been done). However, as I will demonstrate, other aspects need simplification as they appear to be based on assumptions that do not align with the Act.</p> <p>1) Grazing a) "Minimum area of 10 hectares; Minimum number of 20 head of stock, acceptable carrying capacity;" The draft policy states that 10 Ha and 20 head of stock are required. It is silent on what type of stock these 20 head refer to. It then goes on to say that the DSE tables will be used to assess other kinds of stock, which is impossible without a baseline to compare to. This whole section is unclear. Is this 20 head of cattle? If so, what class? Feeder steers, cows and calves, or bullocks?</p> <p>Stating a minimum headcount is not a practical approach.</p> <p>To illustrate this point, I have attached a grazing chart of a steer fattening operation on 40 ha (100 acres), a typical shire lot size. This is not to argue that this venture is structured in any ideal way but just to illustrate the issues with the policy as drafted.</p> <p>Figure 1 shows 23 head purchased annually and fattened out on native and</p>	<p>As mentioned, the minimum criteria (including but not limited to the number of head, the area used for farming, the relevance of DSE's, the requirement for irrigation and documentation required to support an application) is a concern raised in various submissions.</p> <p>The relevance of the criteria with current farming operations both in general and the Shire itself will be reviewed and addressed noting that the Act requires that any criteria in the new Policy must show that the farming operation is of "significant and commercial purpose or character".</p> <p>The other matters raised relating to the wording of the Agritourism section and alternate ways in which a farming operation can be shown to have "commercial purpose or character" have merit and will be considered when developing the new Policy.</p>
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Public Exhibition Feedback Summary Table

D Savill
HIGH RANGE
(multiple pages)

introduced pastures. The operation can comfortably produce trade weights in 16-20 months. The maximum stock at one point in the year is 37 head, and the minimum is 23 head. An average DSE rating of 5.3 DSE/Ha. If the pasture were improved, DSE/Ha and costs would increase.

However, if rainfall is reduced by 30%, this operation could only purchase 18 steers per annum at an average DSE/Ha of 3.8 DSE/Ha. This seasonality is unlikely to be considered as drought per the draft policy, but it affects carrying capacity.

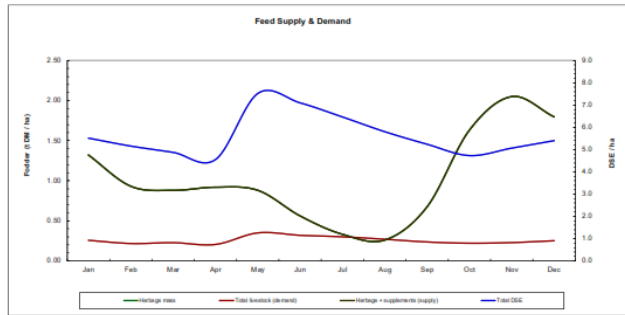


Figure 1: Steer fattening operation, eight months to 19 months, above average rainfall.

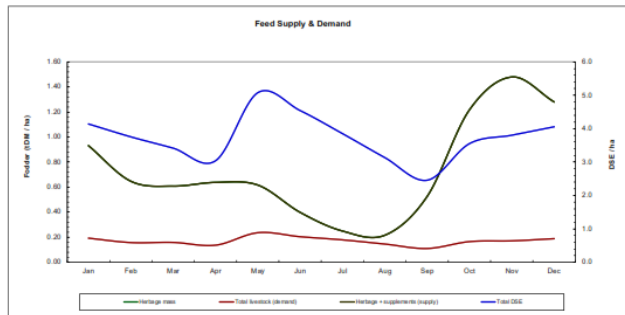


Figure 2: Steer fattening operation, eight months to 19 months—30% below average rainfall.



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<p>D Savill HIGH RANGE (cont)</p>	<p>This exercise shows that the number of head should and will fluctuate over the year in good seasons and even further in poorer seasons (yet still not in drought). The business is, however, a commercial enterprise that is for profit and repeatable. Applying minimum stocking levels may influence the behaviour of landholders, which could have adverse economic and environmental outcomes, with landholders trying to maintain an arbitrary threshold to meet council requirements when the season should have the farmer making other decisions.</p> <p>Section 515 of the Act requires the dominant use of the property to be of commercial character consistent with primary production. It's not the Council's responsibility to limit the entrepreneurial processes of landholders by placing minimum constraints on an enterprise above legislation. If the ratepayer has 20 acres and can create a primary production enterprise, then the conditions of the Act have been met.</p> <p>The same issue is present using DSE values. The same farm might have 150 DSE in one year and 420 DSE in another with seasonal changes. Which capacity does the Council choose? Over what time? Using which basis for calculation?</p> <p>No single metric survives even a cursory test. TR 97/11 recognises this saying "it is not possible to lay down any conclusive test of whether a business of primary production is or is not being carried on". This is why no legislation has sought to make such a rule, nor should the Council.</p> <p>It is reasonable to include infrastructure in an assessment; however, the limits on land size and headcount are unclear and unnecessary and should be removed.</p> <p>b) "The basic connotation of the word "grazing" is that animals feed themselves by cropping the grasses or pastures. The word does not include the notion of feeding by eating hay, or other produce taken from the soil by man. For this reason, Horse Stud Farms will not be considered as grazing and therefore not eligible to the Farmland rating category"</p> <p>The NSW Royal Agricultural Society determines equine activities as inherently agricultural. On what basis does the Council decide that if an animal eats hay, it is not a grazing animal? These criteria for exclusion do not align with expert opinion on the matter; for instance, research shows horses are grazing animals and spend about 70% of daylight hours and about 50% of night hours grazing</p> <p>1 .</p>	
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<p>D Savill HIGH RANGE (cont)</p>	<p>Most cattle, sheep and other such operations feed hay to livestock. Cattle and sheep stud breeding operations will routinely supplement diets with hay—a necessary part of a livestock grazing enterprise. Yet the draft policy states that by feeding an animal hay, it is not a grazer, and therefore, the area in question is not farmland. This is not defensible and creates uncertainty.</p> <p>I do note horses are targeted explicitly by this statement, presumably as they are associated with recreational activity. If that is the case, then it can be simply said.</p> <p>The text on hay and horses are incorrect and should be removed. They could be replaced with words to the effect of "if the dominant use of the grazing animals is for sport or recreation, they are not eligible for the Farmland rating category".</p> <p>2) Agistment a) "... where it is used for the purposes of grazing livestock that are used by another person for showing, sport or recreation".</p> <p>I note comments above on grazing; however, the word "showing" here is irrelevant. Many stud breeders will show grazing animals to raise the prices they can offer for that bloodline. This has been standard agricultural practice since the establishment of the RAS in 1822</p> <p>2 .</p> <p>The Council's objectives are well served by the dominant use of livestock for commercial activity vs. sport and recreation.</p> <p>The word "showing" is unnecessary and should be removed.</p> <p>3) Pig Farming and Poultry Farming a) The numbers shown here are significant enterprises, there are many ways commercial outcomes can be achieved to satisfy the Act that would not require these.</p> <p>For example, the draft policy ignores pastured poultry or pig operations where such animals can range freely in open fields or paddocks and cannot be kept in cages, stalls or crates (not "free range"). There are numerous successful providers and businesses that use these methods. Such operations often</p>	
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Public Exhibition Feedback Summary Table

<p>D Savill HIGH RANGE (cont)</p>	<p>integrate grazing enterprises with other animals for ecological and commercial benefit.</p> <p>In this draft policy council is declaring a landholder cannot create a commercial enterprise with less than 10,000 laying hens (for example). This seems somewhat arbitrary and needlessly prohibits such innovations, as mentioned above.</p> <p>The limits on land size, sheds and number of animals are covered in various codes of practice for these enterprises, they are unnecessary for the commercial test and should be removed.</p> <p>4) Horticulture, Vegetable Growing, Orchardring, and Crop Growing a) "Minimum area under cultivation of 2 hectares (or 10Ha for crops);"</p> <p>Section 515 of the Act requires the dominant use of the property to be of commercial character consistent with primary production. The draft policy notes that the amount of land used is not a deciding factor. As stated earlier, it's not the Council's responsibility to limit the entrepreneurial processes of landholders with arbitrary minimum limits outside of legislation. If a commercial operation can be achieved and it is the dominant activity (or contributes to a mixed-use enterprise), then the space it uses is not relevant.</p> <p>For instance, a market garden may operate on a larger farm yet use only 1 acre and be very successful; revenues more than 100k per annum are attainable. If this operation consumed 100% of the landholder's time, it may be the correct decision for that farm only to perform this activity. Alternatively, a horticulture, vegetable growing, or orcharding operation could be integrated with a further livestock enterprise to significant effect.</p> <p>I note that the draft policy states, "the application for Farmland rating will be approved if evidence can be provided to show that the mixed farming business has a significant and substantial purpose or character" I would encourage the Council to use this benchmark for both mixed and single enterprises and remove the minimum areas. Again, if a ratepayer has been able to generate a commercial enterprise, then the conditions of the Act are met.</p> <p>The limits on land size and the need to cover all useable land are unnecessary and should be removed.</p>	
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<p>D Savill HIGH RANGE (cont)</p>	<p>b) "Water supply readily available or land irrigated;" The water requirements of agricultural products are complex and require deep expertise in each grown product.</p> <p>In the case of cropping, this makes little sense. Large portions of Australia's crops are grown in dryland situations where the water supply is only rainfall.</p> <p>Council officers are not trained (nor should they be) to assess the water requirements of a particular enterprise, and the policy should not try to put the Council in this untenable position. If the enterprise has a commercial character, this is irrelevant and complicates the policy's enforcement.</p> <p>These water requirements are both incorrect and unnecessary, and they should be removed.</p> <p>5) Viticulture, Animal Feedlots and Dairying a) I note my earlier remarks on setting minimum areas or headcounts. Again, suppose a landholder can demonstrate a dominant commercial venture, confirmed by a qualified professional or their own practice. In that case, the area it takes or the number of head is immaterial. In a shire with smaller lots than other more remote areas, the Council should encourage industry to develop smaller-scale farming businesses, not penalise them.</p> <p>The limits on area and headcount are unnecessary and should be removed.</p> <p>6) Agritourism a) The draft policy suggests that if a farm operates an agritourism operation, it is "likely" that this will affect its farmland rating. This position is not defensible under the legislation and is at odds with the purpose of agritourism set out by the NSW Department of Planning & Environment.</p> <p>I note the following from the Wingecarribee Shire Council factsheet (the Factsheet) on agritourism 3</p> <p>The NSW Department of Planning & Environment describes agritourism as:</p>	
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Public Exhibition Feedback Summary Table

<p>D Savill HIGH RANGE (cont)</p>	<p>A generally tourism-related experience that connects agricultural products, people or places with visitors to a farm. Agritourism has an important role in creating a more direct connection between the primary producer and the end consumer which allows regional economies to showcase what is special about a region and provides a connection for the visitors to the land.</p> <p>Distinct from other commercial or tourism uses, agritourism has an essential connection with the agricultural use of the land. Although the agricultural use may be seasonal, the dominant purpose of the land must remain a commercial farm on which agriculture is undertaken. Agritourism must be ancillary (secondary) to the agriculture being undertaken on the farm. This is important to ensure agricultural land is retained in NSW. (Draft model DCP clauses for agritourism, December 2022)</p> <p>Agritourism must be ancillary to an agricultural enterprise. It requires that the purpose of the land remain agricultural. The Factsheet on agritourism aXirms this, noting that agritourism is permitted if a property is categorised as farmland under section 515. Conversely, the draft policy states that agritourism will likely aXect farmland ratings. A circular and contradictory argument between two of the Council's policy documents. An untenable situation.</p> <p>Agritourism was designed as a method for farmers to diversify their businesses to become more sustainable and create more interactions with the community. Such an outcome brings commercial activity to the shire; it creates jobs, and it seems counterproductive for the Council to put barriers against these outcomes.</p> <p>As agritourism must be ancillary and is permitted only on commercial farms, by definition, the presence of agritourism satisfies the critical criteria for a farmland rating. It does not detract from it.</p> <p>This section should be simplified with references to the Factsheet, and it should clearly state that while agritourism remains ancillary (as defined by the Department of Planning & Environment), it will not aXect the farmland rating.</p> <p>Finally, it's worth noting that large portions of the shire (where people live more than 10 minutes from one of the major towns) have very little access to services from the Council. There is no rubbish collection, few to no facilities, and the roads are in a poor</p>	
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**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**



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<p>D Savill HIGH RANGE (cont)</p>	<p>state of repair, often dangerous. If the Council were to increase rates to residential levels, it would be reasonable for those people to expect standard residential services. It seems unlikely that the Council would be able to deliver to such an expectation.</p> <p>I trust these comments can help the Council simplify the draft policy and make it easier for council officers and ratepayers to meet the needs of the Act.</p> <p>Kind Regards</p>	
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10.7 Review of Related Party Disclosures Policy for Adoption

Report of: Damien Jenkins
Acting Chief Financial Officer

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

PURPOSE

The purpose of this report is to advise Council of the minor updates to the Related Party Disclosure Policy to adopted by Council.

OFFICER'S RECOMMENDATION

THAT the Related Party Disclosures Policy be adopted by Council, noting the minor updates outlined in the report.

REPORT

BACKGROUND

The Australian Accounting Standards Board determined that from 1 July 2016, *AASB 124 Related Party Disclosures* will apply to not-for-profits public sector entities whereby related party transactions with key management personnel, their close family members, and council-related entities, will need to be identified and may need to be disclosed in the financial statements.

Council's current Related Party Disclosures Policy was adopted on 14 June 2017, and this is the first review of the Policy.

REPORT

The Related Party Disclosures Policy provides the governance framework to define the parameters for related party transactions and the level of disclosure and reporting to comply with *AASB 124 Related Party Disclosures*. The Policy shall be applied in:

- (a) Identifying and recording related parties and related party relationships.
- (b) Identifying and recording related party transactions and their terms and conditions.
- (c) Assessing materiality/significance of these transactions.
- (d) Identifying the circumstances in which disclosure and (a) and (b) is required.
- (e) Determining the disclosures to be made about (a) and (b).
- (f) Disclosing relevant information in the financial statements.

In Circular 16-36 – Financial reporting obligations – AASB 124 Related Party Disclosures, the Office of Local Government advise that related parties are likely to include the Mayor, Councillors, General Manager and Senior Executives.

The guidance provided within *AASB 124 Related Party Disclosures* suggests that key management personnel of a local government is the Councillors and senior staff who have the authority and responsibility for the activities of the Council (similar to a board of directors and senior management of a company).

In applying the guidance provided by external regulatory bodies, key management personnel of Council are:

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- Councillors (including the Mayor and Deputy Mayor)
- General Manager;
- Directors;
- Managers (Level 3)

Any transactions between Council and these parties, whether monetary or otherwise, will need to be identified and may need to be disclosed and this information will be audited by the Audit Office of NSW annually.

CHANGES TO THE EXISTING POLICY

This is the first review of the Policy and the only changes that have been made are updating the position titles of the key management personnel to align with the new organisational structure and the format of the policy template has been updated to align with the revised specification. These changes are deemed minor, and the report recommends the adoption of the Policy.

COMMUNICATION AND CONSULTATION

Community Engagement

Nil

Internal Communication and Consultation

The Executive

Governance

External Communication and Consultation

The Audit, Risk and Improvement Committee reviewed the Policy on 6 June 2024.

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

There are no social issues in relation to this report.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

Council is required to comply with *AASB 124 Related Party Disclosures*, which is made by the Australian Accounting Standards Board under section 334 of the *Corporations Act 2001*.

COUNCIL BUDGET IMPLICATIONS

There are no budget implications associated with this report.

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RELATED COUNCIL POLICY

Public Interest Disclosures Policy.

CONCLUSION

The Policy has been developed to assist Council to comply with its disclosure and reporting obligations under *AASB 124 Related Party Disclosures*. It is recommended to adopt the Policy, noting the minor changes made outlined in the report.

ATTACHMENTS

1. Related Party Disclosures Policy [**10.7.1** - 15 pages]



Related Party Disclosures Policy



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WINGECARRIBEE SHIRE COUNCIL

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Related Party Disclosures Policy

Wingecarribee Community Strategic Plan 2031 -
Leadership

Document Type	Council Policy
Document Reference No.	249488
Version No.	2.0
Council File Reference	Policy – Administrative and Operational Policies (CMGT)
Adoption Date	[Governance to insert]
Resolution Number	[Governance to insert]
Document Owner	Chief Financial Officer
Responsible Branch	Finance and Procurement
Responsible Business Unit	Finance
Review Schedule	[Governance to insert]
Review Date	[Governance to insert]

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Related Party Disclosures Policy

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1 Objectives

The objective of this Policy is to define the requirements for Related Party Transactions and the level of disclosure and reporting required for Council to achieve compliance with the *Australian Accounting Standard AASB 124 - Related Party Disclosures*.

2 Policy Statement

Council is committed to responsible corporate governance, including compliance with laws and regulations governing Related Party Transactions.

Related Party Relationships are a normal feature of conducting business. Entities frequently conduct activities through subsidiaries, joint ventures and associates and there is the possibility of the entity having the ability to impact the financial and procurement policies of Council through the presence of control, joint control or significant influence.

For these reasons, knowledge of Council's transactions and outstanding balances (including commitments and relationships with related parties) may affect assessments of Council's financial position.

AASB 124 provides that Council must disclose all material and significant Related Party Transactions and outstanding balances, including commitments, in its annual financial statements.

A disclosure will only be made where a transaction has occurred between Council and a related party of Council.

To enable Council to comply with AASB 124, Council's Key Management Personnel are required to declare details of any Related Party Transactions that are not otherwise defined in this Policy as an ordinary citizen transaction. Such information will be retained and reported, where necessary, in Council's annual financial statements.

Related Parties

For the purpose of this Policy, related parties of Council are:

- entities related to Council.
- Key Management Personnel of Council.
- close family members of Key Management Personnel.
- entities or persons that are controlled or jointly controlled by Key Management Personnel, or their close family members.



Related Party Disclosures Policy

Also, a person or entity is a related party of Council if any of the following apply:

- they are members of the same group (which means that each parent, subsidiary and fellow subsidiary is related to the others).
- they are an associate or belong to a joint venture of which Council is part of.
- they and Council are joint ventures of the same third party.
- they are part of a joint venture of a third party and council is an associate of the third party.
- they are a post-employment benefit plan for the benefit of employees of either Council or an entity related to Council.
- they are controlled or jointly controlled by close members of the family of a person.
- they are identified as a close member of the family of a person with significant influence over Council or a close member of the family of a person who is a Key Management Person of Council.
- they or any member of a group of which they are a part, provide Key Management Personnel services to Council.

Entities related to Council

Entities controlled by Council, jointly controlled by Council or over which Council has significant influence are related parties. If an entity holds, directly or indirectly (for example, through subsidiaries), 20% or more of the voting power, it is presumed that the entity has significant influence, unless it can be clearly demonstrated that this is not the case.

The existence of significant influence by Council is usually evidenced in one or more of the following ways:

- representation on the board of directors or equivalent governing body of the investee.
- participation in policy-making processes, including participation in decisions about dividends or other distributions.
- material transactions between the entity and its investee.
- interchange of managerial personnel.
- provision of essential technical information.

Council will identify transactions with these entities and may need to make extra disclosure about them in Council's annual financial statements.

Related Party Transactions

Related Party Transactions (excluding ordinary citizen transactions) are required to be disclosed, regardless of whether a price is charged. Such transactions may include:

- purchase or sale of goods (finished or unfinished).
- purchase or sale of property and other assets.
- rendering or receiving services.
- leases.
- transfers of research and development.
- transfers under licence agreements.
- transfers under finance arrangements (including loans and equity contributions in cash or in kind).
- provision of guarantees or collateral.
- commitments to do something if a particular event occurs or does not occur in the future, including executory contracts (recognised and unrecognised).
- successful quotations and/or tenders.
- commitments; and
- settlements of liabilities on behalf of Council or by Council on behalf of the related party.

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Related Party Disclosures Policy

Key Management Personnel compensation is also required to be disclosed, on an aggregate basis only.

Transactions with related parties will be identified through Council's finance systems and/or notified to Council by Key Management Personnel.

Disclosure Requirements

AASB 124 provides that Council must disclose all material and significant Related Party Transactions in its annual financial statements by aggregate or general description and include the following detail:

- the nature of the related party relationship.
- relevant information about the transactions including:
 - the amount of the transaction.
 - the amount of outstanding balances, including commitments, and
 - their terms and conditions, including whether they are secured, and the nature of the consideration to be provided in the settlement.
 - details of any guarantee given or received.
 - provision for doubtful debts related to the amount of outstanding balances.
 - the expense recognised during the period in respect of bad or doubtful debts due from related parties.

When assessing if such transactions are significant, the closeness of the related party relationship shall be considered as will other factors relevant in establishing the level of significance of the transaction such as whether it is:

- significant in terms of size.
- carried out on non-market terms.
- outside normal day-to-day Council operations.
- disclosed to regulatory or supervisory authorities.
- reported to senior management.
- subject to Council approval.

Regard must also be given to transactions that are collectively but not individually significant.

Disclosures that Related Party Transactions were made on terms equivalent to an arm's length transaction can only be made if such terms can be substantiated.

Prior to preparing the disclosure in the council's annual financial statements all Related Party Transactions should be assessed for materiality. Transactions that are not considered material will not need to be disclosed. The Responsible Accounting Officer will determine if a transaction is deemed significant in consultation with the Audit Office of NSW.

Identifying Related Party Transactions with Key Management Personnel and their Close Family Members

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Related Party Disclosures Policy

The method for identifying the close family members and associated entities of Key Management Personnel will be by self-assessment. All Key Management Personnel are responsible for self-assessing their own related parties on at least an annual basis. Key Management Personnel are responsible for informing the General Manager when any changes to those related parties occur outside of those times. The self-assessment will be recorded on the prescribed Related Party Declaration Form (RPD Form).

The completed RPD Form must be provided to the General Manager by no later than the following periods during a financial year (the specified notification period):

- 30 days after the commencement of the application of this Policy.
- 30 days after a Key Management Person commences their term of employment with Council.
- 30 days after there is a change to the close family members and associated entities of Key Management Personnel.
- 30 June each financial year.

If it is brought to Council's attention that any related party of a Key Management Person has not been declared, an immediate review will be triggered, and if wilful or material, may be taken to be a breach of Council's Code of Conduct.

Key Management Personnel must also complete a Related Party Transactions Notification (RPT Notification) using the prescribed form, notifying any Related Party Transaction(s) between Council and either themselves, their close family members or entities controlled or jointly controlled by them or any of their close family members. This notification requirement does not apply to ordinary citizen transactions, or to Key Management Personnel compensation which will be captured separately by Finance staff.

The completed RPT Notification must be provided to the General Manager by no later than 30 June, for Related Party Transactions during that financial year.

At least 30 days before a specified notification period, the Chief Financial Officer will provide Key Management Personnel with a RPD Form and/or RPT Notification, as applicable. In the case of the Chief Financial Officer, they shall submit their Related Party disclosure documentation to the General Manager.

Registers of Related Parties and Related Party Transactions

The Chief Financial Officer will maintain a register of existing Key Management Personnel related party declarations.

The Chief Financial Officer will also maintain and keep up to date a register of Related Party Transactions that captures and records the specified information for each existing or potential related party transaction during a financial year.



Related Party Disclosures Policy

The contents of the register of Related Party Transactions must detail for each related party transaction:

- the description of the Related Party Transaction.
- the name of the related party.
- the nature of the related party's relationship with Council.
- whether the notified Related Party Transaction is existing or potential.
- a description of the transactional documents the subject of the Related Party Transaction.
- the information specified in this Policy under the heading *Disclosure Requirements*.

Privacy

Information provided by Key Management Personnel and other related parties shall be held by Council for the purpose of compliance with Council's legal obligations under AASB 124 and shall be otherwise disclosed only where required by the *Government Information (Public Access) Act 2009* and *Privacy and Personal Information Protection Act 1998*.

Affected parties are entitled to access their personal information held by Council. They can also request that Council amends their personal information to ensure that it is accurate and, with regard to the purpose for which the information was collected, is relevant, up-to-date, complete and not misleading.

Public Interest Disclosures

It is the responsibility of relevant Council staff, including Key Management Personnel, to adhere to this Policy so as to ensure Council meets its legal obligations under AASB 124. Any Council staff member who knows or reasonably suspects that this Policy is not being complied with should report that as soon as possible after they are aware of it, in accordance with Council's Public Interest Disclosures Policy.

The Public Interest Disclosures Act 1994 provides protection for people who make a public interest disclosure by imposing penalties on anyone who takes detrimental action against another person that is substantially in reprisal for that person making a public interest disclosure.

Members of the public are likewise encouraged to report known or reasonably suspected non-compliance with this Policy in accordance with the Public Interest Disclosures Policy.

3 Scope

This Policy applies to related parties of Council and Related Party Transactions with Council, as defined within this Policy.

4 Responsibilities

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

4.1 Councillors

Councillors shall comply with this Policy by identifying and self-reporting details of related parties and Related Party Transactions to the Chief Financial Officer.



4.2 General Manager

The General Manager is delegated to ensure the effective execution of this Policy. The General Manager shall comply with this Policy by identifying and self-reporting details of related parties and Related Party Transactions to the Chief Financial Officer.

4.3 Chief Financial Officer

The Chief Financial Officer shall:

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

4.4 Key Management Personnel

Key Management Personnel shall comply with this Policy by identifying and self-reporting details of related parties and Related Party Transactions to the Chief Financial Officer.

4.5 All Other Staff

All other staff shall be aware of this Policy as required.

5 Performance Measures

The success of this Policy will be measured by:

- Key Management Personnel adhering to the related party disclosure requirements as set out in this Policy.
- Key Management Personnel receiving advice enabling them to accurately identify and self-report related parties and Related Party Transactions.
- Relevant information about Related Party Transactions being disclosed in Council's annual financial statements.

6 Definitions

Define any specific terms relating to the Policy that may not be obvious to a member of the public or other external stakeholder. Include any acronyms and their meanings. The following table should be used:

AASB124	The Australian Accounting Standards Board, Related Party Disclosures
Arm's Length	A transaction between two related parties that is conducted as if they were unrelated, so that there is no question of conflict of interest. That is, the transaction is consistent with what would result from: <ul style="list-style-type: none">• Neither party bearing the other any special duty or obligation;• The parties being unrelated and uninfluenced by the other' and• Each party having acted in its own interest.
Close members of the family of a person	In relation to a Key Management Person, those family members who may be expected to influence, or be influenced by, that person in their dealings with the council, including:



Related Party Disclosures Policy

- that person’s children and spouse or domestic partner;
- children of that person’s spouse or domestic partner; and
- dependants of that person or that person’s spouse or domestic partner.

For the purpose of AASB124, close family members could include extended members of a family (such as, without limitation, parents, siblings, grandparents, uncles/aunts or cousins) if they could be expected to influence, or be influenced by, the Key Management Person in their dealings with Council.

Control

The power to govern the financial and operating policies of an entity so as to obtain benefits from its activities. Control of an entity is present when there is:

- power over the entity;
- exposure or rights to variable returns from involvement with the entity; and
- the ability to use power over the entity to affect the amount of returns received.

Entity

can include a body corporate, a partnership or a trust, incorporated association, or unincorporated group or body.

Executory contracts

Contracts under which neither party has performed any of its obligations or both parties have partially performed their obligations to an equal extent.

Joint Control

The contractually agreed sharing of control of an arrangement, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control

Key management Personnel

Those persons having authority and responsibility for planning, directing, and controlling the activities of Council, either directly or indirectly. Specifically, Key Management Personnel of Council are:

- Councillors (including the Mayor and Deputy Mayor)
- General Manager;
- Directors; and
- Managers (level 3).

Key Management personnel compensation

All forms of consideration paid, payable, or provided in exchange for services provided, and including:

- Short term employee benefits, such as wages, salaries, and social security contributions, paid annual leave and paid sick leave, profit sharing and bonuses (if payable within twelve months of the end of the period) and non-monetary benefits (such as medical care, housing, cars and free and subsidised goods or services) for current employees;
- Post-employment benefits such as pension, other retirement benefits, post-employment life insurance and post-employment medical care;
- Other long-term employee benefits, including long-service leave or sabbatical leave, jubilee or other long-service benefits, long-term disability benefits and, if they are not payable wholly within twelve months after the end of the

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Related Party Disclosures Policy

period, profit sharing, bonuses and deferred compensation;
and

- Termination benefits.

**Material
(materiality)**

Means the assessment of whether omitting or misstating the transaction, either individually or in aggregate with other transactions, could influence decisions that users make on the basis of Council's financial statements. Materiality depends on the size and nature of the omission or misstatement judged in the surrounding circumstance. The size or nature of the items, or combination of both, could be the determining factor.

**Ordinary citizen
transaction**

A transaction that an ordinary citizen would undertake with Council which is undertaken on an arm's length basis and in ordinary course of carrying out Council's functions and activities. For the purpose of this Policy, any ordinary citizen transaction where the aggregate amount involved will be expected to exceed \$10,000 in any financial year is considered to be material and will be disclosed in the annual financial statements.

With regards to Key Management Personnel and their close family members, examples of ordinary citizen transactions assessed as unlikely to be a material in nature (unless the aggregate amount exceeds \$10,000 in a financial year) include:

- Paying rates and utility charges
- Parking fees at rates available to general public;
- Paying fines on normal terms and conditions;
- Pet registration fees; and
- Using Council's public facilities after paying the corresponding fees or where those facilities are available to members of the public for free.

Transaction which are not be considered ordinary citizen transactions include:

- Infrastructure charges
- Lease agreements;
- Awarding of contracts; and
- the purchase of goods, regardless of conditions.

Related party defined in section 2.1 - Policy statement.

Related party transaction A transfer of resources, services or obligations between a Council and a related party, regardless of whether a price is charged. For the purpose of AASB 124, transactions with related parties of Council which are non-material ordinary citizen transactions will not be captured or reported on.

7 Related Material

7.1 Related Legislation

The following legislative materials are related to this Policy:

- Australian Accounting Standards
- *Local Government Act 1993*
- *Local Government (General) Regulation 2021*
- Local Government Code of Accounting Practice and Financial Reporting

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Related Party Disclosures Policy

- Government Information (Public Access) Act 2009
- Public Interest Disclosure Act 1994
- Privacy and Personal Information Protection Act 1998

7.2 Related Policies, Procedures

The following policies are related to this Policy:

- Code of Conduct
- Expenses and Facilities for the Mayor and Councillors Policy
- Public Interest Disclosure Policy

8 Non-compliance with this Policy

Non-compliance with this Policy may be taken to be a breach of Council’s Code of Conduct. Complaints alleging non-compliance with this Policy must be made in accordance with the Code of Conduct and will be dealt with in accordance with the Procedures for the Administration of the Code of Conduct.

9 Document Control

9.1 Version Control

Version	Adoption Date	Notes
[insert version no.]	[insert date on which version was adopted]	[describe amendments/changes from previous version]
1.0	17 June 2017	Initial adoption of document.

10 Attachments

1. Related Party Declaration
2. Related Party Transactions Notification

Approved by:

WINGECARRIBEE SHIRE COUNCIL
[Governance to insert adoption date]

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**



**KEY MANAGEMENT PERSONNEL
Related Party Declaration**

Private and Confidential	
Related Party Declaration by Key Management Personnel (KMP)	
Name of Key Management Person:	
Position of Key Management Person:	
<p>List details of close family member, entities that are controlled/jointly controlled by you and entities that are controlled/jointly controlled by close family members</p> <p><i>(Please refer to definitions in Related Party Disclosures Policy and consider the additional guidance provided in the Related Party Disclosures Information Sheet for KMP)</i></p>	
<u>Name of person or entity</u>	<u>Relationship</u>
<p>I <i>(insert full name)</i>, <i>(insert position)</i> declare that that the above list includes all my close family members and the entities controlled, or jointly controlled, by myself or my close family members. I make this declaration after reading the Council's Related Party Disclosures Policy which details the meaning of the words 'close family members' and 'entities controlled, or jointly controlled, by myself or my close family members'.</p>	
Declared at:	<i>(insert place)</i>
on the	<i>(insert date)</i>
Signature of KMP:	



KEY MANAGEMENT PERSONNEL
Related Party Transactions Notification

Private and Confidential			
Related Party Transactions Notification by Key Management Personnel			
Name of Key Management Person:			
Position of Key Management Person:			
<p>List details of each related party transaction with Council that you, or a close family member, or an entity controlled or jointly controlled by you or a close family member, has entered into or is reasonably likely to enter into in the 2022/2023 financial year and which you have not previously notified. You are not required to include ordinary citizen transactions which are not material.</p> <p><i>(Please refer to definitions in Related Party Disclosures Policy and consider the additional guidance provided in the Related Party Disclosures Information Sheet for KMP)</i></p>			
<u>Name of related party</u>	<u>Relationship</u>	<u>Nature of transaction</u>	<u>Terms and conditions</u>

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**



**KEY MANAGEMENT PERSONNEL
Related Party Transactions Notification**

<p>I (<i>insert full name</i>), (<i>insert position</i>) declare that the above list includes all existing and potential related party transactions with Council involving myself, my close family members and the entities controlled, or jointly controlled, by myself or my close family members for the 2023/2024 financial year which I have not previously notified. I make this declaration after reading Council's Related Party Disclosures Policy which details the meaning of the words 'related party transactions', 'ordinary citizen transactions', 'close family members' and 'entities controlled, or jointly controlled, by myself or my close family members'.</p>	
Declared at:	<i>(insert place)</i>
on the:	<i>(insert date)</i>
Signature of Key Management Person:	

10.8 Liquid Trade Waste Policy for Adoption

Report of: Graeme Mellor
Manager Water Services

Authorised by: Karin Targa
Director Service and Project Delivery

PURPOSE

To bring the Liquid Trade Waste policy (policy) back to Council for adoption after having been on public exhibition for the required 28 day period.

OFFICER'S RECOMMENDATION

THAT Council adopt the reviewed Liquid Trade Waste policy having been on public exhibition for the required 28 days.

REPORT

BACKGROUND

As part of councils scheduled policy review process Council's has updated and included the recommendations from the Department of Climate Change, Energy, the Environment and Water (DCCEW), which was formally the Department of Planning and Environment into its Liquid Trade Waste Policy.

The revised policy was placed on public exhibition for 28 days as part of the review process.

REPORT

The Policy is designed to enforce, monitor and approve liquid trade discharges into Council's sewerage system. The Policy also regulates the levying of commercial sewerage and liquid trade waste fees and charges, which have been reviewed for the 2024-25 financial year to be consistent with the policy.

The draft policy has been on public exhibition for the required 28 days in April-May 2024. The data from council's website indicates the policy was viewed 31 times and no submissions were registered from the community.

The policy is now ready for adoption by council.

COMMUNICATION AND CONSULTATION

Community Engagement

The policy has been on public exhibition for 28 days in April-May 2024.

Internal Communication and Consultation

Internal discussions with staff members including Coordinator Treatments, Sewer Headworks Engineer and Liquid Trade Waste Officers x 2.

External Communication and Consultation

As part of the external consultation the recommendations from DECCW have been incorporated.

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 JUNE 2024

SUSTAINABILITY ASSESSMENT

Environment

The policy ensures and regulates the responsible discharge of liquid trade waste into councils' sewerage system by commercial and industrial businesses.

Social

There are no social issues in relation to this report.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

The policy in conjunction with the liquid trade waste guidelines is a local approval policy under the Local Government Act 1993 and regulates how liquid trade waste is discharged and managed in the Wingecarribee Shire.

COUNCIL BUDGET IMPLICATIONS

Nil

RELATED COUNCIL POLICY

- Community Strategic Plan
- Goal 3.3 Liveable and Sustainable Communities
- 3.3.3 Provide effective, safe and well-maintained local infrastructure and assets that service the needs of current and future generations.

CONCLUSION

The adoption of the revised policy will ensure liquid trade waste compliance under the Local Government Act 1993 and DCCEW.

ATTACHMENTS

1. Liquid Trade Waste Policy [10.8.1 - 41 pages]



Liquid Trade Waste Policy



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WINGECARRIBEE SHIRE COUNCIL



Environment

Work collaboratively to reduce pollution, manage biodiversity risks, and the impact on our environment

Document Type	Council Policy
Document Reference No.	[Governance to insert]
Version No.	4.0
Council File Reference	Policy – Administrative and Operational Policies (CMGT)
Adoption Date	[Governance to insert]
Resolution Number	[Governance to insert]
Document Owner	Manager Water Services
Responsible Branch	Service & Project Delivery
Responsible Business Unit	Water Services
Review Schedule	4 Years
Review Date	[Governance to insert]



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1 Objectives

The objectives of this Policy are:

- to protect public and workers health and safety and the environment
- to protect council's assets from damage
- to minimise adverse impacts on the sewage treatment processes
- to assist Council meeting regulatory and licence compliance
- to promote water conservation, waste minimization, cleaner production, effluent recycling and biosolids reuse
- to provide an environmentally responsible liquid trade waste service to the non-residential sector
- to ensure commercial provision of services and full cost recovery through appropriate sewerage and liquid trade waste fees and charges.

2 Policy Statement

This policy sets out how Wingecarribee Shire Council will regulate liquid trade waste discharges to its sewerage system in accordance with the NSW Framework for Regulation of Liquid Trade Waste.

Sewerage systems are generally designed to cater for liquid waste from domestic sources that are essentially of predictable strength and quality. Council may accept liquid trade waste into its sewerage system as a service to businesses and industry.

Liquid trade wastes may exert much greater demands on sewerage systems than domestic sewage and, if uncontrolled, can pose serious problems to public health, worker safety, Council's sewerage system and the environment.

This Policy is consistent with the Liquid Trade Waste Management Guidelines 2021 developed by the Water Utilities branch of the NSW Department of Planning and Environment (https://www.industry.nsw.gov.au/data/assets/pdf_file/0010/147088/trade-waste-management-guidelines.pdf)

2.1 Introduction

This Policy has been developed to ensure the proper control of liquid trade waste and hence protection of public health, worker safety, the environment, and Council's sewerage system. The policy also promotes waste minimisation, water conservation, water recycling and biosolids reuse.

In addition, the approval, monitoring and enforcement processes for liquid trade wastes discharged to Council's sewerage system and the levying of commercial sewerage and liquid trade waste fees and charges are described in this document. The procedure for liquid trade waste approval is governed by Chapter 7 of the Local Government Act.

Under section 68 of the *Local Government Act 1993* (Act), a person wishing to discharge liquid trade waste to the sewerage system must obtain prior approval from Council. Discharge of liquid waste other than domestic sewage without prior approval is an offence under section 626 of the Act.

2.2 What is liquid trade waste?

Liquid trade waste is defined in the *Local Government (General) Regulation 2021* as below:

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Liquid trade waste means all liquid waste other than sewage of a domestic nature.

Liquid trade waste discharges to the sewerage system include liquid wastes from:

- industrial premises
- business/commercial premises (e.g. beautician, florist, hairdresser, hotel, motel, restaurant, butcher, supermarket, etc.)
- community/public premises (including clubs, school, college, university, hospital and nursing home)
- any commercial activities carried out at residential premises.
- saleyards, racecourses and stables and kennels that are not associated with domestic households.
- tankered human waste, ship-to-shore waste from marina pump-out facilities, portable toilet waste and established sites for the discharge of pan contents from mobile homes/caravans
- any other waste tankered to the sewerage facilities, e.g. commercial or industrial waste from un-sewered areas.

Liquid trade waste excludes:

- toilet, hand wash basin (used for personal hygiene only), shower and bath wastes derived from all the premises and activities mentioned above.
- wastewater from residential toilets, kitchens, bathrooms or laundries (i.e. domestic sewage)
- wastewater from common laundry facilities in caravan parks (Note that discharges from common kitchen facilities in caravan parks are liquid trade waste)
- residential pool backwash.

2.3 Liquid Trade Waste Guidelines

This policy enforces the Liquid Trade Waste Guidelines attached to this Policy.

3 Scope

This Policy applies to:

- All commercial and industrial business premises within the Wingecarribee Shire connected to the sewerage system
- Septic businesses discharging to Council's septic receivals facility.

4 Responsibilities

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

4.1 Councillors

Councillors shall:

- Provide leadership in adhering to the requirements of this Policy.

4.2 Executive

The Executive shall:

- Lead staff (either directly or through delegated authority) in their understanding of and compliance with this Policy and related documents.

4.3 Manager Water Services

The Manager Water Services shall:

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

4.4 Managers

Managers shall:

- provide guidance to Council staff within their respective branches as to the content and implementation of this Policy, seeking guidance from the policy owner as required.

4.5 Council staff

Council staff shall:

- Read, understand and comply with this Policy.

5 Performance Measures

The success of this Policy will be measured by:

- All commercial and industrial premises in the shire are appropriately approved to discharge trade waste
- Sewage within the sewerage system and treatment plants is of an appropriate quality
- Sewage Treatment Plant's meet their Environmental Protection Licences

6 Definitions

Refer to Appendix A.

7 Related Material

7.1 Related Legislation

The following legislative materials are related to this Policy:

- AS/NZ Standards 3500.2, Plumbing Code of Australia
- Department of Industry Liquid Trade Waste Regulation Guidelines 2009.
- Australian Sewage Quality Management Guidelines June 2012, WSAA.
- Local Government Act 1993
- Local Government (General) Regulation 2005
- Best-Practice Management of Water and Sewerage Guidelines, 2007

7.2 Related Documents

The following document is related to this Policy:

- WSC Integrated Water Cycle Management Strategy

8 Non-compliance with this Policy

Breaches of this Policy could result in non-compliance charges, the requirement to implement a pollution improvement plan, disconnection from the sewerage network, penalty infringement notice and/or prosecution.



9 Document Control

9.1 Version Control

Version	Adoption Date	Notes
1.0	2005	Initial adoption of document
2.0	2011	Replaces the 2005 Policy
3.0	13 June 2018	Replaces the 2011 Policy
4.0	[Governance to insert]	Replaces the 2018 Policy

10 Attachments

1. Liquid Trade Waste Guidelines
2. Appendix A
3. Appendix B
4. Appendix C
5. Appendix D
6. Appendix E
7. Appendix F

Approved by:

WINGECARRIBEE SHIRE COUNCIL

[Governance to insert adoption date]



Liquid Trade Waste Guidelines

These Guidelines comprise three parts:

- Part 1 specifies the circumstances in which a person is exempt from the necessity to apply for an approval to discharge liquid trade waste to Council's sewerage system.
- Part 2 specifies the criteria which Council will take into consideration in determining whether to give or refuse a liquid trade waste approval.
- Part 3 specifies the application procedure and approval process, liquid trade waste discharge categories and applicable fees and charges, the NSW Framework for Regulation of Liquid Trade Waste, alignment with the *National Framework for Wastewater Source Management* and other relevant information.

Part 1 – Exemptions

The list of discharges exempt from obtaining of Council's approval is provided in Appendix B. These discharges are known as 'Deemed to be approved'. Each such discharger must meet the standard requirements specified in Appendix B.

Part 2 – Criteria for approval to discharge liquid trade waste into council's sewerage system

2.1 Factors for consideration

Council's decision to accept liquid waste into its sewerage system will be based on the discharger satisfying Council's requirements. Therefore, when determining an application to discharge liquid waste to the sewerage system, Council will consider the following factors:

- The potential impacts of the proposed discharge on Council's ability to meet the objectives outlined in s. 1.2 of this document.
- The adequacy of the pre-treatment process(es) to treat the liquid trade waste to a level acceptable for discharge to the sewerage system, including proposed contingency measures in an event of the pre-treatment system failure.
- The capability of the sewerage system (reticulation and treatment components) to accept the quantity and quality of the proposed liquid waste.
- The adequacy of chemical storage and handling facilities, and the proposed safeguards for prevention of spills and leaks entering to the sewerage system
- The adequacy of the proposed due diligence program and contingency plan, where required.
- Proposed management of prohibited substances and other liquid waste not planned to be discharged to the sewerage system and safeguards to avoid any accidental discharge.
- The potential for stormwater entering the sewerage system and adequacy of proposed stormwater controls.
- The potential for growth of the community

2.2 Discharge quality

Council's acceptance limits for liquid trade waste discharges are set out in Table 1. These limits are consistent with the acceptance limits specified in the *Liquid Trade Waste Management Guidelines*, 2021 by the Department of Planning and Environment.

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Table 1: Acceptance limits for liquid trade waste into the sewerage system

Parameter	Limits
Flow Rate	The maximum daily and instantaneous rate of discharge (kL/h or L/s) is determined based on the available capacity of the sewer. Large discharges are required to provide a balancing tank to even out the load on the sewage treatment works.
BOD ₅	Normally approved at 300 mg/L. Concentrations up to 600 mg/L may be accepted.
Suspended solids	Normally approved at 300 mg/L. Concentrations up to 600 mg/L may be accepted.
COD	Normally, not to exceed BOD ₅ by more than three times. This ratio is given as a guide only to prevent the discharge of non-biodegradable waste.
Total Dissolved Solids	Up to 4000 mg/L may be accepted. The acceptance limit may be reduced depending on available effluent disposal options and may be subjected to a mass load limit.
Temperature	Less than 38°C.
pH	Within the range 7.0 to 9.0.
Oil and Grease	100 mg/L if the volume of the discharge does not exceed 10% of the design capacity of the treatment works and 50 mg/L if the volume is greater than 10%.
Detergents	All detergents are to be biodegradable. A limit on the concentration of 50 mg/L (as MBAS) may be imposed on large liquid trade wastes discharges.
Colour	Colour must be biodegradable. No visible colour when diluted to the equivalent dilution afforded by domestic sewage flow. Specific limits may be imposed on industrial discharges where colour has a potential to interfere with sewage treatment processes and the effluent management.
Radioactive Substances	If expected to be present (e.g. Iodine 131 from ablation), acceptance requirements will be set on a case-by-case assessment.

Acceptance limits for inorganic and organic compounds		Maximum concentration (mg/L)
Inorganic compounds	Ammonia (as N)	50
	Boron	5
	Bromine	5
	Chlorine	10
	Cyanide	1
	Fluoride	30



	Nitrogen (total Kjeldahl)	100
	Phosphorus (total)	20
	Sulphate (as SO ₄)	500
	Sulphide (as S)	1
Organic compounds	Benzene	< 0.001
	Toluene	0.5
	Ethylbenzene	1
	Xylene	1
	Formaldehyde	30
	Phenolic compounds non-halogenated	1
	Petroleum Hydrocarbons ¹	
	• C ₆ -C ₉ (flammable)	5
	• Total Recoverable Hydrocarbons (TRH)	30
Pesticides general (except organochlorine and organophosphorus)	0.1	
Polynuclear Aromatic Hydrocarbons (PAH)	5	

Acceptance limits for metals	Maximum concentration (mg/L)	Allowed daily mass limit (g/d)
Aluminum	100	-
Arsenic	0.5	2
Cadmium	1	5
Chromium ²	3	10
Cobalt	5	15
Copper	5	15
Iron	100	-
Lead	1	5
Manganese	10	30
Mercury	0.01	0.05
Molybdenum	5	15
Nickel	1	5
Selenium	1	5
Silver	2	5

¹ Always ask a laboratory to carry out a silica gel clean up, if other than petroleum products are expected to be present in a liquid trade waste sample, e.g. animal fats, plant oil, soil, etc.

² Where hexavalent chromium (Cr⁶⁺) is present in the process water, pre-treatment will be required to reduce it to the trivalent state (Cr³⁺), prior to discharge into the sewer



Tin	5	15
Zinc	1	5
Total heavy metals excluding aluminium, iron and manganese	Less than 30 mg/L and subject to total mass loading requirements	

Notes:

1. Acceptance limits for substances not listed in above Tables will be determined on a case-by-case basis.
2. The quality of liquid trade waste from some low-risk commercial activities in Classification A and B will exceed acceptance limits listed in above Table. As a higher level of pre-treatment is not cost-effective, such waste is acceptable if the discharger installs, maintains and properly operates the required on-site pre-treatment. Similarly, septic and pan waste may exceed some acceptance limits.

2.3 Prohibited or restricted substances and waste

Substances prohibited from being discharged into the sewerage system unless they are specifically approved under section 68 of the Act are listed in Table 2 . In addition, s 2.2.3.1 lists the discharges either prohibited or restricted. Refer to Appendix C for detailed description of substances and discharges either prohibited or restricted.

Table 2 Waste Prohibited from discharge to the sewerage system.

- Organochlorine weedicides, fungicides, pesticides, herbicides and substances of a similar nature and/or wastes arising from the preparation of these substances.
- organophosphorus pesticides and/or waste arising from the preparation of these substances
- per- and poly-fluoroalkyl substances (PFAS)
- any substances liable to produce noxious or poisonous vapours in the sewerage system
- organic solvents and mineral oil[#]
- any flammable or explosive substance[#]
- discharges from 'Bulk Fuel Depots'
- discharges from chemicals and/or oil storage areas
- natural or synthetic resins, plastic monomers, synthetic adhesives, rubber and plastic emulsions
- roof, rain, surface, seepage or ground water, unless specifically permitted (clause 137A of the Local Government (General) Regulation 2021)
- solid matter[#]
- disposable products including wet wipes, cleaning wipes, colostomy bags, cat litter and other products marketed as flushable
- any substance assessed as not suitable to be discharged into the sewerage system
- liquid waste that contains pollutants at concentrations which inhibit the sewage treatment process
- any other substances listed in a relevant regulation

[#] In excess of the approved limit

2.3.1 Other substances/discharges either prohibited or restricted

- Stormwater from open areas
- Contaminated groundwater



- Landfill leachate
- Discharge from float tanks
- Discharge from new service station forecourts and other refuelling points
- Discharge of liquid waste arising from liquefaction and/or pulverisation of solid waste by physical or chemical processes (e.g. garbage grinders/in-sinkerators, macerators, alkaline hydrolysis).
- Discharge from solid food waste processing units (digesters/composters, etc.)
- Use of additives in pre-treatment systems

For further details on limitations and restrictions applicable to above discharges, refer to Appendix C of this policy, Chapter 3 of the *NSW Liquid Trade Waste Management Guidelines, 2021*

Part 3 –Matters relating to liquid trade waste approvals

3.1 Application procedures and approval process

Council's written approval is required prior to commence discharging liquid trade waste to its sewerage system, under s.68 of the Local Government Act 1993. Application forms are available from Council.

The applicant must lodge a trade waste application providing all requested information.

A trade waste application is not required to discharge liquid trade waste from 'Deemed to be approved' activities listed in Appendix B

Who can lodge an application?

The applicant must be either the owner or the occupier of the premises. If the applicant is not the owner of the premises, the owner's consent to the application is required.

3.2 Council's process in determination of applications

Council may request an applicant to provide further information to enable it to determine the application.

3.3 Approval of applications

Where an application is approved, Council will notify the applicant including any conditions of the approval and reasons for such conditions. The duration of the approval will be as stated in the approval.

An applicant may make a minor amendment or withdraw an application before it is processed by Council. An applicant may also apply to Council to renew or extend an approval, in accordance with section 107 of the Local Government Act.

3.4 Refusal

If an application is refused, Council will notify the applicant of the grounds for refusal.

Under section 100 of the Act the applicant may request the review of council's determination. Under section 176 of the Act, the applicant dissatisfied with Council's determination may appeal to the Land and Environment Court within 12 months.

3.5 Change of approval holder

An approval to discharge liquid trade waste to Council's sewerage system is not transferable. A new application must be lodged, and a new approval must be obtained if there is a change of the approval holder. Council must be notified of change of ownership and/or occupier in all cases, whether a new approval is required or not, to allow updating of records.



3.6 Validity of an existing approval

A new approval is required where there is a change of:

- approval holder (either owner or occupier can be an approval holder).
- activity generating the waste.
- the quantity or the nature of liquid trade waste.
- approval conditions.

3.7 Modification and revocation of approvals

Council reserves the right to modify or revoke an approval to discharge liquid trade waste to the sewerage system under the circumstances described in s.108 of the *Local Government Act 1993*:

3.8 Concurrence

If Council supports an application and has a notice stating that concurrence of the Secretary, NSW Department of Planning and Environment can be assumed for the liquid trade waste relevant to the application, Council will approve the application. Otherwise, Council will seek concurrence to its approval.

For concurrence purposes, liquid trade waste discharges are divided into four classifications.

- Concurrence Classification A – liquid trade waste for which Council has been authorised to assume concurrence to the approval subject to certain requirements.
- Concurrence Classification B – liquid trade waste for which Council may apply for authorisation to assume concurrence to the approval subject to certain requirements.
- Concurrence Classification S – the acceptance of septic tank, pan waste and ship-to-shore pump-out etc. Council may apply for authorisation to assume concurrence to the approval subject to certain conditions.
- Concurrence Classification C – all other liquid trade waste that do not fall within Concurrence Classification A, B or S, and therefore require Council to forward the application for concurrence.

Refer to Appendix E which lists type of discharges that Council have assumed concurrence (i.e. that Council can approve without seeking concurrence from the Department).

4 Sewerage and liquid trade waste fees and charges

Council provides sewerage and liquid trade waste services on a commercial basis to non-residential dischargers, with full cost recovery through sewerage and liquid trade waste fees and charges. Council implements sound pricing for non-residential sewerage and liquid trade waste services to ensure that dischargers bear a fair share of the cost of providing sewerage services and to facilitate appropriate pre-treatment, waste minimisation and water conservation. The current sewerage and liquid trade waste fees and charges are provided on Council's website. Council's liquid trade waste fees and charges may include:

- general fees and charges (application fee, annual liquid trade waste fee, inspection and/or re-inspection fees and renewal fee)
- category specific charges (trade waste usage charges for Charging Category 2 discharges, excess mass charges for Charging Category 3 discharges, charges for Charging Category 2S discharges and non-compliance charges)
- other charges related to the nature of waste (eg. charges for the discharge of stormwater from large areas)

Detailed description of the liquid trade waste fees and charges and the methodology of calculating them are provided in Appendix D.



4.1 Liquid trade waste charging categories

For charging purposes there are 4 liquid trade waste charging categories:

- Category 1 – discharges requiring minimal pre-treatment, or prescribed pre-treatment but low impact on the sewerage system. These dischargers will only pay an annual fee. If pre-treatment equipment is not provided or maintained, non-compliance charges will be applied.
- Category 2 – discharges with prescribed pre-treatment³ and other activities listed under this charging category in Appendix D. These dischargers will pay trade waste usage charge and annual trade waste fee. If pre-treatment equipment is not provided or not maintained, then such dischargers will be required to pay non-compliance usage charge.
- Category 2M – more than one discharger on the same property” with “premises with multiple liquid trade waste streams. These dischargers will pay trade waste usage charge and annual trade waste fee. If pre-treatment equipment is not provided or not maintained, then such dischargers will be required to pay non-compliance usage charge.
- Category 2S – transporters who tanker human waste to council’s STWs, owners/operators of ship-to-shore pump out facilities and owners/operators of ‘dump points’ directly connected to sewer.
- Category 3 – large (>20 kL/d) and industrial discharges (excluding shopping centers and institutions). Such dischargers will pay excess mass charges. If the discharge fails to comply with council’s acceptance limits, dischargers will be required to pay non-compliance excess mass charges and pH charges.

Note that these charging categories are different to four classifications that have been established for concurrence purposes (i.e. Classification A, B, C and S). The relationship between Concurrence Classifications and Charging Categories are shown in Figure 1 in Appendix D.

4.2 Non-compliance liquid trade waste charges

In order to encourage compliance, council may apply non-compliance trade waste charges. Refer to Appendix D for further details of non-compliance charges for different charging categories.

Council will continue applying non-compliance charges until the discharge meets council’s approved quality (or the liquid trade waste policy) limits, within the timeframe determined by Council for remedying the problem. If the discharger fails to rectify the problem within an agreed timeframe, the discharger may be required to cease discharging liquid trade waste into Council’s sewerage system. Council may also consider issuing penalty infringement notice to a non-compliant discharger or may prosecute the discharger.

4.3 Other applicable liquid trade waste charges

Additional fees and charges may be levied by council if wastewater is discharged to council’s sewerage system from the following equipment and or processes, with council’s approval.

- Food waste disposal units (ie. garbage grinders/insinkerators) ⁴
- Solid food waste processing unit
- Discharge of stormwater to the sewerage system from large open areas or large quantities of groundwater

Refer to Appendix D for further details.

³ Excludes activities in Category 1.

⁴ For existing installations only. New installations are not permitted.



4.4 Charges for premises with multiple liquid trade waste streams

Examples of premises with multiple waste streams include:

- shopping centres
- commercial strata units
- institutions, e.g. hospitals, tertiary educational facilities and correctional centers
- other premises with multiple waste streams,

Refer to Appendix D and *Trade Waste Management Guidelines 2021* for further details.

4.5 Summary of category specific fees and charges

The summary of fees and charges are indicated in Table 3 below:

Table 3 Summary of fees and charges

Fee/Charge	Category 1	Category 2	Category 2M	Category 3	Category 2S
Application fee	Yes ⁵	Yes	Yes	Yes	Yes
Annual non-residential sewerage bill with appropriate sewer usage charge/kL	Yes	Yes	Yes	Yes	No
Annual liquid trade waste fee	Yes ⁶	Yes	Yes	Yes	Variable ⁷
Re-inspection fee (when required)	Yes	Yes	Yes	Yes	Optional ⁸
Trade waste usage charge/kL	No	Yes	Yes	No	No
Human waste disposal charge/kL	No	No	No	No	Yes
Excess mass charges/kg	No	No	No	Yes	No
Non-compliance trade waste usage charge/kL	Yes ⁹	Yes ¹⁰	Yes	No	No
Non-compliance excess mass/kg and pH charges/kL (if required)	No	No	No	Yes	No

Note: Refer to Appendix D for other applicable charges not included in this Table.

Responsibility for payment of fees and charges

Property (land) owners are responsible for the payment of fees and charges for water supply, sewerage and liquid trade waste services. This includes property owners of marinas, caravan parks, etc.

Where another party (lessee) leases premises, any reimbursement of the lessor (property owner) for such fees and charges is a matter for the lessor and the lessee.

In relation to tankered human waste, transporters who collect and discharge waste at the STW are responsible for the payment. A waste transporter who tankers liquid trade waste to the STW may pay only the liquid trade waste fees and charges as non-residential sewerage fees are not applicable.

⁵ Not applicable for discharges listed as Deemed to be Approved.
⁶ May not be applicable for discharges listed as 'Deemed to be Approved'.
⁷ Refer to Appendix D for guidance on applying annual fees to Category 2S discharges.
⁸ Applicable if re-inspection of facilities is required, e.g. ship-to-shore pump-out facility.
⁹ Non-compliance trade waste usage charge, if the discharger fails to install or properly maintain appropriate pre-treatment equipment. Refer to council's Management Plan



Note that a liquid trade waste discharger (except for tankered waste) pays both the non-residential sewerage charges and liquid trade waste fees and charges.

5 Liquid trade waste service agreement

In addition to its approval under the Local Government Act, Council may require certain dischargers, including those who wish to discharge liquid trade waste in large volumes (discharge >20 kL/d) or industrial waste (Concurrence Classification C discharges) or some Classification S discharges into its sewerage system to execute a liquid trade waste services agreement. The agreement will set out the conditions associated with the discharge and execution of the agreement will be a condition of the approval issued by Council.

6 Enforcement of approvals and agreements

If the discharge is not approved or fails to comply with the approval conditions, the discharger is subject to prosecution and imposition of fines under the *Local Government Act 1993* (under s. 626 and s. 627).

Above offences are also prescribed as penalty notice offences under the Act and Council may issue a penalty infringement notice (i.e. on the spot fine) to such discharger (Refer to Schedule 12 of the Local Government (General) Regulation 2021).

In addition to fines, council may recover costs of damages and fines incurred by council as a result of an unauthorised liquid waste discharge. Temporally suspension or cease the discharge may also be required.

Note that sections 628 and 634 to 639 also list other offences related to water, sewerage and stormwater drainage.

Polluting of any waters by a discharger of liquid trade waste who does not have a Council approval or who fails to comply with the conditions of the approval is also an offence under section 120 (1) of the *Protection of the Environment Operations Act 1997*. In addition, under section 222 of this Act, Council may issue a penalty infringement notice to such a discharger.

7 Prevention of waste of water

Water must be used efficiently and must be recycled where practicable. It is an offence under section 637 of the *Local Government Act 1993* and its Regulation (refer to Appendix G) to waste or misuse water.

Dilution of liquid trade waste with water from any non-process source including Council's water supply, bore water, groundwater, stormwater as a means of reducing pollutant concentration is therefore strictly prohibited.

8 Effluent improvement plans

Where the quality of liquid trade waste discharged does not meet Council's requirements, the applicant may be required to submit an Effluent Improvement Plan setting out how Council's requirements will be met. The proposed plan must detail the methods/actions proposed to achieve the discharge limits and a timetable for implementation of the proposed actions. Such actions may include more intensive monitoring, improvements to work practices and/or pre-treatment facilities to improve the effluent quality and reliability.



9 Due diligence programs and contingency plans

A discharger may be required to submit a due diligence program and a contingency plan for some liquid trade waste discharges (generally in Concurrence classification C, Charging Category 3) where it is considered that the discharge may pose a potential threat to the sewerage system. If required, a due diligence program and contingency plan must be submitted to Council within the time specified in the liquid trade waste approval.



Appendix A - Glossary

Authorised assumed concurrence—councils with significant experience in liquid trade waste regulation are encouraged to apply to the Secretary, Department of Planning and Environment seeking to obtain concurrence for council's approval for Classification B and Classification S discharges. If granted, Council will no longer need to forward such applications to the department for concurrence, provided that council complies with the conditions outlined in the notice of concurrence.

Automatic assumed concurrence—council has been granted assumed concurrence for approval for Classification A discharges, provided that council complies with conditions outlined in the notice of concurrence. Such applications may be approved by council without forwarding the application to the department for concurrence.

Biochemical Oxygen Demand (BOD₅) —the amount of oxygen utilised by micro-organisms in the process of decomposition of organic material in wastewater over a period of five days at 20°C. In practical terms, BOD is a measure of biodegradable organic content of the waste.

Biosolids—primarily organic solids produced by sewage processing. Until such solids are suitable for beneficial use, they are defined as wastewater solids or sewage sludge.

Blackwater—wastewater containing human excrement (i.e. faeces, urine).

Bunding—secondary containment provided for storage areas, particularly for materials with the propensity to cause environmental damage.

Chemical Oxygen Demand (COD) —a measure of oxygen required to oxidise organic and inorganic matter in wastewater by a strong chemical oxidant. Wastewaters containing high levels of readily oxidised compounds have a high COD.

Chemical toilet—toilets in which wastes are deposited into a holding tank containing deodorizing or other chemicals. Stored wastes must be pumped out periodically.

Commercial retail discharge: commercial discharges can be described as wastes that are discharged from businesses dealing directly with the public.

Commercial caterer—a commercial caterer is typically a stand-alone operation and prepares food for consumption off-site. These types of businesses typically cater to wedding functions, conferences, parties, etc. This definition does not apply to a food processing factory supplying pre-prepared meals to a third party.

Council—for the purpose of this document, "council" refers to a local government body (including Local Water Utility) which provides water supply and sewerage services in regional NSW.

Contingency plan—a set of procedures for responding to an incident that will affect the quality of liquid trade waste discharged to the sewerage system. The plan also encompasses procedures to protect the environment from accidental and unauthorised discharges of liquid trade waste, leaks and spillages from stored products and chemicals.

Concurrence—under s. 90(1) of the *Local Government Act 1993* and cl. 28 of the Local Government (General) Regulation 2021, council must obtain the written concurrence of the Secretary of the Department of Planning and Environment prior to approving the discharge of liquid trade waste to council's sewerage system. The department's Water Utilities Branch provides concurrence on behalf of the Secretary.

Due Diligence Program—a plan that identifies potential health and safety, environmental or other hazards (e.g. spills, accidents or leaks) and appropriate corrective actions aimed at minimising or preventing the hazards.

Effluent—the liquid discharged following a wastewater treatment process.

Effluent Improvement Plan (EIP)—the document required to be submitted by a discharger who fails to meet the acceptance limits set down in council's approval conditions and/or liquid



trade waste agreement. The document sets out measures taken by a discharger in order to meet the acceptance limits within the agreed timeframe.

Fast food outlet —a food retailing business featuring a very limited menu, precooked or quickly prepared food, and take-away operations. Premises of this nature include KFC, McDonalds, Red Rooster, Pizza Hut, Hungry Jack's, Burger King, etc.

Galley waste —liquid waste from a kitchen or a food preparation area of a vessel; not including solid wastes.

Greywater—wastewater from showers, baths, spas, hand basins, laundry tubs or washing machines.

Heavy Metals —metals of high atomic weight which in high concentrations can exert a toxic effect and may accumulate in the environment and the food chain. Examples include mercury, chromium, cadmium, arsenic, nickel, lead and zinc.

Housekeeping—a general term, which covers all waste minimisation activities connected within the premises as part of its operation.

Industrial Discharges—industrial liquid trade waste is defined as liquid waste generated by industrial or manufacturing processes. Examples are provided in Trade Waste Management Guidelines 2021.

Liquid Trade Waste—all liquid waste other than sewage of a domestic nature discharged to the sewerage system.

Mandatory Concurrence—for the liquid waste in Classification C, councils need to obtain concurrence for approval of each discharge. The Water Utilities Branch of the Department of Planning and Environment provides concurrence on behalf of the department's Secretary.

Methylene Blue Active Substances (MBAS) —anionic surfactants. Their presence and concentration are detected by measuring colour change in a standard solution of methylene blue dye.

Minimal Pre-treatment—for the purpose of this document this means sink strainers, basket arrestors for sink and floor waste, plaster arrestors and fixed or removable screens.

Mixed Business—a general store that sells a variety of goods and may also prepare some food.

Open Area—any unroofed process, storage, washing or transport area where rainwater potentially can be contaminated.

Pan—any moveable receptacle kept in a closet and used for the reception of human waste.

PFAS—group of manufactured chemicals, containing a component with multiple fluorine atoms, with many specialty applications. Examples are perfluoro octane sulfonate (PFOS) and perfluorooctanoic acid (PFOA). They are used in a range of products, such as textiles, leather, cosmetics, non-stick coatings in cookware, food packaging, and in some types of fire-fighting foam. These chemicals take a long time to break down in humans and the environment and their persistence and bioaccumulation potential pose concerns for the environment and for human health.

Pit latrines/long-drop toilet/pit toilet —a type of toilet that collects faeces and urine directly into a tank or a hole in the ground.

Portable Toilet—toilet in which wastes are deposited into a holding tank used on construction sites, caravans, motor homes, boats, trains and at outdoor gatherings. If chemicals are used to control odours, it is referred to as a chemical toilet.

pH—a measure of acidity or alkalinity of an aqueous solution, expressed as the logarithm of the reciprocal of the hydrogen ion (H⁺) activity in moles per litre at a given temperature; pH 7 is neutral, below 7 is acidic and above 7 is alkaline.



Premises—has the same meaning as defined in the Local Government Act Dictionary and includes any of the following:

- a building of any description or any part of it and the appurtenances to it
- land, whether built on or not
- a shed or other structure
- a tent
- a swimming pool
- a ship or vessel of any description (including a houseboat)
- a van.

Prescribed Pre-treatment Equipment—standard non-complex equipment used for pre-treatment of liquid trade waste, e.g. a grease arrestor, an oil arrestor/separator, solids arrestor, cooling pit.

Regional NSW—the areas of the state that are not serviced by the Sydney Water Corporation or the Hunter Water Corporation.

Regulation—Local Government (General) Regulation 2021 under the *Local Government Act 1993*.

Secretary—the head of the Department of Planning and Environment.

Septage—material pumped out from a septic tank during desludging; contains partly decomposed scum, sludge and liquid.

Septic Tank—wastewater treatment device that provides a preliminary form of treatment for wastewater. It provides sedimentation of settleable solids, flotation of oils and fats, and anaerobic digestion of sludge.

Septic Tank Effluent—the liquid discharged from a septic tank after treatment.

Sewage Management Facility—a human waste storage facility or a waste treatment device intended to process sewage and includes a drain connected to such a facility or device.

Sewage of a Domestic Nature—human faecal matter and urine and wastewater associated with ordinary kitchen, laundry and ablution activities of a household, but does not include waste in or from a sewage management facility.

Sewerage System—the network of sewage collection, transportation, treatment and by-products (effluent and biosolids) management facilities.

Sewage treatment works—this is the facility designed to treat sewage. The level of treatment will vary based on the expected quality of the effluent.

Ship-to-Shore Pump-out—liquid waste from a vessel that may be considered for disposal to the sewerage system. This includes on-board toilet wastes; galley wastes and dry dock cleaning waste from maintenance activities.

Sludge—the solids that are removed from wastewater by treatment.

Stormwater Run-off—run-off resulting from rainfall.

Surfactants—the key active ingredient of detergents, soaps, emulsifiers, wetting agents and penetrants. Anionic surfactants react with a chemical called methylene blue to form a blue-chloroform-soluble complex. The intensity of colour is proportional to concentration.

Suspended Solids (SS) —the insoluble solid matter suspended in wastewater that can be separated by laboratory filtration and is retained on a filter.

Total Dissolved Solids (TDS) —total amount of dissolved material in the water.

Total Recoverable Hydrocarbons (TRH)—Both biological and petroleum hydrocarbons which have been extracted (recovered) from a sample. TRH are equivalent to the previously reported



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Total Petroleum Hydrocarbons (TPH). TRH is reported in fractions with Carbon chain ($C_6 - C_{40}$). TRH with carbon chain $C_6 - C_{10}$ are flammable.

Waste Minimisation—procedures and processes implemented by industry and business to modify, change, alter or substitute work practices and products that will result in a reduction in the volume and/or strength of waste discharged to sewer.

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Appendix B – Deemed to be Approved Activities

The list of discharges exempts from obtaining of Council’s approval (ie considered as Deemed to be approved) is shown in Table B1. Each such discharger must meet standard requirements specified in this Table.

Table B 1 Discharges deemed to be approved

Activity generating waste	Requirements
Beautician	Solvents not to be discharged to sewer
Bed and Breakfast (not more than 10 persons including proprietor)	Sink strainers in food preparation areas. Housekeeping practices (see Note 4)
Cooling tower <500L/h	No chromium-based products to be discharged to the sewer
Crafts ceramic, pottery, etc. (including hobby clubs) <ul style="list-style-type: none"> • flows <200 L/d • flows 200-1,000 L/d 	Nil
	Plaster arrestor required
Day care centre (minimal hot food prepared)	Sink strainers in food preparation areas. Housekeeping practices (see Note 4) Nappies, wet wipes are not to be flushed into the toilet
Delicatessen (no hot food prepared)	Sink strainers in food preparation areas. Housekeeping practices (see Note 4)
Dental technician	Plaster arrestor required
Dental mobile (no amalgam waste)	Nil
Dog/cat grooming/animal wash only	Dry basket arrestor for floor waste outlets and sink strainer required (see Note 3) Animal litter and any disposable waste products must not be discharged to sewer. Organophosphorus pesticides are prohibited to be discharged to sewer
Florist	Dry basket arrestor for floor waste outlet and sink strainer required, Herbicides/pesticides are not permitted to be discharged to sewer
Fruit and vegetable – retail	Dry basket arrestor for floor waste outlet and sink strainer required (see Notes 3 and 5)

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Hairdressing	Dry basket arrestor for floor waste outlet and sink strainer, hair trap
Jewellery shop <ul style="list-style-type: none"> • miniplater • ultrasonic washing • precious stone cutting 	Miniplater vessel to contain no more than 1.5 L of precious metal solution
	Nil
	If: < 1000 L/d plaster arrestor required > 1000 L/d general purpose pit required
*Medical centre/doctor surgery/physiotherapy *(Only if plaster cast are made onsite)	Plaster arrestor required, if plaster of paris casts are used
Mixed business (minimal hot food)	Dry basket arrestor for floor waste outlet and sink strainer required (see Note 3) Housekeeping practices (see Note 4)
Mobile cleaning units <ul style="list-style-type: none"> • carpet cleaning • garbage bin washing 	20-micron filtration system fitted to a mobile unit
	Dry basket arrestor for floor waste outlet required. Discharge via grease arrestor (if available)
Motel (no hot food prepared and no laundry facility)	Dry basket arrestor for floor waste outlet and sink strainer required (see Note 3) Housekeeping practices (see Note 4)
Nut shop	Dry basket arrestor for floor waste outlet and sink strainer required (see Note 3)
Optical service - retail	Solids settlement tank/pit required
Pet shop – retail	Dry basket arrestor for floor waste outlet and sink strainer required (see Note 2) Animal litter and any disposable waste products must not be discharged to sewer. Organophosphorus pesticides are prohibited to be discharged to sewer
Pizza reheating for home delivery	Housekeeping practices (see Note 4)
Venetian blind cleaning	Nil (see Note 2)

Notes:

1. Where "required" is used, it means as required by council.
2. If activity is conducted outdoors, the work area is to be roofed and bunded to prevent stormwater ingress into the sewerage system.
3. Dry basket arrestors must be provided for all floor waste outlets.
4. Food preparation activities need to comply with sound housekeeping practices including:

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- 144.3 floor must be dry swept before washing.
- 154.3 pre-wiping of all utensils, plates, bowls etc. to the scrap bin before washing up
- 5. Use of a food waste disposal unit (garbage grinder) and/or a food waste processing unit (food waste digester, composter etc) is not permitted.

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Appendix C - Prohibited or restricted substances and wastes from discharge to sewer.

This Appendix provides additional information regarding substances and waste either prohibited or restricted from being discharged to sewer (as indicated in Table 2 of this Policy).

C1 Stormwater from open areas

The ingress of stormwater into the sewerage system can cause operational problems and result in sewer overflows, as the sewerage system does not have the capacity for such flows. Under clause 137A of the Regulation, the discharge of roof, rain, surface, seepage or groundwater to a sewerage system is prohibited unless specifically approved.

However, it may not be practical or feasible to totally prevent stormwater contamination and ingress into a sewerage system from some non-residential premises.

The discharge of limited quantities of stormwater (generally, 10 mm of rain) from sealed areas can be considered when roofing cannot be provided due to safety or other important considerations. In such instances, the applicant should take measures to minimise the contamination of stormwater and the volume of stormwater entering the sewerage system (e.g. first flush systems, flow separation, bunding, on-site detention, etc.). The discharge from unsealed areas is not permitted.

Refer to Liquid Trade Waste Management Guidelines 2021 for further information.

C2 Contaminated groundwater

Similar to stormwater, discharge of groundwater or seepage water to a sewerage system is prohibited under clause 137A of the Regulation. Accordingly, groundwater extracted during construction activities (e.g. building/road construction activities, vacuum excavation, mining/exploration works, etc.) is not permitted to be discharged to Council's sewerage system directly or indirectly.

However, groundwater previously contaminated by human activities (e.g. service station remediation sites) may be considered for discharge to the sewerage system. Limited quantities of groundwater from remediation projects may be accepted under controlled conditions after appropriate pre-treatment for a limited period.

C3 Discharge of landfill leachate

The discharge of leachate from municipal waste landfills to the sewerage system may be considered under controlled conditions, if there is no other viable option of managing this waste and the discharge is within the Council's acceptance limits.

The proponent when seeking approval to discharge leachate to sewer needs to demonstrate that a sound stormwater management plan has been developed and implemented. The plan needs to address:

- segregation of potentially contaminated areas from uncontaminated areas
- prevention of surface runoff entering leachate collection ponds/dams and to Council sewerage system.
- appropriate pre-treatment to meet Council's acceptance limits.

Only the excess leachate after on-site management within the premise will be considered for sewer discharge if it meets Council's acceptance criteria. On-site pre-treatment to reduce ammonia levels (and other substances, e.g. PFAS) may also be required.



C4 Discharge from float tanks

Float tanks, often referred to as floatation pods, iso-pods (isolation tank), sensory deprivation systems, or REST tanks (restricted environmental stimulation therapy tanks) are typically small, enclosed pods containing about 1,000 litres of water. This water usually contains large quantities of Epsom salts (300 - 700 kg of magnesium sulphate), resulting in total dissolved solids concentration up to 700,000 mg/L.

Discharge of such water to sewer is not permitted due to potential adverse impacts associated with the high salt content on the sewer infrastructure and treatment processes. It is also not appropriate to dispose of such waste to septic tanks or on-site soak wells.

If wastewater is proposed to be transported away for off-site management, the operator of such facilities must provide details of liquid waste transporters and written verification from the receival facilities acknowledging and agreeing to receive such wastewater.

C5 Discharge from Service station forecourts and other refuelling points

C5.1 New premises

The discharge of wastewater from service station forecourts and other refuelling points (e.g. at bus depot, etc.) is not permitted.

Refer to NSW EPA Practice Note, titled *Managing Run-off from Service Station Forecourts*, June 2019, for options for managing such wastewater.

C5.2 Existing premises

The discharge from existing service stations and other refuelling areas may be permitted, provided appropriate pre-treatment and discharge control requirements are adhered to. Further information is provided in Chapter 3 and Appendix F of the Liquid Trade Waste Management Guidelines 2021.

If a refuelling area is refurbished, then the discharge from this area must be disconnected from the sewerage system.

C6 Discharges from liquefaction and/or pulverisation of solid waste by physical or chemical processes

The wastewater arising from liquefaction or pulverisation of solid waste by physical (e.g. pulping, macerating) or chemical means (e.g. dissolving solid waste in highly acidic or alkaline solutions) is not permitted to be discharged to the sewerage system.

Accordingly, discharges from the following devices/processes are not permitted.

- o **Macerators** or similar devices that pulverising of solid waste. Solid waste includes, but not limited to sanitary napkin, placenta, surgical waste, disposable nappy, mache bedpan/urine containers, food waste, disposable products and animal waste (dog/cat faeces, cat litter).
- o **Food waste disposal units**, also known as in-sink food waste disposers or garbage grinders in commercial premises. Discharges from existing installations in hospitals and nursing homes may be permitted, provided that wastewater is discharged through an adequately sized grease arrestor (additional charges will be applied).

If the kitchen is refurbished, the food waste disposal unit must be removed.

- o **Alkaline hydrolysis waste**, process where a human or animal tissue is broken down using alkaline solutions at elevated temperatures and pH. The process may be used in animal care facilities, veterinary premises, animal research laboratories, funeral parlours etc. The generated wastewater is of a high strength and may exhibit high loadings on the sewerage system. Accordingly, the wastewater generated by this process is **not** permitted to be discharged to the sewerage system.



C6.1 Discharge from Solid Food Waste Processing Units (digesters/ composters, etc.)

Discharge from a solid food waste processing unit (digesters/composters, etc) to a Council's sewerage system is a Concurrence Classification C discharge (ie. Charging Category 3), hence Council needs to obtain concurrence to its approval from the department for individual applications.

The quality of wastewater from this equipment depends on the type of solid waste feed into it and the effectiveness of the on-site pre-treatment, hence frequent sampling will be required for monitoring and charging purposes. Sampling needs to be undertaken by either a council officer or an independent party acceptable to council.

Appropriate on-site pre-treatment needs to be provided prior to combining with any other liquid waste stream that discharges to the Council's sewerage system.

Each application will be assessed on a case-by-case basis.

C7 Use of additives in pre-treatment systems

The use of bacterial, enzyme and/or odour controlling agents in pre-treatment equipment (eg. in grease arrestors) is prohibited unless specifically approved by Council with the department's concurrence.

C8 Discharge of disposable products marketed as flushable.

Any disposable solid products including those marketed as "flushable" (eg. wet wipes, cleaning wipes, cat litter, etc.) is not permitted to flush down the sewerage system.

- Contrary to manufacturers' claims, flushable wet wipes do not breakdown in the sewerage system similarly to a toilet paper and may cause blockages within the premises or in the Council's sewerage system and may cause raw sewage overflow to the environment.



Appendix D - Non-residential sewerage and liquid trade waste fees and charges

This Appendix provides information on Council's charging criteria for liquid trade waste customers. Some guidance is also provided on the applicable non-residential sewerage charges.

The sound pricing for non-residential sewerage and liquid trade waste services is to ensure that liquid trade waste dischargers pay a fair share of the cost of sewerage services provided by Council. Appropriate pricing is essential to provide relevant signals to non-residential and liquid trade waste customers to use water and sewerage system efficiently.

D1 Non-residential sewerage pricing

A non-residential sewerage bill is based on a cost-reflective two-part tariff with an annual access charge and a uniform sewer usage charge per kL. The total discharged volume to the sewerage system can be either measured (by a flow meter) or estimated using the customer's total water consumption multiplied by a sewer discharge factor.

The sewerage bill for a non-residential customer is calculated as follows:

$$B = SDF \times (AC + C \times UC)$$

Where: B = Annual non-residential sewerage bill (\$)

C = Customer's water annual consumption (kL)

AC = Annual non-residential sewerage access charge as shown below (\$)

SDF = Sewer discharge factor

UC = Sewer usage charge (\$/kL)

Access charge

The sewerage access charge is proportional to the square of the size of the water supply service connection.

$$AC = \left(AC_{20} \times \frac{D^2}{400} \right)$$

Where: AC₂₀ = Annual non-residential sewerage access charge for 20 mm water service connection (\$)

D = Water supply service connection size (mm)

Sewer Usage charge

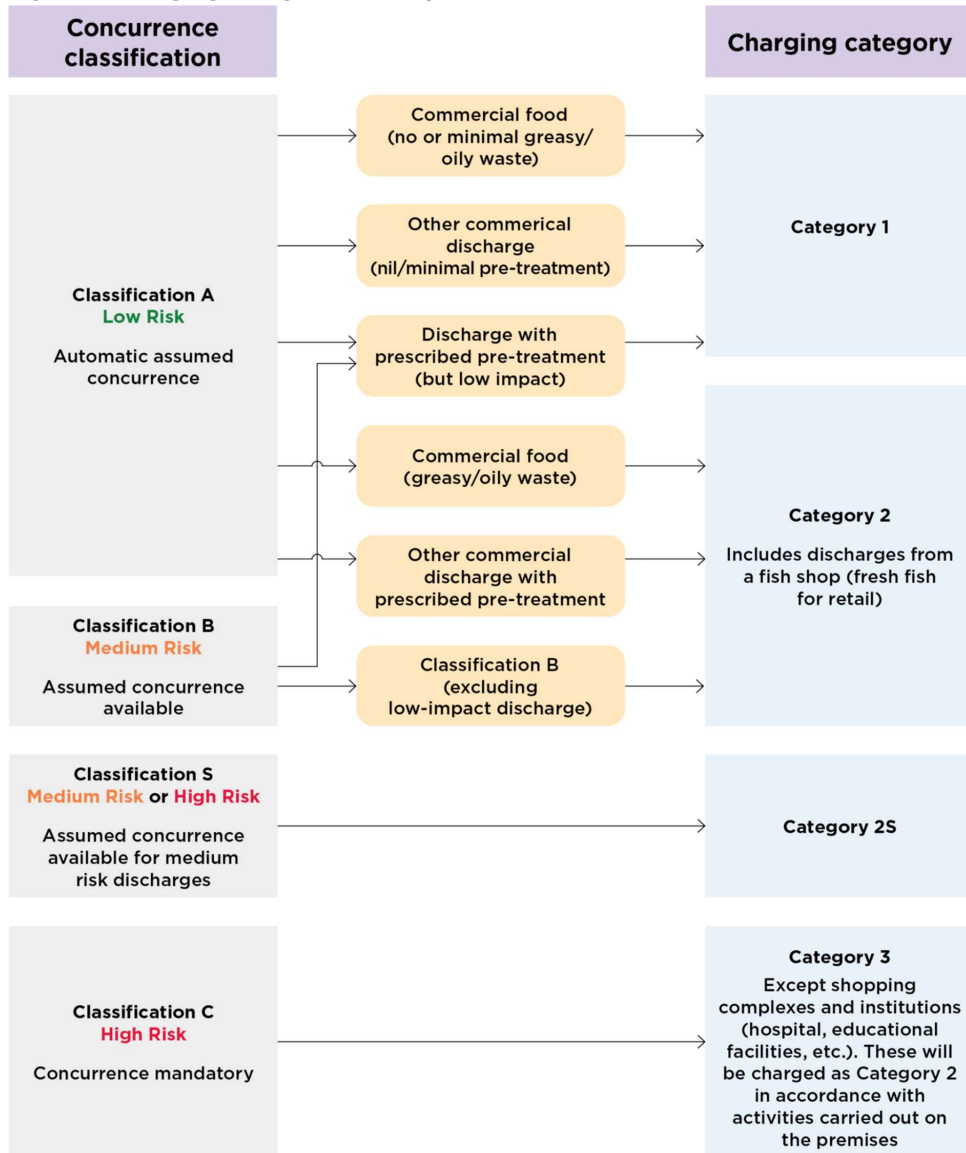
The sewer usage charge (\$/kL) is applied for the total volume of wastewater discharged to the sewerage system.



D2 Liquid Trade Waste fees and charges

This section describes various fees and charges associated with liquid trade waste and fees and charges applicable to charging categories. Figure 1 shows the relationship between concurrence classifications and charging categories.

Figure 1 Charging categories for liquid trade waste



In summary, Classification A discharges fall into Charging Category 1 or Category 2. Classification B discharges fall into Charging Category's 2 & 2M, except for a few discharges with low impact on the sewerage system which fall into Category 1. Classification S discharges fall into Charging Category 2S and Classification C discharges fall into Charging Category 3.



D2.1 Description of various trade waste fees and charges

Followings sections describe various trade waste fees and charges and the methodology of calculating them.

D2.1.1 Application fee

The application fee recovers the costs of administration and technical services provided by Council in processing a liquid trade waste application. This fee varies for different charging categories to reflect the complexity of processing the application.

D2.1.2 Annual trade waste fee

The purpose of this fee is to recover the costs incurred by council for ongoing administration and scheduled inspections, to ensure that the discharge complies with the approval conditions.

As part of an inspection, Council may undertake monitoring which may include, but is not limited to, flow measurement and the sampling. In general, cost of one inspection is included in the annual fee, in particular for Category 1 and 2 discharges.

Annual liquid trade waste fee varies for different charging categories in order to reflect the complexity of their inspection and administration requirements. In particular, for Category 3 discharges, Council may opt to set the annual fee on a case-by-case basis to reflect the complexity of monitoring requirements and the extent of inspection.

Refer to section D8.4 with regard to annual fees applicable to premises with **multiple activities**.

Council will require the owner/management of a premises to pay for monitoring (quantity and quality) based on full cost recovery.

D2.1.3 Inspection fee/re-inspection fee

Cost of one inspection is usually included in annual liquid trade waste fee for charging categories 1 and 2. "For Category 2M discharges a Pre-treatment inspection fee will apply to every prescribed pre-treatment device installed on the property (eg grease arrestor, oil separator)" "Refer to section D4.2 of this policy".

However, it may be required to conduct un-planned inspections or re-inspections of a premise (e.g. non-compliance with approved conditions, investigating an accident, etc.). Also, more frequent inspections may be necessary for large and industrial discharges.

Where **more than one inspection** is undertaken in a financial year and/or the cost of inspections is not included in the annual fee, the cost may be recovered from the discharger as the re-inspection fee.

Council may recover the cost of sample analysis from the discharger, in addition to the re-inspection fee.

D2.1.4 Renewal fee

Council may apply a renewal fee if an existing approval needs to be renewed or modified.

D2.1.5 Category specific charges

The following sections describe the charging categories and relevant fees and charges. If a discharge is not listed, council will determine (with the consultation of the department) the relevant charging category, based on the quality and the quantity of discharge.

D3 Category 1 discharger

This charging category includes:

- Classification A discharges (both commercial retail non-oily/greasy food preparation and other commercial discharges, listed below)
- Classifications B discharges identified as low risk.



Some of the above discharges may require prescribed pre-treatment to be installed however, the treated effluent is considered to have a low impact on the sewerage system.

Classification A discharges – commercial retail food preparation activities that do not generate or generate minimal oily/greasy waste: bakery (only bread baked on-site), bistro (sandwiches, coffee only), boarding/hostel < 10 persons, café/coffee shop/coffee lounge (no hot food), canteen/cafeteria (no hot food), community hall/civic centre (minimal food), day care centre (minimal hot food), delicatessen (minimal or no hot food), fruit and vegetable shop, hotel/motel (minimal hot food), ice cream parlour (take away only), juice bar, mobile food van (no hot food), mixed business (minimal hot food), nightclub (no hot food), nut shop, pie shop (re-heating only), pizza no cooking/reheating (pizza heated and sold for consumption off-site), potato peeling (small operation), sandwich shop/salad bar/snack bar (no hot food), take away food outlet (no hot food), school canteen with minimal hot food.

Classification A discharges from other commercial activities: animal wash, beautician/tanning booths/hairdressing, crafts ≤ 1,000 L/d, dental surgery/dental technician (plaster casts), dry cleaning, florist, funeral parlour, jewellery shop, medical centre/physiotherapy (plaster casts), mobile cleaning units, morgue, optical service, pet shop, plants retail (no nursery), non-residential swimming pool/hydrotherapy, veterinary.

Classification A or B discharges with prescribed pre-treatment and low impact on the sewerage system: boiler blowdown, cooling tower, industrial boilers, laboratory (analytical/pathology/tertiary institution), laundry/laundromat, primary and secondary school¹⁰, vehicle washing/detailing (excluding truck washing).

D3.1 Category 1 discharger - Liquid trade waste charges

D3.1.1 “Deemed to be approved” discharges.

For deemed to be approved discharges (refer to Appendix B) the annual liquid trade waste fee for a category 1 discharger will be applicable.

D3.1.2 Category 1 discharger, other than “deemed to be approved”.

Category 1 discharger who installs recommended appropriate pre-treatment equipment and maintains them regularly will be required to pay **only** the annual fee nominated for Category 1. Liquid trade waste bill for Category 1 discharger (TW_1)

$$TW_1 = A_1$$

A_1 = Annual liquid trade waste fee (\$) for Category 1

D4 Category 2 discharger

Category 2 liquid trade waste dischargers are those discharging waste generated by an activity listed below:

Classification A discharges – commercial retail food preparation/serving activities that generate oily/greasy waste: bakery (pies, sausage rolls, quiches, cakes, pastries with creams or custards), bistro, boarding house/hostel kitchen (exceeding 10 persons), butcher, café/coffee shop/coffee lounge (with hot food), cafeteria/ canteen (with hot food), chicken/poultry shop – fresh/roast, retail BBQ/charcoal chicken, day care centre with hot food, club, civic centre/community hall¹¹, commercial kitchen/caterer, delicatessen with hot food, fast food outlet, fish shop (retail and cooking on-site), function centre, hotel, ice cream parlour, mixed business

¹⁰ If significant hot food preparation is carried out, Category 2 charges may be levied by council.

¹¹ If the type and size of kitchen fixtures installed enable catering for large functions.



(hot food), mobile food van (base), motel, nightclub, nursing home, patisserie, pizza cooking, restaurant, sandwich shop/salad bar/snack bar (with hot food), supermarket, take away food outlet with hot food, school canteen with hot food.

Classification A discharges – other commercial discharges: car detailing, craft activities > 1000 L/d, lawnmower repairs, mechanical workshop, stone working, surfboard manufacture (wet process only).

Classification B discharges: auto dismantler, bus/coach depot, bakery (wholesale), butcher (wholesale) construction equipment maintenance and cleaning, boutique or artisan foods, engine reconditioning, equipment hire, maintenance and cleaning, fish co-op, graphic arts, hospital, micro-brewery, oyster processing – shucking, panel beating, radiator repairer, screen printing, service station forecourt, shopping complex, truck washing (platforms/flat beds) and truck washing (external).

D4.1 Category 2 discharger - Liquid trade waste charges

Category 2 discharger who installs appropriate pre-treatment equipment and maintains them will pay annual fee nominated for Category 2 plus the trade waste usage charge.

Liquid trade waste bill for Category 2 discharger (TW₂),

$$TW_2 = A_2 + Q_{TW} \times C_2$$

A₂ = Annual liquid trade waste fee (\$) for Category 2 & 2M

Q_{TW} = Total liquid trade waste discharge volume (kL)

C₂ = Trade waste usage charge (\$/kL)

The liquid trade waste discharge volume is generally estimated by applying a Trade Waste Discharge Factor (TWDF) to the total water consumption unless a discharge meter is installed.

D4.2 Category 2M Dischargers

Charging category 2M dischargers

Charging category 2 M is defined as a property that has more than one charging category (1 or 2) as defined by the liquid trade waste streams generated at a premises.”

These dischargers will pay the annual fee for a Category 2M Multiple Complex Business and an additional fee for every prescribed pre-treatment device installed on the property (eg grease arrestor, oil separator) (refer to council’s management plan)

Examples of charging category 2M customers

Shopping complexes	Shopping centers
Malls	Hospitals
Technical and further education facility (TAFE).	Multi-complexes

Note: Contact Council’s trade waste officer for pre-treatment requirements.

D5 Category 2S discharger

Category 2S dischargers include:

- **transporters who tanker human waste** to council’s STWs - septic tank waste (effluent and septage), ablution block waste (blackwater and greywater), portable toilet waste, sludge from on-site aerated wastewater treatment systems (AWTS) for **single households**, waste from pit toilets, night soil.
- **ship-to-shore pump out facility owners/operators** - toilet waste and/or grey water.



- **owners/operators of 'dump points'** directly connected to the sewer for disposal toilet waste and/or grey water from a bus or a recreation vehicle (RV), e.g. caravan, motor home.

D5.1 Category 2S discharger - Liquid trade waste charges

D5.1.1 Transported human waste

The transporters of human waste will be required to pay waste disposal charge (\$/kL).

Liquid trade waste bill for Category 2S waste transporter (TW_{TW}),

$$TW_{TW} = A_{TW} + Q_{TW} \times C_{TW}$$

A_{TW} = Annual fee (\$) for transported waste

Q_{TW} = Transported human waste volume (kL)

C_{TW} = Charging rate (\$/kL) for the transported waste (may vary based on the type of waste transported)

Note: Charging rate C_{TW} can be varied for different type of waste, i.e. septic waste, ablution block waste, sludge from AWTS, pit toilets etc. Refer to Council's annual Management Plan.

D5.1.2 Ship-to-shore waste pump-out facility

The owner/operator of a ship-to-shore waste receival facility will be required to pay an annual fee and waste disposal charge based on the discharge volume (\$/kL), if practical to estimate the discharge volume. If the discharge volume cannot be established, council may negotiate the waste disposal charge based on the expected discharge volume.

Liquid trade waste bill for ship-to-shore pump out facility owner (TW_{STS}),

$$TW_{STS} = A_{STS} + Q_{TW} \times C_{STS}$$

A_{STS} = Annual fee (\$)

Q_{TW} = Discharge volume (kL) (measured or negotiated)

C_{STS} = Charging rate (\$/kL)

Note: The above charges are applicable to owners/operators of ship-to-shore pump out facility discharging such waste directly to council's sewerage system and **not** to individual or commercial boat owners using the facility. This policy does not provide information on how to charge individual boat owners using a facility to dispose of their wastewater.

D5.1.3 Waste dump points

Dump points are often located in public places (roadside), hence the monitoring of discharge volumes is not practical. Accordingly, only an annual fee is applied for stand-alone dump points.

Liquid trade waste bill for dump point operator (TW_{DP}) (if applicable),

$$TW_{DP} = A_{DP}$$

A_{DP} = Annual fee for dump point (\$)

D6 Category 3 discharger

Category 3 liquid trade waste dischargers are those conducting an activity which is of an industrial nature and/or which results in the discharge of large volumes of liquid trade waste to the sewerage system. Any Category 1 or 2 discharger whose volume exceeds the limits shown below becomes a Category 3 discharger (excluding shopping centres and institutions):

Classification A discharge > 20 kL/d

Classification B discharge – as shown in Chapter 5 of the Guidelines.



Classification C discharges include: abattoir, acid pickling, adhesive/latex manufacture, agricultural and veterinary drugs, anodising, bitumen and tar, bottle washing, brewery, cardboard and carton manufacture, carpet manufacture, caustic degreasing, chemicals manufacture and repackaging, contaminated site treatment, cooling towers, cosmetics/perfumes manufacture, cyanide hardening, dairy processing* (milk/cheese/yoghurt/ice cream, etc.), detergent/soaps manufacture, drum washing, egg processing, electroplating, extrusion and moulding (plastic/metal), feather washing, fellmonger, felt manufacture, fertilisers manufacture, fibreglass manufacture, filter cleaning, foundry, food processing* (cereals/cannery/condiments/confectionary/edible oils/fats/essence/flavours/fish/fruit juice/gelatine/honey/meat/pickles/smallgoods/tea and coffee/vinegar/yeast manufacture, etc.), food waste processing unit (digester/composter), fruit and vegetable processing, flour milling, galvanising, glass manufacture, glue manufacturer, ink manufacture, laboratories (excluding those in Category 1 & 2), liquid wastewater treatment facility (grease trap receipt depot and other pump-out waste depot), metal finishing, metal processing (refining/rumbling/non-cyanide heat treatment/phosphating/photo engraving/printed circuit etching/sheet metal fabrication etc.), mirrors manufacture, oil recycling (petrochemical) and refinery, paint stripping, paint manufacture, paper manufacture, pet food processing, plants nursery (open areas), pharmaceuticals manufacture, plaster manufacture, powder coating, potato processing, poultry processing, printing (newspaper, lithographic), saleyards, sandblasting, seafood processing, slipway, soft drink/cordial manufacture, starch manufacture, sugar refinery, tanker washing, tannery, timber processing (joinery and furniture/plywood/hardwood), textile manufacture (wool dyeing/spinning/scouring), tip leachate, transport depot/ terminal, truck washing (internal), waxes and polishes, water treatment backwash, wholesale meat processing, winery, distillery, wine/spirit bottling.

* Excluding small boutique, craft or artisan food industries not exceeding the discharge volume shown in the *Liquid Trade Waste Management Guidelines, 2021*.

D6.1 Category 3 discharger - Liquid trade waste charges

D6.1.1 Excess mass charges

Category 3 discharger will be required to pay the annual liquid trade waste fee plus excess mass charges.

Liquid trade waste bill for Category 3 discharger (TW₃),

$$TW_3 = A_3 + EMC$$

A₃ = Annual liquid trade waste fee (\$) **

EMC = Excess mass charges (\$)

Note: **Annual fee may vary for different business activities, depending on the complexity and time taken for inspection.

How excess mass charges are calculated.

Excess mass charges will be applicable for substances discharged in excess of the 'Deemed Concentrations' in domestic sewage. For the purpose of excess mass charge calculation, the deemed concentrations of substances in domestic sewage are listed in Table D1.

Table D1 Deemed concentration of substances in domestic sewage

Substance	Concentration (mg/L)
Biochemical Oxygen Demand (BOD ₅)	300
Suspended Solids	300



Substance	Concentration (mg/L)
Total Oil and Grease	50
Ammonia (as Nitrogen)	35
Total Kjeldahl Nitrogen	50
Total Phosphorus	10
Total Dissolved Solids	1000
Sulphate (SO ₄)	50 [#]

[#] The concentration in the potable water supply to be used if it is higher than 50 mg/L.

NB. Substances not listed above are deemed not to be present in domestic sewage.

For excess mass charge calculation, equation (1) below will be applied for all parameters including for BOD₅ up to 600 mg/L (but excluding COD and pH).

$$EMC (\$) = \frac{(S - D) \times Q_{TW} \times U}{1,000} \quad (1)$$

Where: S = Concentration (mg/L) of substance in sample
 D = Concentration (mg/L) of substance deemed to be present in domestic sewage
 Q_{TW} = Volume (kL) of liquid trade waste discharged to the sewerage system
 U = Unit charging rate (\$/kg) for the substance (note that this rate varies from substance to substance. Refer to council's annual Management Plan for charging rates for various substances)

D6.1.2 Excess mass charges for BOD

BOD up to 600 mg/L

Equation (1) applies for BOD₅ up to 600 mg/L. Note that there are no excess mass charges if the BOD does not exceed 300 mg/L (deemed concentration of BOD in domestic sewage).

Excess mass charges for BOD exceeding 600mg/L

If council approves the acceptance limits for BOD₅ higher than 600mg/L, an exponential type equation will be used for calculation of the charging rate U_e (\$/kg) as shown in equation (2). This provides a strong incentive for dischargers to reduce the strength of waste. Note that equation (5) will be used where the discharger has failed to meet their approved BOD limit on more than two instances in a financial year.

U_e is the excess mass charging rate U_e (\$/kg) for BOD is calculated as:

$$U_e = 2C \times \frac{(\text{Actual BOD} - 300\text{mg/L})}{600\text{mg/L}} \times 1.05^{\frac{(\text{Actual BOD} - 600\text{mg/L})}{600\text{mg/L}}} \quad (2)$$

Where: C = Charging rate (\$/kg) for BOD₅ 600mg/L
 Actual BOD = Concentration of BOD₅ as measured in a sample

D6.2 Tankered Category 3 waste

Council does not except tankered Category 3 waste to be discharged to the Shires sewage system.

D7 Non-compliance liquid trade waste charges

Non-compliance charges for Category 1 and 2 dischargers



If the discharger has not installed or maintained appropriate pre-treatment equipment, the following non-compliance trade waste usage charges will be applied for the relevant billing period:

D7.1 Category 1 discharger - non-compliance charges

The trade waste usage charge (\$/kL) as per Council’s Management Plan will be applied.

D7.2 Category 2 discharger – non-compliance charges

For Category 2 discharger, a non-compliance charge will be 10 times of trade waste usage charge as outlined in the Council’s Management Plan

Dischargers who have an undersized grease arrestor and improved the effluent quality by other means (e.g. increased pump-outs, installing additional pre-treatment equipment, etc.) will pay a trade waste usage charges in accordance with a Category 2 discharger.

Dischargers who cannot install a grease arrestor or those who have an arrestor with capacity significantly less than the required size and are unable to improve the effluent quality by means described above will have to pay non-compliance trade waste usage charges, For Category 2 discharger, a non-compliance charge will be 10 times of trade waste usage charge as outlined in the Council’s Management Plan

D7.3 Non-compliance charges for Category 3 discharger

If a discharger in charging Category 3 fails to comply with the acceptance limits specified in council’s approval conditions, following non-compliance charges will be applicable.

D7.3.1 Non-compliance pH charge

If the pH of the waste discharge by Category 3 discharger is outside the approved range, equation (3) is used for the calculation of non-compliance pH charges. This equation provides an incentive for dischargers to install and properly maintain a pH correction system, so their waste remains within the approved pH limits.

Charging rate for pH, if outside the approved range =

$$K \times |\text{actual pH} - \text{approved pH}|^{\#} \times 2^{|\text{actual pH} - \text{approved pH}|^{\#}} \quad (3)$$

Absolute value to be used.

K = pH coefficient in \$

Example 4:

Council has approved the pH range 7.0 to 9.0 for a large discharger. pH coefficient (K) listed in council’s Management Plan is \$0.45

Case 1: pH measured 6.0

$$\text{Charging rate for pH (\$/kL)} = 0.45 \times |6 - 7|^{\#} \times 2^{|6-7|^{\#}} = \$0.90/\text{kL}$$

Case 2: pH measured 11.0

$$\text{Charging rate for pH (\$/kL)} = 0.45 \times |11 - 9|^{\#} \times 2^{|11-9|^{\#}} = \$3.60/\text{kL}$$

Absolute value to be used.

D7.3.2 Non-compliance excess mass charges

Equation (4) shall apply for non-compliance excess mass charges for various substances, except for BOD₅ where equation (5) shall apply to calculate the charging rate.

$$\text{Non - compliance Excess Mass Charges (\$)} = \frac{(S-A) \times Q \times 2U}{1000} + \frac{(S-D) \times Q \times U}{1000} \quad (4)$$

Where: S = Concentration (mg/L) of a substance in sample

A = Approved maximum concentration (mg/L) of pollutant as specified in council’s approval (or liquid trade waste policy)

Q = Volume (kL) of liquid trade waste discharged for the period of non-compliance



U = Excess mass charging rate (\$/kg) for the substance, as shown in council’s annual Management Plan

D = Concentration (mg/L) of the substance deemed to be present in domestic sewage

D7.3.3 Non-compliance excess mass charges for BOD

U_n is the BOD₅ non-compliance excess mass charging rate in \$/kg and is calculated by using equation (5)

U_n is the BOD₅ non-compliance excess mass charging rate in (\$/kg).

$$U_n = 2C \times \frac{(A - 300\text{mg/L})}{600\text{mg/L}} \times 1.05^{\frac{(A - 600\text{mg/L})}{600\text{mg/L}}} + 4C \times \frac{(\text{Actual BOD} - A)}{600 \text{ mg/L}} \times 1.05^{\frac{(\text{Actual BOD} - A)}{600\text{mg/L}}} \quad (5)$$

D8 Other applicable liquid trade waste charges

D8.1 Garbage grinders - Food waste disposal charge¹²

Charges will apply for a food waste disposal unit (in-sink food waste disposers/garbage grinders) in an **existing** hospital, nursing home or other eligible facility where council has permitted in years past such installation.

These charges are in addition to category specific liquid trade waste fees and charges (e.g. Category 2 charges plus U_F).as shown below:

Food waste disposal charge (\$) = B x U_F

Where: B = Number of beds in hospital or nursing home.

U_F = Annual charging rate (\$/bed) for a food waste disposal unit at a hospital or nursing home.

D8.2 Solid food waste processing unit

Discharge of waste from a solid food waste processing unit (digester/composter) is classified as Concurrence Classification C and is in charging Category 3.

Excess mass charges for all parameters in excess of the deemed concentrations in domestic sewage and non-compliance charges, above the council’s acceptance limits, will be applicable to the waste stream from such equipment (refer s. D6.1.for further information).

In addition, the discharger needs to bear the cost of frequent sampling as the quality of wastewater dependent on the solid waste input to the processing unit and the effectiveness of the on-site pre-treatment equipment.

D8.3 Discharge of stormwater from large open areas or large quantities of groundwater to the sewerage system

The discharge of roof, rain, surface, seepage or ground water to the sewerage system is prohibited under clause 137A of the Local Government (General) Regulation 2021 and this policy. Consideration will be given to the acceptance of limited quantities of contaminated stormwater (first flush stormwater) based on a case-by-case assessment.

If stormwater run-off from a large areas or groundwater is approved for discharge to sewer for a Category 3 discharger (e.g. saleyards), a volume based charge similar to the non-compliance usage charging rate (\$/kL) for Category 2 will be applied (e.g. 5 to 10 times of Usage charging rate listed in council’s Management Plan. Excess mass charges may be also applied to such discharges.

¹² For existing installations of garbage grinders only. New installations are not permitted.



Appendix E – List of discharges Council may approve.

E1 Classification A & B

Discharges from activities that Council can process without seeking Department concurrence, subject to complying with certain requirements.

Food preparation/serving, generating liquid waste, up to 16 kL/day	Other Activities generating liquid waste, up to 5 kL/day
Bakery (retail)	Animal wash (pound, stables, racecourse, kennels, mobile animal wash)
Bed and Breakfast (<10 persons)	Beautician
Bistro	Boiler blowdown
Boarding house/hostel kitchen	Car detailing
Butcher (retail)	Cooling towers
Café/coffee shop/coffee lounge	Craft activities (pottery, ceramics, cutting and polishing of gemstones or making of jewellery)
Canteen	Dental surgery
Cafeteria	Dental technician
Chicken/poultry shop (fresh chicken/game, retail, barbeque/roast chicken)	Dry-cleaning (separator water, boiler)
Club (kitchen wastes)	Florist
Commercial kitchen/caterer	Funeral parlour/morgue
Community hall/civic centre/function centre (kitchen waste)	Hairdressing
Day care centre	Jewellery shop
Delicatessen	Laboratory (pathology/analytical)
Doughnut shops	Laundry or laundromat (coin operated)
Fast food outlets (McDonalds, KFC, Burger King, Hungry Jack, Pizza Hut, Red Rooster, etc.)	Lawnmower repairs
Fish shop (retail—fresh and/or cooked)	Mechanical repairs/workshop
Fruit and vegetable shop (retail)	Medical centre/doctor surgery/physiotherapy—plaster of paris casts, laboratory
Hotel	Mobile cleaning units
Ice-cream parlour	Nursing home (other than food-related activities)
Juice bar	Optical services

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**



Liquid Trade Waste Policy, version 4.0

Food preparation/serving, generating liquid waste, up to 16 kL/day	Other Activities generating liquid waste, up to 5 kL/day
Mixed business	Per shop (retail)
Mobile food van	Photographic tray work/manual development
Motel	Plants retail (no nursery or open space)
Nightclub	School (other than kitchen waste)
Nursing home kitchen	Stone working
Nut shop	Surfboard manufacturing (wet process only)
Patisserie	Swimming pools/spas/hydrotherapy pools
Pie shop	Vehicle (car) washing (by hand/wand, automatic car wash/bus wash/external truck wash or underbody/engine degrease only)
Pizza shop	Venetian blind cleaning
Restaurant	Veterinary surgery
Salad bar	Category 2S < 20KL/day
Sandwich shop	
School – canteen, home science	
Snack bar	
Supermarket (with butcher/bakery/delicatessen/seafood or roasted chicken)	
Take away food shop	

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Appendix F – Legislative provisions

Provisions in the Local Government (General) Regulation 2021 in regard to acceptance of liquid trade waste into the sewerage system

Clause 25 Matters to accompany applications relating to discharge into sewers.

An application for approval to discharge trade waste into a sewer under the control of a Council or that connects with such a sewer must be accompanied by the information required by Table 1 of the Liquid Trade Waste Management Guidelines#.

Clause 28 Approval to discharge waste into sewers: concurrence required.

A council must not grant an approval under [section 68 of the Act](#) to discharge trade waste (whether treated or not) into a sewer of the council unless the Director-General* of the Department of Trade and Investment, Regional Infrastructure and Services (or that Director-General's nominee) has concurred with the approval.

Note: [Section 90 \(2\) of the Act](#) permits any person or authority whose concurrence is required before an approval may be granted to give the council notice that the concurrence may be assumed (with such qualifications or conditions as are specified in the notice).

Clause 32 Disposal of trade waste

- (1) An approval to dispose of trade waste into a sewer of the council is subject to such conditions (if any) as the council specifies in the approval.
- (2) In imposing any such conditions, the council is to have regard to the matter set out in Table 5 of the Liquid Trade Waste Management Guidelines#.

Clause 159 Prevention of waste and misuse of water

The owner, occupier or manager of premises to which water is supplied by the council must:

- (a) prevent waste of water by taking prompt action to repair leaking taps, pipes or fittings located on the premises
- (b) take any other action that is reasonable to prevent waste and misuse of water.

137A Substances prohibited from being discharged into public sewers

- (1) For the purposes of [section 638 of the Act](#) (Discharge of prohibited matter into sewer or drain), roof, rain, surface, seepage or ground water is prescribed as prohibited matter.
- (2) This clause does not apply in relation to:
 - (a) a discharge that is specifically approved under [section 68 of the Act](#), or
 - (b) a discharge into a public drain or a gutter of a council, or
 - (c) a discharge in an area of operations within the meaning of the [Sydney Water Act 1994](#) or the [Hunter Water Act 1991](#) .

143 Inspection of pipes and drains and measurement of water and sewage

- (1) The council may, at any reasonable time:
 - (a) inspect any service pipe connected to a water main, and

* In accordance with the *Government Sector Employment Act 2013*, this is the Secretary of the NSW Department of Planning and Environment.



- (b) inspect any drain connected to a sewer main, and
 - (c) install meters or other devices for measuring the quantity of water supplied to, or the quality and quantity of sewage discharged from, premises, and
 - (d) measure the quantity of water supplied to, or the quality and quantity of sewage discharged from, premises, and
 - (e) inspect any pre-treatment devices connected to the council’s sewerage system.
- (2) The occupier of the relevant premises must provide to the council such information as it requires to enable it to estimate the quantity of water actually supplied to, or the quality and quantity of sewage actually discharged from, the premises.
- (3) In this clause,
"pre-treatment device" means any device used to reduce or eliminate contaminants in trade waste, or to alter the waste’s nature, before it is discharged into a sewer.

SCHEDULE 12 – Penalty notice offences

Column 1	Column 2
Offence under <u>Local Government Act 1993</u>	Penalty
<u>Section 626</u> (3)-carry out without prior approval of council an activity specified in item 4 of Part C (Management of waste) of the Table to <u>section 68</u>	\$330
<u>Section 627</u> (3)-having obtained the council’s approval to the carrying out of an activity specified in item 4 of Part C (Management of waste) of the Table to <u>section 68</u> , carry out the activity otherwise than in accordance with the terms of that approval	\$330

"Liquid Trade Waste Management Guidelines" means the Guidelines of that name produced by the Department of Energy, Utilities and Sustainability in March 2005, as in force from time to time. The 2005 Guidelines have now been superseded by *Liquid Trade Waste Management Guidelines, 2021*.

10.9 Update of Water and Wastewater Management Policies for Adoption

Report of: **Tim Bell**
Coordinator Water Assets

Authorised by: **Karin Targa**
Director Service and Project Delivery

PURPOSE

The purpose of this report is to seek Council adoption of four water and wastewater policies that have been reviewed and updated in line with Council's engineering standards. The policies ensure Council can continue to deliver and manage adequate water and wastewater services for existing and future customers, meeting the needs of the community and regulatory standards.

OFFICER'S RECOMMENDATION

THAT Council adopt the updated water and wastewater policies:

- 1. Low water supply pressure rebate**
- 2. Pressure Sewer System (PSS)**
- 3. Provision of Water and Wastewater Services: Developments**
- 4. Provision of Water and Wastewater Services: Existing Lots**

REPORT

BACKGROUND

Four of Council's existing water and wastewater policies have been reviewed and updates have been prepared in accordance with current engineering standards, legislative requirement and levels of service.

The following policies are included in this report for adoption:

- Low water supply pressure rebate – Adoption Date: 22 June 2016
- Pressure Sewer System (PSS) – Adoption Date: 25 March 2015
- Provision of Water and Wastewater Services: Developments – 22 February 2015
- Provision of Water and Wastewater Services: Existing Lots – 22 February 2015.

The overall intent of the policies remains unchanged, with minor updates to the text including:

- Transfer to latest Council style guide
- Added to and clarified definitions
- Rephrasing of the content to improve legibility
- Updated list of related policies and procedures

REPORT

The following water and wastewater policies have been reviewed and updates prepared in accordance with current engineering standards, legislative requirements and levels of service:

- Low water supply pressure rebate
 - Pressure Sewer System (PSS)
 - Provision of Water and Wastewater Services: Developments
 - Provision of Water and Wastewater Services: Existing Lots
-

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The policies listed above were adopted by Council in 2015/2016 and were overdue for a review and update. These policies collectively aim to enhance the efficiency, reliability, and sustainability of water and wastewater services, supporting both current residents and future developments.

A summary of the policy objectives and scope of changes made to each is detailed in the table below.

Policy	Objectives	Changes
Low water supply pressure rebate	To provide a rebate for properties which are connected to town water supply and are not supplied with pressure above Council’s minimum standard of service. To ensure a fair and equitable process for assessing and applying the rebate.	<ul style="list-style-type: none"> • Applied latest corporate style guide • Rephrasing of the content to improve legibility • Clarify definitions.
Pressure sewer system	To provide a framework for the provision of Pressure Sewer Systems (PSS) within the Shire where the use of such system is justified and may be approved by Council. Outlines the responsibilities of Council, developers and property owners and the associated processes and procedures with respect to implementing these systems.	<ul style="list-style-type: none"> • Applied latest corporate style guide • Added Background section • Rephrasing of the content to improve legibility • Provision of PSS minimum standards for residential system types accepted by Council. • Provision of map outlining Council managed PSS areas. • Added and clarified definitions.
Provision of Water and Wastewater Services: Developments	To clearly communicate the requirements for the provision of water and wastewater services to the public, ensuring consistency and fairness when dealing with applications. Ensure compliance with Local Government Act 1993.	<ul style="list-style-type: none"> • Applied latest corporate style guide • Added reference to the associated Procedure • Rephrasing of the content to improve legibility • Added and clarified definitions. • Updated list of related policies and procedures
Provision of Water and Wastewater Services: Existing Lots	To clearly communicate the requirements for the provision of water and wastewater services, including water and wastewater service connections, water meters and associated water and sewer main extensions, to the public. Ensure consistency and fairness when dealing with applications. Ensure compliance with Local Government Act 1993.	<ul style="list-style-type: none"> • Applied latest corporate style guide • Added reference to the associated Procedure • Rephrasing of the content to improve legibility • Added and clarified definitions. • Updated list of related policies and procedures

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These Policies are of a highly technical nature and are driven by the underlying regulations of the Local Government Act and industry codes. There is therefore limited flexibility in any adjustment to the Policies, which is reflected in the Policy revisions largely being for improved grammar, style guide and clarity.

Given the minor nature of the updates to the Policies it is understood that a period of public exhibition is not required, and therefore it is recommended that Council adopt the updated Policies.

COMMUNICATION AND CONSULTATION

Community Engagement

There has been no consultation in relation to this report.

Internal Communication and Consultation

The following teams have been consulted and provided feedback on the policy updates:

- Manager Water Services, and Water Services Coordinators
- Manager Assets, and Coordinator Water Assets
- Manager Development Assessment and Regulation
- Development Engineers

External Communication and Consultation

Nil.

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

There are no social issues in relation to this report.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

There are no budget implications in relation to this report.

RELATED COUNCIL POLICY

Community Strategic Plan

Goal 3.3 Liveable and Sustainable Communities

3.3.3 Provide effective, safe and well-maintained local infrastructure and assets that service the needs of current and future generations.

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CONCLUSION

Council's adoption of the policy updates will ensure Council can continue to deliver and manage adequate water and wastewater services for existing and future customers, meeting the needs of the community and regulatory standards.

ATTACHMENTS

1. Policy - Low Water Supply Pressure Rebate [**10.9.1** - 6 pages]
2. Policy - Pressure Sewer System [**10.9.2** - 12 pages]
3. Policy - Provision of Water and Wastewater Services - Developments [**10.9.3** - 7 pages]
4. Policy - Provision of Water and Wastewater Services - Existing Lots [**10.9.4** - 9 pages]



Low Water Supply Pressure Rebate Policy



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Wingecarribee Community Strategic Plan 2041 -
Goal 3.3 Liveable and Sustainable Communities

Document Type	Council Policy
Document Reference No.	[Governance to insert] (example: 2020/001)
Version No.	[Governance to insert]
Council File Reference	[Insert departmental file number, generally the relevant electronic records management system subject reference]
Adoption Date	[Governance to insert]
Resolution Number	[Governance to insert]
Document Owner	Manager Assets
Responsible Branch	Assets
Responsible Business Unit	Water and Wastewater
Review Schedule	[Governance to insert]
Review Date	[Governance to insert]

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1 Objectives

The objective of the Policy is:

- To provide a rebate for properties which are connected to town water supply and are not supplied with pressure above Council's minimum standard of service.
- To ensure a fair and equitable process for assessing and applying the rebate.

2 Policy Statement

Council is committed to providing the community with a safe, efficient and reliable potable water supply.

If the water pressure of a property falls below the minimum standard of service, as measured at the water meter, for a period greater than 30 minutes (continuous and not due to a service interruption) the property owner is eligible for a rebate.

Council's minimum standard of service is 120kPa or 12m head, at the water meter.

On application from the property owner, a pressure test will be undertaken to determine the minimum available pressure at the water meter. This test will be undertaken using Council's water model and/or using a pressure logger installed at the water meter.

A 50% rebate will apply to the subject property's fixed water access charge only, not the usage charge, and will remain effective until Council has rectified the low pressure issue.

Rebates will only be provided for a maximum period of 12 months, after which Council will undertake another pressure test to assess if the property is still eligible for a 50% rebate.

Rebates that are approved will be reported to Council on an annual basis.

3 Scope

This policy applies to all properties connected to Council's water supply network through a metered connection.

4 Responsibilities

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

4.1 Councillors

Councillors shall:

- approve and adopt this policy

4.2 Executive

The Executive shall:

- lead employees (either directly or through delegated authority) in their understanding of and compliance with this policy.

4.3 Manager Assets

The Manager Assets shall:

- provide guidance to Councillors, Executive and other Council staff as to the content and implementation of this Policy.
- ensure the timely review of this Policy

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4.4 Council staff

Council staff shall:

- Implement and comply with this Policy.

5 Performance Measures

The success of this Policy will be measured by:

- the number of low water pressure complaints within a calendar year.
- good performance will be considered as less than or equal to five new cases per calendar year
- poor performance will be considered as greater than five new cases per calendar year

6 Definitions

Term	Definition
Access Charge	Water access charges apply to all properties (including vacant land) location within 225 metres of a Council water main and/or land that is supplied with water from a water pipe of the Council.
Minimum standard of service	Council's minimum standard of service for water pressure is 120 kilopascals or 12 metres head.
Usage Charge	Water usage charge applies to all water consumed.
Water Meter	A device that measures water consumption for a property.
Water Pressure	Water pressure measured in kilopascals (kPa) or metres head; OR a measure of the force needed to move the water from Council's main through property water service connections.
Water Service Connection	A pipe connecting the water main to individual property water meters.

7 Related Material

7.1 Related Legislation

The following legislative materials are related to this Policy:

- Local Government Act 1993 and Regulation
- Protection of the Environment and Operations Act 2005
- Public Health Act 2010
- Water Management Act 2000
- Work Health and Safety Act 2011

7.2 Related Policies, Procedures

The following documents are related to this Policy:

- Engineering Design Specification – D12 Water Supply – Reticulation, Pumping Station (Design).
- Water Asset Management Plan

8 Non-compliance with this Policy

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



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9 Document Control

9.1 Version Control

Version	Adoption Date	Notes
Current	[Governance to insert adoption date]	Minor changes to reflect latest corporate style guide and position titles.
Previous	22 June 2016	

10 Attachments

There are no attachments to this Policy.

Approved by:

WINGECARRIBEE SHIRE COUNCIL

[Governance to insert adoption date]

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Pressure Sewer System Policy



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WINGECARRIBEE SHIRE COUNCIL

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Wingecarribee Community Strategic Plan 2041 -
Goal 3.3 Liveable and Sustainable Communities

Document Type	Council Policy
Document Reference No.	[Governance to insert] (example: 2020/001)
Version No.	[Governance to insert]
Council File Reference	[Insert departmental file number, generally the relevant electronic records management system subject reference]
Adoption Date	[Governance to insert]
Resolution Number	[Governance to insert]
Document Owner	Manager Assets
Responsible Branch	Assets
Responsible Business Unit	Water and Wastewater
Review Schedule	[Governance to insert]
Review Date	[Governance to insert]

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1 Objectives

The objective of this policy is to provide a framework for the provision of Pressure Sewer Systems (PSS) within Wingecarribee Shire where the use of such system is justified. The policy details the circumstances where pressure sewers may be approved by Council.

The Policy also outlines the responsibilities of Council, developers and individual property owners and the associated processes and procedures with respect to planning, design, construction, maintenance, operation and ownership of associated infrastructure.

2 Policy Statement

Council is committed to providing the community with a safe, efficient and reliable sewerage services.

2.1 Background

Council is committed to providing safe, maintained and effective sewerage infrastructure, consisting of gravity and pressure mains, service connections, manholes, valves and vents, pumping stations and treatment works and associated infrastructure, in accordance with relevant licences and legislation.

Council currently provides sewerage services to all major towns in the shire (Bowral, Mittagong, Moss Vale and Bundanoon) and to the villages of Aylmerton, Balaclava, Berrima, Braemar, Colo Vale, Hill Top, New Berrima, Robertson, Welby and Willow Vale.

Most of the sewerage networks consist of conventional gravity sewerage systems.

It is Council's preference that new services/developments will connect via a gravity system. Gravity systems offer a lower operating and maintenance cost for Council and property owners, and in most cases will be the lowest life cycle cost servicing option.

In certain cases, Council may approve the installation of a PSS. The following principles have been developed to establish this approach.

2.2 Basis for Council Approval

Council may permit the use of PSS's where they are fully justified. PSS will only be considered in circumstances including one or more of the following:

- PSS is being used to overcome specific site constraints
- Insufficient natural slope i.e. in flat countryside or to serve low-lying communities.
- Isolated low density communities.
- The proposed PSS is to be used in an area that is already serviced by PSS and is compatible with that system.
- Terrain has undulations with relatively high relief.
- Poor subsoil e.g. high ground water table, unstable rock or rock condition.
- Obstacles to the sewer route e.g. utility services, waterways.
- Where it is necessary to minimise the environmental impact.
- Where the downstream system has limited peak flow capacity
- Where slope stability issues make construction of a gravity system impractical



- There are other circumstances requiring the use of this technology.

2.3 Requirements and Standards

2.3.1 Standard

The system must be designed in accordance with the latest version of the 'WSAA Pressure Sewerage Code of Australia'.

2.3.2 Design

- The system must be designed by a qualified 'Designer' who is approved by the System/Technology Supplier.
- PSS shall be designed to be consistent with the optimum design for the entire catchment area with any future extension of the system to be accommodated.
- Depending on the application (as outlined under Section 4), either the developer or property owner or Council will be responsible for the design of the PSS.

2.3.3 Approved Technology

Only Council approved/standard technology will be accepted. A list of the minimum standard requirements for Residential PSS is available on Council's website.

2.3.4 Other Requirements

In the case of Council managed PSS's, new pump units will be tested and commissioned by Council's Water Services staff before acceptance by Council. On-property PSSs shall only be constructed by accredited installers.

3 Application of PSS

The approval, ownership and maintenance responsibilities associated with Council managed PSS and privately managed PSS are as follows:

3.1 Council Managed PSS

Council may elect to connect unsewered areas to its sewerage schemes or may decide to construct a pressure sewer scheme to service an existing unsewered village. The latter is also called 'Backlog' sewer scheme.

Under this category the entire PSS is installed, owned and maintained by Council. The current Council managed PSS areas and properties in Robertson, Mittagong and Colo Vale have been identified, mapped and included in Council's Asset Register.

Scheme Design: Council's contractor will carry out the design of all pressure reticulation and design of on-property pressure sewer infrastructure where buildings exist on properties within the scheme boundary.

Ownership: All pressure sewer infrastructure installed as part of a backlog scheme (Council managed PSS) will remain in the ownership of Council.

Maintenance: Council will be responsible for the maintenance and renewal of the pressure sewer infrastructure including the on-property pump unit, control unit, discharge line and boundary kit.



Property owners will be responsible for the operation of the on-property PSS in terms of monitoring the operation of the pump unit, reporting alarms and meeting the electricity costs.

In Mittagong, Robertson and Colo Vale, Council's ownership and maintenance responsibilities are restricted to the identified Council Managed PSS areas. A map showing the location of Council Managed PSS Areas is available on Council's website.

3.2 Privately Managed PSS

Privately managed PSS is installed, owned and maintained by the developer or property owner/s.

Approval: The PSS must be designed by an approved 'Designer' and the design must be approved by Council as part of the development or sewer connection approval process.

Ownership: All pressure sewer infrastructure except the pressure reticulation (if any), installed as part of a privately managed PSS will remain in the ownership of the property owner. The infrastructure will include pressure sewer lateral, the on-property pump unit, control unit, discharge line and boundary kit. The pressure reticulation, if any, will remain in the ownership of Council.

Maintenance: The property owner will be responsible for the maintenance and renewal of the pressure sewer infrastructure including the pressure sewer lateral, the on-property pump unit, control unit, discharge line and boundary kit. Property owners will also be responsible for the operation of the on-property PSS in terms of monitoring the operation of the pump unit, reporting alarms and meeting the electricity costs.

Council will be responsible for the maintenance and renewal of the pressure reticulation.

Extension of Council mains: If the existing Council main needs to be extended to the proximity of a development or property to enable connection of the PSS to Council's scheme, then conditions in Council's current policies for the provision of sewer services will apply.

Further details/conditions regarding the above categories of PSS are covered under the Guidelines section of this policy.



4 Guidelines

4.1 Council Managed PSS

4.1.1 General

- In the case of new schemes, Council will undertake consultation to inform the community of all aspects of the proposed scheme.
- Council's contractor will carry out design of the PSS including pressure reticulation, sewer connection and on-property pressure sewer infrastructure.
- No on-property design will be undertaken for vacant properties.
- All vacant properties within the scheme boundary and identified to be serviced by the scheme will be provided with a standard boundary kit at a location agreeable with the property owner.
- No pumping unit will be installed on a vacant block.
- Wastewater charges/rates will come into effect from the date advised/published by the Council.
- Following commissioning of a new scheme, Council will advise a cut-off date by which all properties within the defined scheme boundary must be connected. Council may elect to impose full sewer charges for the properties not connected by the cut-off date.
- It is mandatory for all properties within the defined scheme boundary to be connected to the sewerage scheme.
- In the case of multiple dwellings on one property, only one connection and on-property PSS unit will be provided by Council. Additional connections/units, if required, will be installed by the developer or property owner at their cost and will be a private asset, owned and maintained by the property owner/developer.
- Privately owned/maintained PSS will need to be marked onsite as 'Private Asset' to differentiate between Council owned and Privately owned infrastructure.
- Property owners are required to rectify any defects on their property's electrical and internal sewer drains before connecting to the PSS.
- Once connected to the scheme, the property owner is required to meet all costs and health requirements associated with the decommissioning of their on-site septic system.
- The property owner will be responsible for connecting the house drain or the septic tank to the pump unit and must ensure that any stormwater pipes are not connected to the PSS.



4.1.2 New Connection – Existing Lot within the scheme boundary

- An application for a new connection must be submitted and approved by Council.
- If approved, Council will provide a standard boundary kit at the agreed location for the first dwelling of a property.
- If the application was received within nine months of the scheme commissioning date, then Council will supply and install on-property PSS unit as part of the scheme installation.
- If the application was received after nine months of the scheme commissioning date, then the applicant is required to purchase the on-site PSS unit from the Council and install it at their own cost.

4.1.3 New Connection for development/sub-division within or extension to the scheme

- An application for new connection for development/sub-division must be submitted and approved by Council.
- If approved, the PSS system including any pressure reticulation must be designed and constructed by the developer.
- Qualified designer and accredited installer must be engaged for design and installation.
- All costs associated with the construction of the PSS infrastructure shall be borne by the developer or property owner.
- Prior to commencement of work, a Section 68 Certificate must be obtained from Council.
- Developer/applicant shall provide documentary evidence of satisfaction of any applicable Development Consent and Section 68 Consent conditions for Council's development Engineer review prior to Section 68 Final Certificate issue.
- All Council charges and developer contributions (where applicable) must be paid prior to work being undertaken.
- If work is to be carried out within the road reserve, a Section 138 Certificate is required.
- All road crossings on existing roads shall be installed using horizontal boring unless an alternative method is approved.
- If an easement is required for the construction of the PSS, the developer/property owner will need to apply for a Section 88b Certificate. An easement will be required for pressure reticulation mains located within private property.
- The developer/property owner will be required to apply to Council for the supply (at full cost to the applicant) of the pump unit, control panel and boundary kit.
- The PSS must be connected to Council's reticulation sewer via a constructed manhole or an approved method.
- All PSS units must be installed by accredited installers and as per plans submitted to and approved by Council.



Pressure sewer system policy 2024.docx

- The developer/property owner/installer shall contact Council a minimum of 48 hours prior to the system being commissioned, so that a Council representative can be in attendance to commission the system.
- The developer/property owner must provide work as executed drawings and asset information for all new sewer infrastructure in accordance with Council's *Work as Executed Data Submission Standards* available on Council's website.

4.2 Privately Managed PSS

- Developers/property owners proposing to use PSS technology will need to prove to Council as to why PSS technology should be used and why the conventional gravity system cannot be used in their application.
- Developers/property owners will be responsible for the design and construction of the complete PSS System including any pressure reticulation. They also will be responsible for the operation, renewal and maintenance of the on-site PSS infrastructure.
- Council will be responsible for the maintenance and renewal of the pressure reticulation.
- Only technology approved by Council may be used for PSS in the Wingecarribee shire area.
- All costs associated with the construction of the privately managed PSS infrastructure (including pressure reticulation) shall be borne by the developer or property owner.
- Prior to commencement of work, a Section 68 Certificate must be obtained from Council.
- Developer/applicant shall provide documentary evidence of satisfaction of any applicable Development Consent and Section 68 Consent conditions for Council's development Engineer review prior to Section 68 Final Certificate issue.
- All Council charges and developer contributions (where applicable) must be paid prior to work being undertaken.
- If work is to be carried out within the road reserve, a Section 138 Certificate is required.
- All road crossings on existing roads shall be installed using horizontal boring unless an alternative method is approved.
- If an easement is required for the construction of the PSS, the developer/property owner will need to apply for a Section 88b Certificate. An easement will be required for pressure reticulation mains located within private property.
- The developer/property owner will be required to apply to Council for the supply (at full cost to the applicant) of the pump unit, control panel and boundary kit.
- The PSS must be connected to Council's reticulation sewer via a constructed manhole.
- All PSS units must be installed by accredited installers and as per plans submitted to and approved by Council.

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- The developer/property owner/installer shall contact Council a minimum of 48 hours prior to the system being commissioned, so that a Council representative can be in attendance to commission the system.
- The developer/property owner must provide work as executed drawings and asset information for all new sewer infrastructure in accordance with Council's *Work as Executed Data Submission Standards* available on Council's website.
- Existing property owners currently discharging into a Council reticulated main through a private pumping arrangement (PSS) may continue to operate their existing private system as installed and are not compelled to change to the approved PSS. However, upon renewal or modification of private PSS assets, the property owner is required to upgrade their system to meet the requirements of this Policy.
- Council may undertake inspections of existing private PSS systems periodically to ensure systems comply with Council's Policy.

5 Scope

This policy applies to all wastewater infrastructure located within the area under the administrative control of Wingecarribee Shire Council.

6 Responsibilities

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

6.1 Councillors

Councillors shall:

- approve and adopt this policy

6.2 Executive

The Executive shall:

- lead employees (either directly or through delegated authority) in their understanding of and compliance with this policy.

6.3 Manager Assets

The Manager Assets shall:

- provide guidance to Councillors, Executive and other Council staff as to the content and implementation of this Policy.
- ensure the timely review of this Policy

6.4 Council staff

Council staff shall:

- implement and comply with this Policy.

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7 Definitions

Term	Definition
Backlog Sewer Scheme	A new sewer scheme constructed by Council to service an existing unsewered village.
Council	Wingecarribee Shire Council
Control/Alarm Panel	The box incorporating the electrical alarms and controls. It may include the emergency generator connection point.
Designer	Qualified person or firm approved by the Technology/System Supplier responsible for the design of pressure sewer reticulation system or the on-property design.
Emergency Storage	The capacity in the storage vessel above the high-level alarm point.
House Drain	The internal wastewater plumbing drain pipe connecting into the pump unit.
Pressure Reticulation	A common main which transfers sewer from two or more properties to a downstream point in a pressure sewer system.
Pressure Sewer Lateral	A main that connects from the property boundary kit to the discharge point.
Pressure Sewer System (PSS)	A complete system wherein macerated sewage is conveyed under pressure generated by pumping units located on each property to a sewage treatment facility or another sewerage system. It includes the pump unit, control/alarm panel, property discharge line, property boundary kit and pressure reticulation up to a discharge point in a conventional sewer.
Property Boundary Kit (or Boundary Assembly)	This is a valve box at the property boundary incorporating an isolation valve, a reflux valve and an inspection tee-piece.
Property Discharge Line	A pressure sewer line located on private property that connects the pump unit to the boundary kit.
Pump Unit	The unit installed on a property, comprising a collection tank, grinder pump, level switches and pipework within the unit.
Technology/System Supplier	A company that supplies pressure sewerage equipment (pump unit and control systems) and technology and reviews and guarantees system hydraulic design.

8 Related Material

8.1 Related Legislation

The following legislative materials are related to this Policy:

- Environmental Planning and Assessment Act 2008
- Local Government Act 1993 and Regulation
- Protection of the Environment and Operations Act 2005
- Public Health Act 2010
- Water Management Act 2000
- Work Health and Safety Act 2011



8.2 Related Policies, Procedures

The following documents are related to this Policy:

- Development Control Plans
- Engineering Design Specification – D13 Sewerage Systems – Reticulation, Pumping Station (Design).
- Provision of Water and Wastewater Services Policy (Existing Lots)
- Provision of Water and Wastewater Services Policy (Development)
- Wastewater Asset Management Plan
- Water and Wastewater Standard Drawings

9 Non-compliance with this Policy

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

10 Document Control

10.1 Version Control

Version	Adoption Date	Notes
Current	[Governance to insert adoption date]	Review and update of policy in line with Council engineering standards, legislative requirements and levels of service.
Previous	25 March 2015	

11 Attachments

There are no attachments to this Policy

Approved by:

WINGECARRIBEE SHIRE COUNCIL

[Governance to insert adoption date]



Provision of Water and Wastewater Services: Developments Policy



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WINGECARRIBEE SHIRE COUNCIL

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**



Provision of W&W services developments policy 2024.docx

Wingecarribee Community Strategic Plan 2041 -
Goal 3.3 Liveable and Sustainable Communities

Document Type	Council Policy
Document Reference No.	[Governance to insert] (example: 2020/001)
Version No.	[Governance to insert]
Council File Reference	[Insert departmental file number, generally the relevant electronic records management system subject reference]
Adoption Date	[Governance to insert]
Resolution Number	[Governance to insert]
Document Owner	Manager Assets
Responsible Branch	Assets
Responsible Business Unit	Water and Wastewater
Review Schedule	[Governance to insert]
Review Date	[Governance to insert]

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Provision of W&W services developments policy 2024.docx

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1 Objectives

The objectives of the Policy are to:

- Clearly communicate the requirements for the provision of water and wastewater (sewerage) services to the public
- Ensure consistency and fairness when dealing with applications for the provision of water and wastewater services
- Ensure compliance with Local Government Act 1993

2 Policy Statement

Wingecarribee Shire Council owns and operates water supply and sewerage disposal networks in accordance with relevant licences and legislation. Detailed requirements for the provision of water and wastewater services can be found in legislation, standards, industry codes of practice and guidelines.

Council supports the development industry to provide efficient, compliant and optimally configured water and wastewater services. This asset creation process must be achieved in a manner that is safe, environmentally sustainable, of satisfactory quality and meets legislative and regulatory requirements including meeting our operating licence compliance.

This policy should be read in conjunction with the associated *Provision of Water and Wastewater Services Development: Procedure*.

2.1 Developer definition

Developers are property owners who have plans to develop or subdivide land that may impact Council's infrastructure by:

- Creating a dual occupancy, Strata title or Torrens title
- Subdividing land
- Constructing new residential, commercial or industrial buildings
- Alterations and additions to existing residential, commercial or industrial buildings.

2.2 Pre-construction phase

- All costs associated with the Development will be borne by the Developer.
- The Developer will, as part of the approval process, submit a Section 68 application and associated design drawings for approval by Council.
- All relevant Council fees and charges shall be paid prior to work commencing.

2.3 Construction phase

- Any water and/or wastewater construction works carried out as part of a Development shall be undertaken by a licenced plumber or Council approved contractor.
- The Developer is responsible for the supply and installation of all associated water and wastewater infrastructure.
- Works associated with the Development shall be inspected by Council's Development Engineer. Any work found to not comply with the approved design and construction standards shall be rectified at the cost of the developer.
- Council reserves the right to undertake connections to its existing water and wastewater infrastructure. This is undertaken at the cost of the developer.



2.4 Post construction phase

- Once construction work is completed the developer must provide work as executed drawings and asset information for all new infrastructure in accordance with Council's *Work as Executed Data Submission Standards* available on Council's website.
- Developer/applicant shall provide documentary evidence of satisfaction of any applicable Development Consent and Section 68 Consent conditions for Council's development engineer review prior to Section 68 Final Certificate issue.
- Council reserves the right, as part of the Development Application, to hold a maintenance bond for a period of 12 months (where applicable).

3 Scope

This policy and associated standards apply to any individual or body interested in the provision of water and/or wastewater services to a new development, or those looking to extend Council's network to connect to existing development.

4 Responsibilities

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

4.1 Councillors

Councillors shall:

- approve and adopt this policy

4.2 Executive

The Executive shall:

- lead employees (either directly or through delegated authority) in their understanding of and compliance with this policy.

4.3 Manager Assets

The Manager Assets shall:

- provide guidance to Councillors, Executive and other Council staff as to the content and implementation of this Policy.
- ensure the timely review of this Policy

4.4 Council staff

Council staff shall:

- Implement and comply with this Policy.



5 Definitions

Term	Definition
Construction Certificate	A certificate issued by Council to approve construction to begin.
Developer	A person, organisation, local government authority or government authority (other than Council) responsible for the development of a property or properties.
Development	A property or properties that are in the process of being subdivided or constructed or remodelled.
Dual occupancy	Two dwellings on the one allotment of land.
Private service line (sewer)	A pipe that carries wastewater (sewage) from the private property to Council's reticulation sewer main. Also known as an internal sewer drainage line.
Private service line (water)	A pipe that carries water from the meter to the customer.
Property boundary trap	A fitting below ground where property service connections, connect to Council's wastewater system. It prevents gases entering private pipes from Council's system.
Reticulation main (sewer)	Sewer mains of DN150 conveying sewage from individual properties to a trunk main, pump station or treatment plant.
Reticulation main (water)	Water mains of DN100, DN150, DN180 size used to carry water to individual properties from trunk mains.
Section 138 Certificate	Approval for works and structures in/on a road reserve including temporary road closures, driveways and laybacks under Section 138 of the <i>Roads Act 1993</i> .
Service Connection (sewer)	A pipe connecting the sewer main to a property boundary trap.
Service connection (water)	A pipe connecting the water main to the water meter at individual properties.
Strata title	Ownership of property under strata is shared through an owners' corporation. Properties are adjoining or connected in some way with shared common areas.
Torrens title	Torrens refers to a land title system where the owner has complete ownership and control over the land and any building or other improvements on it.
Trunk main (sewer)	Principal sewer of a catchment system that drains to the point of treatment.
Trunk main (water)	A water main designed for bulk transfer e.g. supply to or from a reservoir and/or a supply zone.

6 Related Material

6.1 Related Legislation

The following legislative materials are related to this Policy:

- Local Government Act 1993 and Regulation

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AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 JUNE 2024



Provision of W&W services developments policy 2024.docx

- Environmental Planning and Assessment Act 2008
- Protection of the Environment and Operations Act 2005
- Water Management Act 2000
- Work Health and Safety Act 2011

6.2 Related Policies, Procedures

The following documents are related to this Policy:

- Development Control Plans
- Engineering Specification – D12 Water Supply – Reticulation, Pumping Station (Design).
- Engineering Specification - D13 Sewerage Systems – Reticulation and Pumping Station (Design)
- Engineering Specification - C30 Water Supply – Reticulation and Pumping Station (Construction)
- Engineering Specification – C31 Sewerage Systems – Reticulation and Pumping Station (Construction)
- Pressure Sewer System Policy
- Provision of Water and Wastewater Services: Development Procedure
- Provision of Water and Wastewater Services: Existing Lots Policy
- Provision of Water and Wastewater Services: Existing Lots Procedure
- Water and Wastewater Asset Management Plans
- Water and Wastewater Standard Drawings

7 Non-compliance with this Policy

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

8 Document Control

8.1 Version Control

Version	Adoption Date	Notes
Current	[Governance to insert adoption date]	Review and update of policy in line with Council engineering standards, legislative requirements and levels of service.
Previous	25 Feb 2015	

9 Attachments

There are no attachments to this Policy.

Approved by:

WINGECARRIBEE SHIRE COUNCIL
[Governance to insert adoption date]

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Provision of Water and Wastewater Services: Existing Lots Policy



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Provision of W&W services existing lots policy 2024.docx Policy

Wingecarribee Community Strategic Plan 2041 -
Goal 3.3 Liveable and Sustainable Communities

Document Type	Council Policy
Document Reference No.	[Governance to insert] (example: 2020/001)
Version No.	[Governance to insert]
Council File Reference	[Insert departmental file number, generally the relevant electronic records management system subject reference]
Adoption Date	[Governance to insert]
Resolution Number	[Governance to insert]
Document Owner	Manager Assets
Responsible Branch	Assets
Responsible Business Unit	Water and Wastewater
Review Schedule	[Governance to insert]
Review Date	[Governance to insert]

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1 Objectives

The objectives of the Policy are to:

- Clearly communicate the requirements for the provision of water and wastewater (sewerage) services, including water and wastewater service connections, water meters and associated water and sewer main extensions, to the public.
- Ensure consistency and fairness when dealing with applications for the provision of water and wastewater services.
- Ensure compliance with Local Government Act 1993.

2 Policy Statement

Wingecarribee Shire Council owns and operates water supply and sewerage disposal networks in accordance with relevant licences and legislation. Detailed requirements for the provision of water and wastewater services can be found in legislation, standards, industry codes of practice and guidelines.

Council supports the extension of its networks to existing lots where it may provide efficient, compliant and optimally configured water and wastewater services. This asset creation process must be achieved in a manner that is safe, environmentally sustainable, of satisfactory quality and meets legislative and regulatory requirements including meeting our operating licence compliance.

This policy should be read in conjunction with the associated *Provision of Water and Wastewater Services Existing Lots: Procedure*.

2.1 Existing lots definition

Properties or lots within the Shire where water and wastewater services may or may not be currently available or where property owners may wish to extend or connect to the existing water and/or wastewater network.

Existing lots that are within the Water and/or Wastewater Benefit Area as outlined below may be eligible to receive a discount off the costs of extending or connecting to Council's existing networks.

2.2 Water and Wastewater Benefit Area

If a property is deemed to be within the Water and/or Wastewater Benefit Area and is paying a Water and/or Wastewater Availability Charge the property owner is eligible to receive up to a maximum 50% discount off the cost of:

- extending a water or sewer main to the subject property boundary
- a new standard water or sewer service connection
- a new water meter.

Discounts are calculated on a pro-rata basis as outlined in the associated *Water and Wastewater Services: Existing Lots Procedure*.

Property owners are responsible for providing evidence of availability charge payments to receive the discount.

If a property is not within a Benefit Area and/or is not paying an Availability Charge, all costs associated with an extension, service connection and/or meter to enable connection to the water and/or wastewater network shall be at Property owner's expense. This also applies to a property



that has been excised from a parcel of land where several titles have been amalgamated for rating purposes.

2.3 Water Services

Customers requesting any of the following water network services shall apply using the *Application for Water and Wastewater Services* form available on Council’s website.

Applications are subject to the requirements and conditions outlined in the associated Procedure.

Application Type	Description
Standard Water Service Connection (Service and/or Meter)	Installation of a water meter and/or water service pipe which connects Council’s water main with the customers water pipes. The meter is installed at the property boundary.
Water Service Connection for Subdivision or Development (No Water Meter Supplied)*	Installation of a water service pipe (no meter) which connects Council’s water main up to the property boundary. Water Meter can be applied for each property once the land is registered. <i>Note: Available for approved developments or subdivisions only.</i>
Disconnect Water Supply*	Water service line disconnected from the water main. Water meter also removed.
Alter or Relocate Existing Water Supply*	Alteration to any existing water main or service connection, including relocation to a different location in property boundary.
Fire Service Connection & Meter*	Water service line, generally 100mm connected to fire booster systems for commercial or industrial developments. Includes provision of fire flow meter. Meters are subject to reading and billing for consumption.
Water Main Extension*	Extension of a water main to service property or development (Pipe size greater than or equal to 100mm diameter) Applications are subject to a quotation fee.
Water Main Cut-In & Disinfection*	A new water reticulation main such as one constructed as part of a development to be connected to existing water supply network. Disinfection of new water main or service to prevent cross contamination in the water supply network.

*Applications may be subject to a quotation fee, which is payable at time of application. Refer to Council’s fees and charges on our website. If a quotation is applicable, Council’s Water Services branch will prepare the quotation and provide to the applicant.



2.4 Wastewater (Sewer) Services

Customers requesting any of the following sewer network services shall apply using the *Application for Water and Wastewater Services* form available on Council’s website.

Applications are subject to the requirements and conditions outlined in the associated Procedure.

Application Type	Description
Standard Sewer Connection (Junction and/or Sideline)	A connection point on the sewer main which joins the customers sewer pipes to Council’s sewer main. Junction Only: The Council sewer main is located within the property boundary. Junction & Sideline: The Council sewer main is located outside of the property boundary.
Pressure Sewer System (PSS)*	A sewer connection via a pressure pump system for properties that cannot connect to the sewer main via gravity. Subject to Council approval as per the <i>Pressure Sewer System Policy</i> .
Sewer Service disconnection*	Sewer service disconnected from the Council sewer main.
Alter an existing Sewer connection*	Alteration to existing sewer main, manhole or property service connection.
Sewer main extension*	Extension of a sewer main to service property or development.
CCTV Inspection*	Inspection of sewer main to locate junction or assess condition.
Manhole Lid	Maestro Gatic sewer manhole lid and concrete surround.

* Applications may be subject to a quotation fee, which is payable at time of application. Refer to Council’s fees and charges on our website. If a quotation is applicable, Council’s Water Services branch will prepare the quotation and provide to the applicant.

3 Scope

This policy, associated procedure and engineering standards apply to any existing lots that will be serviced by Council water supply or wastewater network.

4 Responsibilities

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

4.1 Councillors

Councillors shall:

- approve and adopt this policy

4.2 Executive

The Executive shall:

- lead employees (either directly or through delegated authority) in their understanding of





and compliance with this policy.

4.3 Manager Assets

The Manager Assets shall:

- provide guidance to Councillors, Executive and other Council staff as to the content and implementation of this Policy.
- ensure the timely review of this Policy

4.4 Council staff

Council staff shall:

- Implement and comply with this Policy.

5 Definitions

Term	Definition
Availability Charge	Properties within a Benefit Area are subject to an availability charge under Part 5 of the <i>Local Government Act 1993</i> . Refer to Council's fees and charges for current availability charges.
Benefit Area (Sewer)	The benefit area for sewer is a radius of 75 metres surrounding a Council sewer main.
Benefit Area (Water)	The benefit area for water is a radius of 225 metres surrounding a Council water main.
Construction Certificate	A certificate issued by Council to approve construction to begin.
Developer	A person, organisation, local government authority or government authority (other than Council) responsible for the development of a property or properties.
Development	A property or properties that are in the process of being subdivided or constructed or remodelled.
Dual occupancy	Two dwellings on the one allotment of land.
Private service line (sewer)	A pipe that carries wastewater (sewage) from the private property to Council's sewer main. Also known as an internal drainage line.
Private service line (water)	A pipe that carries water from the meter to the customer.
Property boundary trap	A fitting below ground where property service connections, connect to Council's wastewater system. It prevents gases entering private pipes from Council's system.
Reticulation main (sewer)	Sewer mains of DN150 conveying sewage from individual properties to a trunk main, pump station or treatment plant.
Reticulation main (water)	Water mains of DN100, DN150, DN180 size used to carry water to individual properties from trunk mains.
Section 138 Certificate	Approval for works and structures in/on a road reserve including temporary road closures, driveways and laybacks under Section 138 of the <i>Roads Act 1993</i> .
Service Connection (sewer)	A pipe connecting the sewer main to a property boundary trap.



Service connection (water)	A pipe connecting the water main to the water meter at individual properties.
Sewer Junction	A small section of pipe at the sewer main for connecting the sewer service connection to the sewer reticulation main.
Trunk main (sewer)	Principal sewer of a catchment system that drains to the point of treatment.
Trunk main (water)	A water main designed for bulk transfer e.g. supply to or from a reservoir and/or a supply zone.
Wastewater	Water that has been used in a home, business, or as part of an industrial process and is discharged into a reticulation or trunk sewer main.
Water Meter	Measures the volume of water used by residential, commercial and industrial buildings that are supplied with water by Council's water supply system.

6 Related Material

6.1 Related Legislation

The following legislative materials are related to this Policy:

- Local Government Act 1993 and Regulation
- Environmental Planning and Assessment Act 2008
- Protection of the Environment and Operations Act 2005
- Water Management Act 2000
- Work Health and Safety Act 2011

6.2 Related Policies, Procedures

The following documents are related to this Policy:

- Development Control Plans
- Engineering Specification – D12 Water Supply – Reticulation, Pumping Station (Design).
- Engineering Specification – D13 Sewerage Systems – Reticulation and Pumping Station (Design)
- Engineering Specification – C30 Water Supply – Reticulation and Pumping Station (Construction)
- Engineering Specification – C31 Sewerage Systems – Reticulation and Pumping Station (Construction)
- Pressure Sewer System Policy
- Provision of Water and Wastewater Services: Development Policy
- Provision of Water and Wastewater Services: Development Procedure
- Provision of Water and Wastewater Services: Existing Lots Procedure
- Water and Wastewater Asset Management Plans
- Water and Wastewater Standard Drawings

7 Non-compliance with this Policy

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



Provision of W&W services existing lots policy 2024.docx

8 Document Control

8.1 Version Control

Version	Adoption Date	Notes
Current	[Governance to insert adoption date]	Review and update of policy in line with Council engineering standards.
Previous	25 Feb 2015	

9 Attachments

There are no attachments to this Policy.

Approved by:

WINGECARRIBEE SHIRE COUNCIL
[Governance to insert adoption date]

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10.10 Governance and Management of Council's Children Services Policy to be Rescinded

Report of: James Borbone
Acting Manager Business and Property Services

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

PURPOSE

The purpose of this report is to rescind the existing Governance and Management of Council's Children Services Policy on the basis that matters covered by the existing Policy, are now covered by procedures that align to operational practices.

OFFICER'S RECOMMENDATION

THAT Council rescind the existing Governance and Management of Council's Children Services Policy.

REPORT

BACKGROUND

On 25 July 2018, the Governance and Management of Council's Children Services Policy was adopted by Council (**Attachment 1**). The Policy covered Children Services operated by Council including Outside of School Hours Care and Family Day Care. With the auspicing arrangements of Family Day Care transitioned to third party providers, the existing Governance and Management of Council's Children Services Policy is due for review. The report outlines the reasoning for rescinding this Policy.

REPORT

The Governance and Management of Council's Children Services Policy is now due for review. The existing Governance and Management of Council's Children Services Policy covers the following:

- Definition of Key Roles.
- Performance Measures that align with the National Quality Framework.
- A number of appended procedures.

The majority of the existing Governance and Management of Council's Children Services Policy consists of a number of appended procedures. These procedures, along with key roles and responsibilities, have now been converted into an operational manual that aligns with the National Quality Framework, which is administered by the Australian Children's Education and Care Quality Authority. This operational manual will be managed by the appropriately qualified Council officers and reviewed annually or as required in line with legislative updates.

It is recommended that the existing Governance and Management of Council's Children Services Policy be rescinded on the basis that is now covered by operational procedures.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
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COMMUNICATION AND CONSULTATION

Community Engagement

Nil

Internal Communication and Consultation

Nil

External Communication and Consultation

Nil

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

There are no social issues in relation to this report.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

There is no financial implication contained within the report.

RELATED COUNCIL POLICY

Nil

CONCLUSION

The existing Governance and Management of Council's Children Services Policy is no longer required and has been converted into an operational manual that aligns to the National Quality Framework, administered by the Australian Children's Education and Care Quality Authority. It is recommended, that existing Governance and Management of Council's Children Services Policy be rescinded accordingly.

ATTACHMENTS

Nil

10.11 Audit, Risk and Improvement Committee - Membership

Report of: Danielle Lidgard
Manager Governance and Corporate Performance

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

PURPOSE

The purpose of this report is to reappoint the four independent members to Audit, Risk and Improvement Committee (ARIC) with staggered renewal dates and to set the remuneration fees for independent members and the Chair.

OFFICER'S RECOMMENDATION

THAT Council:

1. Reappoint Mr Stephen Horne as Chair of the Audit, Risk and Improvement Committee for a further four-year term, 1 September 2024 – 31 August 2028.
2. Reappoint Mr Mark McCoy as an independent member of the Audit, Risk and Improvement Committee for a further three-year term, 1 September 2024 – 31 August 2027.
3. Reappoint Mr Michael Quirk as an independent member of the Audit, Risk and Improvement Committee for a further two-year term, 1 September 2024 – 31 August 2026.
4. Reappoint Ms Simone Schwarz as an independent member of the Audit, Risk and Improvement Committee for a further one-year term, 1 September 2024 – 31 August 2025.
5. Endorse the remuneration fee of \$23,508.85 (excluding GST) per annual payable to the Chair for 2024/25 and then indexed by the rate peg annually.
6. Endorse the remuneration fee of \$2,350.45 (excluding GST) per meeting to independent committee members for 2024/25 and then indexed in July each year by the rate peg.

REPORT

BACKGROUND

At the Ordinary Meeting of Council held on 28 July 2021, Council:

- Endorsed the appointment of Mr Stephen Horne, Mr Mark McCoy, Ms Simone Schwarz and Mr Michael Quirk to the Audit, Risk and Improvement Committee from 1 September 2021 for a three (3) year term expiring 31 August 2024 and
- Appointed Mr Stephen Horne as Chair of the Audit, Risk and Improvement Committee for the three-year term.

In late 2023, amendments were made to the Local Government (General) Regulation 2021 which come into effect from the 1 July 2024, the amendments set out new requirements for all ARICs. From 1 July 2024, all NSW Councils are required to adopt by Council resolution an ARIC Terms of Reference and an Internal Audit Charter to guide how the ARIC and internal audit function will operate.

The Office of Local Government (OLG) has issued Guidelines for Risk Management and Internal Audit for Local Government (Guidelines) to support the amendments to the Regulation. The Guidelines have been issued under section 23A of the Local Government Act 1993 (Act). Councils are required to consider the Guidelines when implementing the requirements prescribed under the Act and the Local Government

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(General) Regulation 2021 (Regulation), relating to Audit, Risk and Improvement committee, risk management and internal audit. Model Terms of Reference are contained within the Guidelines.

At its 15 May 2024 meeting, Council adopted revised Audit, Risk and Improvement Committee (ARIC) Terms of Reference (ToR) and Internal Audit Charter. These documents are consistent with the OLG Guidelines.

REPORT

Committee Reappointment

The three (3) year appointment term of the four independent members expires on 31 August 2024. Section 216G of Regulation specifies:

- (1) A Council may appoint a member of the council's Audit, Risk and Improvement Committee for a term of no more than 4 years.
- (2) A person who continues to be eligible for appointment may be reappointed.
- (3) A person must not be a member of an Audit, Risk and Improvement Committee for a particular council for more than 8 years in a 10-year period.

Given that Local Government Elections are scheduled to be held on 14 September 2024 and Council has been in Administration since March 2021, it is recommended that the current four independent members (including the Chair) are reappointed to the ARIC, with a staggered term end date. Reappointing the current members will provide stability while the newly elected Council are onboarded and inducted. It is also recommended that the independent members are reappointed with staggered term end dates. This will ensure that:

- Knowledge of the Council's operations, financial reporting, structure and other important aspects are not lost to the Audit, Risk and Improvement Committee when members change.
- The ARIC independence is maintained.

This staggered approach is consistent with the Guidelines, which also recommends no more than one member should leave the ARIC because of rotation in anyone year.

All committee members must meet the independence and eligibility criteria prescribed under the Regulation that requires, each independent member:

- a) is able to read and understand financial statements, and
- b) is able to understand the ethical requirements of government, including conflicts of interest, and
- c) is able to form independent judgements, and
- d) is willing to constructively challenge and question management practices and information, and
- e) is professional and ethical in the exercise of the person's duties, and
- f) is able to devote the necessary time and effort to the person's functions as a member of the committee, and
- g) has knowledge in one or more of the following that is relevant to the person's role on the Audit, Risk and Improvement Committee
 - a. risk management
 - b. performance management,
 - c. human resources management,
 - d. internal and external auditing,
 - e. financial reporting,
 - f. accounting
 - g. management control frameworks,
 - h. internal financial controls
 - i. governance of organisations,
 - j. business operations, and

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h) is independent of the council.

At the time of recruitment all members satisfied the above criteria, additionally since their appointment have demonstrated that they are all highly skilled professionals that fulfil the criteria above.

ARIC annual reports for 2021/22 and 2022/23 have been presented by the Chair on 19 October 2022 and 18 October 2023 and have demonstrated the effectiveness of the Committee.

Based on this it is recommended that each member of the current ARIC is reappointed for either one (1), two (2), three (3) or four (4) years. For stability it is recommended that the ARIC Chair, Mr Stephen Horne is reappointed for four (4) years. Appointment term for the three (3) independents were assigned based on a random draw and ARIC members and Chair were advised of the process prior to it being undertaken.

It is recommended that the ARIC be reappointed for the following staggered terms, as follows:

Independent Member	Reappointment Term	Proposed New Term
Mr Stephen Horne (Chair)	4 years	1 September 2024 – 31 August 2028
Mr Mark McCoy	3 years	1 September 2024 – 31 August 2027
Mr Michael Quirk	2 years	1 September 2024 – 31 August 2026
Ms Simone Schwarz	1 year	1 September 2024 – 31 August 2025

Committee Remuneration

The current ARIC remuneration fees are as follows per the 28 July 2021 Council resolution (in part).

“Endorse the remuneration fee of \$1,621 (excluding GST) per meeting to committee members and \$16,213 (excluding GST) per annum payable the Chair. “

Since the appointment of the ARIC their fees have not been reviewed or indexed. To address this, it is recommended that the ARIC remuneration fees be indexed by the rate peg annually. This would mean that the fees for 2024/25 financial year are as follows:

- Independent members - \$2,350.45 (excluding GST)
- Chair - \$23,508.85 (excluding GST).

The fees determined above include the retrospective application of the rate peg since the remuneration fees were set. It is proposed to index the ARIC fees annually in line with Council’s rate peg in July each year.

COMMUNICATION AND CONSULTATION

Community Engagement

N/A

Internal Communication and Consultation

N/A

External Communication and Consultation

The ARIC independent members were consulted on their desire and availability to be reappointed and all confirmed that they would like to be reappointed, noting the staggered reappointment term.

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SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

There are no social issues in relation to this report.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

All NSW Councils are required to have an ARIC, as the current ARIC terms is due to conclude in August 2024, it is recommended that the current ARIC be reappointed with a staggered reappointment term. This is allowable under Section 216G of Regulation that specifies:

- (4) A council may appoint a member of the council's Audit, Risk and Improvement Committee for a term of no more than 4 years.
- (5) A person who continues to be eligible for appointment may be reappointed.
- (6) A person must not be a member of an Audit, Risk and Improvement Committee for a particular council for more than 8 years in a 10-year period.

For the 2024/25 financial year this is an increase of \$729.45 per independent member and \$7,295.85 for the Chair from the 2023/24 remuneration fees.

COUNCIL BUDGET IMPLICATIONS

The current ARIC remuneration fees are as follows per the 28 July 2021 Council resolution.

"3. Endorse the remuneration fee of \$1,621 (excluding GST) per meeting to committee members and \$16,213 (excluding GST) per annum payable the Chair. "

Since the appointment of the ARIC their fees have not been reviewed or indexed. To address this, it is recommended that the ARIC remuneration fees be indexed by the rate peg annually. This would mean that the fees for 2024/25 financial year are as follows:

- Independent members - \$2,350.45 (excluding GST)
- Chair - \$23,508.85 (excluding GST).

There is an allocation for ARIC remuneration in the 24/25 budget to offset this increase.

RELATED COUNCIL POLICY

Nil

CONCLUSION

All NSW Councils are required to have an ARIC. Council's ARIC term is due to expire at the end of August 2024. As an elected Council will return following the September 2024 NSW Local Government Election this report recommends the reappoint of the four independent members to Audit, Risk and Improvement Committee with staggered renewal dates. This will ensure stability, while the newly elected Council are

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onboarded and inducted. This report also recommends the remuneration fees for independent members and the Chair 2024/25 and for the fee to be indexed by the rate peg annually.

ATTACHMENTS

Nil

10.12 Appointment of Additional 355 Committee Members

Report of: **Julianne Billington**
Project Business Analyst

Authorised by: **Pav Kuzmanovski**
Acting Director Corporate Strategy and Resourcing

PURPOSE

The purpose of this report is for Council to endorse three (3) Expressions of Interest from community members who wish to nominate for membership to three (3) 355 Management Committees.

OFFICER'S RECOMMENDATION

THAT:

1. Council appoints the following nominees to the respective 355 Management Committees:
 - a. Narelle Bower be appointed to the Bong Bong Common Management Committee.
 - b. Georgina Pryke be appointed to the Exeter Hall Management Committee.
 - c. Bronwyn Miller be appointed to the Mittagong Memorial Hall Management Committee
2. Council writes to each elected 355 Management Committee Member to congratulate them on their appointment and to all outgoing committee members to thank them for their service to the community.

BACKGROUND

355 Management Committees were appointed at an Ordinary Meeting of Council on Wednesday November 15, 2023. Since the initial appointment of committee members, further expressions of interest have been received from members of the community to join specific 355 Management Committees in the capacity of volunteers.

This report provides an update on the training provided and induction outcomes to the proposed new 355 Management Committee members.

REPORT

This report outlines the process that has been undertaken to ensure those recommended to become 355 Management Committee members have performed the relevant training.

Expressions of Interest for a booking officer for the Exeter Management Committee

During the general meeting of the Exeter Hall Management Committee (EHMC) on March 4, 2024, the Booking Officer announced her intention to step down from her role and resign from the EHMC committee (effective July 1, 2024). The committee comprises representatives from the Exeter Village Association (EVA), the Country Women's Association (CWA), Exeter Sings, and the EHMC Executive. Each committee member actively reached out to their respective networks in search of a potential replacement. EVA advertised the vacant position in their Newsletter and following consultations within the local community through these groups, a suitable candidate was identified based on relevant skills, availability, and compatibility with the team.

Bong Bong Common and Mittagong Memorial Hall 355 Management Committees update

At the time of Council endorsing the initial 355 Management Committee intake in November 2023, two (2) of the potential 355 Management Committee members were unable to attend any of the training sessions

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and subsequently unable to be inducted. Both committee members have subsequently advised that they would be available to participate in the relevant training and induction.

Outcomes of Training and Induction sessions

A Training and Induction session was held on June 7, 2024. The topics covered at the session include:

- Roles and Responsibilities of 355 Management Committee Members
- Governance and Code of Conduct - Insurance, WHS (Work Health and Safety) and Risk Management
- Bookings and Bookable
- Finance
- Capital Works
- Buildings and Grounds Maintenance Seventy-three volunteers attended the workshops

All three (3) nominees attended the training and induction session in person.

Based on those that were nominated to their respective 355 Management Committees and those that completed the Council Training and Induction session, the following nominees are recommended to be appointed as 355 Management Committee Members:

Bong Bong Common 355 Management Committee

- Narelle Bower

Exeter Hall 355 Management Committee

- Georgina Pryke

Mittagong Memorial Hall 355 Management Committee also responsible for the Management of Welby Hall)

- Bronwyn Miller

Upon resolution, these members will become committee members of their respective committee.

COMMUNICATION AND CONSULTATION

Community Engagement

Nil.

Internal Communication and Consultation

- Bong Bong Common 355 Management Committee.
- Exeter Hall 355 Management Committee.
- Mittagong Memorial Hall 355 Management Committee.

External Communication and Consultation

Nil.

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

There are no social issues in relation to this report.

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Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

The Training and Induction sessions ensured that committee members understood their roles and responsibilities as volunteers with delegation to manage the committees in the best interest of the community.

COUNCIL BUDGET IMPLICATIONS

There are no budget implications associated with this report.

RELATED COUNCIL POLICY

Nil

CONCLUSION

In conclusion, this report recommends that the Council endorse the appointments of Narelle Bower, Georgina Pryke, and Bronwyn Miller to their respective 355 Management Committees following the completion of their required training. Additionally, the Council will formally acknowledge their appointments and express gratitude to outgoing committee members for their contributions to the community.

ATTACHMENTS

Nil

10.13 Visitor Economy Advisory Panel

Report of: James Borbone
Acting Manager Business and Property Services

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

PURPOSE

The purpose of this report is to provide Council with an overview of the selection process to determine the membership of the Visitor Economy Advisory Panel (VEAP). The report also provides the outcomes of the selection process, nominated panel members and the next stages for commencing the VEAP.

OFFICER'S RECOMMENDATION

THAT Council:

1. Endorse the following individuals to form the Visitors Economy Advisory Panel:
 - a. Stefano Marvello
 - b. Nathan Ponder
 - c. Max Mason
 - d. Kellie Stapleton
 - e. Ally Seymour
 - f. Amanda Fry
 - g. Natalie Dare
 - h. Ben Shephard
 - i. Richard Sainsbury

2. Note the first VEAP meeting will be schedule in July 2024.

REPORT

BACKGROUND

At the Council meeting held on 13 December 2023, Council resolved the following in relation to Destination Southern Highlands and Visitor Servicing Review:

THAT Council:

1. *Note the Destination Sydney Surrounds South Futureproofing Visitor Servicing in NSW using Wingecarribee as a Pilot Report*
2. *Establish a Visitor Economy Advisory Panel of representatives of industry subsectors of the Wingecarribee Shire Council area and endorse the Terms of Reference as contained in Attachment 4.*
3. *Delegate to the Visitor Economy Advisory Panel the following functions to be executed in accordance with the Operational Plan and budget as adopted by Council through the annual planning process.*
 - a. *develop and implement a Visitor Economy Action Plan that aligns with the goals of the Destination Strategy 2020 - 2030 subject to receiving budgetary allocation in the 2024/25 budget*
 - b. *present for consideration by Council an annual strategic marketing campaign to ensure the delivery of the Action Plan.*

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4. *Adopt the following additional recommendations of the Destination Sydney Surrounds South report:*
 - a. *the Southern Highlands Visitor Information Centre (VIC) continues to deliver services in the current physical location.*
 - b. *Destination Southern Highlands improve the sense of place for visitors to the centre by developing its visitor experience to attract more travellers.*
 - c. *Destination Southern Highlands grow the premium local brand merchandising offer.*
5. *Write to the Destination Sydney Surrounds South Chair and General Manager to advise of the outcome and thank them for their support.*
6. *Write to the Visitor Servicing workshop participants to thank them for their engagement and contribution.*
7. *A further report to Council will be provided to Council in the first quarter of 2024 to appoint the members of the Visitor Economy Advisory Panel.*
8. *Attachment Four to the report be amended to provide that the General Manager allocates appropriate resources for the Visitor Economy Advisory Panel secretariat, delete references to Council and Destination Southern Highlands in Relationships to Council (p3) with General Manager and replace any references in the document to Council Officers to General Manager.*
9. *A short discussion paper be presented to Council in the new year on opportunities for volunteering at the Visitors Centre.*

This report addresses the points in the resolution relating to the Visitor Economy Advisory Panel (VEAP) and the process undertaken to appoint VEAP members.

REPORT

This report covers the process that has been undertaken to determine the membership of the VEAP. Details are provided below on the outcomes of the process, including the probity measures instilled throughout the process.

Expression of Interest

In February 2024, an Expressions of Interest was advertised, through an application process via Participate Wingecarribee, Wingecarribee Shire Council EDM, Destination Southern Highlands Industry News EDM, social media posts by Wingecarribee Shire Council and Destination Southern Highlands, Wingecarribee Shire Council media release, and a radio advertisement on 2ST seeking nominations for VEAP members. As a part of the application process, applicants were asked to complete a series of questions relating to:

- Vision for tourism in the Southern Highlands
- What you will bring to the VEAP.
- Local Tourism exposure including opportunities.
- Business Experience including current business experience.

The application process was open for 28 days and closed on 4 March 2024.

Selection Panel

Prior to the applications being circulated for shortlisting, a panel was established with the following members:

- Acting Director Corporate Strategy and Resourcing
- Acting Business and Property Services Manager
- Tourism and Events Coordinator
- Business Development Manager - Visit Wollongong
- Tourism and Economic Development Manager - Shoalhaven Council

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An external probity advisor from SHOP Consulting was appointed to oversee the governance of the process. It is noted that the Tourism and Events Coordinator declared a conflict of interest and was subsequently omitted from the remainder of the process once the conflict was declared.

Shortlisting and Interview Process

Once all panel members had completed the relevant probity documentation, the applications were released for review and shortlisting. There were 22 applications received, including one (1) application which was non-conforming. Scores were compiled and prioritised to form a shortlist. 13 applicants were shortlisted and invited to be interviewed. Interviews were held on the 28 and 29 May 2024, where applicants were asked to present a ten-minute presentation, elaborating on their vision for the VEAP along with a series of questions. The panel scored each applicant on their performance during the interview which was based on their presentation and responses to each question.

Recommended VEAP Members

Upon completion of the interviews, the panel compiled their scoring to develop a final listing of nine VEAP members. The final listing of VEAP panel members is as follows (in no specific order):

- Stefano Marvella
- Nathan Ponder
- Max Mason
- Kellie Stapleton
- Ally Seymour
- Amanda Fry
- Natalie Dare
- Ben Shephard
- Richard Sainsbury

The recommended VEAP members all meet the criteria established in the adopted Terms of Reference. A balance of relevant industry sectors are covered by the applicants based on their past and current experience. It is recommended to endorse the VEAP members to form the initial VEAP.

Probity

A probity advisor was appointed during the process to ensure all matters were conducted in a transparent manner. The probity advisor was from SHOP Consulting and observed the process including all interviews. A probity report was provided that identified no significant probity matters were raised during the process.

Next Steps

If resolved by Council, it is proposed that the initial VEAP will be conducted in July 2024. The initial meeting will primarily focus on inducting VEAP members and electing a chair (and other positions) in accordance with the Terms of Reference. Further procedural documentation will be provided to the VEAP to ensure the administration functionality can be governed appropriately.

COMMUNICATION AND CONSULTATION

Community Engagement

Nil

Internal Communication and Consultation

Nil

External Communication and Consultation

Expressions of Interest were called for the initial applications for VEAP membership.

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SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

There are no social issues in relation to this report.

Broader Economic Implications

The purpose of the VEAP is to provide a platform for tourism and economic development to stimulate the GDP of the Shire.

Culture

There are no cultural issues in relation to this report.

Governance

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

There are no budget implications directly associated with this report. It is noted that a quarterly budget adjustment will be required to fund a marketing campaign once determined by the VEAP in the 2024/25 financial year.

RELATED COUNCIL POLICY

Nil

CONCLUSION

A process has been undertaken to determine the proposed membership of the VEAP. If endorsed by Council, it is envisaged that the VEAP will conduct its first meeting in July 2024.

ATTACHMENTS

Nil

10.14 Domestic Waste Management Service Review

Report of: Imogen Baker
Acting Manager Waste and Resource Management

Authorised by: Clinton McAlister
Acting Director Communities and Place

PURPOSE

The purpose of this report is to provide an update to Council on the analysis undertaken in the provision of a waste service to residents that currently do not receive a domestic waste management service.

The report recommends that Council approve the extension of the domestic waste collection area for the 2024/2025 financial year (pro-rata), ensuring coverage for residents eligible under s496(1) of the Local Government Act 1993 (NSW).

OFFICER'S RECOMMENDATION

THAT Council:

- 1. Endorse the application of a Domestic Waste Management Services Charge to properties where a service is available and contain a residence.**
- 2. Endorse the application of the Vacant Land Charge to all properties where a service is available, rated residential and do not contain a residence.**
- 3. Commit to ongoing assessments and analysis of potential service areas, aiming to extend domestic waste services to all unserved residents across the shire, enhancing our waste management efficiency and environmental sustainability.**

REPORT

BACKGROUND

At the Ordinary meeting of Council 15 February 2023, Council resolved to write to residents who were outside the current domestic waste management service collection area in relation to the possible extension of the domestic waste management collection area (MN2022/310).

A letter was sent to 1,967 residents identified within the Shire as not currently receiving domestic waste management services from the Council. This letter included a survey and a link to the 'Your Say Wingecarribee' online platform, or the option to complete the survey on paper and return it to the Council for inclusion. The survey was accessible from 10 April 2023 to 15 May 2023.

Council received a total of 360 responses (221 electronically and 139 paper submissions) The response rate represents 19% of those residents who were contacted.

Based upon the feedback from this survey, a staged approach was adopted in the review of expanding the waste service collection area based upon the following stages:

Stage 1: Inclusion of areas adjoining existing collections (fringe) where it can be logically serviced with the existing collection fleet. This has been further refined to those areas where a service is available in accordance with s496(1) of the Local Government Act 1993 (NSW).

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Stage 2: Inclusion of commercially viable areas where it can be logically serviced with the existing collection fleet. This can be completed over the coming 12 months.

Stage 3: Inclusion of other areas where commercially and physically viable. This can be completed as part of the new collection contract due to commence in June 2026.

REPORT

Council has undertaken a review of all rateable properties currently not receiving a waste service and not paying the applicable waste levy. This review identified 2968 properties across the shire, including residences and vacant land. The review included an extract from Councils Property and Rating system to identify properties, a review of the domestic waste management service collection through a GIS layer to identify those properties where a service is available, and the use of Geocortex and Nearmaps imagery to identify if a residence exists on the parcel of land.

The review has identified 859 properties as having a domestic waste management service available:

- 682 of these properties have a residence and should have the Domestic Waste Levy applied
- 118 of these properties have no residence and should have the Vacant Land Charge applied
- 59 of these properties are rated farmland with no residence and require no change in levy collected

The remaining 2109 residences and vacant land parcels were identified as having no domestic waste management service available to them until further reviews are undertaken in line with stages 2 and 3 as described above.

Under s496(1) of the Local Government Act 1993 (NSW), Council is required to make and levy an annual charge for domestic waste management services (which include waste collection services) for each parcel of rateable land, where this service is available.

The expansion of domestic waste management services across the shire is critical in achieving the targets as set out by the National Waste Policy Action Plan 2019, including 80% recovery rate from all waste streams by 2030. The NSW Waste and Sustainable Materials Strategy 2041 set broad directions for NSW waste management. Relevant strategy directions include that households be provided with a food and garden organics diversion system by 2030. The NSW Strategy relies on local councils contributing to the adopted targets as set out in the National Waste Policy Action Plan. The key result areas and aims for the NSW Strategy remain to increase recycling rates to:

- 70% for municipal solid waste
- 70% for commercial and industrial waste
- 80% for construction and demolition waste, and
- increase waste diverted from landfill to 75%.

The waste audit undertaken by Council in 2020 identified that each residence produces 12.3kg of waste each week with 4.3kg (35 %) being recyclable. The provision of a domestic waste service will provide a recycling service to these residences and facilitate the recycling of a further 180 tonne of material, diverting it from landfill. It will also establish the platform for the extension of FOGO services to residents as required by 2030.

Council engaged legal representation in Maddock Lawyers to draft the required notification correspondence to residents. Council will contact each resident identified to notify them of the initiation of a domestic waste management service for the 2024/25 financial year. The correspondence will detail the provision of a standard 80L weekly domestic waste management service. Additionally, the letter will

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provide residents the opportunity to inform the Council of any preferred adjustments to the allocated waste service. This can be based on the alternative options outlined in our fees and charges schedule, enabling residents to tailor the service to better suit their needs.

Timeline and steps for finalising the Domestic Waste Management Service Review:

1. June 2024: Commence distribution of letters to customers, providing a 28-day period for residents to respond or request a change in service level (bin size).
2. August/September 2024: Begin distribution of bins per service level outlined.
3. October 2024: Initiate provision of domestic waste management services.

It is necessary to hold on commencement of the service until October due to the following:

1. Procurement and distribution of bins: The scheduled timeline allows adequate time for the procurement and orderly distribution of bins to all affected residents.
2. Alignment with quarterly rate payments: Initiating services in October coincides with the quarterly payment of rates, making it easier for residents to manage expenses.
3. Customer arrangements with commercial contractors: Provides residents with sufficient time to finalise any necessary arrangements with commercial contractors, particularly if they have prepaid for these services.

COMMUNICATION AND CONSULTATION

Community Engagement

The main community consultation to date has been through the Rural waste Services Survey undertaken in April 2023.

External Communication and Consultation.

Council Officers have been in regular contact with a commercial provider on the review of the services and potential impact to business.

SUSTAINABILITY ASSESSMENT

Environment

By providing recycling services to an increased number of residents contributing to a reduction in landfill use. Additionally, we are committed to conducting impact assessments to monitor progress and adjust strategies as needed to maximise environmental benefits.

Social

There are no social issues in relation to this report.

Broader Economic Implications

While the report does not foresee major broader economic implications, it acknowledges the specific impacts on some commercial waste operators. The extension of council-managed domestic waste services may lead to adjustments in the market dynamics, affecting private waste contractors.

Culture

There are no cultural issues in relation to this report.

Governance

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

The adjustment to the Domestic Waste Management Services Charge will be a positive impact to budget. Based on the review and the application of the 2024/25 waste levies, as specified in the draft fees and charges using the standard 80L weekly domestic waste levy (DWL) \$546.70, or the Vacant Levy (VL), \$33.40, the anticipated increase in revenue is as follows:

Approximate total revenue increase: \$376,790

This increase comprises:

- **Domestic Waste Management Levy:** \$372,849
- **Vacant Land Charge:** \$3,941

Please note that the actual increase in revenue will depend on the changes to waste services that residents choose to adopt.

Any savings achieved will be attributed back to the Domestic Waste Management Reserve.

RELATED COUNCIL POLICY

Council's Resource & Waste Management Strategy 2023–2032 includes actions specific to:

- Align with regional, NSW and national strategies including strategies to target waste streams not yet recovered e.g. FOGO, plastics etc
- Implement waste management collection and processing services suitable – through the most appropriate suite of services – to achieve circular outcomes
- Broaden services to provide opportunities for additional waste materials to be recycled
- Pursue a staged resource recovery rate/target through adopting the NSW targets – to minimise waste, divert more waste from landfill and improve resource recovery

CONCLUSION

To achieve the targets established by the NSW Waste and Sustainable Materials Strategy 2041, and to ensure all residents have access to essential recycling and forthcoming FOGO services, it is crucial for the Council to continue expanding and standardising the waste service collection. By standardising waste services across the Shire, we are taking a significant step towards a more sustainable and resilient community, aligned with state objectives and local needs.

The adoption of Stage 1 expansions also ensures that Council is compliant with s496(1) of the Local Government Act 1993 (NSW).

ATTACHMENTS

Nil

10.15 Arts Trail Update

Report of: **Suzanne Hannema**
Coordinator Tourism and Events

Authorised by: **Pav Kuzmanovski**
Acting Director Corporate Strategy and Resourcing

PURPOSE

The objective of this report is to provide Council with a review of the Arts Trail 2023 event. The report covers the 2023 financials and Spendmapp data. The report also outlines the dates for the 2024 Arts Trail.

OFFICER'S RECOMMENDATION

THAT Council:

- 1. Note the outcomes of the 2023 Arts Trail event and the dates for Arts Trail 2024 being set as November 9-10 and November 16-17.**
- 2. A further report be provided to Council at the February 2025 Council Meeting on the outcomes of the 2024 Arts Trail event.**

BACKGROUND

The Arts Trail event is a showcase of visual creatives in the Southern Highlands each year. The 2023 Arts Trail event has been held over the first two weekends of November 2023 and offered locals and visitors to the region a unique opportunity to engage with local artists in their studios and purchase their works, contributing to the region's cultural and economic vibrancy.

The selection process for participants involved an online enrolment portal and a curatorial panel review. In 2023, all applicants were accepted due to the high quality of submissions, underscoring the event's reputation for excellence.

REPORT

The 2023 Arts Trail saw growth, featuring 61 artists across 47 studios, being the highest number of artists and studios to participate to date in this event. This upward participation trend reflects the event's significance within the local creative community.

ECONOMIC IMPACT

The 2023 Arts Trail economic impact has been measured by Spendmapp research analysis tool. Spendmapp provides data based on all cash and card transactions within an area for a particular date range. These transactions determine amount spent, category and geographic origin of the cardholder. This generally does not include on-line booked and paid in advance accommodation.

The Spendmapp data revealed:

- Average Total Local Spend during the first weekend of Arts Trail 2023 was \$8.9M: in 2022 it was \$8.88M. For the second weekend of Arts Trail 2023 it was \$9.25M; in 2022 it was \$8.87M.
- Average Total Local Spend during the weekends shouldering the 2023 Arts Trail event saw \$9.04M during 28-29 October \$9.87M during 18-19 November.

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- Average Visitor Local Spend for the first weekend of Arts Trail 2023 was \$4.01M and \$4.19M during the second weekend. For the weekend before Arts Trail, Visitor Spend was \$4.34M and the weekend after was \$4.61M.

Based on the Spendmapp data provided, the 2023 Arts Trail provided minimal economic boost to the local economy but provided an opportunity to the community to experience local artists and their works.

MARKETING CAMPAIGN

The marketing campaign for the 2023 Arts Trail included various channels such as social media, digital platforms, print media, radio, and distribution of printed maps. These efforts aim to attract visitors and locals alike, enhancing awareness and participation in the event. The official launch of the Arts Trail in 2023 was well attended, signalling strong community support in the event.

Feedback from 2023 Arts Trail participants provided suggestions for enhancements, including increased advertising and earlier access to maps.

As a part of the 2024 Arts Trail event wrap up, a report will be presented to the February 2025 Council meeting, to provide the outcomes of the event and any future enhancements proposed.

COMMUNICATION AND CONSULTATION

Community Engagement

The Arts Trail creative community were surveyed post the 2023 Arts Trail event, of which many expressed a preference to see further enhancements to the event.

Internal Communication and Consultation

The following branches were consulted during the 2023 Art Trail:

- Business and Property Services
- Community Life and Libraries
- Finance

External Communication and Consultation

Arts Trail participants have been notified that applications are currently open to allow adequate time and opportunity for their involvement in the 2024 Art Trail Event.

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

Social issues associated with Arts Trail encourage and foster community pride and engagement.

Broader Economic Implications

Arts Trail plays an important economic benefit to local artists and allows them to broaden their exposure to potential buyers of their crafts.

Culture

Arts Trail develops a sense of community and provides opportunities for the arts sector to participate as per Goal 2.3 of the Community Strategic Plan.

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Governance

Nil

Council Budget Implications

The actual financials for the 2023 Arts Trail Event are as follows:

Income	Budget (\$)	Actuals (\$)
Registration Fees	\$10,000	\$9,150
Other Income	-	\$1,276
TOTAL EXPENDITURE	\$10,000	\$10,426
Expenditure		
Advertising	\$5,000	\$7,943
Creative Contractor	\$5,000	\$10,225
TOTAL EXPENDITURE	\$10,000	\$18,168
NET GENERAL REVENUE FUNDING	\$0	\$7,742

It is noted that an overspend of \$7,742 was made in operating the 2023 Art Trail event, which has been offset by operational savings in the Tourism and Events budget.

RELATED COUNCIL POLICY

Nil.

CONCLUSION

The Arts Trail event is well received amongst the Southern Highlands community and well supported by local artists, as displayed by the participation data from 2023. Applications for the 2024 Arts Trail Event have now opened.

ATTACHMENTS

Nil

10.16 Community Circles Funding Agreement

Report of: Corinne Buxton
Coordinator Community Development

Authorised by: Clinton McAlister
Acting Director Communities and Place

PURPOSE

The purpose of this report is to seek Council’s endorsement for the proposed funding agreement between Council and The Touched by Olivia Foundation for the continuation of Community Circles in Wingecarribee Shire. The report recommends Council provide one off funding of \$15,000 which will be matched by the Touched by Olivia Foundation to employ a Community Facilitator.

This report outlines the benefits Community Circles Wingecarribee has provided to the community and recommends the extension of the current Memorandum of Understanding (MoU) until 31 December 2024.

OFFICER’S RECOMMENDATION

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.

REPORT

BACKGROUND

Council resolved in the 2022/2023 Operational Plan and Budget report to commit to funding of \$20,000 that was matched by the Touched by Olivia Foundation and enter a MoU (**Attachment 1**).

The previous funds that Council committed to and that were matched by the Touched by Olivia Foundation were used to employ a part time ‘Community Facilitator’ for the Wingecarribee Local Government Area.

The purpose of Community Circles is to bring together community groups, Council, volunteers, friends and neighbours to provide intentional support and community connections. Community facilitators link those in need to those who can offer support and assist with everyday activities within the community. The Community facilitation can occur face to face or remotely.

The program aims to reduce social isolation and loneliness in the community by creating meaningful connections. They promote and support the person at the centre to do more of what matters to them. Circles can be for anyone who needs a bit of extra help and connection including carers, older people, young people, people living with a disability, mental health challenges, and even families.

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 JUNE 2024

REPORT

The 2022/2023 target for Community Circles Wingecarribee was well exceeded, with over 680 connections, or Community Circles connections made across the Southern Highlands.

Community Circles Wingecarribee have received a very high volume of exceptional feedback by those involved, and the positive impact the Community Circles program has had on their lives. The key outcomes from the project are:

- 89% of people reported improved mental wellbeing,
- 88% reported more connected to the community,
- 85% reported more confident living in their community and
- 76% reported that Community Circles improved their ability to live independently in their community

Community Circles Wingecarribee have been able to implement a model requiring less volunteer effort, by connecting the various silos of resources and support that are available within the community. The project's success has been largely due to connecting these various silos of resources and support to those needing support. Community Circles Wingecarribee have 50 volunteers donating 3 hours per week on average.

The main objective of the Community Facilitator is to identify the need of an individual or group within the Wingecarribee, find a support group that may already exist and integrate, or create a new group of support with others seeking the same need. The goal is to get the groups up and running and self-sustainable and step back, this builds community capacity and builds social cohesion.

To ensure continuation of the program and support to the Shire, it is proposed to provide one off funding of \$15,000 of the Community Facilitator to enable the development of a new model and for Council to consider future funding opportunities, through the donations program. This \$15,000 will be match funded by the Touched by Olivia Foundation.

COMMUNICATION AND CONSULTATION

Community Engagement

NIL

Internal Communication and Consultation

Community Life & Libraries

Finance

External Communication and Consultation

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

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

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 resources and support systems, the initiative reduces volunteer strain while maximising support outreach.

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 JUNE 2024

With 50 volunteers dedicating three hours weekly, the program fostered a self-sustaining support network, strengthening social ties and community resilience.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

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

COUNCIL BUDGET IMPLICATIONS

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.

The one-off contribution of \$15,000 from the 2023/2024 budget will be funded from the Community Life and Libraries operational budget and will be again matched by Touched by Olivia Foundation.

A copy of 'Touched by Olivia' financial statement can be found as **Attachment 2** of this report.

RELATED COUNCIL POLICY

Community Strategic Plan – Wingecarribee 2041

Grants, Donations & Sponsorship Policy

CONCLUSION

Community Circles Wingecarribee initiative, supported by Council and The Touched by Olivia Foundation, has significantly exceeded its targets for the 2022/2023 period, demonstrating a profound positive impact on the Southern Highlands community. To ensure the continued success and sustainability of this impactful program, a proposed one-off funding of \$15,000 for the Community Facilitator is essential. This funding will support the continuation of this project to help secure future funding, thereby continuing to build community capacity and social cohesion across the Wingecarribee.

ATTACHMENTS

1. Community Circles, Touched by Olivia- WSC MoU [**10.16.1** - 7 pages]
2. TBO Profit & Loss, Balance Sheet 2022.07.01 to 2023.06.30 [**10.16.2** - 3 pages]

Community Circles Pilot

Touched by Olivia Foundation

Wingecarribee Shire Council

MEMORANDUM OF UNDERSTANDING

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 JUNE 2024

THIS MEMORANDUM OF UNDERSTANDING is made on the 17th day of August 2022

between:

PARTIES

TOUCHED BY OLIVIA FOUNDATION LIMITED ABN 18 123 509 008 of 64 Roseby Street, Drummoyne, NSW, 2047 (TBOF)

WINGECARRIBEE SHIRE COUNCIL ABN 49 546 344 354 of Civic Centre, 68 Elizabeth Street, Moss Vale, NSW 2577 (WSC)

Background

- A. TBOF is Australia's leading charity in inclusion. Its mission is to create community connections for a more inclusive world.
- B. WSC is the local government authority for the Southern Highlands of New South Wales. Its mission is to create and nurture a vibrant and diverse community growing and working in harmony with our urban, agricultural and natural environments.
- C. TBOF has launched a program called Community Circles in Australia and is looking to partner with local councils to pilot the program in order to gain further funding for a national rollout.
- D. TBOF have received a grant from Resilience NSW (**NSW Grant**) that allows TBOF to allocate \$20,000 to piloting the Community Circles program in the Wingecarribee Shire local government area (**Project**).
- E. For the purposes of the Project, the Parties will complete a Project Plan that aligns with the NSW Grant outcomes requirements highlighted in Clause 3
- F. The parties have agreed to enter into the Memorandum of Understanding (MOU) to record their understanding of the arrangement.

1. Definitions

Commencement Date means the date of this MOU.

Marketing Material refers to posters, flyers and any other marketing or promotional material relating to or arising out of this MOU.

Media Release refers to any statement made in any medium to the general public in connection with this MOU.

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 JUNE 2024

Term means the period that commences on the Commencement Date and terminates 24 months from such date, unless one of the following events occur:

- (a) the parties enter into a long form agreement specific to additional Projects; or
- (b) by a party giving 7 days' written notice to the other party (Defaulting Party) where the Defaulting Party is in default of any of the provisions of this MOU and fails to rectify such breach within 30 days of written notice to do so.

2. Parties Obligations

The Parties acknowledge that during the term of this MOU, they:

- (a) will use reasonable endeavours and dedicate appropriate and sufficient resources to meet the delivery milestones outlined in the Project Plan;
- (b) will work collaboratively with each other to engage customers, community groups and government organisations to support the delivery of the Project; and
- (c) will work together to ensure the Project funding is applied in accordance with their commitments outlined in clause 3.

3. Obligations and Commitments of NSW Grant

3.1 TBOF will implement the Project within the Wingecarribee Shire by enabling the creation of up to 50 Circles by providing a trained community facilitator for 1 day per week for the initial 12 months and then 0.5 days per week for the subsequent 12 months to

- (b) Achieve 3 initial circles within by October 2022, and then by December 2023 achieve active participation of a total of
 - (i) 50 Community Circles, 150 volunteers, 2 active Business sponsors and 20 residents from aged care homes that never receive visitors who now receive regular visits
- (c) working with nominated local community groups and individuals to introduce them to Community Circles and train volunteers as facilitators; and
- (d) measuring and reporting on the impact to show the benefits that the Project has delivered during the Term.

3.2 WSC will support the Project, as follows:

- (a) a one-off payment of \$20,000, to be paid directly into TBOF's nominated bank account, upon the execution of this MOU;
- (b) Facilitating access and introductions for TBOF to liaise with local community groups, Businesses, Care Providers and volunteers; and
- (c) Promoting the Project to its community through its established communications channels for the purpose of educating and identifying people within the community who may be interested in participating in the pilot.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

4. Working Group

The Parties will establish a working group with representatives from TBOF and WSC, and other stakeholders (as required by TBOF) to support the delivery of the Project. The working group will agree the allocation of responsibilities in accordance with the Project Plan and will meet on a monthly basis, or more frequently as agreed, to review the Project.

5. Costs

Each Party is responsible for its own costs and expenses in relation to the preparation of this MOU.

6. Promotional Material and Communications

6.1 A party may not publish any Marketing Material, promotional material, trademark or logo of the other party, Media Release or announcement about this MOU without obtaining the prior consent of the other party, which may be reasonably withheld.

6.2 The parties must jointly agree on any external communications from either party and must have regard to the other party's logos, trademarks and brand guidelines when developing or compiling any communications material or Media Release.

7. Confidentiality

7.1 A party must not without the prior written consent of the other party disclose any information in connection with this MOU to any person not a party to this MOU other than:

- (a) as necessary for the purposes of performing its obligations under this MOU;
- (b) with respect to any matter already within the public domain, otherwise than as a result of a breach of this MOU; and
- (c) if required by law.

7.2 The parties agree that this obligation survives the termination or expiration of this MOU.

8. Relationship

8.1 This MOU is to record the measure of good faith of the parties, and it is not the intention of the parties that this document will create a legal relationship between them except in relation to the obligations of Confidentiality contained in clause 7.

8.2 Nothing in this MOU shall be construed or interpreted as constituting the relationship between the parties as a partnership, principal and agent, joint venture, association or any other relationship in which any of the parties may be liable for the acts or omissions of another party.

9. Assignment

A party may not assign or otherwise deal with this MOU or its interest in it without the other party's prior written consent.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

10. Liability

Neither party will be liable to the other party for any claim, action, proceedings, costs or expenses incurred by the other party in relation to this MOU except to the extent that such loss is caused or contributed by the first mentioned party.

11. Notices

Any notice between the parties is to be in writing and addressed to the following named representatives:

If to TBOF:

Name: Meredith Coote

Mobile: [REDACTED]

Email: meredith@touchedbyolivia.com.au or meredith.coote@communitycirclesaustralia.com.au

If to WSC:

Name:

Mobile:

Email:

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

Executed as a Memorandum of Understanding

Signed for and on behalf of **Touched by Olivia Foundation Limited** by its duly authorised representative in the presence of:

Signature

Signature of Witness

Name of Witness in full

Signed for and on behalf of **Wingecarribee Shire Council** by its duly authorised representative in the presence of:



Lisa Miscamble – General Manager



Signature of Witness

Name of Witness in full

CATH BRENNAN - COORDINATOR
COMMUNITY
DEVELOPMENT

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

Attachment 1 Project Plan

Deliverable	Timeframe	Party Responsible
3 initial circles	October 2022	TBOF and WSC
Bi annual reporting to NSW Govt	Dec 2022, June and Dec 2023	TBOF
End of project report	June 2024	TBOF
Target is 50 circles, 150 volunteers, 2 active businesses, 20 residents from aged care	June 2023	TBOF and WSC

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 JUNE 2024

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Touched By Olivia Foundation Ltd

64 Roseby Street
Drummoyne NSW 2047
Australia

Profit & Loss Statement

July 2022 To June 2023

ABN: 18 123 509 008

Email: accounts@touchedbyolivia.com.au

Income		
Donations		
Donations - Cafe	\$2,671.00	
Donations - Other	\$5,532.65	
Donations - Work Place Giving	\$503.60	
Grants		
Grants - GST	\$108,272.73	
Storytime Grants	\$4,427.27	
Other		
Interest Income	\$4,546.56	
Other Revenue	\$180,000.00	
Rent Income	\$7,780.21	
Projects		
Project Income	\$20,322.95	
Total Income		\$334,056.97
Cost Of Sales		
Cafe Cost of Sales	\$200.00	
Project Expenses	\$38,164.99	
Playground Maintenance	\$115.50	
Total Cost Of Sales		\$38,480.49
Gross Profit		\$295,576.48
Expenses		
Accounting/Auditing Fees	\$7,595.00	
Advertising & Marketing	\$4,596.53	
Bank Charges	\$30.84	
Client Amenities	\$113.64	
Computer Software	\$1,056.35	
Conferences	\$750.00	
Consultancy Fees	\$4,000.00	
Donations	\$52.20	
Entertainment and Gifts	\$1,003.68	
Freight & Courier	\$15.00	
Fundraising Fees	\$150.00	
Insurance	\$3,698.70	
Interest Expense	\$1.01	
Membership/Subscriptions	\$1,787.81	
Motor Vehicle Expenses	\$147.09	
Printing, Stationery, Office	\$99.42	
Repairs and Maintenance	\$413.64	
Storytime Expenses	\$2,136.27	
Telephone & Internet	\$984.67	
Travel & Accommod'n National	\$2,179.05	
Website Expenses	\$1,398.20	
Employment Expenses		
Salary Packaging Fees	-\$62.40	
Staff Amenities	\$162.22	
Staff Training	\$549.55	
Superannuation	\$18,449.74	
Salaries & Wages	\$215,399.74	
Workers Compensation	\$326.36	
Occupancy Costs		

This report includes Year-End Adjustments.

Page 1 of 2

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

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Touched By Olivia Foundation Ltd

64 Roseby Street
Drummoyne NSW 2047
Australia

Profit & Loss Statement

July 2022 To June 2023

ABN: 18 123 509 008

Email: accounts@touchedbyolivia.com.au

Electricity & Other Utilities	\$514.33	
Rent	\$14,437.50	
Total Expenses		\$281,986.14
Operating Profit		\$13,590.34
Net Profit/(Loss)		\$13,590.34

This report includes Year-End Adjustments.

Page 2 of 2

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

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Touched By Olivia Foundation Ltd

64 Roseby Street
Drummoyne NSW 2047
Australia

Balance Sheet

As of June 2023

ABN: 18 123 509 008

Email: accounts@touchedbyolivia.com.au

Assets		
Current Assets		
WBC Transactional 333657	\$8,396.60	
WBC Hi Interest 333673	\$427,609.37	
WBC Livvis Cafe 333 665	\$1.85	
NAB Hi Interest 51863	\$1.19	
Other Assets		
Accounts Receivable	\$14,044.00	
Loan to Livvi's Cafe Five Dock	-\$1,604.33	
Bonds - Rental etc	\$846.15	
Fixed Assets		
Furniture and Fixtures	\$9,568.00	
Total Assets		\$458,862.83
Liabilities		
Project Funds Held		
Project Funds Held In Trust (Void)	\$2,269,140.86	
Project Expenses (Void)	-\$2,516,671.18	
Projects Surplus Expensed	\$242,633.35	
Current Liabilities		
Accounts Payable	-\$9,938.33	
TBO Credit Card (WBC 9472 Jus)	\$549.00	
Loan - CheckedIn Care Pty Ltd	\$592.62	
Tax Liabilities		
GST Collected	\$731.27	
GST Paid	\$903.48	
PAYG, BAS & Super Payable	\$22,216.86	
Total Liabilities		\$10,157.93
Net Assets		\$448,704.90
Equity		
Retained Earnings	\$435,114.56	
Current Year Earnings	\$13,590.34	
Total Equity		\$448,704.90

This report includes Year-End Adjustments.

Page 1 of 1

10.17 Bowral and Moss Vale Sewerage Treatment Plants Proposed Easement

Report of: **Natasha Woods**
Property and Project Officer

Authorised by: **Pav Kuzmanovski**
Acting Director Corporate Strategy and Resourcing

PURPOSE

The purpose of this report is to seek Council approval to enable the registration of an Easement for Underground Cables and Padmount Station over the Council properties known as 'Bowral Sewerage Treatment Plant' Lot 2 in Deposited Plan 1119953, Burradoo Road, Burradoo and 'Moss Vale Sewerage Treatment Plant' Lot 2 in Deposited Plan 187926, 27B Kennedy Close, Moss Vale.

OFFICER'S RECOMMENDATION

THAT:

- 1. Council affix the Common Seal of Council to any document required to be sealed in respect of the registration of Easement for Underground Cables and Padmount Station over the Council properties known as 'Bowral Sewerage Treatment Plant' Lot 2 in Deposited Plan 1119953, Burradoo Road, Burradoo and 'Moss Vale Sewerage Treatment Plant' Lot 2 in Deposited Plan 187926, 27B Kennedy Close, Moss Vale AND THAT authority be delegated to the General Manager and the Administrator/Mayor to execute those documents.**
- 2. Authority be delegated to the General Manager to execute on behalf of Council any documents associated with the Easement for Underground Cables and Padmount Station referred to in Item 1 above not requiring affixing of the Common Seal of Council.**

REPORT

BACKGROUND

Council is the registered proprietor of the properties known as:

- 'Bowral Sewerage Treatment Plant' Lot 2 in Deposited Plan 1119953, Burradoo Road, Burradoo; and
- 'Moss Vale Sewerage Treatment Plant' Lot 2 in Deposited Plan 187926, 27B Kennedy Close, Moss Vale.

Both properties are Classified as 'Operational Land' in accordance with the *Local Government Act 1993* and are currently subject to planned upgrade works in accordance with Council's Integrated Water Cycle Management (IWCM) Strategy to comply with the NSW Governments Best Practice Management of the Water Supply and Sewerage Framework.

An Aerial Map of Bowral Sewerage Treatment Plan (STP) is shown in **Attachment 1** and Moss Vale STP is shown in **Attachment 2** to this report.

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 JUNE 2024

REPORT

As a local water authority, Wingecarribee Shire Council is required to prepare a 30-year Strategy for the provision of appropriate, affordable, cost-effective and sustainable urban water services, that meet community needs and protect public health and the environment.

In 2018 Council adopted an Integrated Water Cycle Management (IWCM) Strategy to comply with the NSW Government's Best Practice Management of the Water Supply and Sewerage Framework.

From the population projections estimated in the IWCM, to a design horizon of 2046, it was identified that the Bowral Sewage Treatment Plant (STP) required upgrade from 14,000 EP (Equivalent Population) to 21,000 EP and the Moss Vale Sewage Treatment Plant (STP) required upgrade from 9,000 EP to 21,000 EP.

At the ordinary meeting of Council on 13 October 2021 (*MN 278/21*), an update was provided to Council on the Bowral STP Upgrade. At the ordinary meeting of Council on 28 June 2023 (*MN 2023/423*) a similar project update was provided for the Moss Vale STP Upgrade.

At the ordinary meeting of Council on 15 March 2023 (*MN 2022/346*) Council resolved to award a contract for the construction of the Bowral STP Upgrade to Haslin Constructions. At the ordinary meeting of Council 17 April 2024 (*MN 2024/84*) Council resolved to award a contract for the construction of the Moss Vale STP Upgrade to Haslin Constructions.

As part of the scope of works for both these projects, the incoming power supply is required to be upgraded. Design work for both power supply upgrades have been completed and approved by the local energy provider, Endeavour Energy.

As part of the approved designs, Council is required to grant Endeavour Energy easements over Council property for Endeavour Energy staff to access and maintain the electrical assets installed (Underground Cables and Padmount Station) as part of the power supply upgrade.

The easement plan for Bowral STP is shown in **Attachment 3** and the easement plan for Moss Vale STP is shown in **Attachment 4**.

This report is presented to Council to seek resolution to execute the relevant documents required to allow formal registration of the proposed electrical easements on title of the Council owned properties.

COMMUNICATION AND CONSULTATION

Community Engagement

There is no requirement for community engagement. This is an administrative matter, dealing with Council owned Operational Land.

Internal Communication and Consultation

Project Delivery

External Communication and Consultation

Endeavour Energy

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 JUNE 2024

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

There are no social issues in relation to this report.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

There are no adverse implications to Council budget for this matter. The registration of the plan is incorporated in the Sewerage Treatment Plants Upgrade Projects.

RELATED COUNCIL POLICY

Integrated Water Cycle Management (IWCM) Strategy

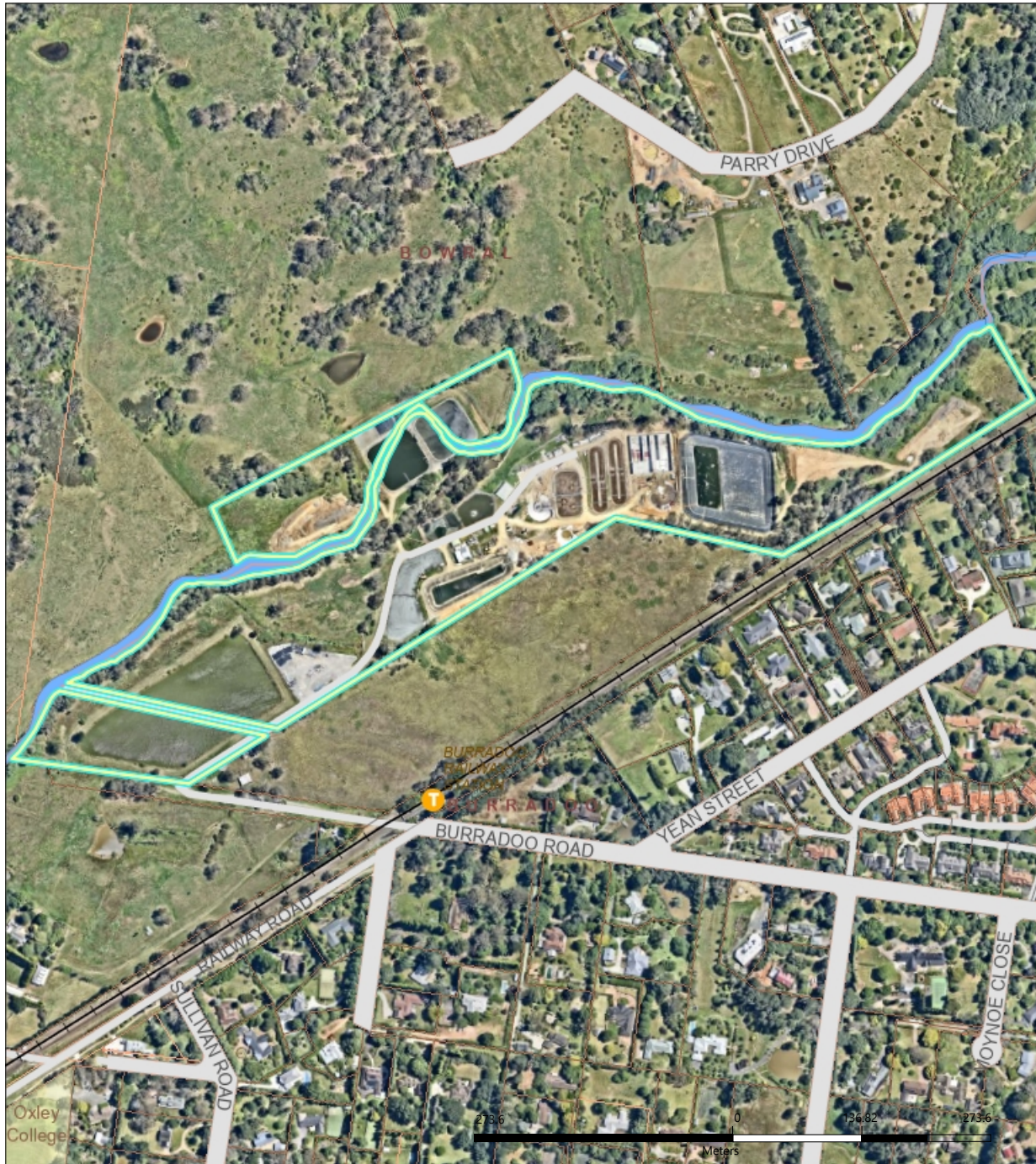
CONCLUSION

This report is to obtain the required resolutions to execute any plans and documents associated with the registration of an Easement for Underground Cables and Padmount Station in favour of Endeavour Energy over Council owned properties.

ATTACHMENTS

1. Attachment 1 - Aerial Bowral STP [**10.17.1** - 1 page]
2. Attachment 2 - Aerial Moss Vale STP [**10.17.2** - 1 page]
3. Attachment 3 - Easement Plan Bowral STP [**10.17.3** - 1 page]
4. Attachment 4 - Easement Plan Moss Vale STP [**10.17.4** - 1 page]

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**



Bowral Sewerage Treatment Plant

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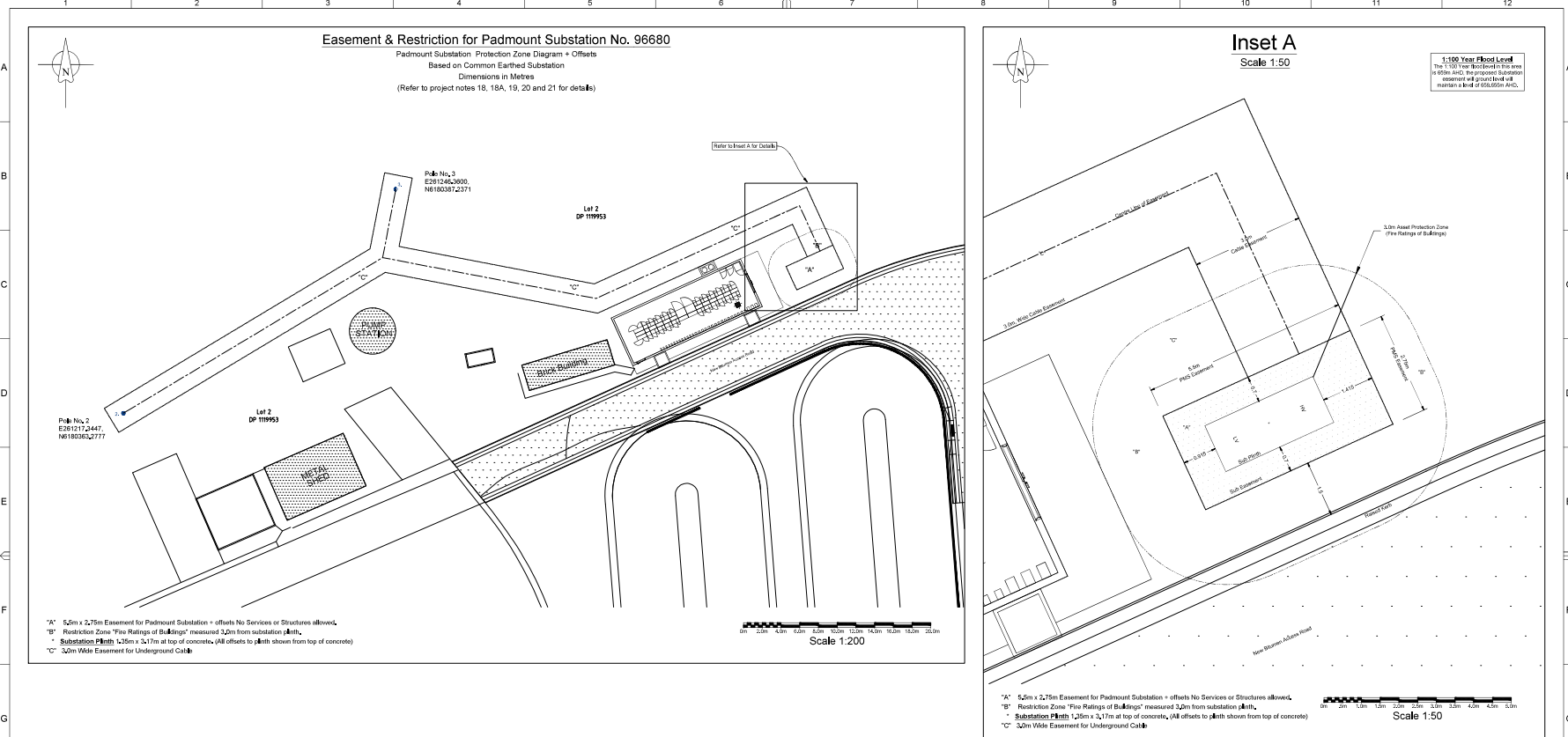
Moss Vale Sewerage Treatment Plant

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AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 JUNE 2024



A 5.5m x 2.75m Easement for Padmount Substation - offsets No Services or Structures allowed.
 B Restriction Zone "Fire Ratings of Buildings" measured 3.0m from substation pits.
 C 3.0m Wide Easement for Underground Cable

A 5.5m x 2.75m Easement for Padmount Substation - offsets No Services or Structures allowed.
 B Restriction Zone "Fire Ratings of Buildings" measured 3.0m from substation pits.
 C 3.0m Wide Easement for Underground Cable

Works Completed / Field Book

Constructed By: _____

Works Completed: _____

Signature: _____ Date: _____

Inspected By: _____

Signature: _____ Date: _____

Asset Recording

I: _____

of: _____

Contact No: _____

Handy note: that assets marked in red on this drawing have been recorded in accordance with Endeavour Energy's Standard S40 005.

Signature: _____ Date: _____

Certified by Endeavour Energy

Amendment: 3

Date Approved: 11.04.2024

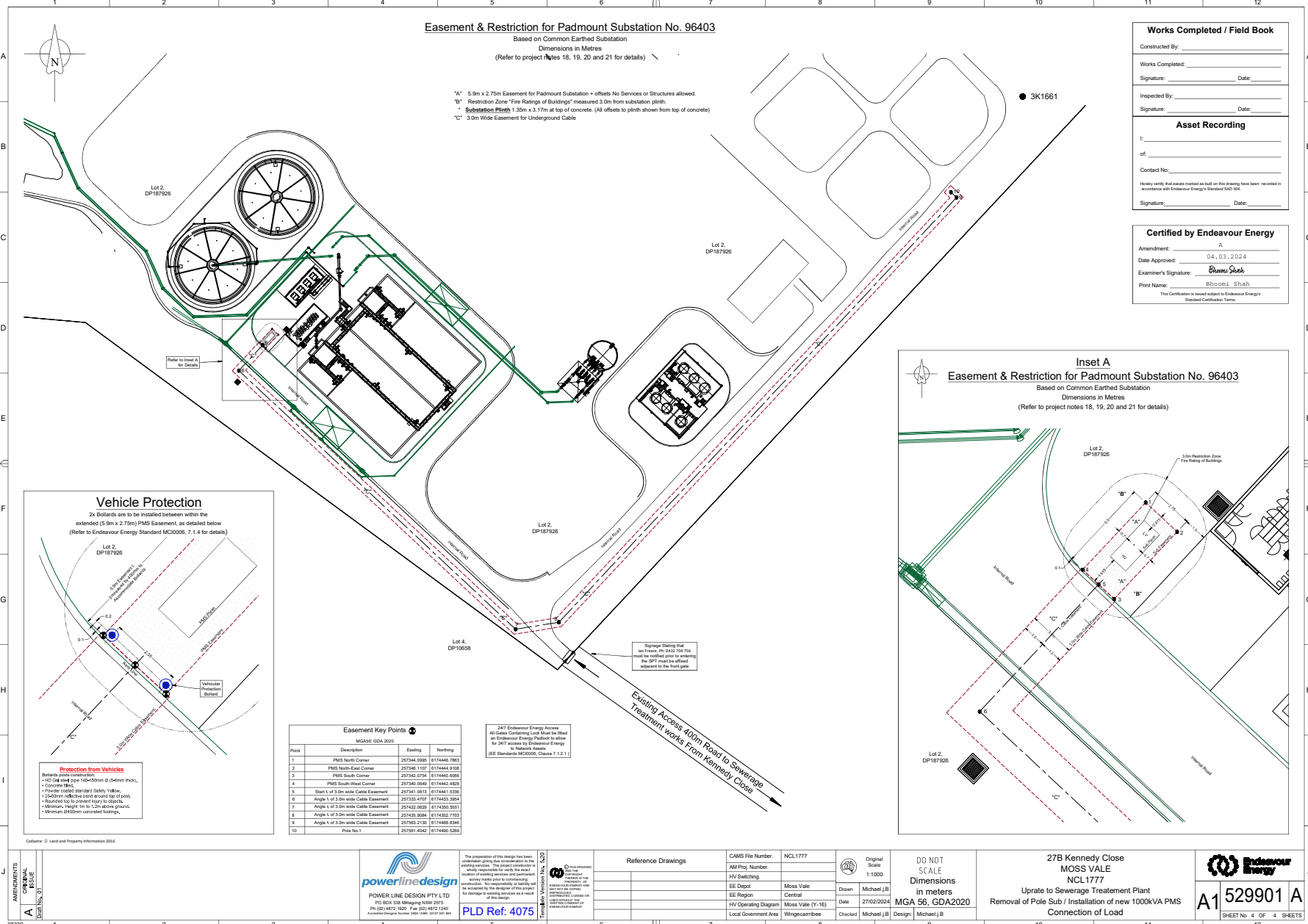
Examiner's Signature: _____

Print Name: _____

This Certification is issued subject to Endeavour Energy's Standard Certificate Terms.

AMENDMENTS ORIGINAL DATE: 01/01/2024	 POWERLINE DESIGN PTY LTD PO BOX 338 Mtimgong NSW 2015 Ph (02) 4872 1820 Fax (02) 4872 1245 <small>Approved Design Professional No. 1966 - 19/06/2019</small>	The preparation of this design has been undertaken by a suitably qualified and experienced design professional. The design is intended to be used for the construction of the project and is not to be used for any other purpose. It is the responsibility of the client to ensure that the design is used in accordance with its intended purpose.	 PLD Ref. 4368	Reference Drawings	CAMS File Number: NIL0347 AM Proj. Number: HV Switching: EE Depot: Moss Vale EE Region: Central HV Clearing Diagram: Moss Vale (6x45) Local Government Area: Wingecarribee	Original Scale: 1:1000 DO NOT SCALE Dimensions in meters MG4 56 GDA 2020	140 Burradoo Road, BURRADOO NIL0347 Removal of PMS 24435 (500kVA) & Installation of new 1000kVA Padmount Substation Connection of Load	 A1 531208 A SHEET No. 4 OF 4 SHEETS
				Drawn: Michael JB Date: 28/03/2024 Checked: Michael JB Design: Michael JB	95339			

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 JUNE 2024



Works Completed / Field Book

Constructed By: _____
Works Completed: _____
Signature: _____ Date: _____
Inspected By: _____
Signature: _____ Date: _____

Asset Recording

I: _____
of: _____
Contact No: _____
Handy verify that assets marked on this drawing have been recorded in accordance with Endeavour Energy's Standard SAC 004.
Signature: _____ Date: _____

Certified by Endeavour Energy

Amendment: A
Date Approved: 04.03.2024
Examiner's Signature: *Bhoomi Shah*
Print Name: Bhoomi Shah
The Certification is issued subject to Endeavour Energy's Standard Certification Terms.

Amendments: ORIGINAL, REVISION, DATE, NO.

POWER LINE DESIGN PTY LTD
PO BOX 288 Murrumbidgee NSW 2515
Ph (02) 4872 1000 Fax (02) 4872 1340
www.powerline.com.au

PLD Ref: 4075

Reference Drawings: _____

CAMS File Number: NCL1777
AM Proj. Number: _____
HV Switching: _____
EE Depot: Moss Vale
EE Region: Central
HV Operating Diagram: Moss Vale (Y-16)
Local Government Area: Wingecarribee

Original Scale: 1:1000
Drawn: Michael J.B
Date: 27/02/2024
Checked: Michael J.B
Design: Michael J.B

DO NOT SCALE Dimensions in meters MGA 56, GDA2020

27B Kennedy Close
MOSS VALE
NCL1777
Upgrade to Sewerage Treatment Plant
Removal of Pole Sub / Installation of new 1000kVA PMS
Connection of Load

Endeavour Energy

A1 529901 A
SHEET No 4 OF 4 SHEETS

10.18 Termination of Agreement to Lease - Southern Highlands Bridge Club

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

Authorised by: **Pav Kuzmanovski**
Acting Director Corporate Strategy and Resourcing

PURPOSE

This report is to provide an update in relation to termination of the Agreement for Lease to Southern Highlands Bridge Club (“the Bridge Club”) for land at Boardman Road, Bowral.

OFFICER’S RECOMMENDATION

THAT Council note the update provided in the Termination of Agreement to Lease - Southern Highlands Bridge Club report.

BACKGROUND

At its meeting on 13 December 2023, Council resolved (MN 2023/589):

THAT Council:

- 1. Rescind previous resolution of Council dated 15 March 2023 being MN 2022/348.*
- 2. Reimburse the Southern Highlands Bridge Club the sum of \$25,032.00 being the actual out-of-pocket expenses (as provided by the Bridge Club), such payment being contingent upon the Southern Highlands Bridge Club providing confirmation in writing of their Surrender of Lease and Lease Agreement for the area of Council owned land at David Wood Playing Fields, Boardman Road, Bowral.*
- 3. In the event that this matter is not finalised by the 29 February 2024, the General Manager be delegated authority to commence proceedings to bring effect to the legal agreement.*

This report provides an update on proceedings following the above Council resolution.

REPORT

Following the resolution of Council on 13 December 2023, Council wrote to the Bridge Club in mid-December 2023, advising of the resolution of Council and requesting confirmation of Surrender of Agreement for Lease to enable reimbursement to the Bridge Club. Correspondence was received from the Bridge Club on 22 December 2023, advising a response would be provided once considered by the Bridge Club. On 30 January 2024, the Bridge Club sent correspondence requesting a further meeting with the General Manager. A response was provided to the Bridge Club on 8 February 2024 that Council officers were enacting the Council resolution.

Further correspondence was exchanged in March between Council’s legal representative and the legal representative for the Bridge Club, however no Surrender of Agreement for Lease was received from the Bridge Club. During this period, correspondence was also received from the Office of Local Government

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(OLG) on this matter, requesting additional information relating to the Bridge Club. A response was provided by Council addressing the matters outlined in the correspondence from the OLG.

On 26 April 2024, a breach notice was served on the Bridge Club requiring rectification of the Bridge Club's breach of the Agreement for Lease within one (1) month.

On 7 May 2024, correspondence was received from the Bridge Club's legal representative, disputing the breach notice. A response was provided to the legal representative confirming Council's position that the Bridge Club were in breach of the Agreement for Lease.

As the issue of the Lease was originally endorsed by the OLG, Council officers met with representatives of the OLG on 23 May 2024 to provide an update in relation to the Bridge Club's breach of the Agreement for Lease.

On 24 May 2024 correspondence was received from the Office of Local Government as shown in **Attachment 1** to this report.

During the rectification period allowed by the breach notice, no action was taken by the Bridge Club to rectify the breach.

Accordingly, a termination notice was served on the Bridge Club on 30 May 2024 terminating the Agreement for Lease. Council's solicitor has received correspondence directly from the Bridge Club on 11 June 2024. Council's solicitor have responded confirming Council's position that the Agreement for Lease has been terminated.

COMMUNICATION AND CONSULTATION

Community Engagement

Nil

Internal Communication and Consultation

Executive

External Communication and Consultation

Southern Highlands Bridge Club

Council's legal representative

Bridge Club's legal representative

Office of Local Government

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

There are no social issues in relation to this report.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report

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Governance

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

Council resolved on 13 December 2023 to reimburse the Bridge Club the sum of \$25,032 being the actual out-of-pocket expenses (as provided by the Bridge Club) (*MN 2023/589*). Reimbursement in accordance with Council resolution is subject to confirmation in writing of the Surrender of the Agreement for Lease and Lease by the Bridge Club which, to date, has not been received. There are no financial implications contained within the report.

RELATED COUNCIL POLICY

None identified.

CONCLUSION

This report is to provide an update to Council on the actions taken since the resolution of Council on 13 December 2023 in relation to the Agreement for Lease with the Bridge Club. A termination notice was served on the Bridge Club on 30 May 2024 terminating the Agreement for Lease.

ATTACHMENTS

1. Letter from OLG [**10.18.1** - 1 page]

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Department of Planning, Housing and Infrastructure
Office of Local Government



Ref: A899912
Contact: Amy Paton
Phone: 02 4428 4100
Date: 24 May 2024

Ms Lisa Miscamble
General Manager
Wingecarribee Shire Council
PO Box 141
MOSS VALE NSW 2577

Via email: mail@wsc.nsw.gov.au
Cc to: Mandy.McCullagh@wsc.nsw.gov.au

Re Lease to Southern Highlands Bridge Club

Dear Ms Miscamble

Thank you for your letter of 9 May 2024 regarding lease to Southern Highlands Bridge Club Inc. (SHBC) and meeting on 23 May 2024 between the Wingecarribee Shire Council (Council) Property Services team and the Office of Local Government (OLG) Performance team.

I appreciate the advice provided by Council and your ongoing efforts to secure tenancy for SHBC. I understand that extenuating circumstances over the past 5-years have impacted both parties entering into the lease over Lot 146 DP123197, located at East Bowral.

Having regard to the application of 10 December 2019, the Minister and OLG have exercised their statutory function in relation to the grant of the lease. This duty was discharged with the letter of consent issued to Council on 8 September 2020, (our reference A685998).

Future lease opportunity with SHBC remains a matter for Council to deal with at a local level. If you have further questions regarding land management please contact the Senior Assessment Officer, Amy Paton at amy.a.paton@olg.nsw.gov.au

Yours sincerely,

A black rectangular box redacting the signature of Francis D'Lima.

Francis D'Lima
Manager, Council Performance
Office of Local Government

T 02 4428 4100 TTY 02 4428 4209, E olg@olg.nsw.gov.au
Locked Bag 3015 NOWRA NSW 2541
www.olg.nsw.gov.au

10.19 Write Off of Excess Water Charge

Report of: David Grima
Coordinator Revenue

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

PURPOSE

This report advises Council of an excess water charge of \$3,358.91 to be written off in accordance with the Local Government (General) Regulation 2021. It is a requirement under the Act that any amounts that are above the General Manager's delegation of \$1,500, can only be written off under resolution of Council. It is also recommended to increase the write off delegation of the General Manager from \$1,500 to \$5,000.

OFFICER'S RECOMMENDATION

THAT:

1. Confidential Attachment 1 to this report be withheld from access to the media and public as required by section 11(3) of the Local Government Act 1993 as Confidential Attachment 1 includes information that is confidential in accordance with s10A(2)(b) of the Local Government Act 1993 as it relates to the personal hardship of a resident or ratepayer.
2. Council write off the water usage charge of \$3,358.91 included in the notice issued for the 3rd billing period of the 2022/2023 year in accordance with section 213(5)(a) of the Local Government (General) Regulation 2021.
3. Council increase the delegation of the General Manager to write off debts from \$1,500.00 to \$5,000.00, noting that any debt amounts above \$5,000 will need to be written off by Council.

BACKGROUND

In writing off an amount, Section 213 of the Local Government (General) Regulation 2021 requires the following:

- 1) *This section does not apply to amounts owed to a council for rates or other charges for which the Act, or any other regulation in force under the Act, makes specific provision for writing off those amounts in specified circumstances;*
- 2) *A council must from time to time, by resolution, fix an amount above which debts to the council may be written off only by resolution of the Council;*
- 3) *A debt of or below that amount can be written off either by resolution of the council or by order in writing of the council's general manager. In the absence of a resolution under subsection (2), the council's debts can be written off only by resolution of the Council;*
- 4) *A resolution or order writing off a debt to a council must --*
 - a) *specify the name of the person whose debt is being written off, and*
 - b) *identify the account concerned, and*
 - c) *specify the amount of the debt,**or must refer to a record kept by the council in which those particulars are recorded;*
- 5) *A debt can be written off under this section only—*
 - a) *if the debt is not lawfully recoverable, or*
 - b) *as a result of a decision of a court, or*

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 JUNE 2024

- c) *if the council or the general manager believes on reasonable grounds that an attempt to recover the debt would not be cost effective.*
- 6) *The fact that a debt is written off under this section does not prevent the council concerned from taking legal proceedings to recover the debt.*

In fulfilling the obligations required by this section:

- attached is a copy of the water & sewerage notice issued with the excess water usage charge. The notice includes details of the owner and property address concerned;
- the amount that only be written off by resolution of Council be reviewed as part of this report.

REPORT

On the 18 January 2023, the water meter at the subject property was replaced as part of Council's water meter replacement program.

The contractor replacing the meter reported no issues at the time that the new meter was installed, however, shortly after the meter was replaced, the garden tap at the property failed causing a leak that resulted in large water loss.

The owner was billed for water usage, including water lost as a consequence of the leak and lodged a claim with Council, believing that the failing of the garden tap was a direct consequence of the meter replacement. As the work was undertaken by a contractor of Council, the claim was referred to Council's insurer for resolution and a review of the installation of the replacement meter was undertaken.

Initial indications were that the failure of the tap was a consequence of the replacement of the meter, of which was erroneously communicated to the ratepayer. At this stage, the review of the water meter had not been finalised.

Upon completion of the investigation, it was found that the meter was not faulty, but on the basis that the ratepayer had been advised that the meter was faulty, approval is now requested to write off water usage charges of \$3,358.91 that have been included in the water and sewerage notice issued for the 3rd billing period of the 2022/23 year. Information is contained in **Confidential Attachment 1**, which contains personal information on the ratepayer as outlined in accordance with section 213 of the Local Government (General) Regulation 2021.

It is noted that no other options are available to the ratepayer under Council's Water Determination Policy as a claim has been approved to the ratepayer in 2019 (i.e. within the 7-year period provided by the Policy).

General Manager Write off Delegation increase

In accordance with section 213(2) of the Local Government (General) Regulation 2021, an amount is required to be set that can only be written off by resolution of Council. The Local Government (General) Regulation 2021 also allows for that amount to be reviewed at any point in time. The current delegated write off amount is \$1,500.

To align the amount to similar Councils, it is proposed to increase the write off amount for the General Manager to \$5,000.00. Any debts to be written off above \$5,000 will still be reported to Council.

A review of neighbouring Council's General Manager write off delegations are listed below:

- Wollongong City Council (\$10,000.00).
- Campbelltown City Council (\$5,000.00).
- Wollondilly Shire Council (\$5,000.00).
- Kiama Council (\$2,500.00).
- Sutherland Shire Council (\$2,000.00)
- Goulburn Mulwaree Council (\$2,000.00).

It is recommended that the General Managers delegation to write off debt be increased to \$5,000 accordingly.

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COMMUNICATION AND CONSULTATION

Community Engagement

N/A

Internal Communication and Consultation

N/A

External Communication and Consultation

N/A

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

There are no social issues in relation to this report.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

This write off will not have a net impact on Council's working capital position as a provision for the debt has been included as a part of the financial reports for the year ending 30 June 2024. The write off will impact the provision held in Council's Water fund only.

RELATED COUNCIL POLICY

N/A

CONCLUSION

The total amount recommended to be written off is \$3,358.91. This write off will not have a net impact on Council's working capital position as a provision for the debt has been included as a part of the financial reports for the year ending 30 June 2024. It is also recommended to increase the General Managers write off delegation to \$5,000.

ATTACHMENTS

1. CONFIDENTIAL Under Separate Cover - Water and Sewerage Notice [**10.19.1** - 2 pages]

10.20 Investments Report - May 2024

Report of: Damien Jenkins
Acting Chief Financial Officer

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

PURPOSE

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

OFFICER’S RECOMMENDATION

THAT Council:

1. Receive and note this Cash Investment Report as at 31 May 2024.
2. Adopt the Cash Investment Policy noting the minor changes made to the Policy outlined in the report.

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 May 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 \$9,532,138 to 31 May 2024.

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

Fund	Annual budget	YTD budget	YTD actual	YTD variance
General Fund	3,232,000	2,996,222	3,058,079	61,857
Water Fund	2,900,000	2,646,233	3,156,904	510,671
Sewer Fund	2,730,000	2,498,889	3,317,155	818,266
Total Council	8,862,000	8,141,344	9,532,138	1,390,794

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It is noted that Council still has approximately \$7.6 million in debtors relating to the Disaster Recovery Financial Assistance claim owing as at the end of May 2024. Whilst the claims are still being processed, Council still continues to forgo revenue on the amounts owed. The interest revenue forgone as at the end of May 2024 is estimated to be approximately \$574,000 year to date for the 2023/24 financial year.

Cash Investment Policy

In accordance with the Ministerial Investment Order dated 12 January 2011, all councils are required to adopt an Investment Policy which is consistent with the Order and Investment Policy Guidelines issued by the Office of Local Government. Council's current Cash Investment Policy was adopted in August 2022 and is required to be reviewed annually.

A review of the adopted Policy has been undertaken in consultation with Council's investment advisor (Laminar Capital) and the Audit, Risk and Improvement Committee.

The Cash Investment Policy provides the governance framework which safeguards Council's cash investment portfolio. The primary objectives of the Policy are:

- Capital preservation is the primary objective with investments being placed in a manner that ensures security and safeguarding the investment portfolio.
- Investments will be placed giving due consideration to liquidity and ensuring Council has enough cash flow to meet its financial obligations.
- Investments are expected to achieve a market rate of return which is in line with Council's risk tolerance.

The Cash Investment Policy was also discussed at the Audit, Risk and Improvement Committee at the June 2024 meeting. No changes were suggested during this meeting.

There has been no change to legislation or Ministerial Investment Orders since the last Policy review and it is recommended to leave the Policy unchanged. The format of the Policy template has been updated to align with the revised specification and is included as **Attachment 2**.

COMMUNICATION AND CONSULTATION

Community Engagement

Not applicable

Internal Communication and Consultation

Not applicable

External Communication and Consultation

Laminar Capital (Council's Investment Advisors)

Council's Audit, Risk and Improvement Committee

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

There are no social issues in relation to this report.

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Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

Council's year to date investment returns exceeded budget by \$1,390K, with the majority of this attributable to the Water and Sewer fund.

RELATED COUNCIL POLICY

Cash Investment Policy August 2022

CONCLUSION

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

A review of Council's Cash Investment Policy has been completed to ensure that Council continues to act prudently when investing public funds. The security and safeguarding of public funds are the primary objective of the Policy. The review has been completed in consultation with Council's investment advisor, Laminar Capital, and from members of the Audit, Risk and Improvement Committee and it is recommended to leave the Policy unchanged.

ATTACHMENTS

1. May 2024 - Investment Report Summary [**10.20.1** - 6 pages]
2. Cash Investment Policy [**10.20.2** - 12 pages]

Wingecarribee Shire Council Investment Report Summary

For the period ending 31 May 2024

List of Investments

Council's investment portfolio as at 31 May 2024 consists of the following investments:

INVESTMENT PORTFOLIO AS AT 31 May 2024						
Institution	Type	Amount	Interest Rate	Investment Term - Days	Maturity Date	% Investment Portfolio
BOQ	Term Deposit	8,000,000	4.41%	731	02/09/2024	3.75%
CBA	Term Deposit	5,000,000	4.00%	720	16/09/2024	2.35%
Judo	Term Deposit	5,000,000	5.70%	364	21/06/2024	2.35%
BankVIC	Term Deposit	5,000,000	5.65%	364	21/06/2024	2.35%
ING	Term Deposit	5,000,000	5.62%	365	27/06/2024	2.35%
MyState	Term Deposit	4,000,000	5.60%	364	28/06/2024	1.88%
GSB	Term Deposit	4,000,000	5.65%	364	28/06/2024	1.88%
AMP	Term Deposit	5,000,000	5.50%	364	26/07/2024	2.35%
CBA	Term Deposit	5,000,000	5.52%	365	02/08/2024	2.35%
CBA	Term Deposit	4,000,000	5.55%	365	07/08/2024	1.88%
CBA	Term Deposit	5,000,000	5.53%	365	20/08/2024	2.35%
CBA	Term Deposit	5,000,000	5.46%	364	23/08/2024	2.35%
CBA	Term Deposit	5,000,000	5.42%	365	27/08/2024	2.35%
CBA	Term Deposit	2,000,000	5.26%	365	29/08/2024	0.94%
CBA	Term Deposit	3,000,000	5.27%	365	30/08/2024	1.41%
NAB	Term Deposit	5,000,000	5.20%	365	11/09/2024	2.35%
ING	Term Deposit	5,000,000	5.35%	365	27/09/2024	2.35%
NAB	Term Deposit	2,500,000	5.25%	365	03/10/2024	1.17%
ING	Term Deposit	5,000,000	5.47%	365	01/11/2024	2.35%
Auswide	Term Deposit	8,000,000	5.50%	365	29/11/2024	3.75%
ING	Term Deposit	5,000,000	5.34%	365	04/12/2024	2.35%
BOQ	Term Deposit	5,000,000	5.35%	366	05/12/2024	2.35%
ING	Term Deposit	5,000,000	5.19%	335	16/12/2024	2.35%
NAB	Term Deposit	7,000,000	5.12%	343	07/01/2025	3.28%
NAB	Term Deposit	5,000,000	5.10%	345	16/01/2025	2.35%
NAB	Term Deposit	5,000,000	5.13%	357	30/01/2025	2.35%
ING	Term Deposit	5,000,000	5.20%	367	17/02/2025	2.35%
CBA	Term Deposit	5,000,000	4.93%	365	21/02/2025	2.35%
ING	Term Deposit	10,000,000	5.08%	364	28/02/2025	4.69%
GSB	Term Deposit	5,000,000	5.09%	365	06/03/2025	2.35%
NAB	Term Deposit	10,000,000	5.25%	367	28/04/2025	4.69%
NAB	Term Deposit	5,000,000	5.25%	322	18/03/2025	2.35%
NAB	Term Deposit	5,000,000	5.25%	350	15/04/2025	2.35%

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**Wingecarribee Shire Council
Investment Report Summary**

For the period ending 31 May 2024

INVESTMENT PORTFOLIO AS AT 31 May 2024						
Institution	Type	Amount	Interest Rate	Investment Term - Days	Maturity Date	% Investment Portfolio
GSB	Term Deposit	5,000,000	5.20%	356	12/05/2025	2.35%
GSB	Term Deposit	5,000,000	5.20%	365	21/05/2025	2.35%
GSB	Term Deposit	5,000,000	5.22%	313	01/04/2025	2.35%
Auswide	Term Deposit	5,000,000	5.30%	365	29/05/2025	2.35%
ING	Term Deposit	5,000,000	5.23%	731	01/06/2026	2.35%
CBA	Call Account	14,586,715	4.35%	NA	NA	6.84%
Bendigo	Call Account	1,016,294	0.90%	NA	NA	0.48%
Bendigo	Savings acc	50	0.00%	NA	NA	0.00%
Total Investments		\$213,103,059				100.00%

Institution Legend

AMP = AMP Limited
ANZ = Australia & New Zealand Banking Group
Auswide = Auswide Bank
BOQ = Bank of Queensland
BDCU = Berrima District Credit Union
Bendigo = Bendigo & Adelaide Bank
BankVIC = Bank Victoria

CBA = Commonwealth Bank of Australia
GSB = Great Southern Bank (formerly CUA)
IMB = IMB Bank
ING = ING Direct
ME = Members Equity Bank
MyState = MyState Bank

NAB = National Australia Bank
Newcastle = Newcastle Permanent
St George = St George Bank
WBC = Westpac Banking Corporation
Rural = Rural Bank
Judo = Judo Bank

Wingecarribee Shire Council Investment Report Summary

For the period ending 31 May 2024

Policy Compliance

Council's Investment Policy provides clear direction for the diversification of Council's investment portfolio. This ensures credit and diversification risk is managed in accordance with the adopted risk management framework, as outlined in Council's Policy.

Individual Institution Limits

A summary of investments placed by institution is as follows:

Institution	S&P Short Term Rating	Maximum %	Actual %	Invested \$	Supports Fossil Fuels	Policy Compliance
NAB	A1+	40%	20.88%	44,500,000	YES	YES
CBA	A1+	40%	25.15%	53,586,715	YES	YES
ING	A1	25%	21.12%	45,000,000	YES	YES
AMP	A2	15%	2.35%	5,000,000	YES	YES
BOQ	A2	15%	6.10%	13,000,000	YES	YES
ME (acquired by BOQ)	A2	Combined with BOQ %		0	YES	YES
Bendigo	A2	15%	0.48%	1,016,344	NO	YES
MyState	A2	15%	1.88%	4,000,000	NO	YES
Auswide	A2	15%	6.10%	13,000,000	NO	YES
GSB	A2	15%	11.26%	24,000,000	NO	YES
BankVIC	A2	15%	2.35%	5,000,000	NO	YES
Judo	A3	10%	2.35%	5,000,000	NO	YES
Total			100.00%	213,103,059		

Portfolio Credit Limits

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

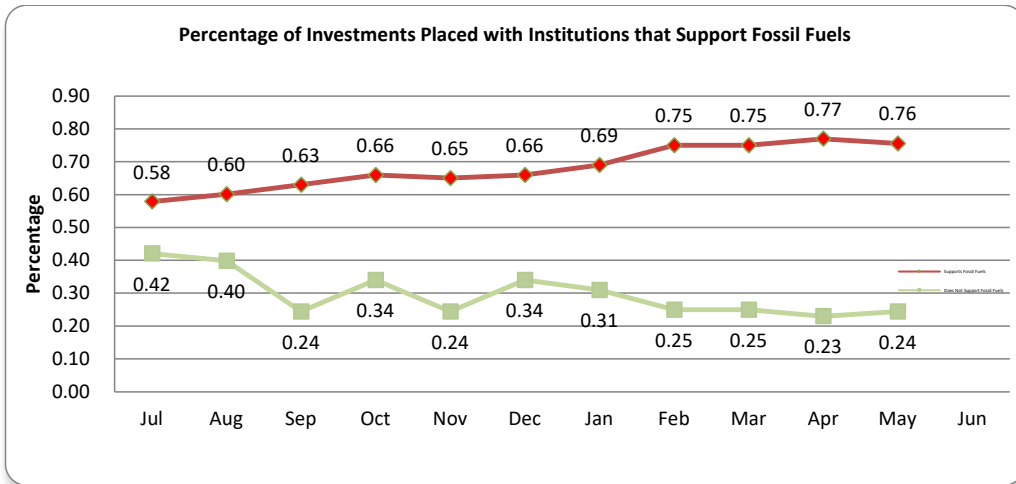
S&P Short Term Rating	Maximum %	Actual %	Invested \$	Policy Compliance
A1+	100%	46.03%	98,086,715	YES
A1	80%	21.12%	45,000,000	YES
A2	60%	30.51%	65,016,344	YES
A3	20%	2.35%	5,000,000	YES
Govt	25%	0.00%	0	YES
Total		100.00%	213,103,059	

**Wingecarribee Shire Council
Investment Report Summary**
For the period ending 31 May 2024

Non-Fossil Fuel Investment Preferring

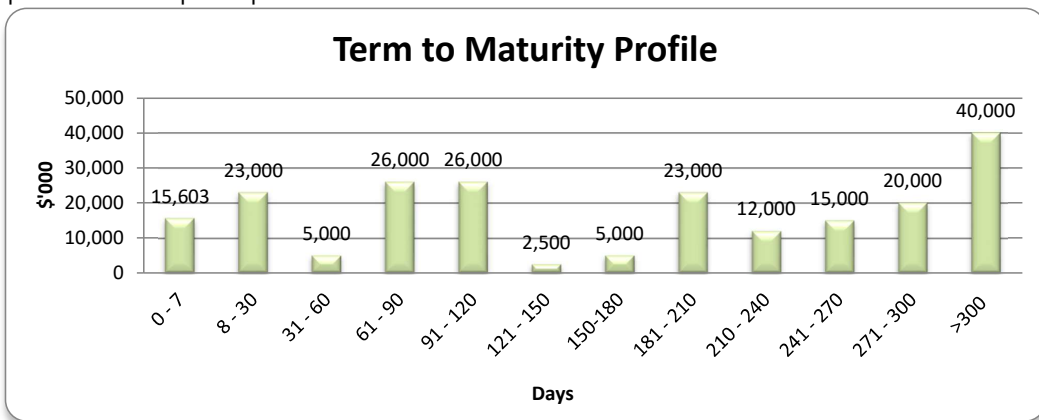
Council's adopted Investment Policy states a preference for placing funds with institutions that do not support the fossil fuel industry. The chart below identifies Council's percentage of investments placed with institutions that do not support the fossil fuel industry.

As investments mature Council will actively seek investments with institutions that do not support the fossil fuel industry, on the basis that they offer equivalent returns and are compliant with legislation and the objectives and parameters of the Investment Policy.



Term to Maturity

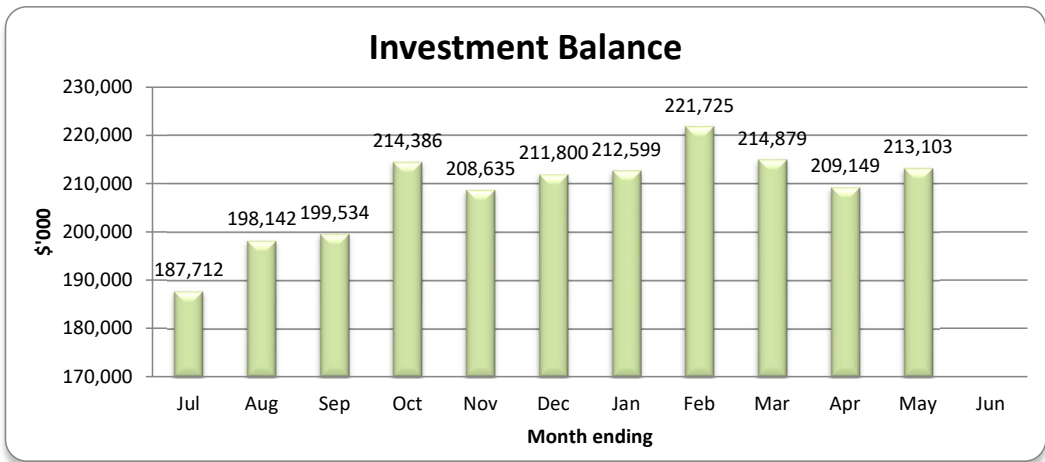
Investments have been placed giving due consideration to Council's liquidity requirements. Enough Working Capital is available to ensure Council continues to meet its ongoing cash flow requirements for operational and capital expenditure.



**Wingecarribee Shire Council
Investment Report Summary**
For the period ending 31 May 2024

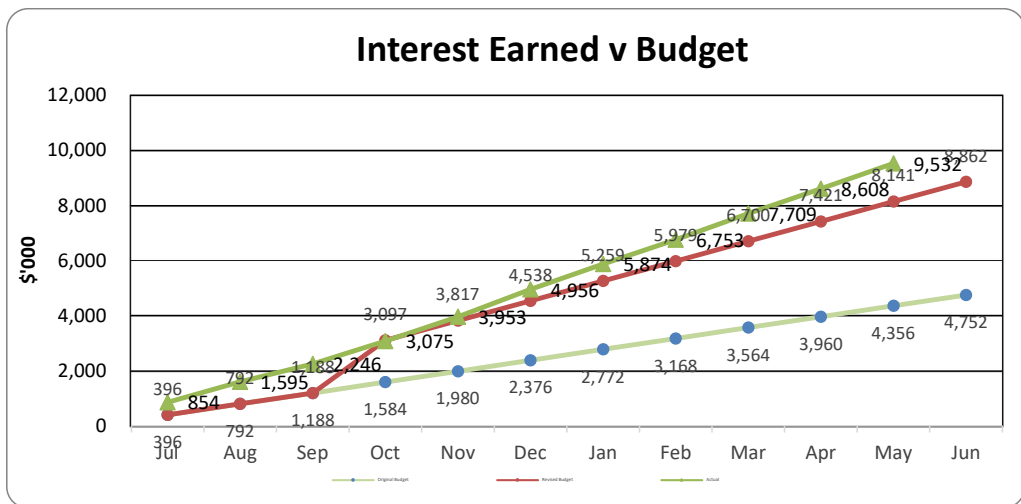
Portfolio Performance

Council's investment balance at the end of May 2024 was \$213.1 million. This has increased by \$3.95 million since the end of April 2024.



Interest Revenue

Council continues to seek the best available returns while managing the investment portfolio in accordance with Council's investment policy.

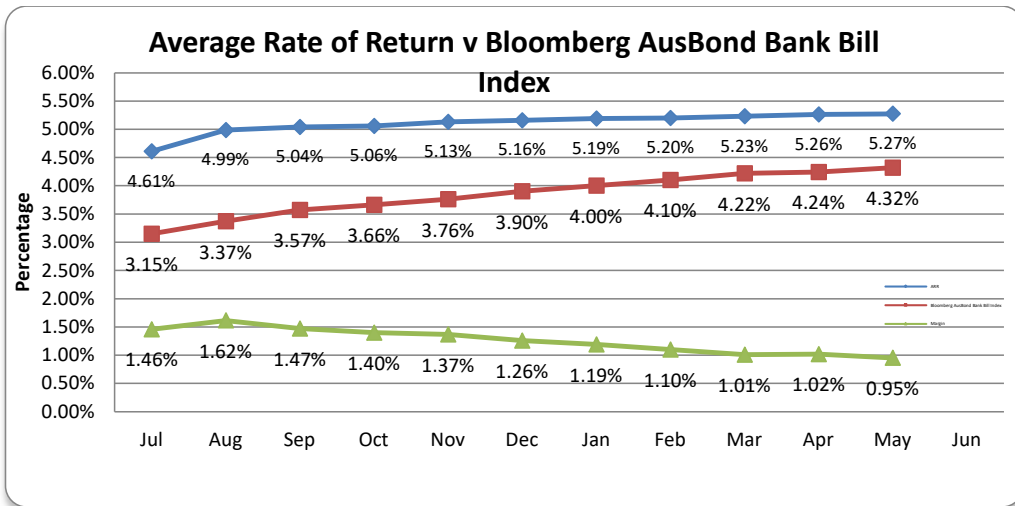


**Wingecarribee Shire Council
Investment Report Summary**
For the period ending 31 May 2024

Performance against Benchmark

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

The average rate of return (ARR) achieved for May 2024 was 5.27% which has increased by 0.01% since April 2024. The Bloomberg AusBond Bank Bill Index for 1 year was 4.32%. The margin against the Bloomberg AusBond Bank Bill Index was 0.95% for May 2024.





Cash Investment Policy



We're with you

WINGECARRIBEE SHIRE COUNCIL



LEADERSHIP

Wingecarribee Community Strategic Plan 2041 – Leadership – Achieve ethical governance and improve decision making, through open, accountable and positive leadership

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**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**



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1 Objectives

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

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

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

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

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

2 Policy Statement

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

2.1 Prudent Person Standard

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

2.2 Ethics and conflicts of interest

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

2.3 Risk Management framework

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

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

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Credit Risk

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

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

Diversification risk

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

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

Maturity Risk

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

Portfolio Term to Maturity Limits		
Investment Horizon	Minimum %	Maximum %
< 1 year	40	100
1 – 3 years	0	60
3 – 5 years	0	40
> 5 years	0	10
* where the security has a maturity date of > 1 year the long term rating is referenced		

2.4 Approved investments

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

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2.5 Non-fossil fuel investment preferencing

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

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

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

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

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

Environmentally productive activities are considered to be:

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

Socially productive activities are considered to be:

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

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

Environmentally harmful activities are considered to be:

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

Socially harmful activities are considered to be:

- abuse of Human Rights and Labour Rights
- involvement in bribery/corruption
- production or supply of armaments
- manufacture of alcohol, tobacco or gambling products

2.6 Local investment

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

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2.7 Investment Strategy

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

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

2.8 Investment advisor

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

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

2.9 Reporting and reviewing of investments.

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

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

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

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

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

2.10 Safe Custody arrangements

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

- Council must retain beneficial ownership of all investments;
- Adequate documentation is provided, verifying the existence of the investments at inception, in regular statements and for audit;
- The custodian recording and holding the assets will be:
- The custodian nominated by TCorp for their managed funds; or
- Austraclear.



3 Scope

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

4 Responsibilities

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

4.1 Councillors

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

4.2 Executive

The Executive shall:

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

4.3 Chief Financial Officer

The Chief Financial Officer shall:

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

4.4 Council staff

Council staff with delegated authority to invest council funds shall:

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

5 Performance Measures

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

- Bloomberg AusBond Bank Bill index.



6 Definitions

Define any specific terms relating to the policy that may not be obvious to a member of the public or other external stakeholder. Include any acronyms and their meanings. The following table should be used:

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

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Preservation of capital

Refers to an investment strategy with the primary goal of preventing losses in an investment portfolio's total value.

7 Related Material

7.1 Related Legislation

The following legislative materials are related to this Policy:

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

7.2 Related Policies, Procedures

The following policies are related to this Policy:

- Investment Strategy

8 Non-compliance with this Policy

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

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

9 Document Control

9.1 Version Control

Version	Adoption Date	Notes
1.0	12 July 2017	Initial adoption of document
2.0	17 August 2022	Adoption following public exhibition period MN 2022/180. In accordance with the Ministerial Investment Order dated 12 January 2011, all councils are required to adopt an Investment Policy which is consistent with the Order and Investment Policy Guidelines issued by the Office of Local Government.
3.0	TBA	Annual review in accordance with legislation.



9.2 Superseded Documents

The following documents are superseded by this Policy:

Document Title	Adoption Date	Notes
Investment Policy	12 July 2017	Council engaged an independent investment advisor from 1 November 2021.

10 Attachments

1. Local Government Act 1993 – Investment Order.

Approved by:

WINGECARRIBEE SHIRE COUNCIL

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LOCAL GOVERNMENT ACT 1993 – INVESTMENT ORDER

(Relating to investments by councils)

I, the Hon. Barbara Perry MP, Minister for Local Government, in pursuance of section 625(2) of the *Local Government Act 1993* and with the approval of the Treasurer, do, by this my Order, notify for the purposes of section 625 of that Act that a council or county council may only invest money (on the basis that all investments must be denominated in Australian Dollars) in the following forms of investment:

- (a) any public funds or securities issued by or guaranteed by, the Commonwealth, any State of the Commonwealth or a Territory;
- (b) any debentures or securities issued by a council (within the meaning of the *Local Government Act 1993* (NSW));
- (c) interest bearing deposits with, or any debentures or bonds issued by, an authorised deposit-taking institution (as defined in the *Banking Act 1959* (Cwth)), but excluding subordinated debt obligations;
- (d) any bill of exchange which has a maturity date of not more than 200 days; and if purchased for value confers on the holder in due course a right of recourse against a bank which has been designated as an authorised deposit-taking institution by the Australian Prudential Regulation Authority;
- (e) a deposit with the New South Wales Treasury Corporation or investments in an Hour-Glass investment facility of the New South Wales Treasury Corporation;

All investment instruments (excluding short term discount instruments) referred to above include both principal and investment income.

Transitional Arrangements

- (i) Subject to paragraph (ii) nothing in this Order affects any investment made before the date of this Order which was made in compliance with the previous Ministerial Orders, and such investments are taken to be in compliance with this Order.
- (ii) Paragraph (i) only applies to those investments made before the date of this Order and does not apply to any restructuring or switching of investments or any re-investment of proceeds received on disposal or maturity of such investments, which for the avoidance of doubt must comply with this Order.

Key Considerations

An investment is not in a form of investment notified by this order unless it also complies with an investment policy of council adopted by a resolution of council.

All councils should by resolution adopt an investment policy that is consistent with this Order and any guidelines issued by the Chief Executive (Local Government), Department of Premier and Cabinet, from time to time.

The General Manager, or any other staff member, with delegated authority by a council to invest funds on behalf of a council must do so in accordance with the council's adopted investment policy.

Councils have a fiduciary responsibility when investing. Councils should exercise the care, diligence and skill that a prudent person would exercise in managing the affairs of other persons.

When exercising the power of investment councils should consider, but not be limited by, the risk of capital or income loss or depreciation, the likely income return and the timing of income return, the length of the term of the proposed investment, the liquidity and marketability of the proposed investment, the likelihood of inflation affecting the value of the proposed investment and the costs (including commissions, fees, charges and duties payable) of making the proposed investment.

Dated this 12th day of January 2011


Hon BARBARA PERRY MP
Minister for Local Government

10.21 Monthly Financial Report - May 2024

Report of: Damien Jenkins
Acting Chief Financial Officer

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

PURPOSE

The purpose of this report is to present to Council the monthly financial report for the period ending 31 May 2024.

OFFICER'S RECOMMENDATION

THAT Council receive the monthly financial report for May 2024.

REPORT

This report includes an Income Statement for the Consolidated Fund of Council, which incorporates the following Funds of Council:

- General Fund
- Water Fund
- Sewer Fund

This monthly financial report also includes Council's Income Statement by fund and Council's consolidated capital expenditure program by asset class at **Attachment 1**.

High level narration is also contained within these attachments to this report. This report presents the financial position of Council as of 31 May 2024 and all figures presented are unaudited but have been allocated into the correct expenditure class in accordance with the Code of Accounting Practice and Financial Reporting and relevant Accounting Standards.

Income Statement

The Income Statement presented below is Council's consolidated financial position as of 31 May 2024. The net financial position shows an actual surplus of \$2.08M. The operating surplus does not consider net movements from reserves which will impact this position once the funds have been utilised. This is monitored by Finance team in conjunction with Managers and Coordinators monthly to ensure expenditure remains with budgets and variations are reported accordingly. Monthly financial reporting, with commentary, is also provided to the Executive to ensure the Executive have oversight of financial risks. At a consolidated level, no Financial Reporting class actual spend has exceeded its allocated budget. Further details and associated commentary for each fund can be found at **Attachment 1**.

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WINGECARRIBEE SHIRE COUNCIL
MONTHLY FINANCIAL REPORT
for the 2023/24 financial year

Monthly Financial Report - May 2024 Income & Expenses - Council Consolidated

	Original ⁽¹⁾ Budget 2023/24	Revised ⁽²⁾ Budget 2023/24	YTD Actuals 2023/24	Remaining Budget 2023/24	YTD Percentage 2023/24
Income					
Rates & Annual Charges	94,158,084	93,978,084	88,792,364	5,185,720	94%
User Charges & Fees	24,039,292	23,948,998	20,946,532	3,002,466	87%
Interest & Investments Revenue	4,886,120	9,075,920	9,921,301	(845,381)	109%
Other Revenues	2,729,394	3,837,401	3,991,053	(153,653)	104%
Grants & Contribution - Operating	9,692,558	3,794,813	3,015,712	779,101	79%
Grants & Contribution - Capital	24,873,146	33,749,500	26,964,544	6,784,956	80%
Total Income	160,378,594	168,384,716	153,631,506	14,753,209	91%
Expenses					
Employee Costs	47,715,146	45,843,829	41,134,783	4,709,046	90%
Borrowing Costs	433,235	470,428	360,972	109,456	77%
Materials & Services	45,400,521	54,282,127	44,878,701	9,403,426	83%
Depreciation	43,097,513	43,097,513	39,564,223	3,533,291	92%
Other Expenses	3,641,778	3,450,778	2,861,822	588,956	83%
Loss / (Gain) on Disposal of Assets	-	-	360,194	(360,194)	0%
Total Expenses	140,288,193	147,144,676	129,160,694	17,983,981	88%
Net Operating Result	20,090,400	21,240,041	24,470,812	(3,230,772)	
Net Operating Result before Capital Income	(4,782,746)	(12,509,460)	(2,493,732)	(10,015,728)	

Staff Establishment

Budgeted Full Time Equivalents (excluding Casuals) 481.6

Notes:

1. Original Budget was adopted by Council on 28 June 2023 MN 2023/422
2. Revised Budget = Original Budget +/- approved budget changes in Quarterly Budget Reviews

Reconciliation to Budget

Net Operating Result for the year (as above)	20,090,400	21,240,041	24,470,812	(3,230,771)	
Less:					
Capital Purchases	84,169,034	97,864,749	64,364,999	33,499,749	66%
Loan Principal Repayments	2,733,491	3,327,634	3,013,439	314,195	91%
Transfer to Reserve	44,218,264	46,603,128	-	46,603,128	0%
Add:					
Proceeds from Sale of Assets	1,143,339	1,143,339	1,258,125	(114,786)	110%
Transfers from Reserve	62,845,953	78,383,399	-	78,383,399	0%
New Borrowings	4,000,000	4,000,000	-	4,000,000	0%
Depreciation Expense	43,097,513	43,097,513	39,564,223	3,533,291	92%
Budget Surplus/(Deficit) Result	56,417	68,782	(2,085,278)	2,154,061	

In providing these figures, the following context is required to be considered when reviewing the actuals of this report:

- The full year land rates income (levied in July 2023) has been full accounted for in Rates and Annual Charges.
- Water and Sewer charges are levied as they are billed (3 times a year) in arrears with an accrual performed at year end contained within User Fees and Charges.
- Development Application Fees (User Fees and Charges) have been brought to account in this report on a cash basis (as money is received). Year-end adjustments will need to be made for these types of charges that will be deemed unearned income at the end of the financial year.

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- Both Operating and Capital Grants and Contributions have been brought to account in this report on a cash basis (as money is received or invoiced). Year-end adjustments will need to be made for these types of charges that will be deemed unearned income at the end of the financial year.
- No accruals have been made for Materials and Services in this report. This results in a month lag in this expenditure class that is adjusted at end of financial year.
- Depreciation and Amortisation is based on budgeted figures, with year-end adjustments made after assets have been capitalised as a part of year end processing.
- Actual transfers to and from reserve have not been completed and are completed as a part of end of financial year processing.

The YTD (Year to Date) actuals figures provided in the Income Statement are unaudited but have been classified in accordance with the Local Government Code of Accounting Practice and relevant accounting standards. Council’s financial position will be audited by the Audit Office of NSW in September 2024.

Capital Expenditure Program

On 28 June 2023, Council approved a capital program budget of \$84.2M. During the year, the budget has been adjusted as part of each Quarterly Budget Review by both increases and decreases in various asset classes with a revised budget of \$97.6M which was included in the March Quarterly Budget Review Statement.

The YTD actuals figures provided in the Capital Expenditure Program are unaudited and will be audited by the Audit Office of NSW in September 2024.

As of 31 May 2024, capital expenditure was \$64.4M, which is 66% of total budget as summarised in the table below.

Asset Class	Original Budget 2023/24	Projected Year End Result 2023/24	YTD Actuals 2023/24	Remaining Budget 2023/24	YTD Percentage 2023/24
Plant and equipment	5,054,576	5,675,291	4,464,376	1,210,915	79%
Land	129,000	849,000	228,244	620,756	27%
Buildings	8,163,225	9,551,371	3,740,034	5,811,337	39%
Bridges	300,000	3,360,552	2,130,452	1,230,100	63%
Footpaths	650,000	892,405	393,393	499,012	44%
Roads	23,620,395	23,992,863	19,918,359	4,074,504	83%
Stormwater Drainage	9,515,000	10,021,795	5,427,745	4,594,050	54%
Open Space/Recreational	4,607,838	9,957,273	7,275,680	2,681,593	73%
Sewerage Network	27,075,000	27,331,691	18,513,427	8,818,264	68%
Water Supply Network	4,870,000	5,822,507	2,148,584	3,673,923	37%
Other	184,000	174,000	124,706	49,294	72%
Total Capital Expenditure	84,169,034	97,628,748	64,364,999	33,263,749	66%

The Capital Program consists of over 130 projects and a total original budget of \$84.2M. The final expenditure outcome is the result of a multitude of internal and external factors, at both a project and overall program level.

That withstanding, it is understood that the under expenditure at 31 May 2024 can largely be attributed to the following five points:

- The Shire was subject to a Declared Natural Disaster in April for flooding and rainfall and was then subject to further extensive rainfall for the first two weeks of May. These have resulted in cumulative wet weather delays of 7 to 9 weeks for the several projects.
 - This had a significant impact on the multi-year projects of Bowral STP (Sewerage Treatment Plant), Animal Shelter and SES (State Emergency Services) and Retford Farm Detention Basin.
 - It is estimated that as result of this rain, approximately \$4.3M of expenditure will now be realised in 24/25 as opposed to 23/24.

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- A commitment to the quality of construction in Bowral STP Upgrade resulted in a 6-week slowdown on construction – resulting in an estimated \$1.25M of expenditure now to be realised in 24/25 as opposed to 23/24.
 - Continued difficulty being experienced with pressure relief valves within, and the walls of, the bioreactor achieving water tightness.
 - In accordance with good project management principles and a commitment to quality construction – the contractor is being held responsible for achieving total water tightness in accordance with the specification.
- Complexities within the Old South Road Project have resulted in \$1.5M of funds now being forecast for carryover to 24/25.
- Conservative requirements of Transport for NSW in the Bong Bong Common Intersection Upgrade have resulted in \$1.5M of funds carrying over to 24/25.
 - All works would have been completed by 30 June 2024 if Lamond Contracting was awarded the contract – which was originally advised as acceptable by TfNSW (Transport for NSW) but later overturned.

Any unexpended budgets where projects are not completed will be revoted into the 24/25 financial year via a Council resolution.

COMMUNICATION AND CONSULTATION

Community Engagement

Nil

Internal Communication and Consultation

Nil

External Communication and Consultation

Nil

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

There are no social issues in relation to this report.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

There are no governance issues in relation to this report.

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COUNCIL BUDGET IMPLICATIONS

There are no budget implications in presenting this report.

RELATED COUNCIL POLICY

Nil.

CONCLUSION

The monthly financial report for period ending 31 May 2024 is presented to Council.

ATTACHMENTS

1. Monthly Financial Report May 2024 [**10.21.1** - 11 pages]



Monthly Financial Report

2023/24

MAY 2024



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WINGECARRIBEE SHIRE COUNCIL

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
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**WINGECARRIBEE SHIRE COUNCIL
MONTHLY FINANCIAL REPORT
for the 2023/24 financial year**

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**WINGECARRIBEE SHIRE COUNCIL
MONTHLY FINANCIAL REPORT
for the 2023/24 financial year**

Introduction

Council's Operational Plan sets out the achievements, goals and revenue policy, including estimates of income and expenditure.

A standard set of financial reports will assist Council in meeting its charter with regard to its finances and related responsibilities in respect of its Operational Plan. Further information on these financial reports are set out below.

Consolidated Fund

In accordance with the provisions of Section 409(1) of the Local Government Act 1993, all money and property received by Council is held in Council's Consolidated Fund.

The Consolidated Fund has been included in these financial reports of Council. Cash and other assets of the following activities have been included as part of the Consolidated Fund:

- General Fund
- Water Fund
- Sewer Fund

General Fund

Comprising the resources and provisions for projects, programs and services which are delivered by Council.

Water Fund

Comprising the whole of the operations and assets of the water supply systems.

Sewer Fund

Comprising the whole of the operations and assets of the sewerage reticulation and treatment system.

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WINGECARRIBEE SHIRE COUNCIL MONTHLY FINANCIAL REPORT for the 2023/24 financial year

Monthly Financial Report - May 2024 Income & Expenses - Council Consolidated

	Original ⁽¹⁾ Budget 2023/24	Revised ⁽²⁾ Budget 2023/24	YTD Actuals 2023/24	Remaining Budget 2023/24	YTD Percentage 2023/24
Income					
Rates & Annual Charges	94,158,084	93,978,084	88,792,364	5,185,720	94%
User Charges & Fees	24,039,292	23,948,998	20,946,532	3,002,466	87%
Interest & Investments Revenue	4,886,120	9,075,920	9,921,301	(845,381)	109%
Other Revenues	2,729,394	3,837,401	3,991,053	(153,653)	104%
Grants & Contribution - Operating	9,692,558	3,794,813	3,015,712	779,101	79%
Grants & Contribution - Capital	24,873,146	33,749,500	26,964,544	6,784,956	80%
Total Income	160,378,594	168,384,716	153,631,506	14,753,209	91%
Expenses					
Employee Costs	47,715,146	45,843,829	41,134,783	4,709,046	90%
Borrowing Costs	433,235	470,428	360,972	109,456	77%
Materials & Services	45,400,521	54,282,127	44,878,701	9,403,426	83%
Depreciation	43,097,513	43,097,513	39,564,223	3,533,291	92%
Other Expenses	3,641,778	3,450,778	2,861,822	588,956	83%
Loss / (Gain) on Disposal of Assets	-	-	360,194	(360,194)	0%
Total Expenses	140,288,193	147,144,676	129,160,694	17,983,981	88%
Net Operating Result	20,090,400	21,240,041	24,470,812	(3,230,772)	
Net Operating Result before Capital Income	(4,782,746)	(12,509,460)	(2,493,732)	(10,015,728)	

Staff Establishment

Budgeted Full Time Equivalents (excluding Casuals) 481.6

Notes:

1. Original Budget was adopted by Council on 28 June 2023 MN 2023/422
2. Revised Budget = Original Budget +/- approved budget changes in Quarterly Budget Reviews

Reconciliation to Budget

Net Operating Result for the year (as above)	20,090,400	21,240,041	24,470,812	(3,230,771)	
Less:					
Capital Purchases	84,169,034	97,864,749	64,364,999	33,499,749	66%
Loan Principal Repayments	2,733,491	3,327,634	3,013,439	314,195	91%
Transfer to Reserve	44,218,264	46,603,128	-	46,603,128	0%
Add:					
Proceeds from Sale of Assets	1,143,339	1,143,339	1,258,125	(114,786)	110%
Transfers from Reserve	62,845,953	78,383,399	-	78,383,399	0%
New Borrowings	4,000,000	4,000,000	-	4,000,000	0%
Depreciation Expense	43,097,513	43,097,513	39,564,223	3,533,291	92%
Budget Surplus/(Deficit) Result	56,417	68,782	(2,085,278)	2,154,061	

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 JUNE 2024

WINGECARRIBEE SHIRE COUNCIL MONTHLY FINANCIAL REPORT for the 2023/24 financial year

Monthly Financial Report - May 2024 Income & Expenses - General Fund

	Original ⁽¹⁾ Budget 2023/24	Revised ⁽²⁾ Budget 2023/24	YTD Actuals 2023/24	Remaining Budget 2023/24	YTD Percentage 2023/24
Income					
Rates & Annual Charges	69,874,590	69,694,590	69,899,609	(205,019)	100%
User Charges & Fees	13,384,940	13,294,646	10,495,714	2,798,932	79%
Interest & Investments Revenue	2,310,000	3,402,000	3,316,832	85,168	97%
Other Revenues	2,438,330	3,457,589	3,300,637	156,952	95%
Grants & Contribution - Operating	9,692,558	3,794,813	3,015,712	779,101	79%
Grants & Contribution - Capital	17,873,146	26,749,500	21,210,842	5,538,658	79%
Total Income	115,573,564	120,393,138	111,239,346	9,153,792	92%
Expenses					
Employee Costs	40,354,252	38,482,935	34,491,467	3,991,468	90%
Borrowing Costs	376,230	413,423	316,025	97,398	76%
Materials & Services	30,311,571	37,783,670	30,782,146	7,001,524	81%
Depreciation	25,389,445	25,389,445	23,324,999	2,064,446	92%
Other Expenses	3,629,018	3,438,018	2,820,071	617,948	82%
Loss / (Gain) on Disposal of Assets			256,418	(256,418)	0%
Total Expenses	100,060,517	105,507,492	91,991,126	13,516,366	87%
Net Operating Result	15,513,047	14,885,646	19,248,220	(4,362,574)	
Net Operating Result before Capital Income	(2,360,099)	(11,863,854)	(1,962,622)	(9,901,232)	

Staff Establishment

Budgeted Full Time Equivalents (excluding Casuals)	426.6
Headcount (excluding casuals)	442.0

Notes:

1. Original Budget was adopted by Council on 28 June 2023 MN 2023/422
2. Revised Budget = Original Budget +/- approved budget changes in Quarterly Budget Reviews

Reconciliation to Budget

Net Operating Result for the year (as above)	15,513,047	14,885,646	19,248,220	(4,362,574)	
Less:					
Capital Purchases	51,224,034	62,990,551	42,971,857	20,018,694	68%
Loan Principal Repayments	1,524,374	1,523,098	1,301,352	221,746	85%
Transfer to Reserve	26,251,435	26,563,130	-	26,563,130	0%
Add:					
Proceeds from Sale of Assets	643,339	643,339	995,136	(351,797)	155%
Transfers from Reserve	33,510,428	46,227,130	-	46,227,130	0%
New Borrowings	4,000,000	4,000,000	-	4,000,000	0%
Depreciation Expense	25,389,445	25,389,445	23,324,999	2,064,446	92%
Budget Surplus/(Deficit) Result	56,417	68,782	(704,854)	773,635	

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 JUNE 2024

WINGECARRIBEE SHIRE COUNCIL MONTHLY FINANCIAL REPORT for the 2023/24 financial year

Monthly Financial Report - May 2024 Income & Expenses - General Fund

An overview of performance against budget at the end of May is provided below.

Income

Rates & Annual Charges

Land rates are recognised as income when they are levied in July each year with the income at 100% of budget. Some minor adjustments to income may still be accounted for with any supplementary valuations prior to 30 June 2024.

User Charges & Fees

User charges and fees appear to be tracking below budget at the end of May with 79% of budget received. This is predominately due to the income from the Moss Vale Memorial Aquatic Centre (MVMWAC) not being recorded in Council's financials until year-end. This is because the MVMWAC is contracted to Blufit and all the income and expenses are recorded by Blufit and once the operations of the Centre have been audited at the end of the financial year, Council is required to consolidate the financial performance into Council's financial reports. The budgeted income for the Centre is \$2.1M.

Interest and Investment Revenue

Council's investments have outperformed benchmark each month this financial year with income at 97% of budget at the end of May.

Other Revenues

Other revenues such as fines, rebates and sundry sales are tracking greater than the forecasted budget with 95% of budget received at the end of May. This includes an increase in lease income for Council owned properties.

Grants & Contributions

Grants and contributions are tracking slightly below budget at the end of May. Grants and Contributions are recognised on cash basis in this report and adjusted, where required, at end of financial year based on status of the associated project.

Expenses

Employee Costs

Employee costs are tracking on target at the end of May at 90% of the revised budget. During the year the budget has been reduced as part of each Quarterly Budget Review with a total budget reduction of \$1.9M for the financial year due to positions being vacant for extended periods.

Borrowing Costs

Interest on loans is paid in accordance with loan agreements and Council is up to date with all loan repayments.

Materials & Services

Materials and Services are tracking below budget due to the lag in time of processing invoices. There is generally a 2-4 week lag in terms of incurring expenditure and receiving invoices. These invoices are accrued at end of financial year where it is expected that actual expenditure will align with revised budgets.

Depreciation

Depreciation is based on budgeted figures with year-end adjustments made after assets are commissioned and capitalised as part of year-end procedures.

Other Expenses

Other expenses such as contributions to other levels of government, waste levies and donations are slightly below budget at the end of May. Payments for the June costs are not paid until July each year and will be accrued as part of year-end procedures.

Loss / (Gain) on Disposal of Assets

Council does not estimate for the net gains/losses on disposal of assets. The budget is however, represented as cash received on disposal of assets which is included as capital income.

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 JUNE 2024

WINGECARRIBEE SHIRE COUNCIL MONTHLY FINANCIAL REPORT for the 2023/24 financial year

Monthly Financial Report - May 2024 Income & Expenses - Water Fund

	Original ⁽¹⁾ Budget 2023/24	Revised ⁽²⁾ Budget 2023/24	YTD Actuals 2023/24	Remaining Budget 2023/24	YTD Percentage 2023/24
Income					
Rates & Annual Charges	4,235,500	4,235,500	3,214,656	1,020,844	76%
User Charges & Fees	9,410,000	9,410,000	9,164,571	245,430	97%
Interest & Investments Revenue	1,262,200	2,930,000	3,207,796	(277,796)	109%
Other Revenues	283,297	339,892	662,540	(322,648)	195%
Grants & Contribution - Operating	-	-	-	-	0%
Grants & Contribution - Capital	1,500,000	1,500,000	2,032,413	(532,413)	135%
Total Income	16,690,997	18,415,392	18,281,976	133,416	99%
Expenses					
Employee Costs	4,344,073	4,344,073	3,723,030	621,043	86%
Borrowing Costs	-	-	-	-	0%
Materials & Services	7,304,355	7,747,381	7,464,739	282,642	96%
Depreciation	7,426,984	7,426,984	6,810,659	616,325	92%
Other Expenses	-	-	23,972	(23,972)	0%
Loss / (Gain) on Disposal of Assets	-	-	51,466	(51,466)	0%
Total Expenses	19,075,411	19,518,438	18,073,865	1,444,572	93%
Net Operating Result	(2,384,414)	(1,103,046)	208,111	(1,311,156)	
Net Operating Result before Capital Income	(3,884,414)	(2,603,046)	(1,824,302)	(778,743)	

Staff Establishment

Budgeted Full Time Equivalents (excluding Casuals)	27.0
Headcount (excluding casuals)	27.0

Notes:

1. Original Budget was adopted by Council on 28 June 2023 MN 2023/422
2. Revised Budget = Original Budget +/- approved budget changes in Quarterly Budget Reviews

Reconciliation to Budget

Net Operating Result for the year (as above)	(2,384,414)	(1,103,046)	208,111	(1,311,157)	
Less:					
Capital Purchases	5,270,000	6,222,507	2,425,559	3,796,948	39%
Loan Principal Repayments	-	-	-	-	0%
Transfer to Reserve	5,442,570	7,105,168	-	7,105,168	0%
Add:					
Disposal Assets	-	-	-	-	0%
Proceeds from Sale of Assets	200,000	200,000	185,671	14,329	93%
Transfers from Reserve	5,470,000	6,803,737	-	6,803,737	0%
New Borrowings	-	-	-	-	0%
Depreciation Expense	7,426,984	7,426,984	6,810,659	616,325	92%
Budget Surplus/(Deficit) Result	-	-	4,778,882	(4,778,882)	

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 JUNE 2024

WINGECARRIBEE SHIRE COUNCIL MONTHLY FINANCIAL REPORT for the 2023/24 financial year

Monthly Financial Report - May 2024 Income & Expenses - Water Fund

An overview of performance against budget at the end of May is provided below.

Income

Rates & Annual Charges

Water Access Charges are recognised as income when they are levied three times a year in arrears. The current revenue represents the revenue raised until the end of April 2024. Council will perform an accrual at the end of the financial year to represent the final amount of revenue for the financial year incorporating charges for May & June.

User Charges & Fees

Water usage charges final instalment of Water rates has been issued in May 2024 and is currently forecasted greater than anticipated at 97% of the annual budget.

Interest and Investment Revenue

Council's investments have outperformed benchmark each month this financial year with income at 109% of budget at the end of May due to higher than anticipated interest rates and more cash invested.

Other Revenues

Other revenues such as leases are tracking above budget. This is due to leases revenue being raised in advance to ensure payment terms are met. This will exceed budget at the end of the financial year.

Grants & Contributions

Grants and Contributions are recognised on a cash basis in this report and adjusted, where required, at end of financial year based on status of the associated project.

Expenses

Employee Costs

Employee costs are tracking slightly under budget at the end of May at 86% of full year budget.

Borrowing Costs

The Water Fund has no loan borrowings.

Materials & Services

Materials and Services are tracking at 96% of the forecasted budget. This is slightly higher than anticipated year to date.

Depreciation

Depreciation is based on budgeted figures with year-end adjustments made after assets are commissioned and capitalised as part of year-end procedures.

Other Expenses

Payments have been allocated to this expenditure class and will be offset by budgets held in the Materials and Services expenditure class.

Loss / (Gain) on Disposal of Assets

Council does not estimate for the net gains/losses on disposal of assets. The budget is however, represented as cash received on disposal of assets which is included as income above.

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 JUNE 2024

WINGECARRIBEE SHIRE COUNCIL MONTHLY FINANCIAL REPORT for the 2023/24 financial year

Monthly Financial Report - May 2024 Income & Expenses - Sewer Fund

	Original ⁽¹⁾ Budget 2023/24	Revised ⁽²⁾ Budget 2023/24	YTD Actuals 2023/24	Remaining Budget 2023/24	YTD Percentage 2023/24
Income					
Rates & Annual Charges	20,047,994	20,047,994	15,678,099	4,369,895	78%
User Charges & Fees	1,244,352	1,244,352	1,286,248	(41,895)	103%
Interest & Investments Revenue	1,313,920	2,743,920	3,396,672	(652,753)	124%
Other Revenues	7,767	39,920	27,876	12,043	70%
Grants & Contribution - Operating	-	-	-	-	0%
Grants & Contribution - Capital	5,500,000	5,500,000	3,721,289	1,778,711	68%
Total Income	28,114,032	29,576,185	24,110,185	5,466,001	82%
Expenses					
Employee Costs	3,016,821	3,016,821	2,920,286	96,535	97%
Borrowing Costs	57,005	57,005	44,947	12,058	79%
Materials & Services	7,784,596	8,751,075	6,631,816	2,119,259	76%
Depreciation	10,281,084	10,281,084	9,428,564	852,520	92%
Other Expenses	12,760	12,760	17,779	(5,020)	139%
Loss / (Gain) on Disposal of Assets	-	-	52,310	(52,310)	0%
Total Expenses	21,152,265	22,118,745	19,095,702	3,023,042	86%
Net Operating Result	6,961,767	7,457,441	5,014,482	2,442,959	
Net Operating Result before Capital Income	1,461,767	1,957,441	1,293,193	664,248	

Staff Establishment

Budgeted Full Time Equivalents (excluding Casuals)	28.0
Headcount (excluding casuals)	28.0

Notes:

1. Original Budget was adopted by Council on 28 June 2023 MN 2023/422
2. Revised Budget = Original Budget +/- approved budget changes in Quarterly Budget Reviews

Reconciliation to Budget

Net Operating Result for the year (as above)	6,961,767	7,457,441	5,014,482	2,442,959	
Less:					
Capital Purchases	27,675,000	28,651,691	18,967,583	9,684,108	66%
Loan Principal Repayments	1,209,117	1,804,536	1,712,087	92,449	95%
Transfer to Reserve	12,524,259	12,934,830	-	12,934,830	0%
Add:					
Proceeds from Sale of Assets	300,000	300,000	77,318	222,682	26%
Transfers from Reserve	23,865,525	25,352,533	-	25,352,533	0%
New Borrowings	-	-	-	-	0%
Depreciation Expense	10,281,084	10,281,084	9,428,564	852,520	92%
Budget Surplus/(Deficit) Result	-	-	(6,159,305)	6,159,306	

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 JUNE 2024

WINGECARRIBEE SHIRE COUNCIL MONTHLY FINANCIAL REPORT for the 2023/24 financial year

Monthly Financial Report - May 2024 Income & Expenses - Sewer Fund

An overview of performance against budget at the end of May is provided below.

Income

Rates & Annual Charges

Sewer Access Charges are recognised as income when they are levied three times a year in arrears. Council has raised the final charge in May to cover the period until April 2024 and will perform an accrual at the end of the financial year to represent the final amount of revenue for the financial year.

User Charges & Fees

As with Sewer Access Charge, Sewer usage charges are levied in an identical manner. The May instalment of rates has been issued (to cover water usage until April 2024) and an end of financial accrual will be made to accrue the remaining quarter. User charges are currently greater than the anticipated forecast for the year.

Interest and Investment Revenue

Council's investments have outperformed benchmark each month this financial year with income at 124% of budget at the end of May due to the full \$25M in grant funding for the Moss Vale sewer treatment plant upgrade being received earlier than expected. This money has been invested until needed to fund construction costs.

Other Revenues

Other Revenues are tracking less than forecasted due to refunds for Private Works not included in the original budget.

Grants & Contributions

Grants and Contributions are recognised on cash basis in this report and adjusted, where required, at end of financial year based on status of the associated project.

Expenses

Employee Costs

Employee costs are tracking higher than expected at the end of May at 97% of revised budget. The increased costs will be offset by the less than

Borrowing Costs

Interest on loans is paid in accordance with loan agreements and Council is up to date with all loan repayments.

Materials & Services

Materials and Services are tracking below budget due to the lag in time of processing invoices. There is generally a 2-4 week lag in terms of incurring expenditure and receiving invoices. These invoices are accrued at end of financial year where it is expected that actual expenditure will align with revised budgets.

Depreciation

Depreciation is based on budgeted figures with year-end adjustments made after assets are commissioned and capitalised as part of year-end procedures.

Other Expenses

Other expenses such as contributions to other levels of government, waste levies and donations are slightly below budget at the end of May. Payments have been allocated to this expenditure class and will be offset by budgets held in the Materials and Service expenditure class.

Loss / (Gain) on Disposal of Assets

Council does not estimate for the net gains/losses on disposal of assets. The budget is however, represented as cash received on disposal of assets which is included as income above.

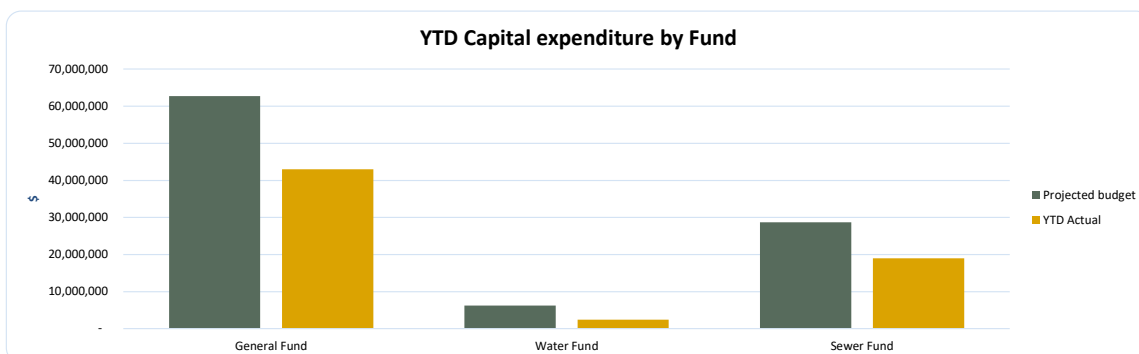
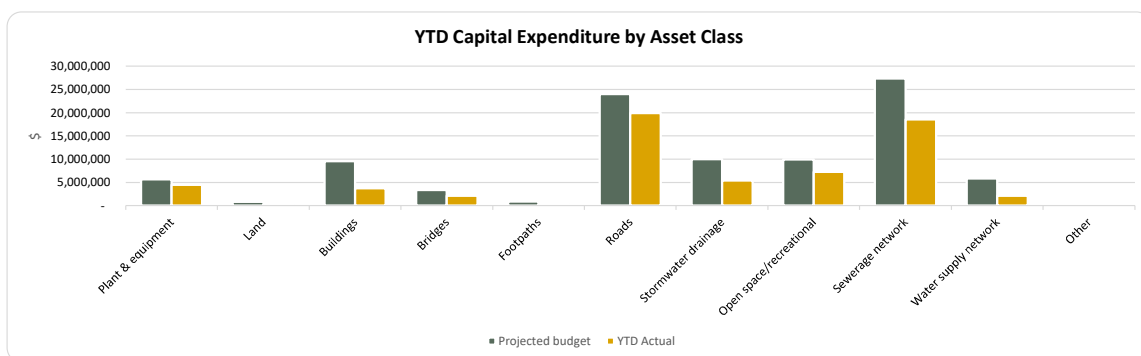
AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 JUNE 2024

WINGECARRIBEE SHIRE COUNCIL MONTHLY FINANCIAL REPORT for the 2023/24 financial year

Monthly Financial Report - May 2024 Capital Expenditure Program

The following table summarises Council's capital works program by asset class.

Asset Class	Original Budget 2023/24	Projected Year End Result 2023/24	YTD Actuals 2023/24	Remaining Budget 2023/24	YTD Percentage 2023/24
Plant and equipment	5,054,576	5,675,291	4,464,376	1,210,915	79%
Land	129,000	849,000	228,244	620,756	27%
Buildings	8,163,225	9,551,371	3,740,034	5,811,337	39%
Bridges	300,000	3,360,552	2,130,452	1,230,100	63%
Footpaths	650,000	892,405	393,393	499,012	44%
Roads	23,620,395	23,992,863	19,918,359	4,074,504	83%
Stormwater Drainage	9,515,000	10,021,795	5,427,745	4,594,050	54%
Open Space/Recreational	4,607,838	9,957,273	7,275,680	2,681,593	73%
Sewerage Network	27,075,000	27,331,691	18,513,427	8,818,264	68%
Water Supply Network	4,870,000	5,822,507	2,148,584	3,673,923	37%
Other	184,000	174,000	124,706	49,294	72%
Total Capital Expenditure	84,169,034	97,628,748	64,364,999	33,263,749	66%



10.22 Country Mayor's Meeting - 10 May 2024 Minutes

Report of: Lisa Miscamble
General Manager

Authorised by: Lisa Miscamble
General Manager

PURPOSE

The purpose of this report is to note the Minutes of the Country Mayors Association (CMA) Meeting held on 10 May 2024.

OFFICER'S RECOMMENDATION

THAT Council receive and note the Minutes of the Country Mayors Association meeting.

REPORT

The Minutes of the Country Mayors Association (CMA) Meeting held on 10 May 2024 are attached for the information of Council, noting that these Minutes will be confirmed at the next CMA meeting on 9 August 2024.

ATTACHMENTS

1. CMA Minutes 2024 May 10 [10.22.1 - 14 pages]



Country Mayors Association of NEW SOUTH WALES Inc

Chairperson: Cr Jamie Chaffey
PO Box 63 Gunnedah NSW 2380
02 6740 2115
e-mail admin@nswcountrymayors.com.au
ABN 92 803 490 533

MINUTES

GENERAL MEETING – THEME “FINANCIAL SUSTAINABILITY”

FRIDAY, 10 MAY 2024 YORK CLUB, SYDNEY

The meeting opened at 8:25 a.m.

1. ATTENDANCE:

Karina Ewer	CEO	Berrigan Shire Council
Julia Cornwell McKean	Mayor	Berrigan Shire Council
Cr. Rick Firman	Mayor	Temora Shire Council
Melissa Boxall		Temora Shire Council
Cr. Jamie Chaffey	Mayor	Gunnedah Shire Council
Gary Fry	Secretariat	CMA
Ryan Palmer	Mayor	Port Stephens
Cr Peter Sharp	Deputy Mayor	Lockhart Shire Council
Peter Veneris	GM	Lockhart Shire Council
Cr. Russell Webb	Mayor	Tamworth Regional Council
Paul Bennett	GM	Tamworth Regional Council
Doug Curran	Mayor	Griffith Council
Brett Stonestreet	GM	Griffith Council
Russell Fitzpatrick	Mayor	Bega Valley Shire Council
Anthony McMahon	CEO	Bega Valley Shire Council
Phyllis Miller	Mayor	Forbes Shire Council
Steve Loane	GM	Forbes Shire Council
Lisa Schiff		Forbes Shire Council
Tony Donoghue	GM	Coolamon Shire Council
Craig Milburn	GM	Kempsey Shire Council
Chris Homer	Mayor	Shellharbour Council
Roger Bailey		Warrunbungle Shire Council
Ambrose Doolan		Warrunbungle Shire Council
Cr Rob Banham	Mayor	Glen Innes Severn Council
Bernard Smith	GM	Glen Innes Severn Council
Neville Kschanka	Mayor	Narrandera Shire Council

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

George Cowan	GM	Narrandera Shrie Council
Patrick Bourke	Mayor	Federation Council
Doug Hawkins OAM	Mayor	Liverpool Plains Shire Council
Gary Murphy		Liverpool Plains Shire Council
Cr Doug Batten	Mayor	Gilgandra Shire Council
David Neeves	GM	Gilgandra Shire Council
Ruth McRae OAM	Mayor	Murrumbidgee Shire Council
John Scarce	GM	Murrumbidgee Shire Council
Darrell Tiemens	Mayor	Narrabri Shire Council
Aaron Johansson		Goulburn
Peter Walker		Goulburn
Doug Batten	Mayor	Gilgandra Shire Council
David Neeves		Gilgandra Shire Council
Neville Kschenka		Narrandera
Maree Statham	Mayor	Lithgow City Council
Ross Gurney	GM	Lithgow City Council
Scott Ferguson	Mayor	Blayney Shire Council
Max Eastcott	GM	Gwydir Shire Council
John Coulton	Mayor	Gwydir Shire Council
Megan Dixon	GM	Walgett Shire Council
Paul Phillips	Mayor	Lachlan Shire Council
Sue Moore	Mayor	Singleton Council
David Webb	GM	Hay Shire Council
Carol Oataway	Mayor	Hay Shire Council
Bronwyn Petrie	Mayor	Tenterfield Shire Council
Charlie Sheahan	Mayor	Cootamundra-Gundagai Regional Council
Steve McGrath	Interim GM	Cootamundra-Gundagai Regional Council
Rob Williams	GM	Narrabri Shire Council
Eoin Johnston	Deputy Mayor	Ballina Shire Council
Steve Reynolds	Mayor	Muswellbrook Shire Council
Derek Finnigan	GM	Muswellbrook Shire Council
Michael Lyon	Mayor	Byron Shire Council
Bob Callow	Mayor	Junee Shire Council
Maree Statham	Mayor	Lithgow City Council
Ross Gurney	GM	Lithgow City Council
Terry Dodds	GM	Murray River Council
Frank Crawley	Mayor	Murray River Council
Jane Redden	GM	Narromine Shire Council
Milton Quigley	Mayor	Warren Shire Council
Gary Woodman	GM	Warren Shire Council
Phillip Hood	GM	Walcha Shire Council
Eric Noakes	Mayor	Walcha Shire Council
Robyn Stevens	CEO	Shoalhaven Council
Neil Reilly	Mayor	Kiama Municipal Council
Jane Stroud	CEO	Kiama Municipal Council
Trevor Glover	Councillor	Cootamundra-Gundagai Regional Council
Jay Nankivell	GM	Broken Hill City Council

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

Jim Hickey	Deputy Mayor	Broken Hill City Council
Steve Krieg	Mayor	Lismore City Council
Jon Gibbons	GM	Lismore City Council
Mathew Dickerson	Mayor	Dubbo Regional Council
Mark Arnold	GM	Byron Shire Council
Leonie Brown	GM	Bourke Shire Council
Barry Hollman	Mayor	Bourke Shire Council
Robert Bell	Mayor	Uralla Shire Council
Jay Suvaal	Mayor	Cessnock Council
Ben Taylor	CEO	Wollondilly Shire Council
Tony Reneker	Mayor	Leeton Shire Council
Jackie Kruger	GM	Leeton Shire Council
Brett McInnes	GM	Inverell Shire Council
Kevin Beatty	Mayor	Cabonne Shire Council
Brad Byrnes	GM	Cabonne Shire Council
Nuatali Nelmes	Lord Mayor	City of Newcastle
Jeremy Bath	CEO	City of Newcastle
Paul Devery	GM	Cowra Council
Ruth Fagan	Mayor	Cowra Council
Rebecca Ryan	GM	Queanbeyan-Palerang Regional Council
Esma Livermore	Deputy Mayor	Queanbeyan-Palerang Regional Council
Simon Thomas		IPART
Louise Evic		IPART
Ian Chaffey	Mayor	Snowy Valleys Council
Viv May	Administrator	Wingecarribee Shire Council
David Kirby	GM	Brewarrina Shire Council
Ken Keith	Councillor and past CMA Chair	Parkes Shire Council
Brett Whitworth		Office of Local Government
Lisa Miscamble	GM	Wingecarribee Shire Council
Jason Hamling	Mayor	Orange City Council
Gary Wallace	GM	Oberon Shire Council
Mark Johnson	Mayor	Moree Plains Shire Council
Kelvin Tytherleigh	GM	Moree Plains Shire Council
Paul Harmon	Mayor	Inverell Shire Council
Sam Coupland	Mayor	Armidale Regional Council
James Roncon	GM	Armidale Regional Council
Louise Taylor		Office of Local Government
Sharne Colefax		Office of Local Government
David Reynolds		LGNSW
Darriea Turley AM	President	LGNSW
Bronwen Regan		LGNSW
Claire Pontin	Mayor	MidCoast Council
Adrian Panuccio	GM	MidCoast Council
Karen Taylor		NSW Audit Office
Greg Hill	GM	Central Darling Shire Council
Eric Groth	GM	Gunnedah Shire Council
Carmel Donnelly	Chair	IPART

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

Andrea Mears		Transport for NSW
Christine Boyd	Chief of Staff	Minister Aitchison
Leo Hauville	Mayor	Kempsey Shire Council
Tony Quinn	Mayor	Greater Hume Shire Council
Evelyn Arnold	GM	Greater Hume Shire Council
Gareth Curtis	GM	Dungog Shire Council
John Connors	Mayor	Dungog Shire Council
Mark Kellam	Mayor	Oberon Shire Council
James Burns	Deputy Mayor	Upper Hunter Shire Council
Greg McDonald	GM	Upper Hunter Shire Council
Dave Layzell	MP	Member for the Upper Hunter
Greg Tory	GM	Lachlan Shire Council
Peta Betts	Mayor	Edward River Shire Council
Ellie Tree	Deputy Mayor	Bellingen Shire Council
Brad Cam	GM	Mid-Western Regional Council
Grant Baker	GM	Bland Shire Council
Brian Monaghan	Mayor	Bland Shire Council
Sharon Houlihan	CEO	Canberra Region J.O.
Peter Johnstone	Mayor	Clarence Valley Council
Ashley Greenwood	A/GM	Bellingen Shire Council
Ms Alex Waldon	CEO	Upper Lachlan Shire Council
Pam Kensit	Mayor	Upper Lachlan Shire Council

APOLOGIES:

Darryl Jardine	Carrathool
Dallas Tout	Wagga Wagga
Mark Dicker	Blayney Shire Council
Lord Mayor Gordon Bradbery	Wollongong
Ken Ross	Wentworth Shire Council
Daniel Linklater	Wentworth Shire Council
Sharon Cadwallader	Ballina Shire Council
Craig Davies	Narromine Shire Council
Mayor Marsen	Yass Valley Council
Amanda Findley Mayor Shoalhaven	Cobar Shire Council
Adrian Butler	Federation Council
Mayor Cr Kylie King and the CEO Frank Zaknich	Albury City Council
Cr. Matt Gould	Wollondilly Shire Council
Vivian Slack-Smith	Brewarrina Shire Council
Neil Westcott	Parkes Shire Council

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

**CMA Chair Jamie Chaffey Welcome attendees and opened the meeting.
And conducted the Acknowledgement to Country**

...We acknowledge the Traditional Custodians of the land and waters, and we show our respect for Elders past and present and emerging. We are committed to providing communities in which Aboriginal and Torres Strait Islander people are included socially, culturally and economically.

Adoption of Minutes of Previous Meeting:

RESOLVED that the minutes of the Annual General Meeting held on 22 March 2024 be accepted as a true and accurate record (unanimous).

Matters Arising from the Minutes – Nil

PRESENTATIONS

Minister Jenny Aitchison

The Minister began by introducing Anthony Haze, Executive Director of Community and Place.

“Through transport, I try to get around the State as much as possible. I recently drove the Armidale-Kempsey road and it has a long way to go but there has been a lot of progress. Having lived in Walcha and now the Hunter, I know how important roads are and how quickly were need to return access to people after disasters,” she said.

“With disaster recovery, we are good at getting people out but the infrastructure repairing processes are not perfect. Planning and Emergency Services are leading the reconstruction. The scale of the unprecedented recovery is staggering. I thank Jamie for the advice. We (TfNSW and Local Government) are a team. I want you to come to me. Don’t just sit there and think things are not going well, let us know when the Department officer to LGA officer level is not working well. Let’s talk about efficiency. There is a backlog of claims. We have put more resourcing in. We’re not here to knock you out, we’re here to help you out. Get work happening by going for low hanging fruit first.”

“Transport Plans must include Transport for NSW; we need to work together with Country Councils.”

“Transport options such as community transport can be so important are we welcome cost effective options.”

The State’s road toll has increased by over 30 percent to 366 deaths on our road network in a year.”

Q&A

Mayor of Greater Hume Council Tony Quinn: \$5.5 million was spent on country roads, then there was a reduction over five years announced for repair grants.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

Minister: I fight for every dollar on roads and you've got disaster recovery funding.

Mayor Gwydir Shire John Coulton: We had to put recovery money in ourselves and go into debt (to get disaster recover works going). The money just isn't there.

Minister: Contact us and we'll work with you.

Forbes Shire Mayor Phyllis Miller: Got a problem, go to the Minister. Thank you for your commitment to work with Country Councils.

Upper Hunter Deputy Mayor James Burns: Will you include airports in your portfolio?

Minister: I want them in our portfolio but there are challenges, we are looking at it. We need the integration.

Parkes Shire former Mayor and past CMA Chairman, Cr. Ken Keith: Will be see something done with a Blackheath tunnel link to the Central West.

Minister: Hunter is our first priority, with the port, REZ etc. Then we are focused on the Central West. That tunnel would be a \$12billion project and could not happen without the Federal Government. We are working on a strategic assessment of that corridor. We are working on Blue Mountains sites.

Lithgow City Council Mayor Maree Statham: Megalong Valley people cannot commute. We've had seven natural disasters. We need an alternative route from Central West to Sydney. We need a roundabout or lights on the entrance to Lithgow.

Minister: We have disaster recovery deadlines and funds are not unlimited; we are prioritising. I take on board your comments about traffic control measures at the entrance to Lithgow.

Another question from the floor asked: Works by TfNSW have delayed the flow on of flood waters. Have you discussed this with the Water Minister?

Minister: This is not a concern I have encountered. I will discuss this with the Minister.

General Manager of Mid-Western Regional Council Brad Cam: I will be talking to you about the Golden Highway.

President of ALGA, Cr. Linda Scott

Next Week is the Federal Budget. Fair funding increases have been promised and we're particularly focused on FAGS. We've asked that they pay it forward or forgive a year if they do not continue that. That is asking for billions of dollars. We do not expect but we're asking for the 1%.

The Climate Fund was oversubscribed and we want to see that fund continued. We have actually found that the state of Local Government assets has improved.

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 JUNE 2024

She reminded councils to put a submission into the Federal Government Inquiry. 8% nationally and 33% in NSW road toll increase and out roads funding / condition is a factor.

She recommended heat risk maps, showing where people can go if their health is threatened by extreme heat.

A metropolitan council has decided to ban a book. I recommend our councils live up to the social license and expectations we have.

A CMA member commented about the Cumberland City Council book ban: Local Government is held in higher esteem than State and Federal Government, according to a survey report released last week.

Linda Scott agreed but said that banning books makes her job harder.

Professor of Local Government Economics, Institute for Regional Futures Joseph Drew

With a presentation that was rapid fire, yet laid back, Professor Drew began by stating that the NSW Government Inquiry (like others) fails to define financial sustainability in Local Government. He defined it as the ability of a council to meet its obligations without impinging on its ability to meet the needs of the future generation(s).

We need proper evidence to base our decisions on. The Government always brings commercial consultants in to look at their results and amalgamation is their solution.

When I look at sustainability, I look at 50 ratios. Horizontal fiscal equalization is the law. The FAGS are legislated, they should not need to be begged for. Bayside Council gets nearly \$5mil and far more per km than country councils. Efficiency ratio is another example of what does not fit into financial sustainability. We can measure revenue efforts properly.

Debt capacity, scale, capacity to pay can all be measured precisely. The Federal Government is broke, I don't see the increase hoped for happening but we do need to see a better allocation.

I am suggesting you get an authoritative piece of work done that shows your inconvenient facts about regional councils efficiencies, the facts on expenses, which are far higher than in Sydney.

Q&A

How do we get them to listen to your reports?

A: Plain language videos explaining it to your communities and educate from the ground up.

Patrick Bourke, Federal Shire Mayor: What approach should we take with the Government?

A: They are doing themselves a favour if they give you a fair shake.

Greater Hume Council Mayor Tony Quinn: Where would the money come from?

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

A: The bucket of money is there. It will not get bigger but I want to see it allocated to where it is needed.

Blayney Shire Mayor Scott Ferguson: The current rate system?

A: I hate rate capping too but the State Government that gets rid of rate pegging will be gone for 10 years. IPART does a great job with what they have but I advocate a range of rate caps which reflects the different circumstances of different councils.

Cr Darriea Turley AM, President of LGNSW

Cr Turley reiterated the importance of submitting to the sustainability inquiries. LGNSW upcoming conferences were also promoted. With more updates in her written report to the CMA, she kept her presentation concise to enable the meeting to regain some time.

Narabri moved and Cessnock seconded the motion that Upper Hunter Shire Council be accepted as the newest member of the CMA. It was passed unanimously. The membership total is now 89 Councils.

NSW Audit Officer Karen Taylor

Ms. Taylor began by explaining that the NSW Government mandated auditing through the NSW Audit Office in 2016, to lift quality and consistency in financial reporting and transparency from Local Government.

All reports are published on our website. We do not comment on Council performance or provide advice. We recently conducted audits of interest such as one on the Office of Local Government. Our website has audits arranged with like bodies together.

We do financial audits, performance audits and sometimes special audits.

We recently did a deep dive into MidCoast Council looking at performance, financial management and governance.

We look at how well are councils managing funds such as those secured for water and sewer.

We also look at risk assessment, financial sustainability indicators and net financial liabilities, negative cashflows, operating performance, unrestricted cash, debt service cover, benchmarking and strategy.

Audit structures are standard. The fees have increased, based on general increases since Covid. Local Government fees are relative to expenses and assets. Our new Auditor General is looking at fees, effectiveness and efficiencies in the audit office.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

She said that 54% of councils have early or progressive financial reporting, which speeds things up at the end of the financial year but acknowledged that financial resources can be more limited in regional councils.

Benefits of the current NSW Audit Office process include comparability of local government audited financials.

Q: The Audit has hit us with a 31% increase in audit fees. It has a monopoly. It's not good enough.

A JO Chair and CMA Committee member agreed regarding the increase in audit fees, given the limitations on revenue growth. Factoring in the cost of your waste management facility in 50 years time is ridiculous.

A: The Auditor General is looking into the fees and the market determines the cost based on audit providers' tenders.

Uralla Shire Council Mayor Robert Bell: Ask the audit office about why the red fleet is on our books and it will help with insomnia.

Mayor of Tenterfield Shire Bronwyn Petrie: You out-source? We could get those same auditors.

A: We oversee the work. We didn't want to take work away from regional accounting firms.

Forbes Shire Mayor Phyllis Miller: I want to assure you, we were employing those firms. What has happened is they are having a lend of you. Then you are passing on the ridiculous fees.

Q: Why is our auditor from Bendigo Victoria?

A: They were probably the lowest tenderer.

Carmel Donnelly Chair of IPART

The Financial Sustainability reviews we did last year (reviews of the rate peg methodology), was enough to recommend a review into the financial model. There were 1,800 submissions into 17 SRVs. Due to demand, we included appendix in our reports, recording ratepayer concerns, such as affordability, cost of living and financial management or the history of decisions. Ratepayers often do not want their services to be cut and those people (most in need of services) cannot pay increased rates.

We put forward a model 15 years ago to not have a rate peg if Councils met certain criteria. There are non-rate peg options on the table.

The number of operating deficits has increased, operating backlogs have increased. Before 2011, the rat peg was closer to CPI.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

Before 2022, the rate peg determination process did not include population growth (or decline) but it does now.

She said she knows that councils have different sets of circumstances and this has contributed to the call for the review. Historically, Councils with a low rate base can be where there is a low capacity to pay and there are services that maybe should not be funded by rates. It is important to target grants and alternative funding streams. We have recommended a review of pensioner concessions.

There is potential with the new rate peg methodology to adjust a rate peg based on local issues.

A rate pegging council reference group is to be formed.

A total of 9 current SRV decisions will be released shortly and the rationale for determinations. We are also consulting on Water NSW and the early childhood education sector.

Q: CMA Chair and Gunnedah Shire Mayor Jamie Chaffey: With determinations for the current SRVs coming soon, do you have any indication of what you expect from the next round?

A: No. I am focused on what we have on hand.

Q: The dam safety review you mentioned – we have dams that leak and the review is welcome.

A: A matter for parliament.

Q: Tamworth Regional Council Mayor Russell Webb: Government predictions are not the same as what is happening on the ground.

A: Each year we do use forecasts but we will cross-check with the census.

Q: Mayor of Goulburn Mulwaree Council Peter Walker: Will we be contacted next week for an outcome or more SRV requirements?

A: A council cannot submit an SRV until they see the rate peg. We are working on that. I am working hard to provide an outcome.

There was an open panel discussion with key NSW Government Departmental staff: Kiersten Fishburn, Secretary of the Department of Planning, Housing and Infrastructure; Brett Whitworth, Secretary of the Department of Local Government; and Nerida Mooney, Executive Director of Digital Analytics and Insights.

Kiersten described the restructure of the Department as in line with the Government's priorities and the way Local Government works.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

Planning Portal has been a concern. Nerida Mooney discussed the technical and developmental side of the Planning Portal.

Brett Whitworth from Office of Local Government: It is critical to understand how a council is tracking against their budget. We can do our head in defining financial sustainability. Performance ratios need to be about can a council's financial position allow a council to meet its obligations.

Nerida discussed the Planning Portal. 109 websites are managed by her team. She has been working to marry the digital technology with the planning process. There were 7,000 tickets (matters to be resolved) in November and that has been reduced by 60%. We now have a concierge team to work with issues. We are committed to fixing the portal and we need Councils to help us to understand how or why it is not working for them. We've been told to fix what you've got before you build anything else, also that the system lacks flexibility. Councils are at the front line of customer frustration. We are producing digital training products, which will be important when you have staff turnover.

James: We're in the middle of the norther REZ, our tenancy rate went from 4% to 0. How do we plan for the accommodation needs of the REZ.

Kiersten Fishburn: Cumulative impacts data needs to be understood and working groups. Community reference groups needed.

Tamworth Regional Council GM Paul Bennett: Can you tells us about the AI in the planning portal.

Nerida Mooney: It may be 12 months before efficiency is improved with integrated AI.

Q: We're in the southwest REZ, not all developers are nice and want to go cheap and the Government backs the developer. We need the planning rules for the REZ to make sense.

A Kiersten Fishburn: We are happy to look at that.

A: Brett Whitworth: The Public Accounts committee needs to look at the red fleet

Q: Narrabri Shire Mayor Darrell Tiemens from– What is being done to cut the red tape? The perception is that NSW is a comparatively difficult State to do business in.

A: Kiersten Fishburn: I have heard that. We are improving systems and Minister Scully has got us doing a review about where we can cut red tape.

Wingecarribee Shire Council Administrator Viv May: The complexity of the first stages of a DA are something we would like to show you.

Nerida Mooney: I am happy to get out to regional NSW.

Q: Is there much work regarding different Departments holding up developments?

Kiersten Fishburn: This is a core concern. Agencies have been getting in the path of delivery and being told to change. Cabinet is seeing better Governance across departments.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

Greater Hume Council Mayor Tony Quinn: Described how increasingly complicated the planning process has become and how it inhibits development. Rezoning of Crown Land has been a disaster.

Q: Forbes Shire Mayor Phyllis Miller: Do you work with the Department of Public Works? – our experiences have been terrible. Local Government cannot afford to use them.

A: Minister Moriarty is responsible and Steve Oor is the Secretary. I suggest making them aware of your concerns.

Q: Singleton Mayor and CMA Executive Member Sue Moore: We have 5,000 blocks ready to go but data has our population declining. This data is incorrect and impacting development. We cannot access funding. We need to update that data. Can you help at all?

Kiersten Fishburn: I want to know where infrastructure is holding you back from development. We want to be alerted to infrastructure blockages. Population figures are a contentious issue that we are always looking into.

Brett Whitworth: There's a housing accord between the State and Federal Government and you get housing through infrastructure funding.

Kempsey Shire Mayor Leo Hauville: Kempsey is neighbouring a REZ. Will you ensure working groups connect with neighbouring LGAs?

Brett Whitworth: Agreed that there is a mess right now.

Q: While a LEP change is in process no development can be approved?

Brett Whitworth: Agreed that a refusal could occur because incoming changes must be taken into account.

Kiama Mayor Neil Reilly: Asked about housing targets.

Kiersten Fishburn: Timeline is up to the Premier but we are almost ready to go.

Byron Shire Mayor Michael Lyon: We pretty much have 1400 lots ready to go. We get measured on the days a DA is in the system. Can we hit a pause when we send a DA back with requirements?

Kiersten Fishburn: The portal is a blunt instrument because it does count the number of days a DA is in your hands and we're working on improving that, she asked Nerida about that. Nerida Mooney: We do need a better data strategy, to know what data points we need for reporting more nuanced data.

Brett Whitworth: You've had that stop the clock ability since 2000 (in respect to the Land and Environment Court).

Armidale Regional Council Mayor Sam Coupland: The Coalition of Renewable Energy Mayors has been lobbying regarding the expectations for renewable energy proponents. We are concerned that there will be some watering down once the Department has consulted

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 JUNE 2024

with proponents. We believe a Statewide approach is needed and we will oppose robustly any watering down of agreements with proponents.

Kiersten Fishburn: Thank you for your comments.

Muswellbrook Shire Council Mayor Steve Reynolds: The data for populations does not reflect our reality. Where are we at for jobs and employment lands (mining is in the too hard basket)?

Kiersten Fishburn: We need to talk to the Department of Regional NSW.

CMA Executive Member and Bega Valley Shire Mayor Russell Fitzpatrick delivered a report on Financial Sustainability with CMA Chair and Gunnedah Mayor Jamie Chaffey, who also went through the 2024 CMA Member survey results.

Russell highlights the real data, including own source revenue, with ALGA stating that nationally it can be as much as 90% but in country NSW it averages 44%.

There is \$7billion held in trust by NSW Councils.

City NSW Councils have close to a billion in unrestricted cash reserves but still receive grants.

Jamie Chaffey said Russell Fitzpatrick has put a huge amount of work in, as a member of the CMA Executive Committee. Russell explained that he sourced data from individual Council websites and collated but there were several Councils whose financials were too difficult to find.

Q: Could we put the spreadsheet on the CMA website?

Jamie and Russell said that it could be dangerous and councils have not given permission for sensitive data to be published in a comparable way.

Jamie then went through the member survey. Financial Sustainability is still number one but housing has crept up to number two priority for members.

Correspondence

Moree Plains Shire Council moved and Orange City Council seconded that the correspondence be accepted. Endorsed unanimously.

Finances

It was announced that 10 councils are still owing fees.

General Business

Greater Hume Mayor Tony Quinn: What's going to happen after disaster funding runs out?

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

Queanbeyan-Palerang Regional Council GM Rebecca Ryan: Can we make it an agenda item on the next meeting?

Singleton Mayor Sue Moore: I would be happy to discuss a report we have sourced from Professor Joseph Drew.

CMA Chair and Gunnedah Mayor Jamie Chaffey: The Muswellbrook Mayor asked about the cost of the CMA getting Prof. Drew to consult on report.

Forbes Shire Mayor and CMA Exec. Member Phyllis Miller: We are saving money by cutting Department of Public Works out of a project. They are charging like wounded bulls, they are not helpful, they are a hindrance.

Mayor Jamie Chaffey asked if we should invite Public Works to Kempsey. Public safety was suggested from the floor. Rebecca Ryan said she has no problem with Public Works. Oberon said they have similar issues with Public Works issues to Moree Plains.

Kempsey Shire Mayor Leo Hauville and GM Craig Milburn concluded the meeting with a presentation about the upcoming June Transport and Roads conference, which they are hosting.

There being no further business, the meeting was formally closed at 12:48 pm.

Cr Jamie Chaffey
Chairman Country Mayor's Association of NSW

10.23 Canberra Region Joint Organisation Meeting - 16 May 2024 Minutes

Report of: Lisa Miscamble
General Manager

Authorised by: Lisa Miscamble
General Manager

PURPOSE

The purpose of this report is to note the Minutes and agenda summary of the Canberra Region Joint Organisation (CRJO) Meeting held on 16 May 2024.

OFFICER'S RECOMMENDATION

THAT Council receive and note the Minutes and Agenda Summary from the Canberra Region Joint Organisation meeting of 16 May 2024.

REPORT

Council is a member of the Canberra Region Joint Organisation (CRJO), which is a government body that provides regional leadership to connect communities within the South-East region, collaborating with all levels of government, industry and community to work together to provide a vibrant regional vision and deliver important key outcomes.

The CRJO Board Meeting was held on 16 May 2024 and attended by the General Manager and Administrator. The Minutes and agenda summary from the meeting are attached to this report for the information of Council.

ATTACHMENTS

1. Minutes Board Meeting 16 May 2024 [**10.23.1** - 12 pages]
2. Summary CRJO Board Meeting 16 May 2024 [**10.23.2** - 4 pages]



**CANBERRA REGION
JOINT ORGANISATION**

Regional leadership connecting our communities

BOARD MEETING

Thursday, 16 May 2024
10.30am – 12pm
Preston Stanley Room,
NSW Parliament House, 6 Macquarie Street Sydney

MINUTES

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**



Meeting Agenda
Thursday, 16 May 2024
10.30am - 12pm

Preston Stanley Room, NSW Parliament House

MEMBERS	
Bega Valley Shire Council	Mayor Russell Fitzpatrick (Chair) Anthony McMahon
Eurobodalla Shire Council	Mayor Mathew Hatcher Warwick Winn
Goulburn Mulwaree Council	Mayor Peter Walker Aaron Johansson
Hilltops Council	Mayor Margaret Roles Anthony O'Reilly
Queanbeyan-Palerang Regional Council	Mayor Kenrick Winchester (Deputy Chair) Rebecca Ryan
Snowy Monaro Regional Council	Mayor Chris Hanna David Hogan
Snowy Valleys Council	Mayor Ian Chaffey Steven Pinnuck
Upper Lachlan Shire Council	Mayor Pam Kensit Alex Waldron
Wingecarribee Shire Council	Mr. Viv May (PSM) Lisa Miscamble
Yass Valley Council	Mayor Allan McGrath Chris Berry
Wagga Wagga City Council (non-voting associate member)	Mayor Dallas Tout Peter Thompson
ACT Government (non-voting associate member)	David Clapham
Canberra Airport (non-voting affiliate member)	Noel McCann
Department of Regional NSW (non-voting, non-financial member)	Anthony Body
GUESTS	
NSW Government	Kalina Koloff, NSW Office Cross Border Commissioner Louise Taylor, Office of Local Government Heidi Stratford, NSW Reconstruction Authority
CRJO ATTENDEES	
Canberra Region Joint Organisation	Sharon Houlihan Hayley Chapman Jennifer Lang, Jennifer Lang Australia



1. Opening Meeting

The chair, Mayor Russell Fitzpatrick, opened the meeting at 9:20am.

2. Welcome & Acknowledgement of Country

The chair welcomed members and guests and made an acknowledgment of country.

3. Apologies

The chair called for any apologies. The board resolved to accept apologies and grant leaves of absence for the following apologies received:

- Cr Chris Hanna, Mayor, Snowy Monaro Regional Council
- David Hogan, Chief Executive Officer, Snowy Monaro Regional Council
- Rebecca Ryan, General Manager, Queanbeyan Palerang Regional Council
- Heidi Stratford, NSW Reconstruction Authority
- Noel McCann, Canberra Airport
- Michael Thomson, Canberra Airport
- Cr Pam Kensit, Mayor, Upper Lachlan Shire Council
- Cr Peter Walker, Mayor, Goulburn Mulwaree Council
- Aaron Johannsen, General Manager, Goulburn Mulwaree Council
- Hayley Chapman, Canberra Region Joint Organisation.

4. Disclosure of Interest

With reference to Chapter 14 Local Government Act 1993, and Canberra Region Joint Organisation's Code of Conduct, councillors are required to declare any conflicts of interest in the matters under consideration by CRJO at this meeting.

No conflicts of interest in the matters under consideration were declared.

5. Notice of Rescission

Pursuant to Clause 372 of the Local Government Act 1993 a voting representative may lodge a notice to rescind a motion for the board's consideration.

No notices to rescind a motion were lodged.

6. Notice of Motions

Pursuant to Clause 10.2 of the Code of Meeting Practice a voting representative may lodge a notice of motion for the board's consideration.

No notices of motion regarding code of meeting practice were lodged.

7. Urgent Business

Any additional business to be discussed requires a board resolution or a ruling by the chair that the matter is of great urgency. The board may resolve to accept any late item, information or urgent business to be discussed and/or determined at this meeting.



The chair called for any additional business pursuant to Clause 9.3 of the Code of Meeting Practice.

No additional business, late items, information or urgent business were raised.

8. Chair’s Minutes

Pursuant to Clause 9.6 of the Code of Meeting Practice the chair, without notice, may put to the meeting a minute on any matter or topic that is within the jurisdiction of the Canberra Region Joint Organisation.

No chair’s minutes were put.

9. Confirmation of Minutes

RESOLUTION 05/24 - 01

Moved: Mr Viv May

Seconded: Cr Kenrick Winchester

That the Canberra Region Joint Organisation Board receives and notes the minutes from the previous board meeting held 1 March 2024.

CARRIED

10. Briefings to CRJO Board

10.1 Associate and Affiliate Members

The following associate members provided verbal updates to the board:

- Dr David Clapham, Executive Branch Manager, Economic and Regional Policy, ACT Government

RESOLUTION 05/24 - 02

Moved: Cr Kenrick Winchester

Seconded: Cr Allan McGrath

That the Canberra Region Joint Organisation Board receives and notes updates from associate and affiliate members.

CARRIED

(Noting apology received from Noel McCann, Director of Planning and Government Relations, Canberra Airport)

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**



Meeting Agenda
Thursday, 16 May 2024
10.30am – 12pm

Preston Stanley Room, NSW Parliament House

10.2 State Government Agencies

The following NSW State Government Agencies will provide verbal updates to the Board:

- Anthony Body, Regional Director, Illawarra and South East NSW, Department of Regional NSW
- Kalina Koloff, NSW Cross Border Commissioner, NSW Office of the Cross Border
- Louise Taylor, Council Engagement Officer, NSW Office of Local Government

RESOLUTION 05/24 - 03

Moved: Cr Mathew Hatcher

Seconded: Cr Kenrick Winchester

That the Canberra Region Joint Organisation Board receives and notes updates from state government agencies.

CARRIED

(Noting apology received from Heidi Stratford, NSW Reconstruction Authority)

11. Presentations

Nil

12. Reports to Board: For Discussion

Nil

13. Reports to Board: For Decision

13.1 2024-25 Budget

RESOLUTION 05/24 – 04

Moved: Cr Russell Fitzpatrick

Seconded: Cr Allan McGrath

That the Canberra Region Joint Organisation board adopts the Canberra Region Joint Organisation 2024/25 Budget.

CARRIED



13.1.1 Statement of Revenue Policy

RESOLUTION 05/24 – 05

Moved: Cr Kenrick Winchester

Seconded: Cr Mathew Hatcher

That the Canberra Region Joint Organisation board adopts the Canberra Region Joint Organisation 2024/25 Statement of Revenue Policy.

CARRIED

13.2 Financial Policy Review

RESOLUTION 05/24 - 06

Moved: Mr Viv May

Seconded: Cr Kenrick Winchester

That the Canberra Region Joint Organisation board:

- 1. notes the report from the Director Corporate Services on the financial policies review.**
- 2. adopts the following as Canberra Region Joint Organisation’s policies:**
 - a. Expenses and Facilities Policy.**
 - b. Procurement Policy.**

CARRIED

13.3 Internal Audit Charter

RESOLUTION 05/24 - 07

Moved: Cr Allan McGrath

Seconded: Cr Kenrick Winchester

That the Canberra Region Joint Organisation board adopts the Canberra Region Joint Organisation Internal Audit Charter.

CARRIED



13.4 Audit Risk and Improvement Committee Terms of Reference

RESOLUTION 05/24 - 08

Moved: Cr Ian Chaffey

Seconded: Mr Viv May

That the Canberra Region Joint Organisation board adopts the Canberra Region Joint Organisation Audit, Risk and Improvement Committee Terms of Reference.

CARRIED

13.5 Circular Economy Business Cases and Roadmap

RESOLUTION 05/24 - 09

Moved: Cr Mathew Hatcher

Seconded: Cr Kenrick Winchester

That the Canberra Region Joint Organisation board:

- 1. endorses the Circular Economy Roadmap, noting that cross-government work will continue to develop the roadmap into a strategy for future tripartite adoption by CRJO Board, the ACT Government and the NSW Government.**
- 2. notes the draft business cases for plastics, construction and demolition and food organics green organics (FOGO) waste streams and their status.**

CARRIED

13.6 2024 Future Board Meetings

RESOLUTION 05/24 - 10

Moved: Cr Ian Chaffey

Seconded: Mr Viv May

That the Canberra Region Joint Organisation board adopts the new board meeting date for the 2024 third board meeting to 2 August 2024, hosted by Snowy Valleys Council.

CARRIED



13.7 Executive Officer Performance Plan

RECOMMENDATION

Moved: Mr Viv May

Seconded: Cr Kenrick Winchester

That the Canberra Region Joint Organisation board:

1. endorses the executive officer's initial performance plan to 30 June 2024, as referred by the General Managers Advisory Group.
2. establishes an executive officer performance review panel, made up of the chairs and deputy chairs of the board and the General Managers Advisory Group, for the purpose of reviewing performance against the executive officer performance plan to 30 June 2024 and the setting and reviewing of subsequent executive officer performance plans.

RESOLUTION 05/24 - 11

Moved: Mr Viv May

Seconded: Cr Kenrick Winchester

That the Canberra Region Joint Organisation board:

1. endorses the executive officer's initial performance plan to 30 June 2024, as referred by the General Managers Advisory Group.
2. establishes an executive officer performance review panel, made up of the chairs of the board and the General Managers Advisory Group and one other board or general manager nominee of the executive officer, for the purpose of reviewing performance against the executive officer performance plan to 30 June 2024 and the setting and reviewing of subsequent executive officer performance plans.

CARRIED

14. Reports to Board: For Noting

14.1 2024 Minister Meeting Questions & Schedule

RESOLUTION 05/24 - 12

Moved: Mr Viv May

Seconded: Cr Kenrick Winchester

That the Canberra Region Joint Organisation Board receives and notes the 2024 Minister Meeting Questions & Schedule report.

CARRIED



14.2 Executive Officer Status Report

RESOLUTION 05/24 - 13

Moved: Cr Mathew Hatcher

Seconded: Mr Viv May

That the Canberra Region Joint Organisation Board notes the Executive Officer Status Report.

CARRIED

14.3 Audit of 2022-23 Financial Statements

RESOLUTION 05/24 - 14

Moved: Cr Allan McGrath

Seconded: Cr Margaret Roles

That the Canberra Region Joint Organisation board:

- 1. receives the audited Canberra Region Joint Organisation 2022-23 General Purpose Financial Statements and associated Independent Auditor's Report and Report on Conduct of the Audit issued by the NSW Audit Office for formal close of the audit process via submission to the Office of Local Government and publishing on Canberra Region Joint Organisation website.**
- 2. notes the signed Management Representation Letter as provided to the NSW Audit Office.**

CARRIED

14.4 Finance Report

RESOLUTION 05/24 - 15

Moved: Cr Margaret Roles

Seconded: Cr Mathew Hatcher

That the Canberra Region Joint Organisation board receives the CRJO Finance Report and notes the financial position of the organisation at 31 March 2024.

CARRIED

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**



Meeting Agenda
Thursday, 16 May 2024
10.30am - 12pm

Preston Stanley Room, NSW Parliament House

14.5 Governance and Compliance

RESOLUTION 05/24 - 16

Moved: Cr Mathew Hatcher

Seconded: Cr Margaret Roles

That the Canberra Region Joint Organisation Board receives and notes the governance and compliance status report.

CARRIED

14.6 Disclosure by Councillors and Designated Persons Return 2022-23

RESOLUTION 05/24 - 17

Moved: Cr Margaret Roles

Seconded: Cr Mathew Hatcher

That the Canberra Region Joint Organisation Board notes the report on the lodgement of annual disclosures by designated positions for the period ending 30 June 2023.

CARRIED

14.7 Reporting Statistics on Code of Conduct Complaints about Councillors and the Executive Officer

RESOLUTION 05/24 - 18

Moved: Cr Allan McGrath

Seconded: Cr Mathew Hatcher

That the Canberra Region Joint Organisation Board receives and notes the report on reporting statistics on code of conduct complaints about councillors and the executive officer.

CARRIED

14.8 CRJO Program Status Report

RESOLUTION 05/24 - 19

Moved: Cr Margaret Roles

Seconded: Cr Mathew Hatcher

That the Canberra Region Joint Organisation Board receives and notes the Canberra Region Joint Organisation Program Status Report.

CARRIED



14.9 Audit Risk and Improvement Meeting Minutes

RESOLUTION 05/24 - 20

Moved: Cr Allan McGrath

Seconded: Cr Margaret Roles

That the Canberra Region Joint Organisation board notes the Audit, Risk and Improvement Committee quarterly meeting minutes from meetings held 12 March 2024, 12 December 2023 and 19 September 2024.

CARRIED

14.10 NSW Joint Organisation Chairs Forum Minutes

RESOLUTION 05/24 - 21

Moved: Cr Russell Fitzpatrick

Seconded: Mr Viv May

That the Canberra Region Joint Organisation board notes the minutes of the NSW Joint Organisations Chairs Forum held at NSW Parliament House on 21 March 2024.

CARRIED

15. Closed Session

15.1 Code of Conduct Governance Report

This matter is considered to be confidential under Section 10A(2)(i) alleged contraventions of any code of conduct requirements applicable under section 440 of the Local Government Act 1993. All persons who are not members of the Canberra Region Joint Organisation board (or their representative) be asked to leave the meeting.

CRJO must resolve to move into closed session to deal with any items under s10 Local Government Act 1993.

RESOLUTION 05/24 - 22

Moved: Cr Allan McGrath

Seconded: Cr Mathew Hatcher

That Canberra Region Joint Organisation considers the confidential report listed below in a meeting closed to the public in accordance with Section 10A(2)(i) of the Local Government Act 1993.

CARRIED

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**



Meeting Agenda
Thursday, 16 May 2024
10.30am – 12pm

Preston Stanley Room, NSW Parliament House

Ms Louise Taylor, Council Engagement Manager, Kalina Koloff Cross Border Commissioner and Ms Jennifer Lang, Jennifer Lang Australia left the meeting at 12.22pm.

RESOLUTION 03/24 - 23

Moved: Cr Mathew Hatcher

Seconded: Cr Russell Fitzpatrick

That the Canberra Region Joint Organisation Board moves into open session.

CARRIED

RESOLUTION 03/24 - 24

Moved: Cr Mathew Hatcher

Seconded: Cr Russell Fitzpatrick

That the Canberra Region Joint Organisation board notes the verbal report by the executive officer regarding outcome of investigation of confidential governance matters previously reported to the board and notes that a report has also been provided in open session of the board meeting providing de-identified information as to the status of current governance matters including code of conduct complaints, public interest disclosures, government information (public access) requests, ICAC referrals and the like.

CARRIED

Ms Louise Taylor, Council Engagement Manager, Kalina Koloff Cross Border Commissioner and Ms Jennifer Lang, Jennifer Lang Australia returned to the meeting at 12.27pm.

16. Close

The chair closed the meeting at 12:28pm.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**



Board Meeting Summary
Thursday, 16 May 2024
Held at: NSW Parliament House, Sydney

Meeting agenda and papers, minutes and presentations/tabled reports located [here](#)

MEMBERS ATTENDANCE	
Bega Valley Shire Council	Mayor Russell Fitzpatrick (Chair) Anthony McMahon
Eurobodalla Shire Council	Mayor Mathew Hatcher Warwick Winn
Goulburn Mulwaree Council	Mayor Peter Walker (Apology) Mr Aaron Johansson (Apology)
Hilltops Council	Mayor Margaret Roles Anthony O'Reilly
Queanbeyan-Palerang Regional Council	Mayor Kenrick Winchester (Deputy Chair) Rebecca Ryan (Apology)
Snowy Monaro Regional Council	Mayor Chris Hanna (Apology) David Hogan (Apology)
Snowy Valleys Council	Mayor Ian Chaffey Steven Pinnuck
Upper Lachlan Shire Council	Mayor Pam Kensit (Apology) Alex Waldron
Wingecarribee Shire Council	Mr. Viv May (PSM), Administrator Lisa Miscamble
Yass Valley Council	Mayor Allan McGrath Chris Berry
Wagga Wagga City Council	Mayor Dallas Tout Peter Thompson
ACT Government	David Clapham
Canberra Airport	Noel McCann (Apology) Michael Thompson (Apology)
Department of Regional NSW	Anthony Body
CRJO ATTENDANCE	
Canberra Region Joint Organisation	Sharon Houlihan Hayley Chapman (Apology) Jennifer Lang, Jennifer Lang Australia
GUESTS ATTENDANCE	
NSW Government	Kalina Koloff, NSW Office Cross Border Commissioner (Apology) Heidi Stratford, NSW Reconstruction Authority (Apology) Louise Taylor, Office of Local Government (Apology)



Ministers Meetings Schedule

The following attended and met with the CRJO board:

The Hon. Chris Minns MP, NSW Premier
The Hon. Ron Hoenig MP, Minister for Local Government
The Hon. Tara Moriarty MLC, Minister for Regional NSW, Minister for Agriculture
The Hon. Paul Scully MP, Minister for Planning and Public Spaces
The Hon. Jenny Aitchison MP, Minister for Regional Transport and Roads
The Hon. Steve Whan MP, Member for Monaro, Minister for Skills, TAFE and Tertiary Education
Mrs Wendy Tuckerman MP, Member for Goulburn, Shadow Minister for Local Government
Dr Joe McGirr MP, Member for Wagga Wagga
Dr Michael Holland MP, Member for Bega

Due to a clash on the day with Minister Hoenig's altered attendance time, **Ms Steph Cooke MP**, Member for Cootamundra, Shadow Minister for Water, Shadow Minister for Crown Lands was unable to meet with the board and an alternative time will be arranged for this meeting.

Briefings

Associate member, ACT Government's David Clapham, Executive Branch Manager, Economic and Regional Policy, Chief Minister, Treasury and Economic Development Directorate provided a verbal update to the CRJO Board. **Update received and noted.**

Non-voting board member, Department of Regional NSW's Anthony Body, Regional Director, Illawarra and South East NSW, provided a verbal update to the CRJO Board. **Update received and noted.**

State agency representatives Kalina Koloff, NSW Cross Border Commissioner and Louise Taylor of the Office of Local Government provided verbal updates to the CRJO Board. **Updates received and noted.**

Reports: For Decision

2024-25 Budget – joint organisations are required by legislation to have an annual budget. The CRJO budget was presented for board adoption with a total consolidated operating result of an operating deficit of \$57,000. With all grant-funded projects assumed to be fully spent within the financial year, this equates to an operating deficit within CRJO Operations of \$57,000, comparing favourably with 2023-24 forecasted CRJO Operations deficit of \$399,000. With one-off costs in 2024-25, it is expected that CRJO Operations will break even or achieve a modest operating surplus in future years. **CRJO budget adopted.**

Statement of Revenue Policy – joint organisations are required by legislation to have an annual statement of revenue policy. The CRJO statement of revenue policy was presented for board adoption. **CRJO statement of revenue policy adopted.**

Financial Policies Review – reviewed and updated Expenses and Facilities Policy and Procurement Policy presented for board adoption. **Updated policies adopted.**



Internal Audit Charter – joint organisations are required to have a compliant internal audit function under new regulations effective 1 July 2024. Internal audit charter presented for board adoption.
Charter adopted.

Audit Risk and Improvement Committee Terms of Reference – joint organisations are required to have a compliant audit, risk and improvement committee under new regulations effective 1 July 2024. Audit, Risk and Improvement Committee term of reference presented for board adoption.
Terms of reference adopted.

Circular Economy Business Cases and Roadmap – state government-funded project to develop business cases for circular economy projects is nearing completion. A circular economy roadmap was presented for board endorsement following a development process involving general managers and water managers from member councils. Work will continue on the roadmap before presentation for ACT Government, NSW Government and CRJO on behalf of member councils adoption in 2025.
Circular Economy Roadmap endorsed.

2024 Future Board Meetings – a new board meeting date of 2 August 2024, hosted by Snowy Valleys for the third meeting in 2024 was proposed for board adoption. **New meeting date adopted.**

Executive Officer Performance Plan – an initial performance plan to 30 June 2024 for the executive officer was presented for board endorsement and for establishment of an executive officer review panel. **Plan endorsed and panel established.**

Reports: For Noting

CRJO Executive Officer Status Report – Report prepared by CRJO CEO covering executive officer activities for the quarter presented to board. Activities have focussed on advocacy submissions; acquittals of grant-funded project completions; and completing the joint organisation’s compliance requirements for the previous year.

2024-25 budget preparation was also completed this quarter and 2023-24 member contributions were agreed towards development of councils’ community strategic plans and shared arrangements for internal audit function and shared audit, risk and improvement committee (for participating member councils).

Submissions were made to NSW parliamentary inquiries into the ability of councils to fund infrastructure and assets and into assets, premises and funding of the Rural Fire Service as well as the NSW Productivity Commission’s review of alternative funding models for local water utilities.
Report received and noted.

Audit of 2022-23 Financial Statements – 2022-23 audited financial statements, independent auditor’s report and report on conduct of the audit were presented to the board, enabling the completion of end of year audit. **Financial statements and auditor’s reports received and management representation letter noted.**



Finance Report – report prepared by CRJO Chief Financial Officer covering CRJO budget versus actuals as at 31 March 2024 presented to board. CRJO achieved a total consolidated operating result of operating surplus of \$767k due mainly to timing of payments for grants with payments coming in prior to expenditure on grant-funded projects. The year-to-date operating result for CRJO Operations is an operating deficit of \$303,000. The ‘target’ operating deficit for CRJO Operations for 2023-24, as presented to the board on 1 March 2024 is \$538,000 and the full year forecast as at end March is \$399,000. **Report received and noted.**

Governance and Compliance – report advised there were no new code of conduct complaints, public interest disclosures, referrals to integrity bodies, government information (public access) act requests or the like for the quarter, with a closed session item reporting on outcome of investigation of governance matters previously reported to the board

Disclosure by Councillors and Designated Persons Return 2022-23 – required compliance report report on the lodgment of annual disclosures by designated positions for 2022-23. **Report received and noted.**

Reporting Statistics on Code of Conduct Complaints about Councillors and Executive Officer – required compliance report, reporting no code of conduct complaints against board members and executive officer for 2022-23. **Report received and noted.**

CRJO Program Status Report – report covering current CRJO projects status presented to board, summarising progress of 14 currently underway externally- projects across program areas of sustainability, resilience, learning and development, waste resource and recovery and regional and council community strategic plans. **Report received and noted.**

Audit Risk and Improvement Committee Meeting Minutes – provided copy of minutes of CRJO audit, risk and improvement committee from meetings held in quarters 3 and 4 of 2023 and quarter 1 of 2024. **Minutes noted.**

NSW Joint Organisations Chairs Forum Minutes – provided copy of minutes of the statewide joint organisations chairs forum held in March 2024. **Minutes noted.**

10.24 Traffic Committee - 16 May 2024 Meeting Minutes

Report of: Elizabeth de Graaf
Administration Officer

Authorised by: Shaun Robinson
Manager Assets

PURPOSE

This report provides the Minutes of the Traffic Committee meeting held on Thursday 16 May 2024, and seeks Council's adoption of the relevant recommendations.

OFFICER'S RECOMMENDATION

1. **THAT Council adopts the following recommendations:**

TC 2024/33 - Item 6.7 Proposed Pedestrian Crossing – Lackey Road, Moss Vale

TC 2024/34 – Item 6.8 Railway Avenue, Wingello – Removal of Pedestrian Refuge

TC 2024/35 – Item 6.9 Access road arrangements for 6 Lot subdivision at 267 Bundanoon Rd, Exeter

TC 2024/36 – Item 6.10 Traffic arrangements for proposed development on Sally's Corner Rd, Sutton Forest

2. **THAT Council receive and note the Minutes of the Traffic Committee meeting held on Thursday 16 May 2024.**

REPORT

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.

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.

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 JUNE 2024

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.

REPORT

Local Traffic Committee Meeting – 16 May 2024

A Local Traffic Committee meeting was held on 16 May 2024. The [Traffic Committee Meeting Agenda](#) is available on Council's website.

Traffic Committee recommendation numbers TC 2024/27 to TC 2024/32, from the items considered were eligible for approval under sub-delegation and have already been approved.

Traffic Committee recommendation numbers TC 2024/33 to TC 2024/36 require Council's endorsement.

TC 2024/33 - Item 6.7 Proposed Pedestrian Crossing – Lackey Road, Moss Vale

TC 2024/34 – Item 6.8 Railway Avenue, Wingello – Removal of Pedestrian Refuge

TC 2024/35 – Item 6.9 Access road arrangements for 6 Lot subdivision at 267 Bundanoon Rd, Exeter

TC 2024/36 – Item 6.10 Traffic arrangements for proposed development on Sally's Corner Rd, Sutton Forest

CONCLUSION

Traffic Committee recommendation numbers TC 2024/33 to TC 2024/36 require Council's endorsement.

The remaining items considered at the meeting on 16 May 2024 were approved under sub-delegation, it is therefore recommended that Council receive and note the Minutes.

ATTACHMENTS

1. Traffic Committee Minutes 16 May 2024 final [**10.24.1** - 20 pages]

MINUTES

Local Traffic Committee



We're with you

Thursday 16 May 2024

Council Chambers | Wingecarribee Shire Council Civic Centre
68 Elizabeth Street, Moss Vale

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

**MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING
THURSDAY 16 MAY 2024**

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AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 JUNE 2024

MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING THURSDAY 16 MAY 2024

MINUTES OF THE TRAFFIC COMMITTEE MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD ON THURSDAY 16 MAY 2024.

Present:

Formal (Voting) Members:	Mr Shaun Robinson	Manager Assets
	Mr Ankit Bhangale	Transport for NSW
	Senior Constable Hayley Upton	NSW Police
	Mrs Katherine Wood	Representing the Member for Goulburn
	Mr Peter Edwards	Representing the Member for Wollondilly
Informal (Non-Voting) Members:	Mr Michael Rayner	Senior Traffic Engineer
	Mr Emraul Kayes	Traffic Engineer
	Mr Luke Lukess	Berrima Buslines
In Attendance	Inspector Lee Ingmire	NSW Police
Apology	Mr Laurie Stewart	Southern Highlands Taxis, Hire Cars & Coaches
Minutes:	Mrs Liz de Graaf	Administration Officer

1 OPENING OF THE MEETING

The Senior Traffic Engineer opened the meeting.

2 ACKNOWLEDGEMENT OF COUNTRY

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

3 APOLOGIES

Apologies were received from Mr Laurie Stewart.

4 ADOPTION OF MINUTES OF PREVIOUS MEETING

That the minutes of the Traffic Committee meeting held on 21 March 2024, recommendation numbers TC 2024/11 to TC 2024/21 inclusive, copies of which were forwarded to Committee members, have been received and noted.

5 DECLARATIONS OF INTEREST

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

**MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING
THURSDAY 16 MAY 2024**

The provisions of Chapter 14 of the Local Government Act 1993 regulate the way in which nominated staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public trust.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest and the reasons for declaring such interest must be disclosed as soon as practicable after the start of the meeting.

As members are aware, the provisions of the Local Government Act restrict any member who has declared a pecuniary interest in any matter from participating in the discussions or voting on that matter and further require that the member vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code also provides for a number of ways in which a member may manage non pecuniary conflicts of interest.

Where necessary any Councillor, Committee Member and nominated staff of Council should disclose any interest and the reason for declaring such interest in the matters under consideration at this meeting.

Councillors and Committee Members are requested to complete the appropriate form to be handed up at the Meeting.

There were no declaration at this meeting.

**MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING
THURSDAY 16 MAY 2024**

6 AGENDA REPORTS

6.1 Police Report on recent road crashes in the Shire

Report Author: Traffic Engineer

Authoriser: Karin Targa

PURPOSE

Reporting on recent road crashes in the Shire recorded by Police.

RECOMMENDATION

THAT the information be received and noted.

TC 2024/27

Unanimous support:

Manager Assets	✓
Transport for NSW	✓
NSW Police	✓
The representative for the Member for Goulburn	✓
The representative for the Member for Wollondilly	✓

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

**MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING
THURSDAY 16 MAY 2024**

**6.2 Proposed Changes to Parking Arrangements on Argyle Street,
Berrima**

Report Author: Traffic Engineer
Authoriser: Karin Targa

PURPOSE

To amend the parking restrictions on Argyle Street, Berrima, adjacent to the Berrima Gaol.

COMMUNITY PRESENTATION

Frances Meagher addressed the Committee on this matter.

RECOMMENDATION

THAT the 70m No Parking zone on the west side of Argyle Street, Berrima, adjacent to the Berrima Gaol be amended to include:

- Removal of the existing Bus Zone at the southern end of Argyle Street
- The installation of a 32m Bus Zone south of the Berrima Gaol driveway
- The creation of 58m of unrestricted parking south of the proposed Bus Zone
- Removal of the existing 22m Loading Zone located opposite the driveway to Berrima Gaol

TC 2024/28

Unanimous support:

Manager Assets	✓
Transport for NSW	✓
NSW Police	✓
The representative for the Member for Goulburn	✓

**MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING
THURSDAY 16 MAY 2024**

6.3 Intersection of Ellsmore Road and Blue Gum Road Bundanoon - Give way restriction.

Report Author: Traffic Engineer
Authoriser: Karin Targa

PURPOSE

To advise and have the Committee's approval for recently installed Give Way sign and line marking at Blue Gum Road with the intersection of Ellsmore Road, Bundanoon.

RECOMMENDATION

THAT the Council approves:

- 1. The installation of a Give way sign, 9m TB Line and TB1 Line,*
- 2. Existing unbroken dividing single central barrier line (9m) in Blue Gum Road be replaced with 10m unbroken double dividing barrier (BB) lines in Blue Gum Road.*
- 3. A 60m BB line be installed to delineate the priority vehicles movement on Ellsmore Road*

TC 2024/29

Unanimous support:

Manager Assets	✓
Transport for NSW	✓
NSW Police	✓
The representative for the Member for Goulburn	✓

**MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING
THURSDAY 16 MAY 2024**

6.4 Range Road Glenquarry - Road reconstruction including signs and line marking.

Report Author: Traffic Engineer
Authoriser: Karin Targa

PURPOSE

To have the Committee's approval for the proposed road reconstruction with Signage and Line marking in the section of Range Road from George Emery Lane to Tourist Road, Glenquarry.

RECOMMENDATION

THAT Council approves proposed review and upgrading:

- *Installation of new signs R4 – 1(B) on both direction at CH 1920 in Range Road, Glenquarry (Ref. Sheet 74 of 74).*
- *Installation of new BB line marking with RRPMS from:*
 - a) *CH465 – CH550 at 12m centres (Ref. Sheet 72 of 74)*
 - b) *CH850 – CH925 at 12m centres (Ref. Sheet 72 of 74)*
 - c) *CH1065 – CH1130 at 12m centres (Ref. Sheet 73 of 74)*
 - d) *CH1235 – CH1290 at 12m centres (Ref. Sheet 73 of 74)*
 - e) *CH1540 – CH1605 at 12m centres (Ref. Sheet 74 of 74)*
 - f) *CH1740 – CH1890 at 12m centres (Ref. Sheet 74 of 74)*

TC 2024/30

Unanimous support:

Manager Assets	✓
Transport for NSW	✓
NSW Police	✓
The representative for the Member for Wollondilly	✓

**MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING
THURSDAY 16 MAY 2024**

6.5 Market Place, Berrima - Line marking for 45° angle parking spaces.

Report Author: Traffic Engineer
Authoriser: Karin Targa

PURPOSE

To advise and have Traffic Committee's approval for the recent painting for new line marking of existing unmarked 45° angle rear to the kerb parking spaces as FIGURE 2.2 LAYOUTS FOR ANGLE PARKING SPACES defined in AS/NZS 2890.1 :2004, on the northern kerb side of Market Place, Berrima.

COMMUNITY PRESENTATION

Correspondence from Simon Balderstone was tabled on this matter.

Frances Meagher addressed the Committee on this matter.

RECOMMENDATION

- 1. THAT the line marking for existing unmarked 45° angle rear to the kerb parking spaces as FIGURE 2.2 LAYOUTS FOR ANGLE PARKING SPACES defined in AS/NZS 2890.1 :2004, on the northern kerb side of Market Place, Berrima is not supported.**
- 2. THAT the current unapproved linemarking does not pose a road safety risk and will therefore be addressed as part of future road renewal works.**

TC 2024/31

Unanimous support:

Manager Assets	✓
Transport for NSW	✓
NSW Police	✓
The representative for the Member for Goulburn	✓

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 JUNE 2024

MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING THURSDAY 16 MAY 2024

From: Simon Balderstone [REDACTED]
Sent: Tuesday, May 14, 2024 8:28 PM
To: Michael Rayner [REDACTED]
[REDACTED]
Cc: Wingecarribee Shire Council <mail@wsc.nsw.gov.au>; Shaun Robinson
[REDACTED]
Subject: Urgent - re line-marking in Market Place Berrima - Agenda item for traffic Committee meeting this Thursday 16 May
Importance: High

FORMAL AND URGENT AND WITHOUT PREJUDICE

Dear Michael,

As mentioned in my email just sent, following your letter received today, as the contact regarding the Traffic Management Committee meeting of Thursday 16th May - can you also immediately and formally pass on the email correspondence below and the attachments herein, to the following formal voting members of the WSC Traffic Management Committee, for their due consideration before the meeting takes place on Thursday:

- Mr Shaun Robinson Manager Assets (Shaun - I am also cc'ing you, to "double-up")
- Mr Ankit Bhangale Transport for NSW
- Senior Constable Hayley Upton NSW Police
- Mrs Katherine Wood, Representing the Member for Goulburn (I will also forward her the correspondence directly)
- Mr Peter Edwards, Representing the Member for Wollondilly (I will also forward him the correspondence directly)

Please acknowledge receipt of this, and of your passing it on to the members of the Committee.

Thank you in advance,
Simon Balderstone

Simon Balderstone AM

Director, Ways and Means Consultancy Pty Ltd.

Founding Chair, Australian Himalayan Foundation.

The Australian Himalayan Foundation "gives what is needed most to those who need it most" - to the children, families and communities of the Himalaya. Inspired by the humanitarian work of Sir Edmund Hillary, and our love of the people and desire to make a difference, we have since 2002 developed and managed a set of practical, cost-effective programs in education, health and environment. Check out us and our work on www.australianhimalayanfoundation.org.au for more info and how to donate - and/or come with us on one of our unique fundraising trips to Bhutan, Nepal or Ladakh.

From: Simon Balderstone [REDACTED]
Sent: Tuesday, 14 May 2024 7:21 PM
To: 'Karin Targa' [REDACTED]; mail@wsc.nsw.gov.au
Subject: RE: Response: Market Place Linemarking correspondence 10 April

URGENT and WITHOUT PREJUDICE

**MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING
THURSDAY 16 MAY 2024**

Dear Ms. Targa,

In response to your letter of 10 April, I make the following points:

You say you can "confirm" that Michael Rayner "has not communicated to residents of Market Place Berrima that the line-marking will be removed".

This is seriously misleading. As I stated in previous correspondence, Michael Rayner – who it would appear is one Council officer who **has** followed due process in this matter – immediately upon being notified by residents of the line-marking, inspected it, decreed it should not have happened, and said he would be discussing with his senior officer (then on holidays) options for removal/covering up/rehabilitation – i.e. **not if, but when**! Also, Please see attached stat decs. Also, He was clear in stating it would be removed. Further, he said that had the line-marking been done during the day, it could have been stopped, through immediate notification by residents. Further, local residents have had confirmed to them this view of Mr. Rayner, and that, further, senior officers of the Council claim it would be too costly to remove the line-marking. First, that is not a proper consideration of the Traffic Management Committee, and is, also, not a justification to keep unauthorised line-marking which should not have taken place.

You state "the line-marking optimises the available parking in the area..." –

First, it does not increase the space available for parking. Second, it - if all parking takes place within the lines - creates at most 2 or 3 more "parks". Third, the only time there is any filling of the car spaces in that vicinity is, one morning a month (and not all months of the year), during the "Cars and Coffee" event (apart from during Australia Day celebrations, during which there are traffic control/management systems in place).

Fourth, "optimising" parking in that area is not, as far as I aware, a part of or contained in any policy/strategy/plan of the Council.

On the contrary, the Berrima Village Development Control Plan, Jan 2021, states (excerpts)...

- ... the visual character of Berrima cannot afford to have development or planning mistakes. This plan therefore deliberately sets out to avoid a "death by a thousand cuts"
- The public spaces in Berrima include an absence of formed footpaths, kerb and guttering
- The scale of the town, the generous expanse of the Market Place and surrounding low slung buildings, the subtle siting of the Gaol and Court House on higher ground, together with the mature landscape, all help contribute to the sense of historic character and place that is not readily matched elsewhere in the State."
- To ensure that all new development within the Berrima Conservation Area is compatible with the existing visual, built and landscape character of the area by setting standards which will ensure this.
- Kerb and guttering is discouraged, with a more 'passive' approach to drainage design such as grass swales being the preferred option, to reduce sedimentation and water quality problems.
- the conservation of scenic and heritage landscapes,
- The well preserved, uncompleted nature of the Georgian town plan

A9.6.1 Objectives

- To conserve the existing original road hierarchy and layout, pedestrian circulation patterns and subdivision layout.

**MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING
THURSDAY 16 MAY 2024**

- To preserve the existing land use pattern which reflect the mix of land uses of the early town.
- To retain the aesthetic and historic appeal of a rural Village.
- To retain unformed road reserves,
- No kerb, gutter, street drain or culvert shall be installed, unless its location is approved by council's heritage adviser and is designed in sandstone to an approved heritage detail.

I note that...(In an excellent letter in March 2024 to the State Government regarding the Berrima Gaol sale and redevelopment (under an SSDA) Lisa Miscamble stated: "It is strongly recommended that the Berrima Development Control Plan is considered as a part of the Environmental Impact Statement (EIS) being prepared. These controls were developed in conjunction with the Berrima community and have robustly guided development and preserved character of the historic village of Berrima."

You also state the line marking is..."consistent with the approach in other parts of Berrima – that is from 7-15 Old Hume Highway and Argyle Street Carpark (in front of the Surveyor-General Inn)" .

- First, it is, therefore, inconsistent with the approach in every other area of Berrima (apart from those two areas?)
- Second, both the areas you name are in several respects very different to the area of the unauthorised Market Place line-marking:
 - They are very busy car-parking spaces, constantly in high demand to the point of being full.
 - The Surveyor-General Car park is , to all practical purposes, an off-street parking space, not in Argyle Street – it is effectively serving several business premises that in fact do not effectively, have direct street frontage.
 - Further, the car park across the Old Hume Highway from the Survey-General Inn, which actually abuts Argyle Street , but which cannot be accessed from Argyle street, has no markings whatsoever, and does not involve any formal parking angles, rules, etc. ...

You state in your letter that : The line marking "also does not a significant impact on the heritage significance of the Conservation area" and therefore "...the provisions of the Development Control Plan therefore do not apply and consultation with Council's Heritage Officer is not required".

First and foremost, this is non-sensical : **how can such a heritage evaluation (i.e. that is doesn't have significant impact on the heritage) occur without consultation with the Heritage Officer ! ??** This is also in stark contrast to other matters considered by the Heritage Officer e.g. Other matters such as the trimming of cotoneasters - a pest! – which has far less impact on heritage values has been deemed as necessarily the subject of consideration – indeed, decision-making – by the Heritage officer.)" .

Further, I have been informed that senior officers of the Council feel it would be too costly to remove the line-marking. First, that is not a proper consideration of the Traffic Management Committee, and is, also, not a justification to keep unauthorised line-marking which should not have taken place.

As distinct from the maladministration and lack of due process in regard to this item, there is substantively, absolutely no justification or reasoning for the line-marking:

- The only time there is any filling of the car spaces in that vicinity is during "cars and coffee" (apart from during Australia Day celebrations, during which there are traffic control/management systems in place);

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 JUNE 2024

MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING THURSDAY 16 MAY 2024

- There is absolutely no rationale for, or need to "optimising" car parking spaces in Market Place given that , even during "Cars and Coffee" and, on the same day, the Schoolyard market, there are dozens upon dozens of other carparking spaces not filled throughout Berrima. I have photographic proof , taken during the most recent (and the biggest) "Cars And Coffee" event, on April 28, 2024, of this: of the public car park behind the main Berrima shops (nearly empty) ; Wingecarribee Street,(ditto); even near the Community hall in Argyle Street; along the Old Hume Highway further north through Berrima; the carpark behind the S-G pub; Argyle street north from the S-G Hotel, and other places, some even much nearer Schmokin' (Of course, Nathan Buckley would not request allegedly "optimised" parking through line marking in these areas because this would not suit his and his co-host's self-interest in keeping "Cars and Coffee" concentrated near Schmokin'...whereas spreading it throughout Berrima would decrease safety issues on narrow residential streets and, inter alia, increase any economic benefits to more shops etc throughout Berrima).
- The unauthorised line-markings have only created, at most, "room" for 2 or 3 more cars (and that is IF ALL cars park within the line-markings) . I have photos which clearly show that in that area, during "Cars and Coffee" , the cars park relatively tightly together anyway.
- The line-marking goes against heritage considerations in this area, being as it is immediately adjacent to the heritage-listed Market Place Park and in . As detailed, this particular matter has not been the subject of consultation with the Council Heritage Officer.

Yours,
Simon Balderstone

Simon Balderstone AM

Director, Ways and Means Consultancy Pty Ltd.

██████████
Founding Chair, Australian Himalayan Foundation.

The Australian Himalayan Foundation "gives what is needed most to those who need it most" - to the children, families and communities of the Himalaya. Inspired by the humanitarian work of Sir Edmund Hillary, and our love of the people and desire to make a difference, we have since 2002 developed and managed a set of practical, cost-effective programs in education, health and environment. Check out us and our work on www.australianhimalayanfoundation.org.au for more info and how to donate - and/or come with us on one of our unique fundraising trips to Bhutan, Nepal or Ladakh.

From: Simon Balderstone ██████████
Sent: Wednesday, 10 April 2024 10:55 AM
To: 'Karin Targa' ██████████ mail@wsc.nsw.gov.au
Cc: AdministratorOffice@wsc.nsw.gov.au; ██████████; Office of the General Manager <gmooffice@wsc.nsw.gov.au>
Subject: RE: Response: Market Place Linemarking correspondence 10 April
Importance: High

Dear Karin,
Thank you for your letter (attached) .
Unfortunately, there is a very important factual error in it which I will respond to forthwith, and another very important point which is ignored in relation to the alleged need to "optimise parking" as a premise for this line-marking, which is in fact inconsistent with ALL other parking arrangements in the streets around Market Place Park, which is very important from a Heritage point of view .

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**MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING
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There is absolutely no justification for this line-marking – even on the spurious grounds of "optimising parking" - which was rightly rejected (as a proposal) by Michael Rayner but , dubiously, done anyway.

Also, there is a very disturbing broader point in relation to this unauthorised line-marking action and the now-obvious intention of the Council to keep the unauthorised line-marking in place, even though the Traffic Management Committee has not yet met to discuss the matter. I will also address that in my full response to you.

Yours,

Simon Balderstone .

Simon Balderstone AM

Director, Ways and Means Consultancy Pty Ltd.

████████████████████

Founding Chair, Australian Himalayan Foundation.

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**AGENDA OF THE ORDINARY MEETING OF COUNCIL
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**MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING
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6.6 2024 Bowral Classic

Report Author: Traffic Engineer
Authoriser: Karin Targa

PURPOSE

Reporting on the traffic management arrangements for the 2024 Bowral Classic event.

COMMUNITY PRESENTATION

David Kemp addressed the Committee on this matter.

RECOMMENDATION

THAT there is no objection to the traffic arrangements proposed for the 2024 Bowral Classic events on Saturday 19 October and Sunday 20 October subject to approval by the NSW Police and completion of the approval process for Class 2 Race Events as per the NSW Guidelines for Bicycle Road Races and the Guide to Traffic and Transport Management for Special Events including the approval of specified speed reductions and granting of Road Occupancy Licenses (ROL) by TfNSW.

TC 2024/32

Unanimous support:

Manager Assets	✓
Transport for NSW	✓
NSW Police	✓
The representative for the Member for Goulburn	✓
The representative for the Member for Wollondilly	✓

**MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING
THURSDAY 16 MAY 2024**

6.7 Proposed Pedestrian Crossing - Lackey Road, Moss Vale

Report Author: Traffic Engineer
Authoriser: Karin Targa

PURPOSE

To review the proposal for the installation of a pedestrian crossing on Lackey Road, Moss Vale.

RECOMMENDATION

THAT the proposed pedestrian crossing with associated kerb blisters, signage and line marking on Lackey Road, Moss Vale be recommended for approval.

THAT the proposed No Stopping Zones on the approaches to the pedestrian crossing be recommended for approval.

THAT zig zag linemarking be installed on the approach to the crossing in both directions.

TC 2024/33

Unanimous support:

Manager Assets	✓
Transport for NSW	✓
NSW Police	✓
The representative for the Member for Goulburn	✓

**MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING
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6.8 Railway Avenue, Wingello - Removal of Pedestrian Refuge

Report Author: Traffic Engineer
Authoriser: Karin Targa

PURPOSE

To not support a pedestrian refuge from previously approved road work design plan in relation to Casburn Park, Wingello upgrade works

RECOMMENDATION

THAT the pedestrian refuge shown in the design plans produced by Complete, design plan No. 3393, in relation the Casburn Park upgrade, not be recommended for construction.

TC 2024/34

Unanimous support:

Manager Assets	✓
Transport for NSW	✓
NSW Police	✓
The representative for the Member for Goulburn	✓

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**MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING
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6.9 Access Road Arrangements for 6 Lot Subdivision at 267 Bundanoon Road Exeter

Report Author: Traffic Engineer
Authoriser: Karin Targa

PURPOSE

To assess the proposed access road arrangements for a 6 lot subdivision at 267 Bundanoon Road, Exeter

RECOMMENDATION

THAT the median island, signage and line marking arrangements as shown in design plan drawing No. 22071-D01-V8 designed by CJP Consulting Engineers for the access to the proposed subdivision be recommended for approval.

THAT further information be requested for the proposed turning area on Ringwood Lane, Exeter.

TC 2024/35

Unanimous support:

Manager Assets	✓
Transport for NSW	✓
NSW Police	✓
The representative for the Member for Goulburn	✓

**MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING
THURSDAY 16 MAY 2024**

6.10 Traffic Arrangements for Proposed Development on Sally Corner Road, Sutton Forest

Report Author: Traffic Engineer
Authoriser: Karin Targa

PURPOSE

To assess the traffic arrangements for a proposed food outlet development on Sally's Corner Road, Sutton Forest.

RECOMMENDATION

THAT the civil design plans and associated traffic arrangements designed by Richmond and Ross Consulting Engineers (Plan No. 230139) and SLR Consulting (Plan No. 610.31088) not be recommended for approval, on the basis that further revision is required on the westernmost access.

TC 2024/36

Unanimous support:

Manager Assets	✓
Transport for NSW	✓
NSW Police	✓
The representative for the Member for Goulburn	✓

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**MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING
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7 DATE OF NEXT MEETING

The next meeting will be held on Thursday 18th July 2024 in the Council Chambers, Civic Centre, Elizabeth Street, Moss Vale commencing at 10am.

8 MEETING CLOSURE

The meeting closed at 12:22pm.

**10.25 Community Reference Panel - 16 May 2024 Meeting Proceedings
(Minutes)**

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

Authorised by: **Pav Kuzmanovski**
Acting Director Corporate Strategy and Resourcing

PURPOSE

This report provides the meeting proceedings (minutes) from the May 2024 Community Reference Panel Meeting.

OFFICER'S RECOMMENDATION

THAT Council note the meeting proceedings (minutes) from the Community Reference Panel meeting held on 16 May 2024.

REPORT

BACKGROUND

At the meeting held on 21 September 2022 Council adopted an engagement structure that comprised of four strategically focused Community Reference Panels with the following focus areas;

- Climate Change and Environment
- Community
- Sport, Recreation and Leisure
- Economy

The role of the Community Reference Panel's (CRP's) is to support Council in reviewing the vision objectives and goals of the Community Strategic Plan and their translation to the Delivery Program through an active and ongoing community engagement program. The aim is to ensure that current knowledge, critical thinking, and analysis is applied to strategy development, increasing the confidence that Council is making the right decisions and that those decisions are not made in isolation, but in a genuine partnership with the community.

REPORT

A joint meeting for one (1) hour of the scheduled Panel meeting time, was held between three of the CRP's on 16 February 2024. The Climate Change and Environment, Community and Economy Panels met for the first half of their scheduled meeting time for a consultation on the Regional Drought Resilience Plan. For the second half of the meeting time (remaining 1 hour) the three Panels met separately, to consider topics relevant to their focus areas.

The Sports, Leisure and Recreation Panel met separately to consider items relevant to their focus areas.

The meeting proceedings are included in **Attachment 1**.

AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 JUNE 2024

COMMUNICATION AND CONSULTATION

Community Engagement

Community Reference Panels are a key community engagement mechanism for Council.

Internal Communication and Consultation

Manager Environment and Sustainability, Manager Assets, Manager Community Life and Libraries and Coordinator Strategic Policy.

External Communication and Consultation

Nil

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

Social

There are no social issues in relation to this report.

Broader Economic Implications

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

Culture

There are no cultural issues in relation to this report.

Governance

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

There are no budget implications arising from this report.

RELATED COUNCIL POLICY

Community Engagement Policy.

CONCLUSION

This report provides the meeting proceedings (minutes) from May 2024 Joint Community Reference Panel meeting.

ATTACHMENTS

1. Community focused Community Reference Panel Meeting Proceedings (Minutes) May 2024 [**10.25.1** - 3 pages]
 2. Climate Change and Environment Community Reference Panel Meeting Proceedings (Minutes) May 2024 [**10.25.2** - 4 pages]
 3. Economy Community Reference Panel Meeting Proceedings (Minutes) May 2024 [**10.25.3** - 4 pages]
-

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4. Sport Recreation Leisure Reference Community Reference Panel Meeting Proceedings (Minutes) May 2024 [10.25.4 - 2 pages]

Community Reference Panel Meeting Agenda
Thursday 16 May 2024



Day: Thursday 16 May 2024	Time: 3pm to 4.30pm	Venue: Moss Vale Civic Centre
Focus Area: Community		
Attendees:		
Community Representatives: , Allan Stiles, Katie Constantinou, Peter Stewart, Tam Johnson, Skye Cannon		
Technical Representatives: Nil		
Council Representatives: Manager Community Life and Libraries, Kathryn Baget-Juleff and Acting Director Communities and Place, Clint McAlister (for joint panel workshop)		
Apologies:		
Community Representatives: Nil		
Technical Representatives: Dominic Zappia (resigned from role)		
Chair: Manager Community Life and Libraries, Kathryn Baget-Juleff		

1.	Item: Regional Drought Resilience Plan
	Description of Engagement: Combined panel meeting (community, environment, economy) in theatrette, lead by Rhelm Consulting Members from the three Reference Panels for Climate Change and Environment, Community, and Economy met jointly in the Theatrette to participate in this workshop.
	Discussion Wingecarribee Shire Council (WSC) and Goulburn Mulwaree Council (GMC) have been jointly funded by the Australian Government and the NSW Government under the PRDRP Program to deliver a Regional Drought Resilience Plan (RDRP) covering both local government areas. The Councils are working as a consortium and have engaged Rhelm Consultants to prepare the draft plan, which will be submitted to the CSIRO in late May 2024 for review and comment. The RDRP will identify Triple bottom line (Economic, Environmental and Social) actions, pathways, and opportunities to improve drought resilience, mitigate risks and adapt to change, including identifying and scoping additional detailed technical studies. Rhelm presented to group on findings so far and facilitated the workshop session. <ul style="list-style-type: none"> The workshop session was facilitated by Council’s consultants, Rhelm.

**AGENDA OF THE ORDINARY MEETING OF COUNCIL
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	<ul style="list-style-type: none"> • Panel members were split into the 3 themes of Environment and climate change, Economy and Community and provided feedback and insights on: <ul style="list-style-type: none"> ○ Drought experiences ○ Drought Impact • Feedback was presented to the larger group for discussion together with potential action items
	<p>Action Steps</p> <ul style="list-style-type: none"> • All feedback was collected by Rhelm to be used in the development of the RDRP • A Draft of the RDRP will be provided to the CSIRO for review at the end of May 2024 • Send link to online survey to panel members to complete following meeting
2.	<p>Item: Items on Public Exhibition</p>
	<p>Description of Engagement: Informing the Panel on the following items on Public Exhibition:</p> <ul style="list-style-type: none"> • Public Art Policy • Aboriginal and Torres Strait Islander Acknowledgment to Country Policy • Budget/Operational Plan 24/25
	<p>Discussion</p> <ul style="list-style-type: none"> • Provided background on each of the policies including Public Art Policy will link to the new Arts and Culture Plan which they have previously been engaged on the review. • Update on Reconciliation Action Plan and how the draft policy aligns to this work
	<p>Item: Youth Forum and Arts and Culture In Conversation</p>
	<p>Description of Engagement: Provide update on two engagement events that will ‘kickstart’ engagement with the broader community on two key plans: Youth Action Plan and Arts and Culture Plan.</p>
	<p>Discussion</p> <ul style="list-style-type: none"> • A Youth Forum will be held on Tuesday 18 June for local school students and home school with Civic Leaders. This forum will kick start engagement on the new Youth Plan that will run for up to 6 weeks • Arts and Culture In Conversation to be held on Friday 21 June with a panel and key themes including <ul style="list-style-type: none"> ➤ Waste to Art ➤ Emerging Artists ➤ Art and creativity in building resilience

We're with you

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	<p>➤ AI and Arts/Creativity</p> <p>This will kickstart the engagement for Arts and Culture Plan.</p>
3.	<p>Next Meeting</p> <ul style="list-style-type: none">• The next and final meeting for the Community Reference Panel is:<ul style="list-style-type: none">○ 18 July 2024

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Community Reference Panel Meeting Minutes
Thursday 16 May 2024



Day: Thursday 16 May 2024	Time: 3pm-5pm	Venue: Theaterette
Focus Area: Climate Change and Environment		
Attendees: Pat Hall, Derek White, Jen Slattery, Suzannah Cowley, Andy Lemann		
Council Staff facilitating with Workshops:		
<p>Item 1: Chairs from the Climate Change and Environment (Barry Arthur), Community (Kathryn Baget-Juleff), and Economic Community Reference Panels (Deniz Kilic); Acting Director Communities and Place (Clint McAlister); Acting Director; Acting Director Corporate Strategy and Resourcing, (Pav Kuzmanovski)</p> <p>Rhelm (Council’s consultant facilitating the development of the Regional Drought Resilience Plan) – Leo Drynan, Emma Maratea;</p> <p>Items 2-5: Tristan Simpson (Teamleader Bushland and Biosecurity), Karen Thorogood (Coordinator Sustainability Services),</p>		
Apologies: Janelle Menzies, Kim Zegenhagen, Pip Rainey, Chris Page (Department of Planning and Environment), Jacqueline Holland (South East Local Land Services),		
Chair: Barry Arthur, Manager Environment and Sustainability		

1.	Item: Regional Drought Resilience Plan - Workshop
	<p>Description of Engagement: Members from the three Reference Panels for Climate Change and Environment, Community, and Economy met jointly in the Theaterette to participate in this workshop.</p> <p>Wingecarribee Shire Council (WSC) and Goulburn Mulwaree Council (GMC) have been jointly funded by the Australian Government and the NSW Government under the PRDRP Program to deliver a Regional Drought Resilience Plan (RDRP) covering both local government areas. The Councils are working as a consortium and have engaged Rhelm Consultants to prepare the draft plan, which will be submitted to the CSIRO in late May 2024 for review and comment. The RDRP will identify Triple bottom line (Economic, Environmental and Social) actions, pathways, and opportunities to improve drought resilience, mitigate risks and adapt to change, including identifying and scoping additional detailed technical studies.</p> <p>Rhelm presented to group on findings so far and facilitated the workshop session.</p>
	<p>Discussion</p> <ul style="list-style-type: none"> The workshop session was facilitated by Council’s consultants, Rhelm.

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**AGENDA OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

	<ul style="list-style-type: none"> • Panel members were split into the 3 themes of Environment and climate change, Economy and Community and provided feedback and insights on: <ul style="list-style-type: none"> ○ Drought experiences ○ Drought Impact • Feedback was presented to the larger group for discussion together with potential action items • All feedback was collected by Rhelm to be used in the development of the RDRP. <p>Action Steps</p> <ul style="list-style-type: none"> • Feedback and discussion notes collected by Rhelm, to be considered in the development of the RDRP. • A Draft of the RDRP will be provided to the CSIRO for review at the end of May 2024
2.	<p>Item: Wingecarribee Shire Council Biosecurity Weed Control Program - Draft on exhibition</p> <p>Description of Engagement: In the September 2023 Panel meeting, the group discussed the Biosecurity Weed Control Program while it was being prepared. The draft Biosecurity Weed Program has been completed and this was presented to the Panel following endorsement by Council for the Draft to go on public exhibition.</p> <p>Discussion</p> <ul style="list-style-type: none"> • The objectives of the draft program and the South East Regional Strategic Plan discussed • WSC local plan designed around the South East Regional Strategic Weed Management Plan • Follows the template used by the South East region • independent consultant engaged to complete WRM's (Weed Risk Management) – this was done to remove any biases. • Discussion around the selection of weeds and how widespread wees are dealt with, especially with the categorisation of blackberry. • Assessments use the WIDX system developed by DPI • The draft Program follows the approach by DPI and LLS • Aims to combat invasive weed species before they become thoroughly established • Discussion about the weed control categories. • Allows our Biosecurity team to institute directions and undertakings of both private and public land holders to <p>Action Steps</p> <ul style="list-style-type: none"> • Feedback to be received during the exhibition period before reporting back to Council for adoption.

We're with you

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3.	Item: Draft Operational Plan and Budget
	Description of Engagement: The draft Operational Plan and Budget with respect to Environment and the Environment Levy was presented to Panel
	<p>Discussion</p> <ul style="list-style-type: none"> • The draft POM, exhibition process and Public Hearing process were explained to the Panel. • Questions answered regarding the categorisation process. • Suggestion to include in the POM a utilities/operational impact map to show the following: <ul style="list-style-type: none"> ○ Asset Protection Zones ○ Fire management units ○ Fire Trails ○ Water mains ○ Roads ○ Park facilities (eg tracks, toilet blocks, picnic facilities) ○ Water tanks ○ Sewer lines/services ○ Easements (eg Endeavour energy powerline easements) ○ Other operational land • Clarification sought of the meaning of the section on “other estates” on page 31 of the draft POM. A more detailed explanation may be needed here. • Clarification on the amalgamations of lots within the reserve was also raised.
<p>Action Steps</p> <ul style="list-style-type: none"> • Feedback to be included in the report back to Council • Utilities / operational impact map to be prepared and incorporated in the draft. 	
4.	Item: EV Charging Stations on Public Land Policy
	Description of Engagement: The draft Mt Gibraltar Heritage Reserve Plan of Management is currently on public exhibition till 23 February 2024. A copy of the draft was provided to Panel members in advance of the meeting. The meeting provided an opportunity for Panel members to ask questions and provided initial feedback.
	<p>Discussion</p> <ul style="list-style-type: none"> • The draft POM, exhibition process and Public Hearing process were explained to the Panel. • Questions answered regarding the categorisation process. • Suggestion to include in the POM a utilities/operational impact map to show the following: <ul style="list-style-type: none"> ○ Asset Protection Zones

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	<ul style="list-style-type: none"> ○ Fire management units ○ Fire Trails ○ Water mains ○ Roads ○ Park facilities (eg tracks, toilet blocks, picnic facilities) ● Presentation and discussion around the Environment Levy program and expenditure. ● Comparison was provided between the proposed 2024/2025 Environment Levy budget / program and the previous 2 years. ● Level 4 budgets were discussed with clarification around the amount of the Environment Levy associated with each area, and how much from general funds and other grants.
	<p>Action Steps</p> <ul style="list-style-type: none"> ● Currently on public exhibition with submissions received till 2 June. ●
5	<p>ITEM: Items on Exhibition</p> <p>Items currently on public exhibition were promoted – Biosecurity Weed Control Program, Council Operations Environment Policy, Natural Areas Plan of Management, Integrated Transport, and Community Emissions Action Plan.</p>
6.	<p>Next Meeting</p> <ul style="list-style-type: none"> ● The next and final meeting for the Community Reference Panel is: <ul style="list-style-type: none"> ○ 18 July 2024

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Community Reference Panel Meeting Minutes
Thursday 16 May 2024



Day: Thursday 16 May 2024	Time: 3pm to 5pm	Venue: Theaterette & Bong Bong Room
Focus Area: Economy		
Attendees: Panel members: Greg Goodman, Liz Dixon, Michael Ellis, Stephen Lowe, Carisa Wells, Ian Bollen, Shannan Perry-Hall (via VC) Staff: Deniz Kilic, Sarah Farnese, Isabella Friscic		
Apologies: Michelle Pontello, Richard Colley, Brigid Kennedy, Julianne Christie Ross Muller (Resigned)		
Chair: Deniz Kilic, EM Strategic Outcomes		

Note: Interim Meeting Outcomes emailed to Economy Panel Members on 27 May 2024.

1.	Item 1: Joint Panels Workshop – Regional Drought Resilience Workshop
	<p>Description of Engagement</p> <ul style="list-style-type: none"> Members from the three Reference Panels for Climate Change and Environment, Community, and Economy met jointly in the Theaterette to participate in this workshop. Wingecarribee Shire Council (WSC) and Goulburn Mulwaree Council (GMC) have been jointly funded by the Australian Government and the NSW Government under the PRDRP Program to deliver a Regional Drought Resilience Plan (RDRP) covering both local government areas. The Councils are working as a consortium and have engaged Rhelm Consultants to prepare the draft plan, which will be submitted to the CSIRO in late May 2024 for review and comment. The RDRP will identify Triple bottom line (Economic, Environmental and Social) actions, pathways, and opportunities to improve drought resilience, mitigate risks and adapt to change, including identifying and scoping additional detailed technical studies. Rhelm presented to group on findings so far and facilitated the workshop session.
	<p>Discussion Summary</p> <ul style="list-style-type: none"> The workshop session was facilitated by Council’s consultants, Rhelm. Panel members were split into the 3 themes of Environment and Climate Change, Economy and Community and provided feedback and insights on drought experiences and drought impact.

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	<ul style="list-style-type: none"> • Feedback was presented to the larger group for discussion together with potential action items. • All feedback was collected by Rhelm to be used in the development of the RDRP. • Economy Panel Members’ commentary included: <ul style="list-style-type: none"> - Impact by sector: Agriculture, Urban, Commercial and Industrial - Disconnect between producers and towns - Roles and expectations for State Agencies and service providers - Drought event has spiral affect from lower disposable incomes, lower employment opportunities, decrease in further education and ultimately lower GDP. - Water rates, trucked water costs in peri-urban/rural areas and wider cost of living impacts. - Lifestyle vs farming water users. Most farmers adapt with resilient practices with CSIRO and LLS guidance, especially with regenerative practices. - Impact on tourism / visitor economy - Cultural / character impacts on mature trees and street plantings • See photos.
	<p>Action Steps</p> <ul style="list-style-type: none"> • Progress and outcomes of Workshop to be relayed via Chair of Climate Change & Environment Reference Panel. Feedback and discussion notes collected by Rhelm to be considered in the development of the RDRP. A Draft of the RDRP will be provided to the CSIRO for review at the end of May 2024
2.	<p>Item 2: Economy Reference Panel – EMSO Update about Council</p> <p>Description of Engagement</p> <ul style="list-style-type: none"> • Chair provided update about recent appointment of WSC Economic Specialist, Stephen Joss. <p>Discussion</p> <ul style="list-style-type: none"> • Economic Specialist immediate priorities are working on the Economic Development Integrated Action Plan, SHIP Governance approach and implementing recommendations of the NSW Small Business Commissioner. • Economic Specialist will work closely with WSC Tourism & Events branch / Destination Southern Highlands, to ensure strategy, policy and operational alignment. • Key constraints for events – requirement for DA in bushfire prone areas. WSC Strategic Policy continuing to work with State Agencies DPHI and RFS to amend Local Environmental Plan (LEP) to remove these regulatory restrictions. WSC has enacted internal policy and systems reforms to satisfy RFS and DPHI.

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	<p>Action Steps</p> <ul style="list-style-type: none"> • New Economic Specialist will reach out to Panel members to engage upfront about the Economic Development Integrated Action Plan.
3.	<p>Item 3: SHIP Update – Validation Workshop</p>
	<p>Description of Engagement</p> <ul style="list-style-type: none"> • Project status update provided. Working toward formal exhibition of Master Plan, Strategic Positioning Paper and Governance Strategy from July 2024.
	<p>Discussion</p> <ul style="list-style-type: none"> • Positive constructive tone at community and landholder workshops. Focus on vision, direction and built form outcomes. • Question around identity of SHIP – is it an innovation park or could it be an intelligent community? • Masterplanning process is attracting investor enquiries. Strategic Outcomes facilitating enquiries to attract the right industries such as a medical device manufacturer and high-precision advanced manufacturing.
	<p>Action Steps</p> <ul style="list-style-type: none"> • Chair to advise Panel members once draft SHIP Master Plan package available in lead up to Public Exhibition.
	<p>Item 4: Reminder Code of Conduct & Terms of Reference</p>
	<p>Discussion</p> <ul style="list-style-type: none"> • Reminder about decorum, Code of Conduct and Terms of Reference regarding scope of Community Reference Panels. The Code extends to include group email correspondence and unreasonable attributions to the Chair. • Reminder that these Panels are not a subcommittee of Council and that all subcommittees were suspended during Administration. • Acknowledgment that Economic Reference Panel members could be consulted more broadly about policy matters between formal CRP meetings. Cadence of formal CRP meetings are set by WSC Governance, however we can consult between meetings, especially now that our Economic Specialist is onboard.
	<p>Action Steps</p> <ul style="list-style-type: none"> • Panel members will be notified of policy matters being reported to Council. • Council Agenda Reports are publicly available here: https://www.wsc.nsw.gov.au/Council/Council-Meetings/Council-Meeting-Minutes-and-Agendas
	<p>Item 5: Aligning Council and Destination / Product Branding</p>
	<ul style="list-style-type: none"> • Discussion about opportunity to potentially rebrand “Wingecarribee Shire Council”

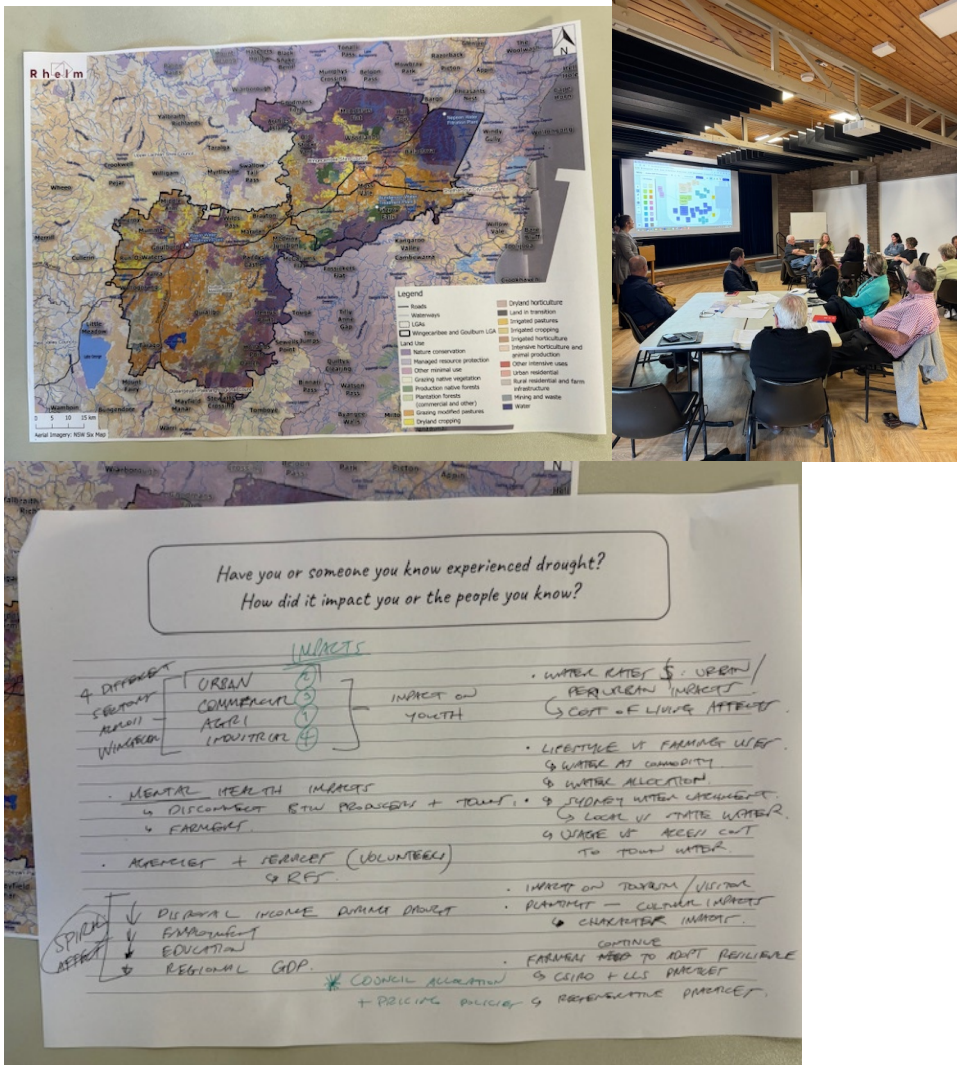
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to “Southern Highlands Council at Wingecarribee” (?) to create better alignment with our destination and product branding. Observations from brief group discussion indicates emerging consensus, however sensitivity to retaining “Wingecarribee” to reflect our First Nations story.

- Branding can be explored further in dedicated workshop in future CRP.
- Chapter Shift: Opportunity for Economic Panel spokesperson to convey key recommendations to new Elected Council in late 2024. Exploring this idea with GM and Governance Team. Greg Goodman offered to be spokesperson.



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Community Reference Panel Meeting Agenda
Thursday 16 May 2024



Day: Thursday 16 May 2024	Time: 3pm to 5pm	Venue: Moss Vale Civic Centre
Focus Area: Sport, Recreation and Leisure		
Attendees:		
Community Representatives: , Lyn Collingridge, Miles Lochhead, Peter Mitchell, Ryan Elphick, Christopher Blaxland, Peter Mitchell		
Technical Representatives: Ankit Bhangale (Transport for NSW), Adam Lloyd (NSW Office of Sport)		
Council Representatives: Shaun Robinson (Acting Director Service and Project Delivery), Pav Kuzmanovski (Acting Director Corporate Strategy and Resourcing)		
Apologies:		
Community Representatives: John Vild, Stuart Perry, Rebecca Duffy		
Technical Representatives:		
Chair: Shaun Robinson		

	Item: Draft 24/25 Capital Program
	Description of Engagement: Discussion and Comments on draft 24/25 Capital Program
	Discussion
	- Manager Assets presented the relevant projects of the draft 2024/25 Capital Program.
	The following comments were submitted by the Panel on the projects:
1.	<ul style="list-style-type: none"> • Bong Bong Common <ul style="list-style-type: none"> ○ Supported – needs to be fully completed to make it more attractive and welcome 'longer stay' visits. ○ Very expensive, not inviting to a passer-by ○ Extraordinary amount of money spent for this infrastructure. Council have been more suitable scale as half the price • New Footpath – Crimea St <ul style="list-style-type: none"> ○ Logical extension and connection of existing infrastructure • New Footpath – Railway St <ul style="list-style-type: none"> ○ Logical extension and connection of existing infrastructure • New Footpath – Bowral St <ul style="list-style-type: none"> ○ Logical extension and connection of existing infrastructure ○ Yes - needed • New Footpath – New Berrima to Berrima (design) <ul style="list-style-type: none"> ○ Long term good project. [But need to consider] surveillance issue, solar lighting/cameras? • New Footpath – Exeter Train Station Access (design)

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	<ul style="list-style-type: none"> ○ Trains [are] not that frequent. But a good safety measure with pedestrian crossing. ○ Difficult four way corner. Heavy truck traffic for Exeter Road to Bundanoon. Raised pedestrian crossing should slow it. ● Moss Vale to Bowral Shared Path Network – Design <ul style="list-style-type: none"> ○ Good project – needs doing. Any crossing over Moss Vale Road with lights will be extremely disruptive to a very busy road. Suggest an overpass – more expenditure but better long term outcome. ○ Support long term project goals, also Kangaloon Road footpath to be progressed. ● Playspace Renewal – Centennial Road <ul style="list-style-type: none"> ○ Parking upgrade ● Welby Mountain Bike Trail Refurbishment <ul style="list-style-type: none"> ○ Good project to scale up and maintain ○ Possible linkage to Welby Landfill Remediation site, will provide for a popular MTB destination. ● Wingello State Forest Park Upgrade <ul style="list-style-type: none"> ○ Good place for good MTB trails ● Box Vale Walking Track <ul style="list-style-type: none"> ○ Strongly supported. Great track, more/better signage needed ○ Great track – support and get reopened ○ Reopen it ASAP ● Welby Landfill Remediation <ul style="list-style-type: none"> ○ Excellent possible future usage for MTB trails/jumps – think Bare Creek Bike Park ● David Wood Playspace Upgrade <ul style="list-style-type: none"> ○ Parking issues? ○ A great integrated play area layout. Will need parking considerations given proximity to football ovals ○ Good location. Needs more parking or street side parking along Boardman Road. More BBQ/picnic spaces. I’m not in favour of a big play centre venue.
	<p>Action Steps</p> <p>Comments to be considered through Public Exhibition of Operational Plan.</p>
<p>2.</p>	<p>Next Meeting</p> <ul style="list-style-type: none"> ● The next and final meeting for the Community Reference Panel is: <ul style="list-style-type: none"> ○ 18 July 2024

- 11 QUESTIONS TAKEN ON NOTICE**
- 12 MEETING CLOSURE**