

AGENDA

Extraordinary Meeting of Council



We're with you

Wednesday, 26 June 2024

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

MEETING NOTICE

An Extraordinary Meeting of Wingecarribee Shire Council will be held in Council Chambers at Wingecarribee Shire Council Civic Centre, 68 Elizabeth Street, Moss Vale on Wednesday 26 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 \(nsw.gov.au\)](#)

1	OPENING OF THE MEETING	5
2	ACKNOWLEDGEMENT OF COUNTRY	5
3	STATEMENT OF ETHICAL OBLIGATIONS	5
	3.1 Statement Of Ethical Obligations	5
4	APOLOGIES	5
5	DECLARATIONS OF INTEREST	5
6	ADMINISTRATOR MINUTES	6
7	ITEMS FOR CONSIDERATION BY EXCEPTION	6
8	GENERAL MANAGER	6
	8.1 Bowral Riverfront Greenway - Connecting Our Paths And Cycleways	6
9	REPORTS	14
	9.1 Draft Operational Plan And Budget 2024/25 And Resourcing Strategy 2024-2034 For Adoption.....	14
	9.2 Asset Management Plans For Adoption.....	33
	9.3 Wingecarribee Local Planning Panel Appointments	40
	9.4 Pesticide Use Notification Plan Draft For Public Exhibition.....	45
	9.5 Backflow Prevention Policy Post Exhibition Report	64
	9.6 Chemical Supply Water And Wastewater Tender Evaluation Report	76

**AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 JUNE 2024**

9.7 Water Zone Control Valves Construction Tender Evaluation Report.....84

10 QUESTIONS WITH NOTICE90

11 MEETING CLOSURE90

Council Chambers

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

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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

3.1 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 DECLARATIONS OF INTEREST

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

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

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

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

6 ADMINISTRATOR MINUTES

7 ITEMS FOR CONSIDERATION BY EXCEPTION

8 GENERAL MANAGER

8.1 Bowral Riverfront Greenway - Connecting our paths and cycleways

Report of: Garima Mendiratta
Senior Strategic Planner

Authorised by: Deniz Kilic
Executive Manager Strategic Outcomes

PURPOSE

The purpose of this report is to seek delegation of authority to the General Manager to commence negotiations for strategic riverfront land acquisitions to realise the vision of a connected active transport route from Bong Bong Common and Cecil Hoskins Nature Reserve to the emerging Bowral South New Living Area riverfront.

OFFICER'S RECOMMENDATION

THAT Council delegate authority to the General Manager to commence due diligence investigations and potential negotiations for strategic riverfront land acquisitions to join walking tracks from Bong Bong Common and Cecil Hoskins Nature Reserve to the emerging Bowral South New Living Area to realise the 'Bowral Riverfront Greenway' along the Wingecarribee riverfront.

REPORT

BACKGROUND

The Bicycle Strategy for Mittagong, Bowral and Moss Vale (Bicycle Strategy), adopted in 2008, strategically plans for improved connectivity in our Shire and identifies the opportunity to facilitate this by establishing cycleway paths from Mittagong through to Bowral and to Moss Vale, following the Wingecarribee River (**Figure 2**).

In addition, the Bowral South New Living Area (NLA) is one (1) of six (6) new living areas identified in the Wingecarribee Local Housing Strategy (LHS), and the emerging Draft Master Plan proposes the land along the Wingecarribee River to come into public ownership to facilitate an active transport connection, which aligns with the vision of the 2008 Bicycle Strategy. Initial community and stakeholder consultation has informed the emerging Bowral South NLA Master Plan and has further identified that there is an opportunity to significantly strengthen accessibility and movement by connecting Bong Bong Common and Cecil Hoskins Nature Reserve to the emerging Bowral South NLA, along the Wingecarribee riverfront with a future shared path route.

INTRODUCTION

The Bicycle Strategy is a comprehensive plan for supporting physical activity, active living, active ageing and active tourism in the Shire. The adopted Strategy builds on existing strengths, including the Bong Bong Track, existing and proposed pathway networks of East Bowral, Renwick and the Eridge Park Velodrome. The Strategy is identified as a 'Path User Plan' for the Shire for the next 10-20 years.

The Bicycle Strategy further identifies proposed bicycle routes along the Wingecarribee River, connecting to existing bicycle routes in East Bowral and Retford Park as shown in **Figure 1**. The Strategy identifies proposed bicycle routes to connect local schools and places along the Wingecarribee River. This is intended to establish an informal 'Riverfront Greenway' around Bowral to form a better connection for Bowral residents and beyond to connect to other towns.

To facilitate the delivery of the 'Bowral Riverfront Greenway', due diligence investigations such as valuations and good faith negotiations are required to commence for strategic riverfront land acquisitions to align walking tracks from Bong Bong Common and Cecil Hoskins Nature Reserve to the emerging Bowral South New Living Area.

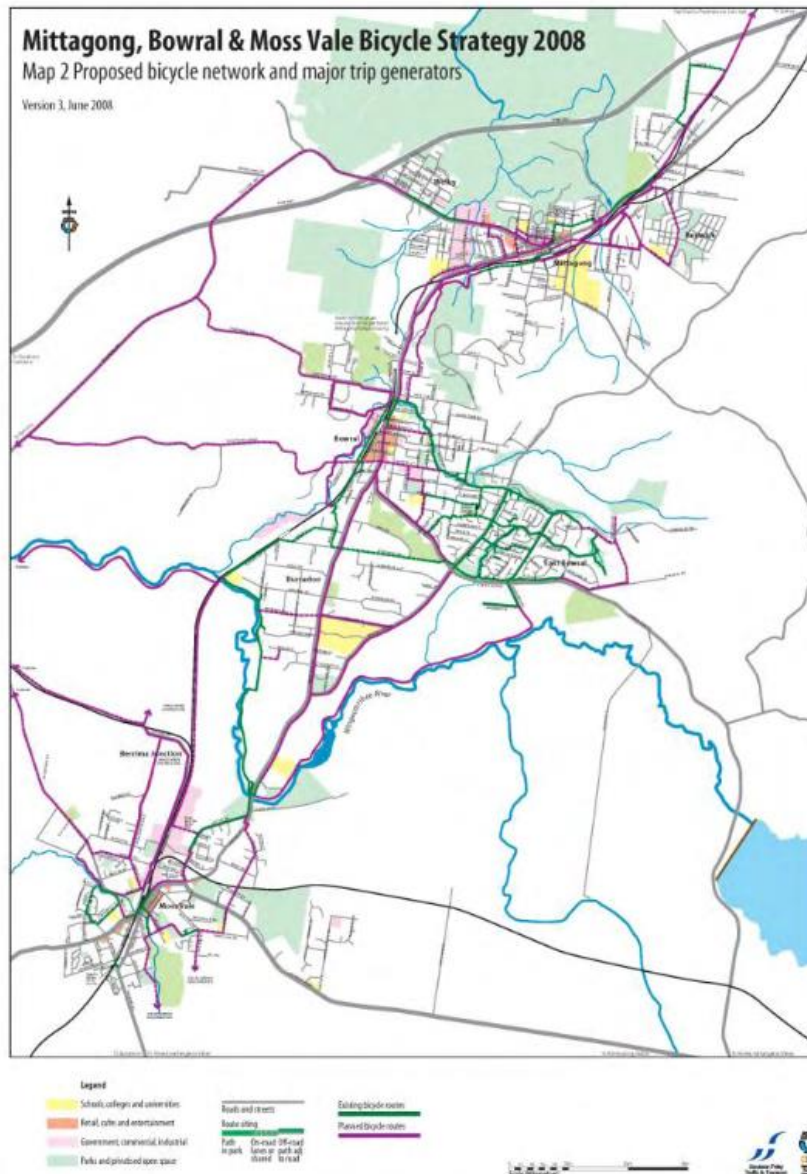


Figure 1 - Proposed Bicycle Network and Major Trip Generators Map Mittagong, Bowral and Moss Vale Bicycle Strategy 2008.

The Bowral South NLA is bounded by Kangaloon Road to the north, Eridge Park Road to the west, the Wingecarribee River to the south and the Bong Bong Racecourse to the east. **Figure 2** identifies the high-level proposal to link existing and future paths to create what is nicknamed the 'Bowral Riverfront Greenway'. **Figure 3** identifies the detailed extent of Bowral South NLA. The location of Bowral South NLA, further provides an opportunity to connect the existing walkways and bicycle paths and extend them through the new development to gain public access to the Wingecarribee River. This proposal aligns with the objectives identified in the Bicycle Strategy 2008 and will assist in enabling the long-term vision, which seeks to establish a broader connection from Mittagong, Bowral and to Moss Vale.

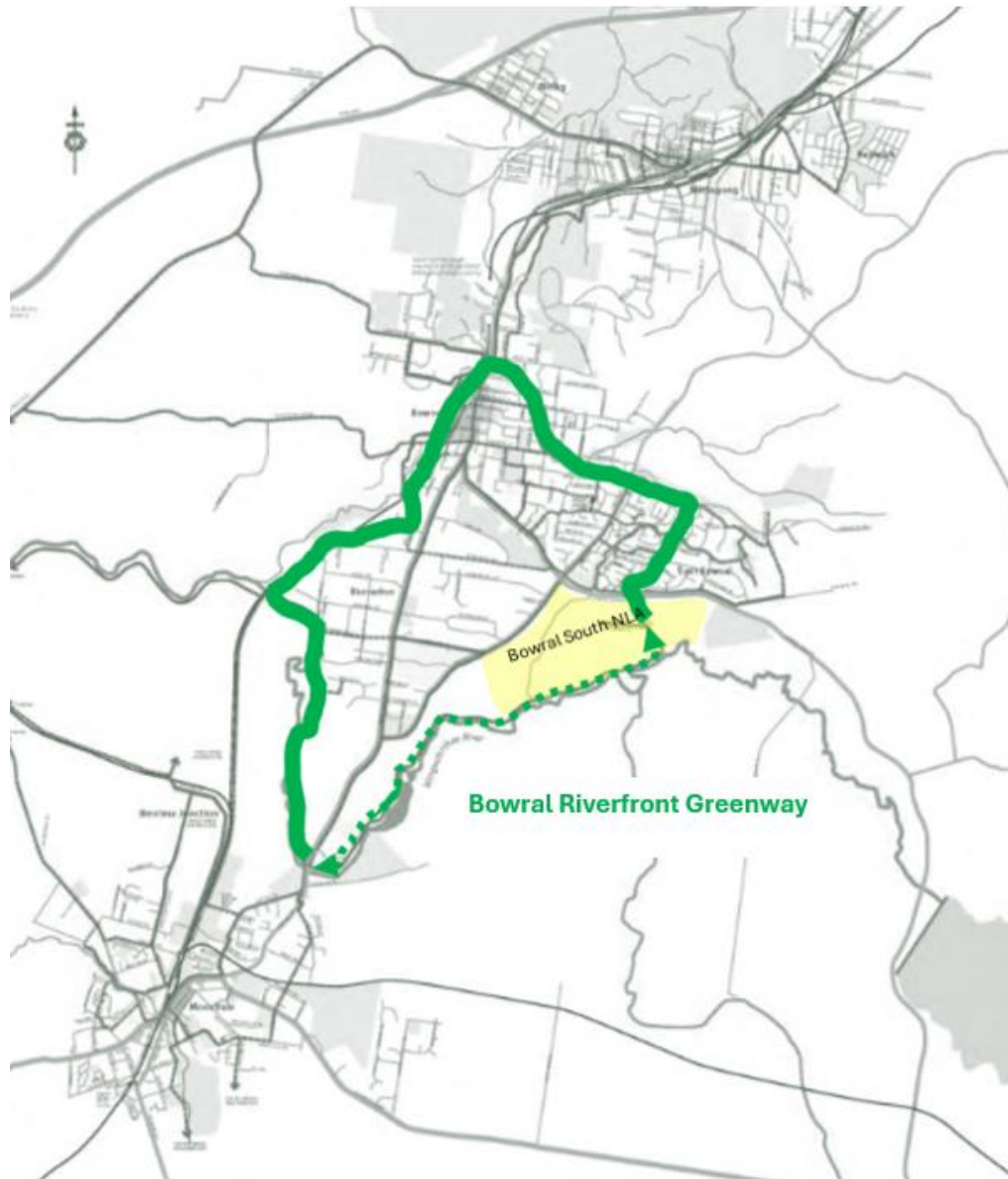


Figure 2 – Graphical representation of the proposed “Bowral Riverfront Greenway”, joining existing paths (in green) and proposed paths (in dotted green) along the Wingecarribee riverfront to connect public open space and create an active transport loop for pedestrians and cyclists.



Figure 3 - Bowral South New Living Area map.

To achieve connectivity between Bowral South NLA and Bong Bong Common, six (6) private landholdings have been identified for partial acquisition by Council over time. The allotment details are included below and illustrated in **Figure 4**.

- Lot 10 DP 1063603
- Lot 1 DP 579578
- Lot 2 DP 579578
- Lot 11 DP 1148796
- Lot 1 DP 667017
- Lot 1 DP 174985

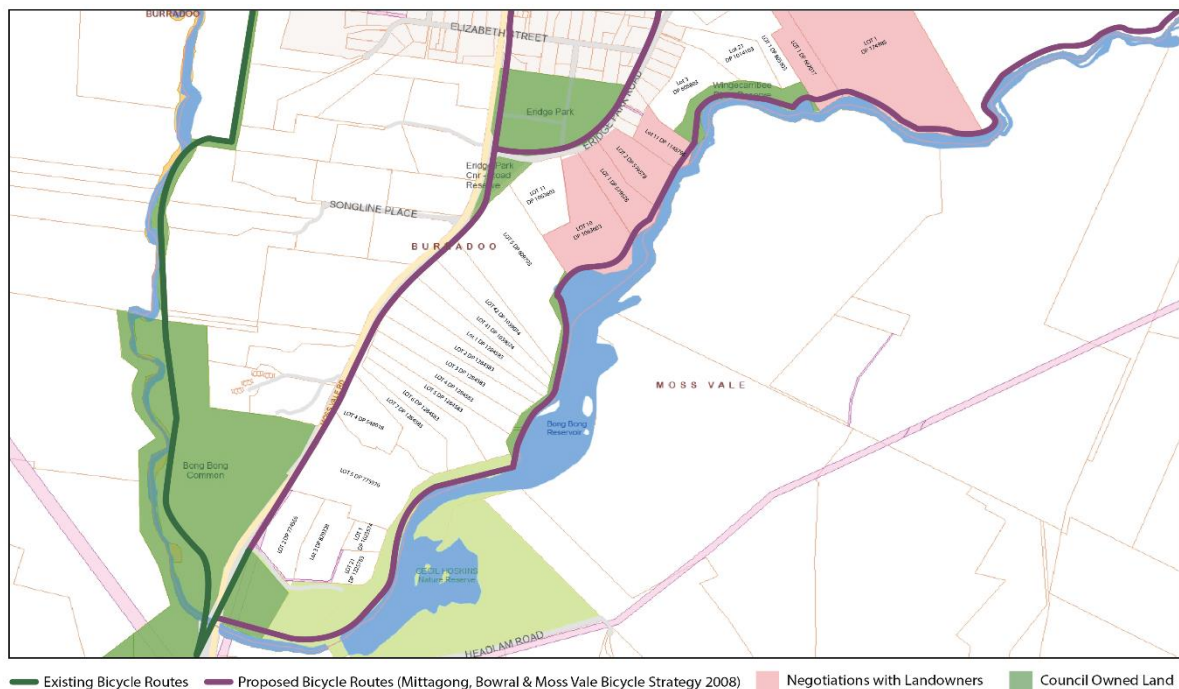


Figure 4 - Map of Proposed Bicycle Routes and Existing Bicycle Routes, including six (6) lots identified for landowner negotiations.

Council intends to consult with the caretakers of Cecil Hoskins Nature Reserve, being NSW National Parks regarding the proposed bicycle paths in the near future.

Following endorsement by Council, the ‘Bowral Riverfront Greenway’ active transport route is intended to be included in a new Section 7.11 Developer Contributions Plan to fund the delivery of bicycle paths connecting to Bowral South NLA. The paths within Bowral South NLA are expected to be delivered by landholders/developers as the precinct is developed, all regulated by a site-specific Contributions Plan or Planning Agreements.

COMMUNICATION AND CONSULTATION

Community Engagement

No specific community engagement has yet been undertaken as part of this report. Future community engagement opportunities will be conducted as the project progresses and as part of Bowral South NLA engagements and active transport engagements.

Internal Communication and Consultation

Internal communication and consultation has occurred between Strategic Outcomes, Finance and Property sections of Council in the preparation of this report.

External Communication and Consultation

No external communication or consultation has been conducted. Affected property owners will be notified prior to the Council meeting.

SUSTAINABILITY ASSESSMENT

Environment

The environmental impact of this project will be assessed and considered at a later stage. The planned bicycle and pedestrian pathways will enable a convenient form of active transport for our residents.

Social

The social implications of the proposed 'Bowral Riverfront Greenway' will be assessed and taken into account at a later stage. Planned pathways like the 'Bowral Riverfront Greenway' reduce car dependency, humanise neighbourhoods and encourage access and usability to a range of pathway user groups including cyclists, wheelers, runners and walkers.

Broader Economic Implications

The broader economic implications of realising the 'Bowral Riverfront Greenway' will be identified and assessed at a later stage.

Culture

The cultural implications of the 'Bowral Riverfront Greenway' will be identified and assessed at a later stage, as further details emerge.

Governance

This report has been prepared to seek endorsement of Council in fulfilling the planned bicycle route outcomes as per the Wingecarribee Bicycle Strategy for Mittagong, Bowral and Moss Vale 2008.

COUNCIL BUDGET IMPLICATIONS

The full Council Budget Implications from acquiring land to realise the 'Bowral Riverfront Greenway' are currently unknown. This will be dependent on land valuations and negotiations with private landholders across those identified 6 lots. Following endorsement of Council for the 'Bowral Riverfront Greenway', a new Section 7.11 Contributions Plans will include this connective active transport route, considering land valuations and access arrangements along the riverfront section of identified lots. It is anticipated Council budget implications can be mitigated with monetary contributions from the new Section 7.11 Contributions Plan for Bowral South NLA over the medium to long term. A shorter-term realisation would be to implement the Bowral Riverfront Greenway and recoup costs from incoming Section 7.11 contributions payments as the Bowral South NLA comes online, anticipated from 2027 onward to the mid 2050s.

Prior to commencing good faith negotiations with affected property owners, Council will conduct internal due diligence investigations such as path width and alignment analysis and high-level property valuations for affected portion of lands.

RELATED COUNCIL POLICY

The proposal has been prepared in response to the Wingecarribee Bicycle Strategy for Mittagong, Bowral and Moss Vale 2008, Bowral Parking, Traffic and Transport Strategy 2012 and Local Strategic Planning Statement (LSPS), specifically:

Bicycle Strategy for Mittagong, Bowral and Moss Vale 2008:

- 5.1 Bicycle Network Route Function – Proposed Shared Path from Mittagong to Moss Vale (Map 2 - Proposed Bicycle Network and Major Trip Generators).

Bowral Parking, Traffic and Transport Strategy:

- 5.4 Provisions for Cyclists – Identifies that cycling is a sustainable form of active transport in the Shire and recommends that enhancements to the network be explored.

LSPS:

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

CONCLUSION

The proposed 'Bowral Riverfront Greenway' is intended to strengthen broader connectivity between the three (3) town centres and residents within Bowral. This supports the strategic direction of encouraging safe and accessible active transport opportunities in the Shire and the expanded public ownership and access to the Wingecarribee Riverfront, which is recognised as a key community asset. In addition, the realisation of the 'Bowral Riverfront Greenway' aligns with the emerging vision of the Bowral South NLA Master Plan, which seeks to establish a well-connected community.

To facilitate the medium-long term delivery of the 'Bowral Riverfront Greenway', negotiations are required to commence for strategic riverfront land acquisitions to align the walking tracks from Bong Bong Common and Cecil Hoskins Nature Reserve to the emerging Bowral South NLA.

ATTACHMENTS

Nil

9 REPORTS

9.1 Draft Operational Plan and Budget 2024/25 and Resourcing Strategy 2024-2034 for Adoption

Report of: Danielle Lidgard
Manager Governance and Corporate Performance

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

PURPOSE

At the Extraordinary Meeting on 1 May 2024 Council resolved to place the following documents on public exhibition for a period of 28 days:

- Operational Plan and Budget 2024/25
- Fees and Charges 2024/25
- Fees and Charges Variations 2024/25
- Resourcing Strategy 2024 - 2034
- Guidelines for the Community Waste Disposal Assistance Scheme
- Unfunded Projects List 2024/25

The public exhibition period provided an opportunity for the community to provide input into these draft documents. This report also includes all submissions received during the public exhibition period and council officer responses to these submissions for Council's consideration. This includes any changes that have been made during the public exhibition.

As required, under the *Local Government Act 1993*, Council is also required to resolve the following:

- Making and levying the rates and annual charges for 2024/25, and
- Authorisation of expenditure and voting of money for the 2024/25 Budget.

OFFICER'S RECOMMENDATION

THAT Council:

- 1. Consider the public submissions received during the public exhibition period and the responses to each submission.**
- 2. Adopt the Operational Plan and Budget 2024/25 including Revenue Policy, Fees and Charges and the 2024 – 2034 Resourcing Strategy.**
- 3. Make and levy the Rates and Charges for the 2024/25 financial year as detailed in the Revenue Policy contained within the Operational Plan 2024/25 in accordance with the Local Government Act 1993.**
- 4. Make and levy the Domestic Waste Management Services Charges for the 2024/25 financial year as detailed in the Revenue Policy contained within the Operational Plan 2024/25 in accordance with the *Local Government Act 1993*.**
- 5. Make and levy the Stormwater Management Service Charges for the 2024/25 financial year as detailed in the Revenue Policy contained within the Operational Plan 2024/25 in accordance with the *Local Government Act 1993*.**

AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL WEDNESDAY 26 JUNE 2024

6. Make and levy the Water and Sewer Access and User Charges for the 2024/25 financial year as detailed in the Revenue Policy contained within the Operational Plan 2024/25 in accordance with the Local Government Act 1993.
7. Authorise loan borrowings of \$20,575,000 in the 2024/25 financial year to fund the following:
 - a. Southern Highlands Regional Animal Shelter (General Revenue) for \$4,125,000
 - b. Bowral STP Upgrade (Sewer Fund) for \$11,000,000
 - c. Moss Vale STP Upgrade (Sewer Fund) for \$5,450,000
8. Set the rate permitted by the Minister for Local Government for the allowable interest rate on overdue rates of 10.5% per annum for the 2024/25 financial year.
9. Endorse the Unrestricted Working Capital Benchmark methodology contained within this report, with the benchmark to be reviewed every 2 years and update the Financial Reserves Policy to reflect the updated benchmark methodology.
10. Endorse the revised Unrestricted Working Capital Benchmark of \$5.8M.
11. Adopt the Guidelines for the Community Waste Disposal Assistance Scheme.
12. Note the update provided on the Mittagong Playhouse and associated funding allocation in the 2024/25 – 2027/28 Capital Works Program.
13. Write to the residents who lodged a submission to formally thank them for their comments and feedback on the draft Operational Plan and Budget 2024/25 including Budget, Revenue Policy, Fees and Charges and draft Resourcing Strategy 2024 – 2034.

REPORT

BACKGROUND

At the Extraordinary Meeting on 1 May 2024 Council resolved to place the following documents on public exhibition for a period of 28 days from 3 May to 2 June 2024;

- Operational Plan and Budget 2024/25
- Fees and Charges 2024/25
- Fees and Charges Variations 2024/25
- Resourcing Strategy 2024-2034
- Guidelines for the Community Waste Disposal Assistance Scheme
- Unfunded Projects List 2024/25

REPORT

During the public exhibition period, Council received 16 submissions from community members and community groups. These submissions have been considered and responded to by staff. The submissions covered a diverse range of matters, and a staff response to each submission is provided in **Attachment 1** to this report.

Key themes arising from submissions and a Council Officer response are outlined in **Table 1** below.

Table 1 – Submission Key Themes and Council Officer Response

Key Theme	Council Officer Response
Opposition to Rate Increases: Multiple submissions expressed concern about the proposed increase in rates and charges,	Each year Council is committed to striking a balance between the financial and infrastructure sustainability of Council and the

**AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 JUNE 2024**

Key Theme	Council Officer Response
<p>particularly in the context of the current cost-of-living crisis. Many residents feel that the increase is too high and would place an undue financial burden on them.</p>	<p>well-being of our community members. Council has increased its rates by the rate pegging limit of 4.6% announced by the Independent Pricing and Regulatory Tribunal (IPART) recommendation of 4.6% to provide essential services, maintain infrastructure, and support the needs of our residents. The increase of 7% to Water and Sewer charges ensures that intergenerational equity is maintained in funding large scale capital works over the coming financial years to ensure essential services can be maintained. The increase of 7% to domestic waste fees is required to cater for the increased costs of waste processing and disposal, bulky waste collection services and predicted future increases in the costs of a new collection contract and the introduction of Food Organics & Garden Organics (FOGO).</p>
<p>Infrastructure and Maintenance Concerns: There were several requests for improvements to local infrastructure, such as street kerbing and guttering, stormwater drainage systems, and road maintenance. Residents highlighted specific areas requested for works, indicating a desire for adjusted management and allocation of funds towards infrastructure projects.</p>	<p>Determination of road renewal projects across the 2024/25 to 2027/28 Capital Program has been done in accordance with the results of the 2023 Road Network Audit by industry experts Infrastructure Management Group.</p> <p>Several requests were received for kerb and guttering along Clearview Road Bowral – which is programmed for Pavement Rehabilitation in 2027/28. As part of these works the table drainage swale along the northern edge of the road will be reinstated, but kerb and gutter will not be constructed as drainage upgrade funds are to instead be invested in areas requiring priority flood mitigation works.</p> <p>Through consideration of submissions received during exhibition, it was identified that several improvements were required to the new footpath program across 2025/26 to 2027/28. As detailed within this report, the program has been adjusted to focus on providing new footpath connections where there currently are none – and therefore the project listing for new footpaths has been updated to include critical links in Exeter, Burrawang, Hill Top, and</p>

**AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 JUNE 2024**

Key Theme	Council Officer Response
	Bowral. Given the complexities and cost of these links, some are design only with construction to be subject to grant funding opportunities.
<p>Environmental and Sustainability Initiatives: Submissions included calls for the use of the Environment Levy for natural resource projects ahead of sustainability and non-core-business actions, and transparency of the actions funded by the Environment Levy. There is a clear interest in ensuring that environmental funds are used appropriately and effectively, and that the community is informed about these expenditures.</p>	<p>The current Environment Levy program was part of the special rate variation approved by IPART in 2016. Council went to the community with a program that covered the areas of:</p> <ol style="list-style-type: none"> 1. Biodiversity Conservation 2. Rivers and Streams Projects 3. Sustainable Living Program 4. Community Support 5. Program Coordination. <p>This was the program that was ultimately approved by IPART and implemented by Council.</p> <p>The Environment Levy program is still being delivered in line with this and funding is allocated accordingly. Biodiversity conservation, rivers and streams, and the bushcare/landcare program still receives the majority of the Environment Levy with an allocation of approximately 70%. Sustainable living elements receive approximately 14% of the Environment Levy.</p> <p>It is proposed to develop appropriate resources on Council's webpages to inform our community on the Environment Levy and the programs it supports.</p>
<p>Fees and Charge for Community Facilities: Several submissions requested revised hire fees for community halls.</p>	<p>Requests to review fees and charges were submitted for consideration during the public exhibition process. These requests primarily related to halls operated by Council's 355 Management Committees. The proposed changes, outlined in the body of this report were considered on a case by case basis, in conjunction with the relevant stakeholders.</p>
<p>Ngununggula Regional Art Gallery: Concerns</p>	<p>The regional art gallery is the centre for visual</p>

**AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 JUNE 2024**

Key Theme	Council Officer Response
<p>were the justification of the Council contribution relating to the regional art gallery.</p>	<p>arts and culture in the Southern Highlands and is a place where the community come together to participate and experience the arts. Since opening in October 2021, Ngununggula has had:</p> <ul style="list-style-type: none"> • 124,000+ visitors since opening and 42,200 local visitors in the 2022/23 financial year. • 650 individual pieces of art displayed including 293 original commissions. • 850+ public programs and events offered to the community. • 5,677 direct engagements with school students. • 52,000+ tourists since opening. <p>There are economic benefits of the regional art gallery in attracting tourists to the area. The extension of the agreement provides the incoming Council time to consider the future funding of Ngununggula whilst providing short term certainty to Ngununggula and opportunity to review its funding model and revenue options.</p>

Internal Review

While on public exhibition an internal review was undertaken of the draft documents. Amendments have been proposed to:

- respond to organisational structure change that commenced on 1 May 2024, with the Chief Financial Officer reporting to the General Manager (previously reporting to Director Corporate Strategy and Resourcing) and the Executive Manager People and Culture reporting to the Director Corporate Strategy and Resourcing including a title change to Manager People and Culture (previously reporting to General Manager).
- refinement of service performance measures to provide greater clarity.
- adjust timeframes for project/program delivery timeframes.

An overview of these changes are included in **Attachment 2** to this report.

Additionally, minor administrative changes have been made to refine language and consistency in the documents.

The amended Operational Plan 2024/25 is included in **Attachment 3** to this report.

In terms of the Resourcing Strategy 2024-34 changes are proposed to the Long Term Financial Plan to reflect the adjustments made to the Capital Works Program 2024/25 to 2027/28. These changes

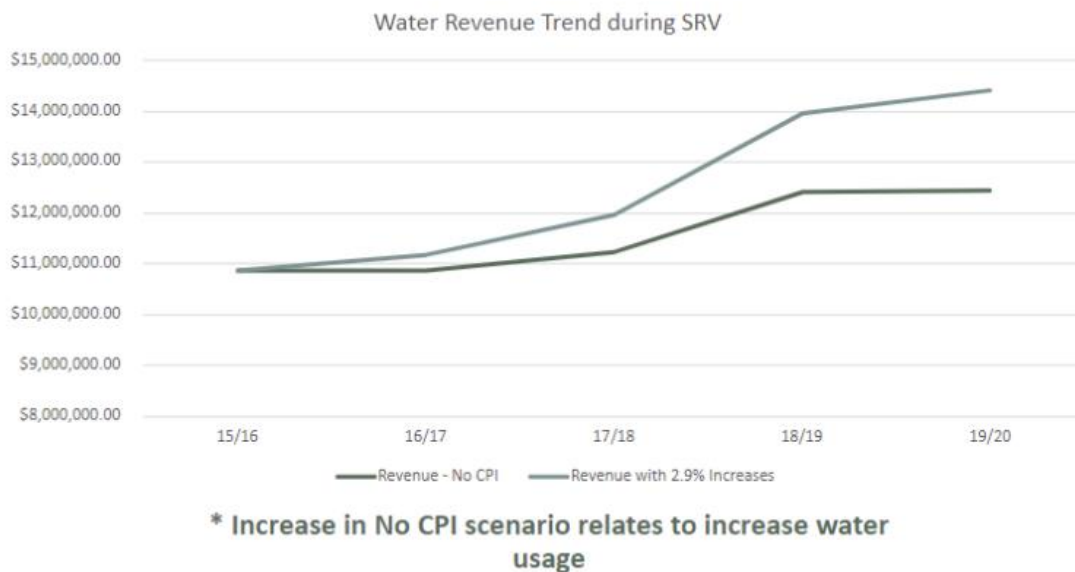
are described in the corresponding section of this report, with further detail showing actual project budget adjustments provided in the Attachment.

The Resourcing Strategy 2024-2034 is included in **Attachment 4** to this report.

FEES AND CHARGES 2024/25

In preparing the draft Fees and Charges 2024/25, a number of assumptions and considerations were made. These include increasing Water and Sewer related fees and charges by 7% (and subsequently 5% in future years of the LTFP). The 7% ensures that Council's Water and Sewer funds both remain financially sustainable over the term of the LTFP, whilst funding a number of large-scale capital projects that are required to enable the sustainable growth of the Shire.

During the 2016/17- 2019/20 Special Rate Variation increased, which saw rates increased above the rate peg to fund infrastructure renewals and maintenance, water charges were not indexed during these four (4) financial years. The graph below demonstrates the revenue trends between the indexed and non-indexed revenue trajectory. Due to the increases being frozen for a period of four years, water charges will need to be increased higher than inflation, to ensure the Water Fund is sustainable in the LTFP.



In preparing the draft Fees and Charges 2024/25 the following considerations were also made:

- Each Fee and Charge was considered on case-by-case basis and indexed accordingly. An initial application of 7% was applied to non-statutory fees and charges and each fee was reviewed in accordance with its pricing category.
- 106 New fees and charges were proposed to be introduced for the first time in the 2024/25 financial year, with 38 existing fees proposed to be discontinued, to align fee structures to services provided. The new and deleted fees predominately relate to Bowral Memorial Hall, Tulip Time, Cemeteries and Planning.
- 34 Fees have increased by more than 10%, to ensure they align within their relevant pricing category.

**AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 JUNE 2024**

- 26 Fees have increased by less than 4%, to also ensure that they align within their pricing category.

These were incorporated in the publicly exhibited document for feedback.

Further internal reviews were undertaken of the draft Fees and Charges 2024/25, to complement any submissions received during this period. Minor administrative changes have been made for wording changes and to provide further clarification, including aligning the unit of measure within the fee description with the Unit column to ensure consistency. Significant amendments are listed below:

Penrose Hall

Significant amendments have been made to Penrose Hall and the “New” Penrose Hall, after submissions were made by members of the Penrose Community Hall 355 Committee. As the “New” Penrose Hall has been officially opened for use from the 1 June 2024, and the old hall has been closed and the fee structure has been updated to reflect this. The proposed changes recommend two new fees for the New Penrose Hall, as well as a reduction in 4 fees, to relieve the financial burden on users of the hall in its “inaugural year”. The changes are outlined in the table below.

Canyonleigh Community Hall

A request from the Canyonleigh 355 Community Hall Committee, requesting that the Wedding fee was increased from \$1,000 to \$1,500. It is recommended that the fee be increased, as outlined in the table below.

The table below captures the key changes relating to bookings and halls.

Details	Exhibited	Revised
	2024/2025 Fee Incl. GST	2024/2025 Fee Incl. GST
New Penrose Hall		
Hall Hire - (per Booking, full day)		
Commercial Use	\$302.00	\$302.00
UPDATED - Community & Not for Profit Use	\$151.00	\$96.00
UPDATED - Health & Wellbeing Use	\$211.00	\$135.00
Hall Hire - (per Booking, per Hour)		
Commercial Use	\$50.00	\$50.00
UPDATED - Community & Not for Profit Use	\$25.00	\$16.50
UPDATED - Health & Wellbeing Use	\$35.00	\$22.50
New Fees - Other Specific Users		
NEW - Wedding function - Commercial Use - (Wedding/Function Fee includes ½ day set up the day before, the full day of the wedding/function, and 2 hours the day after from 8.00am to 10.00am.)	\$0.00	\$1,000.00

**AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 JUNE 2024**

NEW - PCA sponsored Monthly Events - (Singing, Morning Tea, Speakeasy)	\$0.00	\$500.00
Canyonleigh Community Hall		
Other Specific Users		
UPDATED - Wedding function - Commercial Use - (Wedding/Function Fee includes ½ day set up the day before, the full day of the wedding/function, and 2 hours the day after from 8.00am to 10.00am.)	\$1,016.00	\$1,500.00

Inclusion of new Refundable Bond for all Weddings

An updated key bond for any halls that accept bookings for weddings or functions have been updated to \$450. The existing bond fee arrangement had bond values determined if an event was allowing alcohol to be supplied. The existing bond fee was \$450 for functions that allowed the service of alcohol and \$250 for all other functions. The revised approach allows for the bond to adequately cover larger scale events (that don't serve alcohol) that were not previous covered under the existing bond arrangement.

Miscellaneous Adjustments

The Sliding Scale for a DA application inaccurately included a minimum charge of 10c which has been removed.

There was a grammatical error in the fee for 'Approval to do Water Plumbing' which has been updated from \$278.00 now \$287.00 in line with other charges in that section.

Removal of Dishonour Fee \$25 for insufficient funds

Council has passed on the savings from the CBA of the dishonour fee charge for insufficient funds, as this fee is no longer charged by the bank, with the current charge to council now at 55 cents. Council has opted not to pass this on to the community and removed the fee.

The changes outlined above, have been incorporated into the 2024/25 Fees and Charges schedule for recommendation. It is noted that as Statutory bodies advise of their fees and charges, Council will update the Fees and Charges schedule to reflect these changes. A copy of the Fees and Charges is included in **Attachment 5**.

OPERATIONAL PLAN AND BUDGET 2024/25

The Operational Plan and Budget 2024/25 will see Council continue to deliver a number of key services to the community whilst delivering key infrastructure projects.

Council's consolidated 2024/25 Operating Result (before Capital Revenue) has been reduced to a deficit of approximately \$12.6M, primarily relating to an increase in depreciation, from revised asset

**AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 JUNE 2024**

revaluations conducted in the 2022/23 financial year and forecast revaluations proposed for the 2023/24 financial year. This increase, will have an impact on Council’s ability to maintain existing service levels in renewing and upgrading its assets, whilst the rate peg is a modest increase at 4.6%, whilst growth in depreciation is expected to be 17.79% (subject to asset revaluations that will be conducted as a part of the 2023/24 end of financial year statements). Council will continue to advocate the NSW State Government to reform the rate pegging system, whilst trying to establish efficiencies in bridging the gap between rates growth and inflation. This is critical, as Council’s infrastructure related service levels will diminish as funding shortfalls eventuate due to the widening gap between the increase in expenditure relative to increases in revenue. This is compounded by the large geographic area that the Shire covers (equivalent to 35 Metropolitan Local Government Areas) and extensive transport network that spans the equivalent of travelling from Moss Vale to Gympie, all funded by a modest rates base. These challenges will need to be addressed in the coming years, to ensure that Council remains financially sustainable in delivering the expected service levels to the community and ensuring its asset conditions do not deteriorate.

	2023/24 Original Budget (\$,000)	2023/24 Q3 Budget (\$,000)	2024/25 Draft Budget (\$,000)	\$ Movement	% Movement
Income from Continuing Operations					
Rates and Annual Charges	94,292	94,192	99,465	5,173	5.49%
User Charges and Fees	24,039	23,949	26,166	2,127	8.85%
Interest and Investments Revenue	4,752	8,862	8,400	3,648	76.76%
Other Revenues	2,729	3,837	3,454	724	26.53%
Grants and Contributions - Operating	9,693	3,795	11,718	2,025	20.89%
Grants and Contributions - Capital	24,873	33,750	36,816	16,268	48.02%
Total Income from Continuing Operations	160,379	168,385	186,019	25,641	15.99%
Expenses from Continuing Operations					
Employee Costs	47,715	46,304	50,396	2,680	5.62%
Borrowing Costs	433	470	730	297	68.56%
Materials and Services	45,730	55,733	56,427	10,697	23.39%
Depreciation Amortisation Impairment	43,098	43,098	50,720	7,622	17.69%
Other Expenses	3,642	3,491	3,579	-63	-1.72%
Loss / (Gain) on Disposal of Assets	0	0	0	0	0.00%
Total Expenses from Continuing Operations	140,617	149,095	161,852	21,234	15.10%
Operating Result from Continuing Operations	19,761	19,289	24,168	-4,406	22.30%
Net Operating Result from Continuing Operations excluding Grants and Contributions used for Capital Purposes	-5,112	-14,460	-12,649	-7,537	147.44%
FTE (Full Time Equivalent Employees)	481.6	481.6	491.25	9.65	2.00%

Whilst on public exhibition, one change was made to the 2024/25 draft operating budget, where Cemetery related revenue (User Fees and Charges) was increased by \$80K to fund cemetery related

**AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 JUNE 2024**

capital works. This positively impacted Council operating result, but had no impact on Council’s unrestricted Working Capital surplus of \$54K for the 2024/25 financial year.

UNRESTRICTED WORKING CAPITAL BENCHMARK REVIEW

In presenting the draft Operational Plan and Budget 2024/25 to Council, it was requested that a review on the unrestricted working capital benchmark be considered in presenting the budget from adoption to the June 2024 Extraordinary Council meeting. The existing benchmark of \$5M was initially determined in 2021, as a part of the Finch Review and subsequently adopted by Council. An internal review was conducted to determine an appropriate level of unrestricted work capital, noting there is no specific indicator for a benchmark for Council’s in NSW. The following approach was presented to Council’s Audit, Risk and Improvement Committee in June 2024 for discussion where the approach was noted.

Available Working Capital minimum level		
	\$'000	
a	Expenditure budget shock	2,754
		General Fund - 2% of total OpExp budget excl. employee costs and dep'n + 5% of CapEx - 24/25 Original Budget
c	Income budget shock	633
		2% of operating income excl. rates & annual charges & Grants and Contributions - 24/25 Original Budget
d	Debtors + inventories + Provision for Doubtful Debts	2,413
		As per 2023/24 financial statements
Revised Working Capital Calculation		5,800

The calculation takes into consideration financial increases in expenditure and revenue where variations may expose Council to fluctuations or movements. The benchmark aligns with the LG Solutions calculation in determining Working Capital Benchmarks. Based on the above methodology, it is recommended to increase the benchmark to \$5.8 million and review the benchmark every 2 years, to ensure Council has an appropriate level of working capital to cover day to day activities and ensure that any short term budget shocks, are able to be funded without disrupting services.

CAPITAL WORKS PROGRAM 2024/25 to 2027/28

Further review of the proposed Capital Works Program 2024/25 to 2027/28, and consideration of submissions during exhibition, has prompted a suite of adjustments to the program.

The project adjustments are the result of a variety of factors, they are necessary changes to ensure the Capital Works Program is accurate and delivers for the community. These adjustments ensure that Council is investing capital funds in the right projects, in the right locations. The majority of the changes is the result of providing a detailed project listing for the first time – as opposed to program budgets like road resealing program as an example. With a four year detailed program having now been prepared, it is not envisaged that the same volume of post exhibition changes will be experienced in future years.

The following table summarises the changes made and a detailed listing of the project adjustments is provided as **Attachment 6**.

**AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 JUNE 2024**

Project	Post Exhibition Adjustment	Comments
Mittagong Playhouse	Expected grant funds of \$4.33M rephased from 24/25 to 26/27	<p>Council was not successful in Round One of the Growing Regions Program.</p> <p>Round Two of the Program will be open for applications in 2024, for which an application will again be submitted for the consideration of the Federal Government.</p> <p>The \$4.33M of assumed grant funding will therefore be rephased to 2026/27.</p>
Hill Top Public Toilets	Design phase of \$20k added to 24/25 and \$250k construction phase to 25/26.	Adjustment made in accordance with Council resolution
Cemetery Lawn Beams and Ash Placements	Construction of new lawn beams (\$40k) and ash placements (\$40k) added to each year	New projects are offset by a corresponding increase in forecast cemetery revenue.
Road Renewal Programs	<p>Review of the 24/25 and 25/26 detailed road renewal program prompted thirty-eight changes as result of:</p> <ul style="list-style-type: none"> - Budgets increased or decreased upon closer review of individual scopes. - Some projects have already been addressed through 23/24 capital program, or can be addressed through heavy patching program <p>The adjustments are the result of providing a detailed project listing, as opposed to high level program budgets.</p> <p>These changes help ensure that, through the Capital Works Program, Council is investing in right projects, in the right locations.</p> <p>See the attachment for detailed project listing of adjustments.</p>	
New Footpath Program	<p>Review of the 25/26 to 27/28 has prompted a suite of changes to the new footpath program</p> <p>The previous program featured several projects for construction of a footpath on fringe of town centres where a pathway already exists on other side of the road. Although this is still a good strategic connection, it should be a lower priority than providing a footpath connection where there is currently none (on either side of road).</p> <p>The Program has therefore been updated accordingly, with new footpath projects included of:</p> <ul style="list-style-type: none"> - Wilson Drive, Hill Top (design) - Regent St, Mittagong - Fitzroy St, Mittagong - Station St, (south end) Bowral - Oxley St, Berrima 	

**AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 JUNE 2024**

Project	Post Exhibition Adjustment	Comments
	<ul style="list-style-type: none"> - School Ln, Exeter (design) - Middle Rd, Exeter (design) - Hoddle Street, Burrawang <p>See the attachment for detailed project listing of adjustments.</p>	
Bong Bong Common Intersection Upgrade	To enable commencement of construction, a 24/25 budget increase of \$800k is required	<p>This project is essential for the completion of the Bong Bong Common Upgrade Project.</p> <p>The intersection upgrade project has experienced significant cost escalation as result of engineering, governance and contractor requirements from Transport for NSW.</p>
Bowral Golf Course Detention Basins	<p>Rephasing of project budget across 24/25 and 25/26.</p> <p>The 2024/25 budget has been reduced from \$400k to \$100k.</p>	Finalisation of the easement acquisition process continues to experience delays. Project phasing has been updated accordingly.
Retford Farm Detention Basin	The 2024/25 budget has been increased from \$211.25k to \$511.25k.	Budget increased to accommodate costs associated with unsuitable material.
Pikkat Drive Wastewater Pump Station	The 2024/25 budget of \$800k has been removed.	This project is programmed to commence in 2025/26, subject to completion of downstream infrastructure.
Eridge Park Booster Water Pump Station	The 2024/25 budget has been increased to \$1.4M	This budget increase is in accordance with the Council resolution of 21 February 2024.
Water Supply Zoning Projects	Rephasing of water supply zoning projects across all years.	Water supply zoning projects have been rephased to ensure that there is a reduction in the number of zoning projects being progressed at the one time.

MITTAGONG PLAYHOUSE UPDATE

As a part of the Growing Regions Program, Council submitted an application for the Mittagong Playhouse to be upgraded, underpinned by a 50/50 funding strategy of grants and loan borrowings, totalling \$8.66M. The draft budget 2024/25 was phased for the funds to be spent in the 2024/25 (\$4.33M) and 2025/26 (\$4.33M) financial years if the grant application was successful. On 16 May 2024, the successful Growing Regions Program – Round 1 applications were announced of which Council’s application was not successful.

**AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 JUNE 2024**

Subsequent to this, at the 19 June 2024 Council meeting, the Council resolved (via Administrator Minute 1) the following in relation to Mittagong Playhouse:

It was very disappointing that the Council's application to the Federal Government under the Growing Regions Program for the Mittagong Playhouse was not successful. Following the success of the Council's initial Expression of Interest, and subsequent invitation by the Department to submit a detailed application, we were hopeful of an approval and with the cooperation of the Berrima District Historical Society and the Highlands Theatre Group a Development Application has been approved and the project is 'shovel ready'. Council will maintain its allocation of \$4M in the 2024/25 budget and will continue to explore funding opportunities and submit another application under the next funding round - Growing Regions Round 2.

In addressing this resolution, it is noted that 2024/25-2027/28 Capital Works program for adoption has been updated (as outlined earlier in this report) and has included the Mittagong Playhouse in the 2025/26 (\$4.33M) and 2026/27 (\$4.33M) financial years to reflect a realistic project cash flow projection, if Council is successful with an application in Round 2 of the Growing Regions Program. At the time of writing this report, it is unclear when Round 2 of the Growing Regions Program will open.

STATEMENT OF REVENUE POLICY 2024/25

IPART, who determine each Council's rates increase, have provided Council with a 4.6% rate peg increase for the 2024/25 financial year. This is made up of an 4.5% general indexation and 0.1% population growth factor, which provides for costs associated with population growth in rates in the Shire.

During the public exhibition period, additional supplementary valuations were received from the Valuer General. This has impacted the exhibited Rating Structure slightly, resulting in a fractional change in the *ad valorem*s. This administrative change is updated in the Rating Structure as seen in the below table:

Proposed 2024/25 Rating Structure (including the rate peg increase of 4.6%)				
Category	Sub Category	Ad Valorem	Minimum Rate	Yield
Residential	Ordinary	0.2253500	\$1,325.25	\$45,305,559
Residential	Renwick	0.2779000	\$1,325.25	\$1,133,431
Business	Ordinary	0.5434000	\$1,325.25	\$7,310,816
Farmland	Ordinary	0.1355500	\$1,936.59	\$5,312,297
Mining	Ordinary	1.5160940	\$1,325.25	\$381,107
				\$59,443,210
		Ad Valorem	Base Rate	
Environment Levy		0.00345232	\$30.48	\$1,613,384
		Estimated Yield		\$61,056,594

AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL WEDNESDAY 26 JUNE 2024

New Subdivisions and Part Year Rating

The rating year commences on the 1 July and notices are required to be issued by the 31 July. The rating year ends the following 30 June. Where land(s) that have been levied rates is subsequently subdivided:

- The Valuer General (the 'VG') cancels the valuation of the subdivided property(s)
- The VG issues valuation(s) for the newly created properties
- These new valuation(s) are used to calculate the permissible income for the following rating year
- The newly created properties are not individual rated until the following 1 July

As New Living Areas are proposed to come online as they are subdivided and developed, the current rating practise of not rating newly subdivided properties until the following 1 July, means that this increased demand is not matched by a proportionate increase in the rates paid. It is recommended to introduce part year rating from 1 July 2024 where:

- Any land that is created by a subdivision, is rated from the commencement of the quarter following the registration of the subdivision
- An adjustment be made to the rates levied on the subdivided land up to the end of the quarter following the registration of the subdivision

In response to the proposed new Living Areas proposed to be commissioned in the 2024/25 financial year, an Operational Plan key priority has been included, to investigate options to support the communities being established in the New Living Areas, including Ashbourne Estate. This result of introducing part year rating, should result in a favourable increase in rating revenue for Council with any budgetary changes reported as a part of the quarterly budget review process.

BORROWINGS 2024/25

The following borrowings are proposed for the 2024/25 financial year.

Loan Year	Purpose	Amount	Duration	Repayment Funding Source
2024/25	Southern Highlands Regional Animal Shelter	\$4,125,000	20 years	General Fund
2024/25	Bowral Sewerage Treatment Plant Upgrade	\$11,000,000	20 years	Sewer Fund
2024/25	Bowral Sewerage Treatment Plant Upgrade	\$5,450,000	20 years	Sewer Fund
Total		\$20,575,000		

A competitive process will be undertaken during the 2024/25 financial year to ensure that Council receives value for money in borrowing funds for this project.

FINANCIAL ASSISTANCE

In exhibiting the draft Operational Plan and Budget 2024/25, the following have been included by means of financial assistance in accordance with section 356 of the Local Government Act 1993:

- \$500,000 (Ex GST) contribution to the Ngununggula Regional Art Gallery

AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL WEDNESDAY 26 JUNE 2024

- \$95,000 allocated towards the Community Assistance Scheme
- \$10,000 allocated towards Southern Highlands Jazz
- \$60,000 allocated towards the Rates, Water and Sewer Access Subsidy Scheme

Details of each program are included in the Operational Plan and Budget 2024/25 to be adopted by Council.

COMMUNITY WASTE DISPOSAL ASSISTANCE SCHEME

The Community Waste Disposal Financial Assistance Scheme was publicly exhibited in conjunction with the Operational Plan 2024/25. There was no feedback received in relation to the guidelines. As such, it is recommended that Council adopt the guidelines as placed on public exhibition. The guidelines are included in **Attachment 7**.

Following adoption of the Guidelines, Council will move forward with opening the scheme seeking applications from the community and will contact known community organisations about the scheme and it will also be promoted across via social media.

A report on the allocation of the financial assistance will be presented to Council no later than August 2024.

UNFUNDED CAPITAL INFRASTRUCTURE PROJECTS LIST 2024-25

In adopting the Operational Plan 2021/22, Council resolved to include the Unfunded Priorities list in future budgets. Council officers have conducted a thorough review and updated the list to remove any projects that have been included in the Operating Budget, four-year capital works program or realignment to strategies and plans. The list of unfunded works is approximately \$134.6M predominately made up of \$125M for Moss Vale Bypass which is proposed to be funded by future grant opportunities.

The unfunded projects list was also publicly exhibited for 28 days and no changes have been made to the list, during the public exhibition period. A copy of the Unfunded Capital Infrastructure Projects List is included in **Attachment 8**.

SERVICE REVIEW PRIORITISATION PROGRAM

At the meeting of 13 December 2023, Council considered the 'Delivering Better Services: A framework for providing best-value services to the community' (the Framework). The Framework outlines the proposed approach to both planning and reviewing our services in order to provide more effective, affordable, accessible services that are reflective of community needs. The ARIC were consulted at the September 2023 meeting, prior to it being presented to Council for adoption.

At the December 2023 meeting, Council resolved as follows:

"THAT:

- 1. Council adopt the Delivering Better Services Framework.*
- 2. Council note the Service Reviews proposed for 2024/25.*
- 3. Service reviews include value for rate payer's dollar and explore opportunities for market testing.*
- 4. Noting the service areas and principal activities detailed in appendix five a proposed interim timeline be presented to a future meeting of Council."*

AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL WEDNESDAY 26 JUNE 2024

The Framework defines a Service Review as the process of considering the costs, quality and efficiency of a Council service and assessing the appropriateness of how the service is currently being delivered. The process will provide assurance to Council a holistic approach to reviewing and conducting a service review.

Since the Framework has been adopted a review of Finance Services has been completed and was reported to the 20 March 2024 Council meeting. A review of Water Services has commenced and a review of Shire Presentation is scheduled to commence in the 2024/25 financial year. Additionally, at the Council meeting held on 17 April 2024, Council resolved the following relating to an Animal Shelter Service Review in adopting the March 2024 Operational Plan and Budget update:

Having regard to the relocation of the Animal Shelter to a purpose-built facility, the General Manager arrange in consultation with the Administrator a short, sharp review of policies, procedures, staffing, hours, volunteering and the general operation of the shelter, but not excluding any other matter deemed appropriate, with a view to ensuring best value and Council's compliance with its statutory obligations. Such review to be informed by the operation of similar facilities in other regional areas.

To address the December 2023 Council resolution, a Service Review Prioritisation Matrix has been developed, to guide further service reviews. As required by the Framework, the following were considered during the development of the matrix:

- Importance - the level of importance placed by the community or organisation of the service.
- Satisfaction - the level of user satisfaction with the service.
- Value - the cost of the service and return on investment.
- Performance - results against agreed service measures, benchmarks and indicators.
- Impact - of the service on the organisation, community, environment, and/or economy.
- Risk - the severity, urgency and likelihood of issues impacting the service; for example, potential changes to legislation, funding arrangements or service delivery models.
- Legislation - whether the service is required (or not) under local government legislation and any issues of non-compliance.

Timeframes and numbers of reviews conducted over a financial year will be dependent on scope and resources. For example, Council may have capacity to conduct several smaller-scale reviews or focus its resources on a single larger-scale review. Further consideration of the execution of service reviews will be conducted in the first quarter of the 2024/25 financial year to inform the development of the Council's Delivery Program 2025-2029.

A recurring budget allocation has been made in Council's budget of \$154,000 in the 2024/25 financial year.

The Service Review Prioritisation Matrix was considered by the ARIC at the June 2024 meeting and is included in **Attachment 9**.

AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL WEDNESDAY 26 JUNE 2024

COMMUNICATION AND CONSULTATION

Community Engagement

A project page was established on Participate Wingecarribee website, the archived link is available at '<https://participatewingecarribee.wsc.nsw.gov.au/resourcing-strategy-operational-plan-budget>'. Residents were provided the opportunity to complete an online form on the Participate Wingecarribee project page or to make a submission by way of email or letter.

Public notice of the exhibition period was provided via the following means:

- Your Shire This Week distributed to registered subscribers
- Notification to community contacts including village associations and chambers
- Notification to Community Reference Panel members
- Social media posts
- Media release

During the public exhibition period, Council held 'Local Matters Forums' to provide an overview of the draft Operational Plan and Budget to assist the community in making informed submissions. Forums were held at the following locations:

- Northern Villages - Tuesday 23 April 2024 at Colo Vale Hall from 5:30 to 7:00pm
- Southern Villages - Tuesday 30 April 2024 at Penrose Hall from 5.30 pm to 7.00 pm
- Eastern Villages - Thursday 2 May 2024 at Robertson CTC from 5.30 pm to 7.00 pm
- Mittagong, Bowral and Moss Vale - Tuesday 7 May 2024 at Bowral Memorial Hall from 5.30 pm to 7.00pm
- Western Villages - Wednesday 8 May 2024 at New Berrima Hall from 5.30 pm to 7.00 pm

Community interaction with the Participate Wingecarribee project page demonstrated significant engagement. The site received 604 views, with 349 unique public visitors. There were 296 unique document downloads, and the total engagement time amounted to 11 hours and 49 minutes, reflecting strong community interest and participation in the project.

Internal Communication and Consultation

Council's Executive and Management team contributed to the development of Draft Operational Plan 2024/25 and Draft Resourcing Strategy 2024 – 2034.

External Communication and Consultation

Office of Local Government's Integrated Planning and Reporting Guidelines were consulted during the development of the Community Strategic Plan.

A Council briefing session was held as part of an Extraordinary Meeting of Council on 27 March 2024, at this meeting Council resolved into Committee of the Whole to allow managers to brief Council on the draft Operational Plan and Budget. This session also provided an opportunity for members of the public to ask questions of staff in relation to these plans.

SUSTAINABILITY ASSESSMENT

Environment

There are no environmental issues in relation to this report.

AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL WEDNESDAY 26 JUNE 2024

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 Integrated Planning and Reporting Guidelines issued under section 406 of the Local Government Act 1993, require that all NSW councils have a,

- Resourcing Strategy. That must include provisions for long-term financial planning, workforce management planning and asset management planning and that copy of the adopted components of the Resourcing Strategy on its website.
- Delivery Program detailing the principal activities to be undertaken by the Council to perform its functions (including implementing the strategies set out in the Community Strategic Plan) within the limits of the resources available under the Resourcing Strategy. Council last adopted its Delivery Program in June 2023.
- Operational Plan that is adopted before the beginning of each financial year, detailing the activities and actions to be undertaken by the council during that year to achieve the Delivery Program commitments.

It is also required that the Long Term Financial Plan and Operational Plan be publicly exhibited for at least 28 days and submissions received by the Council in that period must be considered before the final adoption of the documents. This report ensures that Council is complying with its requirements under the Integrated Planning and Reporting Framework.

COUNCIL BUDGET IMPLICATIONS

The Budget 2024/25 (including forward estimates) that has been incorporated in the Operational Plan 2024/25 has been funded adequately.

RELATED COUNCIL POLICY

Nil

CONCLUSION

The following documents on public exhibition for a period of 28 days from 3 May to 2 June 2024.

- Resourcing Strategy 2024-2034.
- Operational Plan and Budget 2024/25.
- Fees and Charges 2024/25.
- Fees and Charges Variations 2024/25.
- Community Waste Disposal Assistance Scheme
- Unfunded Projects List 2024 -25

AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL WEDNESDAY 26 JUNE 2024

The Operational Plan 2024/25, including Budget, Revenue Policy, Fees and Charges and Resourcing Strategy 2024-34 are part of Council's Integrated Planning and Reporting Framework. These documents have been compiled by Council as an annual response to the community's vision as outlined in the Community Strategic Plan, Wingecarribee 2041. The documents deliver Council's responsibilities under the Local Government Act 1993 and are now being presented to Council for adoption after considering the submissions tabled as a part of the 28 day public exhibition process.

ATTACHMENTS

1. Under Separate Cover - Public Submissions and Responses Table 2024 - 2025 for Adoption [9.1.1 - 25 pages]
2. Under Separate Cover - Overview of Changes to Operational Plan 2024 - 2025 Based on Internal Review for Adoption [9.1.2 - 3 pages]
3. Under Separate Cover - Operational Plan and Budget 2024 - 2025 for Adoption [9.1.3 - 244 pages]
4. Under Separate Cover - Resourcing Strategy 2024 - 2034 [9.1.4 - 79 pages]
5. Under Separate Cover - Fees and Charges FY 2024-25 [9.1.5 - 108 pages]
6. Under Separate Cover - Detailed Listing of Post Exhibition Capital Program Adjustments [9.1.6 - 4 pages]
7. Under Separate Cover - Guidelines for Community Waste Disposal Assistance for Adoption [9.1.7 - 6 pages]
8. Under Separate Cover - Unfunded Projects List 2024 - 2025 for Adoption [9.1.8 - 15 pages]
9. Under Separate Cover - Service Reviews Prioritisation Matrix [9.1.9 - 2 pages]

9.2 Asset Management Plans for Adoption

Report of: Shaun Robinson
Manager Assets

Authorised by: Karin Targa
Director Service and Project Delivery

PURPOSE

The purpose of this report is to seek adoption of the Asset Management Plans

OFFICER'S RECOMMENDATION

THAT:

1. Council adopt the suite of Asset Management Plans covering the asset classes of
 - a. Transport
 - b. Stormwater
 - c. Open Spaces
 - d. Buildings
 - e. Water
 - f. Wastewater

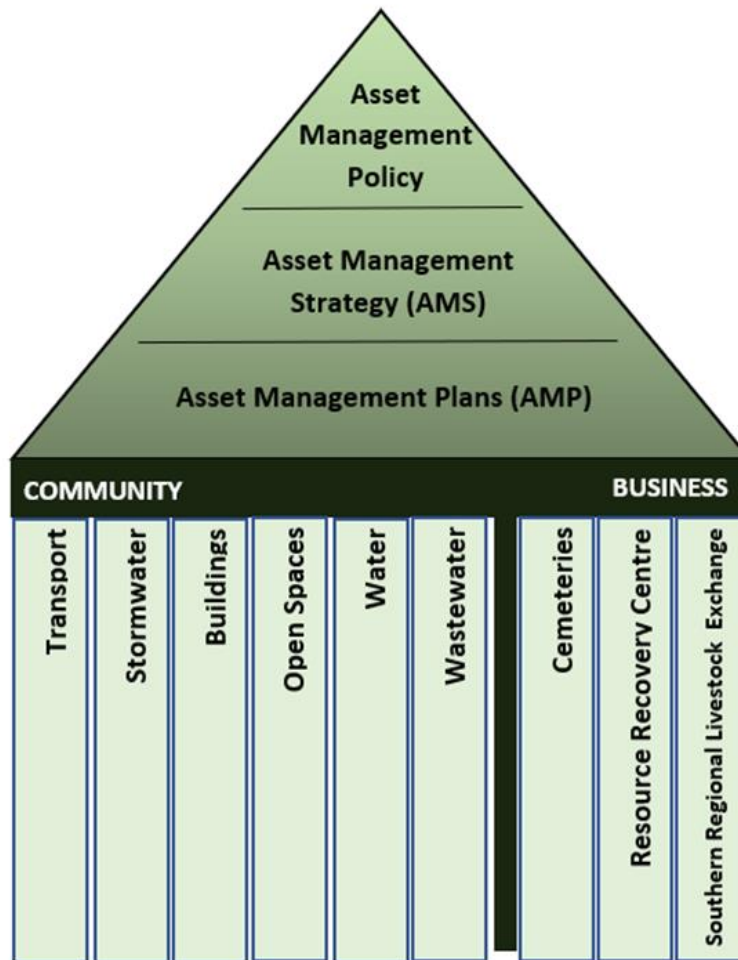
REPORT

BACKGROUND

In accordance with the Integrated Planning & Reporting (IP&R) Framework, which all NSW Local Governments are subject to, Council is required to prepare a suite of strategic documents – one being the Resourcing Strategy. It is through the Resourcing Strategy that the Asset Management Framework of Council is defined and endorsed.

The Asset Management Planning Framework integrates into the wider IP&R Framework and ensures Council performs the Asset Management functions of planning, coordinating, controlling, executing, monitoring and improving the activities associated with managing its assets.

The Asset Management Framework has three primary components and is illustrated in the figure below.



At the Ordinary Council Meeting 15 May 2024, Council resolved to:

1. *Adopt the updated Asset Management Policy.*
2. *Endorse the Asset Management Plans to be placed on public exhibition for 28 days and a further report be submitted to Council following the conclusion of the public exhibition period.*

REPORT

Following the resolution of the Ordinary Council Meeting 15 May 2024, the Asset Management Plans were placed on Public Exhibition for 28 days from 16 May to 12 June 2024. A dedicated page on Council's online engagement platform (Participate Wingecarribee) was created for the public exhibition. The the Asset Management Plans and related documents were all available for download and an online submission form was available for comments.

Across the public exhibition period:

- the page had 49 visitors
- the documents were downloaded 50 times

**AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 JUNE 2024**

- three submissions were received.

The submissions received are provided in full in the table below:

Author	Submission
L. Collingridge - Burradoo	<p>Generally, this document seems very technical for one put on public exhibition.</p> <p>Although section 3.1 lists Community Parks, Sports Parks, Linear Parks, and Bushland Reserves (with the notable omission of Premier Parks), Section 3.3 only identifies in detail the Sports Facilities and Recreation Walking Tracks, without identifying the assets in those facilities and without detailing the names and relevant information about other parks. The identification of these facilities is interesting, but what is the point if the assets relating to those facilities are not identified. The average condition of the assets is set out in Table 4, but we don't know where they are. Section 3 seems incomplete to the casual reader and confusing as a document seeking public comment.</p> <p>The constant message in the document is that the level of service for the assets will not be able to be maintained financially, leading to a decrease in the assets' condition, shortage of their life and the expectation of public dissatisfaction. This is disappointing but presumably a legacy of the former Council.</p> <p>Mention is made in 5.1 of developer contributions assisting with funding being limited to new assets with a hint of changes envisaged. For the lay person reading this document, it is difficult to join the dots between the 5.1 reference to \$8m in restricted funds that might be used to deliver further open spaces outcomes, with the \$8m mentioned in 6.3 held in reserve for delivery of infrastructure items. It is not clear what the message is about the potential use of this \$8m.</p> <p>We, at the Southern Highlands Botanic Gardens, look forward to the review of the Parks Strategy to which we are hoping to be 'included in the tent' for input.</p> <p>Council Comment – Section 3.1 and 3.2 are to provide a high level snapshot of the asset class through providing a description of the asset categories that it consists of, and their corresponding value and average condition. The purpose of Section 3.3 is to provide further detail for some asset categories, purely to provide greater insight and understanding into that asset category – and so the content of this section varies across the six Asset Management Plans.</p> <p>With the Open Spaces asset class consisting of over 1,500 assets, it is not viable to provide locations of these assets within the document.</p> <p>Council is currently holding approximately \$8M in Developer Contributions for the delivery of items listed in the Open Space, Recreation, Community & Cultural Facilities 2013 to 2036 – however quality and structure of this Plan is such that a full revision of the Plan is required to enable the funds to be used to deliver infrastructure upgrades.</p>
J. Slattery – Colo Vale	<p>Not a dislike, just an addition to the plan - Asset Management Plan Open Spaces 6.3 Developing Contributions and Servicing Strategy - 5th Paragraph</p> <p>Our recreational walking tracks capital expenditure is currently largely unfunded</p> <p>I ask that Recreational Walking Track Strategy is added to the strategic studies that inform updates to the Open Space, Recreation, Community & Cultural</p>

**AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 JUNE 2024**

Author	Submission
	<p>Facilities 2013 to 2036 plan, especially its infrastructure program, which is used to levy Development Contributions for new infrastructure.</p> <p>Council Comment - Section 6.3 of the Open Spaces Asset Management Plan has been updated</p>
<p>L. Breen – Moss Vale</p>	<p>Given the large number of items on exhibition for public comment at the moment, many of which have substantial documentation to support them, it is impossible for me, as a community member, to make a reasoned submission specific to each of them. So this is a generic comment that I will apply to a number of them.</p> <p>I recognise that the Council staff and consultants have put a great amount of time, expertise and research into this document.</p> <p>I would emphasise the great importance of considering climate change in all planning. This may change many parameters over the life of the document and also bring some opportunities such as grant possibilities for extra funding for mitigation and adaptation projects. There needs to be some flexibility in the plans for what should be expected problems from extreme weather events, which may affect natural areas, infrastructure or people.</p> <p>Wherever possible, all planning needs to recognise the natural environment of a locality. In the Shire are a number of different ecological communities, some of which are endangered. These communities vary depending on things like geology, aspect and the geographical features. Our Shire is traversed by major transport corridors to the north and south with the major waterway, the Wingecarribee River cutting through from east to west. The area is highly important as a source of clean water and water supply for Sydney and all planning needs to maintain water quality, as a major ecosystem service.</p> <p>All areas likewise need solid protection from activities that lead to soil erosion or pollution. The removal of any more natural vegetation needs to be stopped, and enforcement of vegetation protection needs to be taken seriously. There is now no place for clearing bush blocks or allowing further residential developments beyond existing town borders. Where areas are available to come into Council’s reserve system, it is urgent that they be acquired.</p> <p>For this reason, the Council’s Environment Levy must be strictly allocated towards, firstly the employment of skilled bush regenerators and the vehicles and equipment they need. Available funds beyond this purpose must be strictly allocated for use in the natural environment. They are not to be used to enhance tourism opportunities. The funding of environmental needs must remain a core element of Council’s expenditure beyond the levy income.</p> <p>Where possible local native trees, shrubs and grasses should be planted and maintained in recognition that this area provides important habitat for a number of threatened and iconic species – koalas, powerful owls, greater gliders, platypus and many, many more. We also have some significant threatened plants. Employment of properly qualified arborists and ecologists is necessary for full understanding of the value of any natural area, and no area should be assessed by desktop maps or a quick half-day visit.</p>

**AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 JUNE 2024**

Author	Submission
	<p>One of the problems for bushland and habitat management in this Shire is the loss of connectivity between areas of habitat. The existing Council mapping is inadequate and urgently needs to include recognition for areas of bushland corridor connectivity. Serious consideration needs to be given to completing or enhancing streamline plantings that have been carried out across the Shire over the last 30 years. Rivers and creeks around the Shire have seen good work done but often disconnectedly. Urgently further corridor work could be done along Medway Rivulet and Whites Creek in Moss Vale, the Mittagong Rivulet in Bowral, and many more.</p> <p>The value of trees in towns must not be overlooked. As well as requiring private house and land owners to meet the rules and regulations before any tree removal, Council needs to actively increase tree canopy cover across the towns and villages. There are many open spaces in which trees could be planted for aesthetic values as well as their importance for shade. One suggestion is to plant near all bus stops to provide some extra cooling and shelter for people awaiting their bus. I would like to draw to your attention the NSW Planning Department’s document on urban Greening. https://www.planning.nsw.gov.au/policy-and-legislation/urban-greening/greener-neighbourhoods</p> <p>Council Comment -</p> <p>Noted, this is a generic comment that has been submitted to multiple items on public exhibition. No updates to the Asset Management Plans required</p>

As a result of the submissions received during public exhibition and further internal consultation, the following minor changes have been made to the Asset Management Plans:

- Buildings Asset Management Plan – asset categories updated to show Libraries as a distinct asset category. The tables and graphs in Section 3 have been updated accordingly. Further detail was also provided in Section 3.3 as to the structures present at the large facilities like Moss Vale Depot and across the swimming centres.
- Open Spaces Asset Management Plan – Section 6.3 in response to public exhibition submissions.

It is therefore recommended that Council adopt the six Asset Management Plans:

- Transport
- Stormwater
- Open Spaces
- Buildings
- Water
- Wastewater.

COMMUNICATION AND CONSULTATION

Community Engagement

Following the resolution at the Ordinary Council Meeting on 15 May 2024, the Asset Management Plans were placed on Public Exhibition for 28 days from 16 May to 12 June 2024. A dedicated page

AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL WEDNESDAY 26 JUNE 2024

on Council's online engagement platform (Participate Wingecarribee) was created for the public exhibition. The Asset Management Plans and related documents were all available for download and an online submission form was available for comments.

Across the public exhibition period:

- the page had 49 visitors
- the documents were downloaded 50 times
- three submissions were received.

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

As stated within the report to the 15 May 2024 Ordinary Council meeting, one theme consistent across the six Asset Management Plans is the inability for asset renewal, maintenance and operational budgets to keep up with the asset base growth. This was primarily found to be for two reasons:

1. The asset base growth exceeding the rate peg.
2. Funding models not being structured for asset renewal to align with asset depreciation, nor for maintenance budgets to increase in line with asset base growth.

This will result in a steady lowering of levels of service and will prevent assets from reaching their desired useful life - which in turn increases renewal expenditure requirements.

It is the identification of these trends and emerging issues that is the primary purpose of this first iteration of the AMPs. Asset management planning is a journey of continuous improvement and therefore these trends and emerging issues will be further explored and mitigating measures identified.

RELATED COUNCIL POLICY

Nil

CONCLUSION

In accordance with the Integrated Planning and Reporting Framework, the Asset Management Policy has been reviewed and Asset Management Plans (AMP) have been prepared for the asset classes of Transport, Stormwater, Open Spaces, Buildings, Water and Wastewater. The AMPs cover a 10-year planning period and provide an overview of the asset network as well as the recommended financial investment upon consideration of levels of service and asset base growth. With the public exhibition period now completed, it is recommended that Council adopt the six AMPs.

ATTACHMENTS

1. Under Separate Cover - Asset Management Plan - Transport [9.2.1 - 43 pages]
2. Under Separate Cover - Asset Management Plan - Stormwater [9.2.2 - 35 pages]
3. Under Separate Cover - Asset Management Plan - Wastewater [9.2.3 - 36 pages]
4. Under Separate Cover - Asset Management Plan - Water [9.2.4 - 39 pages]
5. Under Separate Cover - Asset Management Plan - Open Spaces [9.2.5 - 34 pages]
6. Under Separate Cover - Asset Management Plan - Buildings [9.2.6 - 34 pages]

9.3 Wingecarribee Local Planning Panel Appointments

Report of: Jon Shillito
Manager Development Assessment and Regulation

Authorised by: Clinton McAlister
Acting Director Communities and Place

PURPOSE

The purpose of this report is to provide an update on the membership to the Wingecarribee Local Planning Panel (WLPP) and to confirm Council's members to the panels for the 1 July 2024 – 30 June 2027 term.

OFFICER'S RECOMMENDATION

THAT:

1. In accordance with the Minister's decision, Council acknowledge the appointment of Mr Steven Layman as Chair of the Wingecarribee Local Planning Panel (LPP) from 1 July 2024 to 30 June 2027.
2. In accordance with the Minister's decision, Council acknowledge the appoint Mr Ian Reynolds and Ms Louise Byrne as Alternate Chairs of the Wingecarribee Local Planning Panel from 1 July 2024 to 30 June 2027.
3. In accordance with the Minister's decision, Council appoint the following Twenty (20) experts to the Wingecarribee Local Planning Panel from 1 July 2024 to 30 June 2027:
 - Scott Barwick
 - Graham Brown
 - Nick Brunton
 - Sheridan Burke
 - Mark Carlon
 - Judith Clark
 - Stephen Davies
 - Sue Francis
 - Linda Gosling
 - Linda Kelly
 - Stephen Leathley
 - John McFadden
 - Stephen McMahan
 - Michael Mantei
 - Larissa Ozog
 - Michael Ryan
 - Chris Young
 - Amelia Thorpe
 - Annelise Tour
 - Heather Warton

4. In accordance with the Minister's recommendation, Council appoint the following five Community representative to the Wingecarribee Local Planning Panel from 1 July 2024 to 30 June 2027:
 - Richard Colley
 - Chris McCann
 - Anthony (Tony) Neill
 - Julian Siu
 - Robert Staas
5. The Wingecarribee Local Planning Panel Remuneration be in accordance with the Minister for Planning as determined under clauses 14 and 15 of Schedule 2 to the Environmental Planning and Assessment Act 1979 and that the members be paid the following remuneration:
 - a) in the case of the chairperson or the alternate of the chairperson -a minimum of \$2,000 plus GST per meeting and \$285 per hour for business that is undertaken outside of meetings
 - b) in the case of an independent person or the alternate of an independent person a minimum of \$1,500 plus GST per meeting and \$214 per hour for business that is undertaken outside of meetings or,
 - c) in the case of the representative of the community or the alternate of a representative of the community -a minimum of \$500 plus GST per meeting and \$71 per hour for business that is undertaken outside of meetings
6. As required by the Local Planning Panels Code of Conduct - August 2020 (as amended) and in accordance with the Local Planning Panels Ministerial Direction, all Local Planning Panel Members must:
 - a) abide by the Code of Conduct for Local Planning Panel Members
 - b) achieve a satisfactory result in the relevant probity checks
 - c) complete all relevant and required administrative documentation (including a statutory declaration stating that they are not property developers or real estate agents)

REPORT

BACKGROUND

The Environmental Planning and Assessment Act 1979 (the Act) details the membership of local planning panels. Pursuant to Section 2.18 of the Act each local planning panel is to comprise:

“(a) an approved independent person appointed as the chairperson of the panel with relevant expertise that includes expertise in law or in government and public administration,

(b) 2 other approved independent persons with relevant expertise,

(c) a representative of the local community who is not a councillor or mayor. ...

(d) For the purposes of this section, an approved independent person is an independent person approved by the Minister for appointment to the local planning panel or a person selected from a pool of independent persons approved by the Minister for appointment to the local planning panel. The Minister may approve different pools of independent persons.”

The current members of the Wingecarribee Local Planning Panel have been appointed until 30 June 2024.

AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL WEDNESDAY 26 JUNE 2024

The Department of Planning has recruited a new pool of experts and chairs for the next 3-year term and have now notified Council of the selected Chair, Alternate Chairs and the pool of experts so that Council can appoint the chairs and experts for the new term's commencement on 1 July 2024.

REPORT

A local planning panel consists of four members: a chair, two independent expert members and a community representative. If a council is required to constitute a local planning panel, which Wingecarribee Shire Council is, it must appoint chairs and independent expert members approved by the Minister for Planning and Public Spaces (Minister). Community representatives are recruited, selected and appointed by councils. Mayors, councillors, property developers and real estate agents are not eligible for appointment to local planning panels.

Council have been notified by the Department of Planning that Mr Steven Layman has been selected as the Chair of the Wingecarribee Local Planning Panel and that Mr Ian Reynolds and Ms Louise Byrne have been selected as the Alternate Chairs from 1 July 2024 to 30 June 2027.

Council have been advised of the pool of experts and it is recommended that the following twenty (20) experts be appointed to the Wingecarribee Local Planning Panel from 1 July 2024 to 30 June 2027:

- Scott Barwick
- Graham Brown
- Nick Brunton
- Sheridan Burke
- Mark Carlon
- Judith Clark
- Stephen Davies
- Sue Francis
- Linda Gosling
- Linda Kelly
- Stephen Leathley
- John McFadden
- Stephen McMahon
- Michael Mantei
- Larissa Ozog
- Michael Ryan
- Chris Young
- Amelia Thorpe
- Annelise Tour
- Heather Warton

Expressions of Interest were sought from interested community members to join the Wingecarribee Local Planning Panel from 31 May to 17 June 2024.

It is recommended that Council appoint the following five Community representatives to the Wingecarribee Local Planning Panel from 1 July 2024 to 30 June 2027:

- Richard Colley
- Chris McCann
- Tony Neill
- Julian Siu
- Robert Staas

AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL WEDNESDAY 26 JUNE 2024

Community representatives to the Wingecarribee Local Planning Panel have been recommended to the on that basis of ensuring:

- a) geographic spread and representation across our shire
- b) fresh perspectives balanced with experience
- c) expertise that each member brings in complimenting the pool of experts.

COMMUNICATION AND CONSULTATION

Community Engagement

As outlined above, Expressions of Interest were sought from interested community members to join the Wingecarribee Local Planning Panel from 31 May to 17 June 2024.

Internal Communication and Consultation

The recommended expert panel members have been discussed with Council's Executive Manager Strategic Outcomes to ensure that there is a consensus on the members that have been recommended.

External Communication and Consultation

The recommended expert panel members have been discussed with the selected Chair of the Panel to ensure that there is a consensus on the members that have been recommended.

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 provisions of the Environmental Planning and Assessment Act 1979 have been followed and the appointments will follow the selection of the Minister.

The NSW Government recommends probity checks be undertaken, including:

- a) public register of real estate agents check
- b) bankruptcy record check
- c) National Police check (ACIC).

The NSW Government also recommend that members sign a statutory declaration stating that they are not property developers or real estate agents.

It is recommended that satisfactory results from the probity check and a signed statutory declaration form part of the resolution from Council.

AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL WEDNESDAY 26 JUNE 2024

COUNCIL BUDGET IMPLICATIONS

The Wingecarribee Local Planning Panel Remuneration be in accordance with the Minister for Planning as determined under clauses 14 and 15 of Schedule 2 to the Environmental Planning and Assessment Act 1979 and that the members be paid the following remuneration:

- in the case of the chairperson or the alternate of the chairperson a minimum of \$2,000 plus GST per meeting and \$285 per hour for business that is undertaken outside of meetings
- in the case of an independent person or the alternate of an independent person a minimum of \$1,500 plus GST per meeting and \$214 per hour for business that is undertaken outside of meetings or,
- in the case of the representative of the community or the alternate of a representative of the community a minimum of \$500 plus GST per meeting and \$71 per hour for business that is undertaken outside of meetings Councils

Costs associated with the payment of the Wingecarribee Local Planning Panel and incidentals incurred as part of the functions of the Panel as included in the Operational Budget.

RELATED COUNCIL POLICY

Nil

CONCLUSION

The members of the Wingecarribee Shire Council Local Planning Panel were appointed until 30 June 2024. Council have been advised of the selections for the Chair and Alternate Chairs as well as the pool of experts for the period from 1 July 2024 to 30 June 2027. Council needs to resolve to appoint these members to the Panel.

Expressions of Interest were sought from community representatives to form part of the Wingecarribee Local Planning Panel. This report recommends that Council adopt the provided list of community representatives to the Panel for the period from 1 July 2024 to 30 June 2027.

ATTACHMENTS

Nil

9.4 Pesticide Use Notification Plan Draft for Public Exhibition

Report of: Barry Arthur
Manager Environment and Sustainability

Authorised by: Clinton McAlister
Acting Director Communities and Place

PURPOSE

A Pesticide Use Notification Plan is required under the *Pesticides Regulation 2017*. Council's Pesticide Use Notification Plan has been reviewed and an updated draft is at **Attachment 1**. This report seeks approval for the public exhibition of the draft Plan prior to adoption by Council.

OFFICER'S RECOMMENDATION

THAT:

- 1. Council endorse the draft Pesticides Use Notification Plan at Attachment 1 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

Under the *Pesticides Regulation 2017* (the Regulation), Council is required to have a Pesticide Use Notification Plan (the Plan) for use of pesticides in outdoor public places that are owned or managed by Council. This includes parks, gardens, sports grounds, bushland reserves and other public land.

Council's Pesticide Use Notification Plan has been in place since 2018. The Plan was amended in October 2023, seeing the duration of the Plan extended till August 2024. This extension of time allowed Council's Environment and Climate Change Strategy to be adopted first and allow the review of this Plan to incorporate any matters flowing the Strategy. The adopted Environment and Climate Change Strategy includes the following actions that are related to this Plan:

- Vertebrate pest management programs for key threats on managed bushland reserves, and
- Partner with the community and land management agencies to manage priority weeds and vertebrate pests.

The Plan applies to Council staff and contractors. The Plan aims to meet the community's general right to be made aware of pesticides applied to public places and to allow the community to make informed decisions to avoid contact with pesticides.

Council's pesticide use is predominantly associated with the control of weeds on public managed lands. Council manages approximately one percent of land within the shire. Weed control is undertaken for a variety of reasons:

- Managing threats to economy and biodiversity (*Biosecurity Act 2015*)

AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL WEDNESDAY 26 JUNE 2024

- Maintaining road safety – clear zones, line of sights, clearance around posts and signs (*Roads Act 1993*)
- Public safety – evenness of surfaces and edges
- Effectiveness of infrastructure – drainage
- Maintaining asset integrity – reduce cracking and edge wear
- Quality control – garden beds, sport fields
- Amenity – civic pride and useability.

Council only uses herbicides approved by the Australian Pesticide and Veterinary Medicine Authority (APVMA). [APVMA](#) undertake assessments of herbicide products including glyphosate products.

The application of pesticides is in accordance with label requirements or APVMA permit conditions. Council ensures that pesticides are applied to public places in a safe and responsible manner.

REVIEW OF COUNCIL'S PESTICIDES USE NOTIFICATION PLAN

Council currently operates in accordance with its Pesticide Use Notification Plan that was adopted in 2018. This Plan has been reviewed and the draft of the amended plan is contained in Attachment 1. The Plan does allow the continued use of pesticides to deliver environmental, safety and amenity outcomes for our community, in alignment with the actions mentioned in the Environment and Climate Change Strategy.

The Plan aims to meet the community's general right to be made aware of pesticides applied to public places and to allow the community to make informed decisions to avoid contact with pesticides.

The main amendments to the plan include formatting and alignment with related plans. Contact details in the Plan have been updated. The Plan covers the required components outlined in the Pesticides Regulation 2017 and the Plan describes:

- what public places are covered
- who is most likely to use or access these public places and the likely level of use
- how and when Council provides the community with information and notification about its pesticide applications
- how the community will be informed of the Plan
- how future reviews of the Plan will be conducted
- Council contact details for additional information.

The Plan applies to Council staff and contractors and outlines how Council will notify members of the community of any pesticide applications made by Council in and around outdoor public places.

This review has included an included an analysis of Council pesticide use across the Shire and detail of this is included below.

REVIEW OF COUNCIL’S USE OF PESTICIDES

In undertaking the review of the Plan, Council has assessed the weed control methods currently used and existing actions to reduce pesticide use.

Council aims to minimise herbicide use where appropriate. This is done through employing a number of control methods (integrated pest management approach), not only herbicide use.

Current techniques for weed control include hand weeding, brush cutting around hard surfaces, use of mulch on garden beds, mowing, and use of less / non-toxic pesticide alternatives.

Through strategic application of herbicides, Council has been able to reduce the overall amount of herbicide needed over time. For example, in Bushcare activities areas are treated once, planted out, and maintained. In the management of parks, Council currently uses approximately 5000m³ of mulch each year. Council uses mowing in combination with spot spraying in many areas, and the current use of glyphosate is approximately 100 litres a year with only half a litre in towns and CBD areas.

Table 1 outlines current methods of management for different types of public space.

Table 1. Current herbicide and pesticide use in some public places		
Public Places	Pesticide use	Other methods currently used
Public reserves and parks 74 parks 12 reserves 21 bushland reserves	Herbicides (Spot Spray) Herbicide (Boom Sprayer) Herbicide (Stem inject, cut-stump or weeding wand) (Approx. 100L of Glyphosate a year across 299Ha of land - <i>Average 1.5L per park per year, not including Bushcare</i>)	Hand weeding Mulch <u>Bushcare</u> Manual weeding Planting densities Hazard reduction burns
Premier gardens, Sporting fields 4 Premier Parks 27 sporting facilities	Herbicides (Spot Spray and Boom Sprayer) Growth regulator Fungicides Pesticide (curl grub soil drench), (Approx. 100L of Glyphosate a year across 299Ha of land - <i>Average 1.56L per park per year</i>)	Aeration Mowing
Playgrounds 54 playgrounds	Herbicides (Spot Spray) (Reduced to virtually zero)	Hand weeding Mowing Brush cutting
Rural road verges 1,166km	Herbicides (Spot Spray) Pre-emergent Herbicides	Mowing

**AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 JUNE 2024**

Table 1. Current herbicide and pesticide use in some public places		
Public Places	Pesticide use	Other methods currently used
Urban streets, laneways, and pathways 83kms of footpaths 28km of cycleways	Herbicides (Spot Spray) (Approx. 400ml of Glyphosate concentrate per year)	Mowing Brush cutting
Drains and easements accessible to the public	Herbicides (Spot Spray)	Mowing Brush cutting
Cemeteries and swimming pool grounds	Herbicides (Spot Spray)	Mowing Brush cutting
Resource Recovery Centre	Herbicides (Spot Spray) Other pesticides	

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

Internal consultation has taken place across affected sections of Council including Governance, Shire Presentation, Environment and Sustainability and the Resource Recovery Centre.

External Communication and Consultation

No external consultation has been undertaken prior to the amendment of the Plan. Once the Plan is adopted, Council is required to notify the Environment Protection Authority and place a notice in the Gazette.

SUSTAINABILITY ASSESSMENT

Environment

Council utilises pesticides as an effective means to control the spread of weeds and pests. Council ensures that pesticides are used in line with the label requirements or APVMA permit conditions. Council staff who apply pesticides are accredited in the use of pesticides including taking the weather into consideration.

Social

There are no social issues in relation to this report.

**AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 JUNE 2024**

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

Adoption of the amendment to the Plan would meet Council's responsibilities under the *Pesticides Regulation 2017*.

COUNCIL BUDGET IMPLICATIONS

There are no additional budget implications.

RELATED COUNCIL POLICY

Council Operations Environment Policy 2017

CONCLUSION

A review of Council's Pesticide Use Notification Plan has been undertaken. Updates are recommended to provide more specific and up-to-date information. It is recommended that the Plan at **Attachment 1** be placed on public exhibition for 28 days in line with the *Pesticides Regulation 2017*.

ATTACHMENTS

1. 2024 Draft Pesticide Use Notification Plan [9.4.1 - 14 pages]



Draft Pesticide Use Notification Plan 2024 - 2029



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**AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 JUNE 2024**



Pesticide Use Notification Plan

Document Type	Council Plan
Document Reference No.	[Governance to insert]
Version No.	[Governance to insert]
Council File Reference	
Adoption Date	[Governance to insert]
Resolution Number	[Governance to insert]
Document Owner	[Manager Environment and Sustainability
Responsible Branch	Environment and Sustainability
Responsible Business Unit	[Insert]
Review Schedule	[Governance to insert]
Review Date	[Governance to insert]

DRAFT

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AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL WEDNESDAY 26 JUNE 2024



Pesticide Use Notification Plan

Contents

1. Introduction.....	4
1.1. About the Plan.....	4
1.2. Plan period	4
1.3. The Pesticides Regulation	5
1.4. Crown Land Management Act.....	5
2. Public places covered by this Plan.....	5
2.1. Area of Operation.....	5
2.2. Public Places.....	5
2.3. Leased public outdoor properties	6
2.4. Pesticide use by Contractors	6
2.5. Pesticide use by members of the public	6
3. Who uses these public places	6
4. How and when notification will occur.....	8
4.1. What information will be provided.....	8
4.2. How notification will be given.....	8
4.3. When will notification be given.....	10
4.4. Special notification measures for sensitive places.....	11
5. Situations where Council will not provide notification.....	11
5.1. Hand applications.....	11
5.2. Emergency pesticide use.....	11
6. Situations not covered by this Plan.....	12
6.1. Unscheduled substances.....	12
6.2. Pesticide Control Order	12
6.3. Pesticide used by another public authority (or other) in a prescribed public place.....	12
7. Types of pesticides used	12
8. Communication of this Plan	13
9. Future reviews of this Plan	14
10. Contact	14

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Page 3 of 14



1. Introduction

1.1. About the Plan

This Pesticide Use Notification Plan (Plan) has been prepared in accordance with the requirements of Part 5 Division 2 of the Pesticides Regulation 2017 (the Regulation). The Plan sets out how Wingecarribee Shire Council (Council) provides notification of pesticide application in public places that Council owns or controls.

For the purpose of this Plan, the term pesticide includes fungicides, growth regulators, herbicides, insecticides, molluscicides and rodenticides. Further information on the types of pesticides and application methods is found in section 7.

This Plan aims to meet the community's general right to be made aware of pesticides applied to outdoor public places. The Plan also allows members of the community to make informed decisions as to appropriate action they may wish to take to minimise contact with pesticides.

Council aims to reduce pesticide use where possible using integrated pest management methods. Council's practices to minimise pesticide use in public places are outlined in the Operational Service Standards. Council continues to monitor opportunities to use alternatives to traditional pesticides.

When pesticides are used, Council will ensure that pesticides are applied to public places in a safe and responsible manner. Council will only use pesticides that are registered for use by the Australian Pesticides and Veterinary Medicines Authority (APVMA). Pesticides are applied in accordance with all label requirements applicable to the pesticide being used. In some situations, Council may apply to APVMA for off-label use. The APVMA administers a permits scheme that allows for the legal use of chemicals in certain ways that are contrary to the label instructions. Where Council has received a permit for off-label use Council will follow the conditions of the approval.

This Plan describes:

- which public places are covered by the Plan
- the types of regular users or visitors to these public places and an estimate of the level of use
- how and when Council will provide the community with information and notification about pesticide applications
- how the community will be informed of the Plan
- how future reviews of the Plan will be conducted
- contact details for anyone who would like to discuss the Plan or pesticide notification.

1.2. Plan period

Start date: August 2024

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Completion date: August 2029

1.3. The Pesticides Regulation

Under the Regulation, a public authority such as Council must not use, or allow any person to use, any pesticide in a prescribed public place (public place) that is owned by or is under the control of the public authority unless the public authority has first:

- prepared, finalised and notified the Environment Protection Authority of a plan in accordance with Part 5 Division 2 of the Regulation, and
- given public notice of the proposed use of pesticide in accordance with that plan.

The Regulations defines prescribed public places as:

- a) any of the following to which the public is entitled to have access (whether or not on payment of a fee):
 - i. a public garden, picnic area, playground, park, sporting field or oval,
 - ii. public land owned or controlled by a public authority (for example, a road verge, rail easement or an easement for electricity purposes or for the purposes of other utilities),
 - iii. land reserved under the National Parks and Wildlife Act 1974 or any State forest or Crown land, or
- b) the grounds of any government school (within the meaning of the Education Act 1990) or any establishment maintained by the Technical and Further Education Commission,

but does not include the inside of any building or structure located at such a place.

1.4. Crown Land Management Act

Council complies with the Crown Land Management Act 2016.

2. Public places covered by this Plan

2.1. Area of Operation

This Plan covers prescribed public outdoor places in the Wingecarribee Local Government Area.

2.2. Public Places

The public places covered by this Plan include the following areas that Council owns or controls that the public is entitled to access:

- Public Reserves, Parks and Gardens
- Playgrounds
- Sporting Fields and Ovals
- Road Verges

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- Laneways and Pathways
- Drains and Easements
- Golf courses (Council owned or controlled and leased to others)
- Caravan Parks (Council owned or controlled and leased to others)
- Cemeteries
- Swimming Pool Grounds
- Council car parks
- Resource Recovery Centre
- Council buildings (interior and exterior).

2.3. Leased public outdoor properties

Any outdoor property owned by Council and leased to third parties is a public place if the public is entitled to access the property. In these situations, if Council is conducting the works, Council staff or contractors must adhere to this Plan. If the Lessee is conducting the works, the Lessee must abide by Part 5 Division 3 of the Regulation.

2.4. Pesticide use by Contractors

Where contractors apply pesticides on behalf of Council, both the Council and the contractor are responsible for ensuring notification occurs in accordance with this Plan.

The requirement to follow this Plan is included in standard contract terms and conditions.

2.5. Pesticide use by members of the public

Members of the public not affiliated with a Council supervised group, or other Council managed committee are not authorised or permitted to apply pesticides to public places.

All members of the public intending to use pesticide on public land must be registered as a member of a Council supervised group (e.g. Bushcare or Landcare).

In some circumstances, members of a Council supervised group (e.g. Bushcare) may use pesticides to maintain public places such as laneways and pathways or whilst undertaking environmental remediation works in public reserves. Where Council allows such pesticide use notice will be required in accordance with this Plan and within appropriate Council guidelines and supervision.

3. Who uses these public places

Table 1 shows the types of regular users for each public places and the types of pesticide use.

**AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 JUNE 2024**



Table 1. User Groups and Public Places

Public Places		Regular User Groups	Level of use of public place	Type of pesticide use
Public reserves, parks and gardens		General public (families, children, elderly people) Recreational users Visitors to the area	Medium to high	Herbicides (Spot Spray) Insecticides (Spot Spray) Herbicide (Stem inject, cut-stump or weeding wand) Herbicide (Boom Sprayer) Molluscicide (hand application)
Playgrounds		Children and families	High	Herbicides (Spot Spray) Insecticides (Spot Spray)
Sporting fields and ovals		Sporting clubs and associations School groups Recreational users	High	Herbicides (Spot Spray) Insecticides (Spot Spray) Herbicide (Boom Sprayer) Growth regulator Fungicides
Road verges	Rural	Local residents Service Providers	Low	Herbicides (Spot Spray) Herbicide (Boom Sprayer) Pre-emergent Herbicides
	Urban	General public Service Providers	High	
Laneways and pathways		Local residents People who work in the area Visitors to the area	Medium to high	Herbicides (Spot Spray)
Drains and easements accessible to the public		Local residents Service Providers	Low to medium	Herbicides (Spot Spray)
Cemeteries		General public Visitors to the area	Medium	Herbicides (Spot Spray) Pre-emergent herbicides
Swimming pool grounds		General public Visitors to the area	Low to high (seasonal)	Herbicides (Spot Spray) Insecticides (Spot Spray) Rodenticide Spray ant control
Council car parks		General public Visitors to the area	High	Herbicides (Spot Spray)

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**AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 JUNE 2024**



Pesticide Use Notification Plan

Public Places	Regular User Groups	Level of use of public place	Type of pesticide use
Resource Recovery Centre	General public Council staff	Low	Herbicides (Spot Spray) Rodenticide Insecticides Other pesticides
Inside Council buildings including Council chambers, Libraries, Community halls, Childcare facilities, Resource Recovery building and other Council buildings	General public Visitors Council staff Contractors	High	Hand application of rodenticide baits (locked box), insecticides (spot spray), fungicides and other fumigants and pesticides

4. How and when notification will occur

The following notification procedures are based on Council's assessment of the:

- level and type of use for the categories of public places
- likely activities that could lead to direct contact with pesticides
- type of pesticide used.

4.1. What information will be provided

The following information will be provided on all notification measures required under this Plan:

- The pesticide product name as it is listed on the pesticide label
- The purpose of the application, including the pest that is being treated
- The date or date range that the pesticide was or will be applied
- The place or places that the pesticide is to be used
- Product specific warnings on the subsequent use of the land (if any are outlined on product label)
- Contact details for further information.

4.2. How notification will be given

General notification for different public sites will be provided by a combination of methods as outlined in Table 2. In addition, Council will respond to all reasonable requests for information

We're with you

**AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 JUNE 2024**



Pesticide Use Notification Plan

made to the Manager Open Space, Recreation and Building Maintenance, the operator applying pesticides, facility staff or to Council. Additional notification procedures for pesticide use adjacent to sensitive places are outlined in [Section 4.4](#).

A summary of each of the methods for notification is below:

- Prominently displaying signs at the main entrance/s. If there is no defined main entrance or the main entrance is a considerable distance from the pesticide application point, then a sign will be displayed at a suitable access point depending on the usage and pedestrian traffic of the pesticide application area.
- Displaying signs on the spray vehicle.
- Notification via email, mail or phone for user groups of certain public places as outlined below.

Table 2. Standard methods of notification of pesticide use

Public places	Notification method		
	Signs at entrance or treated area during the pesticide application	Signs on spray vehicle during the pesticide application	Mail, email or phone notification for user groups prior to the application
Public Reserves, Parks and Gardens	✓	✓	
Playgrounds	✓	✓	
Sporting Fields and Ovals	✓	✓	Where application is by boom spray, groups who have booked sports fields are notified by email, mail or phone 1 week prior to application.
Council Laneways and Pathways		✓	
Council Drains and Easements		✓	
Rural Road Shoulders and Verges		✓	

**AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 JUNE 2024**



Pesticide Use Notification Plan

Public places	Notification method		
	Signs at entrance or treated area during the pesticide application	Signs on spray vehicle during the pesticide application	Mail, email or phone notification for user groups prior to the application
Urban Road Shoulders and Verges		✓	
Cemeteries	✓	✓	
Swimming Pool grounds	✓		
Council Car Parks	✓	✓	
Resource Recovery Centre outdoor public areas vehicle spraying		✓	
Inside Council buildings including Council chambers, Libraries, Community halls, Childcare facilities and the Resource Recovery Centre and other Council buildings	✓ (spot spray)		24 hours notice to the asset manager. Application is normally when the asset is not in use, locked or inaccessible to the public.
Note: Additional information can be found in Section 4.3 (withholding periods), Section 4.4 (sensitive places), and Section 5.1 (Resource Recovery Centre)			

4.3. When will notification be given

Signs will remain in place during the application of the pesticide and until it has dried, or until any re-entry restrictions on the label have lapsed.

There are some pesticides in pellet or granule form that may persist in the environment beyond any withholding period specified on the label. Where this is the case, Council takes steps to place the pesticide to minimise the likelihood of direct contact with the pellets or granules, for example by placing snail bait at the back of garden beds where possible.

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4.4. Special notification measures for sensitive places

In addition to the general notification procedures in Table 2, further notification will be provided where pesticides are used in public places that are adjacent to sensitive places. A sensitive place is defined in the Regulation as any of the following:

- a school, pre-school, kindergarten or childcare centre
- a hospital, community health centre or nursing home
- any place declared to be a sensitive place by the Environment Protection Authority by order published in the Gazette.

Whenever a pesticide is applied to a public place under this Plan that is adjacent to a known sensitive place notification will be given to the sensitive place two weeks in advance of the pesticide application via email, mail or phone.

Council may compile a list of known sensitive places that require the above additional notification measures. Nomination of a contact person for a prescribed sensitive place can be given to the Manager Open Space, Recreation and Building Maintenance on 4868 0888 or email mail@wsc.nsw.gov.au.

Notification to sensitive places is not required in emergency situations outlined under [Section 5.2](#) of this Plan.

5. Situations where Council will not provide notification

5.1. Hand applications

Council will not provide notification for the use of pesticides involving hand-application techniques such as cut-stump, stem injection and weeding wand, in public places due to the small quantity of pesticide used and the wide availability of these pesticides for domestic purposes. This also includes rodenticide and insecticide baits in locked or inaccessible bait stations.

At the Resource Recovery Centre, if back-pack spraying is carried out in an area that the public does not access, notification is not required.

5.2. Emergency pesticide use

Where emergency pesticide applications are required to deal with a dangerous pest infestation, Council will not provide prior notification. Such situations include dealing with declared noxious pests, biting and dangerous pests, or rapidly invasive pest infestations e.g. European Wasp, spiders, bees, ants and rodents.

Council will respond to all reasonable requests for information made to the Manager Open Space, Recreation and Building Maintenance, the operator applying pesticides, facility staff or to Council.



6. Situations not covered by this Plan

6.1. Unscheduled substances

Poisons scheduling is the system used to classify substances based on their potential health risk. Decisions regarding the classification of drugs and poisons are set out in the Schedules of the [Poisons Standard](#) (Standard). Enforcement of this Standard is through the *Poisons and Therapeutic Goods Act 1966*. The heading on the product label indicates which poison schedule the pesticide relates to. Safety Data Sheets (SDS) also contain specific information relative to the pesticide.

This Plan does not cover the use of unscheduled pesticides. Unscheduled pesticides are those that do not appear in the Standard. Unscheduled substances pose very low health risks and when applied as per label directions should not pose any serious health or safety risks.

The following schedules relate to pesticides:

- Unscheduled substances are not considered poisons.
- Schedule 5 (S5) - poisons have low toxicity or a low concentration and pose only a low to moderate hazard.
- Schedule 6 (S6) - poisons have moderate to high toxicity and can cause injury if used inappropriately.
- Schedule 7 (S7) - poisons are substances with high to very high toxicity. There are restrictions on the purchase and use of S7 poisons.

6.2. Pesticide Control Order

This Plan does not cover notification for vertebrate pest baiting. Vertebrate pest baiting or fumigation will occur in accordance with a Pesticide Control Order (PCO) under Section 38 of the *Pesticides Act 1999*. Notification will be provided as required in the relevant PCO.

6.3. Pesticide used by another public authority (or other) in a prescribed public place

This Plan does not apply to the use of pesticide by another public authority not working for Council in a prescribed public place that is owned by or is under the control of Council.

7. Types of pesticides used

APVMA pesticide definitions:

- Fungicide – Any substance or mixture of substances intended for preventing, killing, destroying, repelling or controlling any fungi (vegetative mycelia, budding yeasts and/or their spores) under defined conditions.
- Growth regulator – Chemical substances (often natural or synthetic hormones) capable, at low concentrations, of modifying plant or animal growth patterns (either accelerating or retarding)



or inducing developmental changes. Growth regulators may accelerate or retard the rate or growth or maturation or otherwise change the physiology or behaviour of the organism.

- Herbicide (includes pre-emergent, selective or non-selective) – Any substance or mixture of substances intended for preventing, destroying or controlling any unwanted plant, including algae or aquatic weeds.
 - Pre-emergent – A pesticide used to control a weed before it has appeared above the soil.
 - Selective – A term mainly applied to herbicides and insecticides that indicates it is capable of killing some kinds of plants or insects and not injuring others.
- Insecticide – Any substance or mixture of substances intended for preventing, destroying, repelling or controlling any of the numerous small invertebrate animals generally belonging to the class Insecta. For convenience, insecticides are also described as preventing, destroying or controlling non-insects from other (non-insect) classes of arthropods such as spiders, mites, ticks, centipedes or slaters.
- Molluscicide – A pesticide used to control snails, slugs and other molluscs
- Rodenticide – Any substance or mixture of substances intended for preventing, destroying, repelling or controlling rodents declared to be pests.

[APVMA pesticide application methods definitions:](#)

- Boom sprayer – Application equipment consisting of a rig of pipes or tubing mounted on a horizontal or vertical boom, with a series of regularly spaced nozzles that can apply pesticide evenly over a target area. Boom sprayers can be self-propelled, or fully trailed tractor- or vehicle-mounted. To reduce the occurrence of spray drift, boom height needs to be adjusted to the minimum practical height, without affecting uniformity of coverage.
- Cut-stump treatment – A treatment applied to the freshly cut surface of a stump, with the object of preventing regrowth.
- Spot spray – A spray applied to small restricted areas such as individual weeds or small patches of weeds and plants. Spot spraying is used where weed infestation is not sufficiently uniform to justify an overall spray.
- Stem injection – A method of applying a herbicide that involves drilling or cutting through the bark into the sapwood tissue in the trunks of woody weeds and trees and immediately placing herbicide into the hole or cut. The aim is to reach the sapwood layer just under the bark (the cambium growth layer), which will transport the chemical throughout the plant.

8. Communication of this Plan

Council will consult with the community on the draft Plan, including the types of public places covered and the proposed notification methods. The draft Plan will be placed on public display for at least 28 days, and notices will be published in the Southern Highlands News advising that the Plan is available for public comment. The draft Plan will also be posted on Council's website during



Pesticide Use Notification Plan

the 28 day submission period. Council will consider all comments from the community prior to finalising and adopting the Plan.

Once the final Plan has been adopted, Council will advise the community by:

- making a copy available on request at the Civic Centre, Elizabeth Street, Moss Vale.
- placing a copy of the Plan on the Council website
- placing a notice in the NSW Government Gazette and a local newspaper.

9. Future reviews of this Plan

The Plan will be reviewed every five years. The review will include:

- a review of the implementation of the Plan
- public consultation on the notification methods outlined in the Plan
- recommendations for alterations (if required) to the Plan.

10. Contact

To obtain specific details of pesticide applications in public places contact the Coordinator Open Spaces - People and Resources on 02 4868 0888 or email mail@wsc.nsw.gov.au.

Members of the public who would like more information about the Pesticides Use Notification Plan can contact Council's Manager Environment and Sustainability on 02 4868 0888 or email mail@wsc.nsw.gov.au.

9.5 Backflow Prevention Policy Post Exhibition Report

Report of: Emma Britten
Operations Technical Officer Quality Water Services

Authorised by: Karin Targa
Director Services and Project Delivery

PURPOSE

To return the Backflow Prevention policy (policy) to council for adoption after having been on public exhibition for the required 28 days.

OFFICER'S RECOMMENDATION

THAT Council adopt the reviewed Backflow Prevention policy having been on public exhibition for the required 28 days.

REPORT

BACKGROUND

As part of councils scheduled 5-year policy review process council has updated and placed this policy on public exhibition for 28 days as required.

REPORT

The Backflow Prevention policy is designed to protect council drinking water supply from cross contamination, maintain compliance with NSW public health requirements and the Australian Drinking Water Guidelines (ADWG). Compliance with the policy can be enforced under councils annual testing and monitoring procedures and the legislative instruments within the NSW Local Government Act, Australian Standards (AS/NZ 3500) and Australian Plumbing Code.

There are minor typographical corrections and updating into council's current format.

The draft policy has been on public exhibition for the required 28 days. There have been no submissions registered from council's website by 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 May-June 2024.

Internal Communication and Consultation

Internal discussions with staff members including Acting Coordinator Treatments and Trade Waste Officers x 2.

AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL WEDNESDAY 26 JUNE 2024

External Communication and Consultation

The policy has been on public exhibition for community for the required 28 days seeking community feedback. There were 49 views and no submissions to council.

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 policy in conjunction with the NSW Local Government Act 1993 and other legislative instruments allows for the correct and proper monitoring and management of backflow devices 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 compliance under the Local Government Act 1993.

ATTACHMENTS

1. Backflow Prevention Policy [9.5.1 - 10 pages]



Backflow Prevention Policy



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WINGECARRIBEE SHIRE COUNCIL

**AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 JUNE 2024**



Places Wingecarribee Community Strategic Plan 2031 -
3.4 We have safe, maintained and effective assets and infrastructure

Document Type	Council Policy
Document Reference No.	[Governance to insert] (example: 2020/001)
Version No.	[Governance to insert]
Council File Reference	MN197/18
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Review Date	[Governance to insert]

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AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL WEDNESDAY 26 JUNE 2024



Contents

1	Objectives	4
2	Policy Statement	4
2.1	Policy in Detail	4
2.2	Properties with Both Drinking Water and Non-Drinking Water Services Onsite (Not Including Rainwater)	4
2.3	Backflow Prevention Requirements for Properties with Rainwater Tanks	5
2.4	Exemptions	5
2.5	Installation and Maintenance Requirements for Backflow Prevention Devices	6
2.6	Installation of a New Backflow Device	6
2.7	Annual Testing	6
2.8	The Properties Internal Water Supply System	6
3	Scope	7
4	Responsibilities	7
4.1	Executive	7
4.2	Manager Water Services	7
4.3	Managers	7
4.4	Council staff	7
5	Performance Measures	8
6	Definitions	8
7	Related Material	9
7.1	Related Legislation	9
7.2	Related Policies, Procedures and General Manager Practice Notes	9
8	Non-compliance with this Policy	9
9	Document Control[Governance]	9
9.1	Version Control	9
9.2	Superseded Documents	10
10	Attachments	10

We're with you

Page 3 of 10



1 Objectives

The objective of the Policy are:

- To minimise public health risk
- To protect the drinking water quality within Council's water reticulation system
- To ensure compliance with relevant legislation

2 Policy Statement

To reduce the risk of contamination of the Shire's drinking water supply by ensuring backflow prevention is implemented and maintained.

2.1 Policy in Detail

- All customers with a connection to Councils drinking water supply must have a boundary containment backflow prevention device installed appropriate to the property hazard rating.
- Property hazard ratings are determined based on the level of hazard of activities or processes carried out within a property. Where more than one activity or process occurs on the site, the property hazard rating will be equal to, or greater than, the highest identified hazard. The three degrees of hazard and their definitions are detailed in Section 4 of AS/NZS AS3500.1.
- Where the hazards are unknown for commercial, industrial or mixed development, the hazard rating will default to high, requiring the installation of backflow prevention devices appropriate for that hazard rating.
- The installation and maintenance of all required backflow prevention devices are the responsibility of the property owner.
- Council will maintain a register of all testable backflow prevention device installations and the related annual testing/maintenance reports.
- If a property owner fails to install, repair, maintain, replace or test a backflow prevention device as required by a notice issued by Council, Council may disconnect (in the case of a non-residential property) or restrict (in the case of a residential property or mixed development) the customer from the drinking water supply system until such time as the customer has complied with the notice. Disconnection and reconnection fees will apply.

2.2 Properties with Both Drinking Water and Non-Drinking Water Services Onsite (Not Including Rainwater)

Non-drinking water services mean all water that is not intended, or not likely to be used for human consumption, or for purposes connected with human consumption. Non-drinking services may include, but are not limited to:

- a) Bore water
- b) Grey water storage and reuse
- c) Dam water

The risks to health from non-drinking water supplies will depend on the type and concentration of contaminants present. Some non-drinking water supplies such as dam water or groundwater may look and smell perfectly fine however many activities in urban areas may contaminate non-drinking water sources making it unsafe and its use may lead to adverse health effects.

- Non-drinking water installations must comply with all requirements of Section 9 of AS/NZS



AS3500.1.

- The minimum containment protection required for a single residential dwelling with a non-drinking water service that complies with the requirements of Section 9 of AS/NZS AS3500.1 is a non-testable dual check valve with atmospheric port.
- The minimum containment protection required for a single residential dwelling with a non-drinking water service that does not comply with the requirements of Section 9 of AS/NZS AS3500.1 and or compliance with Section 9 of AS/NZS3500.1 cannot be verified is a Reduced Pressure Zone Device.
- The minimum containment protection required for properties other than a single residential dwelling with a non-drinking water service that complies with the requirements of Section 9 of AS/NZS AS3500.1 is a Reduced Pressure Zone Device.

2.3 Backflow Prevention Requirements for Properties with Rainwater Tanks

Where provision is made for augmentation of the rainwater supply by either top-up of the rainwater tank with water from Councils drinking water supply or by connection of Councils drinking water supply to any point downstream of the rainwater tank outlet, the installation shall comply with all requirements of Section 16 of AS/NZS AS3500.1.

- The minimum containment protection required for a single residential dwelling with an above ground rainwater tank installation is a non-testable dual check valve at the property's water meter.
- The minimum containment protection required for a single residential dwelling with a buried or partially buried rainwater tank installation is a non-testable dual check valve with atmospheric port downstream of the property's water meter.
- The minimum containment protection required for properties other than single residential dwellings with above ground rainwater tank installations is a non-testable dual check valve at the property's water meter.
- The minimum containment protection required for properties other than single residential dwellings with buried or partially buried rainwater tank installations with a top up provision is an Reduce Pressure Zone (RPZ) device at the property's water meter.

2.4 Exemptions

Exemptions for existing premises in the Shires town centres with restricted drainage access

It is recognised that it may be impractical to install testable devices (RPZD) for boundary containment in some existing properties in the town centres due to the water meter being located in the footpath or inside in cupboards etc. with restricted access to drainage. In these instances, Council will assess the backflow hazards on the property and will consider the installation of a non-testable device as boundary containment subject to the following:

- The water meter must be located in a position which prevents the installation of a testable device without major structural modification to the property.
- The only high backflow hazard on the property is a hose connection used for cleaning of a grease arrestor and or oil separator.
- The hose tap used for cleaning the grease arrestor or oil separator must be provided with an RPZ immediately upstream of the tap.
- The exemption from the requirement to install an RPZ as boundary containment will apply to the existing property owner only.
- If the property is to be sold and or renovated in any way modifications to the meter location will be required and the non-testable device being used for boundary containment must be removed and replaced with a testable device appropriate for the hazard rating of the



property.

2.5 Installation and Maintenance Requirements for Backflow Prevention Devices

- A list of device types and their suitability for different hazard ratings can be found in AS 3500.1.
- The site containment hazard rating of all properties connected to the Shires reticulated drinking water supply must be determined by an approved Council Officer or backflow prevention accredited plumber.
- The boundary containment device must be installed immediately downstream of the properties water meter.
- The boundary containment device for a fire service must be installed as close as possible to where the water service crosses property boundary and upstream of any fire hydrant take off points or booster sets.

2.6 Installation of a New Backflow Device

- Prior to the installation of any backflow prevention device, Council must be provided with a NSW Department of Fair Trading Notice of Work for each device to be installed.
- Within 5 working days of the installation of any backflow prevention device, Council must be provided with a NSW Department of Fair Trading Certificate of Compliance, together with the initial maintenance and test report for each device installed and pay the appropriated registration fees.

2.7 Annual Testing

- A backflow prevention device must be maintained and tested annually by an accredited backflow prevention plumber. The plumber will complete and submit to Council the maintenance and test reports for each device installed.
- The property owner is responsible for paying the appropriated registration fees, as per Councils Fee & Charges.
- A late registration fee will apply to customers if the annual maintenance/test report is not received by Council 30 days after the due date.
- Council will send the property owner a backflow prevention penalty notice 23/1018 in the form of an invoice.
- The property owner will be invoiced every month for three (3) months while the inspection/maintenance report is outstanding.
- At the end of the three (3) months, Council under the Local Government (General) Regulation 2005 - clause 1449 (1) (E) will give property owner fourteen (14) days' notice of its intention to disconnect/restrict your property from the Shires water supply.
- Your water supply will not be reconnected/unrestricted until the inspection/maintenance report/s are submitted to Council (disconnection & reconnection fees do apply).

2.8 The Properties Internal Water Supply System

To fulfil the property owner(s) Work, Health and Safety requirements regarding backflow prevention protection on their internal water supply system (downstream of the water meter), Council recommends that the property owner consult with a backflow prevention accredited plumber.

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Page 6 of 10



3 Scope

This policy applies to all new and existing customers connected to Wingecarribee Shires Council's reticulated drinking water supply.

4 Responsibilities

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

4.1 Executive

The Executive shall:

- lead staff (either directly or through delegated authority) in their understanding of, and compliance with, this Policy.
- approve resources to develop, implement and review this Policy.
- ensure (directly or through delegation) the approved Policy is available in hard copy and electronically on Council's website.

4.2 Manager Water Services

The Manager Water Services 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 – *if the policy owner is responsible for dealing with such matters.*

4.3 Managers

Managers shall:

- provide guidance to Council staff within their respective branches as to the content and implementation of this Policy, seeking guidance from the policy owner as required
- ensure the adopted policy is made available electronically on Council's website

4.4 Council staff

Council staff shall:

- assist in investigations of alleged non-compliance with this Policy



5 Performance Measures

The success of this Policy will be measured by:

- The Shires drinking water supply has not been compromised
- Customer Satisfaction
- Complies with AS/NZS Standard 3500.1 Water Services and the Plumbing Code of Australia
- Complies with Australian Drinking Water Guidelines
- Complies with Council's Drinking Water Management Plan

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:

Term	Definition
Accredited Plumber	A licensed plumber who holds accreditation from a Registered Training Organisation for backflow prevention device commissioning, testing and certification.
AS/NZ 3500.1	Australian/New Zealand Standard 3500.1 Water Services
Backflow	Backflow is the unintended reverse flow of water from any domestic, commercial or industrial premises back into a drinking water supply system.
Backflow Prevention Device	A device to prevent the reverse flow of water from a potential contaminated source back into the drinking water supply.
Cross Connection	It is any connection between the water supply and a source of potential contamination, such as a fixture, storage tank or equipment, through which used, unclean, polluted or contaminated water or any other substance that might enter the drinking water supply.
Customer	The property owner within the Wingecarribee Shire Council area of operations that is connected to a water main.
Drinking Water Supply	The supply system into which Wingecarribee Shire Council delivers drinking water (reticulated drinking water supply system)
Site Containment	The installation of a backflow prevention device on the drinking water supply system at the property boundary to prevent backflow from the property entering the Shires drinking water supply system.
High Hazard	Any condition, device or practice, which in connection with the water supply system has the potential to cause death.
Medium Hazard	Any condition, device or practice, which in connection with the water supply system could endanger health.
Low Hazard	Any condition, device or practice, which in connection with the water supply system would constitute a nuisance but not endanger health.
Initial Test	When the backflow device has been installed an initial test is performed to check the device is performing correctly.
Annual Test	A test that is performed every year to confirm the device is in working order.
Initial registration fee	A fee paid to council when a backflow prevention device is initially installed and registered with Council.

AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL WEDNESDAY 26 JUNE 2024



Term	Definition
Annual registration fee	The annual fee paid to Council for the registration of a backflow device that is must be accompanied by the annual maintenance and test report.
Late registration fee	Will be applied when the annual registration fee and backflow device annual test results are not received by Council within 30 days of the due date.
RPZ	(Reduced Pressure Zone) Is a device that protects against backflow by either back-pressure or back-siphonage from a cross-connection between drinking water systems and substances in 'high hazard' conditions

7 Related Material

7.1 Related Legislation

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

- o Local Government Act 1993
- o Local Government (General) regulation 2005
- o Public Health Act 2010
- o National Construction Code Series – Volume 3 The Plumbing Code of Australia
- o Australian /New Zealand Standard AS/NZS AS3500.1
- o Australian Standard AS2845. (1,2&3)
- o Plumbing & Drainage Act 2011
- o Plumbing & Drainage Regulation 2012
- o Australian Drinking Water Guidelines 2011

7.2 Related Policies, Procedures and General Manager Practice Notes

The following policies] are related to this Policy:

- o Liquid Trade Waste Guidelines
- o Liquide Trade Waste Policy

8 Non-compliance with this Policy

- o Non-compliance with this policy may result in disconnection or restriction from the Shires drinking water supply.
- o Disconnection/restriction and reconnection/unrestricting fees and charges and late registration fees/charges will apply.
- o Compromise of the Shire's drinking water supply may result in prosecution.

9 Document Control[Governance]

9.1 Version Control

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

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Page 9 of 10

**AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 JUNE 2024**



[] was adopted] []

9.2 Superseded Documents

Document Title	Adoption Date	Notes
[insert document title]	[insert date on which document was adopted]	[describe reasons for superseding the document]
[insert document title]	[insert date on which document was adopted]	[describe reasons for superseding the document]

10 Attachments

There are no attachments to this Policy.

Approved by:

WINGECARRIBEE SHIRE COUNCIL
[Governance to insert adoption date]

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9.6 Chemical Supply Water and Wastewater Tender Evaluation Report

Report of: Graeme Mellor
Manager Water Services

Authorised by: Karin Targa
Director Service and Project Delivery

PURPOSE

The purpose of this report is to present the evaluation of the Request for Tender for the Bulk Chemical Supply - Water and Wastewater, conducted by Regional Procurement in accordance with Clause 166(a) of the Local Government (General) Regulation 2021.

OFFICER'S RECOMMENDATION

THAT Council:

- 1. Accept the Tenders received through Regional Procurement for water treatment chemical product supply from BOC Limited, Ixom Operations Pty Ltd, Nowra Chemical Manufacturers Pty Ltd, Redox Ltd, Chemiplas Aust Pty Ltd and SNF (Australia) Pty Ltd as detailed in Table A for the bulk chemical supplies for water and wastewater treatment plants and that these companies be awarded the contract for the open Panel Source for suppliers to Wingecarribee Shire Council for the period 1 July 2024 to 30 June 2027 with an optional one year extension as a panel arrangement.**
- 2. Note that the awarded contractors under this contract will be engaged in accordance with their tendered schedule of rates as required.**
- 3. Delegate authority to the General Manager to execute the contracts and any other documentation required to give effect to this resolution as part of the regional procurement process.**

REPORT

BACKGROUND

Regional Procurement has called an open Panel Source by Category by Council Tender as a result of discussions with participating councils regarding their requirements for the Supply & Delivery of Bulk Water Treatment Chemicals.

The tender invited qualified suppliers to submit rates for Council procurement of water treatment chemicals. The initial contract will be for a period of 3 years with an optional one year extension.

Council has a responsibility to fulfil its regulatory obligations in providing the community with safe drinking water and effective treatment of wastewater.

Ensuring a consistent and quality supply of bulk chemicals to both water and wastewater treatment plants is vital for compliance with existing guidelines and regulations.

AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL WEDNESDAY 26 JUNE 2024

REPORT

Regional Procurement sought tenders for suitable and qualified contractors to provide a lump sum tender for the scope of works. The full scope of works was detailed in the tender documents.

In accordance with the *Local Government Act 1993* part 3, section 55(3)(n), Council is required to invite tenders where estimated expenditure is greater than \$250,000 (GST inclusive).

ADVERTISING

The tender advertising period was from the 20 February 2024 to 26 March 2024 (31 days).

The tender was advertised as follows:

Newspaper / Website	Date Advertised
Tenderlink	20 February 2024 to 26 March 2024.

TENDERS RECEIVED

A total of 9 tender submissions were received:

Company Name	Location	Postcode
BOC Limited	North Ryde NSW	2113
Ixom Operations Pty Ltd	Melbourne VIC	8011
Chemiplas Australia Pty Ltd	Melbourne VIC	3002
Colonial Chemicals Australia Pty Ltd	Bendemeer NSW	2355
Coogee QCA Pty Ltd	Lytton QLD	4178
Nowra Chemical Manufacturers Pty Ltd	Nowra NSW	2541
Chemprod Nominees Pty Ltd t/a Omega Chemicals	Laverton North VIC	3026
Redox Ltd	Minto NSW	2566
SNF (Australia) Pty Ltd	Lara VIC	3212

LATE TENDERS

No late tender submissions were received.

AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL WEDNESDAY 26 JUNE 2024

TENDER EVALUATION

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

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

TENDER ROLES AND RESPONSIBILITIES

The tender has been conducted by Regional Procurement in accordance with Clause 166(a) of the Local Government (General) Regulation 2021.

Conflict of Interest Declarations were signed by all participating evaluation panel members, including the Regional Procurement facilitator, prior to their receipt of Tender submissions. The declarations are available to be viewed if required.

No late tenders were received.

All tenderers were noted as active on the ASIC website.

All tenderer insurance records were checked against Tender requirements and potential non-conformities were noted in the Evaluation Matrix for the consideration of the panel.

All tenders were deemed conforming to the Tender requirements.

The evaluation was conducted in accordance with the Local Government Tendering Guidelines, Regional Procurement Tendering Code of Conduct and Tendering Evaluation Principles and Process. Confidentiality and probity were maintained throughout the process.

Role	Responsibility	Position
Evaluation Panel Chair	To manage the evaluation process and report to Council.	Manager – Regional Procurement

SELECTION CRITERIA

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

CRITERIA	%
Tender Price	60
Referees	10
Quality Assurance	10
Ecologically Sustainable Development	10

**AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 JUNE 2024**

CRITERIA	%
Customer Service	10
Total	100

Evaluation Methodology

Tender Schedules	Criteria Weighting %	Methodology
Tenderer's Declaration	Schedules are Fully Completed	Regional Procurement (RP) will check for compliance with tender requirements.
Business Ethics and Non-Collusion Tenderer's Declaration		
Financial Details		
Insurances	Insurances provided meet Tender Requirements	RP will check each Tenderer's insurance records against Tender requirements and note any potential non-conformities in the Evaluation Matrix for the consideration of the panel.
Minor Non-Conformances & Alternative Proposals	Level of MNC to be considered	Any minor non-conformances will be submitted to the Evaluation Panel for review.
Additional Information/ Innovation	Not Evaluated	The Panel to consider Additional Information as part of the overall Tender review.
Referees	%	<p>Prior to the Tender Evaluation meeting, RP will contact each of the supplier's nominated Referees and ask a series of relevant questions. The Panel can tailor questions for Tender if required.</p> <p>Each Tenderer's Referees Score will be calculated by adding the total scores obtained from the Tenderer's three nominated referees (each totalling up to 25 points) and dividing this total by the maximum possible score of 75, then multiplying this number by the allocated matrix Weighting value.</p>

**AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 JUNE 2024**

Tender Schedules	Criteria Weighting %	Methodology
Tender Price Referees Quality Assurance Ecologically Sustainable Development Customer Service	60	Evaluating Tender Price The total value of all items will be added together to determine the lowest overall price. The lowest overall amount will be awarded the full Criteria % for each Category. Each subsequent total \$ value will be divided into the lowest total amount and multiplied by the weighting
	10 10 10 10	Evaluating Non-Price Criteria Before the evaluation, RP will verify details, calculate scores based on evidence provided and present details to the Evaluation Panel. Points shall be awarded based on answers and evidence provided on the applicable Schedule. If the Tenderer provides the required evidence to meet the benchmark, the Evaluation Panel will award full marks. If the Tenderer provides partial evidence to meet the benchmark, the Panel will determine a lower score by deducting points based on the evidence in front of them and comparing the evidence to the other submissions. Notations will be included in the matrix as to why a lower score was allocated. If the Tenderer fails to meet the benchmark completely, eg: they demonstrate no ability to meet the criteria and do not provide any supporting evidence, the Panel will award 0 points to the Tenderer for that evaluation criteria

NON-COMPLIANT TENDERS

Upon evaluation there were zero (0) non-compliant submissions.

Regarding terms and conditions submitted from multiple tenderers, there were minor non-conformances noted. These were assessed by Regional Procurement as minor and low risk. The non-conformances are required to be accepted across all Councils participating in the procurement but are already existing in current tenders established for bulk chemical supply.

TENDERED SUBMISSION PRICES

Awarded contractors under this tender will be engaged in accordance with their schedule of rates submitted under the tender process for selected chemical supply.

**AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 JUNE 2024**

EVALUATION OUTCOME

The tender results can be seen in the table A.

TABLE A -Wingecarribee Shire Council water treatment chemical product selection.

SCHEDULE	PRODUCT DESCRIPTION	PANEL
A (1)	Chlorine (Kgs) 70KG Bottles	IXOM Operations Pty Ltd
A (2)	Chlorine Gas 920KG Drums	IXOM Operations Pty Ltd
A (3)	Cylinder Rental	IXOM Operations Pty Ltd
B (1)	Aluminium Sulphate (Ltrs)	Nowra Chemical Manufacturers P/L, Redox Ltd
B (2)	Aluminium Sulphate (Kgs)	Redox Ltd
C (5)	Sodium Hydroxide 25% (Caustic Soda)	IXOM Operations Pty Ltd, Redox Ltd
D (1)	Hydrated Lime (25 Kg bags)	IXOM Operations Pty Ltd, Redox Ltd
G (4)	SNF Polymer	SNF (Aust) Pty Ltd, Chemiplas Aust Pty Ltd
K	Magnesium Hydroxide Liquid	IXOM Operations Pty Ltd, Redox Ltd
Q	Carbon Dioxide Bulk	BOC Limited

Contract Duration

These chemical supply contracts will run for 36 months from 1 July 2024 to 30 June 2027. A 12-month extension of contract option may be taken up based on satisfactory performance by the selected panel member.

Contract Price Adjustment

Refer to the Clause 3.4 Price Adjustment in the relevant Deed of Agreement.

In summary:

Fixed Price Period: Prices are fixed for the first three months. Thereafter, they may adjust every three months.

Notification of Changes: Before the end of each three-month period, the Service Provider must submit updated pricing schedules to Regional Procurement, with written evidence from manufacturers or suppliers to support any increases.

Approval Process: Regional Procurement will not unreasonably deny legitimate price change requests. Approved changes will apply to all future Purchase Orders from the approval date and will not affect past orders.

Implementation: Once approved, the new prices will be incorporated into the price schedule and take effect immediately.

Uninterrupted Supply: The supply of goods should not be disrupted by price adjustment processes or disputes.

AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL WEDNESDAY 26 JUNE 2024

Extension: If the Agreement is extended, the price adjustment process will continue as outlined.

This ensures a structured, transparent, and fair process for price adjustments, protecting the council from unexpected costs while maintaining a stable supply of goods.

COMMENTS ON RECOMMENDED TENDER SUBMISSION

On consideration by the tender evaluation panel, the panel recommended to award contracts for the bulk chemicals to BOC Limited, Ixom Operations Pty Ltd, Nowra Chemical Manufacturers Pty Ltd, Redox Ltd, Chemiplas Aust Pty Ltd and SNF (Australia) Pty Ltd as a panel arrangement.

COMMUNICATION AND CONSULTATION

Community Engagement

No community engagement was undertaken regarding the tender process.

Internal Communication and Consultation

Consultation was completed with the Water Engineer and Acting Treatment Coordinator, in conjunction with Procurement.

External Communication and Consultation

Regional Procurement has called an open Panel Source by Category by Council Tender as a result of discussions with Wingecarribee Shire Council along with other councils regarding requirements for the Supply & Delivery of Bulk Water Treatment Chemicals.

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

While the Council values and promotes local supplier engagement, the specialized nature of bulk chemicals means there are no local manufacturers.

Culture

There are no cultural issues in relation to this report.

Governance

The tender has been conducted in accordance with Clause 166(a) of the Local Government (General) Regulation 2021.

COUNCIL BUDGET IMPLICATIONS

Funding for chemicals supply for water treatment plants and wastewater treatment plants have been considered using budgeted funds per facility in Councils' annual budgets.

**AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 JUNE 2024**

RELATED COUNCIL POLICY

Council's Procurement Guidelines have been used to inform the tender process.

CONCLUSION

It is recommended that Council accept the tender submissions received through Regional Procurement (refer to Table "A") for BOC Limited, Ixom Operations Pty Ltd, Nowra Chemical Manufacturers Pty Ltd, Redox Ltd, Chemiplas Aust Pty Ltd and SNF (Australia) Pty Ltd for the bulk chemical supplies for water and wastewater treatment plants as a panel arrangement.

ATTACHMENTS

Nil

9.7 Water Zone Control Valves Construction Tender Evaluation Report

Report of: Samir Paudel
Project Manager

Authorised by: Karin Targa
Director Service and Project Delivery

PURPOSE

This report presents the Tender evaluation for the Water Zone Control Valves – Construction.

OFFICER'S RECOMMENDATION

THAT Council:

- 1. Accept the tender submission from Killard Infrastructure Pty Ltd for RFT# T-2024-11 at a total lump sum price of \$1,795,798.32 including GST for Construction of Water Supply Control Valves.**
- 2. Delegate authority to the General Manager to execute the contract.**
- 3. Note the total project budget for Financial Year 24/25 is \$1,877,425.52 to be funded from the Water Fund and to be incorporated into Council's Long Term Financial Plan.**

REPORT

BACKGROUND

The installation of Water Zone Control valves is a key project to supply water to the Oxley Reservoir and the Hill Road Reservoir. This project involves placing control valves at two sites: Rose Street and Old South Road in Bowral, NSW. Each control valve setup include pipework, valves, a flowmeter, a custom cast in-situ reinforced pit and lid, stormwater outlets, electrical and telemetry connections.

The Wingecarribee Water Treatment Plant (WWTP) supplies water to the Oxley Drive reservoir in Bowral (RES-WC8) and the Hill Road Reservoir in Moss vale (RES-BU5) which is controlled by the level of Oxley Drive reservoir. Currently the Hill Road reservoir cannot fill past 60% due to the long distance to it. Oxley Drive fills faster than Hill Road, and then the WWTP pumps turn off. The reservoirs do not balance across the system due to the long distance between Bowral and Moss Vale.

To ensure that the WWTP will operate based on the Hill Road reservoir level, to allow WWTP to pump longer hours to ensure Hill Road reservoir can be filled new control valves are required. These new control valves will be able to fill Hill Road reservoir to its capacity which will support water supply requirements in Moss vale.

The two (2) supply mains to Bowral will be that once commissioned the Old South Road (OSR) main will be the primary supply to Oxley Drive reservoir and the Bowral district metering area. The existing trunk along Kangaloon/Kirkham (which is currently the primary supply to Oxley Drive) will

AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL WEDNESDAY 26 JUNE 2024

normally be isolated at the valve at Rose Street to maximise supply to the northern villages via Evans Lane Water Pump Station, Gib North and Willow Vale reservoirs. If Oxley Drive requires additional water, the electric valve could be opened manually or automatically depending on control philosophy

Council performed hydraulic flow modelling which confirms that the valves are required to provide adequate water supply to Oxley and Hill Road Reservoir.

REPORT

Council sought tenders from suitable and qualified contractors to provide a lump sum price for Construction of Water Zone Control Valves at two (2) locations in Bowral, NSW. The full scope of works was detailed in the tender documents.

In accordance with the Local government Act 1993 part 3, section 55(3)(n), Council is required to invite tenders where estimated expenditure is greater than \$250,000 (GST inclusive)

Advertising

The tender advertising period was from 14th May 2024 to 11th June 2024 (28 days).

The Tender was advertised as follows:

Advertising	Date Advertised
Council's website	For the duration of the advertising period
Council's eTendering Website	For the duration of the advertising period

Tender Site briefing

There was a non-mandatory site Tender Briefing held on 1pm Thursday, 23rd May 2024.

TENDERS RECEIVED

A total of 3 tenders' submission were received:

Company Name	Location	Postcode
Fluid Plumbing and Drainage Services Pty Ltd	Penrith, NSW	2753
Killard Infrastructure Pty Ltd	Goulburn, NSW	2580
RA Smith Contracting Pty Ltd	Moorebank, NSW	2170

LATE TENDERS

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

TENDER ROLES AND RESPONSIBILITIES

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

Role	Responsibility	Position
Evaluation Panel Chair	To manage the evaluation process and report to the Procurement Delegate.	Project Manager

**AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 JUNE 2024**

Role	Responsibility	Position
Evaluation Panel Member	Perform a detailed evaluation of the Tender Submissions.	Project Manager
Evaluation Panel Member Independent*	Perform a detailed evaluation of the Tender Submissions.	Asset Engineer Water and Wastewater
Panel Member	Perform a detailed evaluation of the Tender Submissions.	Coordinator Project Management
Procurement Process and Advice (Probity)	Manages the tender process ensuring that it complies with all relevant legislation, Procurement Policy, Guidelines and Procedures. Manages all communication with Respondents during the advertisement and evaluation periods. Providing probity advice and support to the evaluation panel.	Procurement Officer

TENDER EVALUATION

The Procurement Initiation Plan outlines the pre-determined selection criteria, the criteria weightings, and members of the tender evaluation panel.

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

SELECTION CRITERIA

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

Mandatory Criteria:

Mandatory Criteria
Public Liability - \$20 million
Workers Compensation OR [Self Employed] Personal Accident and Illness Insurance or Personal Income Protection
Motor Vehicle - Comprehensive
Works Insurance – 130% of Contract Value
Bank Guarantees – 2 x 2.5% of Contract Value

Tenderers were required to meet the mandatory criteria to be eligible to be shortlisted and progress further in the evaluation process.

Non-Cost Selection Criteria & Weighting:

Non-Cost Criteria	Weighting
Community & Social (including local procurement)	10%
Capability & Experience	20%
Specifications, Service & Support, Fit for Purpose	25%
Quality Assurance, Innovation	5%
Total	60%

Summary of Selection Criteria & Weighting:

Criteria	Weighting
Total Non-Cost Criteria	60%
Total Cost Criteria	40%
Total	100%

NON-COMPLIANT TENDERS

There were no tender submissions determined to be non-compliant.

TENDERED SUBMISSION PRICES

The tender submission price received was ranging from \$1,795,798.32 to \$2,275,697.02.

EVALUATION COMMENTS

COMMENTS ON OVERALL EVALUATION OUTCOME

The Tender Evaluation Panel was formed, and each panel member scored the non-cost selection criteria in accordance with the Procurement Initiation Plan (PIP).

In accordance with the Procurement Initiation Plan (PIP) only those tender submissions meeting the minimum non-cost selection criteria threshold of 60% were deemed to be compliant.

No tenders were assessed as non-compliant for failing to reach the non-cost threshold.

Based on the differentiators in mandatory criteria, non-cost criteria and cost criteria; Killard Infrastructure Pty Ltd have demonstrated to be qualified contractor for this project.

During the tender evaluation process, tender clarifications were sought to ensure clarity of information provided in the tenderer submission and to allow the tender panel to properly evaluate the tenderer submission. All received clarifications will be incorporated into the contract documents.

AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL WEDNESDAY 26 JUNE 2024

COMMENTS ON RECOMMENDED TENDER SUBMISSION

Overall, the tender received was of good quality and from a qualified and reputable contractor.

This project involves multiple trunk water main (DN525mm and DN450mm) shutdowns, deep excavations, cast in-situ pits and lids, and working around active trunk water mains. Killard's Pty Ltd has shown they have the capability and capacity to execute this project successfully. They demonstrated a thorough understanding of the scope of work through their proposed methodology – including connections during off peak water demand and program of works.

COMMUNICATION AND CONSULTATION

Community Engagement

Community will be notified regarding project prior to site works.

Internal Communication and Consultation

Internal consultation was undertaken between Assets, Operations – Water and Sewer, Project Delivery and Procurement.

External Communication and Consultation

Design for this project was carried out by external designer – Stantec Pty Ltd and thorough consultation was carried out in each design stage of the project.

SUSTAINABILITY ASSESSMENT

Environment

Review of Environmental Factors (REF) is already completed and approved. The appointed contractor is required to comply with all conditions of the REF during any site works on site.

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

The total current project budget is \$1,300,000 split across 2023/24 (\$300,000) and 2024/25 (\$1,000,000). As part of the post-exhibition adjustments to the 2024/25 Operational Plan, the 2024/25 budget was increased from \$0.5M to \$1.0M in order to align the project budget with the pretender estimate.

**AGENDA OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 JUNE 2024**

The tender result is higher than previously estimated and therefore the total project budget required to deliver the project is \$2,087,000. A 2024/25 budget increase of \$787,000 is required.

The budget increase is largely as a result of an increase in scope of work at Rose Street Bowral, with an additional DN200 flowmeter, valves, and pipework's, cast in-situ pit, lid and stormwater outlets.

That withstanding, delivery of the Water Zone Control Valves project is of critical importance to ensuring the effective and efficient operation of the water supply network. Through this project, utilisation of the Oxley Reservoir and Hill Road Reservoir will be maximised which in turn enables continued water supply to the serviced areas of Moss Vale and Bowral during peak demand periods.

Due to the timing of this report being at the same meeting of the adoption of the draft 2024/25 budget, the 2024/25 budget increase of \$787,000 (bringing total 2024/25 budget to \$1,877,425.52) will be reflected in the 2024/25 Quarter 1 Budget Review and be funded by the Water Fund.

RELATED COUNCIL POLICY

Council's Procurement Guidelines have been used to inform the tender process.

CONCLUSION

It is recommended that Council accept the tender and award this contract to Killard Infrastructure Pty Ltd.

ATTACHMENTS

Nil

10 QUESTIONS WITH NOTICE

11 MEETING CLOSURE