

# AGENDA

## Ordinary Meeting of Council



*We're with you*

Wednesday 19 February 2025

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

## **MEETING NOTICE**

An Ordinary Meeting of Wingecarribee Shire Council will be held in Council Chambers at Wingecarribee Shire Council Civic Centre, 68 Elizabeth Street, Moss Vale on Wednesday 19 February 2025 at 3.30pm.

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

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

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

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## **Council Chambers**

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

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

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

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

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

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

The Council Chamber has 24 Hour Video Surveillance.

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## **1 OPENING OF THE MEETING**

The Mayor will open the meeting.

## **2 ACKNOWLEDGEMENT OF COUNTRY**

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

## **3 STATEMENT OF ETHICAL OBLIGATIONS**

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

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

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

## **4 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS**

Nil at time of print.

## **5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

That the minutes of the Ordinary Meeting of Council held on 11 December 2024, *MN 2024/350 to MN 2024/374* inclusive, be confirmed as a correct record of the proceedings of the meeting.

## **6 DECLARATIONS OF INTEREST**

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

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

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

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

## **7 MAYORAL MINUTE**



### **MAYORAL MINUTE**

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In June, I will be attending the National General Assembly, an important opportunity to advocate not only for our community but for the entire Local Government sector. Local Governments face a wide range of challenges, and the Assembly's purpose is to debate motions that address these issues and drive meaningful change.

While lobbying for specific causes is important, the core issue ultimately comes down to funding. As we debate and compete over the mechanics of grants and specific outcomes, we risk ignoring the elephant in the room—the steady erosion of total funding allocated to Local Government nationally year on year. This underlying issue demands our focus.

I believe the priority must be to restore an appropriate level of funding to Local Government. Once this foundation is secured, we can then focus on how best to allocate those resources to meet our community's needs.

I intend to present the following motion at the Assembly:

*This National General Assembly call on the Australian Government to:*

- A. Gradually and sustainably move towards the allocation of 1% of total Federal tax revenue to Local Government by implementing an annual 12.25% compound increase in Financial Assistance Grants funding until the 1% level is achieved.*
- B. Once the 1% allocation is restored, enshrine this baseline funding level in perpetuity to ensure long-term financial stability for Local Government.*

*In 2014, the indexation of Federal Assistant Grant was frozen, halving the Local Government sector's share of total tax revenue from its historic level of approximately 1% to the current 0.5%. Over the years, the sector has consistently advocated for the restoration of this allocation, but no substantial action has been taken.*

*Rather than calling for an immediate and significant increase, I propose a realistic, phased approach to restore the 1% allocation in a manner that is both measured and sustainable.*

*By securing this 1% allocation and maintaining it as a guaranteed baseline in perpetuity, Local Governments will gain the financial stability needed to plan and deliver essential services and infrastructure for communities across Australia.*

#### **RECOMMENDATION:**

**That Council endorse the following Motion for submission to the 2025 National General Assembly:**

*That this National General Assembly call on the Australian Government to:*

- 1. Gradually and sustainably move towards the allocation of 1% of total Federal tax revenue to Local Government by implementing an annual 12.25% compound increase in Financial Assistance Grants funding until the 1% level is achieved.*
- 2. Once the 1% allocation is restored, enshrine this baseline funding level in perpetuity to ensure long-term financial stability for Local Government.*



## **8 REPORTS**

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### **8.1 Community Strategic Plan - Draft for Public Exhibition**

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

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

#### **PURPOSE**

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This report seeks Council's endorsement of the draft Wingecarribee Shire Council Community Strategic Plan 2035 (the Plan) for public exhibition, in accordance with the Local Government Act 1993 and Integrated Planning and Reporting legislation.

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

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##### **THAT:**

- 1. Council endorse the draft Community Strategic Plan included in Attachment 1 to be placed on public exhibition for 28 Days.**
- 2. A further report be brought to Council following the conclusion of the public exhibition and engagement program detailing submissions received, outcomes of the engagement and any proposed changes to the Plan.**

#### **REPORT**

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##### **BACKGROUND**

Under the NSW Local Government Act's Integrated Planning & Reporting (IP&R) framework, councils are responsible for preparing a Community Strategic Plan on behalf of their community. This Plan identifies key priorities and aspirations for the future, outlining strategies to achieve them.

While Council leads the Plan's development, its success relies on collaboration with State agencies, non-government organisations, businesses, regional bodies, community groups, and individuals.

The draft Community Strategic Plan sets a strategic vision for the region and guides Council's planning, including the Delivery Program and Resourcing Strategy for the current council term.

##### **DISCUSSION**

The Community Strategic Plan (CSP) is a high-level plan that captures the aspirations of the broader Wingecarribee Shire community. Developed in partnership with residents and stakeholders, it fosters a shared vision, commitment, and responsibility for the future.

Council plays a custodial role in initiating, preparing, and maintaining the CSP, with implementation relying on collaboration across government, businesses, non-government organisations, and the community.

The draft Wingecarribee Shire Council Community Strategic Plan 2035 sets out a collective vision:

***'By 2035 Wingecarribee will be the best place in NSW for all generations to live'.***

To achieve this, the CSP includes strategies to:

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- Support a balanced population age structure for all generations
- Create a welcoming, family-friendly community
- Ensure sustainable housing and accessible services
- Strengthen a liveable, thriving local economy
- Preserve the natural environment and unique local character
- Promote sustainable planning and growth
- Improve infrastructure and facilities
- Foster strong local leadership and community participation

The draft CSP has been shaped through extensive engagement with the community and key stakeholders, alongside consideration of State and regional priorities. Between 2023 and 2024, 1,850 community members contributed through workshops, stakeholder meetings, pop-up sessions, surveys, and online discussions.

To ensure the draft CSP aligns with community priorities, a 28-day public exhibition period will be held from Friday 21 February – Friday 21 March 2025, inviting feedback before finalisation and endorsement by 30 June 2025.

During the exhibition period, submissions on the draft CSP can be made via:

- Online: Submission form at Council's engagement platform *Participate*
- Email: [mail@wsc.nsw.gov.au](mailto:mail@wsc.nsw.gov.au)
- In person: Council's Civic Centre
- Mail: Wingecarribee Shire Council, PO Box 141, Moss Vale NSW 2577

Community members can also provide feedback in person at Village and Town Centre Pop-Up Sessions with Councillors and Council staff:

- Hill Top Public School: Tuesday 25 February between 2:30pm – 3:30pm
- Renwick Community Centre/Playspace area: Tuesday 4 March between 10:30am – 12noon
- Robertson Community Technology Centre: Thursday 6 March between 10:30am – 12noon
- Moss Vale Council Civic Centre: Thursday 6 March, 4pm – 5:30pm
- Wingello Village Store/Café: Tuesday 11 March between 2:15pm - 3:15pm
- Exeter General Store: Thursday 20 March between 10:30am – 12noon

Following the exhibition period, all feedback will be reviewed, and any proposed changes will be reported to Council before the CSP is finalised and endorsed by 30 June 2025.

### LINK TO STRATEGY

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This report relates to the Community Strategic Plan 2041 Theme and Goal:

Leadership - 1.2 A well-informed, engaged community.

### ATTACHMENTS

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1. Draft Wingecarribee Shire Council Community Strategic Plan 2025-2035 [8.1.1 - 21 pages]



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## **8.2 Volunteer Management Policy - Draft for Public Exhibition**

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**Report of:** Ricky Tozer  
Manager People and Culture

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

### **PURPOSE**

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The purpose of this report is to seek Council endorsement to place the draft Volunteer Management Policy on public exhibition for a period of 28 days.

### **OFFICER'S RECOMMENDATION**

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#### **THAT:**

- 1. Council endorse the draft Volunteer Management Policy included in Attachment 1 to this report to be placed on public exhibition for 28 days.**
- 2. Following the conclusion of the public exhibition period, a further report be presented to Council to consider any feedback received during the public exhibition period.**

### **REPORT**

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#### **BACKGROUND**

Council recognises that volunteers make a valuable contribution to a range of Council services. The draft Volunteer Management Policy is designed to meet our legislative obligations and to support the expansion of volunteering opportunities within our community.

#### **DISCUSSION**

The draft Volunteer Management Policy applies to all volunteers involved in Council activities, including committee members and Council staff who volunteer outside their regular duties.

Currently, 250 volunteers participate in Council programs, including:

- Animal Shelter – Dog walking and cat cuddling
- Environment – Bushcare and river care programs
- Libraries – Book covering and organising discarded titles

This policy will enable Council to expand volunteering opportunities in suitable roles across the organisation.

The draft policy aims to:

- Establish a consistent framework for volunteer management across all Council areas
- Standardise recruitment, training, onboarding, and volunteer engagement
- Provide clear opportunities for community involvement in Council programs
- Ensure volunteers are treated ethically, fairly, and with respect
- Promote volunteer health, safety, and wellbeing

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Key internal stakeholders have been consulted, and current volunteers will have the opportunity to provide feedback.

Council's endorsement of the draft Volunteer Management Policy will allow a 28-day public consultation period, inviting community input before finalisation.

### **COUNCIL BUDGET IMPLICATIONS**

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There are no budget implications related to this report.

### **LINK TO STRATEGY**

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This report relates to the Community Strategic Plan 2041 Theme and Goal:

People - 2.2 An inclusive community where everyone can participate in community life.

### **ATTACHMENTS**

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1. Draft Volunteer Management Policy [**8.2.1** - 8 pages]

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### **8.3 Data Breach Policy - Draft for Adoption**

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

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

#### **PURPOSE**

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At the Ordinary Council Meeting on 20 November 2024, it was resolved to place the draft Data Breach Policy for public exhibition for 28 days.

This report provides the outcomes of the public exhibition period.

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

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**THAT Council adopt the Data Breach Policy as included at Attachment 1 to this report.**

#### **REPORT**

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##### **BACKGROUND**

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

The MNDB Scheme also requires Council to have a publicly accessible data breach policy. This report addresses the outcomes of the public exhibition period for this policy.

##### **DISCUSSION**

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

The draft Data Breach Policy was placed on public exhibition for 28 days from Friday 22 November 2024 to Friday 20 December 2024.

During the 28-day public exhibition, no submissions were received, as such, the policy is now being recommended for adoption.

#### **COUNCIL BUDGET IMPLICATIONS**

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There are no budget implications in this report.

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**LINK TO STRATEGY**

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This report relates to the Community Strategic Plan 2041 Theme and Goal:

Leadership - 1.1 Ethical and trusted levels of government that work together in the best interest of the Shire.

**ATTACHMENTS**

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1. Data Breach Policy [8.3.1 - 11 pages]

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## **8.4 Outdoor Dining & Goods on Footpath Policy - Draft for Adoption**

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**Report of:** Elina Quigley  
Senior Asset Officer Buildings

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

### **PURPOSE**

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The purpose of this report is to present the results of the public exhibition period for the Outdoor Dining and Goods on Footpath Policy and recommend Council's formal adoption of the Policy.

At the 20 November 2024 meeting, Council resolved to place the draft policy on public exhibition for a period of 28 days which resulted in four submissions being received.

### **OFFICER'S RECOMMENDATION**

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**THAT Council adopt the Outdoor Dining Policy as included in Attachment 2 to this report.**

### **REPORT**

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#### **BACKGROUND**

Council supports the provision of Outdoor Dining areas and Goods on Footpaths as they contribute to a vibrant and diverse local culture. Council is committed facilitating Outdoor Dining in a way that balances the needs of businesses with the broader community and enhances tourism.

This policy is to enable Council to assess Outdoor Dining and Goods on Footpath applications in a fair and consistent manner. The policy will also help to outline the application process, considerations for approval, as well as operating requirements post approval.

At the 20 November 2024 Ordinary Council Meeting, Council resolved that:

- 1. Council endorse the draft Outdoor Dining and Goods on Footpath Policy as included in Attachment 1 to this report to be placed on public exhibition for 28 days.*
- 2. A further report be submitted to the 19 February 2025 Ordinary Council Meeting following the conclusion of the public exhibition period.*
- 3. To progress with this policy with the addition of a change to a seven year time limit, a monthly fee as opposed to an annual fee for the application and for the policy review to be scheduled for six (6) months time to consider the City of Sydney style policy.*

#### **DISCUSSION**

The draft Outdoor Dining Policy was placed on public exhibition for 28 days, from the 22<sup>nd</sup> of November until the 20<sup>th</sup> of December 2024. A dedicated page was developed on the Participate Wingecarribee website and was advertised via Council's e-newsletter. Hard copies of the draft policy were placed at Council libraries and Civic Centre Customer Service Counter.

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The webpage received 105 visits and a total of 4 submissions were received. Several of the submissions were quite extensive and so they are provided in full in Attachment 1, with a Council response provided for each. No updates have been made to the policy in response to the submissions received.

That withstanding, it is recommended that the following minor update is made to the draft Policy, which has been reflected within the version of provided in Attachment 2 – that is:

- At 20 November 2024 Council Meeting, it was resolved for the Policy to be updated such that business owners are invoiced monthly for the on-going licence fee for outdoor dining or goods on footpath.
- It is recommended that instead the Policy be updated such that business owners are invoiced annually, with the option to enter a payment plan.
- This is because in most instances, given the modest outdoor dining annual fee, the receipt of monthly invoicing would be cumbersome for business owners and Councils administration costs would not be covered by the current outdoor dining charge.
- This is based on the following cost analysis:
  - \$/m2 varies from \$64 - \$177 (Council's Fees and Charges 2024-25)
  - Average size of Outdoor Dining is 10m2
  - Average Cost is approximately \$1000/ annum

This policy will encourage Outdoor Dining in areas that are suitable, fosters street vitality and economic viability and provides clear guidelines for staff, Council and the community with respect to Council expectations in relation to Outdoor Dining.

It is recommended that Council adopted the draft Outdoor Dining and Goods on Footpath Policy as provided in Attachment 2.

### **COUNCIL BUDGET IMPLICATIONS**

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There are no financial implications with this report.

### **LINK TO STRATEGY**

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This report relates to the Community Strategic Plan 2041 Theme and Goal:

Economy - 5.4 A supported and connected local business community.

### **ATTACHMENTS**

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1. Outdoor Dining Policy Public Exhibition Submissions [**8.4.1** - 4 pages]
2. Outdoor Dining and Goods on Footpath Policy for adoption [**8.4.2** - 9 pages]



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## **8.5 Water Determination Policy - Draft for Adoption**

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**Report of:** David Grima  
Coordinator Revenue

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

### **PURPOSE**

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The purpose of this report is to seek adoption of the Water Determination Policy after it was placed on public exhibition for 28 days.

### **OFFICER'S RECOMMENDATION**

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**THAT Council adopt the Water Determination Policy as included in Attachment 1 to this report.**

### **REPORT**

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#### **BACKGROUND**

At the November 2024 Council meeting, Council resolved to endorse the Water Determination Policy to be publicly exhibited for 28 days. This report provides a summary of the outcomes of the public exhibition period of the Water Determination Policy.

#### **DISCUSSION**

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

The Water Determination Policy was placed on public exhibition for 28 days commencing the 21 November 2024 via the Participate Wingecarribee page and Council's e-Newsletter. The Participate Wingecarribee page was visited by 33 people with 34 views, however, no submissions were received.

No changes have been made to the Water Determination Policy that was publicly exhibited.

It is recommended to adopt the Water Determination Policy as included in **Attachment 1** to this report.

### **COUNCIL BUDGET IMPLICATIONS**

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The proposed changes to the Water Determination Policy will have minimal financial implications on Council's Water and Sewer funds.

### **LINK TO STRATEGY**

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This report relates to the Community Strategic Plan 2041 Theme and Goal:

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

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**ATTACHMENTS**

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1. Water Determination Policy for Adoption [**8.5.1** - 6 pages]

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## **8.6 Privacy Management Plan - Draft for Adoption**

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**Report of:** Paige Zelunzuk  
Coordinator Governance

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

### **PURPOSE**

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This report presents the draft Privacy Management Plan (at **Attachment 1**) for adoption following public exhibition for a period of 42 days.

### **OFFICER'S RECOMMENDATION**

---

**THAT Council adopt the draft Privacy Management Plan as included at Attachment 1 to this report.**

### **REPORT**

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#### **BACKGROUND**

Section 33 of the *Privacy and Personal Information Protection Act 1998* (PIIA) requires Council to have a privacy management plan.

A review of Council's Privacy Management Plan was undertaken and at the Ordinary Meeting of Council held on 11 December 2024 Council endorsed the draft Privacy Management Plan for public exhibition.

#### **DISCUSSION**

The draft Privacy Management Plan was placed on public exhibition on Council's Participate Wingecarribee website for community members to review and make a submission. The public exhibition commenced on 12 December 2025 and concluded on 23 January 2025.

No submissions were received during the exhibition period and as such, it is recommended that the draft Privacy Management Plan be adopted.

### **LINK TO STRATEGY**

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This report relates to the Community Strategic Plan 2041 Theme and Goal:

Leadership - 1.1 Ethical and trusted levels of government that work together in the best interest of the Shire.

### **ATTACHMENTS**

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1. Draft Privacy Management Plan [8.6.1 - 27 pages]

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## **8.7 Code of Meeting Practice - Draft for Adoption**

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

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

### **PURPOSE**

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This report recommends the adoption of the draft Code of Meeting Practice following public exhibition of the policy for a period of 42 days and consideration of the submission received.

### **OFFICER'S RECOMMENDATION**

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**THAT Council adopt the revised Code of Meeting Practice as included at Attachment 2 to this report noting the change in commencement time for Public Forum from 3.00pm to 2.30pm on the day of the Council meeting.**

### **REPORT**

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#### **BACKGROUND**

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

At the Ordinary Meeting of Council held on 20 November 2024 Council resolved:

**THAT:**

1. *Council endorse the draft Code of Meeting Practice included in Attachment 1 to this report to be placed on public exhibition for 28 days, allowing submission from the public for up to 42 days, with the following changes:*
  - a. *Council meetings to commence at 3.30pm*
  - b. *Public Forum to be held on the day of the Council meeting at 3.00pm*
2. *A further report be submitted to the 19 February 2025 Ordinary Council Meeting addressing matters raised during the public exhibition process*

#### **DISCUSSION**

The Code of Meeting Practice was placed on public exhibition on Council's Participate Wingecarribee website whereby interested parties were invited to make a submission. The public exhibition commenced on 21 November 2024 and concluded on 3 January 2025.

One (1) submission was received during the public exhibition period (**Attachment 1**). A summary of the submission is provided below with a staff response in relation to each matter raised.

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

Name and Town/Village	Detail of Submission	Staff Response
R. Khoury, Colo Vale	<ol style="list-style-type: none"> <li>1. The commencement times of nearby Councils could be of future interest.</li> <li>2. That the insertion and amendment of clauses 3.2, 3.8, 3.11, 3.24, 5.13, 5.18 to 5.23, 8.1, 11.6, 13.9, 20.6 and 20.23 to the Code be supported.</li> <li>3. The public forum days of nearby councils could be of future interest.</li> <li>4. Clause 4.7 is supported.</li> <li>5. That 30 minutes for the public forum is insufficient for 4 speakers to address more than one agenda item and suggests a review of the 30-minute limit.</li> </ol>	<p>1 –4. Received and noted.</p> <p>5. In relation to the Public Forum, it is agreed that additional time is required to accommodate the additional number of speakers. It is proposed that the time allocated for the Public Forum be increased from 30 minutes to 60 minutes.</p>

Based on the feedback received during the public exhibition period it is proposed that the amount of time allocated for public forum be increased from 30 minutes to 60 minutes. As a part of the draft Code of Meeting Practice that was placed on public exhibition, clause 4.7 was amended to increase the number of speakers allowed to speak for and against an item on the agenda. The amended clause 4.7 increased the number of speakers from one (1) for and one (1) against to two (2) for and two (2) against. To accommodate the additional number of speakers it is recommended that additional time be allocated with Public Forum commencing at 2.30pm. As such, Clause 4.1 of the Code of Meeting Practice included in **Attachment 2** to this report has been amended as follows:

*“The council may hold a public forum, commencing at 2.30pm, prior to each ordinary meeting of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary council meetings and meetings of committees of the council.”*

No further amendments are proposed to the Code of Meeting Practice. It is recommended that Council adopt the Code of Meeting Practice as included in **Attachment 2**.

**COUNCIL BUDGET IMPLICATIONS**

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There are no budget implications associated with this report.

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**LINK TO STRATEGY**

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This report relates to the Community Strategic Plan 2041 Theme and Goal:

Leadership - 1.1 Ethical and trusted levels of government that work together in the best interest of the Shire.

**ATTACHMENTS**

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1. Submission - Code of Meeting Practice redacted [8.7.1 - 5 pages]
2. Code of Meeting Practice - Draft for Adoption [8.7.2 - 44 pages]



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## **8.8 Quarterly Delivery Program and Budget Review 31 December 2024**

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

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

### **PURPOSE**

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The purpose of this report is to provide an overview of Council's progress towards delivering its Delivery Program, Operational Plan 2024/25 and financial position and projections for the period ending 31 December 2024. The Quarterly Review of the Budget is reported to Council at the end of each quarter in accordance with Section 203 of the Local Government (General) Regulation 2021.

### **OFFICER'S RECOMMENDATION**

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#### **THAT Council:**

- 1. Note the Quarterly Progress Report on the Delivery Program and Operational Plan for the period ended 31 December 2024 in Attachment 1.**
- 2. Approve the budget adjustments and endorse the projected financial position as of 31 December 2024 in Attachment 2.**
- 3. Approve the realignment of financial report to comply with the Office of Local Government and statutory requirements by:**
  - a. Ceasing Monthly Financial Reporting to Council.**
  - b. Discontinuing the non-statutory reporting in Quarterly Budget Review Statements; and**
  - c. Increasing the financial reporting threshold from \$20,000 to \$100,000 in the Quarterly Budget Review Statement Council report.**
- 4. Note the Quarterly Performance Improvement Order Compliance Report for the period ending 31 December 2024.**

### **REPORT**

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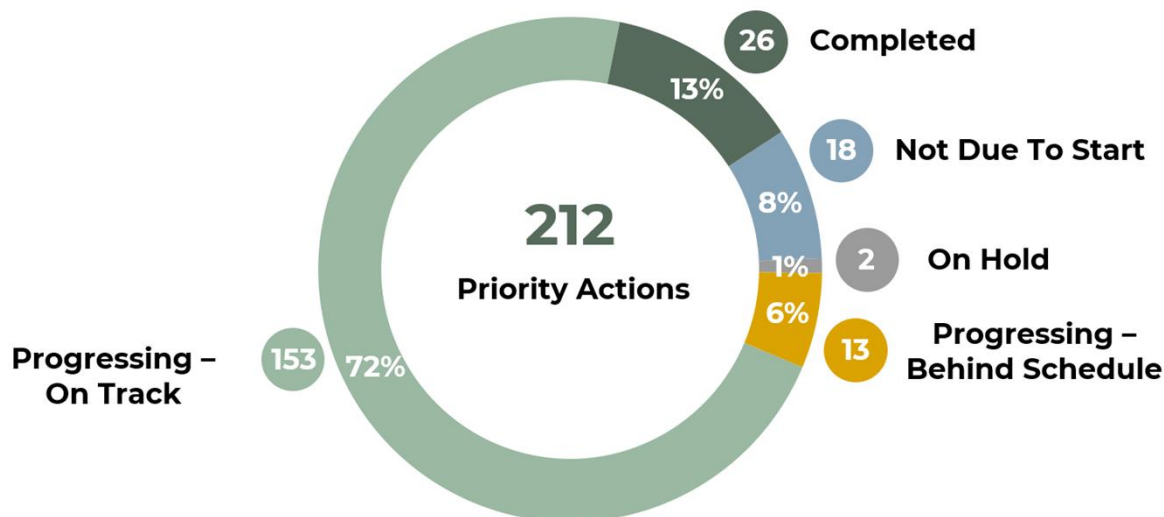
#### **BACKGROUND**

Under the Local Government Act 1993 and the Integrated Planning and Reporting (IP&R) Framework, Council must maintain a Delivery Program outlining its key activities and responsibilities in achieving the goals of the Community Strategic Plan, Winge Carribee 2041, within available resources. Annually, Council adopts an Operational Plan detailing priority actions for the financial year and is required to report on progress.

#### **QUARTERLY PROGRESS REPORT**

This Quarterly Review reports outcomes against Council's Delivery Program and Operational Plan 2024/25 for the quarter ended 31 December 2024. Progress for each service is reported against one of the five themes of the Community Strategic Plan. In some cases, these services and activities will be contributing to multiple themes and therefore will be presented under the best fit goal.

A summary of progress for the December Quarter 2024 is outlined below:



Key Highlights from December Quarter 2024 by theme include:

#### **Leadership**

Council's Customer Experience Team won the National Customer Service Team of the Year award at the 2024 National Local Government Customer Service Awards, recognising their dedication to exceptional service, strong community relationships, and enhanced customer satisfaction.

#### **People**

Council hosted the Southern Highlands Arts Trail in November, featuring more than 40 local studios. The event encouraged cultural engagement, supported local creatives, and boosted regional tourism by inviting visitors to explore the area's broader offerings.

#### **Places**

The Bundanoon Railway Station reopened after a major restoration funded by the NSW Government's Community Heritage Program, in collaboration with Council and community groups. The project preserved historic features, introduced new signage, and highlighted the station's role in the railway network.

#### **Environment**

Council adopted the Biosecurity Weed Control Program 2024-2029, targeting local weed threats such as Yellow Flag Iris and Ox Eye Daisy. The program prioritises management through the Weed Risk Management System, enforces compliance, and includes community education initiatives.

#### **Economy**

Council's Kaleidoscope Street Festival transformed Mittagong into a vibrant event space on 16 November, supported by a \$150,000 NSW Government grant. The festival featured live music, global cuisine, cultural performances and interactive art, receiving overwhelmingly positive community feedback.

### **QUARTERLY BUDGET REVIEW STATEMENT**

This report includes necessary income and expense adjustments for the quarter. The budget is regularly reviewed, and changes are updated through the Quarterly Budget Review Statement (QBRs) when differences from the adopted budget are identified.

Material changes for the December 2024 QBRs review include:

#### **Income Adjustments**

- \$422K decrease in lease and rental income to reflect forecast actuals duplicated in the original budget.
- \$458K increase in rate revenue to reflect year to date actuals.

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- \$72K increase in interest revenue to reflect year to date actuals.

**Operating Expenditure Adjustments**

- \$288K reduction of salary vacancy factor incorporated to reflect savings throughout the year where positions are vacant during recruitment.
- \$190K increase in operating expenditure to recognise carryover funds not considered as a part of the revotes process where projects have incurred expenditure during the year.
- \$3.64M deferral of Welby Landfill Remediation project is not expected to commence until the 2025/26 financial year. Operating expenditure as well as funding source budgets have been adjusted to enable the project to continue into next financial year.

**Capital Expenditure Adjustments**

- \$465K reduction in general revenue-funded capital works. Savings from SRV-funded projects (Boundary Road and Old South Road) have been reallocated to improvement works on Government Road, James Street, and Loris Street, as well as heavy patching.

Council resolved the following in relation to the Quarterly Budget Review at the February 2024 Council meeting:

*“Request the General Manager to provide a short commentary on any line item incorporated in the quarterly financial statement with a variation of plus or minus \$20,000 to ensure that any resident can understand underlying reasons, amongst other things, for both operating and capital adjustments to the March 2024 meeting, together with full time equivalent staff at the end of each quarter”*

Description	Category
<b>\$458K</b> Increase in rate revenue, adjusted to align with projected actuals.	Income
<b>\$72K</b> Increase in interest revenue, adjusted to align with projected actuals	Income
<b>\$81K</b> Decrease in forecast facilities rental income from Country Golf Club.	Income
<b>\$87K</b> Decrease in forecast lease revenue - Mittagong Caravan Park Lease	Income
<b>\$28K</b> Decrease in forecast lease revenue - Sutton Forest Hall Lease Income.	Income
<b>\$24K</b> Decrease in forecast lease revenue - Highlands Golf Club Lease	Income
<b>\$98K</b> Decrease in forecast lease revenue - WIN Television NSW Mt Gibraltar Bowral	Income
<b>\$100K</b> Increase in TfNSW Black Spot grant - Nowra Road Safety Improvements.	Income
<b>\$100K</b> Increase in TfNSW Black Spot grant - Old Hume Hwy Widening.	Income
<b>\$100K</b> Increase in income for RFS Ember Protection Works.	Income
<b>\$288K</b> Reduction in salary vacancy factor (credit).	Employee Costs
<b>\$80K</b> Decrease in salary costs, reallocated to Materials & Contracts.	Employee Costs
<b>\$46K</b> Increase for Bowral South New Living Area Flood Impact and Risk Assessment.	Materials & Contracts
<b>\$95K</b> Reclassification from Capital Expenditure to Operating Expenditure for Cyber Security Penetration Testing.	Materials & Contracts
<b>\$80K</b> Increase for Jigsaw - Offsite Scanning Project funded by employee costs savings.	Materials & Contracts
<b>\$33K</b> Increase in Property Services to recognise carryover funds from last year, not included in the original budget.	Materials & Contracts
<b>\$24K</b> Increase for Legal costs and subscriptions relating to People and Culture.	Materials & Contracts
<b>\$26K</b> Increase to recognise carryover funds for Public Cemeteries.	Materials & Contracts
<b>\$54K</b> Increase for Community & Recreational Facilities Strategy - Carryover funds (\$25K transferred from internal).	Materials & Contracts
<b>\$20K</b> Decrease for Pavement Management Software Data Collection.	Materials & Contracts
<b>\$30K</b> Increase for Stormwater Quality Improvement Devices - Carryover funds.	Materials & Contracts

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Description	Category
<b>\$3.04M</b> Decrease for Welby Rehabilitation - Phased to 2025/26.	Materials & Contracts
<b>\$106K</b> Increase for Fleet Operations Expenditure funded from fleet reserve (no net impact)	Materials & Contracts
<b>\$40K</b> Increase for Depot & Maintenance Operations, funded from reserve (no net impact) (Drum Maintenance)	Materials & Contracts
<b>\$27K</b> Increase for Local Studies - Reclassified from Capital Expenditure to Operating Expenditure (no net impact).	Materials & Contracts
<b>\$150K</b> Increase for Koala Habitat Mapping - Grant funded (no net impact).	Materials & Contracts
<b>\$74K</b> Increase for Bushland Restoration and Weed Management, funded from the environment levy (no net impact).	Materials & Contracts
<b>\$3.04M</b> Decrease for Welby Rehabilitation - Sewer Fund Component - Phased to 2025/26.	Land
<b>\$597K</b> Decrease for Welby Rehabilitation - Domestic Waste Component - Phased to 2025/26.	Land
<b>\$25K</b> Transfer for funds for Depot Security Upgrades.	Plant & Equipment
<b>\$132K</b> Reclassification from Capital Expenditure to Operating Expenditure for Cyber Security Penetration Testing (no net impact).	Plant & Equipment
<b>\$60K</b> Increase for Bowral Memorial Hall Fit-Out relating to compliance works for the piano lift.	Plant & Equipment
<b>\$185K</b> Decrease in Old South Road Renewal - Delivered under budget.	Roads
<b>\$200K</b> Increase in Road capital Renewal expenditure, offset by grant income (no net impact)	Roads
<b>\$420K</b> Decrease for Boundary Road Pavement Rehabilitation as work is complete.	Roads
<b>\$60K</b> Increase for Pavement Rehabilitation.	Roads
<b>\$30K</b> Increase in footpath capital expenditure for Hoddle Street Footpath Design.	Footpaths
<b>\$45K</b> Increase in footpath capital expenditure for Moss Vale to Bowral Pathway Design.	Footpaths
<b>\$160K</b> Increase for Saleyards Canteen Fitout.	Building and Other Structures
<b>\$36K</b> Increase for Saleyards Main Contract Yards Proway.	Building and Other Structures
<b>\$100K</b> Increase in capital expenditure for RFS Ember Protection Works.	Building and Other Structures
<b>\$27K</b> Decrease for Local Studies - Reclassified from CAPEX to OPEX (no net impact).	Other
<b>\$50K</b> Increase for Davy Lanes - Stormwater assets.	Stormwater Assets
<b>\$60K</b> Decrease for William Street Drainage (near Charles) - Return to SRV (stormwater assets).	Stormwater Assets
<b>\$240K</b> Decrease for Shepherd St Stormwater Upgrade (Design) - Return to SRV (stormwater assets).	Stormwater Assets
<b>\$150K</b> Increase for Wombeyan Caves Rd Bullio Creek Causeway (Design) - From SRV (stormwater assets).	Stormwater Assets
<b>\$100K</b> Allocation for Berrima Rd & Lytton Rd Stormwater Renewal.	Stormwater Assets
<b>\$70K</b> Increase for Containment - Designs.	Sewer
<b>\$70K</b> Increase for Robertson STP Effluent Dam Hardstand.	Sewer

These adjustments are captured within the Statutory and Non-Statutory attachments to this report.

**Attachment 2**, The Statutory Quarterly Budget Review Statement Report, complies with the requirements outlined in the Integrated Planning and Reporting framework and the reporting requirements of the Office of Local Government.

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**Attachment 3**, The Non-Statutory Quarterly Budget Review Statement report, provides additional information at the Coordinator level (Organisational Level 4), aligning with the Principal Activity detailed in the adopted 2024/25 Operational Plan and Budget.

### GRANT UPDATE

#### Grant Debtors

The following significant grant related debtors and contract assets are carried on the balance sheet as of 30 December 2024.

Grant	Funding Body	Type	Amount
Disaster Recovery Funding Arrangement (DRFA) for Storm / Flood February, July, October (2022).	Transport for NSW	Operating	\$6.21M
Retford Park Detention Basin	Department of Climate Change, Energy, the Environment and Water	Capital	\$1.37M

The nature of the DRFA is that the payment is not made until after the claims are assessed by Transport for NSW. A DRFA Contract Asset was included in Council's balance sheet as at 30 June 2024 to represent the claim lodged. The nature of this funding arrangement has had a temporary impact on Council's cash position.

The Council received \$130,636 in payments towards the contract asset during the December Quarter, reducing the asset from \$6.35M to \$6.21M. Advocacy efforts continued throughout the December Quarter, with expectations that outstanding claims will be finalized by the end of the 2024/25 financial year. It is noted that \$623K of the outstanding claims is ineligible for reimbursement under the DRFA Guidelines due to these charges being day labour. Advocacy will continue to ensure that all DRFA funds are collected promptly.

#### Grant Applications for the Quarter

From 1 October 2024 to 31 December 2024, Council received notifications of successful outcomes for three grant applications totalling \$365,135. Council was also informed of unsuccessful outcomes for nine grant applications, valued at \$9,005,466. As of 31 December 2024, there are 21 pending grant applications worth \$22,946,272

Outcomes for Quarter 2	Number	Value
Successful Applications	3	\$365,135
Unsuccessful Applications	9	\$9,005,466
Pending Outcome as at 31/12/2024	21	\$22,946,272

It is noted that Council was advised of being successful in funding to revitalise the Mittagong Playhouse in January 2025 for \$4.325 million.

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

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**Investing in our Future Special Rating Variation (SRV) Update**

The Investing in our Future SRV is used to fund specific expenditure on the following asset classes for maintenance and capital related works. The table below sets out the expenditure compared with Council’s 2024/25 budget.

	Original Budget (2024/25)	Adopted Budget (Q1 2024/25)	Proposed Q2 Budget (2024/25)
<b>Maintenance</b>			
Roads	\$609,275	\$609,275	\$609,275
Buildings	\$1,231,910	\$1,231,910	\$1,231,910
Parks	\$0	\$0	\$0
Drainage	\$25,956	\$25,956	\$25,956
<b>Total Maintenance</b>	<b>\$1,867,142</b>	<b>\$1,867,142</b>	<b>\$1,867,142</b>
<b>Capital</b>			
Roads	\$7,778,389	\$9,606,399	\$9,606,399
Buildings	\$65,493	\$220,866	\$220,866
Parks	\$17,288	\$243,025	\$243,025
Drainage	\$4,511,742	\$6,508,766	\$6,508,776
<b>Total Capital</b>	<b>\$12,372,912</b>	<b>\$16,579,066</b>	<b>\$16,579,066</b>

**Unrestricted Working Capital Position**

The forecast working capital position for 30 June 2025 is summarised as follows:

Description	Working Capital (\$)
Opening Balance (Carried forward from 23/24)	\$6.076M
Original Budget Surplus	\$0.054M
September 2024 Quarterly Budget	-
December 2024 Quarterly Budget	-
<b>Forecast Working Capital as of 30 June 2025</b>	<b>\$6.13M</b>

Council’s Working Capital is the available funds allocated to satisfy its short-term financial obligations and be used to temporarily fund any unforeseen financial emergencies. Council’s minimum working capital position is \$5.8M and currently forecast to be \$6.13M as at 30 June 2025.

**Performance Improvement Order**

On 19 September 2024 the Minister for Local Government, The Hon. Ron Hoening issued Wingecarribee Shire Council with a Performance Improvement Order for 12 months. The PIO issuance was based on several key factors, including:

- Financial discipline and sustainability
- Access to expertise and engagement



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- Strong governance processes
- Strategic decision making
- Implementation of Glover Inquiry recommendations

As a part of the PIO Council is required to provide a quarterly compliance report to include:

1. The quarterly business reporting statement
2. Use of the councillor request system
3. Any determinations of 'acts of disorder' made at council meetings.

Additionally, as a part of the first report Council is required to include a copy of Council's Operational Plan and Long-Term Financial Plan, adopted Code of Meeting Practice and Councillor and Staff Interaction Policy.

The Quarterly PIO Compliance Report is included in **Attachment 5** to this report.

### **STATUTORY REPORTING REQUIREMENTS**

#### **Quarterly Budget Review Statement**

Clause 203 of the Local Government (General) Regulation 2021 requires council's responsible accounting officer to prepare and submit a quarterly budget review statement to Council. This report must be provided within two months after the end of each quarter (except the June quarter) and must include:

- The revised estimate of expenditure and revenue for the year by reference to the original estimates set out in the operational plan.
- A report as to whether the responsible accounting officer believes that the statement indicates that the financial position of the council is satisfactory, having regard to the original estimate of income and expenditure, and if that position is unsatisfactory, recommendations for remedial action.

#### **Monthly Investment Report**

Clause 202 of the Local Government (General) Regulation 2021 requires council's responsible accounting officer to provide council with a written report (setting out the details of all money that the council has invested under section 625 of the Act) at the monthly council meeting. The report must be made up to the last day of the month immediately preceding the meeting. Due to the timing of the December 2024 Council meeting, the information to prepare the November 2024 investments report was not readily available and could not be presented at the December 2024 meeting. Both the November 2024 and December 2024 Investments reports, along with the January 2025 investments report are being presented to this Council meeting.

#### **Review of Statutory and Non Statutory Financial Reporting**

By aligning financial reporting to statutory requirements, the following are recommended to cease:

- Monthly Financial Report – beginning February 2024, as resolved by Council, a monthly financial report is provided to Council. This reporting requirement is above statutory obligations and intended to provide meaningful financial information to Council and the community. Due to the lead time of preparing the financial information within the monthly financial reports, the information contains several caveats. The information contained within the Monthly financial reports is also within Quarterly Budget Review Statement (QBRS), including reporting on actuals. It is recommended to cease monthly reporting and focus on presenting financial updates as a part of the QBRS each quarter.
- Non-Statutory Financial Attachment - Quarterly Budget Review Statement – This attachment is the non-statutory financial information presented at Attachment 3 of this report. The financial information provided in this attachment is presented in line with Principal Activity, aligned to the adopted Operational Plan. This financial information is currently contained within the statutory attachment of the QBRS (Attachment 2) and replicated in the non-statutory attachments. This only additional reporting captured in the non-statutory Financial Attachment is transfer of funds between Principal Activities which have no net impact on Council's bottom line. In order to

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streamline financial reporting and information to Council, it is recommended that this attachment no longer be provided as a part of the any future QBRS, noting the information is already captured within the financial statutory attachments.

- Commentary on budget adjustments within the QBRS with the body of the Council report – In February 2024, Council resolved, for any budget adjustments above the amount of \$20,000 to be reported in the body of the Council report. It is proposed to increase this reporting threshold to \$100,000 and ensure commentary is covered on items that may expose Council to any potential financial risk. It is noted that all budget adjustments currently presented in the body of the Council report are covered in the statutory component of the QBRS. It is recommended to increase the financial threshold from \$20,000 to \$100,000 with the body of the future Council reports.

It is recommended that these changes will be incorporated into the March 2025 QBRS and continue thereafter.

### **COUNCIL BUDGET IMPLICATIONS**

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The budget adjustments listed in the attachments have no net impact on Council's unrestricted working capital position.

### **LINK TO STRATEGY**

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This report relates to the Community Strategic Plan 2041 Theme and Goal:

Leadership - 1.1 Ethical and trusted levels of government that work together in the best interest of the Shire.

### **ATTACHMENTS**

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1. Quarterly Progress Report - December 2024 [**8.8.1** - 93 pages]
2. QBRS - Statutory - Final [**8.8.2** - 24 pages]
3. Non- Statutory - Final [**8.8.3** - 91 pages]
4. Grants Update [**8.8.4** - 2 pages]
5. PIO Compliance Report February 2025 [**8.8.5** - 3 pages]

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## **8.9 Colo Vale Playspace - Project Update**

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**Report of:** Justin Allen  
Project Supervisor

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

### **PURPOSE**

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The Purpose of this report is to seek Council endorsement to proceed with Concept Design Option B for the Colo Vale Railway Park playspace and for a pump track to instead be pursued at a more appropriate location in Jurd Park.

### **OFFICER'S RECOMMENDATION**

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#### **THAT:**

- 1. Council proceed with Concept Design Option B for the Colo Vale Railway Park in response to community consultation outcomes and site-based constraints.**
- 2. The Jurd Park Masterplan is reviewed to identify suitable location for inclusion of a modest pump track and skate facility, with construction to then be delivered through future funding opportunities.**

### **REPORT**

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#### **BACKGROUND**

At the Ordinary Council meeting of 20 September 2023, Council resolved:

*Council allocate the balance of net proceeds from the sale of 42 Banskia Street, Colo Vale (\$327,000) to the upgrade of facilities at Colo Vale Railway Park. MN2023/505.*

As detailed within the report, the selection of this location was recommended following a collaboration meeting between Council and the Colo Vale Community Association (CVCA), and the subsequent consultation CVCA conducted via the community Facebook groups.

The land on which the Colo Vale Rail Park is located is owned by Transport Asset Holding Entity (TAHE) and so prior to delivering any works Council requires a license agreement over the portion containing the park.

After extensive communication and collaboration with TAHE, Council secured a licence for the land in June 2024 – which enabled the park upgrade works to be released to the market for quote.

#### **PLAYSPACE DESIGN**

Results from earlier community engagement efforts were used to inform the scope released to market through the request for quote (RFQ) for design and construction of the playspace upgrade.

The top three items requested through the community engagement were:

- Pump Track - 28 requests
- Skate Elements - 22 requests
- Swings - 20 requests

And so these, along with other minimum inclusions like fencing and connecting paths, were included within the RFQ.

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As part of the RFQ, all submissions required two concept designs that align with available budget to be submitted – with community consultation to then be conducted to finalise the final selection of design.

From the submissions received, Moduplay Pty Ltd was assessed as the preferred contractor and so community consultation was subsequently completed on the two submitted concept designs.

Concept Design Option A features the provision of a three-bay set of swings and a modular skate park (similar to what is provided at Hampden Park Robertson).

Concept Design Option B also features the provision of a three-bay set of swings, but lieu of the modular skate park it provides a large combination unit including two slides and a climbing course – as well as a learn to ride loop with linemarking and humps.

The options are attached to this report.

A three-week community consultation consisting of online participation and two “in person” sessions were held at the Colo Vale Hall

### **CONSULTATION OUTCOMES**

The community were asked to vote on Concept Design Option A or Option B over the 3-week period. The consultation was supported through letter box drops, media release, in person consultations, flyers and the online participation page.

The details of the engagement were:

- 152 total participants, with the average age of participants being 26 – 35.
- 144 people completed the online survey and contributed towards the decision.
- 36 people who actively follow the page and 15 new followers.
- 522 views of the page. Of these people, 86.5% (326 people) were first time visitors so they would have seen the opportunity to participate in the survey through the flyer, Council’s socials and e-news.
- Peak visitation date was 21 November.
- 40.9 % of referrals to the page came from social media, 46.9% found the page directly and 10.2% came via a website (i.e. Council website).
- The QR code had a total of 42 scans.

The results of the community engagement were:

- Option A (Swing & Skate Park) - received 38 votes (25%)

Several respondents appreciated the inclusion of skate elements, which ties in with the results from the 2023 initial consultation. However, many respondents raised concerns with the limited potential of the play space to satisfy families and younger children, highlighting the limited target demographic this option caters to with inclusions targeting predominantly pre-teen and teenage males.

Multiple concerns were raised with the risk of increasing anti-social behaviour which had been highlighted as an existing issue in the area.

Further concerns were raised with the ability of this option to integrate into the heritage precinct of the area and potentially obstruct the view of the heritage railway station which is set to be revitalised as part of the Loop Line Project. These comments reflect those of TAHE and Transport Heritage (THNSW).

- Option B (PlaySpace & Skate/Learn to Ride Track) - received 114 votes (75%)

This option was overwhelmingly favoured, as it catered to a broader demographic. Many features such as the swings, Ziplines and Slides aligning with residents' requests in the 2023 consultation.

Popular features included the play tower and the learn-to-ride track, with residents particularly pleased with the integration of ride and skate elements through the learn-to-ride track. Feedback for this option was positive and supportive, with strong support for the playground as a community and tourism attraction integrating with the Loop Line Project.

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Within these votes, 21 suggested that the facility could be further improved through inclusion of a pump track or skate park/elements.

- Transport Heritage NSW (THNSW)

During the consultation process, Council also received the following comment from THNSW:

*"THNSW is supportive of the Colo Vale PlaySpace project, and are appreciative to have been asked for feedback on the concepts, which is as follows:*

*Concept A: Swing & Skate Area*

- *THNSW is strongly opposed to this concept, primarily due to the inclusion of the skate park. THNSW opposes the skate park due to:*
  - o *Impact on heritage sightlines for the State Heritage Listed 1860's era Railway Station building and environs*
  - o *Impacts the THNSW customer experience arriving at a heritage precinct with the skate park adjacent*
  - o *Risk of increasing anti-social behaviour, which we note has been reported in this location by community members*
  - o *Target demographic excludes younger children*

*Concept B: PlaySpace & Skate/Learn to Ride Track*

- *THNSW favours Concept B, as:*
  - o *It enhances the play-space significantly*
  - o *It appeals to a wide range of ages / audiences*
  - o *It is less intrusive than Concept A and doesn't detract from the heritage sightlines*

### **RECOMMENDATION**

It is recommended that Council proceed with the delivery of Concept Design B at Colo Vale Railway Park.

Concept Design B will deliver an exciting playspace offering a range of play outcomes – including swings, climbing structures, slides and a learn to ride loop. The facility will complement the heritage Loop Line Project and has the full support of Transport Heritage NSW and Transport Asset Holding Entity – which is a fundamental requirement for project commencement.

That withstanding, it is accepted that there is significant community support for the provision of a modest pump track and skate facility. The landownership and sizing constraints of Colo Vale Railway Park are such that it is not viable to deliver such a facility in this location. Jurd Park, located off Acacia Street Colo Vale, would be a more suitable location for a facility like this – where there is dedicated off-road parking, the site is close to Colo Vale Public School and the facility would compliment the existing playspace and future half-court basketball court.

The pump track and skate facility could then be delivered in conjunction with the half-court basketball court when suitable future funding opportunities arise.

Upon consideration of site constraints and community engagement results, it is recommended that Council proceed with the delivery of Concept Design B at Colo Vale Railway Park, and that the more suitable location of Jurd Park Colo Vale be pursued for the provision of a modest pump track and skate facility.

### **COUNCIL BUDGET IMPLICATIONS**

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The full delivery of Concept Design B at Colo Vale Railway Park can be accommodated within the existing project budget.

The delivery of a pump track and skate facility, in conjunction with a half-court basketball court, would be subject to future funding opportunities.

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**LINK TO STRATEGY**

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This report relates to the Community Strategic Plan 2041 Theme and Goal:

Places - 3.3 Liveable and sustainable communities.

**ATTACHMENTS**

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1. Moduplay - Colo Vale Railway Park Concept Options [**8.9.1** - 2 pages]

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## **8.10 Playspace Adjacent to David Wood Playing Fields - Naming Proposal for Public Exhibition**

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**Report of:** Karin Targa  
**Manager Project Delivery**

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

### **PURPOSE**

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The purpose of this report is to seek Council endorsement for the proposed naming (Murraural 4K Playspace) of the new playspace currently under construction adjacent to David Wood Playing Fields to be placed on public exhibition for a period of twenty eight (28) days.

### **OFFICER'S RECOMMENDATION**

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#### **THAT:**

- 1. The proposal to name the new playspace under construction adjacent to David Wood Playing Fields the "Murraural 4K Playspace" be endorsed for public exhibition for a period of twenty eight (28) days.**
- 2. A post exhibition report on the naming proposal to then be submitted to an Ordinary Council Meeting for final determination on the matter.**

### **REPORT**

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#### **BACKGROUND**

The David Wood Playspace project is currently under construction, an inclusive playspace delivered with funding provided by Council, NSW Governments Stronger Country Community Fund grant, the Retford Park Planning Agreement and funding from local community group The 4K.

Council entered a Memorandum of Understanding (MoU) with The 4K charity organisation on 14 February 2023. With an original \$220,000 financial contribution to the project from The 4K, Council committed to "*Recommend to Council that the project on completion be named the David Wood field 4K Playspace (or similar)*". The 4K have been involved through the project in design reviews and accessible playspace equipment selections that align with The 4K core objectives. A donor board will also be provided at the playspace to recognise the large donation from The 4K.

The proposal to name the playspace the Murraural 4K Playspace has resulted from community consultation undertaken as part of the design process.

A first round of community consultation on the playspace design occurred in September 2022, with a key community insight being the opportunity for "*Indigenous historic interpretation/storytelling and connection to the adjacent cultural heritage*".

A second round of community consultation occurred in September 2023 in partnership with the Wingecarribee Aboriginal Network, resulting in suggestions to celebrate the Journey of *Gurangatch* and *Mirrigan*. This creation story involves the landmark *Murraural*, a waterhole at the junction of the Wollondilly and Wingecarribee Rivers. This creation story has influenced the design and inclusions of the playspace, and can be read further in the below article on the Jenolan Caves website.

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### [Gurangatch and Mirragan — Jenolan Caves](#)

Summaries of both community engagements are attached to this Council report.

The Illawarra Local Aboriginal Land Council (ILALC) was consulted in regard to the proposed naming and feedback was that as *Murraural* derives from the Gundungurran language support should be gained from the Local Elder/s, who were consulted during the second round of community consultation.

#### **DISCUSSION**

Recognising the above, it is proposed to name the new playspace the **Murraural 4K Playspace**. The proposal does not involve the changing of the name David Wood Playing Fields, it is solely to name the playspace itself.

Submitting this proposal via a Council report for public exhibition is consistent with the requirements under Council's *Public Memorials Policy Guidelines* (October 2020) for the naming of public spaces.

The proposal also aligns with the Geographical Names Board (GNB) of NSW Policy on *Place Naming* (June 2019), which provides guidance in the selection of place names. Section 9.2 states;

- *Aboriginal names are encouraged as the name to be used for any feature that currently does not have a name recognised by the GNB.*
- *Names acknowledging the multicultural nature of NSW are encouraged.*
- *A name suggested for any place that owes its origin to the peculiarity of the topographic feature designated such as shape, vegetation, animal life etc. may be accepted.*

Section 9.5 of the policy also recommends naming proposals being supported by a Council resolution.

The Department of Regional NSW, responsible for the Stronger Country Communities Fund which is co-funding the project and The 4K have been consulted regarding the naming of the new playspace. In principal support from the Department of Regional NSW was given for the proposal conditional on the naming convention including the Aboriginal component of the name first.

A twenty eight (28) day public exhibition of the proposed playspace naming will present another opportunity for community engagement, at which point a further report would then be submitted to Council containing community feedback for consideration prior to final adoption of the playspace name.

It is recommended that Council endorse the proposed naming (Murraural 4K Playspace) of the new playspace currently under construction adjacent to David Wood Playing Fields to be placed on public exhibition for a period of twenty eight (28) days.

#### **COUNCIL BUDGET IMPLICATIONS**

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There are no budget implications as part of this report.

#### **RELATED COUNCIL POLICY**

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Submitting this proposal to Council via a Council report for public exhibition is consistent with the requirements under Council's *Public Memorials Policy Guidelines* for public spaces.

#### **LINK TO STRATEGY**

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This report relates to the Community Strategic Plan 2041 Theme and Goal:

Places - 3.2 Unique towns, villages and rural landscapes.

#### **ATTACHMENTS**

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1. David Wood Playspace Initial Concept Design Engagement [8.10.1 - 6 pages]
2. David Wood Inclusive Adventure Playground First Nations Engagement [8.10.2 - 4 pages]



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## **8.11 Southern Regional Livestock Exchange - Canteen Renovation Timeline**

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**Report of:** James Borbone  
**Acting Manager Business and Property Services**

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

### **PURPOSE**

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The purpose of this report is to provide Council with an update on the canteen renovation project at the Southern Regional Livestock Exchange (SRLX). The canteen upgrade is an adopted priority action in the 2024 – 2025 Operational Plan and Budget and is funded from the capital contribution levy reserve.

### **OFFICER'S RECOMMENDATION**

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**THAT the Canteen Renovation - Southern Regional Livestock Exchange timeline be noted.**

### **REPORT**

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#### **BACKGROUND**

At the council meeting on 11 December 2024, it was resolved:

*MN 2024-373*

*THAT Council staff prepare a timeline for Delivery on the renovation of the Canteen at the Southern Regional Livestock (SRLX) Exchange.*

#### **DISCUSSION**

The SRLX canteen operated until July 2021, ceasing due to service delivery challenges by the incumbent hirer. Over the following year, multiple attempts to secure a new operator were unsuccessful.

In May 2022, an expression of interest was submitted to reopen the canteen rent-free. However, this proposal was declined as the facility did not meet compliance requirements for a commercial catering space. As an interim measure, an external food truck was introduced, though its capacity and location outside the sales arena remain limiting factors. This arrangement is still currently in place.

Based on key stakeholder, vendor and community feedback, the SRLX canteen was included in the 2024–2025 Operational Plan and Budget. A meeting on June 6, 2024, between key Council representatives, the Administrator and SRLX Agents determined that capital contribution funds should be allocated to upgrading and reactivating the canteen as the priority project.

Council has initiated the upgrade project, including required works to ensure the canteen meets commercial food facility compliance. The project timeline is outlined below:

<b>Item</b>	<b>Date</b>	<b>Completed</b>
Procurement release date	Tuesday 19 November 2024	Yes
Briefing / Site inspection	Monday, 25 November 2024	Yes

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<b>Item</b>	<b>Date</b>	<b>Completed</b>
Clarifications and Questions Closing Time and Date	Tuesday, 26 November 2024	Yes
Procurement Closing Date	Tuesday, 3 December 2024	Yes
Procurement Evaluation Completion	Tuesday, 10 December 2024	Yes
Issue letter of acceptance	Monday, 16 December 2024	Yes
Anticipated project commencement	Monday, 3 February 2025	Delayed*
Anticipated project completion	Tuesday, 1 April 2025	On track

*\*Project commencement is delayed whilst construction documentation is updated however this is not expected to impact on the anticipated project completion date.*

Works at the SRLX began on February 10, 2025, and remain on schedule as outlined in the November 2024 communications. Updates will continue throughout construction, and lease discussions are underway.

**COUNCIL BUDGET IMPLICATIONS**

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The SRLX canteen is funded through the capital contribution levy which are held in reserve. The works need to ensure the canteen meets the compliance requirements of a commercial food facility. The costs of the project are as follows:

Construction Works	\$160,602.65
Contingency	\$16,060.27
Project Management Fees	\$12,045.20
Total	\$188,708.11

**LINK TO STRATEGY**

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This report relates to the Community Strategic Plan 2041 Theme and Goal:

Economy - 5.3 A thriving and diverse agricultural industry.

**ATTACHMENTS**

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NIL

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## **8.12 Moss Vale Sewage Treatment Plant License Breach**

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**Report of:** Graeme Mellor  
Manager Water Services

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

### **PURPOSE**

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To inform Council of the Moss Vale Sewage Treatment Plant (STP) EPL 1731 licence breach in December 2024, the subsequent Environment Protection Authority (EPA) Clean Up Notice and the extensive actions taken by Council to address the situation.

### **OFFICER'S RECOMMENDATION**

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#### **THAT:**

- 1. The circumstances leading to the Moss Vale STP breach of licence event be noted, including:**
  - a. the plant operating beyond its design capacity**
  - b. delays in the construction of a new plant to meet capacity, and**
  - c. the escalated hot dry weather period in December and January.**
- 2. The actions taken to address the Moss Vale STP breach of licence be supported, including:**
  - a. proactive reporting of a potential licence breach**
  - b. self-reporting of the actual licence breach to Regulatory Authorities**
  - c. Continued consultative cooperation with the Regulatory Authorities and expert engineering consultants to implement identified interim plant improvement works to assist in maintaining compliance with licence requirements, whilst the construction of the new, larger plant is continued.**

### **REPORT**

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#### **BACKGROUND**

Wingecarribee Shire Council is currently constructing a new 21,000 Equivalent Population (EP) Sewage Treatment Plant (STP) in Moss Vale to improve wastewater management for the community. Grant funding towards the new plant was secured in 2023. However, until the new plant is operational, the existing STP, dating back to 1994, is being operated at its maximum capability and beyond its original design capacity of 9,000 EP, to meet the stringent environmental standards set by the Environment Protection Authority (EPA). The plant was noted as being at capacity in 2018 and subsequently, at more than 10% above capacity in 2020.

With the summer seasonal weather already being notably warmer and drier than recent years, the capability of the process at the plant is proving particularly challenged in this environment.

This has resulted in a licence breach in December 2024 downstream of the plant in relation to discharged ammonia and resultant decreased dissolved oxygen (DO) levels in Whites Creek.

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### **DISCUSSION**

The Moss Vale STP is a biological process and requires oxygen to function. As the workload increases, the biomass requires more oxygen to succeed. The original design of the plant means there is a limit to the amount of oxygen that can be supplied. This has been insufficient compared to the increased loading. The result has been that the biomass has been unable to meet the workload, resulting in the breach of licence.

Council has been working hard to anticipate and react to the conditions that have emerged and have been pro-active and transparent in its consultation and communication with both our Environment Protection Authority (EPA) and Department of Climate Change, Energy, the Environment and Water (DCCEEW) regulators in searching for an interim solution ahead of the new larger plant being completed.

In response to the breach in licence episode across December 2024 and early January 2025, the EPA issued Council a Clean Up Notice which includes the directive to :

- create a community engagement strategy including a webpage to provide information about the incident, including up to date environmental monitoring data, to inform the community.

<https://www.wsc.nsw.gov.au/Residents/Water-and-Sewer/Regulatory-Reporting-and-Monitoring-Data/Moss-Vale-Sewage-Treatment-Plant-EPL-1731-Licence-breach>

- Engage a independent Waste Water expert to assess and advise on corrective actions undertaken to date and potential improvements to the operations of the plant
- Engage an environmental consultant to review the environmental monitoring data and access the likely effects on the immediate environment.

As of 19<sup>th</sup> January, the Moss Vale STP was operating fully within licence limits, with Council having achieved full compliance with all directives of the Clean Up Notice by 29 January 2025.

### **HIGH LEVEL TIMELINE OF EVENTS**

26 November - Council proactively reported a pre-notification to the EPA of an anticipated 90<sup>th</sup> percentile exceedance in licence conditions.

1 December - Council received confirmation of a 90<sup>th</sup> percentile exceedance and formally notified the EPA in accordance with the licence conditions.

6<sup>th</sup> December - Council participated in a meeting with both the EPA and DCCEEW, running through the options Council had investigated and applied to date at the site, particularly focused on increasing air transfer rate to feed the biomass more air. Council discussed the then future options to be investigated and implemented including options suggested by DCCEEW and EPA.

9<sup>th</sup> January - the EPA held a meeting with Council and informed they were issuing the Clean Up Notice, instructing Council in respect Community Notification, Environmental Assessment and expert Wastewater Treatment consultation to address the issues being experienced and to bring the plant back into licence.

13<sup>th</sup> January - Council formally engaged the independent environmental consultant and independent wastewater specialists to complete the reporting requirements stipulated by the EPA in the Clean Up Notice.

29<sup>th</sup> January – Council sent through to the EPA the independent environmental and wastewater specialist reports, achieving full compliance with the Clean Up notice. These reports were supportive of Councils actions; the environmental consultant writing that they had observed no evidence of impacts of pollution or harm to the aquatic environment.

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Moss Vale STP is currently operating beyond its original design capacity and as a result of weather conditions experienced across December 2024, there was a licence breach downstream of the plant in relation to discharged ammonia and resultant decreased dissolved oxygen (DO) levels in Whites Creek.

Council has subsequently worked closely with the EPA and DCCEEW to comply with all subsequent requirements and to enact practical solutions to ensure the STP can maintain licence conditions until completion of the large \$60M Moss Vale STP Upgrade project currently in progress. As of 19<sup>th</sup> January, the plant has been operating back within licence.

### **COUNCIL BUDGET IMPLICATIONS**

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There have been no significant budget implications as result of this incident. Actions and activities to date have been accommodated within existing budgets.

It must be noted that it is within the delegation of the EPA that fines can be retrospectively issued for breach of licence.

### **LINK TO STRATEGY**

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This report relates to the Community Strategic Plan 2041 Theme and Goal:

Environment - 4.1 A protected, healthy and diverse natural environment.

### **ATTACHMENTS**

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1. s.91 Clean-up Action - Licensed (1) Jan 2025 [8.10.1 - 7 pages]
2. Letter to EPA - Moss Vale Sewage Treatment Plant [8.10.2 - 3 pages]

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## **8.13 Consolidated Development Control Plan Consultant Engagement**

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**Report of:** Susan Stannard  
**Acting Manager Strategic Outcomes**

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

### **PURPOSE**

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To advise Council of the engagement of the consulting firm Strategic Perception Pty Ltd to undertake the consolidation of Council's 18 Development Control Plans (DCP) into a single, comprehensive DCP.

### **OFFICER'S RECOMMENDATION**

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#### **THAT:**

- 1. Council note the appointment of Strategic Perception Pty Ltd to prepare a comprehensive Development Control Plan to guide future development across the Shire.**
- 2. Stage 1 Community Engagement occur at project inception to gain public opinion on Development Control Plan considerations to inform the development of the draft comprehensive Development Control Plan.**
- 3. The feedback received from the Stage 1 Community Engagement and the draft comprehensive Development Control Plan be presented jointly to a future Council meeting prior to exhibiting the draft comprehensive Development Control Plan.**

### **REPORT**

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#### **BACKGROUND**

Council's adopted 2024/25 Operational Plan and Budget (page 57) profiles the Priority Action: *Prepare a comprehensive Development Control Plan to guide development across the Shire*

The Measure with a completion date of June 2025 is: *Adoption of a standard template for the review of DCP provisions within towns and villages and for rural and employment zoned lands.*

Due to staffing constraints and competing complex projects the engagement of Mr David Milliken of Strategic Perception Pty Ltd (the Consultant) is proposed to progress and prepare a comprehensive DCP.

The Mayoral Minute dated 20 November 2024 requires the General Manager to provide briefs for consultancy services for the preparation of plans, strategies or studies to Council for endorsement where the project:

- 1) Engagement is over \$250K; or
- 2) Impact is long term; or
- 3) Outcomes impacts on more than 10,000 people and/or Shire wide.

The proposed Consultant engagement meets points 2 and 3 of the above criteria which has triggered this Council report.

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### **DISCUSSION**

The Consultant will undertake this work with the direction, oversight and support from Council's Strategic Outcomes branch. This approach is consistent with other projects such as the Bowral South New Living Area and Southern Highlands Innovation Park.

Selection has been based on land use planning experience and value for money. The Consultant comes highly recommended and has provided a detailed proposal to achieve a clear, concise, and effective draft comprehensive DCP, aligned with our strategic objectives. The Consultancy will utilise Mr Milliken's expertise and draw from Council's recently adopted strategic work (Low Density Residential DCP Review and Medium Density Study) to produce a single streamlined, consolidated Shire wide comprehensive DCP for public exhibition.

The Proposed Project Milestones Are:

- Stage 1 Project Inception
- Stage 2 Residential DCP development
- Stage 3 Remaining DCP Development
- Stage 4 Finalise and Deliver Draft DCP

It is noted that the current DCPs are place based, one for each town and village and two for the rural areas. Therefore, within them, there are both sections which are duplicated in each document and sections which are unique to reflect the specific amenity.

Focus will be to streamline duplicated content into a single comprehensive DCP whilst also ensuring sensitive place-specific guidelines and controls are optimised and provided in a more accessible format. Greater use of diagrams is proposed to demonstrate intended development outcomes.

These initiatives will ensure that the resulting comprehensive DCP continues to recognise the unique qualities of the Shire while facilitating and advancing the preparation and assessment of development applications.

Stage 1 Community Engagement includes public exhibition for a period of twenty-eight (28) days and is to be promoted via the Participate Wingecarribee page, direct email to relevant stakeholders and Council's e-Newsletter. The results of the Stage 1 Community Engagement and the proposed Stage 4 Community Engagement strategies will be profiled when the draft comprehensive DCP is presented at a future Council meeting prior to exhibiting the draft comprehensive Development Control Plan.

### **COUNCIL BUDGET IMPLICATIONS**

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Consultant proposals have been solicited through a reverse briefing process in accordance with Council's Procurement Policy.

Four fee proposals were sought and two were received.

The Strategic Perception Pty Ltd proposal is priced at \$40,000 excl GST.

Current position vacancies within the Strategic Outcomes branch enable the opportunity to fund the proposal.

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**LINK TO STRATEGY**

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This report relates to the Community Strategic Plan 2041 Theme and Goal:

Places - 3.3 Liveable and sustainable communities.

**ATTACHMENTS**

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Nil



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## **8.14 Model Code of Meeting Practice Consultation Draft Submission**

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

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

### **PURPOSE**

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The purpose of this report is to endorse Councils draft Submission on the Office of Local Government's 'New Model Code of Meeting Practice – Consultation Draft'.

### **OFFICER'S RECOMMENDATION**

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**THAT Council endorse the draft submission in relation to the Office of Local Government's 'New Model Code of Meeting Practice – Consultation Draft', as included in Attachment 1 to this report.**

### **REPORT**

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#### **BACKGROUND**

In December 2024 the Office of Local Government (OLG) issued the 'New Model Code of Meeting Practice – Consultation Draft' paper (**Attachment 1**) and a 'Draft Model Code of Meeting Practice for Local Councils in NSW' (**Attachment 2**). The OLG have invited feedback from the local government sector and others on proposed amendments to the Model Code of Meeting Practice for Local Councils in NSW (Model Meeting Code).

The amendments were foreshadowed in the OLG discussion paper "Councillor Conduct and Meeting Practice: A New Framework." Council endorsed its submission to this discussion paper at the 30 October 2024 Extraordinary Meeting of Council.

The Model Meeting Code is prescribed under the Local Government Act 1993 (the Act) and the Local Government (General) Regulation 2021 (the Regulation) with the current version prescribed in 2021.

#### **DISCUSSION**

The proposed amendments to the New Draft Model Code of Meeting Practice are a key focus of the Government's reform agenda for the regulation of council meetings. The reform aims to promote community confidence in councils' decision making by ensuring that the forum in which decisions are made is conducted in a way that is appropriate for an elected council.

The OLG have advised that the proposed changes to the draft Model Code are designed to:

- promote transparency, integrity, and public participation
- promote restoration of dignity to the council chamber
- depoliticise the role of the general manager
- simplify the Model Meeting Code.

A draft submission has been prepared and included in **Attachment 3** that responds to these proposed changes. The submission does not support or raises concerns for the following proposed changes:

- restricting councils from holding briefing sessions

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- requiring information considered at closed meetings to be made public after it ceases to be confidential and for general manager to consult with the council before publishing gthis information
- permitting the mayor to call an extraordinary meeting without the need to obtain the signature of two (2) councillors and removing restrictions on mayoral minutes
- mandating the requirement for councillors and staff to stand when the mayor enters the council chamber and when addressing the meeting
- removing the option for councils to reduce the duration of speeches
- limiting the circumstances when councillors can attend meetings via audio-visual link
- removing the option for staff to attend meetings by audio visual link
- removing the requirement for general managers to prepare reports for notices of motion with financial implications
- removing restriction that prevents councillors from asking a question with notice that comprises a complaint against the general manager or staff or implies wrongdoing
- conferring responsibility on the council to determine staff attendance at meetings
- removing the non-mandatory rules governing public forum.

It is recommended that Council endorse the submission included in Attachment 3 to be loged with the Office of Local Government by 28 February 2025.

### **LINK TO STRATEGY**

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This report relates to the Community Strategic Plan 2041 Theme and Goal:

Leadership - 1.1 Ethical and trusted levels of government that work together in the best interest of the Shire.

### **ATTACHMENTS**

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1. Draft Submission on Code of Meeting Practice [**8.14.1** - 6 pages]
2. A New Model Code of Meeting Practice--- Consultation - Draft Submission [**8.14.2** - 12 pages]
3. Consultation Draft of the new Model Code of Meeting Practice for Local Councils in NSW [**8.14.3** - 47 pages]

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## **8.15 Biosolids - Tender Evaluation Report**

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**Report of:** Graeme Mellor  
Manager Water Services

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

### **PURPOSE**

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The purpose of this report is to present the evaluation of the Request for Tender for the Biosolids Removal, Transport and Beneficial Reuse.

### **OFFICER'S RECOMMENDATION**

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#### **THAT Council:**

- 1. Accept the Arkwood alternative schedule of rates as the best option for Council to meet environmental obligations for the transport and beneficial reuse of biosolids.**
- 2. Note the tenders received ranged from \$741,056 to \$1,482,723.**
- 3. Delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.**

### **REPORT**

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#### **BACKGROUND**

A tender for Biosolids Removal, Transport, and Beneficial Reuse is essential for managing the solid products of wastewater treatment efficiently and sustainably under the Environmental Protection Licences that all six of Council's sewer treatment plants operate under.

Biosolids are nutrient-rich organic materials that need specialised handling to comply with environmental regulations and ensure public health. This process includes removing the biosolids from the treatment plant, dewatering, transporting them safely, and repurposing them for soil reuse. Engaging specialized contractors through a tender ensures cost-effective solutions while meeting environmental and safety standards. Proper management also supports the treatment plant's operations by maintaining capacity and reducing environmental impacts. Council is incorporating some of the dewatering works into the upgraded sewage treatment plants to reduce costs and reliance on external contractors.

#### **DISCUSSION**

Council sought tenders for suitable and qualified contractors to provide a schedule of rates 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 29 October 2024 to 19 November 2024 (21 days).  
The tender was advertised as follows:

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<b>Newspaper / Website</b>	<b>Date Advertised</b>
Council's Website	For the duration of the advertising period
Council's eTendering Website	For the duration of the advertising period

**TENDERS RECEIVED**

A total of 4 tender submissions were received:

<b>Company Name</b>	<b>Location</b>	<b>Postcode</b>
Arkwood Organic Recycling Pty Ltd -Conforming	Glouster NSW	2422
Arkwood Organic Recycling Pty Ltd- Alternative	Glouster NSW	2422
Bettergrow Pty Ltd	Somersby NSW	2250
Dredging Solutions Pty Ltd	Townsend NSW	2463

**LATE TENDERS**

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

<b>Company Name</b>	<b>Location</b>	<b>Postcode</b>
Nil		

**TENDER EVALUATION**

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

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

**TENDER ROLES AND RESPONSIBILITIES**

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

<b>Role</b>	<b>Responsibility</b>	<b>Position</b>
Evaluation Panel Chair	To manage the evaluation process and report to Council.	Coordinator Treatment
Evaluation Panel Member	Perform a detailed evaluation of the Tender Submissions.	Water Treatment Engineer
Evaluation Panel Member	Perform a detailed evaluation of the Tender Submissions.	Asset Officer Water and Wastewater
Procurement Process and Advice (Probity)	Manages the tender process ensuring that it complies with all relevant legislation, Procurement Policy, Guidelines and Procedures. Manages all communication with	Procurement Officer

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Role	Responsibility	Position
	<p>Respondents during the advertisement and evaluation periods.</p> <p>Providing probity advice and support to the evaluation panel.</p>	

**SELECTION CRITERIA**

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

**Mandatory Criteria:**

Mandatory Criteria
Public Liability - \$20 million
Workers Compensation – as per legislation
Motor Vehicle Insurance – Comprehensive
Effective Work Health and Safety Management System
Effective Environmental Management System
Appropriate licences to carry out the works

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

**Non-Cost Selection Criteria & Weighting:**

Non-Cost Criteria	Sub Criteria	Weighting
<b>Community, Sustainable &amp; Social</b>	<i>Local Procurement</i>	10%
<b>Capability &amp; Experience</b>	<i>Capability</i>	10%
	<i>Experience – Relevant</i>	10%
<b>Specifications, Service &amp; Support, Fit for Purpose</b>	<i>Specifications - Methodology</i>	10%
	<i>Service &amp; Support</i>	10%
<b>Total</b>		<b>50%</b>

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**Summary of Selection Criteria & Weighting:**

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

**NON-COMPLIANT TENDERS**

Upon evaluation a total of one (1) tender submission was determined to be non-compliant:

<b>Company Name</b>	<b>Reason for Non-Compliance</b>
Bettergrow Pty Ltd	Unable to supply mandatory items within required time frame.

**TENDERED SUBMISSION PRICES**

Using historical volumes and tonnage tenders received ranged from \$741, 056 to \$1, 482, 723 for three submissions. The spend approximated to \$741, 056 for the recommended Arkwood Organic Recycling Pty Ltd (alternative proposal) which was the lowest cost. The fourth submission from Bettergrow Pty Ltd was unable to be compared as they could not provide all required services.

**COMMENTS ON OVERALL EVALUATION OUTCOME**

A total of 4 applications were received, with one being non-compliant based on the mandatory criteria. The remaining three applications were assessed according to the criteria. Arkwood's submitted two applications, ie conforming and an alternative proposal for council to consider.

The alternative proposal uses an annual price adjustment for the tender period based on the unknown variables associated with both the Bowral and Moss Vale STP upgrades. The pricing structure will be reviewed on the completion of each STP upgrade.

**COMMENTS ON RECOMMENDED TENDER SUBMISSION**

The alternative proposal by Arkwood offers Council an affordable, environmentally responsible option for the removal, transport and re-use of council's biosolids.

The alternative schedule or rates offered by Arkwood provides a suitable and affordable management solution for the transport and beneficial re-use of councils biosolids. It demonstrates council's commitment to comply with current environmental responsible practices and economic obligations.

**COUNCIL BUDGET IMPLICATIONS**

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This service is accounted for under each allocated STP biosolids management budgets. The successful tenderer annual spend approximates to \$741,056 as per the submitted schedule of rates. Costs have increased per unit from the previous contract, however lower volumes to process will ensure minimal increase in costs. The submitted schedule of rates were worked up to a comparable cost estimate based on an indicative 15 000 m<sup>3</sup> of dewatering and disposal of 2600 tonnes of biosolids.

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**LINK TO STRATEGY**

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This report relates to the Community Strategic Plan 2041 Theme and Goal:

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

**ATTACHMENTS**

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Nil

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## **8.16 Renewal of Four Sewer Mains - Tender Evaluation Report**

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**Report of:** Graeme Mellor  
Manager Water Services

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

### **PURPOSE**

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The purpose of this report is to present the evaluation of the Request for Tender for the Renewal of Four Sewer Mains.

### **OFFICER'S RECOMMENDATION**

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#### **THAT Council:**

- 1. Accept the Tender for sewer main renewals from Interflow Pty Ltd at a lump sum price of \$268,379.70 (inclusive of GST)**
- 2. Note the tenders received ranged from \$268,379.70 to \$487,920.**
- 3. Delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.**

### **REPORT**

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#### **BACKGROUND**

The council has allocated funds in capital budget for sewer main upgrade and renewal program. The program targets mains that are in poor condition, ageing or require upgrade or extension to improve service levels. The renewal or upgrade of sewer mains in the sewer network are identified and prioritized in accordance with the Asset Management Plan. This tender involves the renewal of four (4) sewer mains (totalling 380 meters in length), which will be carried out using relining and pipe bursting methods. The project will include the installation of new polyethylene PN8 DN180 pipes. The tender combines these four jobs into one, resulting in the renewal of the sewer mains.

#### **DISCUSSION**

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

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

#### **ADVERTISING**

The tender advertising period was from the 29 October 2024 to 3 December 2024 (35 days).  
The tender was advertised as follows:

<b>Newspaper / Website</b>	<b>Date Advertised</b>
Council's Website	For the duration of the advertising period
Council's eTendering Website	For the duration of the advertising period



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**TENDERS RECEIVED**

A total of three (3) tender submissions were received:

Company Name	Location	Postcode
Interflow Pty Ltd	Girraween	2145
Infrastructure Renewal Services Pty Ltd	Rydalmere	2116
Water Brothers Group Pty Ltd	Kogarah	2217

**LATE TENDERS**

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

**TENDER EVALUATION**

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

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

**TENDER ROLES AND RESPONSIBILITIES**

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

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

**SELECTION CRITERIA**

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

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**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
Bank Guarantee
Quality Assurance – QMS Accreditation

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

**Non-Cost Selection Criteria & Weighting:**

Non-Cost Criteria	Weighting
Community, Sustainable & Social	10%
Capability & Experience	20%
Specifications - Methodology	10%
Specifications – Program of Works	10%
<b>Total</b>	<b>50%</b>

**Summary of Selection Criteria & Weighting:**

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

**NON-COMPLIANT TENDERS**

Upon evaluation a total of zero (0) tender submissions were determined to be non-compliant.

**TENDERED SUBMISSION PRICES**

Tenders received ranged from \$268,379.70 to \$487,920.

**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 PIP only those tender submissions meeting the minimum non-cost selection criteria threshold of 60% were deemed to be compliant. A comprehensive evaluation of the construction program and work methodologies was conducted, with submissions being scored, leading to the selection of the preferred contractor.

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**COMMENTS ON RECOMMENDED TENDER SUBMISSION**

Interflow Pty Ltd submitted a detailed tender that demonstrated a strong understanding of the project scope, presenting a competitive pricing schedule and including certain services that other contractors did not offer in their submissions.

Interflow Pty Ltd has extensive experience in similar projects, consistently delivering high-quality results. The reference checks have confirmed Interflow Pty Ltd's consistent capability and strong performance in similar projects. The Tender Evaluation Committee believes that Interflow Pty Ltd has the necessary experience and expertise to successfully complete these works, demonstrating a clear understanding of the specific constraints of the renewal project to meet the Council's expectations.

It is recommended that Council accept the Tender and award this contract to Interflow Pty Ltd.

**COUNCIL BUDGET IMPLICATIONS**

The works and funding are included within the 2024/25 Capital Works Program. No additional budget is required.

**LINK TO STRATEGY**

This report relates to the Community Strategic Plan 2041 Theme and Goal:

Places - 3.3 Liveable and sustainable communities.

**ATTACHMENTS**

Nil

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## **8.17 Sewer Manholes Renewal 2025 - Tender Evaluation Report**

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**Report of:** Graeme Mellor  
Manager Water Services

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

### **PURPOSE**

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The purpose of this report is to present the evaluation of the Request for Tender for the Sewer Manholes Renewals 2025.

### **OFFICER'S RECOMMENDATION**

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#### **THAT Council:**

- 1. Accept the Tender for sewer manhole renewals from Water Brothers Group Pty Ltd at a lump sum price of \$123,664.80 (inclusive of GST).**
- 2. Note the tenders received ranged from \$123,334.80 (LOWEST) to \$712,478 (HIGHEST).**
- 3. Delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.**

### **REPORT**

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#### **BACKGROUND**

Council manages 551km of wastewater gravity mains and 98km rising mains, 9,000 Sewer Manholes plus other assets across the six sewer schemes in Wingecarribee sewerage network. Manhole renewals are prioritised based on condition monitoring using visual inspection methods. In addition, periodic inspections of the manholes are undertaken by operations and contractors. Inspectors view the internal condition of the manhole and record all visible defects including damage to the walls, root intrusion, sources of inflow and infiltration and joint displacement.

The renewal method is determined based on the feedback received from the inspections. The list will include a description of works at each location (e.g. full replacement – rebuild, renewal – relining, leak management, lid replacement). The 2024/25 renewal program includes 31 manholes across the shire.

The Sewer manhole renewals will involve relining 31 manholes, repair bench and patch, and replacing the lids and surrounding areas. The relining will be done using Calcium Aluminate Cement (CAC).

#### **DISCUSSION**

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

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

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**ADVERTISING**

The tender advertising period was from the 12 November 2024 to 10 December 2024 (28 days).  
The tender was advertised as follows:

<b>Newspaper / Website</b>	<b>Date Advertised</b>
Council's Website	For the duration of the advertising period
Council's eTendering Website	For the duration of the advertising period

**TENDERS RECEIVED**

A total of five (5) tender submissions were received:

<b>Company Name</b>	<b>Location</b>	<b>Postcode</b>
Fitt Resources Pty Ltd	Lane Cove West	2066
Infrastructure Renewal Services Pty Ltd	Rydalmere	2116
Kawalewski Plumbing Pty Ltd	Mittagong	2575
Maverick Industries Pty Ltd	Marrickville	2204
Water Brothers Group Pty Ltd	Kogarah	2217

**LATE TENDERS**

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

**TENDER EVALUATION**

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

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

**TENDER ROLES AND RESPONSIBILITIES**

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

<b>Role</b>	<b>Responsibility</b>	<b>Position</b>
Evaluation Panel Chair	To manage the evaluation process and report to Council.	Project Officer
Evaluation Panel Member	Perform a detailed evaluation of the Tender Submissions.	Project Manager Renewals
Evaluation Panel Member	Perform a detailed evaluation of the Tender Submissions.	Asset Engineer – Water and Wastewater
Procurement Process and Advice (Probity)	Manages the tender process ensuring that it complies with all relevant legislation, Procurement	Procurement Officer

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Role	Responsibility	Position
	<p>Policy, Guidelines and Procedures. Manages all communication with Respondents during the advertisement and evaluation periods.</p> <p>Providing probity advice and support to the evaluation panel.</p>	

**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
Quality Assurance – QMS Accreditation

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

**Non-Cost Selection Criteria & Weighting:**

Non-Cost Criteria	Weighting
Community, Sustainable & Social	10%
Capability & Experience	10%
Specifications – Methodology	10%
Specifications - Program of Works	10%
Work Health and Safety, Environment & Sustainability	10%
<b>Total</b>	<b>50%</b>

**Summary of Selection Criteria & Weighting:**

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

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### **NON-COMPLIANT TENDERS**

Upon evaluation a total of zero (0) tender submissions were determined to be non-compliant:

### **TENDERED SUBMISSION PRICES**

Tenders received ranged from \$123,334.80 to \$712,478.

### **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 PIP only those tender submissions meeting the minimum non-cost selection criteria threshold of 60% were deemed to be compliant. All submissions were scored, and the preferred Contractor was selected.

### **COMMENTS ON RECOMMENDED TENDER SUBMISSION**

Water Brothers Group Pty Ltd submitted a thorough tender, showcasing a clear understanding of the project scope and offering a competitive pricing schedule.

Water Brothers Group Pty Ltd has undertaken similar renewal works for Wingecarribee Shire Council, and others. Reference checks have verified their consistent capability and strong performance in these projects. The Tender Evaluation Committee considered that Water Brothers Group Pty Ltd have the capability and experience to complete these works and have demonstrated a good understanding of the renewal specific constraints to meet Council's expectations.

### **COUNCIL BUDGET IMPLICATIONS**

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The works and funding are included within the 2024/25 Capital Works Program. No budget adjustment is required.

### **LINK TO STRATEGY**

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This report relates to the Community Strategic Plan 2041 Theme and Goal:

Places - 3.3 Liveable and sustainable communities.

### **CONCLUSION**

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It is recommended that Council accept the Tender and award this contract to Water Brothers Group Pty Ltd.

### **ATTACHMENTS**

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Nil

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## **8.18 Northern Villages Distribution Main Stage 1A - Tender Evaluation Report**

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**Report of:** James Knight  
Project Manager

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

### **PURPOSE**

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The purpose of this report is to present the evaluation of the Tender for the Northern Villages Distribution Main Duplication – Stage 1A.

### **OFFICER'S RECOMMENDATION**

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#### **THAT Council:**

- 1. Accept the Tender from Northern Villages Distribution Main Duplication – Stage 1A from RA Smith Contracting Pty Ltd at a lump sum price of \$1,517,406.04 (inclusive of GST).**
- 2. Note the tenders received ranged from \$1,517,406.04 to \$2,449,797.00.**
- 3. Approve the additional budget allocation of \$800,000, funded from the Water Fund, to enable full project delivery within the current financial year.**
- 4. Delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.**

### **REPORT**

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#### **BACKGROUND**

Council developed a water supply master plan in 2020 that identifies the duplication of supply mains between Willow Vale Reservoir and the Wilson Drive (Colo Vale) Water Pump Station to meet the Northern Villages demand in 2050. As part of a review of Council's potable water network it has been identified that supply capacity to the Northern Villages is constrained. Council is proposing to augment the water network which will greatly reduce the pressure variation for many customers and will improve supply reliability to new developments in the Willow Vale zone, Colo Vale, Yerrinbool, and Hill Top systems.

The duplication project is proposed to be completed in three (3) stages. This Tender is for Stage 1A and consists of approximately 880m of Pressure Nominal (PN) 35 Diameter Nominal (DN) 450mm Ductile Iron Concrete Lined (DACL) with primary connection to existing DN500mm DI water main located in Mittagong golf course and terminates with a valve and blank flange plate immediately downstream of the interconnection to existing DN300mm AC transfer main at Badgery street, which is the extent of Stage 1A.

#### **DISCUSSION**

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

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



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**ADVERTISING**

The tender advertising period was from the 26 November 2024 to 17 December 2024 (21 days).

The tender was advertised as follows:

<b>Newspaper / Website</b>	<b>Date Advertised</b>
Council's Website	For the duration of the advertising period
Council's eTendering Website	For the duration of the advertising period

**TENDERS RECEIVED**

A total of Five (5) tender submissions were received:

<b>Company Name</b>	<b>Location</b>	<b>Postcode</b>
CPD Services Pty Ltd	Earlwood	2206
Delaney Civil Pty Ltd	Bella Vista	2153
Ferrycarrig Construction Pty Ltd	Chullora	2190
RA Smith Contracting Pty Ltd	Moorebank	2170
Utilstra Pty Ltd	Fyshwick	2609

**LATE TENDERS**

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

**TENDER EVALUATION**

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

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

**TENDER ROLES AND RESPONSIBILITIES**

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

<b>Role</b>	<b>Responsibility</b>	<b>Position</b>
Evaluation Panel Chair	To manage the evaluation process and report to Council.	Project Manager
Evaluation Panel Member	Perform a detailed evaluation of the Tender Submissions.	Project Supervisor
Evaluation Panel Member	Perform a detailed evaluation of the Tender Submissions.	Coordinator Water Assets
Procurement Process and Advice (Probity)	Manages the tender process ensuring that it complies with all relevant legislation, Procurement Policy, Guidelines and Procedures.	Procurement Officer

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Role	Responsibility	Position
	<p>Manages all communication with Respondents during the advertisement and evaluation periods.</p> <p>Providing probity advice and support to the evaluation panel.</p>	

**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
Bank Guarantees: Completion Undertaking; 4% of Contract Price at the date of Contract. Post-Completion undertaking 1% of Contract Price at the date of Contract.

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

**Non-Cost Selection Criteria & Weighting:**

Non-Cost Criteria	Weighting
Local Procurement	10%
Capability	10%
Experience - Relevant	10%
Experience – Past with Council	5%
Methodology	20%
Program of Works	5%
<b>Total</b>	<b>60%</b>

**Summary of Selection Criteria & Weighting:**

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

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<b>Criteria</b>	<b>Weighting</b>
<b>Total</b>	<b>100%</b>

**NON-COMPLIANT TENDERS**

Upon evaluation a total of two (2) tender submissions were determined to be non-compliant:

<b>Company Name</b>	<b>Reason for Non-Compliance</b>
CPD Services Pty Ltd	Non-compliant
Delaney Civil Pty Ltd	Non-compliant

**TENDERED SUBMISSION PRICES**

Tenders received ranged from \$1,517,406.04 to \$2,449,797.00.

**COMMENTS ON OVERALL EVALUATION OUTCOME**

All Tenders were of good quality however two of the five Tenderers were not able to demonstrate that they have sufficient experience in projects of a similar scope and scale to the Tendered Project.

**COMMENTS ON RECOMMENDED TENDER SUBMISSION**

The Tender Evaluation Panel considered the Preferred Tenderer to have demonstrated that they have the skills, experience and understanding to complete the scope of works as outlined in the Tender Documentation.

It is recommended that Council accept the Tender Submitted by RA Smith Contracting Pty Ltd for the Northern Villages Distribution Main Stage 1A at a lump Sum price of \$1,517,406.04 Incl. GST

**COUNCIL BUDGET IMPLICATIONS**

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A total project budget \$1.6M is required to enable full project completion. This allows for consultant, project management fees and project contingency. This required total project budget figure aligns with a recent cost estimate was undertaken by an independent quantity surveyor (QS).

Current project budget is only \$800K, which was based on early project estimates and a pipe alignment in the road verge.

However, due to the presence of large native trees, the pipe alignment was moved from the verge of Railway Terrace to within the road pavement. Restoration of the road pavement is a significant project cost.

It is therefore recommended that Council approve an increase in the project budget to \$1.6M for the 2024/25 Financial Year.

The additional budget will be funded by the Water Fund and the increased costs considered as a part of the Long Term Financial Plan.

**LINK TO STRATEGY**

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This report relates to the Community Strategic Plan 2041 Theme and Goal:

Places - 3.3 Liveable and sustainable communities.

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**ATTACHMENTS**

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Nil

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## **8.19 Digitisation Project - Procurement Exemption**

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

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

### **PURPOSE**

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The report seeks a procurement exemption under s55(3)(i) of the *Local Government Act 1993* to engage Jigsaw Group (AUS) Limited, a social enterprise, for the continued digitisation of Council's records. As the project cost will exceed the \$250,000 tendering threshold (including GST), an exemption is required.

### **OFFICER'S RECOMMENDATION**

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#### **THAT Council:**

- 1. Grant a procurement exemption under s55(3)(i) of the Local Government Act 1993 to engage Jigsaw Group (AUS) Limited for a value of \$570,000 on the basis that inviting tenders would not result in a different outcome based on the pricing that was provided when the market was tested in October 2022.**
- 2. Note that this exemption is justified as previous market testing and a smaller-scale engagement with Jigsaw has demonstrated their efficiency, capability, cost-effectiveness, and commitment to social inclusion.**

### **REPORT**

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#### **BACKGROUND**

In October 2022, a request for quotation for records digitisation was issued. This procurement process was discontinued due to the pricing proposals exceeded Council's available budget. Seeking a cost-effective alternative, Council engaged Jigsaw Group (AUS), a social enterprise that provides employment and training for people with disabilities to commence digitisation of Councils records. In order for the digitisation to continue and be completed, a procurement exemption from Council is required.

#### **DISCUSSION**

This report seeks a procurement exemption under s55(3)(i) of the *Local Government Act 1993*, which allows councils to bypass the standard tendering process in cases where a contract is made with a social enterprise.

Council officers obtained pricing from Jigsaw Group (AUS) Limited, a social enterprise that trains and transitions people with disabilities into mainstream employment, for the digitisation of Council's physical records.

Jigsaw Group has successfully digitised approximately 1,000 boxes in two financial years, significantly improving efficiency by enhancing document accessibility, streamlining retrieval, and ensuring better information management. This allows staff to focus on working within the system and classifying records, while Jigsaw handles the labour-intensive task of scanning, ultimately improving operational agility and

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compliance. An internal review confirmed they provide excellent value, managing document retrieval, scanning, and ad hoc requests seamlessly. Since February 2024, Council has spent \$199,470.95 (including GST) covering the digitisation of:

- 750 boxes of development applications from the Civic Centre to facilitate the refurbishment project.
- 250 boxes from the McCourt Road Storage Facility to free up space.

Future digitisation, estimated at \$570,000, will include:

- Approx 2000 boxes from Fort Knox (property records and development applications).
- Approx 500 boxes from McCourt Road, Moss Vale (administrative files and development applications).

Council initially tested the market in 2022 through a Request for Quotation and found Jigsaw's pricing competitive. As a tender process was not undertaken at the time, a procurement exemption from tendering is required from Council to continue with the digitisation of Council records. Based on the pricing provided in 2022, Jigsaw's current per-box rate is approximately 24% lower than the per-box rate quoted by other vendors in the 2022 market assessment. In addition, Jigsaw has waived any fees relating to the retrieval of urgent or ad hoc requests. Given the cost-effectiveness and efficiency demonstrated, switching vendors would be impractical due to setup costs and service quality risks.

To ensure ongoing value for money and service quality, Council will continue to monitor the following measures:

- Service Level Agreements (SLAs) with defined performance indicators.
- Regular contract performance reviews over the three-year period.
- Risk mitigation strategies for potential cost variations.

Once the project is complete, Council will realise annual savings of \$180,000 in salary reductions and \$7,500 from ceasing rental of McCourt Road Self Storage. Additional efficiencies include reduced retrieval time and improved access to digital records for the workforce and community. Digitisation also mitigates risks associated with improper archival storage and ensures legislative compliance with council's obligations under the *State Records Act 1998*.

Market testing confirms that switching vendors is impractical due to setup costs, and Jigsaw's per-box rate remains more competitive than 2022 market rates. Without continued digitisation, physical records will deteriorate due to inadequate storage conditions, and Council lacks the resources to manage digitisation at scale. Continuing with Jigsaw offers a cost-effective, efficient solution, reducing storage costs, improving record accessibility, and mitigating risks.

Approving a procurement exemption will sustain this progress while supporting Council's social responsibility commitment by providing employment opportunities for people with disabilities.

### **COUNCIL BUDGET IMPLICATIONS**

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All project costs are included in the 2024/2025, 2025/2026 and 2026/2027 budgets.

Ongoing annual savings of \$187,500 will be realised in the 2027/2028 budget through salary reductions and storage rental cessation.

### **LINK TO STRATEGY**

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This report relates to the Community Strategic Plan 2041 Theme and Goal:

Leadership – 1.3 A leading community

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**ATTACHMENTS**

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Nil

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## **8.20 Bowral Golf Course - Acquisition of Easement**

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**Report of:** Shaun Robinson  
Manager Assets

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

### **PURPOSE**

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This report seeks Council's approval to acquire an easement for the purposes of detention basins. The proposed easement to be acquired is over the property known as "Bowral Golf Course", 25-43 Kangaloon Road, Bowral (being part Lot 1 in Deposited Plan 119005 and part Lot 45 Section G in Deposited Plan 4380).

### **OFFICER'S RECOMMENDATION**

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#### **THAT:**

1. Attachments 3 and 4 to this report be withheld from access to the public as required by section 11(3) of the Local Government Act, 1993 for the following reason:
  - a. Attachments 3 and 4 include information that is confidential in accordance with clause 10A(2)(c) of the Local Government Act, 1993, as they relate to commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
2. The General Manager be delegated authority to negotiate acquisition of an easement with the owners of part Lot 1 in Deposited Plan 119005 and part Lot 45 Section G in Deposited Plan 4380, being Bowral Golf Club, 25-43 Kangaloon Road, Bowral for detention basins.
3. If the acquisition of the easement referred to in Item 2 cannot be negotiated by agreement, a further report be submitted to Council.
4. Council affix the Common Seal of Council to any documents that required to be sealed for the acquisition of the easement referred to in Item 2 **AND THAT** authority be delegated to the Mayor and General Manager to execute those documents.
5. Authority be delegated to the Mayor and General Manager to execute on behalf of Council any documents associated with the acquisition of the easement referred to in Item 2 above that do not require the Common Seal of Council.

### **REPORT**

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#### **BACKGROUND**

The 2005 Bowral Floodplain Risk Management Study and Plan (adopted by Council in 2009) assessed a range of potential floodplain risk management measures and, following a multi-criteria analysis, provided a recommendations as to being implemented (or investigated further) or rejected.

One such mitigation measure considered was the Bowral Golf Course Detention Basins – which, based on a number of assumptions, was recommended for implementation.

The subsequent scoping study for the Bowral Golf Course Detention Basins identified a construction cost estimate of \$800,000 and would provide the flooding benefits of:

- Residential land flooded in 100 year event reduced from 35 to 22
  - Of this, houses flooded above floor level in 100 year event reduced from 9 to 4.



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- Commercial land flooded in 100 year event reduced from 13 to 10
  - Of this, businesses flooded above floor level in 100 year event reduced from 5 to 2.

In 2012 Council prepared detailed designs for the Bowral Golf Course Detention Basin project – with a golf course architect, Enviro Links Design, reviewing the design to ensure playability impacts of the golf course were minimised.

There is an existing drainage easement on Bowral Golf Course, however the construction of the detention basins would further burden the land and so the drainage easement on title must be increased to accommodate the flood retention of the detention basins.

Council will also require an additional easement to facilitate ongoing access to the detention basins. This easement for access will correspond with the position of the existing maintenance vehicle access point used by the Golf Club, being land owned by the Golf Club adjoining 75 Kangaloon Road, Bowral.

An aerial map of the affected property is shown in **Attachment 1**. The approximate location of the proposed easements is shown in red.

The position of the detention basins is also shown on the design plan “Bowral Golf Course proposed earthworks and detention facilities Lot 1 DO 311009, Lot 45 DP 4350 & Lot 1 DP 119005, David Street Bowral Plan” prepared by ADW Johnson which is shown in **Attachment 2**.

### **DISCUSSION**

The Bowral Golf Course Detention Basins has been the subject of recurring discussion between Council and Bowral Golf Club from 2007 to 2021. Throughout this period detailed designs were prepared and refined several times – however no final agreement between Council and Bowral Golf Club was ever reached.

Since 2022 Council has sought to bring this matter to a resolution and, following several collaborative meetings with Bowral Golf Club, it was understood that in-principle support on the project had been reached and so application was submitted to the NSW Flood Recovery & Resilience Grant Program in 2023.

Council was notified late 2023 of being successful for the \$1.5M grant (to be matched 3:1 – making a \$2M total project budget), however subsequent conversations with Bowral Golf Club identified that significant concerns still remained in relation to playability impacts of the detailed design.

The designs were therefore reviewed again by a golf course architect, Harrison Golf, and the following updates made to minimise playability impacts:

- The embankments of the two basins are to be located between the existing fairways
  - Note: final location of Embankment 2 is shown via annotation.
- No works will be undertaken on the fairways and works on the first cut of rough will be replaced with grass sod.
- Pond 1 and Pond 3 to be removed (they do not offer any flood retention benefit).

No further adjustments can be made to the plans whilst still maintaining the flood mitigation benefits of the project.

### **VALUATION TO ASSESS COMPENSATION ASSOCIATED WITH EASEMENTS**

The easement for detention basins will have an area of approximately 30,590 square metres, subject to final survey.

Further, Council will require an additional easement to facilitate ongoing access to the detention basins. This easement for access will correspond with the position of the existing maintenance vehicle access point used by the Golf Club, being off land adjoining 75 Kangaloon Road, Bowral. Compensation has been based on such easement being 5 metres wide, extending a length of 300 metres and being an area of 1,500 sq m.

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Formal valuation has been obtained from an independent registered valuer to assess the likely compensation payable to acquire the easement for detention basins and an easement for ongoing access. This valuation is provided in Confidential Attachment 3.

The valuer noted that compensation was also payable for business interruption which would be subject to a separate assessment.

### **ASSESSMENT OF COMPENSATION ASSOCIATED WITH BUSINESS DISTURBANCE**

Council has obtained an assessment from a specialised accountant to assess the likely compensation payable for business disturbance to the Bowral Golf Club as a result of Council acquiring the easements. This assessment is provided in Confidential Attachment 4.

### **EASEMENT ACQUISITION PROCESS**

Pursuant to the Land Acquisition Guidelines published by the Office of Local Government, Council must allow at least six (6) months to negotiate in good faith with the affected property owner. However, this requirement is not required for acquisition of an easement.

In any event, every effort is made to acquire the Easement by agreement, to avoid having to proceed via the compulsory acquisition process. This report recommends that authority be delegated to the General Manager to negotiate acquisition of the easement. In the event that agreement cannot be reached following good faith negotiations, a further report will be forwarded to a future meeting of Council.

It is recommended that Council adopt the recommendations made in the report to enable negotiations for acquisition of the required easement for detention basins to progress.

### **COUNCIL BUDGET IMPLICATIONS**

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The current project budget for Bowral Golf Course Detention Basins is \$2,000,000. Of this, \$1.5M is funded from the NSW Flood Recovery & Resilience Grant Program – which holds a firm project completion deadline of 30 June 2026.

The valuations for easement creation and business interruption exceed that previously anticipated and so the required project budget is now estimated at \$2,650,000.

The Department of Climate Change, Energy, the Environment and Water (DCCEEW) has advised that opportunity exists to seek a funding variation to this effect, however the 3:1 funding ratio would need to be maintained – and so the \$2.75M budget would comprise \$2,062,500 grant funding and \$687,500 Council. This \$187,500 increase in Council funding could be accommodated within available 25/26 Capital Stormwater funds.

Therefore, if agreement can be reached with Bowral Golf Club following good faith negotiations, a funding variation will be submitted to DCCEEW and the budget updated as part of the 2025/26 Budget Process. The final agreement with Bowral Golf Club will be subject to approval of the DCCEEW funding variation.

However, if agreement cannot be reached with Bowral Golf Club following good faith negotiations it is not recommended that Council pursue compulsory acquisition as the subsequent time implications would mean the project cannot be delivered by 30 June 2026 and so the NSW Flood Recovery & Resilience Grant funding would not be recoupable.

Therefore if agreement cannot be reached a further report will be submitted to Council seeking endorsement for return of the NSW Flood Recovery & Resilience Grant as well as an assessment made of the viability of the project for submission in the annual Floodplain Management Program grant.

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**LINK TO STRATEGY**

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This report relates to the Community Strategic Plan 2041 Theme and Goal:

Places - 3.3 Liveable and sustainable communities.

**ATTACHMENTS**

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1. Plan of Proposed Easements [**8.20.1** - 1 page]
2. Bowral Golf Course Detention Basin Design [**8.20.3** - 1 page]
3. CONFIDENTIAL - Assessment of Compensation [**8.20.4** - 23 pages]
4. CONFIDENTIAL - Business Assessment [**8.20.5** - 138 pages]

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## **8.21 Request to Reduce Easement in Favour of Council - Merrigang Street Bowral**

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

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

### **PURPOSE**

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The purpose of this report is to seek Council approval to negotiate the release of an Easement to Drain Water Variable Width in favour of Council and to negotiate the grant of a new Easement to Drain Water 3 metres wide in favour of Council affecting 127 Merrigang Street, Bowral being Lot 25 DP 1194787.

The owner of the property has requested that Council reduce the existing Easement to Drain Water Variable width to 3 metres wide.

### **OFFICER'S RECOMMENDATION**

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#### **THAT:**

1. Attachment 1 to this report be withheld from access to the public as required by section 11(3) of the Local Government Act, 1993 for the following reason:
  - a. Attachment 1 includes information that is confidential in accordance with clause 10A(2)(d)(i) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
2. Subject to a grant of development consent to development application 24/0567, the General Manager be delegated authority to negotiate with the owner of 127 Merrigang Street, Bowral being Lot 25 in Deposited Plan 1194787 ("Lot 25") for the release of an Easement to Drain Water Variable Width in favour of Council and to negotiate the grant of a new easement to Drain Water 3 Metres wide in favour of Council affecting Lot 25 **AND THAT** compensation payable to Council be negotiated within 10% range of independent valuation.
3. Council affix the Common Seal of Council to any documents required to be sealed for the release of the existing Easement and the grant of new Easement referred to in Item 2 **AND THAT** authority be delegated to the General Manager and Mayor to execute those documents.
4. Authority be delegated to the General Manager to execute on behalf of Council any documents associated with the release of the existing Easement and the grant of new Easement referred to in Item 2 above that do not require the Common Seal of Council.

### **REPORT**

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#### **BACKGROUND**

Council has received a request from the Property Owners of 127 Merrigang Street, Bowral being Lot 25 DP 1194787 ("the property") to negotiate the release of an Easement to Drain Water Variable Width in favour of Council and to negotiate the grant of a new Easement to Drain Water 3 metres wide in favour of Council.

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The request has been received from the property owner who wishes to undertake construction on the property. The development application process is a separate matter, and this report deals solely with the request to vary the terms of the easement.

Development application 24/0567 for a detached dual occupancy and strata title subdivision on the site was refused consent on 26 November 2024 and is currently on appeal to the Land and Environment Court. It is listed for a s34AA conciliation and hearing on 13 & 14 May 2025.

The existing easement registered on title is approximately 20m wide and currently affects the whole of the property, therefore impacting the owner's ability to undertake construction of any dwelling (as construction cannot take place over the easement area).

Below is an aerial map of the affected property:

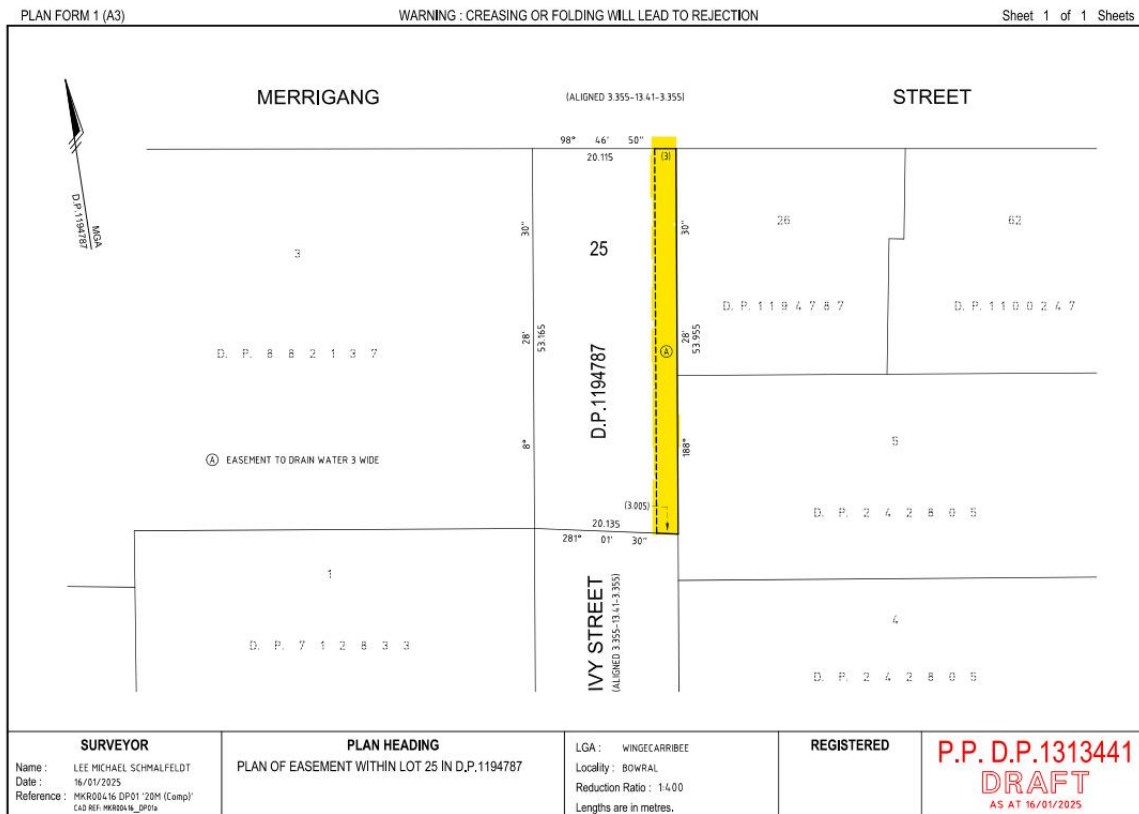


The property has an area of approximately 1,077m<sup>2</sup>. The approximate location of the current easement is the area shown in blue.



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The position of the new easement is shown on the plan of proposed easement prepared by MakerEng below:



**DISCUSSION**

The property has a primary street frontage of Merrigang Street and rear access to Ivy Street, Bowral. The entirety of the property is subject to an Easement to Drain Water in favour of Wingecarribee Shire Council, with rights established under the *Conveyancing Act* 1919.

The property currently conveys stormwater from Ivy Street to Merrigang Street, partially with a pipe system and partially overland.

The property owner seeks to replace the existing easement with a 3-meter-wide easement, thereby significantly reducing the burden on the property. The landowner proposes to pipe the stormwater, primarily along the eastern side boundary.

The current easement has an area of approximately 1,077m<sup>2</sup>. The proposed easement would have an area of approximately 161.87m<sup>2</sup>, representing a reduction in affectation from 100% to 15.03%.

Council has engaged a registered valuer to assess if Council should be compensated for “giving up” its right to use the whole of the property to drain water, as is currently the case.

The landowners have been informed of the valuation obtained by Council and provided with the opportunity to obtain their own independent valuation.

The landowner has expressed that they would like to be able to agree with Council on a “nil/very minor compensation”. The landowner has further advised they were hoping that, by them

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having to provide stormwater drainage which improves the Council infrastructure, that this would suffice as compensation.

The landowner has advised that they would “appreciate councils good consideration and hopefully we can resolve this on a net zero for both parties”.

The current drainage easement operates as partially piped and partially overland flow. If a built form solution is provided on site, those assets will become the property/responsibility of Council which will trigger asset accounting, asset performance and depreciation considerations and responsibilities for Council which are not currently present.

This essentially creates a greater liability for Council in perpetuity. The proposal by the landowner is simply an alternate drainage solution to facilitate the applicant's proposed development of the site.

It is recommended that Council request compensation to be negotiated within 10% range of independent valuation.

**COUNCIL BUDGET IMPLICATIONS**

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There will be no expenditure of Council funds to facilitate the request of the property owner.

If Council accepts Council’s valuation, compensation will be payable to Council for the extinguishment of the existing easement and grant of the new easement.

**LINK TO STRATEGY**

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This report relates to the Community Strategic Plan 2041 Theme and Goal:

Places - 3.4 Housing that meets the needs of current and future generations.

**ATTACHMENTS**

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1. CONFIDENTIAL - Final Compensation Assessment Report [8.21.1 - 17 pages]

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## **8.22 Floodplain Risk Management Advisory Committee - Appointment of members**

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**Report of:** Shaun Robinson  
Manager Assets

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

### **PURPOSE**

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The purpose of this report is to provide an update on the status of appointing community members to the Floodplain Risk Management Advisory Committee.

### **RECOMMENDATION**

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**THAT Council note the Floodplain Risk Management Advisory Committee - Appointment of members report.**

### **REPORT**

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

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

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

Expressions of interest were sought from the community to select the committee members for the Floodplain Risk Management Advisory Committee, first from 22 November 2024 to 13 December 2024. This period which was then extended on 20 December 2024 until 08 January 2025 to provide greater opportunities for community representative submissions. As a result, submissions received are still being assessed and a report will be submitted to March 2025 meeting for endorsement of community representatives, with the first committee meeting to be held in April 2025.

### **LINK TO STRATEGY**

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This report relates to the Community Strategic Plan 2041 Theme and Goal:  
Places - 3.3 Liveable and sustainable communities.

### **ATTACHMENTS**

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NIL

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## **8.23 Development Assessment Progress - November 2024 to January 2025**

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**Report of:** Michael McCabe  
Director Communities and Place

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

### **PURPOSE**

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

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

### **OFFICER'S RECOMMENDATION**

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**THAT** Council note the results of the Development Applications Progress Report as included at Attachment 1 for the period 1 November 2024 to 31 January 2025.

### **REPORT**

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#### **BACKGROUND**

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

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

The DAP included at **Attachment 1** has been developed to provide Council with a routine snapshot on DA progress.

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

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

The League Table does not report on all DAs but does monitor most DAs received and is generally updated by NSW Planning within the fortnight following the conclusion of each month. The current data represents DAs for 1 November 2024 and 31 January 2025.

Link to the League Table:

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

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

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### **DISCUSSION**

The DAP layout consists of 3 parts:

1. **The Left Half** which copies current images straight from the League Table profiling our Council's performance for the financial year to date.
2. **The Upper Right Quarter** which relies exclusively on data from the League Table to profile our Council's performance for the period which has just concluded (currently Nov 24 – Jan 25).
3. **The Lower Right Quarter** which relies on data from the League Table to calculate the Determination Rate and Council data for the other information profiled in that section.

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

Some observations of the DAP regarding DA progress for the period of November 2024 to January 2025:

- Financial Year to date (FYTD) Average Lodgement Days have reduced from 26 days in October 2024 to 23 days to the end of January 2025.
- FYTD Average Assessment Days have reduced from 250 days in October 2024 to 246 days to the end of January 2025.
- FYTD percentage of Applications Meeting Expectations has increased from 20% in October to 24% to the end of January 2025, representing a three-month performance of 29%.
- The Determination Rate for November to January was 110% and is 104% for the FYTD. A rate above 100% demonstrates that Council is reducing the current Backlog of DAs.
- In-House Allocation refers to the percentage of DAs assigned to internal staff compared to consultant planners. The November to January allocation rate was 90% and it is expected that the Overall percentage of 54% will continue to lift with staff retention and upskilling activities.

The DAP highlights that DA progress is improving to lift Council's current percentage of DA's being determined within the Ministers expected timeframe from the current FYTD rate of 24% to 62%, matching the NSW average, at the one-year mark of the new council being sworn in.

### **COUNCIL BUDGET IMPLICATIONS**

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There are no specific budget implications associated with this report.

### **LINK TO STRATEGY**

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This report relates to the Community Strategic Plan 2041 Theme and Goal:

Leadership - 1.3 A leading community

### **ATTACHMENTS**

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1. Development Assessment Progress November 24 - January 25 [8.23.1 - 1 page]

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## **8.24 Monthly Financial Report**

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

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

### **PURPOSE**

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This report presents to Council the monthly financial report for the period ending 31 January 2025.

### **OFFICER'S RECOMMENDATION**

---

**THAT Council note the monthly financial report for the period ending 31 January 2025.**

### **REPORT**

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

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

The report presents Council's financial position as of 31 January 2025, with unaudited figures allocated according to the Code of Accounting Practice and Financial Reporting standards.

#### **Income Statement**

As of 31 January 2025, Council's consolidated Income Statement shows an actual year to date operating surplus of approximately \$18M. Monthly monitoring by the Finance team, Managers, and Coordinators ensures expenditures align with budgets, with any adjustments reported to Council as a part of the Quarterly Budget Review proces. At a consolidated level, all spending remains within forecast budget allocations.

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

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

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- Depreciation and amortisation are based on budget figures, with final adjustments following asset capitalisation at year end.
- Grants and Contributions are brought to account on a cash basis and adjusted at year end to align with accounting standards.
- Transfers to and from reserves are finalised during year-end processing.

### **Capital Expenditure Program**

The Council's approved capital budget for 2024/25 began at \$105M, revised to \$122M after adjustments as a part of the year end carry overs and September 2024 Quarterly Budget Review. The year to date actuals as at 31 January 2025 are approximately \$42M or 34% of the revised budget and is being monitored, noting that there a number of large scale, multi year projects.

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

### **COUNCIL BUDGET IMPLICATIONS**

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There are no budget implications in presenting this report.

### **LINK TO STRATEGY**

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This report relates to the Community Strategic Plan 2041 Theme and Goal:

Leadership - 1.1 Ethical and trusted levels of government that work together in the best interest of the Shire.

### **ATTACHMENTS**

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1. Jan 2025 Monthly Budget Report [8.24.1 - 11 pages]

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**8.25 Investments Reports - November 2024, December 2024 and January 2025**

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

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

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**PURPOSE**

This report presents Council’s Cash Investment Portfolio held at 31 January 2025. The report also provides Council’s investment holdings as at 30 November 2024 and 31 December 2024.

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**OFFICER’S RECOMMENDATION**

**THAT** Council receive and note the Cash Investment Reports as at 30 November 2024, 31 December 2024 and 31 January 2025.

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**REPORT**

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

This report provides details of Council’s Investment Portfolio as at 31 January 2025.

This report also includes investment performance as at 30 November 2024 (**Attachment 1**) and 31 December 2024 (**Attachment 2**). The 30 November 2024 report was delayed due to timing of the December 2024 Council Meeting, and the 31 December 2024 report is presented due to the absence of a Council meeting in January 2025.

**Attachment 3** provides Council’s Cash Investment Portfolio as at 31 January 2025, detailing investments held and a summary of the portfolio by the institution invested with and their credit rating.

In accordance with section 212(1)(b) of the Local Government (General) Regulation 2021, the investments listed in **Attachments 1, 2 and 3 have been made in accordance with:**

- The Local Government Act 1993,
- The Local Government (General) Regulation 2021,
- The Ministerial Investment Order 2011, and
- Council’s Investment Policy.

Interest earned from investments totalled \$6,885,626 to 31 January 2025.

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

Fund	Annual budget	YTD budget	YTD actual	YTD variance
General Fund	3,070,000	1,790,833	2,718,330	927,497

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<b>Fund</b>	<b>Annual budget</b>	<b>YTD budget</b>	<b>YTD actual</b>	<b>YTD variance</b>
<b>Water Fund</b>	<b>2,900,000</b>	1,691,667	2,371,394	679,727
<b>Sewer Fund</b>	<b>2,430,000</b>	1,417,500	1,795,902	378,402
<b>Total Council</b>	<b>8,400,000</b>	<b>4,900,000</b>	<b>6,885,626</b>	<b>1,985,626</b>

**COUNCIL BUDGET IMPLICATIONS**

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Council's year to date investment returns exceeded budget by \$1,985,626 with \$1,058,129 of this revenue restricted to the water and sewer funds and be monitored accordingly.

**LINK TO STRATEGY**

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This report relates to the Community Strategic Plan 2041 Theme and Goal:

Leadership - 1.1 Ethical and trusted levels of government that work together in the best interest of the Shire.

**ATTACHMENTS**

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1. November 2024 - Investment Report Summary [8.25.1 - 6 pages]
2. December 2024 - Investment Report Summary [8.25.2 - 6 pages]
3. January 2025 - Investment Report Summary [8.25.3 - 6 pages]

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## **8.26 Audit, Risk and Improvement Committee Meeting Minutes - 28 November 2024**

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**Report of:** Paige Zelunzuk  
Coordinator Governance

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

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### **PURPOSE**

This report presents the Minutes of the Ordinary Meeting of the Audit, Risk and Improvement Committee held on 28 November 2024.

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### **OFFICER'S RECOMMENDATION**

**THAT** the Minutes of the Ordinary Meeting of the Audit Risk and Improvement Committee held on 28 November 2024 be received and noted.

---

### **REPORT**

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

The Audit, Risk and Improvement Committee (the Committee) met on Thursday 28 November 2024. The Committee will next meet on 12 March 2025 and the attached Minutes will be confirmed at that meeting.

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### **LINK TO STRATEGY**

This report relates to the Community Strategic Plan 2041 Theme and Goal:

Leadership - 1.1 Ethical and trusted levels of government that work together in the best interest of the Shire

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### **ATTACHMENTS**

1. Draft Minutes - Audit Risk and Improvement Committee Meeting 28 November 2024 [8.26.1 - 24 pages]

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## **8.27 Traffic Committee Meeting Minutes - 21 November 2024**

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**Report of:** Nasser Hossain  
Coordinator Assets Roads and Traffic

**Authorised by:** Shaun Robinson  
Acting Director Service and Project Delivery

### **PURPOSE**

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This report provides the Minutes of the Local Traffic Committee meeting held on 21 November 2024 and seeks Council's adoption of the relevant recommendations. In relation to recommendation no. 4 (for TC 2024/71), the report provides further information and clarification that is to be received and noted by Council while endorsing recommendation no 4.

### **OFFICER'S RECOMMENDATION**

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#### **THAT Council:**

- Note the Minutes of the Traffic Committee meeting held on Thursday 21 November 2024 as included in Attachment 1 to this report.**
- Adopt the recommendations contained in TC 2024/68:**  
**THAT Council approve the guardrail and Give Way arrangement as shown in Wingecarribee Council concept design plan 2445.**  
**AND THAT Council approve signage additional to the Wingecarribee Council concept design plan 2445 be installed to generally align with AS 1742.2:2022, as well as installation of 10m of centre linemarking either side of the single lane section.**
- Council provide a 14-day notice to Transport for NSW and NSW Police of its intention to endorse the non-unanimous traffic committee recommendation TC 2024/71; after which, if no appeal has been made to the Regional Traffic Committee, the following recommendations shall be considered endorsed:**  
**THAT Council approve the design plans (No. 2123-CC08) designed by Civil Development Solutions for a U-turn Bay on Ringwood Lane, Exeter.**  
**AND THAT Council approve an advisory sign be placed on the No Right Turn sign on Bundanoon Road to advise drivers of the U-turn Bay in Ringwood Lane.**

### **REPORT**

---

#### **BACKGROUND**

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

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

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



## **AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 FEBRUARY 2025**

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

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

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

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

### **DISCUSSION**

A Local Traffic Committee meeting was held on 21 November 2024. The [Traffic Committee Agenda](#) is available on Council's website.

Traffic Committee recommendation numbers TC 2024/68 and TC 2024/71 require Council's endorsement.

#### **TC 2024/68 - Item 6.5 Proposed Guardrail and Give Way Arrangement on Government Road, Yerrinbool**

*THAT Council approves the guardrail and Give Way arrangement as shown in Wingecarribee Council concept design plan 2445.*

*AND THAT Council approves signage additional to the Wingecarribee Council concept design plan 2445 be installed to generally align with AS 1742.2:2022, as well as installation of 10m of centre linemarking either side of the single lane section.*

#### **TC 2024/71 - Item 6.8 U-turn Bay on Ringwood Lane, Exeter**

*THAT Council approves the design plans (No. 2123-CC08) designed by Civil Development Solutions for a U-turn Bay on Ringwood Lane, Exeter.*

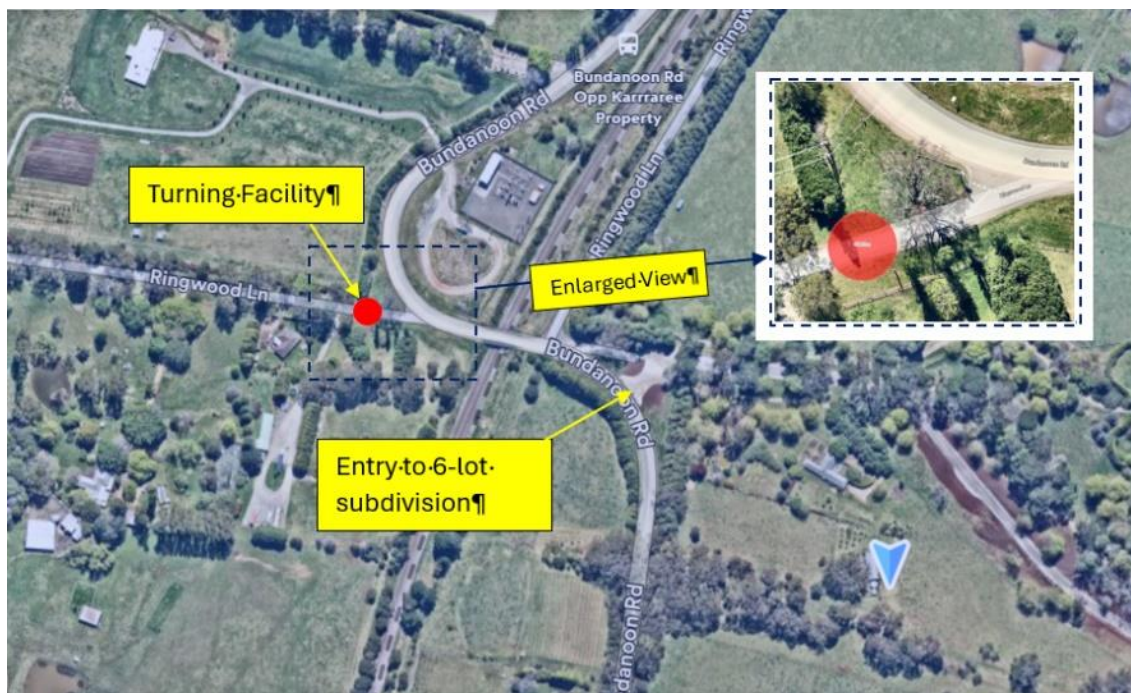
*AND THAT Council approves an advisory sign be placed on with the No Right Turn sign on Bundanoon Road to advise drivers of the U-turn Bay in Ringwood Lane.*

*AND THAT Council provides a 14-day notice to Transport for NSW and NSW Police of its intention to endorse the non-unanimous traffic committee recommendation TC 2024/71; after which, if no appeal has been made to the Regional Traffic Committee, the recommendation shall be considered endorsed.*

### **NON-UNANIMOUS TRAFFIC COMMITTEE RECOMMENDATION**

A 6-lot subdivision at 267 Bundanoon Road, Exeter, has been constructed through DA 22/0890.

The entry to the subdivision is situated on a bend adjacent to where Bundanoon Road crosses over the Great Southern Railway line. As a result, entry is via left-turn only and the right-turn is banned. A Road Safety Audit completed through the development application process noted that in order to mitigate the risk of illegal right-turns into the subdivision still being made by drivers, a suitable alternative must be identified for drivers approaching from this direction.



**Figure 1: Image showing the turning facility and the entry to the 6-lot subdivision**

During a conciliation meeting between McLaren Traffic Engineering (MTE) (Council’s appointed traffic expert) and Civil Development Solutions (CDS) (the traffic consultant for the proponent) it was accepted that a turning facility could be created in the nearby Ringwood Lane to allow for vehicles to turn around and access the subdivision with a left turn in.

Design plans (Attachment 2) for the Ringwood Lane turning facility were considered at the 21 November 2024 Local Traffic Committee (LTC). The matter received non-unanimous support, with Council voting in support but Transport for NSW, NSW Police and Member for Goulburn voting not in support.

The votes of ‘not in support’ were primarily as the matter was previously considered at 26 September 2024 LTC meeting with the resultant recommendation being for alternative solutions to be investigated. However the design of the Ringwood Lane turning facility was re-submitted unchanged to the 21 November 2024 LTC meeting.

This was because after investigation into the concerns raised within the earlier 26 September 2024 LTC meeting, it was concluded that these concerns did in fact not render the designed solution unviable. This detail is available within the LTC meeting agenda. However other members of the LTC still had remaining concerns that the turning facility would not be sufficient to mitigate the risk of the illegal right-turn into the 6-lot subdivision – and so for alternatives to be pursued as opposed to supporting the Ringwood Lane turning facility.

Alternative options available for the matter are:

- Do nothing: In this scenario no alternative option for drivers wishing to access the six lot subdivision from the south would be provided. However, this would not align with the outcomes of the Road Safety Audit – and does not offer an improvement compared to the Ringwood Lane turning facility option.
- Creation of Basic Right Turn (BAR) into the development: This scenario is a significant construction project, requiring land acquisition and approximately 100m of road widening. However, the costs associated with this option are extensive and not commensurate with the impact of a 6-lot subdivision. Furthermore, land acquisition by private proponent is unlikely to be successful and there is no compulsory acquisition pathway available – nor is there a mechanism for Council to

## **AGENDA OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 FEBRUARY 2025**

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enforce this scenario given the viable alternative of Ringwood Lane turning circle and the existing development consent.

- Creation of turning facility north of Ringwood Ln/Bundanoon Rd intersection adjacent Water Filling Station: This scenario would require the construction of a new turning facility adjacent to the existing water filling station. The current informal turning circle that vehicles using the water filling station utilise crosses onto land owned by the adjacent electrical substation – and so cannot be relied upon for the private subdivision. This option is not seen as an improvement on the Ringwood Lane turning facility as it requires vehicles to detour further from the subdivision, may require vehicles to queue along Bundanoon Road whilst awaiting safe right turn across Bundanoon Road and will introduce residential traffic (albeit low volume) into an area currently occupied by service and heavy vehicles alone.

It is therefore recommended that Council approve the Ringwood Lane turning facility.

In accordance with the Local Traffic Committee delegation, Council must give Transport for NSW and NSW Police 14 days notice prior to approving a non-unanimous LTC recommendation.

It is therefore recommended that Council give 14 days notice to these agencies of the intention to approve this LTC 2024/71 recommendation after which, if no appeal is made to the Regional Traffic Committee by these agencies, then it be considered endorsed by Council.

Traffic Committee recommendation numbers TC 2024/68 and TC 2024/71 require Council's endorsement. The remaining items considered at the meeting on 21 November 2024 were approved under sub-delegation, it is therefore recommended that Council receive and note the Minutes.

### **LINK TO STRATEGY**

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This report relates to the Community Strategic Plan 2041 Theme and Goal:

Places - 3.1 A physically and digitally connected Shire.

### **ATTACHMENTS**

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1. Traffic Committee Minutes - 21 November 2024 [**8.27.1** - 20 pages]
2. Design Plans No. 2123- C C 08 of CDS Civil Development Solutions [**8.27.2** - 1 page]

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## **8.28 Canberra Region Joint Organisation Minutes - 6 December 2024**

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**Report of:** Lisa Miscamble  
General Manager

**Authorised by:** Lisa Miscamble  
General Manager

### **PURPOSE**

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The purpose of this report is to note the Minutes of the Canberra Region Joint Organisation (CRJO) Board Meeting held on 6 December 2024.

### **OFFICER'S RECOMMENDATION**

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**THAT** Council note the Minutes of the Canberra Region Joint Organisation Board Meeting held on 6 December 2024.

### **REPORT**

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#### **BACKGROUND**

Council is a member of the Canberra Region Joint Organisation, which is a Government body that provides regional leadership to connect communities within the South-East region, collaborating with all levels of government, industry and community to work together to provide a vibrant regional vision and deliver important key outcomes.

The CRJO Board Meeting was held on 6 December 2024. The minutes and action list from the meeting are attached to this report for the information of Council.

#### **LINK TO STRATEGY**

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This report relates to the Community Strategic Plan 2041 Theme and Goal:

Leadership - 1.1 Ethical and trusted levels of government that work together in the best interest of the Shire

#### **ATTACHMENTS**

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1. CRJO Board Actions Arising [8.28.1 - 6 pages]
2. Minutes CRJO Board Meeting 6 December 2024 [8.28.2 - 12 pages]

## **9 NOTICES OF MOTION**

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### **9.1 Notice of Motion 1/2025 - Mayoral Honour Board**

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COUNCILLOR RUSSELL SUBMITTED THE FOLLOWING MOTION:

#### **MOTION**

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**THAT Council remove the name of the Administrator from the Mayoral Honour Board (leaving the stars and the existing statement regarding Administration period).**

#### **BACKGROUND FROM COUNCILLOR**

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The Administrator was not an elected official. Administrative staff have their own system of acknowledgements, honours and awards.

#### **ATTACHMENTS**

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Nil

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**9.2 Notice of Motion 2/2025 - Reinstatement of Prayer to the Code of Meeting Practice**

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COUNCILLOR DUFFY SUBMITTED THE FOLLOWING MOTION:

**MOTION**

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**THAT Council Reinstates the Prayer to be included in the Code of Meeting Practice.**

**BACKGROUND FROM COUNCILLOR**

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In response to the many representations made from a large number of different religious leaders around the Wingecarribee, I believe it is in the best interest for inclusivity of all demographics of the community, that Council have a prayer reinstated into the Code of Meeting Practice.

The proposed prayer to be read is:

*Almighty God, we acknowledge the gift of life and the values that have shaped our community. We are grateful for the privilege of serving and seeking the well-being of all who live, work, or visit the Southern Highlands. Grant us wisdom and insight as we lead with justice, compassion, and care for the vulnerable. Bless our institutions and guide us in using resources wisely for the common good and future generations. We ask for your favour in all we do, seeking to fulfill our calling with integrity and purpose.*

*Amen.*

**ATTACHMENTS**

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Nil

**10 QUESTIONS WITH NOTICE**

**11 MEETING CLOSURE**