



You are invited to attend the next Ordinary Meeting of Council:

Date: Monday, 10 December 2018
Time: 6.30pm
Location: Council Chamber
62-64 Menangle Street
Picton NSW 2571

AGENDA

Ordinary Council Meeting

10 December 2018

A handwritten signature in blue ink, which appears to read "Luke Johnson".

Luke Johnson
Chief Executive Officer

COMMUNITY STRATEGIC PLAN SNAPSHOT

| CSP Theme | Strategies |
|--|---|
| <p>Sustainable and Balanced Growth</p>  | Strategy GR1 – Growth |
| | Strategy GR2 – Built Environment |
| | Strategy GR3 – Economic Development and Tourism |
| | Strategy GR4 – Liveable Communities |
| | Strategy GR5 – Wilton New Town |
| | Strategy GR6 – Peri-urban Areas |
| | Strategy GR7 – Agriculture Strategy |
| | Strategy GR8 – Advocacy |
| <p>Management and Provision of Infrastructure</p>  | Strategy IN1 – Improve the condition of our Road Network |
| | Strategy IN2 – Provision of Infrastructure and Facilities |
| | Strategy IN3 – Manage Infrastructure and Facilities |
| | Strategy IN4 – Emergency Management |
| <p>Caring for the Environment</p>  | Strategy EN1 – Protect and Enhance Biodiversity, Waterways and Groundwaters |
| | Strategy EN2 – Protect the Environment from Development Pressures |
| | Strategy EN3 – Vegetation Management |
| | Strategy EN4 – Community Involvement |
| | Strategy EN5 – Environmental Awareness |
| | Strategy EN6 – Sustainable Practices |
| | Strategy EN7 – Agricultural Land and Capability |
| | Strategy EN8 – Auditing, Monitoring and Enforcement |
| | Strategy EN9 – Waste Management |
| | Strategy EN10 – Advocacy |
| <p>Looking after the Community</p>  | Strategy CO1 – Strong Community |
| | Strategy CO2 – Health and Wellbeing |
| | Strategy CO3 – Social Planning |
| | Strategy CO4 – Engagement and Communication |
| | Strategy CO5 – Advocacy |
| <p>Efficient and Effective Council</p>  | Strategy EC1 – Employee Relations |
| | Strategy EC2 – Risk Governance |
| | Strategy EC3 – Customer Service |
| | Strategy EC4 – Financial Sustainability |
| | Strategy EC5 – Resource Efficiency |
| | Strategy EC6 – Information Management |
| | Strategy EC7 – Participation Strategy |
| | Strategy EC8 – Accountability and Transparency |
| | Strategy EC9 – Advocacy |

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1 OPENING**2 RECORDING OF THE MEETING**

In accordance with Council's Code of Meeting Practice the electronic recording of the Council Meeting and the use of electronic media during the proceedings is not permitted. This includes devices such as laptops, mobile phones, tape recorders and video cameras.

3 WEBCAST NOTICE

Members of the public are advised, in accordance with Section 18 of the Privacy and Personal Information Protection Act 1998 (PPIPA), that Wollondilly Shire Council records and webcasts live all Ordinary and Extraordinary Meetings of Council held in open session for the purpose of facilitating community access. The webcasts are publicly available for viewing on Council's website.

Video footage collected is of the decision making body only, if you do not wish your image to be recorded please remain in the public gallery. Your image, voice, personal and health information may be recorded, publicly broadcast and archived if you speak during the meeting and/or don't remain in the space provided.

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Council may be required to disclose recordings pursuant to the Government Information (Public Access) Act 2009, or where Council is compelled to do so by court order, warrant or subpoena or by any other legislation.

4 NATIONAL ANTHEM**5 ACKNOWLEDGEMENT OF COUNTRY**

The Mayor will acknowledge the traditional Custodians of the Land.

6 APOLOGIES AND LEAVE OF ABSENCE REQUESTS**7 DECLARATION OF INTEREST****8 CONFIRMATION OF MINUTES**

Ordinary Council Meeting - 19 November 2018

Closed Council Meeting - 19 November 2018

9 ITEMS TO BE TABLED

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10 MAYORAL MINUTE

Nil

11 SUSTAINABLE AND BALANCED GROWTH

11.1 SYDNEY WATER WASTE WATER RE-USE SCHEME

File Number: 10619#223

EXECUTIVE SUMMARY

- The purpose of this report is to update Council on continuing discussions with Sydney Water relating to the re-use of treated wastewater on Council playing fields and for agricultural purposes.
- It is recommended that Council
 - note the report; and
 - write to Sydney Water to invite them to address a Councillor workshop early in 2019.

REPORT

Background

At the 18 September 2017 Ordinary Meeting, Council resolved as follows:

“That Council write to both Sydney Water and Elizabeth Macarthur Agricultural Institute (EMAI) to see if they would be willing to participate in a working group to look into the option of reusing recycled waste water and stormwater from Wilton Priority Growth Area on agricultural lands including the EMAI lands. That Council also write to the Hon Niall Blair, Minister for Primary Industries and Minister for Regional Water seeking his support to the investigation of these options.”

Letters were sent in April 2018.

Only one reply was received from the Hon. Niall Blair MLC’s office advising that the matter rested under the remit of Minister for Energy and Utilities, the Hon. Don Harwin MLC to whom he had referred the matter.

No further responses have been received at this time.

At the 18 June 2018 Ordinary Meeting, Council resolved as follows:

“That Council meets with Sydney Water to discuss how sewerage and grey water can be treated and reused in areas such as sporting fields and farms throughout the Shire. Specifically, such an approach be mandated for all new growth areas such as Wilton Junction.”

Current Status

Council staff and Sydney Water have met on a number of occasions to discuss the potential for the reuse of treated stormwater and wastewater on Council playing fields and for agricultural use, including the EMAI.

These discussions have revealed that the EMAI is already receiving treated wastewater from the Camden Sewerage Treatment Plant and has done so since the 1990’s. Further, demand for treated wastewater for irrigation purposes at the EMAI has been very modest.

In terms of the potential reuse of treated wastewater for other agricultural users, Sydney Water is piloting such a program at present. This is in early stages and Sydney Water has offered to brief Council at a Council Workshop in early 2019.

Reuse of treated wastewater on Council playing fields across the Shire is problematic as our playing fields are widely dispersed across an area which is almost as large as Sydney itself. This presents difficulties in economically investing in the necessary infrastructure to make it cost effective.

Reuse of treated wastewater on future playing fields within the Wilton Priority Growth Area however is a realistic opportunity.

Sydney Water is currently undertaken a study to develop a water and wastewater servicing strategy for the Wilton Priority Growth Area. As part of this study, Sydney Water are considering the potential for the reuse of treated wastewater on Council playing fields and potentially other passive open space areas subject to overall viability. This is considered an important option for Sydney Water given that there is increasing pressure on the Hawkesbury-Nepean Catchment and the limited ability for anticipated urban growth to discharge into this system. As such, the ability to discharge on site via Council playing fields and passive recreation areas presents a solution to this issue.

The study currently being undertaken is not expected to be completed until the end of 2019. Council staff are actively participating in a series of workshops with Sydney Water and major landowners and will continue to work towards a sustainable reuse of stormwater and treated wastewater options.

These matters will be discussed further with Sydney Water directly at a future Councillor Workshop.

Consultation

There has been no consultation at this early stage.

Financial Implications

This matter has no financial impact on Council's adopted budget or forward estimates.

ATTACHMENTS

Nil

RECOMMENDATION

That Council:

1. note the report; and
2. write to Sydney Water to invite them to address a Councillor workshop early in 2019.

11.2 DEED OF VARIATION TO PLANNING AGREEMENT 165 RIVER ROAD TAHMOOR**File Number: 10619#229****EXECUTIVE SUMMARY**

- The purpose of this report is to amend the recommendation made at Council's Meeting of 20 August 2018 in Council Report agenda item 11.4.
- It is recommended that Council:
 1. Agree to adopt the attached Deed of Variation to the executed Planning Agreement for the land at 165 River Road Tahmoor.
 2. Agree to accept the land proposed to be dedicated as a park through the Deed of Variation and that it be classified as "Community Land" under the Local Government Act.
 3. Agree for the Deed of Variation to be executed on behalf of Council by the Chief Executive Officer.

REPORT

At its meeting of 20 August 2018, regards to Item 11.4, Council resolved that:

1. *Agree to adopt the attached Deed of Variation to the executed Planning Agreement for the land at 165 River Road Tahmoor.*
2. *Agree to accept the land proposed to be dedicated as a park through the Deed of Variation and that it be classified as "Community Land" under the Local Government Act.*
3. *Agree for the Deed of Variation to be executed on behalf of Council by the Chief Financial Officer.*

Point 3 of the recommendation authorises the Chief Financial Officer to execute the Deed of Variation. This was a typographical error, which is currently preventing the Deed from being executed by Council.

Therefore, this report is seeking to correct the recommendation and authorise the Deed be executed by the Chief Executive Officer, in accordance with delegations.

Consultation

Not applicable.

Financial Implications

This matter has no financial impact on Council's adopted budget or forward estimates.

ATTACHMENTS

1. **Deed of Variation to the executed Planning Agreement for 165 River Road Tahmoor** 

RECOMMENDATION

That Council:

1. Agree to adopt the attached Deed of Variation to the executed Planning Agreement for the land at 165 River Road Tahmoor.
2. Agree to accept the land proposed to be dedicated as a park through the Deed of Variation

and that it be classified as "Community Land" under the Local Government Act.

3. Agree for the Deed of Variation to be executed on behalf of Council by the Chief Executive Officer.

12 MANAGEMENT AND PROVISION OF INFRASTRUCTURE

12.1 UPDATE ON 2011 SECTION 94 CONTRIBUTIONS AND PROJECTS

File Number: 10619#96

EXECUTIVE SUMMARY

The purpose of this report is to update Council on receipts of Section 94 Development Contributions (now Section 7.11) shire wide, in particular road and recreational funds. Further, the report look at possible shire wide projects that can be funded from these funds.

This report recommends that the information be noted.

REPORT

At its meeting of 16 April 2018, Council resolved the following:

ORD NOM3 regarding Section 94 Contributions - That a report come to a Workshop within 3 months on how much has been collected in Section 94 funds shire wide, in particular road and recreational funds. Further, the report look at possible shire wide projects that can be funded from these funds.

The matter was brought to a Council workshop in June 2018 and the feedback from that forum has helped develop this report.

It is noted that the existing plan was adopted in 2011 with many works completed. As the plan is now some years old and developed prior to numerous planning proposals in recent years, the process to review the Development Contributions Plan has commenced and is due to be completed in 2019.

The balances within this report are from the last available audited financial statements for 2017/18 Financial Year.

Transport & Traffic Management Facilities (Road) - Reserve Balance \$5,865,479

Transport & Traffic Management Facilities have been collected on a shire wide basis and include projects within the Picton and Silverdale.

The development of a traffic master plan for works for the Picton Town Centre, *the Picton Town Centre Transport Plan*, is nearing completion. Some of these sub-projects in the draft Plan have been previously recognised and are identified in the 2011 Development Contributions Plan.

Particular sub-projects have been confirmed as critical to the Plan and their inclusion in the adopted 2011 Development Contributions Plan has enabled detailed concepts and designs to commence for the Prince Street intersections with the intent of delivering these critical projects as a matter of priority. This was reported to Council at its 16 July 2018 Council Meeting to introduce funding to pursue detailed investigations and designs.

At the 16 July 2018 Council Meeting, funding was also introduced to commence investigations and a route feasibility investigation for the upgrade of Silverdale Road between Blaxland Crossing Bridge and Farnsworth Avenue.

This work is to identify capacity and safety improvements that can be pursued in the short term as well as inform a longer term project of improving transport connectivity from Silverdale to the adjacent local government areas. It will also help inform grant funding applications that may be relevant as well as inform the Development Contribution Plan review, noting grant opportunities of this scale require contributory funding.

Recently, the NSW Government announced \$3 million in funding towards investigating a route corridor for a 'Picton Bypass' demonstrating the resources required to pursue detailed route investigations and design. A detailed route corridor design for Silverdale Road would cost in excess of \$1 million.

Pursuing both the Picton town centre master plan and Silverdale Road capacity improvements, given their significant scale, will require resourcing in excess of what can be collected under the adopted Development Contributions Plan plus relevant Voluntary Planning Agreements (VPA) and relevant grant funding opportunities.

Community Facilities: Reserve Balance - \$4,394,437

Funds have been collected under four precincts and the shire wide category.

Each precinct includes an item for additional floor space; however, this has been refined by the *2014 Open Space, Recreation & Community Facilities Strategy* and needs to be further refined through the review of the Development Contributions Plan. This will update the Open Space Strategy, various master plan projects that are currently under development and VPA negotiations in some precincts.

A critical issue with respect to the Reserve balances is that the current individual precinct balances are below what would be required to pursue a significantly sized building as a stand-alone funding source. Further, use of the current reserves to fund smaller projects that may be allowable under the current plan will further decrease Council's capacity to deliver on the higher priority projects.

What is being pursued in the short term is the renewal of amenity blocks shire wide. For 2018/19, two blocks can attract Section 94 funding to the total of \$100,000 which would otherwise be fully funded from asset renewal funding; namely York/Larkin Streets, Tahmoor (Emmett Park) and Willis Park, Oakdale. Adjustments will be made in the 2018/19 Capital Works Program to reflect the development contribution funding at the December 2018 Quarterly Budget Review.

Open Space Sporting/Recreation Facilities: Reserve Balance - \$7,888,465

Funds have been collected under four precincts as well as the shire wide category.

Each precinct includes an item for additional local parkland; however, this has been refined by the *2014 Open Space, Recreation & Community Facilities Strategy* and needs to be further refined through the review of the Development Contributions Plan. This will update the Open Space Strategy, the current master planning projects and Voluntary Planning Agreement negotiations in some precincts.

As reported to the October 2018 meeting, Development Contribution funds from the 2011 Plan have been introduced to pursue the construction of 'field 3' at the Wilton Recreation Reserve. No further projects are currently being pursued under Open Space to be funded from the 2011 Development Contributions Plan; however, we note in particular a significant balance for Precinct 1 (Silverdale/Warragamba), which has been confirmed as deficient in Open Space, that is generally being negotiated through VPA negotiations - and Precinct 3 (Picton/Tahmoor/Thirlmere/Bargo) that includes items currently subject to master planning projects.

Consultation

Nil

Financial Implications

There are no financial implications for this report.

ATTACHMENTS

Nil

RECOMMENDATION

That the information within the report be noted.

12.2 FINANCIAL SUPPORT FOR THE 2019 THIRLMERE FESTIVAL OF STEAM

File Number: 10619#225

EXECUTIVE SUMMARY

- The purpose of this report is to outline a request for additional in-kind support from the organisers of the 2019 Thirlmere Festival of Steam; set out the estimated costs to Council of the in-kind support; and recommend the introduction of a budget and approval of some of the requested in-kind support.
- This report recommends that Council:
 - Wishes the organisers of the 2019 Thirlmere Festival of Steam every success for the 2019 Festival.
 - Provides further in-kind support to the 2019 Thirlmere Festival of Steam to an estimate value of \$4,255.

REPORT

Background

The organising committee for the 2019 Thirlmere Festival of Steam have requested “in-kind” support, in addition to the \$5,000 financial support already allocated under the 2018/19 Operational Plan, in order to deliver the 2019 Thirlmere Festival of Steam on Sunday 3 March 2019.

The Thirlmere Festival of Steam is an iconic event that will be celebrating its 30th anniversary in 2019; that was originally started as a community-based and organised event supporting the original steam train museum at Thirlmere. The event is reported to draw 9,000 to 10,000 visitors, in conjunction with the functions held at the Thirlmere Steam Museum, and provides a fund raising opportunity for The Rotary Club of Picton who seek to distribute any operating surplus to worthy community projects.

Council is a long term financial sponsor and provides a \$5,000 annual grant, subject to the adoption of each year’s Operational Plan, as well as some logistical support, namely the use of a Council vehicle being operated by a Council employee who volunteers their time to the event.

The management requirements for the Festival have grown over time due to improvements in operational and safety controls, especially in the area of traffic management as public roads are closed for some of the Festival events.

In previous years, short falls in logistics for traffic management have resulted in Council having to directly fund the provision of required traffic management devices and personnel for traffic control as an emergency measure in order for the Festival to be undertaken. In 2018, this urgent assistance is estimated to have cost \$4,055 for traffic control alone, in addition to the \$5,000 sponsorship. This amount was previously funded out of the Road Maintenance vote.

Request for Assistance

Following communications with the organising committee to confirm that Council cannot continue to provide additional support as an emergency measure, the 2019 organising committee has written to Council to request:

- Two personnel with traffic management accreditation for Sunday 3 March 2018.
- A Council vehicle for the two personnel.
- Provision of 4 Variable Message Board signs (as per the Traffic Management Plan).
- Provision of 15 crash rated water filled barriers (as per the Traffic Management Plan).
- Additional cleaning of public spaces and public toilets.
- Support marketing of the Festival by Council.

- A waiver of the hire fee for the Thirlmere Memorial Park.

The estimated costs for these items and other support actions are:

| Item | Description | Estimated Cost | Recommendation | Additional Funding Required |
|------------------------------|---|----------------|---|-----------------------------|
| Traffic Management Personnel | To support volunteer Council staff - 13 hour Sunday shift. | \$950 | Fund with additional budget allocation | \$950 |
| Council Vehicle | One day. | \$325 | Fund with additional budget allocation | \$325 |
| Provision of 4 VMBs | Delivery Friday, pick up Monday. | \$1,980 | Fund with additional budget allocation | \$1,980 |
| Provision of 15 Barriers | Crash rated water filled barriers for hostile vehicle protection. Filling by RFS. | \$250 | Fund with additional budget allocation | \$250 |
| Additional Cleaning | In addition to normal Saturday/Sunday morning runs. | \$650 | Fund with additional budget allocation | \$650 |
| Support Marketing | Council's website, Facebook, display of posters at Council facilities. | \$100 | Fund from existing budget allocation | \$100 |
| Fee Waiver | Thirlmere Memorial Park. | \$174 | Refuse request as unfair on other regular users | \$0 |
| Pre-festival preparation | Additional area cleaning, litter removal, slashing, etc in lieu of other area maintenance activities. | \$1,350 | Fund from existing budget allocation | \$0 |
| Festival Stall | The organisers request a manned Council stall. | \$1,500 | Fund from existing budget allocation | \$0 |
| | Total | \$7,279 | | \$4,255 |

Consultation

Manager Tourism & Business Investment
Manager Community Outcomes

Financial Implications

No funding has been allocated for this event. Funding could be introduced from the Tourism & Economic Development Restricted Cash Account which has sufficient capacity to fund the estimated amount.

ATTACHMENTS

Nil

RECOMMENDATION

That Council:

1. Wishes the organisers of the 2019 Thirlmere Festival of Steam every success for the 2019 Festival.
2. Provides further in-kind support to the 2019 Thirlmere Festival of Steam and that \$4,255 be introduced from the Tourism & Economic Development Restricted Cash Account to fund this additional support.

12.3 CENTRAL WARD SUB-COMMITTEE DELEGATION FOR TELOPEA PARK MASTER PLAN

File Number: 10619#226

EXECUTIVE SUMMARY

- The purpose of this report is to provide information on the development of a master plan for Telopea Park, Buxton and seek Council's endorsement to delegate to a sub-committee to adopt the final master plan once it becomes available.
- This report recommends that in accordance with Sections 355 and 377 of the *Local Government Act 1993*, a sub-committee consisting of the three Councillors for Central Ward be delegated the authority to adopt the final master plan for Telopea Park on Council's behalf.

REPORT

As part of the Wollondilly Community Strategic Plan (Create Wollondilly) strategy "provide a range of infrastructure and community facilities to meet the needs of the community, now and into the future", Council is committed to strategically planning for upgrades to community open space through the delivery of costed master plans.

IN2.7 of the current Delivery Program 2017/18 – 2020/21 identifies a total of six master plans being developed during the 2018/19 financial year and includes a master plan for Telopea Park, Buxton.

As such, Council has engaged consultancy, Sturt Noble Associates, to develop the master plan for Telopea Park.

Located along East Parade, between Eurelia Road and Erith Road, in Buxton, Telopea Park is an important community space that is central to most residences of Buxton. The park is relatively unembellished and a number of recent community requests have highlighted the need for upgraded and additional facilities to better meet the community's recreational and social needs.

A basic draft concept plan for Telopea Park was developed based on the feedback provided through the community and in consultation with the Central Ward Councillors. This draft concept plan was subject to a community engagement process from 31 October 2018 – 30 November 2018 to encourage discussion and ideas for the master plan.

The feedback received during the community engagement phase is currently being reviewed and the master plan will be updated accordingly.

Given that there is a current commitment of \$185,000 in the 2018/19 Capital Works Program identified for a barbecue and the renewal of the public toilet facility at Telopea Park, Council wishes to progress the adoption of a final master plan promptly to enable the timely delivery of this infrastructure within the current financial year.

It is proposed that delegation be given to the Central Ward Councillors to allow them to adopt the final proposed master plan as the next scheduled meeting is in late February 2019.

If formal adoption by Council is required, there will be insufficient time to procure the required infrastructure and complete construction within the 2018/19 financial year.

A final master plan will clearly identify the most suitable location for the proposed barbecue and new toilet facility based on the community feedback and, therefore, will allow works to commence on these projects. It is anticipated that the remaining works that are identified within the final master plan for Telopea Park will be implemented in a staged approach as funding becomes available.

Council has engaged a consultancy to prepare a master plan for Telopea Park, Buxton.

Consultation

The initial Telopea Park concept plan that was taken to the community during the community engagement period (31 October 2018 – 30 November 2018) was prepared based on the feedback that was received from a variety of community requests and relayed informally to Central Ward Councillors over recent years.

The community engagement period that was facilitated from 31 October 2018 to 30 November 2018 was extensively promoted by Council through social media, flyers (including letterbox drops), posters and stakeholder letters. A community engagement kiosk was hosted at Telopea Park from 10.00am to 12.00pm on Saturday 17 November 2018.

Additionally, Council utilised an interactive mapping tool through its Engage.Wollondilly website which received a significant number of comments and ideas from the Buxton community.

The feedback received from the community engagement process will be reviewed and used to inform the development of the proposed final master plan for Telopea Park.

Financial Implications

Funding has been allocated under the Capital Works Program for the replacement of the toilet block. Should the recommendation of this report not be supported, Council's adopted budget will be impacted and the allocated funds unspent as scheduled.

ATTACHMENTS

Nil

RECOMMENDATION

That in accordance with Sections 355 and 377 of the *Local Government Act 1993*, a sub-committee consisting of the three Councillors for Central Ward be delegated the authority to adopt the final master plan for Telopea Park on Council's behalf.

12.4 LICENCE - ELECTRIC VEHICLE CHARGING STATION - CARPARK - WALTON STREET, PICTON

File Number: 10619#227

EXECUTIVE SUMMARY

- The purpose of this report is to obtain Council's endorsement to enter into a Licence Agreement for the provision of an Electric Vehicle (EV) Charging Station at Council's car park located in Walton Street, Picton.
- This report recommends that:
 - Council enter into a Licence Agreement for the provision of an Electric Vehicle (EV) Charging Station over land located at Walton Street, Picton with the NRMA with the licence being one of either Lots 103, 104 or 105 of DP 1174568.
 - The Mayor and Chief Executive Officer be authorised to execute all documentation in relation to the Licence including those requiring the Common Seal of Council.
 - \$10,000 be introduced into the 2018/19 Major Works Program to facilitate the investigation and design process.

REPORT

A Notice of Motion was submitted to Council and resolved on 19 March 2018 requesting investigation into the installation of electric vehicle recharging stations within the Wollondilly Shire as part of the Wollondilly Smart Shire Strategy – Resolution Number 58/2018.

Council have negotiated with the National Roads & Motorists Association (NRMA) an agreement for the NRMA to invest in Wollondilly to install an Electric Vehicle Charging Station on land in Walton Street, Picton (the car park). The NRMA are supportive of the project and confirm that the installation of the EV Charger will increase their network of chargers to 41.

The project will:

- Enhance electrification of road transport for a sustainable and prosperous Australia.
- Assist the future where road transport is powered by zero emissions vehicles.
- Provide travel options to the community and enable a real choice about how they get around.
- Improve visitor facilities.
- Be essential to solve the challenge of growing congestion and provide for the future growth of our communities.
- Be in line with global transition in road transport and it is believed that Australian consumers and industry can be leaders in the future of mobility.

Council's work required in support of the project involves installation of the EV Charging Station including all works ancillary to that installation and necessary or desirable (in the opinion of the Licensee) for the on-going operation of the EV Charging Station, including:

- Installation of concrete footings and conduits.
- Installation of the electrical conduits between the EV Charging Station and the site main switchboard.
- Installation of the electrical switchboard with sufficient space for the Licensee's meters and electrical protection equipment.
- Installation of an 80A three phase supply to the electrical switchboard for the sole use of the Licensee (in addition to the Licensor's needs).
- Installation of electric vehicle parking signage.
- Marking or painting of EV Charging Spaces with electric vehicle parking or charging symbols.

- Provision of appropriate lighting as part of existing site plans.
- Obtaining the Licensee's approval to all plans to ensure engineering and design is fit for purpose.

The project coincides with the project to install smart street lighting and CCTV network in Walton Street and car park so the EV installation comes at a good time to achieve economies of scale in constructing the associated works and value adding to the Walton Street Smart Shire Strategy.

However, the cost of the above works will be confirmed before formally entering into the licence agreement. The strategic cost estimate for these works is less than \$50,000 (additional to the Street Light Project).

The Head of the Agreement are:

Rent: Peppercorn (\$1) per annum plus GST, if demanded.

Terms: Two consecutive 5 year licences.

Area: One car park bay; 3m² space at end of bay for charger and bollards; 1m² buffer around the EV Charging Station.

Access: 24 hours a day, 365 days a year.

Property: To be confirmed as a part of the design process – one of Lots 103, 104 or 105 of DP 1174568 to be determined within car park in Walton Street, Picton.

The property is classified as 'Operational Land' which permits Council to enter into a Licence Agreement.

Section 377(1) *Local Government Act 1993* provides Council with the powers by resolution to delegate to the Chief Executive Officer to enter into an agreement.

Consultation

Internal only.

Financial Implications

An initial \$10,000 to facilitate the design process to be funded from Restricted Cash. Further funds will need to be considered at a future Quarterly Review.

ATTACHMENTS

Nil

RECOMMENDATION

1. That, in accordance with the *Local Government Act 1993*, Council enter into a Licence Agreement for the provision of an Electric Vehicle Charging Station over land located at Walton Street, Picton with the NRMA with the licence being one of either Lots 103, 104 or 105 of DP 1174568.
2. That the Mayor and Chief Executive Officer be authorised to execute all documentation in relation to the Licence including those requiring the Common Seal of Council.
3. That \$10,000 be introduced into the 2018/19 Major Works Program to facilitate the investigation and design process.

13 CARING FOR THE ENVIRONMENT

Nil

14 LOOKING AFTER THE COMMUNITY

Nil

15 EFFICIENT AND EFFECTIVE COUNCIL**15.1 REVIEW OF THE PRIVACY MANAGEMENT PLAN****File Number: 10619#161****EXECUTIVE SUMMARY**

- That Council adopt the revised Privacy Management Plan 2018

REPORT

The *Privacy and Personal Information Protection Act 1998* (PPIPA) requires Council to have a Privacy Management Plan (PMP). The PMP outlines how we comply with the legislative requirements of PPIPA; the *Health Records and Information Privacy Act 2002* (HRIPA), and the *Privacy Code of Practice for Local Government*.

Council's current PMP has been reviewed to ensure that it meets the requirements set out in the Office of Local Governments Model PMP and also follows the guidance of the NSW Privacy Commission in that it is written in plain language. In this way it creates an easier to read guide for staff who manage privacy in their day to day work and also assists the public to understand how we manage (i.e. collect, store and use) their personal information.

Once adopted, the PMP will be publicly available on the Council's website.

Consultation

Information Privacy Commission

Council's Privacy Contact Officer

Manager Governance

General Counsel

Assistant Director People, Legal and Governance

Financial Implications

This matter has no financial impact on Council's adopted budget or forward estimates.

ATTACHMENTS

1. **DRAFT Privacy Management Plan** 

RECOMMENDATION

That Council adopt the revised Privacy Management Plan 2018.

15.2 ORDINARY COUNCIL MEETING AND COMMUNITY FORUM DATES – 2019**File Number: 10619#215****EXECUTIVE SUMMARY**

- The purpose of this report is to set the Ordinary Meeting and Community Forum scheduled for 2019.
- It is recommended that the Ordinary Council Meeting and Community Forum dates for 2019, as outlined in this report, be adopted and advertised.

REPORT

Ordinary Council Meetings and Community Forums are held at Council's Administration Building, 62-64 Menangle St, Picton. Community Forums are held on the second Monday of each month and Ordinary Council Meetings on the third Monday of each month commencing at 6.30pm.

The schedule proposed for 2019 is as follows:

| Month | Community Forum | Ordinary Meeting |
|-----------|--------------------|------------------|
| February | 11th | 18th |
| March | 11th | 18th |
| April | 8th | 15th |
| May | 13th | 20th |
| June | 11th Jun (Tuesday) | 17th |
| July | 8th | 15th |
| August | 12th | 19th |
| September | 9th | 16th |
| October | 14th | 21st |
| November | 11th | 18th |
| December | 2nd | 9th |

The schedule is varied in June due to the Queen's Birthday public holiday. In 2019, the Local Government Conference will be held from 14 – 16 October, which will coincide with the Community Forum for that month.

Consultation

All Managers and Executive were consulted to ensure the schedule aligned with any known deadlines for third party reporting. Local Government NSW were consulted as to the dates for their 2019 Annual Conference.

Financial Implications

This matter has no financial impact on Council's adopted budget or forward estimates.

ATTACHMENTS

Nil

RECOMMENDATION

That the Ordinary Council Meeting and Community Forum dates for 2019, as outlined in this report, be adopted and advertised.

15.3 THE ROLE OF THE MAYOR BETWEEN COUNCIL MEETINGS

File Number: 10619#216

EXECUTIVE SUMMARY

- The purpose of this report is to formally acknowledge the role of the Mayor during the break between Ordinary Council Meetings.
- It is recommended that Council acknowledge the role of the Mayor or in the absence of the Mayor, the Deputy Mayor, to exercise in cases of necessity, the policy making functions of the governing body of the Council between meetings of the Council.

REPORT

Monday, 10 December 2018 is the last Ordinary Meeting of the year. The next Ordinary Meeting is proposed for 18 February 2018. As Christmas and New Year break is fast approaching, it is timely to detail the Mayor's legislated powers between meetings.

In the event that a matter of urgency arises within this period of time, the Mayor under section 226 (or Deputy Mayor under section 231) of the Local Government Act 1993 (the Act) is able to exercise the policy making functions of Council.

Section 226 of the Act defines the role of the Mayor as:

- to exercise, in cases of necessity, the policy-making functions of the governing body of the Council between meetings of the Council
- to exercise any other functions of the Council that Council determines
- to preside at meetings of the Council
- to carry out the civic and ceremonial functions of the Mayoral office.

Section 231 of the Act defines the role of the Deputy Mayor as:

- to exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of Mayor.

Consultation

Nil

Financial Implications

This matter has no financial impact on Council's adopted budget or forward estimates.

ATTACHMENTS

Nil

RECOMMENDATION

That Council acknowledge the role of the Mayor (or in the absence of the Mayor, the Deputy Mayor) to exercise in cases of necessity the policy making functions of the governing body of the Council between meetings of the Council.

15.4 ANNUAL REPORT - CODE OF CONDUCT COMPLAINTS

File Number: 10619#217

EXECUTIVE SUMMARY

- The purpose of this report is to meet the statutory obligations of the Council in relation to complaints made under the Code of Conduct (the Code) as set in the Council's Procedures for Administration of the Code of Conduct (the Procedures).
- The Complaints Coordinator must report to Council on an annual basis the statistics in regards to all Code of Conduct complaints as they relate to Councillors and the Chief Executive Officer.
- It is recommended that the annual report of Code of Conduct complaints be received and noted.

REPORT

Council's Chief Executive Officer is the recipient for complaints about the conduct of Councillors. The Mayor is the recipient for complaints about the conduct of the Chief Executive Officer.

The Procedures set out the responsibilities regarding complaints of alleged breaches of the Code and the reporting requirements of these complaints.

Part 12 – Reporting on Complaints Statistics

Section 12.1 of the Procedures states - *the Complaints Coordinator must arrange for the following statistics to be reported to the Council within 3 months of the end of September of each year.*

- The total number of code of conduct complaints made about Councillors and the Chief Executive Officer under the code of conduct in the year to September*
- The number of code of conduct complaints referred to a conduct reviewer*
- The number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage and the outcome of those complaints*
- The number of code of conduct complaints investigated by a conduct reviewer*
- The number of code of conduct complaints investigated by a conduct review committee*
- Without identifying particular matters, the outcome of code of conduct complaints investigated by a conduct reviewer or conduct review committee under these procedures*
- The number of matters reviewed by the Division and without identifying particular matters the outcome of the reviews, and*
- The total cost of dealing with code of conduct complaints made about Councillors and the Chief Executive Officer in the year to September, including staff costs.*

Section 12.2 states – *the Council is to provide the Office of Local Government with a report containing the statistics referred to in clause 12.1 within 3 months of the end of September of each year.*

Council has provided the Office of Local Government the statistical information as required under the Code and Procedures.

Complaints Received

During the annual reporting period – September 2017 to August 2018 there were 2 notifications received by Council raising issues associated with the adopted Code. 1 matter was finalised at the preliminary stage, the other matter being investigated, is still ongoing. Please refer to the table below for statistical reporting.

| Total Made (a) | Referred to CR (b) | Finalised at Preliminary Stage (c) | Investigated by Conduct Reviewer (d) | Investigated by CRC (e) | Outcome of Investigation (f) | Matters Reviewed – Division (g) | Total Cost (h) |
|----------------|--------------------|------------------------------------|--------------------------------------|-------------------------|------------------------------|---------------------------------|----------------|
| 2 | 2 | 1 | 1 | 0 | 0 | 0 | \$2500 |

Consultation

No consultation was required.

Financial Implications

This matter has no financial impact on Council’s adopted budget or forward estimates.

ATTACHMENTS

Nil

RECOMMENDATION

That the Annual Report in relation to the Code of Conduct complaints be received and noted.

15.5 AUDIT RISK & IMPROVEMENT COMMITTEE ANNUAL REPORT

File Number: 10619#220

EXECUTIVE SUMMARY

- The purpose of this report is to advise of the performance of the Audit Risk & Improvement Committee.
- It is recommended that Council receive the report and thank the external representatives for their contribution to the effectiveness of Council's Audit Risk & Improvement Committee in the 2017/18 financial year.

REPORT

Council's Audit Risk & Improvement Committee (ARIC) provides Council with independent oversight and monitoring of the Council's control, risk and governance, including the organisation's internal audit, risk management and compliance activities.

A strong relationship between the ARIC and the internal audit function enables the ARIC to meet its responsibilities and carry out its functions. The ARIC establishes the importance and executive direction for the internal audit function and ensures that Council achieves maximum value for the internal audit function.

Internal Audit

During 2017/18, internal audits commenced were:

- Broughton Pass Post Project Review;
- Section 149 Certificates
- Development Control
- Accounts Payable
- Asset Management Planning

The Accounts Payable and Asset Management Planning were commenced in 2017/18 and were finalised in the 2018/19 financial year. The Broughton Pass Project Review was reported to Council at the Ordinary meeting held on 20 February 2018.

Key findings from the audits have been summarised as follows.

Section 149 Certificates (149 certificates)

Positive Findings

- Council has in place generally good systems, processes and practices relating to the issue of 149 certificates.
- Council has embarked on a continuous improvement project to further achieve efficiencies in the way the draft certificates are reviewed by Duty Planners.

Opportunities for Improvement

- Council should develop a corporate policy on what additional information should be included in 149(5) certificates. Council should undertake a full review of 149(2) and 149(5) certificates templates and attributes and ongoing review on a 6-monthly basis.
- A second person review should be implemented to ensure amendments made to the templates are correct and complete.
- The General Manager should consider sub-delegating authority to sign and issue 149 certificates either to the Director or a senior manager responsible for the function.

- Council should ensure there is clear responsibility for the management of the 149 certificates function.
- The procedure for the management of 149 certificates should be developed to include the need for approval from Strategic Planning where updates and amendments are requested by Council planners in the Property Module in AUTHORITY. A second person review should be implemented when amendments are made to the spatial datasets and property attributes in AUTHORITY.
- Where a staff member leaves the IT department, their access should be reviewed to ensure they no longer hold systems maintenance access. Council should limit the number of staff with edit access to the Property Module in AUTHORITY and Geographic Information System (GIS). User access listing for Property Module and GIS should be obtained from IT and reviewed annually.
- The draft 149 certificate process checklist should be finalised and renamed to include 149(2) and 149(5) certificates. Comments from Duty Planners during the review of the draft 149 certificates should be held in TRIM.
- Council should undertake formal assessments annually of the property attribute codes in the Property Module in AUTHORITY against the spatial datasets (shapefiles) in GIS.
- Council should investigate anomalies identified between the information on GIS and AUTHORITY pertaining to those 149 certificates issued and determine if the 149 certificates should be reissued. Council should follow up on the anomalies between the NSW Planning portal and the 149 certificates issued to ensure Council's information is complete and accurate.

Development Control

Positive Findings

- Council's Compliance Policy is generally followed in the management of the development control function.
- Council maintains a Fire Safety Register and a Swimming Pools Register to manage and monitor compliance with legislative requirements.
- Council uses the Customer Request System (CRM) where customer requests and follow-up actions taken are recorded. Where an internal staff member observes non-compliance with a development matter, it is raised as a CRM for action. Actions taken on CRMs are recorded in the CRM system which enables any staff member to quickly identify the status of any customer request.
- Annual Fire Safety Statements are recorded in TRIM, Council's document management system and held on property files.
- Council has had a Swimming Pool Inspection Program since October 2013.

Opportunities for Improvement

- Managers and Team Leaders should undertake checks of the Delegations of Authority Reports for their staff when they commence employment or when position responsibilities change. Council should undertake a detailed check of the system to ensure that all delegation codes have been accepted by each staff member at the Council.
- Council should develop an Investigations Training Manual and provide training to investigators on the preparation of contemporaneous notes. Periodic review of the investigation documentation in the CRM system should be undertaken.
- Council should monitor the expiry of the 'period of compliance' and take enforcement action promptly.

- Council should consider granting the Building Surveyor - Fire Safety Officer the authority to issue Penalty Infringement Notices as part of fire safety control. Alternatively, the Compliance Team should action the CRM request promptly. The Building Surveyor - Fire Safety Officer should follow up on the CRM to ensure action is completed.
- Council should take prompt action to record and refer the Annual Fire Safety Statements (AFSS) received to the Fire Safety Officer for review. Performance target should be set for the timely review of AFSSs received at Council e.g. Within 5 days of receipt of the AFSS.
- The due date of the next AFSS should not be based on the date when the certificate is received by Council. The expiry date should be based on when the first AFSS was due.
- Council should consider implementing an education program to improve compliance with the Swimming Pools Act. Council should review its inspection program and resources to ensure compliance with Section 22B of the Swimming Pools Amendment Act 2012.
- Council should comply with Section 22F(2) of the Swimming Pools Amendment Act 2012 in relation to the disclosure of the swimming pool inspections undertaken.

Accounts Payable

Positive Findings

- The establishment of creditors in the Creditor Master File is controlled with independent validation of the supplier's ABN and banking details. Creditors marked as 'closed for posting' have to meet the establishment requirements before they are made active
- Creditor Master File is reviewed annually and inactive creditors are marked 'closed for posting' to prevent misuse
- Reporting to the Executive Team on the accounts payable activities is undertaken on a regular basis
- Management Information System reports were identified for development with Civica.
- Payment runs are checked by independent approved staff and authorised before payment is made
- 'Council Purchase Order – Standard Terms and Conditions' outlines the business requirements for suppliers to comply with when doing business with the Council
- Invoices were generally supported by a purchase order and generally paid based on Council's terms of trade
- Refunds are confirmed against the invoice payment and the business areas before payment is made
- System controls provide a warning to the accounts payable officer when a duplicate invoice number is entered in the system for payment
- Efforts have been made to encourage the take up of EFT payments by suppliers

Opportunities for Improvement

- Council should consider enhancing the 'New Supplier Request Form' to include the requester's name, signature and date. Council should consider whether a second officer approval should be required for new supplier requests
- The Creditor Master File should be reviewed on a 6 monthly basis and creditors (suppliers/contractors/other) with no transaction history for 12 months and staff members with no history for 6 months should be purged, archived or deactivated
- Finance should undertake an annual review of staff access to the financial modules in Authority. IT should seek approval from the Chief Financial Officer when a request for access to financial modules is received from the business areas

- Council should review the current financial delegation limits and the number of staff holding financial delegations. Council should introduce segregation between the staff member that requisitions the goods and services and the approver of the purchase order to reduce opportunities for corruption or inappropriate expenditure to occur
- Staff should comply with the Financial Services – Purchasing Procedure in relation to the raising of purchase orders and receipting of goods received in Authority
- Council should engage with Civica to develop management information reports for the purpose of monitoring compliance with key controls in the accounts payable operations. Once the management information reports become available, routine reviews should be undertaken by management as a preventative and detective control
- The CSV files placed on the Council's server should be encrypted to prevent tampering by unauthorised personnel
- The Purchase Card Procedures - Acknowledgement of Conditions of Use must be updated to clearly state the responsibilities of the cardholders in relation to monthly purchase card reconciliation and a timeframe should be set for the completion and submission of the reconciliations. Council should undertake an annual review of the purchase card usage to determine if staff continue to warrant holding the purchase cards

Asset Management

Positive Findings

- Council has developed a sound asset management framework based on the Institute of Public Works Engineers Australia's adopted management practices
- Council has an adopted asset management policy and asset management strategy
- Council's asset management plans are well structured but require inclusion of further background and condition assessment information before they can be fully operational
- There is a detailed five year forward capital works program in place for transport assets
- Council's asset valuations and depreciation levels are in accordance with relevant accounting standards
- A summary of the major works programs for each asset category for the next four years was included in the 2017/18 – 2020/21 Delivery Program
- There is a summary report on progress of the capital works program in each Operational Plan Quarterly Review

Opportunities for Improvement

- Council should implement the recommendations from the Pacesetter Services review of Council's asset management systems
- Council should prepare an Asset Management Plan for its stormwater drainage assets
- Council should undertake a condition assessment of the stormwater drainage network
- Council should develop a detailed strategic asset improvement program to bring each of the asset management plans up to date
- Council should develop detailed five year capital works programs for both open space and building assets

ARIC Performance

During 2017/18 a survey was undertaken to gauge the satisfaction of the Internal Audit Function and the operation of the Committee.

The results of both surveys was generally positive with a number of comments and suggestions to be considered by the Committee.

Additionally, the performance of the internal audit function was measured regularly against the following Key Performance indicators.

| KPI | How Will it Be Measured | Target Level | Progress as at 30/6/18 |
|---|---|---|--|
| Level of satisfaction of business units subject to internal audit with: <ul style="list-style-type: none"> • Communication between the audit team and business unit management • Comprehensiveness of the audit • Relevance of audit recommendation • Quality of the audit report | Brief survey to be issued to business area following completion of each audit | At least 90% satisfaction | 2 surveys completed since 1/7/16. All responses were "Very Satisfied" |
| % of audits completed annually vs proposed audits in audit plan | Tally of audits completed | 100% | Six audits completed as part of current audit plan |
| Level of satisfaction of Audit Committee and Executive Leadership Team (ELT) with internal audit function | Annual survey of audit committee and ELT members | At least 90% satisfaction | Survey completed in May 2018. All responses rated 3 or more out of 5 |
| Time taken to complete audit projects | Date from Engagement Letter to issue of Draft Report | Six weeks | 9 weeks for Broughton Pass due mainly to need to conduct community survey. 7 weeks for development control. 4.5 weeks for accounts payable audit. 2.5 weeks for asset management planning. |
| Time taken to implement audit recommendations | Progress reports submitted to Audit Committee meeting | Zero recommended actions greater than 3 months overdue | 15 Recommendations >90 days overdue as at March meeting of Committee |
| Follow up Audits | Number of follow up audits completed | At least 2 follow up audits (of high priority recommendations) completed annually | Waste and HR follow up audits completed |

Progress against each of these KPIs is reported to each meeting of the ARIC.

The ARIC reviewed and were kept apprised of a number of processes/activities during the last financial year. These processes/activities include:

- Growth Update
- Capital Works Update including the Rating Strategy
- Quarterly Budget Review
- Continuous Improvement Program
- Quarterly Insurance Liability Reports
- IT system issues with Accounts Payable Workflows
- Developer Contributions
- External Auditor’s Reports

The ARIC reviews the Financial Statements of Council to assist the external audit process and to reach a view on the adequacy of Council’s accounting policies and processes and provide advice and guidance.

The ARIC also monitors the performance of Council’s:

- Risk Management
- Compliance Management
- Financial Management
- Financial performance including long term sustainability
- Operation performance against its Community Strategic Plan

The ARIC monitors its own performance against the following KPIs:

| KPI | How Will it Be Measured | Target Level | Progress as at 30/6/18 |
|--|--|--|---|
| Attendance by members of ARIC | Monitor attendance register | Attendance at 75% of meetings or more by each member | S Horne – 4 of 4 A Hanigan – 1 of 4 J Walton – 3 of 4 Cr Hannan – 3 of 4 Cr Briggs – 3 of 4 |
| Number of ARIC Meetings held | Minutes of each Committee meeting | At least four meetings per annum | 3 held in 2017/18 financial year to date |
| Timeliness of annual report to Council | Date of submission of annual Audit Committee report to Council | Within 2 months of end of each financial year | Last report in 2017 |
| Reporting of Audit Committee functions/outcomes to community | No. of Community Forums at which information provided regarding internal audit | At least one meeting per year | Last attended in 2017 |

| KPI | How Will it Be Measured | Target Level | Progress as at 30/6/18 |
|--|---------------------------------------|---|-----------------------------|
| Currency and coverage of internal audit plan | Date of review of Internal Audit Plan | Audit Plan reviewed at each meeting of the Committee | Last reviewed in March 2018 |
| Currency and relevance of Internal Audit Committee Charter | Date of review of Charter | Within 2 months of end of every second financial year | Last updated May 2017 |

Consultation

ARIC Chairperson

Internal Auditor

Financial Implications

This matter has no financial impact on Council’s adopted budget or forward estimates.

ATTACHMENTS

Nil

RECOMMENDATION

1. That Council receive the Audit Risk & Improvement Committee Report.
2. That Council forward a letter to the external representatives thanking them for their contribution to the effectiveness of Council’s Audit Risk & Improvement Committee in the 2017/18 financial year.

15.6 ANNUAL REVIEW OF CLOSED REPORTS

File Number: 10619#222

EXECUTIVE SUMMARY

- The purpose of this report is to consider the outcomes of the annual review of closed reports.
- Six closed reports from the last 12 months have been assessed and reported on, along with two reports from previous years.
- It is recommended that the reports from all Items of this report not be released.

REPORT

At times, special circumstances require reports to be dealt with in confidence. On these occasions the public are excluded from the closed part of the meeting. To increase transparency and accountability an annual review of all reports from closed Council meetings is performed to decide if confidentiality still exists.

The Public Officer has assessed and made recommendations as to the release of:

- all closed reports from the previous 12 months
- closed reports from previous annual reviews, not yet made public, where their status has changed

Consultation

This report has been prepared in consultation with the Acting Director Planning and Manager Governance (Public Officer).

In determining whether the contents of a closed report can be released either in part or full, Council must ensure that the release of the information is in the public interest and would not breach the requirements of any legislation. Matters such as legal professional privilege, commercial in confidence and privacy are taken into account as part of the decision making process.

It is proposed that the following reports assessed for release by Council's Public Officer be dealt with as stated.

PLANNING:

1. Development Application No. 010.2015.0000316.001 – 115 Kelsalls Road, Lakesland – Extension to existing poultry sheds 4, 5 and 6 and construct additional two (2) sheds

File Number: 8642-2

Meeting Date: 21 November 2016

Meeting Item: PE5

Public Officer's Advice: Withhold this report.

This matter is still current and the report is subject to legal professional privilege.

2. Request for Release from Deed of Agreement – Picton Mall

File Number: 9707

Meeting Date: 20 November 2017

Meeting Item: GR2

Public Officer's Advice: Withhold this report.

This matter is still current and the report is subject to legal professional privilege.

3. Legal Advice regarding Wilton South East Precinct Rezoning

File Number: 9456

Meeting Date: 21 May 2018

Meeting Item: GR4

Public Officer's Advice: Withhold this report.

This matter is still current and the report is subject to professional legal privilege.

GOVERNANCE:

4. Divestment of Land – Old Post Office

File Number: 9294

Meeting Date: 21 November 2016

Meeting Item: GO7

Public Officer's Advice: Withhold this report.

This matter is ongoing. The report contains information that if released would prejudice the commercial position of both Council to carry out business and the applicant.

5. Amendment to Existing Lease – Waste Management Facility – Wonga Road, Picton

File Number: 7408

Meeting Date: 19 February 2018 and 21 May 2018

Meeting Item: IN3

Public Officer's Advice: Withhold this report.

This matter is still current and contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

6. Interest in Council Owned Land – Purchase of Right of Way – Menangle & Colden Streets, Picton

File Number: 9346

Meeting Date: 19 February 2018 and 21 May 2018

Meeting Item: IN4

Public Officer's Advice: Withhold this report.

This matter is ongoing. The report contains information that if released would prejudice the commercial position of both Council to carry out business and the applicant.

7. Legal Status

File Number: 10619#98

Meeting Date: 15 October 2018

Meeting Item: 17.1

Public Officer's Advice: Withhold this report.

This matter is still current and the report is subject to professional legal privilege.

COMMUNITY:

8. Western Sydney City Deal

File Number: 9430

Meeting Date: 26 February 2018

Meeting Item: GR1

Public Officer's Advice: Withhold this report.

This report is pending government negotiation and therefore is to remain confidential.

Financial Implications

This matter has no financial impact on Council's adopted budget or forward estimates.

ATTACHMENTS

Nil

RECOMMENDATION

That the reports from all items of this report not be released.

15.7 WESTERN SYDNEY CITY DEAL UPDATE

File Number: 10619#231

EXECUTIVE SUMMARY

- The purpose of this report is to update Council of the progress made concerning the development of a regional collaboration framework between the 8 Councils of the Western Parkland City and propose Council commit up to \$20,000 over the 2019 calendar year to fund the resources required to administer the regional collaboration function.
- It is recommended that Council;
 - notes the proposed Memorandum of Understanding between the 8 Western City Councils;
 - adopts, in principle, the framework for regional collaboration described in the Memorandum of Understanding; and
 - commits the contribution of up to \$20,000 to fund the resources required to administer the regional collaboration function over the 2019 calendar year

REPORT

MACROC

Council considered a report on the withdrawal from MACROC at its ordinary meeting on 21 May 2018. At this meeting Council resolved, amongst other resolutions to commence the process to withdraw from MACROC with a view to working towards a regional collaborative model having regard to the changing circumstances in the broader region.

Since this time the Chief Executive Officers and General Managers of the 8 Western Sydney City Deals have expedited discussions in relation to the establishment of a new collaborative arrangement. A significant level of cooperation has developed amongst the Western City Councils during the City Deal process and it is timely to consider how the Councils might formally cooperate in the future on matters that impact the region, but exist outside the City Deal itself.

This arrangement has taken into consideration the *Draft Relationship Framework for Councils of the Western Parkland Region* that was adopted in principle at the Extraordinary Council meeting held on 27 August 2018.

Western Sydney City Deal

Council considered a report on the Western Sydney City Deal at its extraordinary meeting on 28 August 2018. At this meeting Council relevantly resolved in part, as follows:

1. adopts, in principle, the Relationship Framework as attached to this report and;
2. notes that further reports may be brought back to Council from time to time on matters arising under the City Deal and issues of regional collaboration.

The Mayors, General Managers, Lead Officers and various working parties from the 8 Councils of the Western Parkland City have been continuing to implement initiatives from the Western Sydney City Deal and to collaborate on issues of regional significance.

As contemplated in the earlier reports referred to above, the Councils are now proposing to confirm their commitment and formalise the arrangements to cooperate with each other and act jointly to deliver:

1. an integrated and connected Western Parkland City through smart rail, bus, road and digital infrastructure

2. growth of the regional economy, increasing the supply and diversity of local jobs as well as opportunities for new investment and enterprise development
3. existing and future workers' access to the education and skills they need to secure jobs of the future
4. a liveable and resilient Western Parkland City that delivers affordable housing choice with access to essential services and opportunities that promote lifestyle diversity and choice, good health and well-being
5. conservation and celebration of open space, the natural environment and the region's unique cultural attributes
6. strategic city partnerships that align with and facilitate these objectives
7. the implementation of an enduring Western Sydney City Deal and other programs that address the objectives of the Partnership.

Memorandum of Understanding

In order to formalise the relationship framework, the 8 Councils are proposing they enter into a non-binding Memorandum of Understanding, outlining the purpose and objectives of the relationship and undertaking to adhere to the principles of regional collaboration outlined therein.

Consultation

The Memorandum of Understanding has been co-developed by all of the Chief Executive Officers and General Managers of the 8 Councils of the Western Parkland City.

Financial Implications

The requirements of chairing and administering the various 'regional' forums are beginning to strain the resources of the Councils affected. It is proposed that collective resources be allocated towards the establishment of a secretariat for the various forums, drive improvements to the way the Councils work together on regional issues, as well as providing a Local Government interface with the Western Sydney City Deal Delivery Office with the aim of driving delivery of the seven outcomes listed above.

The Commonwealth and State Government have committed to provide \$200,000 (shared equally) to support the Councils in their initial administration and governance.

The funding is proposed to be committed to the appointment of an Executive Officer and Administrative Officer for an initial period of 12 months (with provision for review subject to achieving ongoing funding) to facilitate the regional collaboration function.

It is anticipated that the Councils will each be required to contribute an amount up to \$20,000, to fund the required resources, in addition to the Commonwealth and State Government contribution. It is noted that the previous MACROC membership fees were contemplated to be redirected to a wider revised collaborative structure, such as that proposed.

It is proposed that the Executive Officer will then work closely with the City Deal Delivery Office to develop a business case for recurrent, longer term funding.

No funding has been allocated for this project/item, and it is suggested that funding be diverted from the current MACROC Budget.

ATTACHMENTS

1. **Western Parkland City - Local Government Memorandum of Understanding (MoU)** 

RECOMMENDATION

That Council

1. notes the proposed Memorandum of Understanding between the 8 Western City Councils;
2. adopts, in principle, the framework for regional collaboration described in the Memorandum of Understanding; and
3. commits the contribution of up to \$20,000 to fund the resources required to administer the regional collaboration function over the 2019 calendar year.

15.8 INVESTMENT OF FUNDS AS AT 31 OCTOBER 2018

File Number: 10619#232

EXECUTIVE SUMMARY

- The purpose of this report is to provide details of Council's invested funds as at 31 October 2018.
- It is recommended that the information and certification in relation to the investment of funds as at 31 October 2018 be noted.

REPORT

At its last meeting, the Reserve Bank maintained the cash rate at 1.50%. In relation to the domestic market, the Board of the Reserve Bank commented that:

"The Australian economy is performing well. Over the past year, GDP increased by 3.4 per cent and the unemployment rate declined to 5 per cent, the lowest in six years. The forecasts for economic growth in 2018 and 2019 have been revised up a little. The central scenario is for GDP growth to average around 3½ per cent over these two years, before slowing in 2020 due to slower growth in exports of resources. Business conditions are positive and non-mining business investment is expected to increase. Higher levels of public infrastructure investment are also supporting the economy, as is growth in resource exports. One continuing source of uncertainty is the outlook for household consumption. Growth in household income remains low, debt levels are high and some asset prices have declined. The drought has led to difficult conditions in parts of the farm sector.

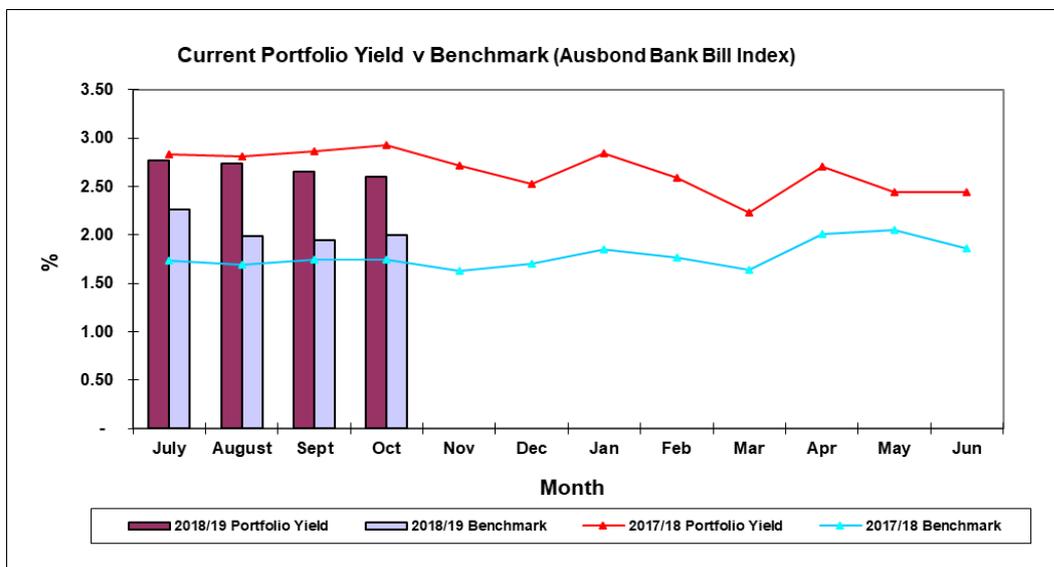
Australia's terms of trade have increased over the past couple of years and have been stronger than earlier expected. This has helped boost national income. While the terms of trade are expected to decline over time, they are likely to stay at a relatively high level. The Australian dollar remains within the range that it has been in over the past two years on a trade-weighted basis, although it is currently in the lower part of that range.

The outlook for the labour market remains positive. With the economy growing above trend, a further reduction in the unemployment rate is expected to around 4¾ per cent in 2020. The vacancy rate is high and there are reports of skills shortages in some areas. Wages growth remains low, although it has picked up a little. The improvement in the economy should see some further lift in wages growth over time, although this is still expected to be a gradual process.

Inflation remains low and stable. Over the past year, CPI inflation was 1.9 per cent and, in underlying terms, inflation was 1¾ per cent. These outcomes were in line with the Bank's expectations and were influenced by declines in some administered prices due to changes in government policies. Inflation is expected to pick up over the next couple of years, with the pick-up likely to be gradual. The central scenario is for inflation to be 2¼ per cent in 2019 and a bit higher in the following year."

The majority of Council's investment portfolio (97%) is invested in deposits / securities with Australian Authorised Deposit taking Institutions (ADI's). Council has been taking advantage of term deposit "specials" from various institutions without overexposing the portfolio to any one institution. Note that the marked to market valuations on some of the direct investment products in Council's portfolio remain at less than the face value of the investment. The marked to market value of these investments is expected to be equal to or greater than the face value by the time they reach their maturity date. Early exit from these products would realise losses.

The following chart compares Council’s portfolio yield with the benchmark AusBond Bank Bill Index rate in each month for 2016/17 and 2017/18.



As shown in the chart above, Council’s portfolio yield has continually exceeded the benchmark AusBond 3 month Bank Bill Index due to the prudent investment of Council’s portfolio.

Under Reg 212 of the Local Government (General) Regulation 2005, Council’s Responsible Accounting Officer must provide Council each month with a written report setting out details of all money that Council has invested under section 625 of the Act.

Council’s investment portfolio as at 31 October 2018 is summarised below.

| By Product | Face Value (\$) | Current Value (\$) | Current Yield (%) |
|--------------------------|----------------------|----------------------|-------------------|
| Cash | 3,156,000.00 | 3,156,000.00 | 1.5500 |
| Floating Rate Note | 19,700,000.00 | 19,862,191.63 | 3.0658 |
| Mortgage Backed Security | 1,592,763.49 | 1,071,777.67 | 2.4530 |
| Term Deposit | 40,000,000.00 | 40,429,280.53 | 2.7755 |
| | 64,448,763.49 | 64,519,249.83 | 2.7962 |

Details of Council’s investment portfolio as at 31 October 2018 are provided in attachment 1.

Consultation

Independent advice regarding the investment of Council funds was provided by Prudential Investment Services Corp.

Financial Implications

Interest earned is allocated to restricted cash and income in accordance with Council’s adopted budget, policy and legislative requirements.

The Reserve Bank of Australia has continued to keep interest rates low and the expected investment income will be reviewed and revised as more information becomes available.

Certification

I hereby certify that Council's investments have been made in accordance with Sec 625 of the Local Government Act 1993, clause 212 of the Local Government (General Regulations) 2005 and Council's Investment Policy.

Ashley Christie
Chief Financial Officer
WOLLONDILLY SHIRE COUNCIL

ATTACHMENTS

1. **Investment Summary Report as at 31 October 2018** 

RECOMMENDATION

That the information and certification in relation to the investment of Council funds as at 31 October 2018 be noted.

16 NOTICE OF MOTION/RESCISSIONS

Nil

17 CLOSED REPORTS

Nil

18 QUESTIONS FOR NEXT MEETING

Nil