



MINUTES

of the Ordinary Meeting of Council

held in

Council Chambers, Civic Centre, Elizabeth Street, Moss
Vale

on

Wednesday 14 March 2018

The meeting commenced at 3.30 pm

File No. 100/2018

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2. ACKNOWLEDGEMENT OF COUNTRY	
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4. APOLOGIES	
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MINUTES OF THE ORDINARY MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON WEDNESDAY 14 MARCH 2018 COMMENCING AT 3.30 PM

Present: Clr K J Halstead (Mayor)
Clr G J Andrews
Clr T D Gair
Clr G Markwart
Clr P W Nelson
Clr I M Scandrett
Clr G M Turland
Clr L A C Whipper

In Attendance:

General Manager	Ms Ann Prendergast
Deputy General Manager Operations, Finance and Risk	Mr Barry W Paull
Deputy General Manager Corporate, Strategy and Development Services	Mr Mark Pepping
Group Manager Corporate and Community	Mr Nick O'Connor
Group Manager Planning, Development and Regulatory Services	Mr Nicholas Wilton
Chief Financial Officer	Mr Richard Mooney
Coordinator Strategic Land User Planning	Mr Michael Park
Coordinator Media and Communications	Mr David Sommers
Administration Officer	Ms Liz Johnson

1. OPENING OF THE MEETING

The Mayor Clr K J Halstead opened the meeting and welcomed members of the public and the press.

2. ACKNOWLEDGEMENT OF COUNTRY

Clr L A C Whipper acknowledged country:

"I would like to acknowledge the Traditional Custodians of this land and pay my respect to Elders both past and present. I would also like to extend that respect to all Aboriginal and Torres Strait Islanders present here today."

3. PRAYER

The meeting was led in prayer by Reverend Richard Mills of the Anglican Church, Mittagong.

4. APOLOGY

PERS

It was noted that a request for leave of absence was received from Clr G McLaughlin.

MN 70/18

MOTION moved by Clr T D Gair and seconded by Clr P W Nelson

THAT the apology of Clr G McLaughlin be accepted and leave of absence granted.

PASSED

5. CONFIRMATION OF MINUTES

100/1

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY
28 FEBRUARY 2018

MN 71/18

MOTION moved by Clr T D Gair and seconded by Clr G M Turland

THAT the minutes of the Ordinary Meeting of Council held on Wednesday 28 February 2018 MN 43/18 to MN 69/18 inclusive, copies of which were forwarded to Councillors, be adopted as a correct record of the proceedings of the meeting.

PASSED

6. BUSINESS ARISING

1. ITEM 18.1 – MINUTES OF THE FINANCE COMMITTEE MEETING HELD ON WEDNESDAY, 21 FEBRUARY 2018 107/21

Clr T D Gair referred to Item 18.1 – Finance Committee Meeting held on Wednesday, 21 February 2018 on page 25 of the Minutes. He stated that during the Meeting Clr I M Scandrett made reference that he [Clr Gair] had commented or had indicated that asbestos could be found on the surface of the RRC. He advised that he had never made that comment and noted that he wanted this to be put on record.

Clr I M Scandrett advised he did not say it was on the surface but said it was under the surface and that a backhoe could pull it up, and he noted Clr Gair's denial of that.

7. DECLARATIONS OF INTEREST

101/3, 101/3.1

That where necessary any Councillor now disclose any interest and the reason for declaring such interest in the matters under consideration by Council at this Meeting and to complete the appropriate form to be handed up at the Meeting.

101/3.1, 5302, Pers

Clr P W Nelson declared a less than significant non-pecuniary interest in No 54 of Item 13.1 – Development Applications Determined from 29 January 2018 to 25 February 2018 – as he is a former Director on the Moss Vale Golf Club Board; however, he now holds social membership with the Club. He stated that he would remain in the Chamber when this matter was discussed and take part in the debate and voting thereon.

101/3.1, 5302, Pers

Clr T D Gair declared a less than significant non-pecuniary interest in No 78 of Item 13.2 – Development Applications Received from 29 January 2018 to 25 February 2018 - as his son and daughter in law are the applicants of that DA. He stated that he would be absent from the Chamber for consideration of that item.

101/3, 5302, Pers

Mr Barry Paull, Deputy General Manager Operations, Finance and Risk – pecuniary interest in No 17 of Item 13.1 – Development Applications Determined from 29 January 2018 to 25 February 2018 – as that DA involves he and his wife’s principal place of residence. He stated that he would be absent from the Chamber for consideration of that item.

8. MAYORAL MINUTES

There were no Mayoral Minutes at this Meeting.

9. PUBLIC FORUM

1. ITEM 16.1 - PETITION 03/2018 - UPGRADE AND SEAL 120 METRES OF RANELAGH ROAD, BURRADOO

100/13, 100/8, RD1918, 7810/3

Ms Ann Pearson, representing residents of Hurlingham Avenue, Burradoo, requested and was granted approval to speak on this matter which was listed on the Agenda.

The Mayor Clr K J Halstead thanked Ms Pearson for her comments and noted that this matter would be considered later in the Meeting.

COMMITTEE OF THE WHOLE

107/10

MN 72/18

MOTION moved by Clr T D Gair and seconded by Clr L A C Whipper

THAT in accordance with Section 373 of the Local Government Act, 1993, Council moves into Committee of the Whole to consider various matters detailed in the Agenda with Clr P W Nelson to take the Chair.

PASSED

10. VISITOR MATTERS

OPERATIONS

There were no Visitor Matters – Operations – at this Meeting.

CORPORATE AND STRATEGY

There were no Visitor Matters – Corporate and Strategy – at this Meeting.

11. EN BLOC MOTION

There was no En Bloc Motion at this Meeting.

12. OPERATIONS FINANCE AND RISK

12.1 Reclassification and Rezoning Part Council Property at 12 Endeavour Circuit, Moss Vale

Reference:	PN1800250, PN1788900, 5818
Report Author:	Coordinator Property Services
Authoriser:	Chief Financial Officer
Link to Community Strategic Plan:	Effective financial and asset management ensure Council's long term sustainability

PURPOSE

The purpose of this report is to seek Council approval to reclassify and rezone part of Council property at 12 Endeavour Circuit, Moss Vale. The objective of the reclassification and rezoning of part of the Council property is to resolve the issue of access for the adjoining owner at 11 Darraby Drive, Moss Vale.

The General Manager addressed Council on this matter.

MN 73/18

MOTION moved by Cllr T D Gair and seconded by Cllr G M Turland

THAT Council give a minimum 28 days public notice of its intention to consider the reclassification of Part Lot 121 Deposited Plan 1218966 (being Part 12 Endeavour Circuit, Moss Vale) from Community Land to Operational Land AND THAT a further report be forwarded to a future Council Meeting to provide advice on the outcome of that public notice.

PASSED

12.2 Request for Fees Assistance by Yaffa Media for the Bowral Classic Bicycle Race in 2018

Reference:	1732/3, 6530/3
Report Author:	Organisational Support Officer
Authoriser:	Deputy General Manager Operations, Finance and Risk
Link to Community Strategic Plan:	Provide and support a range of community events, festivals and celebrations

PURPOSE

The purpose of this report is to seek Council's position on a request from Yaffa Media for Council's financial assistance for development fees associated with the Bowral Classic Bicycle Race to be held in October 2018.

MN 74/18

MOTION moved by Cllr G Markwart and seconded by Cllr L A C Whipper

1. **THAT** Council provide financial support in the amount of \$663.50 to Yaffa Media for development fees associated with the Bowral Classic Bicycle Race (the Race) to be held in October 2018 **AND THAT** it be funded from the Contingency Fund.
2. **THAT** the Bowral Adult Day Care Centre be nominated as a local charity that riders in the Race could support.
3. **THAT** Council continue to check and maintain the road surface of the route of the Race prior to the date of the event.

PASSED

12.3 Tender Report for the Bundanoon Aeration Project - Procurement and Installation of Diffusers, Hoses, Manifold and Accessories

Reference: 6330/17.29
Report Author: Senior Project Manager
Authoriser: Manager Projects and Contracts
Link to Community
Strategic Plan: Sustainably manage natural resources for broader
community benefit

PURPOSE

The purpose of this report is to present the evaluation of the Request for Tender for the Bundanoon Aeration Project – Procurement and Installation of Diffusers, Hoses, Manifold & Accessories.

The General Manager read the recommendation as contained within the Closed Council report.

MN 75/18

MOTION moved by Deputy Mayor I M Scandrett and seconded by Cllr T D Gair

THAT in relation to the report concerning Tender for Bundanoon Aeration Project - Procurement and Installation of Diffusers, Hoses, Manifold & Accessories – Council adopts the recommendations as contained in the Closed Council report – Item 22.1, as follows:

THAT Council accepts the EMT Pty Ltd offer of \$136,366 for the Bundanoon Aeration Project – Procurement and Installation of Diffusers, Hoses, Manifold and Accessories.

PASSED

12.4 Proposed Lease to Illawarra Local Aboriginal Land Council, Proposed Lot 1, 1 Rainbow Street Mittagong

Reference:	PN700000, 1826/14
Report Author:	Coordinator Property Services
Authoriser:	Chief Financial Officer
Link to Community Strategic Plan:	Effective financial and asset management ensure Council's long term sustainability

PURPOSE

The purpose of this report is to obtain Council approval to enter into a long-term lease with the Illawarra Local Aboriginal Land Council for the property known as Proposed Lot 1, 1 Rainbow Street Mittagong, being the location of the Aboriginal Cultural Centre.

MN 76/18

MOTION moved by Cllr L A C Whipper and seconded by Cllr G J Andrews

1. **THAT** authority be delegated to the General Manager to negotiate the terms and conditions of the Lease with Illawarra Local Aboriginal Land Council for the property known as Proposed Lot 1 Rainbow Street, Mittagong **AND THAT** it be noted that the term of the proposed Lease is ninety nine (99) years.
2. **THAT** Council give a minimum twenty eight (28) days public notice of its intention to enter into the Lease of Council property referred to in resolution 1 above.
3. **THAT** if no objections are received by Council during the period of public notice, the General Manager and Mayor be delegated authority to execute the Lease referred to in resolution 1 above under the Common Seal of Council (if required) **AND THAT** if any objections are received, a further report be forwarded to a future Ordinary Meeting of Council for determination.

PASSED

13. CORPORATE STRATEGY AND DEVELOPMENT SERVICES

13.1 Development Applications Determined from 29 January 2018 to 25 February 2018

Reference: 5302
Report Author: Team Leader Business Support
Authoriser: Group Manager Planning, Development and Regulatory Services

Link to Community Strategic Plan: Provide a mixture of housing types that allow residents to meet their housing needs at different stages of their lives and support affordable living

PURPOSE

The purpose of this report is to update Councillors on Development Applications Determined for the period 29 January 2018 to 25 February 2018.

Interest: Clr P W Nelson declared a less than significant non-pecuniary interest in No 54 of this Item as he is a former Director on the Moss Vale Golf Club Board; however, he now holds social membership with the Club. He remained in the chamber, took no part in the debate and voted on the matter.

Interest: Mr Barry Paull, Deputy General Manager Operations, Finance and Risk declared a pecuniary interest in No 17 of this Item as that DA involves he and his wife's principal place of residence. He left the chamber and took no part in the debate on the matter.

MN 77/18

MOTION moved by Clr T D Gair and seconded by Clr G Markwart

THAT *the information relating to the lists of Development Applications Determined for the period 29 January 2018 to 25 February 2018 be received and noted.*

PASSED

Mr Barry Paull, Deputy General Manager Operations, Finance and Risk, returned to the Meeting at this juncture.

13.2 Development Applications Received from 29 January 2018 to 25 February 2018

Reference: 5302
Report Author: Team Leader Business Support
Authoriser: Group Manager Planning, Development and Regulatory Services

Link to Community Strategic Plan: Effective and efficient Council service delivery is provided within a framework that puts the customer first

PURPOSE

The purpose of this report is to update Councillors and Development Applications Received in the period of 29 January 2018 to 25 February 2018.

Interest: Clr T D Gair declared a less than significant non-pecuniary interest in No 78 of this Item as his son and daughter in law are the applicants of that DA . He left the chamber, the time being 4.01 pm, took no part in the debate and refrained from voting on the matter.

MN 78/18

MOTION moved by Clr G J Andrews and seconded by Clr G M Turland

THAT the information relating to Development Applications Received from 29 January 2018 to 25 February 2018 be received and noted.

PASSED

Clr T D Gair returned to the Meeting, the time being 4.02 pm.

13.3 ANZAC Day 2018

Reference: 1671/1
Report Author: PA for Mayor
Authoriser: Group Manager Corporate and Community
Link to Corporate Plan: Encourage and implement activities that strengthen community spirit

PURPOSE

Reporting on the Wreath Laying Ceremonies for ANZAC Day 2018.

MN 79/18

MOTION moved by Deputy Mayor I M Scandrett and seconded by Clr L A C Whipper

1. **THAT** subject to Councillor availability, Council be represented at the following services:

	SERVICE	2018 ATTENDANCE
BERRIMA	<i>Dawn Service 5.45am</i>	<i>Clr I M Scandrett</i>
	<i>Main Service 10.30am</i>	<i>Clr G McLaughlin</i>
BOWRAL	<i>Dawn Service – March 5.45am Service 6.00am</i>	<i>Mayor Clr K J Halstead and Clr G McLaughlin</i>
	<i>Main Service – March 10.35am Service 11.00am</i>	<i>Clr G M Turland</i>
BUNDANOON	<i>Dawn Service 6am</i>	<i>Clr G J Andrews</i>
	<i>March 10.30am – Service 11.00am</i>	<i>Clr I M Scandrett</i>
ROBERTSON/ KANGALOO	<i>Wreath Laying 10.15 am</i>	<i>Clr L A C Whipper</i>
BURRAWANG	<i>Wreath Laying and Service- 11.00am</i>	<i>Clr L A C Whipper</i>
COLO VALE	<i>Service – 8.00am</i>	<i>Clr I M Scandrett</i>
EXETER	<i>Service - 9.00am</i>	<i>Mayor Clr K J Halstead and Clr I M Scandrett</i>
HILLTOP	<i>Dawn Service 6.00am</i>	<i>Clr P W Nelson</i>
MITTAGONG	<i>Dawn Service – March 5.15am Service 5.30am</i>	<i>Clr G M Turland</i>
	<i>Main Service – March 10.30am Service 10.45am</i>	<i>Clr G J Andrews</i>
MOSS VALE	<i>March 10.30am - Service 11.00am</i>	<i>Clr T D Gair</i>
SUTTON FOREST	<i>March 7.50am – Service 8.00am</i>	<i>Clr T D Gair</i>

2. **THAT** the respective Sub-Branche be advised of Council representation as detailed in 1 above.

3. ***THAT Council purchase appropriate books for the Bowral, Bundanoon, Moss Vale and Berrima Memorial Services AND THAT wreaths be purchased for the remaining locations.***

PASSED

13.4 Water and Sewer Development Servicing Plans

Reference:	7799/14
Report Author:	Coordinator Strategic Land Use Planning
Authoriser:	Group Manager Planning, Development and Regulatory Services
Link to Community Strategic Plan:	Manage and plan for future water, sewer and stormwater infrastructure needs

PURPOSE

The purpose of this report is to update Council on the outcomes of the public exhibition of the amendment to the Wingecarribee Development Servicing Plan (DSP) 2017 and to seek a resolution of Council in regard to the proposed moratorium on the increased developer charges which were adopted by Council in July 2017 and effective on 15 September 2017.

A correction to the report on page 54 was noted – in the second italicised paragraph on that page the wording in the second line should read “.... or a *Private Certifier*”

MN 80/18

MOTION moved by Cllr L A C Whipper and seconded by Cllr T D Gair

1. **THAT** Council adopt the amendment to the Water and Sewerage Development Servicing Plans with revised wording as follows:

For development consents (including complying development certificates) granted by the Council or a Private Certifier prior to 15 September 2017 and where an application is made to the Council under section 305 of the Water Management Act 2000 for a certificate of compliance for the development prior to close of business (4.30pm) on 21 June 2018, the following developer charges apply:

- Water Supply Developer Charge - \$6,736.74 per ET
- Sewerage Developer Charge - \$8,574.04 per ET

Where an application for a certificate of compliance is made after 21 June 2018, the development will be subject to the rates as adopted by the revised Development Servicing Plan that came into effect on 15 September 2017.

2. **THAT** the three (3) month moratorium period commence on Wednesday, 21 March 2018 and conclude at close of business (4.30 pm) on Thursday, 21 June 2018.
3. **THAT** Council writes to all affected owners/applicants with existing development consents approved between 15 September 2012 and 15 September 2017 to notify them of Council's resolution.
4. **THAT** Council publicly notify the moratorium period in the local and Sydney media, signage at Council facilities, Council publications such as Wingecarribee Today and on Council's website.
5. **THAT** at the end of the moratorium period a report be provided to Council on the lost revenue for the Water and Sewerage Development Servicing Plans reductions.

ON BEING PUT TO THE MEETING IN COMMITTEE OF THE WHOLE VOTING ON THE MOTION WAS TIED AT FOUR (4) VOTES ALL AND THEREFORE THE MATTER WAS DEFERRED TO THE FULL COUNCIL MEETING WITH THE MAYOR IN THE CHAIR

VOTING ON THE MOTION

For the Motion: Cllr G J Andrews, Cllr T D Gair, Deputy Mayor I M Scandrett and Cllr L A C Whipper

Against the Motion: Mayor K J Halstead, Cllr G Markwart, Cllr P W Nelson and Cllr G M Turland

14. GENERAL MANAGER

There were no General Manager items at this Meeting.

15. DELEGATE REPORTS

There were no Delegate Reports at this Meeting.

16. PETITIONS

16.1 Petition 03/2018 - Upgrade and Seal 120 Metres of Ranelagh Road, Burradoo

Reference:	100/8, RD1918, 7810/3
Report Author:	Administration Officer
Authoriser:	Group Manager Corporate and Community
Link to Community Strategic Plan:	An enhanced culture of positive leadership, accountability and ethical governance that guides well informed decisions to advance agreed community priorities

PURPOSE

The purpose of this report is to table a petition in relation to a request to Upgrade and seal 120 m of Ranelagh Road, Burradoo between Hurlingham Avenue and Riversdale Avenue. The petition has been signed by approximately 75 signatories.

A copy of the Petition has been placed in the Councillors' Room and will be tabled at the Ordinary Meeting of Council.

MN 81/18

MOTION moved by Cllr T D Gair and seconded by Cllr L A C Whipper

1. **THAT** Petition 03/2018 – Upgrade and Seal 120 m of Ranelagh Road, Burradoo – be received and the content of the report be noted **AND THAT** the report be forwarded to the Assets Branch for consideration.
2. **THAT** Council make representations to the owner/developer of the Kerever Park subdivision at 4 Ranelagh Road, Burradoo as approved under DA 11/0705.01 as to what contribution to the cost of the upgrading and sealing of the 120m of Ranelagh Road, Burradoo, they would make noting that they are required as part of the conditions of consent for the subdivision to seal Ranelagh Road when the second stage of the development was completed.

PASSED

17. CORRESPONDENCE FOR ATTENTION

There was no Correspondence for Attention at this Meeting.

18. COMMITTEE REPORTS

18.1 Management and Advisory Committee Reports

Reference:	107/1
Report Author:	Committee Coordinator
Authoriser:	Manager Assets
Link to Community Strategic Plan:	Encourage all members of the community, especially older residents, to share their knowledge and experience with younger members

PURPOSE

This report provides the Minutes of the following Committee Meetings, copies of which will be tabled for information:

1. Hampden Park Management Committee held on Wednesday, 21 November 2017.
2. Wingello Mechanics' Institute Hall held on Wednesday, 11 December 2017.
3. Mittagong Memorial Hall Management Committee held on Thursday, 1 February 2018.
4. Loseby Park Community Hall Management Committee held on Friday, 16 February 2018.
5. Moss Vale Senior Citizens and Community Centre Management Committee held on Monday, 19 February 2018.

MN 82/18

MOTION moved by Cllr T D Gair and seconded by Cllr L A C Whipper

THAT the information contained in the following Committee Reports be noted:

1. ***Hampden Park Management Committee held on Wednesday, 21 November 2017.***
2. ***Wingello Mechanics' Institute Hall held on Wednesday, 11 December 2017.***
3. ***Mittagong Memorial Hall Management Committee held on Thursday, 1 February 2018.***
4. ***Loseby Park Community Hall Management Committee held on Friday, 16 February 2018.***
5. ***Moss Vale Senior Citizens and Community Centre Management Committee held on Monday, 19 February 2018.***

PASSED

18.2 Minutes of the Economic Development and Tourism Advisory Committee Meeting held on Monday, 26 February 2018

Reference: 107/24
Report Author: Administration Officer
Authoriser: Group Manager Corporate and Community
Link to Community
Strategic Plan: Promote Southern Highlands' unique brand identity

PURPOSE

This report provides the Minutes of the Economic Development and Tourism Advisory Committee Meeting held on Monday, 26 February 2018.

MN 83/18

MOTION moved by Cllr L A C Whipper and seconded by Deputy Mayor I M Scandrett

THAT recommendations Nos ED 1/18 to ED 7/18 – as detailed in the Minutes of the Economic Development and Tourism Advisory Committee Meeting held on Monday, 26 February 2018 be adopted, save for any items which have budgetary implications AND THAT any item with budgetary implications and which is unfunded, be referred to the Finance Committee for consideration.

PASSED

18.3 Minutes of the Arts and Culture Advisory Committee Meeting held on Tuesday, 6 March 2018

Reference: 1660/1.1
Report Author: PA for Mayor
Authoriser: Group Manager Corporate and Community
Link to Community Strategic Plan: Actively foster a spirit of participation and volunteering by addressing key barriers

PURPOSE

This report provides the Minutes of the Arts and Culture Advisory Committee Meeting held on Tuesday, 6 March 2018

MN 84/18

MOTION moved by Cllr L A C Whipper and seconded by Cllr G J Andrews

THAT recommendations Nos ACC 1/18 to ACC 8/18 – as detailed in the Minutes of the Arts and Culture Advisory Committee Meeting held on Tuesday, 6 March 2018 be adopted, save for any items which have budgetary implications **AND THAT** any item with budgetary implications and which is unfunded, be referred to the Finance Committee for consideration.

PASSED

19. QUESTIONS WITH NOTICE

19.1 Question with Notice 01/2018 - Ranelagh Road - Unsealed Road

Reference: 101/2, RD1918, 7810/3
Report Author: Administration Officer
Authoriser: Group Manager Corporate and Community
Link to Community Strategic Plan: Work in partnership to ensure a safe road network

To: General Manager
From: Cllr Garry Turland
Received: 7 February 2018

Subject: Ranelagh Road – Unsealed Road

Question:

The developer from “Kerever Park” subdivision has not sealed the road as per the development conditions and when will this work be undertaken by Council or the developer?

Response:

Development consent was issued for Kerever Park subdivision under DA 11/0705.01 which enabled the release of stage 1 of the subdivision in order to create Lots 1, 2 and 5 of the original subdivision layout under DA11/0705 with Lots 3 and 4 being the residual lots which were to be released under stage 2. The sealing of Ranelagh Road has been conditioned to be undertaken as part of the stage 2 works.

As the developer has physically commenced the consent through the completion of stage 1, the timing of the sealing of the road under stage 2 is within the control of the developer, however, will need to be completed prior to the issue of a stage 2 subdivision certificate.

MN 85/18

MOTION moved by Cllr G M Turland and seconded by Cllr L A C Whipper

THAT the information in relation to Question with Notice 01/2018 – Ranelagh Road – Unsealed Road - be noted.

PASSED

20. NOTICES OF MOTION

20.1 Notice of Motion 7/2018 - Delegations of Authority - General Manager

Reference:	100/4, 800/10
Report Author:	Administration Officer
Authoriser:	Group Manager Corporate and Community
Link to Community Strategic Plan:	An enhanced culture of positive leadership, accountability and ethical governance that guides well informed decisions to advance agreed community priorities

PURPOSE

Councillor Duncan Gair has given notice that it is his intention to move the following motion at the Ordinary Meeting of Council on 14 March 2018:

THAT Council reinstate, pursuant to s377 of the *Local Government Act 1993*, the authority to the General Manager to undertake the functions of Council via the powers, authorities and duties contained in applicable legislation and specifically those set out in Schedule 1, subject to the limitations set out in Schedule 2 of the Instrument of Delegations to General Manager (Attachment 1).

MN 86/18

MOTION moved by Cllr T D Gair and seconded by Cllr G Markwart

THAT Council reinstate, pursuant to s377 of the *Local Government Act 1993*, the authority to the General Manager to undertake the functions of Council via the powers, authorities and duties contained in applicable legislation and specifically those set out in Schedule 1, subject to the limitations set out in Schedule 2 of the Instrument of Delegations to General Manager (Attachment 1 to the Notice of Motion).

ON BEING PUT TO THE MEETING IN COMMITTEE OF THE WHOLE VOTING ON THE MOTION WAS TIED AT FOUR (4) VOTES ALL AND THEREFORE THE MATTER WAS DEFERRED TO THE FULL COUNCIL MEETING WITH THE MAYOR IN THE CHAIR

COUNCIL MATTERS

MN 87/18

MOTION moved by *Clr T D Gair* and seconded by *Clr L A C Whipper*

THAT Council move from Committee of the Whole back into Council, the time being 4.35 pm with the Mayor **Clr K J Halstead** resuming the Chair to conduct the remainder of Council Business.

PASSED

13. CORPORATE STRATEGY AND DEVELOPMENT SERVICES (CONT)

13.4 Water and Sewer Development Servicing Plans

Reference:	7799/14
Report Author:	Coordinator Strategic Land Use Planning
Authoriser:	Group Manager Planning, Development and Regulatory Services
Link to Community Strategic Plan:	Manage and plan for future water, sewer and stormwater infrastructure needs

PURPOSE

The purpose of this report is to update Council on the outcomes of the public exhibition of the amendment to the Wingecarribee Development Servicing Plan (DSP) 2017 and to seek a resolution of Council in regard to the proposed moratorium on the increased developer charges which were adopted by Council in July 2017 and effective on 15 September 2017.

A correction to the report on page 54 was noted – in the second italicised paragraph on that page the wording in the second line should read “... or a *Private Certifier* ...”

MN 80/18

MOTION moved by Clr L A C Whipper and seconded by Clr T D Gair

1. **THAT** Council adopt the amendment to the Water and Sewerage Development Servicing Plans with revised wording as follows:

For development consents (including complying development certificates) granted by the Council or a Private Certifier prior to 15 September 2017 and where an application is made to the Council under section 305 of the Water Management Act 2000 for a certificate of compliance for the development prior to close of business (4.30pm) on 21 June 2018, the following developer charges apply:

- Water Supply Developer Charge - \$6,736.74 per ET
- Sewerage Developer Charge - \$8,574.04 per ET

Where an application for a certificate of compliance is made after 21 June 2018, the development will be subject to the rates as adopted by the revised Development Servicing Plan that came into effect on 15 September 2017.

2. **THAT** the three (3) month moratorium period commence on Wednesday, 21 March 2018 and conclude at close of business (4.30 pm) on Thursday, 21 June 2018.
3. **THAT** Council writes to all affected owners/applicants with existing development consents approved between 15 September 2012 and 15 September 2017 to notify them of Council's resolution.
6. **THAT** Council publicly notify the moratorium period in the local and Sydney media, signage at Council facilities, Council publications such as Wingecarribee Today and on Council's website.
7. **THAT** at the end of the moratorium period a report be provided to Council on the lost revenue for the Water and Sewerage Development Servicing Plan reductions.

ON BEING PUT TO THE MEETING IN COMMITTEE OF THE WHOLE VOTING ON THE MOTION WAS TIED AT FOUR (4) VOTES ALL AND THEREFORE THE MATTER WAS DEFERRED TO THE FULL COUNCIL MEETING WITH THE MAYOR IN THE CHAIR

VOTING ON THE MOTION

For the Motion: Clr G J Andrews, Clr T D Gair, Deputy Mayor I M Scandrett and Clr L A C Whipper

Against the Motion: Mayor K J Halstead, Clr G Markwart, Clr P W Nelson and Clr G M Turland

THE MATTER WAS RESUBMITTED FOR FURTHER CONSIDERATION BY COUNCIL

ON BEING PUT TO THE MEETING IN OPEN COUNCIL VOTING ON THE MOTION WAS TIED AT FOUR (4) VOTES ALL AND THE MAYOR USED HIS CASTING VOTE AGAINST THE MOTION

20. NOTICES OF MOTION (CONT)

20.1 Notice of Motion 7/2018 - Delegations of Authority - General Manager

Reference:	100/4, 800/10
Report Author:	Administration Officer
Authoriser:	Group Manager Corporate and Community
Link to Community Strategic Plan:	An enhanced culture of positive leadership, accountability and ethical governance that guides well informed decisions to advance agreed community priorities

PURPOSE

Councillor Duncan Gair has given notice that it is his intention to move the following motion at the Ordinary Meeting of Council on 14 March 2018:

THAT Council reinstate, pursuant to s377 of the *Local Government Act 1993*, the authority to the General Manager to undertake the functions of Council via the powers, authorities and duties contained in applicable legislation and specifically those set out in Schedule 1, subject to the limitations set out in Schedule 2 of the Instrument of Delegations to General Manager (Attachment 1).

MN 86/18

MOTION moved by Cllr T D Gair and seconded by Cllr G Markwart

THAT Council reinstate, pursuant to s377 of the Local Government Act 1993, the authority to the General Manager to undertake the functions of Council via the powers, authorities and duties contained in applicable legislation and specifically those set out in Schedule 1, subject to the limitations set out in Schedule 2 of the Instrument of Delegations to General Manager (Attachment 1 to the Notice of Motion).

ON BEING PUT TO THE MEETING IN COMMITTEE OF THE WHOLE VOTING ON THE MOTION WAS TIED AT FOUR (4) VOTES ALL AND THEREFORE THE MATTER WAS DEFERRED TO THE FULL COUNCIL MEETING WITH THE MAYOR IN THE CHAIR

THE MATTER WAS RESUBMITTED FOR FURTHER CONSIDERATION BY COUNCIL

ON BEING PUT TO THE MEETING IN OPEN COUNCIL VOTING ON THE MOTION WAS TIED AT FOUR (4) VOTES ALL AND THE MAYOR USED HIS CASTING VOTE AGAINST THE MOTION

QUESTIONS FROM THE PUBLIC

100/10

The Group Manager Corporate and Community addressed Council on this matter. He advised that three questions were received from Mr Charlie Johns but they have not been included as they were not considered to be appropriate questions.

21. GENERAL BUSINESS

There was no General Business at this Meeting.

22. CLOSED COUNCIL

MOVING INTO CLOSED SESSION

107/9

There was no Closed Council at this Meeting as Item 22.1 was dealt with in Open Council.

**22.1 Tender Report for the Bundanoon Aeration Project -
Procurement and Installation of Diffusers, Hoses,
Manifold and Accessories**

Reference: 6330/17.29
Report Author: Senior Project Manager
Authoriser: Manager Projects and Contracts
**Link to Community
Strategic Plan:** Sustainably manage natural resources for broader
community benefit

This Item was dealt with earlier in the Meeting (refer MN 75/18 on page 13).

23. RESUMPTION OF OPEN AGENDA

Not required at this Meeting as Council did not move into Closed Council.

24. ADOPTION OF COMMITTEE OF THE WHOLE

107/10

MN 88/18

MOTION moved by Cllr T D Gair and seconded by Cllr P W Nelson

THAT the recommendations of the Committee of the Whole held on Wednesday, 14 March 2018 being MN 73/18 to MN 86/18 be adopted.

PASSED

25. MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 4.41 PM

In accordance with the provisions of Section 375(2) of the Local Government Act, these Minutes of the Ordinary Council Meeting held Wednesday 14 March 2018 numbered M/N 70/18 to M/N 88/18 were signed by me hereunder at the Council Meeting held on Wednesday 28 March 2018.

CHAIRMAN

READ AND CONFIRMED ON WEDNESDAY 28 MARCH 2018

CHAIRMAN

PUBLIC OFFICER