



MINUTES

of the Ordinary Meeting of Council

held jointly in

Council Chambers

Civic Centre, Elizabeth Street, Moss Vale

AND remotely using audio visual link and is open to
members of the community via webcast

on

Wednesday 11 August 2021

The meeting commenced at 3.30pm

1. OPENING OF THE MEETING	
2. ACKNOWLEDGEMENT OF COUNTRY	
3. PRAYER	
4. APOLOGIES	
Nil	
5. ADOPTION OF MINUTES OF PREVIOUS MEETING	
Ordinary Meeting of Council held on 14 July 2021	
Extraordinary Meeting of Council held on 28 July 2021	
6. DECLARATIONS OF INTEREST	4
7. INTERIM ADMINISTRATOR MINUTES	4
7.1 Community Update	4
8. GENERAL MANAGER	8
8.1 Appointment of the acting Deputy General Manager	8
9. OPERATIONS FINANCE AND RISK	9
9.1 Bus Shelter Advertising Proposal	9
9.2 Draft Penrose Village Park Plan of Management for Public Exhibition ..	10
9.3 Community Update - Southern Highlands Innovation Park, Moss Vale Bypass and Berrima Road Deviation Project	11
L.1 COVID19 Pandemic - Community & Business Support Measures	12
10. CORPORATE STRATEGY AND DEVELOPMENT SERVICES	13
10.1 Revolving Energy Fund Annual Report	13
10.2 Partnership Agreement with Service NSW for Business	14
L.1 Independent Planning Commission NSW Public Hearing - Hume Coal Project and Berrima Rail Project (SSD7172 & SSD 7171)	15
10.3 Planning Proposal to reclassify Lots 11, 12 and 13 DP 1150964,	16
10.4 Planning Proposal to reclassify from Community to Operational Council owned land, being Lot 1 DP1246504, 7-11 Burgess Street Bundanoon	17
10.5 Planning Proposal to rezone land at 254 Centennial Road Bowral (Centennial Vineyards) from E3 Environmental Management to SP3 Tourist.	18
10.6 Planning Proposal for Provisions Relating to Secondary Dwellings in Rural Zones	19
L.1 COVID19 Pandemic - Community & Business Support Measures	21
L.1 Independent Planning Commission NSW Public Hearing - Hume Coal Project and Berrima Rail Project (SSD7172 & SSD 7171)	23
11. MEETING CLOSURE	24

MINUTES OF THE ORDINARY MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE AND HELD REMOTELY USING AUDIO VISUAL LINK AND OPEN TO MEMBERS OF THE COMMUNITY VIA WEBCAST ON WEDNESDAY 11 AUGUST 2021 COMMENCING AT 3.30PM

Present: Interim Administrator Mr Viv May PSM

In Attendance:

General Manager	Ms Lisa Miscamble*
Interim Deputy General Manager Operations, Finance and Risk	Mr Malcolm Ryan
Interim Deputy General Manager Corporate Strategy and Development Services	Ms Marissa Racomelara
Group Manager Corporate and Community	Ms Danielle Lidgard
Group Manager Capital Delivery	Mr Ned Tripkovic*
Acting Group Manager Organisational Development/Chief Information Officer	Mr John Crawford*
Chief Financial Officer	Mr Richard Mooney*
Acting Manager Assets	Ms Rachel Forte*
Coordinator Media and Communications	Mr David Sommers*
Administration Officer	Ms Michelle Richardson

NOTE: Due to current government requirements around social distancing due to the COVID-19 pandemic, some staff attended the meeting remotely via zoom audio visual link. This is indicated by *. The remaining staff were present in the Council Chambers for this meeting.

1. OPENING OF THE MEETING

The Interim Administrator, Mr Viv May PSM opened the meeting and welcomed members of the public and the press.

2. ACKNOWLEDGEMENT OF COUNTRY

The Interim Administrator, Mr Viv May PSM acknowledged country:

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

3. PRAYER

The Interim Administrator, Mr Viv May PSM led the civic prayer:

“Let us meet in this Council Chamber in a spirit of fellowship and goodwill to represent all the members of the community in its cultural and religious diversity. To be honest and objective in all our deliberations. To respect the view of the residents, the rights of all to express their opinions without fear or favour and to make decisions for the common good of the community.”

4. APOLOGY

There were no apologies at this Meeting.

5. CONFIRMATION OF MINUTES

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY 14 JULY 2021

MN 227/21

MOTION moved by Interim Administrator V May PSM

THAT the minutes of the Ordinary Meeting of Council held on Wednesday 14 July 2021 MN 185/21 to MN 209/21 inclusive, be adopted as a correct record of the proceedings of the meeting subject to the following being noted:

- **Item 8.2 - Organisational Structure: Realignment**
THAT the General Manager provided to Council a presentation “Re-Alignment and Review of Structure” a copy of which will be attached to the Minutes
<https://www.wsc.nsw.gov.au/files/assets/public/council/meeting-minutes/2021/20210714-council-meeting-structure-presentation.pdf>

- **Item 11.2 Local Strategic Planning Statement and Local Housing Strategy - Outcomes of Re-exhibition and Item 11.3 Planning Proposal to amend Wingecarribee Local Environmental Plan 2010 with regard to Council owned Public Reserve land at Retford Park Bowral and Anembo Street Moss Vale**
THAT the Manager Strategic Land Use Planning provided a detailed overview to Council and advised receipt of correspondence from
 - ***Darren and Ellyse Torr, Colo Vale;***
 - ***Cardno Pty Ltd on behalf of the land owner of site known as Colo Vale South; and***
 - ***Design 4 Planning generally requested that the matter be deferred.***

PASSED

MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY
28 JULY 2021

MN 228/21

MOTION moved by Interim Administrator V May PSM

THAT the minutes of the Extraordinary Meeting of Council held on Wednesday 28 July 2021 MN210/21 to MN 226/21 inclusive, be adopted as a correct record of the proceedings of the meeting.

PASSED

6. DECLARATIONS OF INTEREST

That where necessary any interest now be disclosed 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.

7. INTERIM ADMINISTRATOR MINUTES

7.1 Community Update

MN 229/21

MOTION moved by *Interim Administrator V May PSM*

In view of the importance of my report to the Minister, in relation to the suspension of Council until 10 September I am limiting the Community Update to that topic today.

Late yesterday I submitted a report under s438N of the Local Government Act to the Minister for Local Government and now formally table same. Based on the evidence, I have formed the view that the suspended Council has failed the community in the exercise of its functions, provision of core services, decision making, community participation, financial management and its responsibilities in relation to integrated planning and reporting.

As such I formally recommended to the Minister that:

1. A Public Inquiry under s438U of the Local Government Act into Wingecarribee Shire Council be held.
2. The Inquiry have concise Terms of Reference.
3. The Inquiry report within 6 months, with the view to facilitating the return of local democracy to the Shire.

The reviews and audits that have been commissioned speak for themselves. My letter advises the Minister that they provide the evidence that the suspended councillors and former staff had scant regard to statutory obligations or the community they were elected or appointed to serve.

It is clear, that the Performance Order issued in September last year failed.

Even though predating the Order, a good example of how out of touch Councillors were with their constituency, was when a resident made their views known to a Councillor about the Station Street matter, the reply stated... "and I am the one with the VOTE so you don't count". This is indicative of the manner in which the Council considered the views of its community.

In coming to my conclusion, I thank the over 230 individuals I have met with together with the 37 community groups.

The most poignant examples I have given in much greater detail to the Minister include:

Wingecarribee Shire Council Bushfire Response and Recovery Review 2021

The report contains 44 recommendations and is highly critical not only of Council's response but preparedness.

24% of the Shire was subject to burn scar, 68 residents were destroyed and 18 damaged.

197 outbuildings destroyed and 69 damaged.

A total of 72 community submissions were made to the review and 48 community members registered to attend online meetings in Penrose and Balmoral. 17 submissions were received from Council employees. Of concern is the fact that Mr Owens has advised that 15 were confidential as some employees were in fear of retribution.

Righting the Wrongs – Second report on Planning, Development and Regulatory Services

Where do you start with the report of Earnest Consulting. Add to this report the scathing

assessment of the Small Business Commissioner and his further 20 recommendations.

Consideration of the Housing Strategy has led to more evidence of political games and interference.

Compliance with the law

These reviews detail a disregard of Council's statutory obligations in some areas of the organisation. This appears to be the result of the disregard and / or knowledge of legislation and delegated authority.

There are a myriad of challenges that confront the organisation and the opportunity for the suspended Councillors to again meddle must not be allowed.

Defacto Council Meetings

It is clear that Councillor briefings, workshops and advisory committees have, on some occasions, taken informal decisions that have been acted on by staff.

Residents and ratepayers are rightly concerned that a return of the suspended Councillors will impact on the work done to date.

Civic Centre Refurbishment Project

Apart from engaging Finch Consulting to review expenditure on the Civic Centre, time did not permit for me to look at concerns of some employees and residents as to whether the Council got value for its money.

New information that's come to hand appears to show that Council misled the OLG in the submission of its Capital Expenditure Review. The contract was signed before OLG acknowledgement was given.

Council accepted a contract of \$6.8m and the now allocated funds are \$10.8m – nearly 60% more. Why and how have contract variations been handled?

The project is still not completed and while it appears in some areas to have achieved its objective I can only say that the newly constructed meeting rooms and areas for the Mayor and General Manager are extravagant. The Council Chamber where we meet today appears to have a 'them and us' design.

The library reconfiguration delivers an outcome that does not meet State Library population/ size benchmarks which limits Councils ability to attract capital funding from the State Library of NSW.

While I have asked the General Manager for a detailed report in relation to this project it is not possible to interview former or suspended Councillors or former staff and reference to a Public Inquiry may be the only way to the truth.

Ombudsman Report

The fact that the Ombudsman found that Council acted unreasonably has not been accepted by the suspended Council.

Temporary Staff

Over the past 4 years Council has reported expenditure of just under \$4m in payments to an external consultancy for temporary staff with an average of approximately \$800k per annum in the development and planning assessment area.

This is significant expenditure resulting in false economies and community concerns

around perceptions of consultants working for Council as well as providing advice and professional services for applicants dealing with the Council.

While I have no evidence of impropriety the matter of perception and subsequent destabilising of community confidence in the Council is of great concern. I have asked the General Manager as part of her Organisational Structure Review to pay particular attention to this matter.

Staffing Matters other than Senior Staff

A toxic workplace with substantiated allegations that bullying, preferential treatment and an organisation structure built on personality not community is what confronted the senior people I brought into the organisation. The General Manager has advised me that in view of the confidential nature of a number of matters she will be making a submission to the OLG under separate cover.

Prior to finalising my report yesterday yet another matter was brought to my attention.

While in no way questioning the merit of the projects involved, concern has been expressed by the General Manager on the legality of loans to Community and Sporting Organisations of approximately \$900k. One of the so called loans is for \$220k and has no legal or written obligation for repayment and appears to be interest free. Another safety net funding agreement has been identified for an amount of \$470k payable over 10 years to construct a clubhouse and carpark. There are no details in the Council resolution in relation to surety, obligations for repayment or interest payable and I have asked the General Manager for an urgent report.

When originally giving notice of suspension the Minister for Local Government noted that the earlier Performance Improvement Order had been unsuccessful in effecting cultural change and the behaviour of some Councillors and in improving relationships at the Council.

What has been identified in the past 5 months clearly goes way beyond that view.

The evidence is in, and in my view a public inquiry is the only way forward having regard to the current extraordinary circumstances.

Any person appointed to hold an inquiry has considerable powers, authorities, protections and immunities.

Witnesses or persons summoned by, or appearing at, an inquiry have strict obligations. It is the only way to the truth on many matters that remain of concern to the Wingecarribee Shire Council community.

THAT the minute be noted and the letter to the Minister be endorsed and tabled*.

*<https://www.wsc.nsw.gov.au/files/assets/public/council/meeting-minutes/2021-interim-administrator-minutes/letter-minister-hancock.pdf>

PASSED

8. GENERAL MANAGER

8.1 Appointment of the acting Deputy General Manager

Report Author: General Manager
Authoriser: Interim Deputy General Manager

OFFICER'S RECOMMENDATION

1. ***THAT Council recognise and thank Mr Richard Mooney for his dedication and efforts whilst in the acting Deputy General Manager role.***
2. ***THAT Council endorse the appointment of Mr Malcolm Ryan as acting Deputy General Manager until the commencement of the new Directors as provided for in the structure adopted by Council.***

MN 230/21

MOTION moved by Interim Administrator V May PSM

1. ***THAT Council recognise and thank Mr Richard Mooney for his dedication and efforts whilst in the acting Deputy General Manager role.***
2. ***THAT Council endorse the appointment of Mr Malcolm Ryan as acting Deputy General Manager until the commencement of the new Directors as provided for in the structure adopted by Council.***

PASSED

9. OPERATIONS FINANCE AND RISK

9.1 Bus Shelter Advertising Proposal

Report Author: Acting Manager Assets
Authoriser: Acting Deputy General Manager

OFFICER'S RECOMMENDATION

THAT

1. A draft *Bus Shelter Advertising Policy* be developed including provision for advertising on bus shelters located within the CBD's of Moss Vale, Bowral, Mittagong and Bundanoon.
2. Following the adoption of the *Bus Shelter Advertising Policy* a tender be called for management of bus shelter maintenance, renewal and advertising.
3. In consultation with residents, Schools and Public Transport providers a review be undertaken on the location of all bus stops and shelters in the Shire to determine shelters appropriateness, location and usage.

MN 231/21

MOTION moved by Interim Administrator V May PSM

THAT

1. ***In consultation with residents, schools, and public transport providers a review be undertaken on the location of all bus stops and shelters in the Shire to determine demand for shelters***
2. ***Respecting heritage conservation areas, a draft Bus Shelter Advertising Policy be developed for community consultation which includes:***
 - (i) provision for advertising on bus shelters within the commercial and business areas of Moss Vale, Bowral, Mittagong and Bundanoon, and***
 - (ii) the provision of bus shelters without advertising within all other areas of the shire***
3. ***Following the adoption of the Bus Shelter Advertising Policy a tender be called for the management of bus shelter maintenance provision, renewal and advertising.***

PASSED

9.2 Draft Penrose Village Park Plan of Management for Public Exhibition

Report Author: Asset Strategy Officer Sport and Recreation
Authoriser: Acting Manager Assets

OFFICER'S RECOMMENDATION

THAT

1. The draft Penrose Village Park Plan of Management provided in Attachment 1 be placed on public exhibition from 16 August 2021 to 12 September 2021.
2. Submissions on the draft Penrose Village Park Plan of Management be accepted until 26 September 2021.
3. The draft Penrose Village Park Plan of Management incorporating community submissions be submitted to Council for adoption following the public exhibition.

MN 232/21

MOTION moved by Interim Administrator V May PSM

THAT

1. The draft Penrose Village Park Plan of Management provided in Attachment 1 be placed on public exhibition from 16 August 2021 to 12 September 2021.
2. Submissions on the draft Penrose Village Park Plan of Management be accepted until 26 September 2021.
3. The draft Penrose Village Park Plan of Management incorporating community submissions be submitted to Council for adoption following the public exhibition.

PASSED

9.3 Community Update - Southern Highlands Innovation Park, Moss Vale Bypass and Berrima Road Deviation Project

Report Author: Group Manager Capital Projects
Authoriser: Acting Deputy General Manager

OFFICER'S RECOMMENDATION

THAT

1. Council note the information contained within this report including the current status of the Southern Highlands Innovation Park, Moss Vale Bypass and Berrima Rd Deviation Project
2. A further, more detailed report be presented to council to provide the community with surety in relation to these matters, such report to include history, mapping proposed routes to highlight connectivity, timelines and detailed impact on Argyle Street especially for heavy vehicles using the Illawarra Highway.

MN 233/21

MOTION moved by Interim Administrator V May PSM

THAT

1. A further detailed report be presented to Council to provide the community with surety in relation to these matters
2. This report to include history and mapping proposed routes to highlight connectivity, time lines and detailed impact on Argyle Street, especially for heavy vehicles using the Illawarra Highway
3. Transport for NSW be contacted to ascertain the scope of its Moss Vale Movement and Place study to determine if it includes a strategic assessment of the Illawarra Highway and if Council staff can assist them in this work.

PASSED

L.1 COVID19 Pandemic - Community & Business Support Measures

Report Author: Chief Financial Officer
Authoriser: Interim Deputy General Manager

The Interim Deputy General Manager addressed Council on this item.

OFFICER'S RECOMMENDATION

THAT:

1. Council adopt a six-month deferral period of rates and charges for affected businesses and residents who apply and meet the eligibility requirements of Council's adopted Financial Hardship Policy.
2. Council adopt a full fee reduction for outdoor dining fees, materials on footpaths and environment and health inspections commencing for a period of 6 months, commencing 1 August 2021, noting that the budget implications in relation to this measure will be considered as part of the September Review of the 2021/22 Budget.
3. Council undertake a 28 day public notification period in relation to the full fee reduction for outdoor dining fees, materials on footpaths and environment and health inspections, in accordance with Section 356 of Local Government Act 1993.
4. Council provide a six-month deferral period for the repayment of interest free loans which are currently held with community and sporting organisations.
5. Council endorse the measures outlined in this report to support businesses and residents who have been impacted by the ongoing COVID19 Pandemic and lockdown measures imposed on the Greater Sydney and other areas.

THIS ITEM WAS CONSIDERED ON PAGE 22 MN242/21

10. CORPORATE STRATEGY AND DEVELOPMENT SERVICES

10.1 Revolving Energy Fund Annual Report

Report Author: Environmental Policy Officer
Authoriser: Manager Environment and Sustainability

OFFICER'S RECOMMENDATION

THAT:

1. Council note the energy and financial savings achieved through projects completed under the Revolving Energy Fund
2. Council approve the transfer of \$38,189.41 from Council's electricity budget to the Revolving Energy Fund for the 2020/21 financial year.

MN 234/21

MOTION moved by Interim Administrator V May PSM

THAT:

1. Council note the energy and financial savings achieved through projects completed under the Revolving Energy Fund
2. Council approve the transfer of \$38,189.41 from Council's electricity budget to the Revolving Energy Fund for the 2020/21 financial year.

PASSED

10.2 Partnership Agreement with Service NSW for Business

Report Author: Coordinator Economic Development
Authoriser: Group Manager Corporate and Community

OFFICER'S RECOMMENDATION

THAT

- 1 *Authority be given to the General Manager to enter into an agreement with Service NSW; and*
- 2 *Any necessary documents be authorised for execution under the Common Seal of Council*

MN 235/21

MOTION moved by Interim Administrator V May PSM

THAT

1. ***Authority be given to the General Manager to enter into an agreement with Service NSW; and***
2. ***Any necessary documents be authorised for execution under the Common Seal of Council***

PASSED

**L.2 Independent Planning Commission NSW Public Hearing
- Hume Coal Project and Berrima Rail Project (SSD7172
& SSD 7171)**

Report Author: Manager Environment and Sustainability
Authoriser: Interim Deputy General Manager

OFFICER'S RECOMMENDATION

THAT the information on Council's submissions to the Independent Planning Commission NSW public hearing on the Hume Coal Project and Berrima Rail Project (SSD7172 & SSD 7171) be noted.

THIS ITEM WAS CONSIDERED ON PAGE 23 MN243/21

10.3 Planning Proposal to reclassify Lots 11, 12 and 13 DP 1150964, "Calwalla" Sheepwash Road, Glenquarry

Report Author: Senior Strategic Land Use Planner
Authoriser: Manager Strategic Land Use Planning

THIS ITEM WAS CONSIDERED AT THE LOCAL PLANNING PANEL MEETING OF 4 AUGUST 2021.

PANEL ADVICE

1. *THAT the Planning Proposal to insert Lots 11, 12 and 13 DP 1150964, being Council property "Calwalla", Sheepwash Road, Glenquarry, into Schedule 4 (Classification and reclassification of public land) Part 1 (Land classified, or reclassified, as operational land – no interests changed) of WLEP 2010, in accordance with clause 5.2 of WLEP 2010, be finalised under s3.36 of the Environmental Planning & Assessment Act 1979, and*
2. *THAT Land Reclassification (Part Lots) Map Sheet RPL_007L be amended to reflect the reclassification.*

MN 236/21

MOTION moved by Interim Administrator V May PSM

1. ***THAT the Planning Proposal to insert Lots 11, 12 and 13 DP 1150964, being Council property "Calwalla", Sheepwash Road, Glenquarry, into Schedule 4 (Classification and reclassification of public land) Part 1 (Land classified, or reclassified, as operational land – no interests changed) of WLEP 2010, in accordance with clause 5.2 of WLEP 2010, be finalised under s3.36 of the Environmental Planning & Assessment Act 1979, and***
2. ***THAT Land Reclassification (Part Lots) Map Sheet RPL_007L be amended to reflect the reclassification.***

PASSED

10.4 Planning Proposal to reclassify from Community to Operational Council owned land, being Lot 1 DP1246504, 7-11 Burgess Street Bundanoon

Report Author: Senior Strategic Land Use Planner
Authoriser: Manager Strategic Land Use Planning

THIS ITEM WAS CONSIDERED AT THE LOCAL PLANNING PANEL MEETING OF 4 AUGUST 2021.

PANEL ADVICE

1. *THAT the Planning Proposal to insert Lot 1 DP1246504, being Council owned land at 7-11 Burgess Street, Bundanoon, into Schedule 4 (Classification and reclassification of public land) Part 1 (Land classified, or reclassified, as operational land – no interests changed) of WLEP 2010, in accordance with clause 5.2 of WLEP 2010, be finalised under s3.36 of the Environmental Planning & Assessment Act 1979, and*
2. *THAT Land Reclassification (Part Lots) Map Sheet RPL_008A be amended to reflect the reclassification.*

MN 237/21

MOTION moved by Interim Administrator V May PSM

1. ***THAT the Planning Proposal to insert Lot 1 DP1246504, being Council owned land at 7-11 Burgess Street, Bundanoon, into Schedule 4 (Classification and reclassification of public land) Part 1 (Land classified, or reclassified, as operational land – no interests changed) of WLEP 2010, in accordance with clause 5.2 of WLEP 2010, be finalised under s3.36 of the Environmental Planning & Assessment Act 1979, and***
2. ***THAT Land Reclassification (Part Lots) Map Sheet RPL_008A be amended to reflect the reclassification.***

PASSED

10.5 Planning Proposal to rezone land at 254 Centennial Road Bowral (Centennial Vineyards) from E3 Environmental Management to SP3 Tourist.

Report Author: Senior Strategic Land Use Planner
Authoriser: Manager Strategic Land Use Planning

THIS ITEM WAS CONSIDERED AT THE LOCAL PLANNING PANEL MEETING OF 4 AUGUST 2021.

PANEL ADVICE

1. *THAT the Planning Proposal to rezone land at 254 Centennial Road Bowral (Centennial Vineyards), being Lot 1 DP 126196, Lot 1 DP 435373, Lot 5A DP 16192 and part Lot 1 DP 16192 from E3 Environmental Management to SP3 Tourist be finalised under s 3.36 of the Environmental Planning & Assessment Act 1979, and*
2. *THAT any future Development Application over the SP3 Tourist zoned land provide a Concept Master Plan, as required under the Rural Tourism Policy, and demonstrate to Council's satisfaction that no clearing of native vegetation will be required.*

MN 238/21

MOTION moved by Interim Administrator V May PSM

1. *THAT the Planning Proposal to rezone land at 254 Centennial Road Bowral (Centennial Vineyards), being Lot 1 DP 126196, Lot 1 DP 435373, Lot 5A DP 16192 and part Lot 1 DP 16192 from E3 Environmental Management to SP3 Tourist be finalised under s 3.36 of the Environmental Planning & Assessment Act 1979, and*
2. *THAT any future Development Application over the SP3 Tourist zoned land provide a Concept Master Plan, as required under the Rural Tourism Policy, and demonstrate to Council's satisfaction that no clearing of native vegetation will be required.*

PASSED

10.6 Planning Proposal for Provisions Relating to Secondary Dwellings in Rural Zones

Report Author: Senior Strategic Land Use Planner
Authoriser: Manager Strategic Land Use Planning

THIS ITEM WAS CONSIDERED AT THE LOCAL PLANNING PANEL MEETING OF 4 AUGUST 2021.

PANEL ADVICE

THAT the Planning Proposal to insert the Standard Instrument optional clause 5.5 into the *Wingecarribee Local Environmental Plan 2010* to provide development standards for secondary dwellings in rural zones be finalised under s3.36 of the *Environmental Planning & Assessment Act 1979*.

MN 239/21

MOTION moved by Interim Administrator V May PSM

THAT the Planning Proposal to insert the Standard Instrument optional clause 5.5 into the *Wingecarribee Local Environmental Plan 2010* to provide development standards for secondary dwellings in rural zones be finalised under s3.36 of the *Environmental Planning & Assessment Act 1979*.

PASSED

MN 240/21

MOTION moved by Interim Administrator V May PSM

THAT Standing Orders be suspended in order to consider two supplementary items

1. ***COVID19 Pandemic - Community & Business Support Measures; and***
2. ***Independent Planning Commission NSW Public Hearing - Hume Coal Project and Berrima Rail Project (SSD7172 & SSD 7171)***

SUSPENSION OF STANDING ORDERS PASSED

MN 241/21

MOTION moved by Interim Administrator V May PSM

THAT In accordance with Clause 10.3(b) of the Code of Meeting Practice I move as a matter of urgency that two supplementary items be considered

1. ***COVID19 Pandemic - Community & Business Support Measures; and***
2. ***Independent Planning Commission NSW Public Hearing - Hume Coal Project and Berrima Rail Project (SSD7172 & SSD 7171)***

MOTION PASSED

L.1 COVID19 Pandemic - Community & Business Support Measures

Report Author: Chief Financial Officer
Authoriser: Interim Deputy General Manager

The Interim Deputy General Manager addressed Council on this item.

OFFICER'S RECOMMENDATION

THAT:

1. Council adopt a six-month deferral period of rates and charges for affected businesses and residents who apply and meet the eligibility requirements of Council's adopted Financial Hardship Policy.
2. Council adopt a full fee reduction for outdoor dining fees, materials on footpaths and environment and health inspections commencing for a period of 6 months, commencing 1 August 2021, noting that the budget implications in relation to this measure will be considered as part of the September Review of the 2021/22 Budget.
3. Council undertake a 28 day public notification period in relation to the full fee reduction for outdoor dining fees, materials on footpaths and environment and health inspections, in accordance with Section 356 of Local Government Act 1993.
4. Council provide a six-month deferral period for the repayment of interest free loans which are currently held with community and sporting organisations.
5. Council endorse the measures outlined in this report to support businesses and residents who have been impacted by the ongoing COVID19 Pandemic and lockdown measures imposed on the Greater Sydney and other areas.

MN 242/21

MOTION moved by Interim Administrator V May PSM

THAT:

1. ***Council adopt a six-month deferral period of rates and charges for affected businesses and residents who apply and meet the eligibility requirements of Council's adopted Financial Hardship Policy.***
2. ***Council adopt a full fee reduction for outdoor dining fees, materials on footpaths and environment and health inspections commencing for a period of 6 months, commencing 1 August 2021, noting that the budget implications in relation to this measure will be considered as part of the September Review of the 2021/22 Budget.***
3. ***Council undertake a 28 day public notification period in relation to the full fee reduction for outdoor dining fees, materials on footpaths and environment and health inspections, in accordance with Section 356 of Local Government Act 1993.***
4. ***Council provide a six-month deferral period for the repayment of interest free loans which are currently held with community and sporting organisations.***
5. ***Council endorse the measures outlined in this report to support businesses and residents who have been impacted by the ongoing COVID19 Pandemic and lockdown measures imposed on the Greater Sydney and other areas.***

PASSED

**L.2 Independent Planning Commission NSW Public Hearing
- Hume Coal Project and Berrima Rail Project (SSD7172
& SSD 7171)**

Report Author: Manager Environment and Sustainability
Authoriser: Interim Deputy General Manager

OFFICER'S RECOMMENDATION

THAT the information on Council's submissions to the Independent Planning Commission NSW public hearing on the Hume Coal Project and Berrima Rail Project (SSD7172 & SSD 7171) be noted.

MN 243/21

MOTION moved by Interim Administrator V May PSM

THAT the information on Council's submissions to the Independent Planning Commission NSW public hearing on the Hume Coal Project and Berrima Rail Project (SSD7172 & SSD 7171) be noted.

PASSED

MN 244/21

MOTION moved by Interim Administrator V May PSM

RESUMPTION OF STANDING ORDERS moved by Interim Administrator V May PSM

THAT Standing Orders be resumed.

RESUMPTION OF STANDING ORDERS PASSED

The General Manager addressed Council and confirmed she had purchased a family home in the Shire and will be moving to the Southern Highlands in the next few weeks.

11. MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 4.05 PM

In accordance with the provisions of Section 375(2) of the Local Government Act, these Minutes of the Ordinary Council Meeting held Wednesday 11 August 2021 numbered M/N 227/21 to M/N 244/21 were signed by me hereunder at the Council Meeting held on Wednesday 8 September 2021.

INTERIM ADMINISTRATOR

READ AND CONFIRMED ON WEDNESDAY 8 SEPTEMBER 2021

INTERIM ADMINISTRATOR

PUBLIC OFFICER