



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 open to members of the
community via webcast

on

Wednesday 14 July 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 9 June 2021	
Extraordinary Meeting of Council held on 23 June 2021	
6. DECLARATIONS OF INTEREST	4
7. INTERIM ADMINISTRATOR MINUTES	5
7.1 Community Update	5
<hr/>	
8. GENERAL MANAGER	8
8.1 Councillor Induction Program	8
8.2 Organisational Structure: Realignment	9
9. PUBLIC FORUM	9
10. OPERATIONS FINANCE AND RISK	11
10.1 Tender for Moss Vale Cemetery Upgrade	11
10.2 Tender for Old South Road Watermain Extension	12
10.3 Acceptance of Grant Funding - Fixing Country Bridges Program	13
10.4 Proposed Road Closure - Part Old Argyle Road, Penrose	14
10.5 Application to be Appointed as Reserve Trust Manager - Crown Land at Berrima.....	16
10.6 Balmoral Reserve - Community Update.....	17
10.7 Investment Report - May 2021	19
<hr/>	
11. CORPORATE STRATEGY AND DEVELOPMENT SERVICES.....	20
11.1 Local Strategic Planning Statement and Local Housing Strategy - Landowner Nominated Sites	20
11.2 Local Strategic Planning Statement and Local Housing Strategy - Outcomes of Re-exhibition	22
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.	24
11.4 Planning Proposal to amend Wingecarribee Local Environmental Plan 2010 to update Flood Planning Area maps.....	25
11.5 Planning Proposal to amend clause 1.9A(2) of Wingecarribee Local Environmental Plan 2010 to include the western portion of Retford Park Bowral residential estate.....	27

MINUTES OF THE ORDINARY MEETING OF COUNCIL

Wednesday 14 July 2021



11.6	Section 8.2 Review of Determination DA21/0212 Subdivision 2 Lots Lot 140, DP 1231974, 1 Sir James Fairfax Circuit Bowral.	28
11.7	Response to Governance, Human Resources and Statutory Reporting Independent Review	29
11.8	Draft Councillor and Staff Interaction Policy for Public Exhibition	30
11.9	Draft Social Media Policy for Public Exhibition.....	31
11.10	Wingecarribee Community Assistance Scheme 2021-2022 Funding Recommendations	32
11.11	Revised Media Policy for Public Exhibition	33
11.12	Support for L'Etape by Tour de France - November 2021	34
12.	COMMITTEE REPORTS	35
13.1	Minutes of the Traffic Committee held on Thursday 24 June 2021.....	35
13.	QUESTIONS WITH NOTICE.....	36
	Nil	
14.	NOTICES OF MOTION	36
	Nil	
15.	CLOSED COUNCIL	36
	Nil	
16.	MEETING CLOSURE	36

MINUTES OF THE ORDINARY MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD JOINTLY IN COUNCIL CHAMBERS, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE AND REMOTELY USING AUDIO VISUAL LINK AND OPEN TO MEMBERS OF THE COMMUNITY VIA WEBCAST ON WEDNESDAY 14 JULY 2021 COMMENCING AT 3.30PM

Present:	Interim Administrator	Mr Viv May PSM
In Attendance:	General Manager	Ms Lisa Miscamble*
	Acting Deputy General Manager Operations, Finance and Risk	Mr Richard Mooney*
	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*
	Acting Chief Financial Officer	Mr Damien Jenkins*
	Manager Strategic Land Use Planning	Mr Michael Park
	Manager Environment and Sustainability	Mr Barry Arthur
	Acting Manager Assets	Ms Rachel Forte
	Coordinator Media and Communications	Mr David Sommers
	Coordinator Community Development Administration Officer	Ms Cath Brennan 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 Strait 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 9 JUNE 2021

MN 185/21

MOTION moved by Interim Administrator V May PSM

THAT the minutes of the Ordinary Meeting of Council held on Wednesday 09 June 2021 MN 148/21 to MN 172/21 inclusive, copies of which were forwarded to Councillors, be adopted as a correct record of the proceedings of the meeting.

PASSED

MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY 23 JUNE 2021

MN 186/21

MOTION moved by Interim Administrator V May PSM

THAT the minutes of the Extraordinary Meeting of Council held on Wednesday 23 June 2021 MN 173/21 to MN 184/21 inclusive, copies of which were forwarded to Councillors, 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.

The Manager of Strategic Land Use Planning declared a less than significant non-pecuniary interest in Item 11.1 Local Strategic Planning Statement and Local Housing Strategy - Landowner Nominated Sites as the consultant who has lodged a submission is a former

work colleague. The relationship is professional, and we do not socialise outside of a professional context. As a matter of caution, he did not review the submission or prepare that section of the report.

7. INTERIM ADMINISTRATOR MINUTES

7.1 Community Update

Report Author: Interim Administrator

MN 187/21

MOTION moved by *Interim Administrator V May PSM*

On Monday I had the opportunity to join a number of local residents to voice objection of Wingecarribee Shire Council to the Hume Coal and Berrima Rail Project. The submission made it very clear that I was putting the formal position of formerly elected body. On behalf of the Council and its community I appealed to the Commission to endorse the recommendation of the Department of Planning, Industry and Environment to reject the application in view of its obvious impacts and to bring the marathon to an end for all parties.

During the presentations I was asked if Council's Local Strategic Planning Statement (LSPS) reflected the positions put forward in the submission. I can confirm that the LSPS does reflect this position and a copy of our LSPS has now been forwarded to the Commission. There are clear statements on the position of coal mining, the protection of precincts, the protection of water and groundwater, and economic opportunities in the Shire.

Under the terms of the General Manager's contract with Council a performance agreement setting out agreed criteria has now been negotiated with Ms Miscamble and for transparency and to assist with understanding of respective roles and responsibilities is tabled.

In the view of the suspension of the Council, elections, a comprehensive induction program and initial agreed performance criteria, the first review will be in July 2022. The contract provides for Councillor involvement and for the next two years the review is to be facilitated by Ms Kath Roach and is to also include either Ms Christine Hawkins or Ms Kellie Hayes who assisted in the recruitment.

When undertaking visits around the Shire I had the pleasure of meeting the good folks who live on and around Wombeyan Caves Road at the Wollondilly Rural Fire Services Shed. We discussed a lot of matters, including Transport for NSW recurrent funding on the road and resident concerns about alleged leakage of funding. As a result, arrangements were made for Finch Consultants to undertake an audit of expended funds on the road for the past three years. I now table the report which in short shows that all grant funds have been expended plus additional monies from Council's General Fund.

What the report does not show, and which is not possible for me to further investigate, is if the community got value for its money or whether it was well spent. I am in no doubt that the General Manager as she reviews the culture and work practices of the organisation will address this general concern of residents.

I have previously expressed the opinion that to improve residents interaction and transparency with Council, the Traffic Committee needs to be more open in its operations. A revised terms of reference were adopted at its meeting on 24 June, the minutes of which are listed on this agenda. I must say that I found the minutes of the meeting to be scant and I could not readily see what matters were dealt with in closed session and why. I spent considerable time on the weekend searching Councils website for the agenda. Unfortunately, the agenda was not publicly available, and this has been rectified by the General Manager.

I have now asked the General Manager if there is any good reason why meetings of the Committee should not be webcast and that the matter is to be taken up with the appropriate State Government Minister.

From talking to residents there seems to be a number of reports that have either been commissioned by Council or its former Executive that have never seen the public light of day. This course of action simply breeds suspicion and I continue to work hard to restore trust in the Council. Accordingly I have asked the General Manager to review the following

service delivery reviews with a view to their public release:

- Children's Services
- Waste Management
- Community Wellbeing
- Southern Regional Livestock Exchange
- Aquatic Services

The Economic Development Roundtable was held on 25 June and facilitated by Mr Warwick Shanks, partner KPMG, and I now table his report for the information of residents.

As a result of the Roundtable, Mr Shanks has made a number of substantive recommendations which I understand were generally supported by those in attendance and will build upon the reports of the Small Business Commissioner and Ernst Consulting.

Importantly, one of the recommendations is the development of an agreed long-term vision for the area incorporating what the community will look like and how economic development will assist in achieving this vision.

I have repeatedly said that Council lacks strategic direction and together with the General Managers proposed new structure and the Housing Strategy, both on this agenda, the foundations are laid for the Council to take back the control of the future land use planning of the Shire.

I have asked the General Manager, as a matter of urgency, to report to the Council on the outcomes of the Roundtable and the other planning matters to provide a pathway for strong community involvement. It is to be hoped that the days of planning on the run or at the whim of a Councillor notice of motion are over.

Finally, notice is given that there will be an Extraordinary meeting of the Council on 28 July. This will be the final meeting before the commencement of the caretaker period and will provide the opportunity for me to release a number of reports that I believe will take the Council forward.

It is my intention, at this stage, to only have one meeting in August and any matter listed will of course not only respect the Council's statutory obligations of the caretaker period but also the legal spirit of same. At this meeting I will also release my final report to the Minister under 5438N of the Local Government Act that will include recommendations that in my view will improve the proper and effective functioning of the Council.

THAT the minute be received and noted and the outlined actions in relation to the General Manager's performance agreement in July 2022 be endorsed.

CARRIED

8. GENERAL MANAGER

8.1 Councillor Induction Program

Report Author: General Manager
Authoriser: General Manager

The General Manager presented to Council on this item.

OFFICERS' RECOMMENDATION

THAT

1. Council note the Induction Program.
2. Council advise all registered candidates of the Induction program and key dates.

MN 188/21

MOTION moved by Interim Administrator V May PSM

THAT

1. Council note the Induction Program.
2. Council advise all registered candidates of the Induction program and key dates.

CARRIED

8.2 Organisational Structure: Realignment

Report Author: General Manager
Authoriser: General Manager

The General Manager addressed Council on this item.

OFFICERS' RECOMMENDATION

THAT:

1. *As per s332 of the Local Government Act 1993 Council adopts an Executive Team structure comprising of three Directors.*
2. *The Director positions be designated senior staff positions and to be engaged on performance-based contracts, following a competitive merit-based recruitment process.*
3. *Council note that following the appointment of the three (3) Directors further adjustments will be undertaken to the structure which will involve staff engagement and consultation.*
4. *Council note that a Cultural Change Program will be implemented to support the organisation to foster a healthy and productive workplace that is focussed on delivery of community outcomes.*

MN 189/21

MOTION moved by Interim Administrator V May PSM

THAT:

1. ***As per s332 of the Local Government Act 1993 Council adopts an Executive Team structure comprising of three Directors.***
2. ***The Director positions be designated senior staff positions and to be engaged on performance-based contracts, following a competitive merit-based recruitment process.***
3. ***Council note that following the appointment of the three (3) Directors further adjustments will be undertaken to the structure which will involve staff engagement and consultation.***
4. ***Council note that a Cultural Change Program will be implemented to support the organisation to foster a healthy and productive workplace that is focussed on delivery of community outcomes.***
5. ***Council acknowledge that the report satisfies both its and the General Manager's obligations under s.332 of the Local Government Act.***

CARRIED

9. PUBLIC FORUM

MINUTES OF THE ORDINARY MEETING OF COUNCIL

Wednesday 14 July 2021



There were no public forum speakers at this meeting.

10. OPERATIONS FINANCE AND RISK

10.1 Tender for Moss Vale Cemetery Upgrade

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

OFFICERS RECOMMENDATION

THAT

1. Council declines to accept any of the tenders for the Moss Vale Cemetery Upgrade in accordance with Clause 178(1)(b) of the Local Government (General) Regulation 2005.
2. Council reassess the tender documentation and revise the staging methodology and invite fresh tenders for a value engineered Stage 1 scope only, in accordance with Clause 178(3)(b) of the Local Government (General) Regulation 2005.
3. Council note the tender prices received for the entire tendered package of works ranged from \$3,373,105 to \$3,633,030, which significantly exceeds the remaining budget allocation for the project of \$2,343,800.
4. Council delegate authority to the Mayor and General Manager to execute the contract and any other documentation required to give effect to this resolution.

MN 190/21

MOTION moved by Interim Administrator V May PSM

THAT

1. Council declines to accept any of the tenders for the Moss Vale Cemetery Upgrade in accordance with Clause 178(1)(b) of the Local Government (General) Regulation 2005.
2. Council reassess the tender documentation and revise the staging methodology and invite fresh tenders for a value engineered Stage 1 scope only, in accordance with Clause 178(3)(b) of the Local Government (General) Regulation 2005.
3. Council note the tender prices received for the entire tendered package of works ranged from \$3,373,105 to \$3,633,030, which significantly exceeds the remaining budget allocation for the project of \$2,343,800.

CARRIED

10.2 Tender for Old South Road Watermain Extension

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

OFFICERS RECOMMENDATION

THAT:

1. Council accepts the tender from SJ Plumbing Industries Pty Ltd for \$1,253,840 (incl GST).
2. Council note the tenders received ranged from \$1,098,647 to \$2,220,824 (incl GST).
3. Council delegate authority to the Mayor and General Manager to execute the contract and any other documentation required to give effect to this resolution.

MN 191/21

MOTION moved by Interim Administrator V May PSM

THAT:

1. Council accepts the tender from SJ Plumbing Industries Pty Ltd for \$1,253,840 (incl GST).
2. Council note the tenders received ranged from \$1,098,647 to \$2,220,824 (incl GST).
3. Council delegate authority to the Mayor/Interim Administrator and General Manager to execute the contract and any other documentation required to give effect to this resolution.

CARRIED

10.3 Acceptance of Grant Funding - Fixing Country Bridges Program

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

OFFICERS' RECOMMENDATION

THAT

1. Council accept Grant Funding of \$3,509,170 from the NSW State Government under the Fixing Country Bridges Program and that the associated expenditure be voted in the 2021/22 Annual Budget.
2. Council enter into a Memorandum of Understanding with Upper Lachlan Shire Council for the Joint procurement process for the construction phase of the bridge replacement.
3. That the General Manager, or their delegate, be delegated authority to sign the Memorandum of Understanding for the joint procurement process with Upper Lachlan Shire Council.
4. Council acknowledge the support and assistance of the Member for Goulburn, Mrs Wendy Tuckerman MP and the Member for Wollondilly, Mr Nathaniel Smith MP, in securing this grant funding.

MN 192/21

MOTION moved by Interim Administrator V May PSM

THAT

1. Council accept Grant Funding of \$3,509,170 from the NSW State Government under the Fixing Country Bridges Program and that the associated expenditure be voted in the 2021/22 Annual Budget.
2. Council enter into a Memorandum of Understanding with Upper Lachlan Shire Council for the Joint procurement process for the construction phase of the bridge replacement.
3. That the General Manager, or their delegate, be delegated authority to sign the Memorandum of Understanding for the joint procurement process with Upper Lachlan Shire Council.
4. Council acknowledge the support and assistance of the Member for Goulburn, Mrs Wendy Tuckerman MP and the Member for Wollondilly, Mr Nathaniel Smith MP, in securing this grant funding.

PASSED

10.4 Proposed Road Closure - Part Old Argyle Road, Penrose

Report Author: Coordinator Property Services
Authoriser: Acting Deputy General Manager

OFFICERS' RECOMMENDATION

THAT:

- 1. Council endorse the application for closure of part Old Argyle Road, Penrose.*
- 2. Council give a minimum twenty eight (28) days public notice of its intention to close a segment of the Council public road at Old Argyle Road, Penrose AND THAT if any objections are received, a further report be forwarded to a future Ordinary Meeting of Council for determination.*
- 3. If there are no objections received by Council during the period of public exhibition that, pursuant to Part 4 Division 3 of the Roads Act 1993, Council as roads authority formally approve the closure of the portion of Council public road referred to in Resolution 1 above and that upon closure the newly created lot will be classified as Operational Land pursuant to the Local Government Act, 1993.*
- 4. The General Manager and Mayor/Interim Administrator be delegated authority to execute under the Common Seal of Council any agreement, plan, real property dealing or any other document in respect of the proposed closure of the portion of Council public road referred to in Resolution 1 above.*
- 5. Authority be delegated to the General Manager to execute on behalf of Council any other document associated with the road closure referred to in Resolution 1 above which does not require the affixing of the Common Seal of Council.*

MN 193/21

MOTION moved by Interim Administrator V May PSM

THAT:

1. ***Council endorse the application for closure of part Old Argyle Road, Penrose.***
2. ***Council give a minimum twenty eight (28) days public notice of its intention to close a segment of the Council public road at Old Argyle Road, Penrose AND THAT if any objections are received, a further report be forwarded to a future Ordinary Meeting of Council for determination.***
3. ***If there are no objections received by Council during the period of public exhibition that, pursuant to Part 4 Division 3 of the Roads Act 1993, Council as roads authority formally approve the closure of the portion of Council public road referred to in Resolution 1 above and that upon closure the newly created lot will be classified as Operational Land pursuant to the Local Government Act, 1993.***
4. ***The General Manager and Mayor/Interim Administrator be delegated authority to execute under the Common Seal of Council any agreement, plan, real property dealing or any other document in respect of the proposed closure of the portion of Council public road referred to in Resolution 1 above.***
5. ***Authority be delegated to the General Manager to execute on behalf of Council any other document associated with the road closure referred to in Resolution 1 above which does not require the affixing of the Common Seal of Council.***

CARRIED

10.5 Application to be Appointed as Reserve Trust Manager - Crown Land at Berrima

Report Author: Coordinator Property Services
Authoriser: Acting Deputy General Manager

OFFICERS' RECOMMENDATION

THAT Council formally lodge an application with NSW Department of Planning, Industry and Environment – Crown Lands to be appointed as Reserve Trust Manager for Lot 7027 and Lot 7028 in Deposited Plan 1026280 being Crown Land at Berrima.

MN 194/21

MOTION moved by Interim Administrator V May PSM

THAT Council formally lodge an application with NSW Department of Planning, Industry and Environment – Crown Lands to be appointed as Reserve Trust Manager for Lot 7027 and Lot 7028 in Deposited Plan 1026280 being Crown Land at Berrima.

CARRIED

10.6 Balmoral Reserve - Community Update

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

The Acting Manager Assets addressed Council on this item.

The Interim Administrator thanked the staff of Assets and Capital Works for what they have achieved in this area

OFFICERS' RECOMMENDATION

THAT:

1. *Council note and receive the information contained within this report.*
2. *Council endorse the actions required to develop a Masterplan for Balmoral Reserve, which include;*
 - a. *an independent ecological assessment of the site and extent of threatened species habitat be undertaken.*
 - b. *A Plan of Management (PoM) be adopted for Balmoral Reserve which sets the category or categories for management of the site. The Reserve forms part of the generic Bushland Reserves PoM currently being prepared.*
 - c. *A draft masterplan be developed in consultation with community representatives consistent with the categorisation under the adopted Plan of Management and with consideration of the environmental factors relevant to the site.*
 - d. *Once the draft masterplan has been developed and prior to adoption, a planning and environmental impact assessment be undertaken to provide more certainty around the feasibility of the draft masterplan and appropriate planning pathway. Additional licences or permits may need to be obtained. It is recommended that the proposal also be referred to the Commonwealth for approval.*
 - e. *The draft masterplan be publicly exhibited and adopted by Council.*

MN 195/21

MOTION moved by Interim Administrator V May PSM

THAT:

1. **Council note and receive the information contained within this report.**
2. **Council endorse the actions required to develop a Masterplan for Balmoral Reserve, which include;**
 - a. **an independent ecological assessment of the site and extent of threatened species habitat be undertaken.**
 - b. **A Plan of Management (PoM) be adopted for Balmoral Reserve which sets the category or categories for management of the site. The Reserve forms part of the generic Bushland Reserves PoM currently being prepared.**
 - c. **A draft masterplan be developed in consultation with community representatives consistent with the categorisation under the adopted Plan of Management and with consideration of the environmental factors relevant to the site.**
 - d. **Once the draft masterplan has been developed and prior to adoption, a planning and environmental impact assessment be undertaken to provide more certainty around the feasibility of the draft masterplan and appropriate planning pathway. Additional licences or permits may need to be obtained. It is recommended that the proposal also be referred to the Commonwealth for approval.**
 - e. **The draft masterplan be publicly exhibited and adopted by Council.**

CARRIED

10.7 Investment Report - May 2021

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

OFFICERS' RECOMMENDATION

THAT the information on Council's Investments as at 31 May 2021 be received and noted.

MN 196/21

MOTION moved by Interim Administrator V May PSM

THAT the information on Council's Investments as at 31 May 2021 be received and noted.

PASSED

11. CORPORATE STRATEGY AND DEVELOPMENT SERVICES

11.1 Local Strategic Planning Statement and Local Housing Strategy - Landowner Nominated Sites

Report Author: Manager Strategic Land Use Planning
Authoriser: Interim Deputy General Manager

The Manager Strategic Land Use Planning addressed Council on this item.

LOCAL PLANNING PANEL'S ADVICE

THAT:

1. Landowner Site 1 - 241 Drapers Road, Colo Vale not be Included in the Local Housing Strategy
2. Landowner Site 2 – Kawana Place, Colo Vale not be Included in the Local Housing Strategy
3. Landowner Site 3 - 23 & 15 Drapers Road, Colo Vale not be Included in the Local Housing Strategy
4. Landowner Site 4 – 4 Bignonia Street, Colo Vale not be Included in the Local Housing Strategy
5. Landowner Site 5 – 1550 Wilson Drive, Colo Vale not be Included in the Local Housing Strategy
6. Landowner Site 6 – McCallums Road, Colo Vale not be Included in the Local Housing Strategy
7. Landowner Site 7 – 24 Drapers Road, Colo Vale not be Included in the Local Housing Strategy
8. Landowner Site 8 – 9 Howard's Way, Mittagong not be Included in the Local Housing Strategy
9. Landowner Site 9 – Bong Bong Road, Mary Street and Old South Road, Mittagong not be Included in the Local Housing Strategy
10. Land Owner Site 10 – Part 542 Kangaloon Road, Glenquarry not be Included in the Local Housing Strategy
11. Landowner Site 11 – 38 Yarrowa Road, Moss Vale not be Included in the Local Housing Strategy
12. Landowner Site 12 – 30 Headlam Road, Moss Vale not be Included in the Local Housing Strategy
13. Landowner Site 13 – 6581 Illawarra Highway, Moss Vale not be Included in the Local Housing Strategy
14. Landowner Site 14 – 34 Suttor Road, Moss Vale not be Included in the Local Housing Strategy
15. Landowner Site 15 – Greasons Road and Ellsmore Road, Bundanoon not be Included in the Local Housing Strategy
16. Landowner Site 16 – 921 Penrose Road, Penrose not be Included in the Local Housing Strategy.

MN 197/21

MOTION moved by Interim Administrator V May PSM

THAT:

1. ***Landowner nominated sites 1-16 not be included in the final local Housing Strategy as new living areas, however***
 - a) ***Landowner site 8 - 9 Howards Way Mittagong be referred back to the Local Planning Panel for consideration as a future infill development opportunity for Mittagong; and***
 - b) ***Landowner site 9 – Bong Bong Road, Mary Street, and Old South Road, Mittagong be retained as an investigation area in the Local Housing Strategy and Council work with the landowners to undertake a detailed assessment of infrastructure requirements and explore opportunities to deliver infrastructure upgrades that provide a broader public benefit to the Mittagong community.***

CARRIED

11.2 Local Strategic Planning Statement and Local Housing Strategy - Outcomes of Re-exhibition

Report Author: Coordinator Strategic Land Use Planning
Authoriser: Interim Deputy General Manager

The Manager Strategic Land Use Planning addressed Council on this item.

LOCAL PLANNING PANEL'S ADVICE

THAT:

- 1. draft amendments to the Wingecarribee Local Strategic Planning Statement and Local Housing Strategy NOT be adopted*
- 2. land at 1-9 Lemmons Road, Robertson be removed from the Robertson New Living Area as per the initial exhibition of the Local Housing Strategy*
- 3. the Colo Vale South (Site 1) shown on page 66 of the draft Local Housing Strategy be considered as a future infill development opportunity in Colo Vale*
- 4. Council continue to work with both the industry and community to implement the adopted Local Housing Strategy and Local Strategic Planning Statement*
- 5. Council undertake periodic reviews of the Local Housing Strategy and Local Strategic Planning Statement every four (4) years in line with the Community Strategic Plan process to ensure the Strategies continue to meet the needs of the community*
- 6. Council notify all submission makers of this resolution.*

MN 198/21

MOTION moved by Interim Administrator V May PSM

THAT:

1. ***draft amendments to the Wingecarribee Local Strategic Planning Statement and Local Housing Strategy NOT be adopted***
2. ***land at 1-9 Lemmons Road, Robertson be removed from the Robertson New Living Area as per the initial exhibition of the Local Housing Strategy, AND be considered as future infill development opportunity if/when the new living area is rezoned for residential development***
3. ***the Colo Vale South (Site 1) shown on page 66 of the draft Local Housing Strategy be considered as a future infill development opportunity in Colo Vale***
4. ***Land at 9 Howards Way, Mittagong be referred back to the Local Planning Panel for consideration as a future infill development opportunity for Mittagong.***
5. ***Council work with landowners of the Mittagong (East) investigation Area to undertake a detailed assessment of offsite traffic impacts and investigate infrastructure upgrades to support future development within the investigation area and for the greater public benefit to the Mittagong community.***
6. ***Council continue to work with both the industry and community to implement the adopted Local Housing Strategy and Local Strategic Planning Statement***
7. ***Council undertake periodic reviews of the Local Housing Strategy and Local Strategic Planning Statement every four (4) years in line with the Community Strategic Plan process to ensure the Strategies continue to meet the needs of the community***
8. ***Council notify all submission makers of this resolution.***

CARRIED

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.

Report Author: Senior Strategic Land Use Planner
Authoriser: Interim Deputy General Manager

PURPOSE

1. THAT a Planning Proposal be prepared under section 3.33 of the Environmental Planning and Assessment Act 1979 to:
 - (a) rezone to RE1 Public Recreation Council owned Public Reserves at Retford Park West Bowral (Lot 439 DP1248107) and Anembo Street Moss Vale (Lot 1266 DP 1248764), and
 - (b) remove the current minimum lot size provision of 1000m² for the Council owned Public Reserve at Retford Park West Bowral (Lot 439 DP1248107) and 700m² for the Council owned Public reserve at Anembo Street Moss Vale (Lot 1266 DP 1248764).
2. THAT Council confirm by Resolution the 'Community' classification of both Public Reserves, being Lot 439 DP1248107 and Lot 1266 DP 1248764, as provided for under Sect 33 of the Local Government Act 1993.

MN 199/21

MOTION moved by Interim Administrator V May PSM

1. **THAT a Planning Proposal be prepared under section 3.33 of the Environmental Planning and Assessment Act 1979 to:**
 - (a) **rezone to RE1 Public Recreation Council owned Public Reserves at Retford Park West Bowral (Lot 439 DP1248107) and Anembo Street Moss Vale (Lot 1266 DP 1248764), and**
 - (b) **remove the current minimum lot size provision of 1000m² for the Council owned Public Reserve at Retford Park West Bowral (Lot 439 DP1248107) and 700m² for the Council owned Public reserve at Anembo Street Moss Vale (Lot 1266 DP 1248764).**
2. **THAT Council confirm by Resolution the 'Community' classification of both Public Reserves, being Lot 439 DP1248107 and Lot 1266 DP 1248764, as provided for under Sect 33 of the Local Government Act 1993.**

CARRIED

11.4 Planning Proposal to amend Wingecarribee Local Environmental Plan 2010 to update Flood Planning Area maps

Report Author: Senior Strategic Land Use Planner
Authoriser: Interim Deputy General Manager

THIS ITEM WAS CONSIDERED AT THE INTERIM ADVISORY PLANNING ASSESSMENT PANEL MEETING OF 7 JULY 2021.

OFFICERS' RECOMMENDATION

THAT

1. Council request the Minister for Planning & Public Spaces determine, under s.3.35 of the Environmental Planning & Assessment Act 1979, that Planning Proposal PP_2018_WINGE_002_00 (to update the Flood Planning Area Maps in the Wingecarribee Local Environmental Plan 2010 to reflect the 100-year flood planning level identified in flood studies completed for Nattai Ponds, Nattai River, Robertson Village and Gibbergunyah Creek) not proceed, and
2. A Planning Proposal be prepared under s.3.33 of the Environmental Planning & Assessment Act 1979 to revoke the current Flood Planning Area Maps contained within WLEP 2010 and to replace them with new Flood Planning Area Maps which reflect the '100-year flood level + 0.5m extent' as identified in the following studies adopted by Council:
 - a) Bowral Floodplain Risk Management Study and Plan
 - b) Burradoo BU2 Catchment Study
 - c) Burradoo BU2 Floodplain Risk Management Study and Plan
 - d) Gibbergunyah Creek Flood Study and Plan
 - e) Gibbergunyah Creek Floodplain Risk Management Study and Plan
 - f) Nattai River Flood Study
 - g) Nattai River Floodplain Risk Management Study and Plan
 - h) Nattai Ponds Flood Study
 - i) Nattai Ponds Floodplain Risk Management Study and Plan
 - j) Robertson Village Overland Flow Study
 - k) Wembly Road & Farnborough Drive Catchments Overland Flow Study
 - l) Whites Creek Floodplain Risk Management Study and Plan review

MN 200/21

MOTION moved by Interim Administrator V May PSM

THAT

1. **Council request the Minister for Planning & Public Spaces determine, under s.3.35 of the Environmental Planning & Assessment Act 1979, that Planning Proposal PP_2018_WINGE_002_00 (to update the Flood Planning Area Maps in the Wingecarribee Local Environmental Plan 2010 to reflect the 100-year flood planning level identified in flood studies completed for Nattai Ponds, Nattai River, Robertson Village and Gibbergunyah Creek) not proceed, and**
2. **A Planning Proposal be prepared under s.3.33 of the Environmental Planning & Assessment Act 1979 to revoke the current Flood Planning Area Maps contained within WLEP 2010 and to replace them with new Flood Planning Area Maps which reflect the '100-year flood level + 0.5m extent' as identified in the following studies adopted by Council:**
 - a) **Bowral Floodplain Risk Management Study and Plan**
 - b) **Burradoo BU2 Catchment Study**
 - c) **Burradoo BU2 Floodplain Risk Management Study and Plan**
 - d) **Gibbergunyah Creek Flood Study and Plan**
 - e) **Gibbergunyah Creek Floodplain Risk Management Study and Plan**
 - f) **Nattai River Flood Study**
 - g) **Nattai River Floodplain Risk Management Study and Plan**
 - h) **Nattai Ponds Flood Study**
 - i) **Nattai Ponds Floodplain Risk Management Study and Plan**
 - j) **Robertson Village Overland Flow Study**
 - k) **Wembly Road & Farnborough Drive Catchments Overland Flow Study**
 - l) **Whites Creek Floodplain Risk Management Study and Plan review**

CARRIED

11.5 Planning Proposal to amend clause 1.9A(2) of Wingecarribee Local Environmental Plan 2010 to include the western portion of Retford Park Bowral residential estate.

Report Author: Senior Strategic Land Use Planner
Authoriser: Interim Deputy General Manager

THIS ITEM WAS CONSIDERED AT THE INTERIM ADVISORY PLANNING ASSESSMENT PANEL MEETING OF 7 JULY 2021.

PANEL ADVICE

THAT

- 1. Council continue to seek a formal Gateway Determination for the Planning Proposal*
- 2. Council provide the Mosman Local Environmental Plan 2012 as an example of a similar amendment to clause 1.9A(2)*
- 3. Should a Gateway determination recommend the Planning Proposal not proceed, Council investigate and pursue alternative options to enforce the site specific design guidelines over the subject area.*

MN 201/21

MOTION moved by Interim Administrator V May PSM

THAT

- 1. Council continue to seek a formal Gateway Determination for the Planning Proposal*
- 2. Council provide the Mosman Local Environmental Plan 2012 as an example of a similar amendment to clause 1.9A(2)*
- 3. Should a Gateway determination recommend the Planning Proposal not proceed, Council investigate and pursue alternative options to enforce the site specific design guidelines over the subject area.*

CARRIED

**11.6 Section 8.2 Review of Determination DA21/0212
Subdivision 2 Lots Lot 140, DP 1231974, 1 Sir James
Fairfax Circuit Bowral.**

Report Author: Development Assessment Planner
Authoriser: Manager Development Assessment

THIS ITEM WAS CONSIDERED AT THE LOCAL PLANNING PANEL MEETING OF 7 JULY 2021.

PANEL ADVICE

THAT the Review of DA20/0212 under Section 8.2 of the Environmental Planning and Assessment Act 1979 for a two (2) Lot subdivision at Lot 140 DP 1231974, 1 Sir James Fairfax Circuit Bowral to delete Conditions 9, 10 and 32 from the consent be APPROVED.

NOTE: As the development application was determined by the full council the Panel only has power to advise.

MN 202/21

MOTION moved by Interim Administrator V May PSM

THAT the Review of DA20/0212 under Section 8.2 of the Environmental Planning and Assessment Act 1979 for a two (2) Lot subdivision at Lot 140 DP 1231974, 1 Sir James Fairfax Circuit Bowral to delete Conditions 9, 10 and 32 from the consent be APPROVED.

NOTE: As the development application was determined by the full council the Panel only has power to advise.

CARRIED

11.7 Response to Governance, Human Resources and Statutory Reporting Independent Review

Report Author: Coordinator Corporate Performance
Authoriser: Group Manager Corporate and Community

PURPOSE

THAT

1. *Council adopt the independent Governance, Human Resources and Statutory Reporting Independent Review and all recommendations.*
2. *Council note the management actions and proposed responses to Review recommendations.*

MN 203/21

MOTION moved by Interim Administrator V May PSM

THAT

1. ***Council adopt the independent Governance, Human Resources and Statutory Reporting Independent Review and all recommendations.***
2. ***Council note the management actions and proposed responses to Review recommendations.***

CARRIED

11.8 Draft Councillor and Staff Interaction Policy for Public Exhibition

Report Author: Group Manager Corporate and Community
Authoriser: Interim Deputy General Manager

PURPOSE

THAT

1. *the Draft Councillor and Staff Interaction Policy as provided in Attachment 1 be placed on public exhibition from 16 July 2021 until 29 August 2021.*
2. *Council receive a further report at the conclusion of the public exhibition period to review any submissions on the proposed Wingecarribee policy and to ensure any changes to the draft Model Policy are considered.*

MN 204/21

MOTION moved by Interim Administrator V May PSM

THAT

1. *the Draft Councillor and Staff Interaction Policy as provided in Attachment 1 be placed on public exhibition from 16 July 2021 until 29 August 2021.*
2. *Council receive a further report at the conclusion of the public exhibition period to review any submissions on the proposed Wingecarribee policy and to ensure any changes to the draft Model Policy are considered.*
3. *the list of authorised staff contacts for councillors as outlined in schedule 1 be updated following the organisational restructure.*

PASSED

11.9 Draft Social Media Policy for Public Exhibition

Report Author: Group Manager Corporate and Community
Authoriser: Interim Deputy General Manager

OFFICERS' RECOMMENDATION

THAT the draft Social Media Policy as provided in Attachment 1 be placed on public exhibition from 16 July 2021 to 29 August 2021.

MN 205/21

MOTION moved by Interim Administrator V May PSM

THAT:

- 1. the draft Social Media Policy as provided in Attachment 1 be placed on public exhibition from 16 July 2021 to 29 August 2021***
- 2. the General Manager include the draft policy in the Staff Training Package referenced in Item 8.1 of the Agenda.***

PASSED

11.10 Wingecarribee Community Assistance Scheme 2021-2022 Funding Recommendations

Report Author: Coordinator Community Development
Authoriser: Interim Deputy General Manager

OFFICERS' RECOMMENDATION

THAT

1. Council adopt the recommendations of the Wingecarribee Community Assistance Scheme as detailed in Attachment 1 to this report.
2. Successful applicants be advised in writing and invited to attend a formal presentation held during Local Government Week from 2 to 8 August 2021, subject to COVID-19 restrictions, to receive a Certificate of Entitlement.
3. Unsuccessful applicants be advised in writing of the outcome of their application.

MN 206/21

MOTION moved by Interim Administrator V May PSM

THAT

1. Council adopt the recommendations of the Wingecarribee Community Assistance Scheme as detailed in Attachment 1 to this report.
2. Successful applicants be advised in writing and invited to attend a formal presentation held during Local Government Week from 2 to 8 August 2021, subject to COVID-19 restrictions, to receive a Certificate of Entitlement.
3. Unsuccessful applicants be advised in writing of the outcome of their application.

PASSED

11.11 Revised Media Policy for Public Exhibition

Report Author: Group Manager Corporate and Community
Authoriser: Interim Deputy General Manager

PURPOSE

THAT the revised Media Policy as provided in Attachment 1 be placed on public exhibition from 16 July 2021 to 29 August 2021.

MN 207/21

MOTION moved by Interim Administrator V May PSM

THAT the revised Media Policy as provided in Attachment 1 be placed on public exhibition from 16 July 2021 to 29 August 2021.

PASSED

11.12 Support for L'Etape by Tour de France - November 2021

Report Author: Group Manager Corporate and Community
Authoriser: Interim Deputy General Manager

OFFICERS' RECOMMENDATION

THAT Council provide in principle support for the L'Étape Australia cycling event by Tour de France that is scheduled to take place on 28 November 2021, pending approval of the Traffic Management Plan by the Local Traffic Committee.

MN 208/21

MOTION moved by Interim Administrator V May PSM

THAT Council provide in principle support for the L'Étape Australia cycling event by Tour de France that is scheduled to take place on 28 November 2021, pending approval of the Traffic Management Plan by the Local Traffic Committee.

PASSED

12. COMMITTEE REPORTS

12.1 Minutes of the Traffic Committee held on Thursday 24 June 2021

Report Author: Administration Officer

OFFICERS RECOMMENDATION

THAT recommendation Nos TC 18/21 to TC 24/21 as detailed in the Minutes of the Traffic Committee Meeting held on Thursday, 24 June 2021 be adopted.

MN 209/21

MOTION moved by Interim Administrator V May PSM

THAT recommendation Nos TC 18/21 to TC 24/21 as detailed in the Minutes of the Traffic Committee Meeting held on Thursday, 24 June 2021 be adopted.

PASSED

13. QUESTIONS WITH NOTICE

Nil

14. NOTICES OF MOTION

Nil

15. CLOSED COUNCIL

Nil

16. MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 4.52 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 July 2021 numbered M/N 185/21 to M/N 209/21 were signed by me hereunder at the Council Meeting held on Wednesday 11 August 2021.

INTERIM ADMINISTRATOR

READ AND CONFIRMED ON WEDNESDAY 11 AUGUST 2021

INTERIM ADMINISTRATOR

PUBLIC OFFICER