



# MINUTES

## of the Extraordinary 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 19 January 2022**

The meeting commenced at 3.30pm

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<b>2. ACKNOWLEDGEMENT OF COUNTRY</b>	
<b>3. PRAYER</b>	
<b>4. APOLOGIES</b>	
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**MINUTES OF THE EXTRAORDINARY MEETING OF WINGECARRIBEE SHIRE COUNCIL  
HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE  
ON WEDNESDAY 19 JANUARY 2022 COMMENCING AT 3.30PM**

**Present:** Interim Administrator Viv May

**In Attendance:**

General Manager	Lisa Miscamble
Director, Corporate Strategy and Resourcing	Carmel Foster*
Director, Communities and Place	Geoff King*
Director, Service and Project Delivery	Karin Targa*
Group Manager Corporate and Community	Danielle Lidgard*
Group Manager Capital Projects	Ned Tripkovic*
Chief Information Officer	John Crawford*
Acting Chief Financial Officer	Barry Husking*
Manager Environment and Sustainability	Barry Arthur*
Coordinator ICT Operations	Ian Vong*
Coordinator Property Services	Mandy McCullagh*
Acting Recreation Planner	Susan Butler*
Corporate Strategy and Governance Officer	Olivia Nettleton

**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 opened the meeting and welcomed members of the public and the press.

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## 2. ACKNOWLEDGEMENT OF COUNTRY

The Interim Administrator, Mr Viv May 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 or watching today.”

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### 3. PRAYER

The Interim Administrator, Mr Viv May 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.’

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### 4. APOLOGY

There were no apologies at this Meeting.

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### 5. DECLARATIONS OF INTEREST

101/3, 101/3.1

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.

Nil

### 6. INTERIM ADMINISTRATOR MINUTES

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#### 6.1 Community Update

Report Author: Interim Administrator

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#### PURPOSE

**MN 1/22**

**MOTION** moved by *Interim Administrator*

<https://www.wsc.nsw.gov.au/files/assets/public/council/meeting-minutes/2022-interim-administrator/ia-minute-community-update-19-january-2022.pdf>

Precedent Productions in association with the Southern Highlands News organised a most enjoyable evening at Mittagong RSL on Wednesday 8 December when the Southern Highlands Local Business Awards were announced.

I had the opportunity to congratulate all participants and winners and I am confident that those in attendance enjoyed a COVID safe evening and I would also pass on my thanks to the Mittagong RSL for hosting the event. It was a fabulous night and in 2022 I would like to think it will have even more support from Council and opportunities for community acknowledgement to the many great businesses that are also in our smaller towns and villages.

I have completed my Community Meetings across the Shire. These meetings provided an opportunity to update the community on what is happening at Council and also to receive feedback and answer questions. 20 sessions were held with over 330 community members attending.

There were several themes that were consistent across all meetings. These were:

- a lack of communication from Council;
- delays in development applications;
- Snap Send Solve requests not actioned;
- maintenance of roadside verges;
- requests for more community consultation for significant projects; e.g. Moss Vale Bypass; Southern Highlands Innovation Park; and Ashbourne Development; and
- Potholes and condition of roads.

As I advised at the meetings, Council is currently a work in progress but with the new Executive now in place the community will begin to see positive changes as we reset the Council for the future.

Some highlights are a new IT system being implemented to assist with streamlining the development application process. A new Customer Relationship Management (CRM) software installed to ensure that all correspondence and action requests are answered and do not go into the proverbial 'black hole'. You may not like the answer but at least you will receive one! The Executive are now working on phase 2 of the organisation structural changes to further improve systems and processes.

Council has also employed a Grants Officer to support a stronger focus on securing grants for our Region and ensure our community does not miss out on funding opportunities offered, in particular by the State and Federal Government.

I don't want to sound like broken record but no resident should be under the misapprehension that the rebuild of the Council's administration will not take time and this reality was acknowledged by those attending the meetings. Legacy issues continue to be discovered and the lack of a strategic focus particularly in the land use area, is exposing many issues that are impacting on the future of the Shire.

I am confident that you will start to see a Council that is customer focussed and one that you can begin to trust. I will arrange for the questions and answers from the sessions that required further information to be put on the Council's website when finalised and over the coming months status and information reports will be presented to council on a number of matters.

At the December meeting I raised the prospect of altering this Chamber to make it more user friendly and multi-purpose. As it was recently refurbished, the cost of approximately \$40,000 is a concern and I sought public input so differing views could be considered. Five emails were received in relation to the altering of the Council Chambers, three were opposed and I have made contact with two of them – the other one did not make their phone number available for discussions.

My view is that the present arrangement gives the perception of entitlement, is adversarial and more like a court room. To make the room multi-purpose as it is only used once a month for Council meetings, was agreed by the two people with whom I made contact, though in fairness (like me) they were concerned at the cost. Put simply, both implied "do what you have to do".

I have taken the decision to ask the General Manager to arrange the necessary works and to give notice that, in the future, Councillor workshop and briefings, meetings of the Local Planning Panel and Traffic Committee will be held in the Chamber. First class technology is available in the Chamber and it is important to encourage community participation in the decision making processes.

No funds are available for this work and following discussions with staff it is recommended that in the first instance it be charged to the Civic Centre Refurbishment project and no doubt a progress report on funding of the entire project will come to Council at a later date. Unlike many regional and rural areas Wingecarribee is spared, to a degree, from the visual clutter of roadside advertising both professional in the terms of billboards and private by temporary corflutes. The latter are in my view not a problem if they are removed quickly – but when they hang around are unsightly.

The General Manager has advised me that staff are presently paying attention to the issue and in my view, it is extremely disappointing that as you enter both Mittagong and Bowral from the North there are billboards that have advertising painted over haphazardly and devalue the visual environment. I applaud the action of the General Manager and encourage strict regulatory compliance and enforcement if necessary.

Both the Domestic Waste Services Collection Contract and the Waste Disposal Contract expire on 30 June 2024.

In relation to the Waste Disposal Contract, Council is in a consortium with a number of other Councils and this is currently the subject of tender that will close in early April.

In discussions with both residents and Executive it is apparent that the specification for the Domestic Waste Services Contract needs a major review and this will take time.

Accordingly, to start the process I have requested the General Manager arrange an independent desktop audit of compliance, appropriateness and relevance of specifications of the existing contract and to start a conversation with residents in relation to their expectations for the new contract.

**MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL**

Wednesday 19 January 2022



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For the record I would also indicate that I will be attending the *Water Management Conference* in Narrabri from 9 to 11 February and will report on outcomes to the March meeting.

Viv May  
**Interim Administrator**

***THAT the minute be received and noted and the recommendation contained therein be adopted.***

**CARRIED**

## 7. CORPORATE STRATEGY AND RESOURCING

### 7.1 Proposed Licence to Pump Water across Council property being Lot 3 in Deposited Plan 258454, Moss Vale Road, Burradoo

**Report Author:** Coordinator Property Services  
**Authoriser:** Director, Corporate Strategy and Resourcing

The Coordinator Property Services introduced the item.

#### OFFICER'S RECOMMENDATION

*THAT:*

- 1. Authority be delegated to the General Manager to negotiate the terms and conditions of a further Licence Agreement to the holders of Water Access Licence (WAL) 25518 (being the owners of 584 Moss Vale Road Burradoo) over Council land being part Lot 3 DP258454 at Burradoo.*
- 2. Council place on public exhibition for a minimum twenty eight (28) days the proposal to enter into a further five (5) year Licence Agreement referred to in resolution 1 above.*
- 3. if there are no objections received during the period of public exhibition, the General Manager and Interim Administrator/Mayor be delegated authority to execute the Licence Agreement referred to in resolution 1 above AND THAT if any objections are received, a further report be forwarded to a future meeting of Council.*



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**MN 2/22**

**MOTION** moved by Interim Administrator

**THAT:**

1. ***Authority be delegated to the General Manager to negotiate the terms and conditions of a further Licence Agreement to the holders of Water Access Licence (WAL) 25518 (being the owners of 584 Moss Vale Road Burradoo) over Council land being part Lot 3 DP258454 at Burradoo.***
2. ***Council place on public exhibition for a minimum twenty-eight (28) days the proposal to enter into a further five (5) year Licence Agreement referred to in resolution 1 above.***
3. ***If there are no objections received during the period of public exhibition, the General Manager and Interim Administrator/Mayor be delegated authority to execute the Licence Agreement referred to in resolution 1 above AND THAT if any objections are received, a further report be forwarded to a future meeting of Council.***

**CARRIED**

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## 7.2 Investment Report - December 2021

Report Author: Acting Chief Financial Officer  
Authoriser: Director, Corporate Strategy and Resourcing

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### **OFFICER'S RECOMMENDATION**

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

**MN 3/22**

**MOTION** moved by Interim Administrator

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

**CARRIED**

## 8. COMMUNITIES AND PLACE

### 8.1 Endeavour Energy Streetlighting - LED Replacement Project and Proposed Local Government (LGNSW) Notice of Motion

**Report Author:** Manager Environment and Sustainability  
**Authoriser:** Director, Communities and Place

The Director, Communities and Place introduced the item. The Manager Environment and Sustainability addressed the meeting.

#### OFFICER'S RECOMMENDATION

*THAT*

- 1. Council partner with Endeavor Energy in the proposed LED streetlighting replacement project which aims to upgrade the remaining non-LED luminaires across the streetlighting network.*
- 2. Council allocate \$90,000 from the Revolving Energy Fund (REFund) to fund the project, with projected savings from the project (from both the Energy Saving Certificates and electricity consumption) reimbursed back into the REFund.*
- 3. Local Government NSW (LGNSW) lead, and resource advocacy for better outcomes in streetlighting for member Councils, in particular to assist smaller Regional Council's to share information and more effectively manage arrangements with Distributed Network Supply Providers.*

**MN 4/22**

**MOTION** moved by Interim Administrator

**THAT:**

- 1. Council partner with Endeavor Energy in the proposed LED streetlighting replacement project which aims to upgrade the remaining non-LED luminaires across the streetlighting network.**
- 2. Council allocate \$90,000 from the Revolving Energy Fund (REFund) to fund the project, with projected savings from the project (from both the Energy Saving Certificates and electricity consumption) reimbursed back into the REFund.**
- 3. Local Government NSW (LGNSW) lead, and resource advocacy for better outcomes in streetlighting for member Councils, in particular to assist smaller Regional Council's to share information and more effectively manage arrangements with Distributed Network Supply Providers.**

**CARRIED**

## 8.2 Regulatory Issues - East Parade, Buxton

**Report Author:** Director, Communities and Place  
**Authoriser:** General Manager

The Director, Communities and Place introduced the item.

### **OFFICER'S RECOMMENDATION**

*THAT*

- 1. Council engineering officers ensure the conditioned roadwork is appropriately completed.*
- 2. Council officers continue existing compliance action on the unauthorised fill on Lot 37 DP 751271.*
- 3. Council approach NSW Crown Lands to raise the matter of effective management of illegal dumping on Crown Land within the vicinity.*
- 4. Council write to the Minister for Lands and Water requesting the Department consider works on to restrict unauthorised vehicle access to Crown Lands in this location.*
- 5. NSW Police be requested to continue with periodic enforcement actions including the trail bike unit and Highway Patrol.*

**MN 5/22**

**MOTION** moved by Interim Administrator

**THAT:**

- 1. Council engineering officers ensure the conditioned roadwork is appropriately completed.**
- 2. Council officers continue existing compliance action on the unauthorised fill on Lot 37 DP 751271.**
- 3. Council approach NSW Crown Lands to raise the matter of effective management of illegal dumping on Crown Land within the vicinity.**
- 4. Council write to the Minister for Lands and Water requesting the Department consider works on to restrict unauthorised vehicle access to Crown Lands in this location.**
- 5. NSW Police be requested to continue with periodic enforcement actions including the trail bike unit and Highway Patrol.**

**CARRIED**

## 9. SERVICE AND PROJECT DELIVERY

### 9.1 Plan of Management - Penrose Park

**Report Author:** Recreation Planner  
**Authoriser:** Manager Assets

The Acting Recreation Planner introduced the item.

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

*THAT*

1. *Council adopt the amended Penrose Village Park Plan of Management dated December 2021.*
2. *Council receive the Report prepared by CGM Planning Pty Ltd on the outcome of the public hearing into the proposed recategorisation of Penrose Village Park.*

**MN 6/22**

**MOTION** moved by Interim Administrator

**THAT:**

1. ***Council adopt the amended Penrose Village Park Plan of Management dated December 2021.***
2. ***Council receive the Report prepared by CGM Planning Pty Ltd on the outcome of the public hearing into the proposed recategorisation of Penrose Village Park.***

**CARRIED**

## 9.2 Tender Report - Animal Shelter and Moss Vale SES Design

**Report Author:** Group Manager Capital Projects  
**Authoriser:** Director, Service and Project Delivery

The Group Manager Capital Projects introduced the item.

### OFFICER'S RECOMMENDATION

*THAT:*

- 1. In relation to the report concerning the design for the Wingecarribee Animal Shelter and the Moss Vale Branch SES - Council accepts the tender from Figgis and Jefferson Tapa Pty Ltd for \$398,488.32 (including GST).*
- 2. Council note the tenders received ranged from \$396,573.00 (LOWEST) to \$613,848.00 (HIGHEST).*
- 3. Council resolves to making \$176,000 (including GST) in funding available for the design of the SES Moss Vale facility from the reserves associated with the sale of the Frankland Street, Mittagong property.*

**MN 7/22**

**MOTION** moved by Interim Administrator

**THAT:**

- 1. In relation to the report concerning the design for the Wingecarribee Animal Shelter and the Moss Vale Branch SES - Council accepts the tender from Figgis and Jefferson Tapa Pty Ltd for \$398,488.32 (including GST).***
- 2. Council note the tenders received ranged from \$396,573.00 (LOWEST) to \$613,848.00 (HIGHEST).***
- 3. Council resolves to making \$176,000 (including GST) in funding available for the design of the SES Moss Vale facility from the reserves associated with the sale of the Frankland Street, Mittagong property.***
- 4. Council note that the program provides the tender be available by July 2022 and it is anticipated that when development application drawings are available they will be submitted to Council for independent assessment.***

**CARRIED**

### 9.3 Tender for Community and Recreational Facilities Strategy

**Report Author:** Recreation Planner  
**Authoriser:** Manager Assets

The Acting Recreation Planner introduced the item.

#### OFFICER'S RECOMMENDATION

*THAT*

1. Council accepts the tender from Tredwell Management Services for \$164,786 (including GST) to prepare the Community and Recreational Facilities Strategy
2. Council note the tenders received ranged from \$71,500 (LOWEST) to \$394,962.50 (HIGHEST).

**MN 8/22**

**MOTION** moved by Interim Administrator

**THAT** subject to an undertaking being given by Tredwell Management Services that a draft strategy will be received by Council by 1 August 2022 that Council accept:

1. Council accepts the tender from Tredwell Management Services for \$164,786 (including GST) to prepare the Community and Recreational Facilities Strategy.
2. Council note the tenders received ranged from \$71,500 (LOWEST) to \$394,962.50 (HIGHEST).

**CARRIED**

## **10. 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 19 January 2022 numbered M/N 1/22 to M/N 8/22 were signed by me hereunder at the Council Meeting held on Wednesday 16 February 2022.

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INTERIM ADMINISTRATOR

**READ AND CONFIRMED ON WEDNESDAY 16 FEBRUARY 2022**

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INTERIM ADMINISTRATOR

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PUBLIC OFFICER