



MINUTES

of the Extraordinary Meeting of Council

held 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 16 February 2022

The meeting commenced at 3.30pm

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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 16 FEBRUARY 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
	Chief Information Officer	John Crawford*
	Acting Chief Financial Officer	Barry Husking*
	Manager Strategic Land Use Planning	Michael Park
	Coordinator ICT Operations	Ian Vong
	Coordinator Property Services	Mandy McCullagh
	Coordinator Media and Communications	David Sommers
	Corporate Strategy and Governance Officer	Ivana Vidovich
	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.

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 or watching today.”

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.’

4. APOLOGY

There were no apologies at this Meeting.

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

CONFIRMATION OF MINUTES

MINUTES OF THE ORDINARY MEETING OF COUNCIL MEETING HELD ON WEDNESDAY 8 DECEMBER 2021

MN 9/22

MOTION moved by Interim Administrator

THAT the minutes of the Ordinary Meeting of Council held on Wednesday 8 December 2021 MN 338/21 to MN 382/21, be adopted as a correct record of the proceedings of the meeting.

CARRIED

MINUTES OF THE EXTRAORDINARY MEETING MINUTES OF COUNCIL HELD ON
WEDNESDAY 19 JANUARY 2022

MN 10/22

MOTION moved by Interim Administrator

THAT the minutes of the Extraordinary Meeting of Council held on Wednesday 19 January 2022 MN 01/22 to MN 8/22, be adopted as a correct record of the proceedings of the meeting.

CARRIED

6. INTERIM ADMINISTRATOR MINUTES

6.1 Community Update

Report Author: Interim Administrator
Authoriser: General Manager

PURPOSE

MN 11/22

MOTION moved by *Interim Administrator*

On 10 February the Commissioner appointed to the Wingecarribee Shire Public Inquiry announced that public hearings will commence on Monday 28 March 2022 and will be held in this Chamber and for the record I am attaching a copy of the formal notice for information.

<https://www.wsc.nsw.gov.au/files/assets/public/council/meeting-minutes/2022-interim-administrator/notice-of-public-hearings.pdf>

I again remind residents that the Inquiry is independent to the Council and enquires concerning any matters should be directed to the Officer Assisting the Inquiry.

Council received four nominations for Citizen of the Year and on Australia Day I was pleased to announce Mr Eric Savage as the recipient. Mr Savage is an outstanding community member and has demonstrated a tireless devotion to the Shire.

He has shown his commitment to the community while volunteering for the National Trust, as Chair of the Berrima Residents' Association and ongoing environmental community activism.

His work with the National Trust includes being Chair of Harper's Mansion at Berrima. He undertakes voluntary work with diligence, professionalism and a strong commitment to preservation.

As the Chair of the Berrima Residents' Association, he has led the community in important initiatives to ensure that residents voices are heard in a range of forums. He has worked extensively to fund raise for activities on behalf of the Association and to ensure that the community feel included and well represented.

Eric played an active role in the campaign to overturn the proposed coal mine at Berrima and worked to ensure that residents were consulted and informed of developments.

Eric is a person of integrity and someone who is devoted to the wellbeing of the community. His selfless devotion and leadership have advanced the standing of the Shire.

Young Citizen of the Year award attracted two nominations with Jeremy Millward announced on Australia Day as the recipient. As the 2022 Moss Vale High School Captain, Jeremy is also an R U OK Ambassador and an outstanding advocate for mental health and wellbeing both within his school environment and the wider community. He has developed and implemented several permanent initiatives to assist students with the day to day pressures of school life.

Jeremy volunteers his time weekly encouraging students to take part in positive peer led discussions and has raised funds to assist with research, awareness and programs for Mental Health.

Jeremy inspires others to be their best and is a support to those who are struggling. He aims to continue working towards his goals and initiatives within his school and wider community and we wish him well as he prepares for his High School Certificate year.

It was wonderful to also see four residents in the National Australia Day Honours List.

- Mr Daniel Gauchat AM for significant service to tertiary education, to cultural organisations, and to business.
- Mrs Sharon Hoogland OAM for services to the community, particularly through the Church.
- Mr James Barkell OAM for service to the community through a range of organisations.
- Mrs Heather Tredinnick OAM for service to music through choirs.

On behalf of the Wingecarribee Shire Council and its residents I extend congratulations to recipients of our local and national awards and thank them for their contributions to the community.

It was a novelty for me to attend the Bowral Blacks Rugby Union season opening weekend and to see first-hand the work that so many volunteers do in the Shire. From the fundraising dinner on the Friday evening, to the referee's final whistle on Saturday night everything was exceptional. Hopefully the foundations have been laid for a very successful 50th season for the Club. Together with the General Manager we have already received a debriefing from the Club and taken on board their comments.

The Country Women's Association was formed out of recognition of the need to improve conditions for rural women at the Royal Agriculture Society Show in Sydney on 20 April 1922. The Association has had a presence in the Shire since 1925 and their work continues to this day. Together with the General Manager, I recently met with the representatives of local branches where it was agreed that Council provide an appropriate plaque in Leighton Gardens to recognise the Centenary of this iconic organisation.

On behalf of the Shire I will host an invitation only reception to acknowledge, not only the work of current members, but the legacy of forebearers. Obviously, over the years the Association has come a long way but their contribution to rural and regional communities has touched the lives of many and needs to be formally recognised.

Considerable correspondence is being received in relation to Old South Road and the section of Kangaloon Road between Sheepwash Road and Robertson. A press release was issued earlier this week on Council's timeline for improvement works. The question I am asking staff is why Old South Road was not upgraded when East Bowral was planned and developer contributions could have supplemented the considerable costs involved. In relation to Kangaloon Road I will leave it the professional experts and the Traffic Committee, however, there may be a longer term solution associated with the Housing Strategy and "material public benefit".

There has been a failure of successive Councils to think strategically and in the coming months reports will continue to be presented to address legacy issues. The problem is that it will take both time and money and we will be seeking State government assistance especially in the planning arena as the demands for growth in the Shire continue. In my view it is extremely important that the Council on behalf of its residents make these decisions and not have them imposed, as has been evidenced in the past through the Council's lack of vision.

At the June 2021 meeting, it was announced that there would be a reallocation of discretionary funds towards Shire-wide Christmas celebrations for either infrastructure, or community-led activities. These funds were in addition to funds already allocated and I am now wanting to hear from the community to see if there was value for money, as considerable funds were expended. The view may even be expressed that we should have a greater focus on New Year celebrations. Council has already received feedback from village associations and Business Southern Highlands but please go to yoursay

MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL

Wednesday 16 February 2022



Wingecarribee as it is important that all voices be heard.

Earlier today together with the General Manager and Director Service and Project Delivery, I met with the Minister for Regional Transport and Roads, the Honourable Sam Farrow and the Honourable Wendy Tuckerman Member for Goulburn and Minister for Local Government at Parliament House Sydney. The meeting was organised by Mrs Tuckerman in direct response to both residents and Council professional officers' concerns in relation to staging the Moss Vale By-Pass. The Council is listening and I support residents and staff in the view that undertaking Stage 1 in isolation of Stages 2 and 3 is counterproductive. The purpose of the meeting was to discuss with the Minister for Regional Transport and Roads opportunities for the release of funds to ensure that the project is properly scoped, funded and delivered. We received a good hearing and we also had the opportunity to raise another legacy issue, being Old South Road. The Minister immediately responded by organising high level discussions with his Department.

We also met with the Member for Wollondilly Mr Nathaniel Smith (who has recently been appointed as Chief Whip for the Government) to brief him on the matters including Old South Road.

Residents are assured that not only do you have a Council that listens and responds to the views of its community but is also served by competent professional staff led by a committed Executive team.

We are entering a new era please be patient.

<https://www.wsc.nsw.gov.au/files/assets/public/council/meeting-minutes/2022-interim-administrator/interim-administrator-minute-16.2.22.pdf>

Viv May PSM

Interim Administrator

THAT the minute be received and noted.

CARRIED

7. GENERAL MANAGER

7.1 Sutherland Park Drive, Burradoo - Planning Proposal

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

The Manager Strategic Land Use Planning introduced the item.

OFFICER'S RECOMMENDATION

1. THAT Council provide in-principle support for the Planning Proposal to rezone land at Sutherland Park Drive, Burradoo, to facilitate a residential development in accordance with the Wingecarribee Local Housing Strategy
2. THAT Council finalise the updated Wingecarribee River Flood Study to determine the zone boundaries of the Bowral South New Living Area
3. THAT in accordance with the Wingecarribee Local Housing Strategy, Council and / or the landowners prepare a Master Plan and Infrastructure Servicing Strategy for the Bowral South New Living Area prior to the Planning Proposal progressing to a Gateway determination
4. THAT a targeted Detailed Site Investigation be completed over the site prior to the Planning Proposal progressing to a Gateway determination
5. THAT the Planning Proposal be referred to Heritage NSW prior to Gateway determination
6. THAT the proposed Local Environmental Plan provisions, including land use zones, minimum lot sizes and zone boundaries be determined following the completion of the Wingecarribee River Flood Study, the Master Plan and Infrastructure Servicing Strategy for the Bowral South New Living Area.

THIS ITEM WAS REFERRED FROM LOCAL PLANNING PANEL MEETING ON 6 OCTOBER 2021.

MN 12/22

MOTION moved by *Interim Administrator*

THAT:

1. Council provide in-principle support for the Planning Proposal to rezone land at Sutherland Park Drive, Burradoo, to facilitate a residential development in accordance with the Wingecarribee Local Housing Strategy
2. Council finalise the updated Wingecarribee River Flood Study to determine the zone boundaries of the Bowral South New Living Area
3. In accordance with the Wingecarribee Local Housing Strategy, Council and / or the landowners prepare a Master Plan and Infrastructure Servicing Strategy for the Bowral South New Living Area prior to the Planning Proposal progressing to a Gateway determination
4. A targeted Detailed Site Investigation be completed over the site prior to the Planning Proposal progressing to a Gateway determination
5. The Planning Proposal be referred to Heritage NSW prior to Gateway determination
6. The proposed Local Environmental Plan provisions, including land use zones, minimum lot sizes and zone boundaries be determined following the completion of the Wingecarribee River Flood Study, the Master Plan and Infrastructure Servicing Strategy for the Bowral South New Living Area.
7. The detailed master planning process for the Bowral South New Living Area take into account a wide range of matters including staging of development, infrastructure capacity, integration with the master planning of the adjacent land together with a detailed appreciation of flooding and related constraints, and that the future master plan apply principles of best planning practice.
8. The rezoning of the Bowral South New Living area proceed in accordance with the process outlined in Item 7.4 of this Business Paper Agenda.

CARRIED

7.2 Planning Proposal to amend Wingecarribee Local Environmental Plan 2010 with regard to the minimum lot size of land at Villiers Road and Hill Road Moss Vale

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

OFFICER'S RECOMMENDATION

THAT the Planning Proposal be submitted to the Department of Planning Industry and Environment for Gateway determination under section 3.34 of the Environmental Planning and Assessment Act 1979.

PANEL ADVICE

This matter was considered at the Local Planning Panel meeting of 2 February 2022 and the Panel supported the staff recommendation.

THIS ITEM WAS REFERRED FROM LOCAL PLANNING PANEL MEETING ON 2 FEBRUARY 2022.

MN 13/22

MOTION moved by Interim Administrator

THAT the Planning Proposal be submitted to the Department of Planning Industry and Environment for Gateway determination under section 3.34 of the Environmental Planning and Assessment Act 1979.

CARRIED

7.3 Planning Proposal to amend Wingecarribee Local Environmental Plan 2010 with regard to Clause 7.2 - Requirements for subdividing dual occupancies in Zones R2 and B1 and Clause 4.2F Minimum subdivision lot sizes for dual occupancies in certain zones

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

OFFICER'S RECOMMENDATION

THAT the Planning Proposal be submitted to the Department of Planning Industry and Environment for Gateway determination under section 3.34 of the Environmental Planning and Assessment Act 1979.

PANEL ADVICE

This matter was considered at the Local Planning Panel meeting of 2 February 2022 and the Panel supported the staff recommendation.

THIS ITEM WAS REFERRED FROM LOCAL PLANNING PANEL MEETING ON 2 FEBRUARY 2022.

MN 14/22

MOTION moved by Interim Administrator

THAT the Planning Proposal be submitted to the Department of Planning Industry and Environment for Gateway determination under section 3.34 of the Environmental Planning and Assessment Act 1979.

CARRIED

7.4 Local Housing Strategy - Infrastructure Planning and Rezoning Process

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

The Manager Strategic Land Use Planning introduced the item.

OFFICER'S RECOMMENDATION

THAT Council continue to work with landowners and the local community to identify the infrastructure needed to support our growing community and ensure that the economic benefits associated with any rezoning are leveraged to deliver broader public benefits and essential community infrastructure.

MN 15/22

MOTION moved by Interim Administrator

THAT:

1. ***Council continue to work with landowners and the local community to identify the infrastructure needed to support our growing community and ensure that the economic benefits associated with any rezoning are leveraged to deliver broader public benefits and essential community infrastructure.***
2. ***A report be presented to the March meeting detailing further strategic planning projects that professional offices deem both necessary and appropriate to refocus the Council on the future, and address the short comings of previous Councils to adequately plan for the economic, housing, social and infrastructure need of the community.***

CARRIED

8. CORPORATE STRATEGY AND RESOURCING

8.1 2021/22 Budget - Budget Review to 31 December 2021

Report Author: Management Accountant
Authoriser: Acting Chief Financial Officer

The Manager Strategic Land Use Planning addressed the meeting.

Council have received an email from the Friends of Bowral concerned that the proposed traffic study for Bowral, that came as a resolution of Council in December of last year was focused specifically on Station Street and on the Funston Street area. I have spoken to the Friends of Bowral, Mr Edwards and clarified it is clearly the intent of Council that as part of the master planning process we look at movement, traffic and parking throughout the whole of the Bowral Town Centre to directly inform that master planning work. The intent is that it is a holistic approach to planning and design for the Bowral Centre, thought it was important to clarify and ease the concerns of the community.

The Acting Chief Financial Officer introduced the item.

OFFICER'S RECOMMENDATION

THAT:

1. Council approve the budget variations reported at the December Quarterly Review as outlined in Attachment 1 to the report.
2. Council note the projected budget position for the 2021/22 Financial Year remains a balanced budget.

MN 16/22

MOTION moved by Interim Administrator

THAT:

1. ***Council approve the budget variations reported at the December Quarterly Review as outlined in Attachment 1 to the report.***
2. ***Council note the projected budget position for the 2021/22 Financial Year remains a balanced budget.***

CARRIED

8.2 Investment Report - January 2022

Report Author: Accounting Officer (Banking and Investments)
Authoriser: Acting Chief Financial Officer

OFFICER'S RECOMMENDATION

THAT the information on Council's Investments as at 31 January 2022 be received and noted.

MN 17/22

MOTION moved by Interim Administrator

THAT the information on Council's Investments as at 31 January 2022 be received and noted.

CARRIED

8.3 Extension of Formal Contract Agreement - Plant and Equipment Hire

Report Author: Fleet and Procurement Officer
Authoriser: Acting Chief Financial Officer

The Acting Chief Financial Officer introduced the item.

OFFICER'S RECOMMENDATION

THAT:

1. Council extend the current Contract for plant and equipment hire for the one (1) year extension period option that was considered and moved by Council Resolution (MN 13/20) on 12 February 2020.
2. That a schedule of expenditure by contractor under this contract be presented to the next Council meeting.

MN 18/22

MOTION moved by Interim Administrator

THAT:

1. ***Council extend the current Contract for plant and equipment hire for the one (1) year extension period option that was considered and moved by Council Resolution (MN 13/20) on 12 February 2020.***
2. ***That a schedule of expenditure by contractor under this contract be presented to the next Council meeting.***

CARRIED

8.4 Berrima District Historical & Family History Society Inc - part Mittagong Memorial Hall, 114-116 Main Street, Mittagong, Lease - Post Exhibition Report

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

The Coordinator Property Services introduced the item.
The Director, Service and Project Delivery addressed the meeting.

OFFICER'S RECOMMENDATION

THAT:

1. Council enter into a twenty one (21) year Lease (terminating in 2043) with Berrima District Historical & Family History Society Inc for the revised leased space as shown in Attachment 1 to this report.
2. The General Manager and Mayor/Interim Administrator be delegated authority to execute the twenty one (21) year Lease referred to in Resolution 1 above and to affix the Common Seal of the Council to the Lease and any supporting documents.
3. The person who made a submission in respect of the proposed Lease be notified in writing of Councils Resolution.

MN 19/22

MOTION moved by Interim Administrator

THAT:

1. ***Council enter into a twenty one (21) year Lease (terminating in 2043) with Berrima District Historical & Family History Society Inc for the revised leased space as shown in Attachment 1 to this report.***
2. ***The General Manager and Mayor/Interim Administrator be delegated authority to execute the twenty one (21) year Lease referred to in Resolution 1 above and to affix the Common Seal of the Council to the Lease and any supporting documents.***
3. ***The person who made a submission in respect of the proposed Lease be notified in writing of Councils Resolution.***

CARRIED

8.5 Penrose Hall Funding

Report Author: EA Director Corporate Strategy and Resourcing
Authoriser: Director, Corporate Strategy and Resourcing

The Director, Corporate Strategy and Resourcing introduced the item.

The Director, Corporate Strategy and Resourcing read out an email from Alison Duthie, from Penrose Community Association.

The Penrose Community Association has taken on board advice from Wingecarribee Shire Council and after consultation with Public Works Advisory we are planning on engaging Public Works Advisory for project management services to assist with the procurement phase of the Penrose Hall.

Due to work commitments the Penrose Community Association is not able to attend the Wingecarribee Shire Council meeting today but we would like to thank Wingecarribee Shire Council for bringing this Budget Recommendation to today's meeting and we look forward to a meeting with the GM and executive in the near future as previously discussed.

The Penrose Community Association feel strongly that working closely with Wingecarribee Shire Council is vital for the success of this project and we look forward to doing that in the weeks and months to come.

The Acting Chief Financial Officer addressed the meeting.

OFFICER'S RECOMMENDATION

THAT:

1. Council include \$400,000 as a contribution to the Penrose Hall construction project for consideration in its draft 2022/23 Operational Plan and Budget, with the proposed funding source to be the Land Rental Charge Reserve.
2. Council continued to seek external grant funding for the project including a further \$205,000 shortfall that has been identified by the Quantity Surveyor.
3. Council engages with the community to investigate an appropriate adaptive reuse of the existing Penrose Village Hall.

MN 20/22

MOTION moved by Interim Administrator

THAT:

1. Council include \$400,000 as a contribution to the Penrose Hall construction project for consideration in its draft 2022/23 Operational Plan and Budget, with the proposed funding source to be the Land Rental Charge Reserve.
2. Council continued to seek external grant funding for the project including a further \$205,000 shortfall that has been identified by the Quantity Surveyor.
3. Council engages with the community to investigate an appropriate adaptive reuse of the existing Penrose Village Hall.

CARRIED

8.6 Child Care Gap Fee Waiver

Report Author: Children's Services Co-ordinator
Authoriser: Group Manager Corporate and Community

OFFICER'S RECOMMENDATION

THAT:

1. Council waive the "gap fee", for a total of five days per child in the Wingecarribee Out of School Service, where the child must isolate because they or a member of their immediate household, is a close contact or tested positive to COVID -19, as per Government requirements until 30 June 2022 or as per Department of Education Skills and Employment guidelines.
2. Council undertake a 28-day public notification period in relation to waiving the gap fee for children not attending the Out of School Hours Service (OOSH) where they are directly impacted by COVID, in accordance with Section 356 of Local Government Act 1993.
3. Council notes DESE has made provisions for services to claim the Child Care Subsidy (CCS) component of a family's fees, whilst waiving the gap fee for families, if the Service needs to close all or part of their Service due to COVID-1 effective as of 27 January 2022.

MN 21/22

MOTION moved by Interim Administrator

THAT:

1. **Council waive the "gap fee", for a total of five days per child in the Wingecarribee Out of School Service, where the child must isolate because they or a member of their immediate household, is a close contact or tested positive to COVID -19, as per Government requirements until 30 June 2022 or as per Department of Education Skills and Employment guidelines.**
2. **Council undertake a 28-day public notification period in relation to waiving the gap fee for children not attending the Out of School Hours Service (OOSH) where they are directly impacted by COVID, in accordance with Section 356 of Local Government Act 1993.**
3. **Council notes DESE has made provisions for services to claim the Child Care Subsidy (CCS) component of a family's fees, whilst waiving the gap fee for families, if the Service needs to close all or part of their Service due to COVID-1 effective as of 27 January 2022.**

CARRIED

8.7 Hire of Council Facilities for Christmas in the Villages - Proposal to Waive Fees and Charges: Post Exhibition Report

Report Author: Group Manager Corporate and Community
Authoriser: Director, Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council waive fees and charges for Christmas celebrations in the Wingecarribee Shire villages for events being delivered through the Christmas Celebrations grants.

MN 22/22

MOTION moved by Interim Administrator

THAT Council waive fees and charges for Christmas celebrations in the Wingecarribee Shire villages for events being delivered through the Christmas Celebrations grants.

CARRIED

8.8 Code of Meeting Practice - Post Exhibition Report

Report Author: Group Manager Corporate and Community
Authoriser: Director, Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council adopt the Code of Meeting Practice as placed on public exhibition
2. Council resolves that Ordinary Meetings of Council will be held on the third Wednesday of the month, except for December when the Ordinary Meeting will be held on the second Wednesday and no meeting held in January with meetings commencing at 3.30pm and held the Council Chamber at the Civic Centre, 68 Elizabeth Street Moss Vale AND THAT for 2022 Ordinary Meetings of Council will be as follows:
 - 16 March 2022
 - 20 April 2022
 - 18 May 2022
 - 15 June 2022
 - 20 July 2022
 - 17 August 2022
 - 21 September 2022
 - 19 October 2022
 - 16 November 2022
 - 13 December 2022

MN 23/22

MOTION moved by Interim Administrator

THAT:

1. Council adopt the Code of Meeting Practice as placed on public exhibition, excepting Item 3.3 Pre-Meeting/Briefing Session, 8.13 Prayer and 8.21 Workshops be deferred to provide further opportunities for discussion between the Interim Administrator and General Manager to better reflect the Model Code of Meeting Practice and Interim Administrator Minutes.
2. Council resolves that Ordinary Meetings of Council will be held on the third Wednesday of the month, except for December when the Ordinary Meeting will be held on the second Wednesday and no meeting held in January with meetings commencing at 3.30pm and held the Council Chamber at the Civic Centre, 68 Elizabeth Street Moss Vale **AND THAT** for 2022 Ordinary Meetings of Council will be as follows:
 - 16 March 2022
 - 20 April 2022
 - 18 May 2022
 - 15 June 2022
 - 20 July 2022
 - 17 August 2022
 - 21 September 2022
 - 19 October 2022
 - 16 November 2022
 - 13 December 2022

CARRIED

8.9 Council Resolutions - Status Update

Report Author: Group Manager Corporate and Community
Authoriser: Director, Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. The report be received and noted.
2. The following resolution from the Council meeting on 22 May 2019 be rescinded:

MN 236/19

1. Council give in-principle support for the inclusion of site-specific provisions into the Mittagong Town Plan Development Control Plan to facilitate an affordable housing development proposal in the location bound by Rainbow Road, Brewster Street, Old Hume Highway and Mineral Springs Reserve, subject to more detailed design controls being prepared.
2. Council support bonus floor space provisions for affordable housing to be incorporated into the 'precinct' controls on a sliding scale; with bonus floor space to be proportionate to the percentage of affordable housing to be provided.
3. Following the preparation of more detailed design controls, a draft Amendment to the Mittagong Development Control Plan be reported to Council to be endorsed for public exhibition.

MN 24/22

MOTION moved by Interim Administrator

THAT:

1. *The report be received and noted.*
2. *The following resolution from the Council meeting on 22 May 2019 be rescinded:*

MN 236/19

1. ***Council give in-principle support for the inclusion of site-specific provisions into the Mittagong Town Plan Development Control Plan to facilitate an affordable housing development proposal in the location bound by Rainbow Road, Brewster Street, Old Hume Highway and Mineral Springs Reserve, subject to more detailed design controls being prepared.***
2. ***Council support bonus floor space provisions for affordable housing to be incorporated into the 'precinct' controls on a sliding scale; with bonus floor space to be proportionate to the percentage of affordable housing to be provided.***
3. ***Following the preparation of more detailed design controls, a draft Amendment to the Mittagong Development Control Plan be reported to Council to be endorsed for public exhibition.***

CARRIED

9. COMMUNITIES AND PLACE

9.1 NSW Rural Fire Fighting Fund - Acceptance of Grant Funding

Report Author: Manager Environment and Sustainability
Authoriser: General Manager

The Director, Communities and Places introduced the item.

OFFICER'S RECOMMENDATION

THAT:

1. Council accept funding of \$97,900 from the NSW Rural Fire Fighting Fund program for hazard reduction works.
2. Council note that this funding was already included in the 2021/2022 Operational Plan and Annual Budget.

MN 25/22

MOTION moved by Interim Administrator

THAT:

1. **Council accept funding of \$97,900 from the NSW Rural Fire Fighting Fund program for hazard reduction works.**
2. **Council note that this funding was already included in the 2021/2022 Operational Plan and Annual Budget.**

CARRIED

10. SERVICE AND PROJECT DELIVERY

10.1 Sewage Treatment Plant Upgrades - Funding Strategy

Report Author: Manager Assets
Authoriser: Director, Service and Project Delivery

The Director, Service and Project Delivery introduced the item.

The Director, Communities and Places addressed the meeting.

OFFICER'S RECOMMENDATION

THAT:

1. Council endorse the following project budgets and makes the associated adjustments to the 21/22, 22/23, 23/24, 24/25 Financial Year budgets and the Long-Term Financial Plan:
 - i. Bowral Sewage Treatment Plant Upgrade – \$36,550,000;
 - ii. Moss Vale Sewage Treatment Plant Upgrade (Stage 1) – \$36,150,000; and
 - iii. Mittagong Sewage Treatment Plant Upgrade – \$32,100,000.
2. Council resolves to proceed to tender for the Bowral Sewage Treatment Plant construction at the same time as the funding adjustments are being implemented and finalised.

MN 26/22

MOTION moved by Interim Administrator

THAT:

1. ***Council endorse the following project budgets and makes the associated adjustments to the 21/22, 22/23, 23/24, 24/25 Financial Year budgets and the Long-Term Financial Plan:***
 - i. Bowral Sewage Treatment Plant Upgrade – \$36,550,000;***
 - ii. Moss Vale Sewage Treatment Plant Upgrade (Stage 1) – \$36,150,000; and***
 - iii. Mittagong Sewage Treatment Plant Upgrade – \$32,100,000.***
2. ***Council resolves to proceed to tender for the Bowral Sewage Treatment Plant construction at the same time as the funding adjustments are being implemented and finalised.***

CARRIED

10.2 Road Asset Management Update

Report Author: Manager Assets
Authoriser: Director, Service and Project Delivery

The Director, Service and Project Delivery introduced the item.

OFFICER'S RECOMMENDATION

THAT:

1. Council receive and note this report;
2. Council notes the inclusion of significant road rehabilitation projects in the draft 2022/23 budget; and
3. Council consider the inclusion of an additional crew to undertake maintenance including the patching of potholes management in the draft 2022/23 budget.

MN 27/22

MOTION moved by Interim Administrator

THAT:

1. ***Council receive and note this report;***
2. ***Council notes the inclusion of significant road rehabilitation projects in the draft 2022/23 budget; and***
3. ***Council consider the inclusion of an additional crew to undertake maintenance including the patching of potholes management in the draft 2022/23 budget.***
4. ***In relation to 3 above the additional funding, not be provided from current road maintenance funding and that the General Manager instead re-order priorities to address community expectations across the Community Strategic Plan in the 2022/23 draft budget to allow community consideration and input.***

CARRIED

SUSPENSION OF STANDING ORDERS

MN 28/22

MOTION moved by Interim Administrator

THAT:

1. Standing Orders be suspended in order to consider seven supplementary items.
2. In accordance with Clause 10.3(b) of the Code of Meeting Practice I move as a matter of urgency that supplementary items be considered:
 - Planning Proposal to Rezone Willow Run, 105-119 Bong Bong Road, Mittagong - Post exhibition
 - Planning Proposal to amend Wingecarribee Local Environmental Plan 2010 to enable the legal enforcement of Purchasers' Agreements (and associated Design Guidelines) for land within West Retford Park - Post exhibition
 - Planning Proposal to enable additional permitted uses for land at 233 Railway Parade Balmoral
 - 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 - Post exhibition
 - Medway Community Funding Request – Post Exhibition Report
 - Delivery Program Progress Report – 1 July 2021- 31 December 2021
 - Black Summer Bushfire Recovery Fund Successful Grant

CARRIED

7.5 Planning Proposal to Rezone Willow Run, 105-119 Bong Bong Road, Mittagong - Post exhibition

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

OFFICER'S RECOMMENDATION

1. THAT finalisation of the Planning Proposal to rezone part of Lot 115 DP 1067955, 105-119 Bong Bong Road, Mittagong from RU2 Rural Landscape to R5 Large Lot Residential with a minimum lot size 4000m² under s3.33 of the Environmental Planning & Assessment Act 1979 NOT PROCEED.
2. THAT the draft Precinct Plan for the subject land as exhibited with the Planning Proposal BE NOTED.

LOCAL PLANNING PANEL ADVICE

This matter was considered at the Local Planning Panel meeting on 1 December 2021 and the Panel supported the staff recommendation. The Panel noted the following in their advice:

1. The Panel considers the rezoning of the land premature at this stage. The site is identified as part of the Mittagong (East) Investigation Area (MEIA) and rezoning of this land should not proceed until a full structure planning process of the MEIA has been completed by Council.
2. Given the sites location and the housing supply issues in the LGA, the Panel considers the structure planning process should determine the most efficient use of the land and the appropriate zoning and minimum lot size, in consultation with the community.
3. The Panel noted WaterNSW comments and considered it unlikely that they would change their position notwithstanding the applicant's submission that the future development of the site with on-site effluent disposal could deliver a neutral or beneficial effect on water quality as required by the provisions of the State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011. The advice provided by WaterNSW appears to be one of policy and consistent with the advice they provided Council in the development of its Housing Strategy. The Panel also agreed with WaterNSW that land within Investigation Areas should only proceed with appropriate sewer and other infrastructure, issues that would be resolved as part of the structure planning process.

THIS ITEM WAS REFERRED FROM LOCAL PLANNING PANEL MEETING ON 1 DECEMBER 2021.

THIS ITEM WAS DEFERRED FROM THE ORDINARY MEETING OF COUNCIL 8 DECEMBER 2021.

MN 29/22

MOTION moved by Interim Administrator Administrator

THAT:

1. **Finalisation of the Planning Proposal to rezone part of Lot 115 DP 1067955, 105-119 Bong Bong Road, Mittagong from RU2 Rural Landscape to R5 Large Lot Residential with a minimum lot size 4000m² under s3.33 of the Environmental Planning & Assessment Act 1979 NOT PROCEED.**
2. **The draft Precinct Plan for the subject land as exhibited with the Planning Proposal BE NOTED.**
3. **As the site is identified as part of the Mittagong (East) Investigation Area, rezoning should not proceed until a full structure planning process has been completed by Council.**
4. **The structure planning process determine the most efficient use of the land and the appropriate zoning and minimum lot size, in consultation with the community.**

CARRIED

7.6 Planning Proposal to amend Wingecarribee Local Environmental Plan 2010 to enable the legal enforcement of Purchasers' Agreements (and associated Design Guidelines) for land within West Retford Park - Post exhibition.

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

The General Manager tabled the attached.

<https://www.wsc.nsw.gov.au/files/assets/public/council/meeting-minutes/2022-extrarordinary/taled-item-2.pdf>

The Manager Strategic Land Use Planning introduced the item.

OFFICER'S RECOMMENDATION

THAT the Planning Proposal to amend clause 1.9A(2) of Wingecarribee Local Environmental Plan 2010 by adding the following:

(h) to any agreement or other relevant instrument applying to any parcel of land within Retford Park Estate, being the 26.63ha of land comprising the western portion of Lot 222 DP1206897.

be finalised under s3.36 of the Environmental Planning & Assessment Act 1979.

LOCAL PLANNING PANEL ADVICE

This matter was considered at the Local Planning Panel meeting on 1 December 2021 and the Panel provided the following advice:

THAT

1. The Panel considers there are no issues arising from the public exhibition process that warrant any amendment to the Planning Proposal.
2. The majority of the Panel considers that this proposal is unlikely to achieve the intended outcomes and may set an undesirable precedent and therefore the Planning Proposal should **not** proceed.
3. The dissenting Panel member supports the Officers recommendation given that she was on the Planning Panel that provided advice for the Planning Proposal to proceed to gateway and sees no reason for the Planning Proposal not proceed.

THIS ITEM WAS REFERRED FROM LOCAL PLANNING PANEL MEETING ON 1 DECEMBER 2021.

THIS ITEM WAS DEFERRED FROM THE ORDINARY MEETING OF COUNCIL

8 DECEMBER 2021.

MN 30/22

MOTION moved by Interim Administrator

THAT the Planning Proposal to amend clause 1.9A(2) of Wingecarribee Local Environmental Plan 2010 by adding the following:

(h) to any agreement or other relevant instrument applying to any parcel of land within Retford Park Estate, being the 26.63ha of land comprising the western portion of Lot 222 DP1206897.

NOT PROCEED

CARRIED

7.7 Planning Proposal to enable additional permitted uses for land at 233 Railway Parade Balmoral

Reference: PP-2021-5011
Report Author: Manager Strategic Land Use Planning
Authoriser: General Manager

OFFICER'S RECOMMENDATION THAT

1. The Planning Proposal and supporting documentation be updated as recommended by the NSW RFS and DPIE-Biodiversity & Conservation in their preliminary responses to Council, and
2. The purpose of the Planning Proposal be revised to include the subject land in Schedule 1 (Additional Permitted Uses) of WLEP 2010 for all purposes currently approved and proposed, and
3. Subject to the satisfactory completion of 1 and 2 above, the revised Planning Proposal and supporting documentation be reported back to Council for a resolution to proceed to a Gateway Determination under s.3.33 of the Environmental Planning & Assessment Act 1979. To consider a Planning Proposal and supporting documentation submitted to Council seeking to amend Wingecarribee Local Environmental Plan (WLEP) 2010 to amend Schedule 1 (Additional Permitted Uses) to permit a boarding school on the subject land.

LOCAL PLANNING PANEL ADVICE

This matter was considered at the Local Planning Panel meeting on 1 December 2021 and the Panel recommends that Council **not** proceed with the planning proposal for the following reasons:

1. The site is not considered suitable as it does not have the capacity due to environmental factors to absorb the applicant's vision for the site.
2. Balmoral Village is an inappropriate location for the proposal given bushfire history and the village nature of the area.
3. There is inadequate infrastructure to support the proposal in particular the local road network, especially given the nature of the development and the bushfire history of the area.
4. The proposal is not considered consistent with the E3 Environmental Management Zone.

THIS ITEM WAS REFERRED FROM LOCAL PLANNING PANEL MEETING ON 1 DECEMBER 2021.

THIS ITEM WAS DEFERRED FROM THE ORDINARY MEETING OF COUNCIL 8 DECEMBER 2021.

MN 31/22

MOTION moved by Interim Administrator

THAT the Planning Proposal to enable additional permitted uses for land at 233 Railway Parade Balmoral NOT PROCEED for the following reasons:

1. The site is not considered suitable as it does not have the capacity due to environmental factors to absorb the applicant's vision for the site.
2. Balmoral Village is an inappropriate location for the proposal given bushfire history and the village nature of the area.
3. There is inadequate infrastructure to support the proposal in particular the local road network, especially given the nature of the development and the bushfire history of the area.
4. The proposal is not considered consistent with the E3 Environmental Management Zone.

CARRIED

7.8 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 - Post exhibition.

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

OFFICER RECOMMENDATION

1. *THAT* the Planning Proposal 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,

Be finalised under s.3.36 of the Environmental Planning and Assessment Act 1979.

THIS ITEM WAS REFERRED FROM LOCAL PLANNING PANEL MEETING ON 1 DECEMBER 2021.

THIS ITEM WAS DEFERRED FROM THE ORDINARY MEETING OF COUNCIL 8 DECEMBER 2021.

MN 32/22

MOTION moved by Interim Administrator

THAT the Planning Proposal 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,

Be finalised under s.3.36 of the Environmental Planning and Assessment Act 1979.

CARRIED

8.10 Medway Community Funding Request - Post Exhibition Report

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

The Director, Corporate Strategy and Resourcing introduced the item.

OFFICER'S RECOMMENDATION

THAT Council provide a one-off grant of \$1,500 to assist the Medway community become an incorporated organisation, in accordance with Section 356 of Local Government Act 1993.

MN 33/22

MOTION moved by Interim Administrator

THAT Council provide a one-off grant of \$1,500 to assist the Medway community become an incorporated organisation, in accordance with Section 356 of Local Government Act 1993.

CARRIED

8.11 Delivery Program Progress Report - 1 July 2021 to 31 December 2021

Report Author: Corporate Strategy and Governance Officer
Authoriser: Director, Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT the Delivery Program Progress Report for the period 1 July 2021 to 31 December 2021 and Operational Plan for the period 1 October 2021 to 31 December 2021, be noted.

MN 34/22

MOTION moved by Interim Administrator

THAT the report be deferred to the March meeting.

CARRIED

8.12 Black Summer Bushfire Recovery Fund Successful Grant

Report Author: Administration Officer
Authoriser: Group Manager Corporate and Community

The Group Manager Corporate and Community introduced the item.

OFFICER'S RECOMMENDATION

THAT:

1. Council note the successful applications to the Federal Government Black Summer Bushfire Recovery Fund totalling \$1,049,000:
 - a. \$510,000 for the provision of Water Storage Tanks at Canyonleigh, Bullio, High Range/Joadja, Penrose
 - b. \$389,000 for a Community Resilience Officer and Program for 2 years full time to work with the Northern and Southern Villages in Prevention, Preparedness, Response and Resilience in Community Recovery.
 - c. \$150,000 for the provision of a Fenced Off Leash Dog Park, at Jordons Crossing Bundanoon
2. Council note other projects to receive funding locally:
 - a. \$391,632 - Paint the Town (across both Wollondilly & Wingecarribee)
 - b. \$272,618 – PCYC Social Recovery & Resilience programs
 - c. \$215,779 – Balmoral Village Community Hub
 - d. \$196,844 - Hill Top Village Park Project
3. Council write to the Federal Member, the Hon. Angus Taylor to thank him for his support in these applications, bringing a total of \$2,125,873 to the Wingecarribee Shire to support the recovery from the Black Summer Fires.

RECOMMENDATION

MN 35/22

MOTION moved by Interim Administrator

THAT:

1. Council note the successful applications to the Federal Government Black Summer Bushfire Recovery Fund totalling \$1,049,000:
 - a. \$510,000 for the provision of Water Storage Tanks at Canyonleigh, Bullio, High Range/Joadja, Penrose
 - b. \$389,000 for a Community Resilience Officer and Program for 2 years full time to work with the Northern and Southern Villages in Prevention, Preparedness, Response and Resilience in Community Recovery.
 - c. \$150,000 for the provision of a Fenced Off Leash Dog Park, at Jordons Crossing Bundanoon
2. Council note other projects to receive funding locally:
 - a. \$391,632 - Paint the Town (across both Wollondilly & Wingecarribee)
 - b. \$272,618 – PCYC Social Recovery & Resilience programs
 - c. \$215,779 – Balmoral Village Community Hub
 - d. \$196,844 - Hill Top Village Park Project
3. Council write to the Federal Member, the Hon. Angus Taylor to thank him for his support in these applications, bringing a total of \$2,125,873 to the Wingecarribee Shire to support the recovery from the Black Summer Fires.

CARRIED

RESUMPTION OF STANDING ORDERS

MN 36/22

MOTION moved by Interim Administrator

THAT Standing orders be resumed.

CARRIED

11. MEETING CLOSURE

The General Manager addressed the meeting.

As the Interim Administrator outlined in the minute it is a new era and the new Executive are committed to rebuilding and refocusing the organisation in particularly around rebuilding relationships and connections with our community.

The Directors commenced early October and they have been onboard about 4 and half months. In the first 4 and a half months we have had a couple of out and about days, we have met with village associations including Exeter, Bundanoon, Canyonleigh and I have met with Friends of Bowral. Last Thursday night the Manager Strategic Land Use Planning and I attended the Hill Top Association Meeting, in the middle of a thunderstorm, it was a very good night and I think very informative with around about 40 residents in attendance.

We will be as an executive having a bit of a roadshow from mid-March through to early-May following the path that the Interim Administrator took when he first arrived in 2021 and more recently at the end of 2021. We will have a program of tours, similar format a bit of an update of what is happening within the organisation, a bit of meet and greet and understand the role of the Directors and myself as the General Manager but more importantly to seek feedback from the community, ideas, suggestions and rebuild that relationship.

For the villages not the three towns of Mittagong, Bowral and Moss Vale but for the villages we will be joined by our newly appointed Village Liaison Officer and will be formally announcing that to all the villiages very soon. Very happy to have them appointed and I think they will be an amazing addition to the team and I know will do a great job working with the villages, the associations and the residents.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 4:44 PM

In accordance with the provisions of Section 375(2) of the Local Government Act, these Minutes of the Ordinary Council Meeting held Wednesday 16 February 2022 numbered M/N 10/22 to M/N 35/22 were signed by me hereunder at the Council Meeting held on Wednesday 16 March 2022.

INTERIM ADMINISTRATOR

READ AND CONFIRMED ON WEDNESDAY 16 MARCH 2022