

MINUTES

of the
Ordinary Meeting of Council
held in
Council Chambers,
Wingecarribee Shire Council Civic Centre,
68 Elizabeth Street, Moss Vale
on

Wednesday 16 March 2022

The meeting commenced at **3:30 pm**

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 16 MARCH 2022**

1	OPENING OF THE MEETING	4
2	ACKNOWLEDGEMENT OF COUNTRY	4
3	PRAYER	5
4	STATEMENT OF ETHICAL OBLIGATIONS	5
5	APOLOGIES	5
6	ADOPTION OF MINUTES OF PREVIOUS MEETING	5
7	DECLARATIONS OF INTEREST	5
8	INTERIM ADMINISTRATOR MINUTES	7
	8.1 Community Update.....	7
9	GENERAL MANAGER	11
	9.1 Our Road Map: Moving Forward To Reset Our Organisation	11
	9.2 Integrated Transport Strategy	12
	9.3 Strategic Planning Key Works Program	13
	9.4 Update On The Welby Garden Centre Planning Proposal.....	15
	9.5 Planning Proposal To Rezone Land At Darraby Lodge Broughton Street, Moss Vale	17
	9.6 Planning Proposal And Heritage Assessment Of 2 & 4 Myrtle Street, Bowral, And 'Karingal', 26 Elizabeth Street, Moss Vale—Interim Heritage Orders Nos. 12 & 13	19
	9.7 Natural Disaster - Flooding.....	22
10	REPORTS	23
	10.1 Informed Decisions - Wingecarribee Shire Council Briefing.....	23
	10.2 Environmental Planning And Assessment (Statement Of Expectations) Order 2021	24
	10.3 Delivery Program And Operational Plan Progress Update	26
	10.4 Code Of Meeting Practice - Public Exhibition.....	27

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 16 MARCH 2022**

10.5	Office Of Local Government Councillor Conduct Accountability In NSW Local Government Consultation Paper - Draft Submission	28
10.6	NSW Ombudsman's Determination And Final Report Of The Investigation Of A Complaint Relating To Development Servicing Plan Charges.....	29
10.7	Berrima Road Deviation Project - Acquisition Of Land.....	30
10.8	Part 10 Berrima Road Moss Vale - Acquisition Of Land	32
10.9	Capital Food And Fibre Strategy Discussion Paper – Submission To ACT Government.....	34
10.10	Alcohol Free Zone - Proposed Temporary Suspension	35
10.11	Renwick Community Centre - Draft Plan Of Management.....	36
10.12	Expression Of Interest Invitation For 2022 Tulip Time Charity Partner	37
10.13	Moss Vale Bypass Design - Stages 2 & 3.....	38
10.14	Moss Vale War Memorial Aquatic Centre - NSW Regional Sport Facilities Funding	39
10.15	Station Street Watermain Renewal, Bowral - Request For Tender.....	40
10.16	Sports Lighting Upgrades.....	41
10.17	Investment Report - February 2022	43
10.18	Traffic Committee Meeting Minutes.....	44
10.19	Audit, Risk And Improvement Committee Minutes	45
10.20	Canberra Region Joint Organisation Board Meeting Minutes	46
11	MEETING CLOSURE	47

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 16 MARCH 2022**

**MINUTES OF THE ORDINARY MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN
COUNCIL CHAMBERS, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON WEDNESDAY 16
MARCH 2022 COMMENCING AT 3:30 PM**

Present:	Interim Administrator	Mr Viv May PSM
In Attendance:	General Manager	Ms Lisa Miscamble
	Director Communities and Place	Mr Geoff King *
	Director Service and Project Delivery	Ms Karin Targa
	Strategic Governance Executive	Ms Marissa Racomelara
	Group Manager Capital Projects	Mr Ned Tripkovic
	Executive Manager People and Culture	Ms Sally Sammut
	Chief Financial Officer	Mr Pav Kuzmanovski
	Deputy Chief Financial Officer	Mr Damien Jenkins
	Chief Information Officer	Mr John Crawford
	Manager Open Space, Recreation and Building Maintenance	Mr Greg Bray
	Manager Strategic Land Use Planning	Mr Michael Park *
	Coordinator Property Services	Ms Mandy McCullagh
	Coordinator Media and Communications	Mr David Sommers
	Coordinator ICT Operations	Mr Ian Vong
	Project Business Analyst	Mr Matthew Torta
	Corporate Strategy and Governance Officer	Ms Olivia Nettleton
	Corporate Strategy and Governance Team Lead	Ms Ivana Vidovich

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

1 OPENING OF THE MEETING

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

2 ACKNOWLEDGEMENT OF COUNTRY

The Interim Administrator, Mr Viv May PSM acknowledged country:

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

3 PRAYER

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

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

4 STATEMENT OF ETHICAL OBLIGATIONS

As Interim Administrator is to undertake the duties of the office of Administrator in the best interests of the people of the Wingecarribee Shire Council area and are to act faithfully and impartially carry out the functions, powers, authorities and discretion vested in them under the Local Government Act 1993 or any other Act to the best of your ability and judgement.

5 APOLOGIES

Nil.

6 ADOPTION OF MINUTES OF PREVIOUS MEETING

MOTION moved by Interim Administrator

MN 2022/37

THAT the minutes of the Extraordinary Council Meeting held on 16 February 2022 be adopted as a correct record of the proceedings of the meeting.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

7 DECLARATIONS OF INTEREST

The provisions of Chapter 14 of the Local Government Act 1993 regulate the way in which nominated staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public trust.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest and the reasons for declaring such interest must be disclosed as soon as practicable after the start of the meeting.

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 16 MARCH 2022**

As members are aware, the provisions of the Local Government Act restrict any member who has declared a pecuniary interest in any matter from participating in the discussions or voting on that matter and further require that the member vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code also provides for a number of ways in which a member may manage non pecuniary conflicts of interest.

8 INTERIM ADMINISTRATOR MINUTES

8.1 Community Update

Report Author: Interim Administrator

The recent storms which caused substantial flooding and damage to both private and public infrastructure in the Shire, show yet again that we are living in an environmentally changing world. In my visits to affected areas there was one common theme from residents - we have lived through this before, but never this bad.

In times of emergency, you can always count on the volunteers from the SES and RFS to be on the ground quickly and they were. The Police and Fire and Rescue also responded and in my view, the coordination was first class.

I would also like to make mention of the Council employees who worked very hard to ensure that our services were maintained and who with the above mentioned, spent many hours addressing issues and call outs from residents.

Storm events like what have just occurred, are coordinated by the SES, who having regard to the forecast for Monday the 7 March, had already activated their incident management plan. Importantly Council also played a key role in the plan and I am told by the SES Commander that he was very happy with Council's response on the day and following.

Together with Resilience NSW and Transport NSW, Council has now moved to the recovery and a clean-up stage the area has been declared a Natural Disaster. I would encourage residents who are experiencing issues to contact Council's Recovery Hotline or visit the Community Hub located at the Civic Centre. If you know of someone who you think the Council could or should help, please let us know, as Council staff are also door knocking.

I am even more determined to ensure that both the SES and NSW RFS have the facilities and resources needed to do their jobs properly and this includes a new SES building at Moss Vale and water tanks across the Shire for the RFS.

Yesterday I joined a Teams meeting initiated by the Assistant Minister for Regional Development and Territories Hon Nola Marino MP, to specifically address the effect on the Southern Highlands when Council employees, representatives of Business together with SES leadership were given a very good hearing. Council was able to reinforce the effect of the storms on its already deteriorating road network and the President, Business Southern Highlands was able to advocate on behalf of businesses across the Highlands, in particular Robertson and Burrawang who are in affect isolated from the closure of Illawarra Highway. It was devastating to hear the President, Wine NSW saying that the 45 wine growers across the region have in affect lost another vintage. Residents, business owners and primary producers are assured that the Council will continue to advocate with both State and Federal Governments on your behalf.

On a negative side, I was extremely disappointed to be told that some of the Council staff who were responding to the call-outs, in particular, to pot holes, were abused by a very small minority

MINUTES OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 16 MARCH 2022

of people on the state of Council roads. Let me be clear, they are not at fault and they are just doing their job and deserve better.

A report on legacy issues relating to roads, was presented at the last Council meeting and I have already flagged that there will be significant additional resources in the 2022/23 budget allocated to pot holes. We are listening and being open, honest and transparent about the problem - but it's not the fault of those who are out in the storms addressing emergency situations.

In December 2021, IPART announced that the baseline rate peg for 2022/23 had been set at 0.7% and Wingecarribee was allocated an additional 0.5% growth factor bringing the total reg peg to 1.2%. In my view the determination of IPART was unrealistic and would heavily impact on the Councils 10 year adopted plans which provide an annual 2% increase. The decision compares with the consumer price index for 2021 of 3.5%. As the lowest rate peg in two decades this would have enormous impact on Council's ability to deliver works and services requested by the community and adopted in the Delivery and Operational Plans.

At a time when Council is working to drive community recovery from COVID and natural disasters, and to improve local infrastructure such as roads, it is necessary to ensure that Council generates sufficient income to meet these needs.

I have already flagged that in my view that Council's priorities do not reflect the community's expectations, and this has been earlier verified in community surveys. A reset in priorities is required and I am still awaiting the finalisations of an independent report I requested, comparing the valuation of Council's Assets, it's Fit For the Future response and the earlier special rate variation.

On 7 March 2022, IPART announced an additional round of Special Variation applications for councils that can demonstrate the need for a special variation to meet the obligations they set for 2022/23 in their Integrated Planning and Reporting documentation, specifically the Long-Term Financial Plan.

If Council applies and is successful for a special variation for the difference between the IPART announcement (that is 1.2%) and what has been planned within the Long Term Financial Plan (that is 2%), this would generate additional income of approximately \$425,000. Importantly, if the Council was not to make such an application, loss revenue over the 10-year planning cycle would be \$4.85M.

It is expected that IPART will provide detailed guidance on the application process and submission details by the end of March 2022 and that applications will be accepted until 29 April 2022. IPART intends to enable at least three weeks of community consultation prior to notifying councils of its decision no later than 21 June 2022.

Accordingly, I recommend:

THAT

- 1. Council prepare and submit an application for a permanent additional Special Variation of 0.8% under section 508(2) of the Local Government Act 1993**
- 2. Council notes that the 0.8% estimated additional income it will receive if the special variation is approved is approximately \$425,000 and is already factored into the Council's adopted Long Term Financial Plan.**

- 3. Council confirms that the additional special variation is required to meet the obligations set out in Council's adopted Integrated Planning and Reporting documents and that if not supported will require a reduction in service levels.**
- 4. Council confirms that the impact on ratepayers has been considered as part of budget preparation for 2022-23 and future years and considers that the benefits to the community outweigh the impacts of additional income.**

I attended the LGNSW Water Management Conference in Narrabri between the 9 and 11 February 2022, together with the Director of Communities and Place, Geoff King and Graeme Mellor Manager of Water and Sewer.

There were a number of interesting presentations, site visits and opportunities for networking. Both relevant spokesmen for government and opposition parties addressed the conference.

I was fortunate to spend time with the Resilience Commissioner Shane Fitzsimmons and Jim Bentley, CEO of the NSW Water Sector and some of his team. The Commissioner is well aware of the problems that confront Wingecarribee Shire Council, due to the lack of preparations at the Civic level and the failures that followed the 2019/20 Black Summer Fires and he indicated that he was prepared to visit the Southern Highlands to facilitate direct dialogue and undertake site visits. However, this may now be delayed due to the flooding in Northern NSW.

We are moving to address the identified issues with emergency responses and to that end, our Local Member, the Hon Wendy Tuckerman MP has arranged a meeting with the Minister of Emergency Services, at Parliament House Sydney early next week.

Mr Bentley gave a wide-ranging presentation that addressed, the question of Smart Meters for both mains and private connection and has now facilitated for us officer level meetings at the highest levels of the State Government. In addition, the provision of water to both the southern and northern Villages has been talked about for too long at Council and it's now time for action. It's going to be costly, but to have any chance of being successful with grant applications, Council needs to have at least scoped the opportunities and documented and endorsed concept plans. I am firmly of the belief the Council has the professional staff to just get on with this, in addition to the already heavy work schedule required for sewer upgrades as reported to the February meeting.

The availability of 200 State Government funded upskilling job opportunities in the Water and Sewer area was also of particular interest to me and I am encouraging the General Manager to follow up on this initiative to hopefully provide an opportunity for some of our own employees.

Several items on today's business paper again highlight the complexity of the many issues that confront the Council, in particular the failure of successive councils to address land planning issues strategically.

I have repeatedly stated that residents need to control the future of the area and it's apparent from residents and staff that this has not been happening. The new suburb of Ashbourne is a prime example and while it would have been better if the report by the Director of Communities and Place was available for this meeting, I agree that it is essential that what is reported, is correct. I am told that how the whole matter has been handled by the State and Council is quite simply a cog in the machine – though it's just one of many legacy planning issues Council staff are addressing.

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 16 MARCH 2022**

It is important when a new Council is elected, that they can hit the ground running. Openness and transparency in the community and consulting (and listening!) to residents are key pillars of the reset of Council. I have asked the General Manager to report to the May meeting of Council of the opportunities, to ensure that there are stakeholder opportunities for input in the many issues being addressed. Such report is to explore the possible greater use of community members on local planning panel (if appropriate) as an advisory group to assist consultants, staff and myself in coming to good community driven and supported outcomes.

Together, with the General Manager I attended the special LG NSW Conference on the 28 February and 1 March in Sydney, together with representative from most Councils from across the State. A number of politicians addressed the conference, including the Hon Wendy Tuckerman, Minister of Local Government. Nearly 100 motions were debated at conference.

Councils motion to conference.....

THAT Local Government NSW leads, and resources, advocacy for better outcomes in street lighting for member Councils – in particular to assist smaller regional Councils to share information and more effectively manage arrangements with Distributed Network Service Providers.

It was supported in an overriding motion, proposed by Yass Valley seeking LG NSW to commit to leading and resourcing an advocacy program on street lighting across the State. Just because a motion is successful at conference does not mean that its actioned immediately or becomes law and no doubt more information on this matter will come to Council through meetings of the Canberra Region Joint Organisation.

<https://www.wsc.nsw.gov.au/files/assets/public/council/meeting-minutes/2022/ia-minute/ia-minute-community-update-16-march-003.pdf>

Viv May PSM
Interim Administrator

MN 2022/38

MOTION *moved by Interim Administrator*

THAT *the minute be received and recommendations therein be adopted and resolved accordingly.*

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

9 GENERAL MANAGER

9.1 Our Road Map: Moving Forward to Reset Our Organisation

Report Author: General Manager

Authoriser: General Manager

OFFICER'S RECOMMENDATION

THAT Council note Our Road Map: Moving Forward to Reset Our Organisation.

The General Manager introduced the item.

MN 2022/39

MOTION *moved by Interim Administrator*

THAT

- 1. Council note Our Road Map: Moving Forward**
- 2. A further report be prepared by the General Manager to inform the General Manager's Performance Review in July 2022.**

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

9.2 Integrated Transport Strategy

Report Author: **Manager Strategic Land Use Planning**

Authoriser: General Manager

OFFICER'S RECOMMENDATION

THAT Council seek a suitably qualified consultant to prepare an Integrated Transport Strategy for the Shire.

The Manager Strategic Land Use Planning introduced the item.

<https://www.wsc.nsw.gov.au/files/assets/public/council/meeting-minutes/2022/integrated-transport-strategy-rft.pdf>

MN 2022/40

MOTION moved by Interim Administrator

THAT Council seek a suitably qualified consultant to prepare an Integrated Transport Strategy for the Shire.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

9.3 Strategic Planning Key Works Program

Report Author: Manager Strategic Land Use Planning

Authoriser: General Manager

OFFICER'S RECOMMENDATION

THAT:

1. Council continue to work with the State Government to fast track the strategic planning works program to refocus the Council on the future and deliver a planning framework that meets the economic, housing, social and infrastructure needs of the Wingecarribee community.
2. Council note that significant funds will be required to undertake the strategic planning work to support the review of the LEP and associated DCP.
3. Council write to the Minister for the Department of Planning and Environment to seek funding support to undertake this critical strategic planning program of works.

The Manager Strategic Land Use Planning introduced the item.

MN 2022/41

MOTION moved by Interim Administrator

THAT:

1. *Council continue to work with the State Government to fast track the strategic planning works program to refocus the Council on the future and deliver a planning framework that meets the economic, housing, social and infrastructure needs of the Wingecarribee community.*
2. *Council note that significant funds will be required to undertake the strategic planning work to support the review of the LEP and associated DCP.*
3. *Council write to the Minister for the Department of Planning and Environment to seek funding support to undertake this critical strategic planning program of works.*
4. *Note the significant work that Council has already commissioned and funded including the development of a Community and Recreation Facilities Strategy, preparation of a Master Plan and vision for the Southern Highlands Innovation Park, an Integrated Transport Strategy, the Bowral Town Centre Master Plan and the Robertson Place Plan.*
5. *If Council is unsuccessful in obtaining funding to deliver the Bowral South New Living Area Infrastructure Strategy and Master Plan, Council investigate an appropriate model that allows the required studies to be led by Council, but funded by the landowners that will ultimately benefit from any rezoning.*

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

9.4 Update on the Welby Garden Centre Planning Proposal

Report Author: Manager Strategic Land Use Planning

Authoriser: General Manager

OFFICER'S RECOMMENDATION

THAT

- (a) The Planning Proposal for the Welby Garden Centre be amended to include the following lots - Lots 1,2,3,8,9 & 10 Section 6 DP 759070, Lot 1 DP 1006005 & Lot 2 DP 1019107, and
- (b) the Planning Proposal for the Welby Garden Centre be amended to include the following land uses - landscaping material supplies, plant nursery, garden centre, community facility and light industry, and
- (c) an amended Gateway Determination be sought from the NSW Department of Planning & Environment for the amended Planning Proposal under *s3.35 of the Environmental Planning & Assessment Act 1979*.

LOCAL PLANNING PANEL ADVICE

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

The Manager Strategic Land Use Planning introduced the item.

MN 2022/42

MOTION moved by Interim Administrator

OFFICER'S RECOMMENDATION

THAT

- (a) *The Planning Proposal for the Welby Garden Centre be amended to include the following lots - Lots 1,2,3,8,9 & 10 Section 6 DP 759070, Lot 1 DP 1006005 & Lot 2 DP 1019107, and_*
- (b) *the Planning Proposal for the Welby Garden Centre be amended to include the following land uses - landscaping material supplies, plant nursery, garden centre, community facility and light industry, and*

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 16 MARCH 2022**

- (c) an amended Gateway Determination be sought from the NSW Department of Planning & Environment for the amended Planning Proposal under s3.35 of the Environmental Planning & Assessment Act 1979.*

LOCAL PLANNING PANEL ADVICE

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

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

9.5 Planning Proposal to rezone land at Darraby Lodge Broughton Street, Moss Vale

Report Author: Manager Strategic Land Use Planning

Authoriser: General Manager

OFFICER'S RECOMMENDATION

THAT

1. The Planning Proposal to rezone land at Broughton Street Moss Vale NOT proceed for the following reasons:
 - a. The site has strategic merit, the proposal does not demonstrate site specific merit given the outstanding concerns relating to infrastructure provision.

Local Planning Panel Advice

This matter was considered at the Local Planning Panel meeting of 2 March 2022 with the following recommendation from staff:

THAT Council reiterate its 'in principle' support for the Planning Proposal and will reconsider it when identified infrastructure shortfalls are resolved as set out in the Wingecarribee Local Housing Strategy 2020.

The Local Planning Panel generally agreed with the staff assessment of the Planning Proposal, and provided the following advice.

The Planning Panel has considered the assessment report and agrees that progressing the Planning Proposal would be premature. The Planning Proposal is considered to be premature relative to the unresolved concerns with Infrastructure provision; including sewage treatment plant capacity and road infrastructure upgrades. The Panel's advice to the Administrator is that the Planning Proposal not proceed. The Panel recognises that while the site has strategic merit, the proposal does not demonstrate site specific merit given the outstanding concerns relating to infrastructure provision.

The recommendation of this report has been updated to reflect the Panel's advice.

The Manager Strategic Land Use Planning introduced the item.

MN 2022/43

MOTION moved by Interim Administrator

THAT

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 16 MARCH 2022**

1. *The Planning Proposal to rezone land at Broughton Street Moss Vale NOT proceed for the following reasons:*
 - a. *The site has strategic merit, the proposal does not demonstrate site specific merit given the outstanding concerns relating to infrastructure provision.*

Local Planning Panel Advice

This matter was considered at the Local Planning Panel meeting of 2 March 2022 with the following recommendation from staff:

***THAT** Council reiterate its 'in principle' support for the Planning Proposal and will reconsider it when identified infrastructure shortfalls are resolved as set out in the Wingecarribee Local Housing Strategy 2020.*

The Local Planning Panel generally agreed with the staff assessment of the Planning Proposal, and provided the following advice.

The Planning Panel has considered the assessment report and agrees that progressing the Planning Proposal would be premature. The Planning Proposal is considered to be premature relative to the unresolved concerns with Infrastructure provision; including sewage treatment plant capacity and road infrastructure upgrades. The Panel's advice to the Administrator is that the Planning Proposal not proceed. The Panel recognises that while the site has strategic merit, the proposal does not demonstrate site specific merit given the outstanding concerns relating to infrastructure provision.

The recommendation of this report has been updated to reflect the Panel's advice.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

9.6 Planning Proposal and Heritage Assessment of 2 & 4 Myrtle Street, Bowral, and 'Karingal', 26 Elizabeth Street, Moss Vale—Interim Heritage Orders Nos. 12 & 13

Report Author: Strategic Land Use Planner (Heritage)
Authoriser: General Manager

OFFICER'S RECOMMENDATION

1. **THAT** the Panel supports the heritage assessment and proposed heritage listing of “‘Karingal’ Interwar bungalow and garden including brick and trachyte fence” comprising Lot 1 DP 986025 and Lot 110 DP 877316 and located at 26 Elizabeth Street, Moss Vale.
2. **THAT** the Panel supports the heritage assessment and proposed inclusion of 2, 4 and 6 Myrtle Street, Bowral, comprising Lot 1 DP 840484, Lot 1 DP 741837 and Lot C DP 157898, within the Bowral Conservation Area
3. **THAT** the Panel supports the Planning Proposal prepared under section 3.33 of the Environmental Planning & Assessment Act 1979 to amend Schedule 5 of the Wingecarribee Local Environmental Plan 2010 to add “‘Karingal’ Interwar bungalow and garden including brick and trachyte fence” as a new heritage item, and amend the Heritage Map of the Wingecarribee Local Environmental Plan 2010 to include 26 Elizabeth Street, Moss Vale, as a heritage item (general) and 2, 4 and 6 Myrtle Street, Bowral, within the boundaries of the Bowral Conservation Area.
3. **THAT** the Planning Proposal be sent to the Department of Planning and Environment with a request for a Gateway Determination in accordance with section 3.34 of the Environmental Planning & Assessment Act 1979.
4. **THAT** Interim Heritage Order No. 12 and Interim Heritage Order No. 13 are extended until 19 November 2022 to allow for the preparation and processing of the Planning Proposal.
5. **THAT** the affected property owners and residents, applicants of DA 22/0513 and DA 22/0535, and interested community members be advised of this decision.

LOCAL PLANNING PANEL ADVICE

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

The Manager Strategic Land Use Planning introduced the item.

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 16 MARCH 2022**

MOTION moved by Interim Administrator

1. ***THAT the Panel supports the heritage assessment and proposed heritage listing of “Karingal’ Interwar bungalow and garden including brick and trachyte fence” comprising Lot 1 DP 986025 and Lot 110 DP 877316 and located at 26 Elizabeth Street, Moss Vale.***
2. ***THAT the Panel supports the heritage assessment and proposed inclusion of 2, 4 and 6 Myrtle Street, Bowral, comprising Lot 1 DP 840484, Lot 1 DP 741837 and Lot C DP 157898, within the Bowral Conservation Area***
3. ***THAT the Panel supports the Planning Proposal prepared under section 3.33 of the Environmental Planning & Assessment Act 1979 to amend Schedule 5 of the Wingecarribee Local Environmental Plan 2010 to add “Karingal’ Interwar bungalow and garden including brick and trachyte fence” as a new heritage item, and amend the Heritage Map of the Wingecarribee Local Environmental Plan 2010 to include 26 Elizabeth Street, Moss Vale, as a heritage item (general) and 2, 4 and 6 Myrtle Street, Bowral, within the boundaries of the Bowral Conservation Area.***
4. ***THAT the Planning Proposal be sent to the Department of Planning and Environment with a request for a Gateway Determination in accordance with section 3.34 of the Environmental Planning & Assessment Act 1979.***
5. ***THAT Interim Heritage Order No. 12 and Interim Heritage Order No. 13 are extended until 19 November 2022 to allow for the preparation and processing of the Planning Proposal.***
6. ***THAT the affected property owners and residents, applicants of DA 22/0513 and DA 22/0535, and interested community members be advised of this decision.***

LOCAL PLANNING PANEL ADVICE

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

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

MN 2022/45

MOTION moved by Interim Administrator

THAT:

1. ***Standing Orders be suspended in order to consider one supplementary item and one speaker.***

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 16 MARCH 2022**

2. In accordance with Clause 9.3(b) of the Code of Meeting Practice I move as a matter of urgency that supplementary items be considered:

- *Natural Disaster – Flooding*

3. In accordance with Clause 9.3 of the Code of Meeting Practice I move that Mr Glenn Capuano address the meeting on item 10.1

- *Informed Decisions – Wingecarribee Shire Council briefing*

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

9.7 Natural Disaster - Flooding

Report Author: Acting Executive Assistant of the General Manager
and the Interim Administrator

Authoriser: General Manager

OFFICER'S RECOMMENDATION

THAT:

1. Formally accept the \$1 Million Commonwealth-State Disaster Recovery Funding Arrangements.
2. Council writes to our State and Federal Members to thank them for their support.
3. Council acknowledge and thank all members of Emergency Services and Council staff who were involved in responding to the recent floods and now involved in the post flood recovery.
4. Further report be provided to the May meeting regarding the recovery effort. This will enable a more comprehensive assessment to be carried out of private and public property.
5. Council consider any budget adjustments as part of the March 2022 Quarterly Budget Review

The General Manager introduced the item.

MN 2022/46

MOTION moved by Interim Administrator

THAT:

1. Formally accept the \$1 Million Commonwealth-State Disaster Recovery Funding Arrangements.
2. Council writes to our State and Federal Members to thank them for their support.
3. Council acknowledge and thank all members of Emergency Services and Council staff who were involved in responding to the recent floods and now involved in the post flood recovery.
4. Further report be provided to the May meeting regarding the recovery effort. This will enable a more comprehensive assessment to be carried out of private and public property.
5. Council consider any budget adjustments as part of the March 2022 Quarterly Budget Review.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10 REPORTS

10.1 Informed Decisions - Wingecarribee Shire Council Briefing

Report Author: Director Corporate Strategy and Resourcing

Authoriser: General Manager

OFFICER'S RECOMMENDATION

THAT Council notes the information provided by the .id Informed Decisions forecast and demographic tool.

The Manager Land Use Strategic Planning introduced the item.

Mr Glenn Capuano addressed the meeting.

<https://www.wsc.nsw.gov.au/files/assets/public/council/meeting-minutes/2022/id-briefing-2022-wingecarribee.pdf>

MN 2022/47

MOTION moved by Interim Administrator

THAT Council notes the information provided by the .id Informed Decisions forecast and demographic tool.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

MN 2022/48

MOTION moved by Interim Administrator

THAT Standing orders be resumed.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.2 Environmental Planning and Assessment (Statement of Expectations) Order 2021

Report Author: Executive Assistant to Director Communities and Place

Authoriser: Director Communities and Place

OFFICER'S RECOMMENDATION

THAT:

1. Council receive and note the Ministers expectations and the letter from the Secretary of the Department of Planning and Environment.
2. Council write to the Secretary requesting assistance from the Department of Planning and Environment in meeting the Minister's expectations, particularly regarding:
 - a. Improvements to public information of the NSW Planning Portal website;
 - b. Southern Regional Planning Panel reporting;
 - c. Policy development and mapping layers to aid Development Application assessments in a complex environmentally sensitive catchment;
 - d. Major Planning Proposals, and
 - e. Strategic place-based planning, environmental, drainage, transport and infrastructure studies to enable more rapid assessments of both planning proposals and Development Applications.

The Director of Communities and Place addressed the meeting.

MN 2022/49

MOTION moved by Interim Administrator

THAT:

1. *Council receive and note the Ministers expectations and the letter from the Secretary of the Department of Planning and Environment.*
2. *Council write to the Secretary requesting assistance from the Department of Planning and Environment in meeting the Minister's expectations, particularly regarding:*
 - a. Improvements to public information of the NSW Planning Portal website;*
 - b. Southern Regional Planning Panel reporting;*
 - c. Policy development and mapping layers to aid Development Application assessments in a complex environmentally sensitive catchment;*
 - d. Major Planning Proposals, and*
 - e. Strategic place-based planning, environmental, drainage, transport and infrastructure studies to enable more rapid assessments of both planning proposals and Development Applications.*

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.3 Delivery Program and Operational Plan Progress Update

Report Author: Corporate Strategy & 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.

The General Manager introduced the item.

MN 2022/50

MOTION moved by Interim Administrator

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.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.4 Code of Meeting Practice - Public Exhibition

Report Author: Group Manager Corporate and Community

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council's Code of Meeting Practice be placed on public exhibition to seek community feedback on the inclusion of a prayer in Section 8 'Order of Business for Ordinary Council Meetings'

MN 2022/51

MOTION *moved by Interim Administrator*

THAT Council's Code of Meeting Practice be placed on public exhibition to seek community feedback on the inclusion of a Prayer in Section 8 'Order of Business for Ordinary Council Meetings'.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.5 Office of Local Government Councillor Conduct Accountability in NSW Local Government Consultation Paper - Draft Submission

Report Author: Group Manager Corporate and Community

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council endorse the submission to the Office of Local Government on the 'Councillor Conduct Accountability in NSW Local Government – Consultation Paper'

The Acting Director Corporate Strategy and Resourcing introduced the item.

MN 2022/52

MOTION moved by Interim Administrator

THAT Council endorse the submission to the Office of Local Government on the 'Councillor Conduct Accountability in NSW Local Government – Consultation Paper'

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.6 NSW Ombudsman's Determination and Final Report of the Investigation of a Complaint Relating to Development Servicing Plan Charges

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

OFFICER'S RECOMMENDATION

THAT Council notes the correspondence from the NSW Ombudsman **AND THAT** all recommendations from the Final Report have now been complied or partially complied with and no further reports to the NSW Ombudsman are required.

The Acting Director Corporate Strategy and Reporting introduced the item.

Correction of date in the report, rescission of motion to be amended to 24 March 2021.

MN 2022/53

MOTION moved by Interim Administrator

THAT Council notes the correspondence from the NSW Ombudsman ***AND THAT*** all recommendations from the Final Report have now been complied or partially complied with and no further reports to the NSW Ombudsman are required.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.7 Berrima Road Deviation Project - Acquisition of Land

Report Author: Coordinator Property Services

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. The General Manager be delegated authority to negotiate with the owner of land identified in Registered Plan of Acquisition DP1271421 being Lot 24 DP 1271421, Lot 26 DP 1271421, Lot 27 DP 1271421, Lot 28 DP 1271421, Lot 29 DP 1271421, Lot 30 DP 1271421, Lot 31 DP 1271421 and Lot 32 DP 1271421 ('the land') for acquisition of the land for the purpose of road.
2. If the acquisition of the land referred to in Resolution 1 cannot be negotiated by agreement Council resolves to:
 - (a) acquire the land by compulsory acquisition under sections 177 and 178 of the *Roads Act, 1993 (NSW)* and in accordance with the requirements of the *Land Acquisition (Just Terms) Compensation Act 1991*;
 - (b) approve the making of an application to the Minister of Local Government for the issue of a proposed Acquisition Notice under the *Land Acquisition (Just Terms Compensation) Act 1991 (NSW)* with respect to the land referred to in resolution 1 above AND THAT Council request the Minister for Local Government approve a reduction in the notification period from ninety (90) days to sixty (60) days;
 - (c) approve the making of an application to the Governor for the publication of an Acquisition Notice in the NSW Government Gazette under the *Land Acquisition (Just Terms Compensation) Act 1991 (NSW)* with respect to the land referred to in resolution 1 above.
3. Council affix the Common Seal of Council to any documents relating to the acquisition required to be sealed in connection to acquisition of the land referred to in Resolution 1 together with any documentation associated with the Construction Access Licence Agreement AND THAT authority be delegated to the Mayor/Interim Administrator and General Manger to execute those documents.
4. Authority be delegated to the General Manager to execute on behalf of Council any documents associated with the compulsory acquisition of the land referred to in resolution 1 and the Construction Access Licence Agreement that does not require the Common Seal of Council.

The Coordinator Property Services introduced the item.

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 16 MARCH 2022**

MN 2022/54

MOTION moved by Interim Administrator

THAT:

1. *The General Manager be delegated authority to negotiate with the owner of land identified in Registered Plan of Acquisition DP1271421 being Lot 24 DP 1271421, Lot 26 DP 1271421, Lot 27 DP 1271421, Lot 28 DP 1271421, Lot 29 DP 1271421, Lot 30 DP 1271421, Lot 31 DP 1271421 and Lot 32 DP 1271421 (“the land”) for acquisition of the land for the purpose of road.*
2. *If the acquisition of the land referred to in Resolution 1 cannot be negotiated by agreement Council resolves to:*
 - (a) *Acquire the land by compulsory acquisition under sections 177 and 178 of the Roads Act, 1993 (NSW) and in accordance with the requirements of the Land Acquisition (Just Terms Terms) Compensation Act 1991;*
 - (b) *Approve the making of an application to the Minister of Local Government for the issue of a proposed Acquisition Notice under the Land Acquisition (Just Terms Compensation) Act 1991 (NSW) with respect to the land referred to in resolution 1 above AND THAT Council request the Minister for Local Government approve a reduction in the notification period from ninety (90) days to sixty (60) days;*
 - (c) *Approve the making of an application to the Governor for the publication of an Acquisition Notice in the NSW Government Gazette under the Land Acquisition (Just Terms Compensation) Act 1991 (NSW) with respect to the land referred to in resolution 1 above.*
3. *Council affix the Common Seal of Council to any documents relating to the acquisition required to be sealed in connection to acquisition of the land referred to in Resolution 1 together with any documentation associated with the Construction Access Licence Agreement AND THAT authority be delegated to the Mayor/Interim Administrator and General Manger to execute those documents.*
4. *Authority be delegated to the General Manager to execute on behalf of Council any documents associated with the compulsory acquisition of the land referred to in resolution 1 and the Construction Access Licence Agreement that does not require the Common Seal of Council.*

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.8 Part 10 Berrima Road Moss Vale - Acquisition of Land

Report Author: Coordinator Property Services

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. The General Manager be delegated authority to negotiate with the owner of Lot 11 DP1178993 for the acquisition of land known as part Lot 11 DP1178993 (part 10 Berrima Road, Moss Vale) for the purpose of public recreation within a 10% range of formal valuation.
2. Council pay compensation to the owner including all survey and ancillary costs associated with the acquisition, pursuant to the terms of the *Land Acquisition (Just Terms Compensation) Act 1991*.
3. The purchase of the land and associated costs be funded from Council's Developer Contributions Reserve – Section 7.11 Developer Contributions Plan – Open Space, Recreational Community and Cultural Facilities.
4. If the acquisition referred to in Resolution 1 cannot be negotiated by agreement Council resolves to:
 - (a) acquire the land by compulsory acquisition under sections 186 and 187 of the *Local Government Act 1993* (NSW) and in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991* (NSW).
 - (b) approve the making of an application to the Minister of Local Government for the issue of a proposed Acquisition Notice under the *Land Acquisition (Just Terms Compensation) Act, 1991* (NSW) with respect to the land **AND THAT** Council request the Minister for Local Government approve a reduction in the notification period from ninety (90) days to sixty (60) days;
 - (c) approve the making of an application to the Governor for the publication of an Acquisition Notice in the NSW Government Gazette under the *Land Acquisition (Just Terms Compensation) Act 1991* (NSW) with respect to the land.
5. Council affix the Common Seal of Council to any documents required to be sealed for the land referred to in resolution 1 **AND THAT** authority be delegated to the Mayor/Interim Administrator and General Manager to execute those documents.
6. Authority be delegated to the General Manager to execute on behalf of Council any documents associated with the acquisition of the land referred to in resolution 1 that does not require the Common Seal of Council.

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 16 MARCH 2022**

The Coordinator Property Services introduced the item.

MN 2022/55

MOTION moved by Interim Administrator

THAT:

1. *The General Manager be delegated authority to negotiate with the owner of Lot 11 DP1178993 for the acquisition of land known as part Lot 11 DP1178993 (part 10 Berrima Road, Moss Vale) for the purpose of public recreation within a 10% range of formal valuation.*
2. *Council pay compensation to the owner including all survey and ancillary costs associated with the acquisition, pursuant to the terms of the Land Acquisition (Just Terms Compensation) Act 1991.*
3. *The purchase of the land and associated costs be funded from Council's Developer Contributions Reserve – Section 7.11 Developer Contributions Plan – Open Space, Recreational Community and Cultural Facilities.*
4. *If the acquisition referred to in Resolution 1 cannot be negotiated by agreement Council resolves to:*
 - (a) *acquire the land by compulsory acquisition under section 186 and 187 of the Local Government Act 1993 (NSW and in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991 (NSW).*
 - (b) *approve the making of an application to the Minister of Local Government for the issue of a proposed Acquisition Notice under the Land Acquisition (Just Terms Compensation) Act, 1991 (NSW) with respect to the land AND THAT Council request the Minister for Local Government approve a reduction in the notification period from ninety (90) days to sixty (60) days;*
 - (c) *approve the making of an application to the Governor for the publication of an Acquisition Notice in the NSW Government Gazette under the Land Acquisition (Just Terms Compensation) Act 1991 (NSW) with respect to the land.*
5. *Council affix the Common Seal of Council to any documents required to be sealed for the land referred to in resolution 1 AND THAT authority be delegated to the Mayor/Interim Administrator and General Manager to execute those documents.*
6. *Authority be delegated to the General Manager to execute on behalf of Council any documents associated with the acquisition of the land referred to in resolution 1 that does not require the Common Seal of Council.*

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.9 Capital Food and Fibre Strategy Discussion paper – Submission to ACT Government

Report Author: Economic Development Coordinator

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council notes the Submission.

The Coordinator Economic Development introduced the item.

MN 2022/56

MOTION *moved by Interim Administrator*

THAT *Council notes the Submission.*

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.10 Alcohol Free Zone - Proposed Temporary Suspension

Report Author: Economic Development Coordinator

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council approve the suspension of the Alcohol Free Zone (AFZ) in Corbett Plaza, a portion of the AFZ declared zone - 'Wingecarribee Street (Bendooley Street to Station Street)', for one night for an event which is part of the NSW government Festival of Place Summer Night program.

The Coordinator Economic Development introduced the item.

MN 2022/57

MOTION moved by Interim Administrator

THAT Council approve the suspension of the Alcohol Free Zone (AFZ) in Corbett Plaza, a portion of the AFZ declared zone - 'Wingecarribee Street (Bendooley Street to Station Street)', for one night for an event which is part of the NSW government Festival of Place Summer Night program.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.11 Renwick Community Centre - Draft Plan of Management

Report Author: Recreational Planner
Authoriser: Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT

1. The Renwick Community Centre draft Plan of Management as set out in Attachment 1 be endorsed for public exhibition from Monday 21 March 2022 to Friday 22 April 2022.
2. Submissions on the draft Renwick Community Centre Plan of Management are accepted until Monday 9 May 2022.
3. A further report be provided to Council following the public exhibition period to advise of feedback received prior to the finalisation and adoption of the Renwick Community Centre Plan of Management.

The Director Service Delivery and Projects addressed the meeting.

MN 2022/58

MOTION moved by Interim Administrator

THAT

1. *The Renwick Community Centre draft Plan of Management as set out in Attachment 1 be endorsed for public exhibition from Monday 21 March 2022 to Friday 22 April 2022.*
2. *Submissions on the draft Renwick Community Centre Plan of Management are accepted until Monday 9 May 2022.*
3. *A further report be provided to Council following the public exhibition period to advise of feedback received prior to the finalisation and adoption of the Renwick Community Centre Plan of Management.*

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.12 Expression of Interest Invitation for 2022 Tulip Time Charity Partner

Report Author: Corporate Strategy & Governance Officer

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Harbison Memorial Retirement Village be approved as the Tulip Time 2022 Charity Partner.

The Acting Director Corporate Strategy and Resourcing introduced the item.

MN 2022/59

MOTION *moved by Interim Administrator*

THAT Harbison Memorial Retirement Village be approved as the Tulip Time 2022 Charity Partner.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.13 Moss Vale Bypass Design - Stages 2 & 3

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

OFFICER'S RECOMMENDATION

THAT:

1. Council resolves, for the reasons outlined in this report, that a satisfactory result would not be achieved by inviting tenders due to the "extenuating circumstances" which is expected to result in the unavailability of competitive tenderers and that a better result would not be achieved through a competitive tender process as the fee proposal MU has provided has been assessed as providing value for money;
2. Council proceeds with the direct engagement of MU Group Pty Ltd for the detailed design of Stage 2 and 3;
3. Council delegate authority to the General Manager to execute the variation agreement, updated grant agreement and any other documentation required to give effect to this resolution.

The Director Service and Project Delivery introduced the item.

MN 2022/60

MOTION moved by Interim Administrator

THAT:

1. Council resolves, for the reasons outlined in this report, that a satisfactory result would not be achieved by inviting tenders due to the "extenuating circumstances" which is expected to result in the unavailability of competitive tenderers and that a better result would not be achieved through a competitive tender process as the fee proposal MU has provided has been assessed as providing value for money;
2. Council proceeds with the direct engagement of MU Group Pty Ltd for the detailed design of Stage 2 and 3;
3. Council delegate authority to the General Manager to execute the variation agreement, updated grant agreement and any other documentation required to give effect to this resolution.
4. Council recognise the assistance of the Member for Goulburn and Minister for Regional Roads in achieving a community based outcome.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.14 Moss Vale War Memorial Aquatic Centre - NSW Regional Sport Facilities Funding

Report Author: **Manager Open Space, Recreation & Building
Maintenance**

Authoriser: General Manager

PURPOSE

The purpose of this report is to facilitate discussion around Moss Vale War Memorial Aquatic Centre multi-purpose space and changing places facility expansion and communicate the shortfall in grant funding and review opportunities available to Council and the community should the project proceed.

The Director Service and Project Delivery introduced the item. The Deputy Chief Financial Officer addressed the meeting.

MN 2022/61

MOTION *moved by Interim Administrator*

THAT Council include \$265,000 as a contribution to the construction of the Moss Vale War Memorial Aquatic Centre changing places room and multi-purpose space project for consideration in the March Quarterly Review, with the proposed funding source to be the Moss Vale Aquatic Reserve and Land Rental Charge Reserve.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.15 Station Street Watermain Renewal, Bowral - Request For Tender

Report Author: Project Engineer Civil
Authoriser: Director Service and Project Delivery

OFFICER'S RECOMMENDATION

That Council accepts the tender from Killard Infrastructure Pty Ltd at a lump sum of \$364,530.10 (including GST) to undertake Station Street water main renewal works between Boolwey St to Merrigang St, Bowral.

THAT:

- 1. Council accepts the Tender for 6330/22.3 at a lump sum price of \$364,530.10 (inclusive of GST)**
- 2. Council notes the tenders received ranged from \$364,530.10 (Lowest) to \$497,058.10 (Highest).**
- 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.**

The Director Service and Project Delivery introduced the item.

MN 2022/62

MOTION moved by Interim Administrator

THAT:

- 1. Council accepts the Tender for 6330/22.3 at a lump sum price of \$364,530.10 (inclusive of GST)**
- 2. Council notes the tenders received ranged from \$364,530.10 (Lowest) to \$497,058.10 (Highest).**
- 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.**

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.16 Sports Lighting Upgrades

Report Author: Manager Open Space, Recreation & Building Maintenance

Authoriser: Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT:

1. In relation to the report concerning Sports Lighting Upgrades Bowral NSW - Council RFT 6330/22.1. Council accepts the tender received from Matthew Burke Electrical PTY LTD for both lighting project upgrades (Portion A and Portion B);
2. Portion A Eridge Park Netball Courts lighting upgrade for the lump sum of \$ 216,672.93 (Excluding GST) in accordance with the Local Government (General) Regulation 2005, Clause 178(1)(b).
3. Portion B Loseby Park lighting upgrade for the lump sum of \$ 313,442.76 (Excluding GST), in accordance with the *Local Government (General) Regulation 2005, Clause 178(1)(b)*.
4. Council note the tenders received ranged from:
 - Portion A Eridge Park Netball Courts lighting upgrade \$194,000.00 to \$474,629.00 (Excluding GST).
 - Portion B Loseby Park lighting upgrade \$313,442.76 to \$467,000.00 (Excluding GST)
5. Council delegate authority to the Interim Administrator and General Manager to execute the contract and any other documentation required to give effect to this resolution.

MN 2022/63

MOTION moved by Interim Administrator

THAT:

1. *In relation to the report concerning Sports Lighting Upgrades Bowral NSW - Council RFT 6330/22.1. Council accepts the tender received from Matthew Burke Electrical PTY LTD for both lighting project upgrades (Portion A and Portion B);*
2. *Portion A Eridge Park Netball Courts lighting upgrade for the lump sum of \$ 216,672.93 (Excluding GST) in accordance with the Local Government (General) Regulation 2005, Clause 178(1)(b).*
3. *Portion B Loseby Park lighting upgrade for the lump sum of \$ 313,442.76 (Excluding GST), in accordance with the Local Government (General) Regulation 2005, Clause 178(1)(b).*
4. *Council note the tenders received ranged from:*
 - *Portion A Eridge Park Netball Courts lighting upgrade \$194,000.00 to \$474,629.00 (Excluding GST).*
 - *Portion B Loseby Park lighting upgrade \$313,442.76 to \$467,000.00 (Excluding GST)*
5. *Council delegate authority to the Interim Administrator and General Manager to execute the contract and any other documentation required to give effect to this resolution.*

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.17 Investment Report - February 2022

Report Author: Accounting Officer (Banking and Investments)
Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT the information on Council's Investments as at 28 February 2022 be received and noted.

MN 2022/64

MOTION moved by Interim Administrator

THAT the information on Council's Investments as at 28 February 2022 be received and noted.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.18 Traffic Committee Meeting Minutes

Report Author: Administration Officer
Authoriser: Director Service and Project Delivery

PURPOSE

This report provides the Minutes of the Traffic Committee meeting held on Thursday 17 February 2022 and seeks Council's adoption of the relevant recommendations

OFFICER'S RECOMMENDATION

THAT:

1. The Minutes of the Traffic Committee Meeting held Thursday 17 February 2022 are received and noted.
2. Council adopts recommendation TC 2/22 of the Minutes, that ONE-WAY traffic flow of Donkin Avenue Moss Vale become permanent subject to consultation with impacted residents.

The Director Service and Project Delivery addressed the meeting.

MN 2022/65

MOTION moved by Interim Administrator

THAT:

1. *The Minutes of the Traffic Committee Meeting held Thursday 17 February 2022 are received and noted.*
2. *Council adopts recommendation TC 2/22 of the Minutes, that ONE-WAY traffic flow of Donkin Avenue Moss Vale become permanent subject to consultation with impacted residents.*

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.19 Audit, Risk and Improvement Committee Minutes

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

OFFICER'S RECOMMENDATION

THAT the Minutes of the Audit, Risk and Improvement Committee Meeting held on 15 December 2021 be received and noted.

BACKGROUND

The Office of Local Government's draft Guidelines state the *"the audit, risk and improvement committee must provide an update to the governing body of the council of its activities and opinions after every committee meeting."*

REPORT

The Audit, Risk and Improvement Committee (the Committee) met on 15 December 2021. The Committee confirmed its minutes at its meeting held on 10 March 2022.

MN 2022/66

MOTION moved by Interim Administrator

THAT the Minutes of the Audit, Risk and Improvement Committee Meeting held on 15 December 2021 be received and noted.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.20 Canberra Region Joint Organisation Board Meeting Minutes

Report Author: **Acting Executive Assistant of the General Manager and the Interim Administrator**

Authoriser: General Manager

OFFICER'S RECOMMENDATION

THAT:

1. The Minutes and attachments are noted.
2. Council write to Mayor of Bega Valley Shire Council, Councillor Fitzpatrick, to congratulate him on his election to Chair of the Canberra Region Joint Organisation.
3. Council write to the Mayor of Snowy Monaro Council, Councillor Davis, to congratulate her on her election to Deputy Chair of the Canberra Region Joint Organisation.

MN 2022/67

MOTION moved by Interim Administrator

THAT:

1. *The Minutes and attachments are noted.*
2. *Council write to Mayor of Bega Valley Shire Council, Councillor Fitzpatrick, to congratulate him on his election to Chair of the Canberra Region Joint Organisation.*
3. *Council write to the Mayor of Snowy Monaro Council, Councillor Davis, to congratulate her on her election to Deputy Chair of the Canberra Region Joint Organisation.*

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

The General Manager introduced the Executive Manager People and Culture, Ms Sally Sammut and Chief Financial Officer, Mr Pav Kuzmanovski.

The General Manager also thanked Mr Damien Jenkins, Deputy Chief Financial Officer, for Acting in the role and appreciated his work especially in the Audit, Risk and Improvement and his professionalism in that forum.

11 MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 5.30 pm.