

MINUTES

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

Wednesday 16 November 2022

The meeting commenced at 3.45pm

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WEDNESDAY 16 NOVEMBER 2022**

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

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

Present:	Administrator	Mr Viv May PSM
In Attendance:	General Manager	Ms Lisa Miscamble
	Director Corporate Strategy and Resourcing	Ms Carmel Foster
	Director Communities and Place	Mr Adan Davis
	Director Service and Project Delivery	Ms Karin Targa
	Executive Manager Strategic Outcomes	Mr Michael Park
	Manager Governance and Corporate Performance	Ms Danielle Lidgard
	Chief Financial Officer	Mr Pav Kuzmanovski
	Deputy Chief Financial Officer	Mr Damien Jenkins
	Acting Chief Information Officer	Mr Ian Vong
	Manager Assets	Mr Shaun Robinson
	Coordinator Media and Communications	Mr David Sommers
	Governance Officer	Ms Michelle Gordon
	Governance Officer	Ms Paige Zelunzuk
Also in Attendance:	Director, Financial Audit Services	Mr Michael Zharzoo
	Audit Leader, Financial Audit Services	Mr Moaaz Juned

1 OPENING OF THE MEETING

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

2 ACKNOWLEDGEMENT OF COUNTRY

The Administrator, Mr Viv May PSM acknowledged country:

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

3 STATEMENT OF ETHICAL OBLIGATIONS

“As Administrator I will undertake the duties of the Office of Administrator in the best interests of the people of the Wingecarribee Shire Council area and to act faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgement.

I am committed to the declaration of conflicts of interest in relation to items listed for consideration on the Agenda or which are considered at this meeting, in accordance with the Code of Conduct and Code of Meeting Practice.”

4 APOLOGIES

Nil.

5 ADOPTION OF MINUTES OF PREVIOUS MEETING

THAT the minutes of the Ordinary Meeting of Council held on Wednesday, 19 October 2022 MN2022/225 to MN2022/238 inclusive, be adopted as a correct record of the proceedings of the meeting.

6 DECLARATIONS OF INTEREST

Nil.

7 ADMINISTRATOR MINUTES

Nil.

8 GENERAL MANAGER

8.1 Bowral Town Centre Master Plan - Update

Report Author: Executive Manager Strategic Outcomes

Authoriser: General Manager

OFFICER'S RECOMMENDATION

THAT:

1. The report on the Bowral Town Centre Master Plan be received and noted.
2. Council seek a suitably qualified consultant/s to prepare the Bowral Town Centre Master Plan.

The Executive Manager Strategic Outcomes introduced the item.

MN 2022/240

MOTION moved by the Administrator

THAT:

1. *The report on the Bowral Town Centre Master Plan be received and noted.*
2. *Council seek a suitably qualified consultant/s to prepare the Bowral Town Centre Master Plan.*

DECLARED CARRIED BY THE ADMINISTRATOR

9 REPORTS

9.1 Presentation of the Audited Annual Financial Statements for the year ended 30 June 2022

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

OFFICER'S RECOMMENDATION

THAT:

1. Council adopts the Audited Annual Financial Statements for the year ended 30 June 2022.
2. Council adopts the Independent Auditor's Report for the year ended 30 June 2022.

The Chief Financial Officer introduced the item.

MN 2022/241

MOTION moved by Administrator

THAT Standing Orders be suspended in order for Mr Michael Kharzoo Director of Financial Audit Services to address Council on 9.1 Presentation of the Audited Annual Financial Statements for the year ended 30 June 2022.

DECLARED CARRIED BY THE ADMINISTRATOR

MN 2022/242

MOTION moved by Administrator

THAT Standing Orders be resumed.

DECLARED CARRIED BY THE ADMINISTRATOR

Mr. Michael Kharzoo, Director Financial Audit Services addressed the meeting.

Mr. Moaaz Juned, Audit Leader, Financial Audit Services addressed the meeting.

The General Manager tabled the attached Presentation of the Audited Annual Financial Statements for the year ended 30 June 2022.

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

<https://www.wsc.nsw.gov.au/files/assets/public/council/meeting-minutes/2022/tabled-item-9.1-presentation-of-the-audited-annual-financial-statements-for-the-year-ended-30-june-2022-presentation.pdf>

MN 2022/243

MOTION moved by the Administrator

THAT:

1. Council adopts the Audited Annual Financial Statements for the year ended 30 June 2022.
2. Council adopts the Independent Auditor's Report for the year ended 30 June 2022.

DECLARED CARRIED BY THE ADMINISTRATOR

9.2 Annual Report 2021/22

Report Author: Manager Governance and Corporate Performance
Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council endorse the Annual Report for the Financial year 2021/22 as tabled.

The General Manager addressed the meeting and tabled the attached Annual Report 2021/22 and presentation.

<https://www.wsc.nsw.gov.au/files/assets/public/council/annual-reports/wsc-annual-report-2021-22.pdf>

<https://www.wsc.nsw.gov.au/files/assets/public/council/meeting-minutes/2022/wingecarribee-year-ahead.mp4>

MN 2022/244

MOTION moved by the Administrator

THAT Council endorse the Annual Report for the Financial year 2021/22 as tabled.

DECLARED CARRIED BY THE ADMINISTRATOR

9.3 Quarterly Delivery Program and Budget Review as at 30 September 2022

Report Author: Corporate Strategy and Governance Officer

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT

1. The Quarterly Progress Report on the Delivery Program and Operational Plan for the period ended September 2022 in Attachment 1 be noted.
2. Council allocates \$1.256 million of surplus working capital to the Animal Shelter and SES project.
3. Council endorses the funding strategy for the Animal Shelter and SES project and incorporate \$1.901 million of loan funds into the draft 2023/24 Operational Plan.
4. Council notes the outcomes of the Banking Service quotation.
5. Council endorses the amendment to the funding agreement with Destination Sydney and Surrounds to include the development of the Southern Highlands Horse Week Event.
6. Council approves the budget adjustments and the projected financial position as of 30 September 2022 outlined in Attachment 2.

The Manager Governance and Corporate Performance introduced the item.

The Chief Financial Officer addressed the meeting.

The General Manager tabled the attached email correspondence:

https://www.wsc.nsw.gov.au/files/assets/public/council/meeting-minutes/2022/tabled-item-9.3-quarterly-delivery-program-and-budget-review-as-at-30-september-2022-email_redacted.pdf

MN 2022/245

MOTION moved by the Administrator

THAT

1. *The Quarterly Progress Report on the Delivery Program and Operational Plan for the period ended September 2022 in Attachment 1 be noted.*
2. *Council allocates \$157,000 of surplus working capital to the Animal Shelter and SES project.*
3. *Council endorses the funding strategy for the Animal Shelter and SES project and incorporate \$3 million of loan funds into the draft 2023/24 Operational Plan.*
4. *Council notes the outcomes of the Banking Service quotation.*

- 5. Council endorses the amendment to the funding agreement with Destination Sydney and Surrounds to include the development of the Southern Highlands Horse Week Event.**
- 6. Council approves the budget adjustments and the projected financial position as of 30 September 2022 outlined in Attachment 2.**
- 7. A report be provided to Council on the costs of operating the Animal Shelter detailing expenditure, revenue and capital purchases such as vehicles and the anticipated costs following completion of the new facility that will be incorporated into the forward financial plan.**
- 8. A report be provided to Council on opportunities to fund a portion of the capital cost of the animal shelter and SES building from s7.11 contributions having regard to the future proofing of both facilities.**
- 9. A status report be submitted to the next meeting of Council on Development Application processing times and the matters raised by Mr Anderson be fully addressed in the report.**

DECLARED CARRIED BY THE ADMINISTRATOR

9.4 Investment Report - October 2022

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

OFFICER'S RECOMMENDATION

THAT Council receives and notes this Cash Investment Report as at 31 October 2022.

The Chief Financial Officer introduced the item.

MN 2022/246

MOTION *moved by the Administrator*

THAT Council receives and notes this Cash Investment Report as at 31 October 2022.

DECLARED CARRIED BY THE ADMINISTRATOR

9.5 Executive Listening Tour 2022 Overview and 2023 Proposed Format

Report Author: Place Liaison Officer

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council note the overview 2022 Executive Listening Tour.
2. Council note the revised format for the 2023 Executive Listening Tour.

The Manager Governance and Corporate Performance introduced the item.

MN 2022/247

MOTION *moved by the Administrator*

THAT:

1. Council note the overview 2022 Executive Listening Tour.
2. Council note the proposed format of the 2023 Executive Listening Tour to include High Range and Bullio.

DECLARED CARRIED BY THE ADMINISTRATOR

9.6 Stormwater Management Policy - Post Public Exhibition Report

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

OFFICER'S RECOMMENDATION

THAT Council adopts the Stormwater Management Policy.

The Manager Assets introduced the item.

MN 2022/248

MOTION *moved by the Administrator*

THAT Council adopts the Stormwater Management Policy.

DECLARED CARRIED BY THE ADMINISTRATOR

9.7 Bushland Services - Tender

Report Author: Coordinator Natural Resource Projects

Authoriser: Director Communities and Place

OFFICER'S RECOMMENDATION

THAT: Council accepts the Tender T-2022-16 Bushland and Natural Resource Management Services and all the listed tenderers in accordance with their successful categories as outlined in the report to form a panel arrangement contract for the period of three (3) years with an option to extend for a further two (2) times one (1) year.

1. All Scale Tree Services Pty Ltd
2. Asplundh Tree Expert Australia Pty Ltd
3. BR and CM Noble
4. CJ Environmental Pty Ltd
5. Department of Regional NSW (Soil Con Service)
6. Dragonfly Environmental Pty Ltd
7. First Choice Earthworks Pty Ltd
8. Good Bush Pty Ltd
9. Illawarra Local Aboriginal Land Services
10. Lone Fig Environmental
11. Programmed Property Services Pty Ltd
12. Toolijooa Pty Ltd
13. Total Earth Care Pty Ltd
14. Tree Serve Pty Ltd

MN 2022/249

MOTION moved by the Administrator

THAT: Council accepts the Tender T-2022-16 Bushland and Natural Resource Management Services and all the listed tenderers in accordance with their successful categories as outlined in the report to form a panel arrangement contract for the period of three (3) years with an option to extend for a further two (2) times one (1) year.

1. All Scale Tree Services Pty Ltd
2. Asplundh Tree Expert Australia Pty Ltd
3. BR and CM Noble
4. CJ Environmental Pty Ltd
5. Department of Regional NSW (Soil Con Service)
6. Dragonfly Environmental Pty Ltd
7. First Choice Earthworks Pty Ltd
8. Good Bush Pty Ltd

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9. *Illawarra Local Aboriginal Land Services*
10. *Lone Fig Environmental*
11. *Programmed Property Services Pty Ltd*
12. *Toolijooa Pty Ltd*
13. *Total Earth Care Pty Ltd*
14. *Tree Serve Pty Ltd*

DECLARED CARRIED BY THE ADMINISTRATOR

9.8 Water and Sewer Laboratory Sample Analysis - Tender

Report Author: Operations Technical Officer Quality

Authoriser: Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT:

1. Council accepts the Tender from Sydney Water in response to RFT T-2022-8 Water and Sewer Laboratory Sample Analysis at the agreed schedule of rates, at an estimated indicative value of \$138,148 per annum;
2. Council accepts the proposed contract term as a period of two (2) years with an option to extend for a further two (2) times two (2) year periods (estimated total indicative contract value of \$828,888 over the six (6) year term);
3. Council notes the tenders received were in accordance with calculated annual sum based on the schedule of rates (inclusive of GST). The annual indicative sum ranged from \$131 169 (LOWEST) to \$138 148 (HIGHEST); and
4. Council delegate authority to the General Manager to execute the contract including all options to extend including all other documentation required to give effect to this resolution.

MN 2022/250

MOTION moved by the Administrator

THAT:

1. *Council accepts the Tender from Sydney Water in response to RFT T-2022-8 Water and Sewer Laboratory Sample Analysis at the agreed schedule of rates, at an estimated indicative value of \$138,148 per annum;*
2. *Council accepts the proposed contract term as a period of two (2) years with an option to extend for a further two (2) times two (2) year periods (estimated total indicative contract value of \$828,888 over the six (6) year term);*
3. *Council notes the tenders received were in accordance with calculated annual sum based on the schedule of rates (inclusive of GST). The annual indicative sum ranged from \$131,169 (LOWEST) to \$138,148 (HIGHEST); and*
4. *Council delegate authority to the General Manager to execute the contract including all options to extend including all other documentation required to give effect to this resolution.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.9 Southern Highlands Botanic Gardens Update

Report Author: Coordinator Property Services

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Due to the significant costs associated with relocation and the financial pressures being experienced within the Water Fund, the Water Filling Station remains in its current location on Kangaloon Road Bowral and delineation and signage works are completed.
2. Council not proceed with the closure of the area of road on the corner of Kangaloon Road and Old South Road, Bowral and Council formally abandon its previous resolution as Council cannot currently commit to move the Water Filling Station from the area of road reserve requested for closure.
3. Council continue to work with the SHBG to align the Plan of Management and Masterplan for the site.
4. The Southern Highlands Botanic Gardens be informed of Council's decision.

The Manager Assets introduced the item.

The Coordinator Property Services addressed the meeting.

MN 2022/251

MOTION moved by the Administrator

THAT:

1. Pursuant to Part 4, Division 3 of the Roads Act 1993, Council as roads authority formally approve the closure of the road reserve at the corner of Kangaloon Road and Old South Road, Bowral with the view to it being included in the lease of the Southern Highlands Botanic Gardens and the General Manager be delegated authority in that regard.
2. The General Manager and Administrator be delegated authority to execute under the Common Seal of Council any agreement, plan, real property dealing or any other document in respect of the proposed closure of the road reserve referred to in Item 1 above.
3. Authority be delegated to the General Manager to execute on behalf of Council any other document associated with the road closure referred to in Item 1 above which does not require the affixing of the Common Seal of Council.
4. The registered title created for the area of closed road referred to in Item 1 above include an easement to allow for the continual operation of the water filling station together with a right of access for vehicles using the water filling station.

DECLARED CARRIED BY THE ADMINISTRATOR

9.10 42 Banksia Street Colo Vale Allocation of Funds from Sale for Specific Future Works within Colo Vale Village

Report Author: Coordinator Property Services

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council commit \$63,500 to the Colo Vale Men's Shed project from the proceeds of sale of 42 Banksia Street Colo Vale to assist with the costs of provision of a new Men's Shed.
2. Council allocate the balance of the net proceeds (after deduction of the donation of \$63,500 for the Men's Shed) from the sale of 42 Banksia Street Colo Vale together with an additional \$200,000 (identified for the Jurd Park Upgrade through the Playspace Strategy 2020) towards the renewal and upgrade of the Jurd Park playspace including:
 - a) Accessible and adventure elements (the upgraded playspace to cater to a wider range of children age groups);
 - b) Provision of a bike pump track;
 - c) Renewal and upgrade of park furniture including shelters, tables, drinking station and BBQ; and
 - d) Inclusion of skating elements within the park.
3. Council write to all respondents to thank them for their feedback and advise of the outcome.

The Coordinator Property Services introduced the item.

MN 2022/252

MOTION moved by the Administrator

THAT the matter be deferred to allow further consultation with the Administrator and local residents, and further information be sought from the Men's Shed on the amount required to finalise construction.

DECLARED CARRIED BY THE ADMINISTRATOR

9.11 Draft Property Investment Policy and Property Investment Strategy for Public Exhibition

Report Author: Coordinator Property Services

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council endorse the draft Property Investment Policy and Property Investment Strategy for Public Exhibition for a minimum period of twenty-eight (28) days and submissions invited from the public.
2. A further report be submitted to Council following the conclusion of the public exhibition period.

The Director Corporate Strategy and Resourcing introduced the item.

MN 2022/253

MOTION *moved by the Administrator*

THAT: *The officer's recommendation be adopted subject to the words "including assets outside the Wingecarribee LGA" being deleted from the draft policies prior to exhibition.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.12 Sundry Debtor Write-off Report

Report Author: Coordinator Revenue
Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT: Council writes off the sundry debtor amount of \$48,243.87 in accordance with Section 213(5)(b) of the Local Government Regulations.

The Chief Financial Officer introduced the item.

MN 2022/257

MOTION moved by the Administrator

THAT:

1. Council writes off the sundry debtor amount of \$48,243.87 in accordance with Section 213(5)(b) of the Local Government Regulations.
2. Attachment 1 to the sundry debtor write-off report be withheld from access to the media and public as required by section 11(2) of the Local Government Act 1993 for the following reasons: Attachment 1 includes advice that is confidential in accordance with s10A(2) of the Local Government Act 1993 , and under clause 10(A)(2)(g) - advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege

DECLARED CARRIED BY THE ADMINISTRATOR

9.13 Southern Highlands Bridge Club of Land Forming Part of David Woods Playing Fields at Boardman Road, Bowral Lease - Update

Report Author: Coordinator Property Services

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council pay the Southern Highlands Bridge Club the sum of \$37,500 being a 25% portion of the \$150,000 requested (in line with the 25% lease term secured by the Bridge Club).
2. Council release further pro-rata payments, up to a maximum total of \$150,000 upon the Bridge Club securing further lease terms with Moss Vale Golf Club.
3. The first payment of \$37,500 be contingent upon the Southern Highlands Bridge Club providing confirmation in writing of their Surrender of Lease and Lease Agreement for the area of Council owned land at David Woods Playing Fields.

The General Manager tabled the attached email correspondence.

The Coordinator Property Services introduced the item.

https://www.wsc.nsw.gov.au/files/assets/public/council/meeting-minutes/2022/taled-item-9.13-southern-highlands-bridge-club-of-land-forming-part-of-david-woods-playing-fields-at-boardman-road-bowral-lease-update-email_redacted.pdf

MN 2022/254

MOTION moved by the Administrator

THAT in accordance with the request from the Southern Highlands Bridge Club the matter be deferred until the February Meeting of Council on the understanding that the Council's delegation to the General Manager to finalise the matter dated 20 July 2022 be maintained.

DECLARED CARRIED BY THE ADMINISTRATOR

9.14 Draft Grants, Donations and Sponsorships Policy - Post Exhibition Report

Report Author: Corporate Strategy and Governance Officer

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT

1. Council adopt the Grants, Donations and Sponsorships Policy as placed on public exhibition, with the following amendments:
 - a) Clause 2.1.8 concerning financial assistance to exclude mining companies whose business is the extraction or sale of coal, oil or gas; to vary the exclusion regarding businesses involved in gambling to allow licenced clubs in support of Council's events and functions through in kind sponsorship; and to vary the exclusion regarding businesses involved in the manufacture, distribution, and wholesaling of alcohol related products to include the example of local wineries and distilleries.
 - b) Clause 2.2 concerning Grants and the Definition in Part 6 of a Grant (outgoing), to include individuals in the definition of an outgoing grant.
 - c) Clause 2.2 concerning Grants to include the wording "Outgoing grants are covered by section 356 of the *Local Government Act 1993*, which is set out in Part 3 of this Policy".
 - d) Clause 2.3 concerning Donations to include the wording "Outgoing donations are covered by section 356 of the *Local Government Act 1993*, which is set out in Part 3 of this Policy".
 - e) Clause 2.4.9 concerning the process for sponsorships, to clarify that applications to Council for outgoing sponsorships will be assessed in accordance with predetermined criteria
2. Council promote to the community opportunities for financial assistance via its Grants, Donations and Sponsorships Policy and the associated guidelines.

The Manager Governance and Corporate Performance introduced the item.

The Chief Financial Officer addressed the meeting.

MN 2022/255

MOTION *moved by the Administrator*

THAT

1. Council adopt the Grants, Donations and Sponsorships Policy as placed on public exhibition, with the following amendments:
 - a) Clause 2.1.8 concerning financial assistance to exclude mining companies whose business is the extraction or sale of coal, oil or gas; to vary the exclusion regarding

businesses involved in gambling to allow licenced clubs in support of Council's events and functions through in kind sponsorship; and to vary the exclusion regarding businesses involved in the manufacture, distribution, and wholesaling of alcohol related products to include the example of local wineries and distilleries.

- b) Clause 2.2 concerning Grants and the Definition in Part 6 of a Grant (outgoing), to include individuals in the definition of an outgoing grant.*
 - c) Clause 2.2 concerning Grants to include the wording "Outgoing grants are covered by section 356 of the Local Government Act 1993, which is set out in Part 3 of this Policy".*
 - d) Clause 2.3 concerning Donations to include the wording "Outgoing donations are covered by section 356 of the Local Government Act 1993, which is set out in Part 3 of this Policy".*
 - e) Clause 2.4.9 concerning the process for sponsorships, to clarify that applications to Council for outgoing sponsorships will be assessed in accordance with predetermined criteria.*
- 2. Council promote to the community opportunities for financial assistance via its Grants, Donations and Sponsorships Policy and the associated guidelines.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.15 Chelsea Gardens Coomungie - Regional Planning Panel Outcome 2022

Report Author: **Manager Development Assessment**

Authoriser: Director Communities and Place

OFFICER'S RECOMMENDATION

THAT:

1. This report and its contents be noted in satisfaction of the Council resolution of 20 April 2022.
2. The outcome and decision of the Regional Planning Panel be published on the Council's website.

The Director Communities and Place introduced the item.

The Executive Manager Strategic Outcomes addressed the meeting.

MN 2022/256

MOTION *moved by the Administrator*

THAT:

1. *This report and its contents be noted in satisfaction of the Council resolution of 20 April 2022.*
2. *The outcome and decision of the Regional Planning Panel be published on the Council's website.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.16 Children's Services Review Update

Report Author: **Manager Governance and Corporate Performance**
Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council note the report providing an update on the status of Service Delivery Review of Children's Services
2. Council note that the outcomes of the Service Delivery Review of Children's Services will be reported to Council in early 2023.

The Manager Governance and Corporate Performance introduced the item.

MN 2022/258

MOTION moved by the Administrator

THAT:

1. Council note the report providing an update on the status of Service Delivery Review of Children's Services.
2. Council note that the outcomes of the Service Delivery Review of Children's Services will be reported to Council in early 2023.

DECLARED CARRIED BY THE ADMINISTRATOR

9.17 2022/23 Rate, Water and Sewerage Access Subsidies

Report Author: Revenue Officer (Rates)
Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council approves the Rate, Water and Sewerage Access Subsidies for Community and Sporting Organisations (including Religious Bodies) identified in Attachment 1 for the 2022/23 financial year.
2. The existing Rate, Water and Sewerage Access Subsidy Policy be retired and replaced with an equivalent program that aligns to the revised Grants, Donations and Sponsorship policy as outlined in this report.

The Chief Financial Officer introduced the item.

MN 2022/259

MOTION *moved by the Administrator*

THAT:

1. *Council approves the Rate, Water and Sewerage Access Subsidies for Community and Sporting Organisations (including Religious Bodies) identified in Attachment 1 for the 2022/23 financial year.*
2. *The existing Rate, Water and Sewerage Access Subsidy Policy be retired and replaced with an equivalent program that aligns to the revised Grants, Donations and Sponsorship policy as outlined in this report.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.18 Balmoral Reserve Update

Report Author: **Manager Assets**

Authoriser: Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT Council notes and receives the information within this report.

The Manager Assets introduced the item.

MN 2022/260

MOTION moved by the Administrator

THAT Council notes and receives the information within this report.

DECLARED CARRIED BY THE ADMINISTRATOR

9.19 Outdoor Dining and Product Display Fee Waiver - Post Exhibition Report

Report Author: Economic Development Coordinator

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council waive the fees chargeable from 1 July 2022 to 30 June 2024 for businesses on Bong Bong Street between Wingecarribee Street and Merrigang Street, east side; and Wingecarribee Street between Bong Bong Street and Station Street, north side
2. Council write to the impacted businesses to advise of the outcome of this report.

MN 2022/261

MOTION *moved by the Administrator*

THAT:

1. *Council waive the fees chargeable from 1 July 2022 to 30 June 2024 for businesses on Bong Bong Street between Wingecarribee Street and Merrigang Street, east side; and Wingecarribee Street between Bong Bong Street and Station Street, north side*
2. *Council write to the impacted businesses to advise of the outcome of this report.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.20 Festival of Lights - Exclusive Use of Corbett Gardens

Report Author: Coordinator Tourism and Events

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council approve the exclusive use of Corbett Gardens by Business Southern Highlands between the hours of 5pm – 1am on Saturday 31 December/Sunday 01 January 2022/2023 for the purpose of a New Year's Eve concert.
2. Council approve the exclusive use of Corbett Gardens by Business Southern Highlands between the hours of 5pm – 10pm on Thursday 15 December 2022 for the purpose of a Christmas Networking Event with Southern Highlands businesses.

The Director Corporate Strategy and Resourcing introduced the item.

MN 2022/262

MOTION moved by the Administrator

THAT:

1. Council approve the exclusive use of Corbett Gardens by Business Southern Highlands between the hours of 5pm – 1am on Saturday 31 December/Sunday 01 January 2022/2023 for the purpose of a New Year's Eve concert.
2. Council approve the exclusive use of Corbett Gardens by Business Southern Highlands between the hours of 5pm – 10pm on Thursday 15 December 2022 for the purpose of a Christmas Networking Event with Southern Highlands businesses.

DECLARED CARRIED BY THE ADMINISTRATOR

9.21 Bowral Classic - Waiving of Fees and Charges

Report Author: Executive Assistant to Director Corporate Strategy and Resourcing

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council waive Fees and Charges totalling \$5,306.80 applied to the Bowral Classic event relating to Section 138 of the Roads Act 1993, application and inspections; applications relating to community land and public roads; hire of park and oval.
2. Council refund Section 138 fees to Yaffa Media Pty Ltd (Ref Vanessa Burges) totalling \$1,042.02.
3. The proposal be placed on 28 Days' public notice following the Council Meeting.

The Director Corporate Strategy and Resourcing introduced the item.

MN 2022/263

MOTION moved by the Administrator

THAT:

1. Council waive Fees and Charges totalling \$5,306.80 applied to the Bowral Classic event relating to Section 138 of the Roads Act 1993, application and inspections; applications relating to community land and public roads; hire of park and oval.
2. Council refund Section 138 fees to Yaffa Media Pty Ltd (Ref Vanessa Burges) totalling \$1,042.02.
3. The proposal be placed on 28 Days' public notice following the Council Meeting.
4. A further report be brought back to Council outlining the economic benefit when actual spend data is available.

DECLARED CARRIED BY THE ADMINISTRATOR

9.22 Robertson Community Centre - Update

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

OFFICER'S RECOMMENDATION

THAT:

- 1. Council partners with the Robertson School of Arts Building Committee to complete upgrades on the Robertson School of Arts to improve the facilities functionality; and**
- 2. Council endorse the demolition of Robertson Community Centre.**

The Manager Assets introduced the item.

MN 2022/264

MOTION *moved by the Administrator*

THAT:

- 1. Council partners with the Robertson School of Arts Building Committee to complete upgrades on the Robertson School of Arts to improve the facilities' functionality; and**
- 2. Council endorse the demolition of Robertson Community Centre.**

DECLARED CARRIED BY THE ADMINISTRATOR

9.23 Waste Water Reticulation System Pipe Bursting Package Tender

Report Author: Senior Operational Program Engineer

Authoriser: Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT:

1. Council accepts the Tender for the wastewater reticulation system pipe bursting package 2022 as proposed by Killard Infrastructure at a lump sum price of \$1,107,864.00 inclusive of GST.
2. Council delegate authority to the General Manager to execute the contract and any other documentation to give effect to this resolution.

MN 2022/265

MOTION *moved by the Administrator*

THAT:

1. *Council accepts the Tender for the wastewater reticulation system pipe bursting package 2022 as proposed by Killard Infrastructure at a lump sum price of \$1,107,864.00 inclusive of GST.*
2. *Council delegate authority to the General Manager to execute the contract and any other documentation to give effect to this resolution.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.24 Australia Day Celebrations 2023

Report Author: Executive Assistant to Director Corporate Strategy and Resourcing

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council commence Australia Day with a Citizenship Ceremony, address by the Australia Day Ambassador and announcement of the Citizen and Young Citizen of the Year to be held at the Civic Centre
2. Council work closely with Berrima Courthouse Trust to honour the final year of the Deed of Agreement with Council having regard to the following:
 - a) The Berrima event includes locally based market and food stall providers
 - b) The Berrima event provides entertainment that is locally based

The General Manager introduced the item.

The Manager Governance and Corporate Performance addressed the meeting.

The Director Corporate Strategy and Resourcing addressed the meeting.

The General Manager tabled the attached Late Supplementary Report, Australia Day Celebrations 2023.

<https://www.wsc.nsw.gov.au/files/assets/public/council/meeting-minutes/2022/tabled-item-9.24-late-supplementary-report-australia-day-celebrations-2023-updated.pdf>

MN 2022/266

MOTION *moved by the Administrator*

THAT:

1. Council engage 'Experience Nature' and provide the funds allocated under the Australia Day budget allocation to the event.
2. The Citizenship Ceremony, including the announcement of the Citizen of the Year, take place at Berrima, with the Civic Centre to be used in the case of inclement weather.
3. Following this year's event, a review be undertaken in conjunction with local businesses, residents and Berrima Residents Association to inform a request for quotation for the future events in the Berrima Village.

4. A report be provided to Council no later than April 2023 setting out the review and brief for the conduct of the Australia Day Celebrations in Berrima Village.

DECLARED CARRIED BY THE ADMINISTRATOR

9.25 IPART Submission for the Review of the Rate Peg

Report Author: Chief Financial Officer

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council notes the submission to IPART on the Review of the Rate Peg.

The Chief Financial Officer introduced the item.

MN 2022/267

MOTION moved by the Administrator

THAT: *The officer's recommendation be adopted subject to a 2% increase over CPI being cumulative over a four-year term and Council's submission to IPART be amended accordingly.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.26 Formulating a 2% Efficiency Gain

Report Author: Chief Financial Officer

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council note the methodology and approach to developing and reporting an Efficiency Gain of up to 2% that will be incorporated into the draft 2023/24 Operational Plan and Budget as an efficiency gain.

The Chief Financial Officer introduced the item.

MN 2022/268

MOTION *moved by the Administrator*

THAT Council note the methodology and approach to developing and reporting an Efficiency Gain of up to 2% that will be incorporated into the draft 2023/24 Operational Plan and Budget as an efficiency gain.

DECLARED CARRIED BY THE ADMINISTRATOR

9.27 Kirkham Street Reconstruction Tender Evaluation

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

OFFICER'S RECOMMENDATION

THAT:

1. In accordance with Section 178 of the Local Government (General) Regulations 2021, Council rejects all tenders and delegates to the General Manager to enter into direct negotiations with suitable parties as outlined in this report with the view of entering into a contract for the Kirkham Street Reconstruction Works, Moss Vale on the basis that all tenders pricing materially exceeded the pre-tender cost estimates.
2. Council notes that re-tendering would generate similar responses received and provide no value to Council or tenderers.
3. Council notes that an internal probity officer will be appointed to oversee the negotiations.
4. Council delegates to the General Manager to execute a contract for the Kirkham Street Reconstruction Works, Moss Vale on the basis that the direct negotiations with a suitable party provide value for money for Council in accordance with Council's Procurement Policy.
5. Council notes the proposed funding strategy to supplement the Kirkham Street reconstruction.

MN 2022/269

MOTION moved by the Administrator

THAT:

1. *In accordance with Section 178 of the Local Government (General) Regulations 2021, Council rejects all tenders and delegates to the General Manager to enter into direct negotiations with suitable parties as outlined in this report with the view of entering into a contract for the Kirkham Street Reconstruction Works, Moss Vale on the basis that all tenders pricing materially exceeded the pre-tender cost estimates.*
2. *Council notes that re-tendering would generate similar responses received and provide no value to Council or tenderers.*
3. *Council notes that an internal probity officer will be appointed to oversee the negotiations.*
4. *Council delegates to the General Manager to execute a contract for the Kirkham Street Reconstruction Works, Moss Vale on the basis that the direct negotiations with a suitable party provide value for money for Council in accordance with Council's Procurement Policy.*
5. *Council notes the proposed funding strategy to supplement the Kirkham Street reconstruction.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.28 Kerb and Gutter Contributions Policy Repeal

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

OFFICER'S RECOMMENDATION

THAT Council repeals the Contribution to Footpath and Kerb/Gutter Policy.

The Manager Assets introduced the item.

MN 2022/270

MOTION *moved by the Administrator*

THAT Council repeals the Contribution to Footpath and Kerb/Gutter Policy.

DECLARED CARRIED BY THE ADMINISTRATOR

10 MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 6.27pm