

MINUTES

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

Wednesday 17 August 2022

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

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**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 17 AUGUST 2022**

**MINUTES OF THE ORDINARY MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN
COUNCIL CHAMBERS, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON WEDNESDAY 17
AUGUST 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
	Acting Director Communities and Place	Mr John McFadden
	Director Service and Project Delivery	Ms Karin Targa
	Executive Manager Strategic Outcomes	Mr Michael Park
	Executive Manager People and Culture	Ms Sally Sammut
	Group Manager Corporate and Community	Ms Danielle Lidgard
	Group Manager Capital Projects	Mr Ned Tripkovic
	Chief Financial Officer	Mr Pav Kuzmanovski
	Chief Information Officer	Mr John Crawford
	Manager Shire Presentation	Mr Greg Bray
	Manager Assets	Mr Shaun Robinson
	Coordinator Media and Communications	Mr David Sommers
	Coordinator ICT Operations	Mr Ian Vong
	Governance Officer	Ms Michelle Gordon
	Governance Officer	Ms Olivia Nettleton

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:

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

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 Wingecaribee 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

MN 2022/170

MOTION moved by the Administrator

THAT the minutes of the Ordinary Meeting of Council held on Wednesday, 20 July 2022 MN2022/141 to MN2022/169 inclusive, be adopted as a correct record of the proceedings of the meeting

DECLARED CARRIED BY THE ADMINISTRATOR

6 DECLARATIONS OF INTEREST

The Administrator declared a less-than-significant non-pecuniary interest in Item 8.2 Planning Proposal for Heritage Protection Affecting 2-6 Myrtle Street, Bowral, And 26 Elizabeth Street, Moss Vale - Post Exhibition Report as his niece lives in Myrtle Street Bowral with husband however they do not own the property in which they reside.

He will not be absent from the Chambers for consideration of that item.

7 ADMINISTRATOR MINUTES

7.1 Community Update

Report Author: Administrator

<https://www.wsc.nsw.gov.au/files/assets/public/council/meeting-minutes/2022-administrator/a-minute-community-update-17-august.pdf>

Following a competitive process, it is advised that the General Manager has secured an experienced and highly qualified planner for the role of Director Communities and Place. The recruitment was facilitated by an independent facilitator.

As provided for under the NSW Office of Local Government Circular: 21-22 Updated guidance on the appointment and dismissal of senior staff (released 10 August 2021), the General Manager consulted me on 28 July 2022, of her intention to appoint a candidate into the role. Following this consultation, Adan Davis was formally offered the role and subsequently advised of his acceptance. Mr Davis has committed to arranging accommodation in the Shire during the working week.

This appointment will bring much needed permanent expertise to lead the planning area team. I table the Memo from the General Manager providing more details of the recruitment process and the appointments.

I wish to thank Mr Mc Fadden for his advice and assistance whilst in the acting Director Communities and Place.

It is becoming increasingly apparent that car parking requirements within the Bowral Town Centre are a significant impediment to new development, and to realising the ongoing revitalisation of the town centre. You only have to walk down Bong Bong Street to personally witness sites awaiting development – some for many years.

It is important for parking supply to continue to increase along with new development, however, there are a number of ways that this can be achieved. It is my view, that the current system in Bowral, which requires all parking for a new development to be provided on-site, is unnecessarily restrictive and acts as a major impediment to new development, and to realising Council's objectives of providing a vibrant, and sustainable town centre.

No doubt the Bowral Town Centre Masterplan will address the question of parking; however, in reality the finalisation of that plan is twelve months away.

In the circumstances, I have asked the General Manager to explore options and report to the September meeting mechanisms that would allow a new development to pay a monetary contribution for any short fall in parking and that could be used to provide consolidated parking in the centre, rather than strictly requiring all parking on site. This would provide greater flexibility for new development, without undermining parking supply in the town centre, and would hopefully support Council's objectives of supporting appropriate development that contributes to a vibrant town centre.

In asking for advice, I make it very clear that any interim measure would require consultation with the community.

Viv May PSM

Administrator

<https://www.wsc.nsw.gov.au/files/assets/public/council/meeting-minutes/2022-administrator/20220808-appointment-of-director-communities-and-place.pdf>

MN 2022/171

MOTION *moved by the Administrator*

THAT *the minute be received and noted.*

DECLARED CARRIED BY THE ADMINISTRATOR

8 GENERAL MANAGER

8.1 Wingecarribee Integrated Transport Study - Tender

Report Author: Senior Strategic Land Use Planner

Authoriser: General Manager

RECOMMENDATION

THAT in relation to the call for tenders to prepare an Integrated Transport Strategy:

1. In accordance with Section 178 (3)(e) 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 with the view of entering into a contract for the development of an Integrated Transport Strategy on the basis that all tenders did not satisfactorily address the requirement set out in the tender specification.
2. Council delegates to the General Manager to execute a contract for the development of an Integrated Transport Strategy on the basis that the direct negotiations with a suitable party provide value for money for Council in accordance with Council's Procurement Policy.
3. Council notes that tenders received ranged from \$94,250.00 (LOWEST) to \$485,210.00 (HIGHEST).

The Executive Manager Strategic Outcomes introduced the item.

MN 2022/172

MOTION *moved by the Administrator*

THAT *in relation to the call for tenders to prepare an Integrated Transport Strategy:*

1. *In accordance with Section 178 (3)(e) 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 with the view of entering into a contract for the development of an Integrated Transport Strategy on the basis that all tenders did not satisfactorily address the requirement set out in the tender specification.*
2. *Council delegates to the General Manager to execute a contract for the development of an Integrated Transport Strategy on the basis that the direct negotiations with a suitable party provide value for money for Council in accordance with Council's Procurement Policy.*

3. *Council notes that tenders received ranged from \$94,250.00 (LOWEST) to \$485,210.00 HIGHEST).*
4. *A further report be provided to advise Council of the outcome of the General Managers negotiations.*

DECLARED CARRIED BY THE ADMINISTRATOR

8.2 Planning Proposal for Heritage Protection Affecting 2-6 Myrtle Street, Bowral, and 26 Elizabeth Street, Moss Vale - Post Exhibition Report

Report Author: Strategic Land Use Planner (Heritage)

Authoriser: Executive Manager Strategic Outcomes

OFFICER'S RECOMMENDATION

THAT:

1. The Planning Proposal to amend Wingecarribee Local Environmental Plan 2010 to add a new heritage item called “‘Karingal’ Interwar bungalow and garden including brick and trachyte fence” at 26 Elizabeth Street, Moss Vale (Lot 1 DP 986025 & Lot 110 DP 877316) into Part 1 of Schedule 5 (Heritage items) and shown coloured brown on the Heritage Map; and include 2-6 Myrtle Street and the adjacent part of Myrtle Street within the Bowral Conservation Area as shown outlined and hatched in red on the Heritage Map be endorsed.
2. The Planning Proposal be forwarded to the Department of Planning and Environment for completion.
3. The following amendments be made to the heritage inventory sheet for ‘Karingal’ at 26 Elizabeth Street, Moss Vale:
 - a. The description be updated to indicate that the property comprises two lots.
 - b. The references to the “small lot” from 2009 Heritage Survey be deleted, amended or qualified.
 - c. The history be updated to include details of the separate acquisition of the two lots.

The General Manager tabled a submission received in relation to item.

<https://www.wsc.nsw.gov.au/files/assets/public/council/meeting-minutes/2022/8.2-tabled-item.pdf>

The Executive Manager Strategic Outcomes introduced the item and also advised.

Notification of the Local Planning Panel and Ordinary Council meeting occurred in accordance with Council's standard procedures.

On Thursday the 28 July 2022, Council advised the land owner and their legal representatives of the Local Planning Panel meeting of 3 August 2022 as well as the Ordinary Council meeting of 17 August 2022.

The notification outlined the processes to make representation to the Local Planning Panel meeting and Ordinary Council meeting.

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The letter also sought for permission for the Local Planning Panel to assess the site on the morning of Local Planning Panel meeting.

Council received no response to the initial request, and on the morning of 1 August 2022, made a further request with the legal representative. Council were notified that permission to access the site was not given.

Therefore, the Panel members viewed the site from the street and adjoining properties. The panel were also given a detailed briefing by staff using a number of different visual aids, including aerial photos and historic photos of the property. The panel were satisfied that accessing the site was not required for them to provide advice to Council on the matter.

MN 2022/173

MOTION moved by the Administrator

THAT:

1. *The Planning Proposal to amend Wingecarribee Local Environmental Plan 2010 to add a new heritage item called “‘Karingal’ Interwar bungalow and garden including brick and trachyte fence” at 26 Elizabeth Street, Moss Vale (Lot 1 DP 986025 & Lot 110 DP 877316) into Part 1 of Schedule 5 (Heritage items) and shown coloured brown on the Heritage Map; and include 2-6 Myrtle Street and the adjacent part of Myrtle Street within the Bowral Conservation Area as shown outlined and hatched in red on the Heritage Map be endorsed.*
2. *The Planning Proposal be forwarded to the Department of Planning and Environment for completion.*
3. *The following amendments be made to the heritage inventory sheet for ‘Karingal’ at 26 Elizabeth Street, Moss Vale:*
 - a. *The description be updated to indicate that the property comprises two lots.*
 - b. *The references to the “small lot” from 2009 Heritage Survey be deleted, amended or qualified.*
 - c. *The history be updated to include details of the separate acquisition of the two lots.*

DECLARED CARRIED BY THE ADMINISTRATOR

8.3 Welby Garden Centre Planning Proposal - Post Exhibition

Report Author: Senior Strategic Land Use Planner

Authoriser: General Manager

OFFICER'S RECOMMENDATION

THAT:

1. The Planning Proposal to amend Wingecarribee Local Environmental Plan 2010 with regard to Schedule 1 Item 28, being Lots 1,2,3,8,9 & 10 Section 6 DP 759070, Lot 1 DP 1006005 & Lot 2 DP 1019107, Nos. 10 & 12-14 Old Hume Highway, Welby be endorsed; and
2. The Planning Proposal be finalised in accordance with s.3.36 of the *Environmental Planning & Assessment Act 1979*.

The Executive Manager Strategic Outcomes introduced the item.

MN 2022/174

MOTION moved by the Administrator

THAT:

1. *The Planning Proposal to amend Wingecarribee Local Environmental Plan 2010 with regard to Schedule 1 Item 28, being Lots 1,2,3,8,9 & 10 Section 6 DP 759070, Lot 1 DP 1006005 & Lot 2 DP 1019107, Nos. 10 & 12-14 Old Hume Highway, Welby be endorsed; and*
2. *The Planning Proposal be finalised in accordance with s.3.36 of the Environmental Planning & Assessment Act 1979.*

DECLARED CARRIED BY THE ADMINISTRATOR

9 REPORTS

9.1 Part 24 Greenhills Road, Berrima - Proposed Acquisition

Report Author: Property and Project Officer

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. The General Manager be delegated authority to negotiate with the owner of Lot 10 in Deposited Plan 242793 (being 24 Greenhills Road, Berrima) for the acquisition of part Lot 10 in Deposited Plan 242793 for the purpose of road AND THAT compensation be negotiated within 10% range of independent formal valuation.
2. 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* 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 of the land.
 - d.
3. Council affix the Common Seal of Council to any documents required to be sealed for the land referred to in Resolution 1 above AND THAT authority be delegated to the Mayor/Administrator and General Manager to execute those documents.
4. Authority be delegated to the Mayor/Administrator and General Manager to execute on behalf of Council any documents associated with the acquisition of the land referred to in Resolution 1 above that do not require the Common Seal of Council.
5. Upon acquisition the land be classified as Operational land.

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The Director Corporate Strategy and Resourcing introduced the item.

MN 2022/175

MOTION moved by the Administrator

THAT:

1. *The General Manager be delegated authority to negotiate with the owner of Lot 10 in Deposited Plan 242793 (being 24 Greenhills Road, Berrima) for the acquisition of part Lot 10 in Deposited Plan 242793 for the purpose of road AND THAT compensation be negotiated within 10% range of independent formal valuation.*
2. *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 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 of the land.*
 - d.
3. *Council affix the Common Seal of Council to any documents required to be sealed for the land referred to in Resolution 1 above AND THAT authority be delegated to the Mayor/Administrator and General Manager to execute those documents.*
4. *Authority be delegated to the Mayor/Administrator and General Manager to execute on behalf of Council any documents associated with the acquisition of the land referred to in Resolution 1 above that do not require the Common Seal of Council.*
5. *Upon acquisition the land be classified as Operational land.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.2 Grants Update

Report Author: Chief Financial Officer

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council receives and notes the report.

The General Manager introduced the item.

The Chief Financial Officer introduced the item.

The Director Services and Project Delivery addressed the meeting.

The General Manager addressed the meeting.

MN 2022/176

MOTION moved by the Administrator

THAT Council receives and notes the report.

DECLARED CARRIED BY THE ADMINISTRATOR

9.3 Bowral Memorial Hall - Status Update

Report Author: Group Manager Capital Projects

Authoriser: Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT:

1. Council note the status of the Bowral Memorial Hall Refurbishment project.
2. Council allocate an additional \$850,000 to fund the Bowral Memorial Hall Refurbishment project variations as outlined in the financial implications of this report.

The Group Manager Capital Projects introduced the item and presented photos of the Bowral Memorial Hall Refurbishment.

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

MN 2022/177

MOTION moved by the Administrator

THAT:

1. Council note the status of the Bowral Memorial Hall Refurbishment project.
2. Council allocate an additional \$850,000 to fund the Bowral Memorial Hall Refurbishment project variations as outlined in the financial implications of this report.

DECLARED CARRIED BY THE ADMINISTRATOR

9.4 Draft Feedback and Complaints Management Policy - Post Exhibition Report

Report Author: Corporate Strategy and Governance Officer

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council adopt the Feedback and Complaints Management Policy as placed on public exhibition.

The Group Manager Corporate & Community introduced the item.

MN 2022/178

MOTION moved by the Administrator

THAT Council adopt the Feedback and Complaints Management Policy as placed on public exhibition.

DECLARED CARRIED BY THE ADMINISTRATOR

9.5 Draft Managing Unreasonable Conduct by Complainants Policy - Post Exhibition Report

Report Author: Corporate Strategy and Governance Officer

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council adopt the Managing Unreasonable Conduct by Complainants Policy as placed on public exhibition.

The Group Manager Corporate & Community introduced the item.

MN 2022/179

MOTION moved by the Administrator

THAT Council adopt the Managing Unreasonable Conduct by Complainants Policy as placed on public exhibition.

DECLARED CARRIED BY THE ADMINISTRATOR

9.6 Investment Report - July 2022

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

OFFICER'S RECOMMENDATION

THAT:

1. Council receives and notes this Investment report as at 31 July 2022.
2. Council notes the feedback to the updated Cash Investment Policy.
3. Council adopts the updated Cash Investment Policy.

The Chief Financial Officer introduced the item.

MN 2022/180

MOTION *moved by the Administrator*

THAT:

1. Council receives and notes this Investment report as at 31 July 2022.
2. Council notes the feedback to the updated Cash Investment Policy.
3. Council adopts the updated Cash Investment Policy.

DECLARED CARRIED BY THE ADMINISTRATOR

9.7 Draft Procurement Policy - Post Exhibition Report

Report Author: Chief Financial Officer

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council adopts the Procurement Policy.

The Chief Financial Officer introduced the item.

MN 2022/181

MOTION *moved by the Administrator*

THAT Council adopts the Procurement Policy.

DECLARED CARRIED BY THE ADMINISTRATOR

9.8 Code of Conduct - Appointment of Review Panel

Report Author: Group Manager Corporate and Community

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council accept the recommendations of the Canberra Regional Joint Organisation and appoints the following Panel of Code of Conduct Reviewers for the period of 1 September 2022 to 30 June 2026:

- Australian Workplace Training & Investigation
- BAL Lawyers
- BDO Services
- Centium Pty Ltd
- Local Government Legal
- Maddocks
- McCullough Robertson Lawyers
- Mediate Today Pty Ltd
- Nemesis Consultancy Group
- O'Connor Marsden and Associates Pty Ltd
- Pendlebury Work Place Solutions
- RSM
- Sinc Solutions Pty Ltd
- Train Reaction Pty Ltd
- Weir Consulting (National)
- Winton Consulting Pty Ltd
- Wise Workplace
- Workdynamic Australia

The Group Manager Corporate & Community introduced the item.

MN 2022/182

MOTION moved by the Administrator

THAT:

1. Council accept the recommendations of the Canberra Regional Joint Organisation with the exception of Sinc Solutions Pty Ltd due to possible perception of conflict as the principle of the company is the nominated facilitator of the General Managers Performance review.
2. Council appoints the following Panel of Code of Conduct Reviewers for the period of 1 September 2022 to 30 June 2026:
 - Australian Workplace Training & Investigation
 - BAL Lawyers

- *BDO Services*
- *Centium Pty Ltd*
- *Local Government Legal*
- *Maddocks*
- *McCullough Robertson Lawyers*
- *Mediate Today Pty Ltd*
- *Nemesis Consultancy Group*
- *O'Connor Marsden and Associates Pty Ltd*
- *Pendlebury Work Place Solutions*
- *RSM*
- *Train Reaction Pty Ltd*
- *Weir Consulting (National)*
- *Winton Consulting Pty Ltd*
- *Wise Workplace*
- *Workdynamic Australia*

DECLARED CARRIED BY THE ADMINISTRATOR

9.9 Meryla Road, Bowral - Proposed Road Closure

Report Author: Property and Project Officer

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council endorse the application for closure of Meryla Road, Bowral.
2. Council give a minimum twenty eight (28) days public notice of its intention to close the Council road reserve referred to in Resolution 1 above AND THAT if any objections are received, a further report be forwarded to a future ordinary meeting of Council for determination.
3. If there are no objections received by Council during the period of public exhibition, that pursuant to Part 4 Division 3 of the Road Act 1993, Council as roads authority formally approve the closure of the road reserve referred to in Resolution 1 above and that upon closure the newly created lot will be classified as Operational Land pursuant to the *Local Government Act, 1993*.
4. The General Manager and 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 Resolution 1 above.
5. Authority be delegated to the General Manager to execute on behalf of Council any other document associated with the road closure referred to in Resolution 1 above which does not require the affixing of the Common Seal of Council.

The Director Corporate Strategy and Resourcing introduced the item.

MN 2022/183

MOTION *moved by the Administrator*

THAT:

1. *Council endorse the application for closure of Meryla Road, Bowral.*
2. *Council give a minimum twenty eight (28) days public notice of its intention to close the Council road reserve referred to in Resolution 1 above AND THAT if any objections are received, a further report be forwarded to a future ordinary meeting of Council for determination.*
3. *If there are no objections received by Council during the period of public exhibition, that pursuant to Part 4 Division 3 of the Road Act 1993, Council as roads authority formally approve the closure of the road reserve referred to in Resolution 1 above and that upon closure the newly created lot will be classified as Operational Land pursuant to the Local Government Act, 1993.*

4. *The General Manager and 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 Resolution 1 above.*
5. *Authority be delegated to the General Manager to execute on behalf of Council any other document associated with the road closure referred to in Resolution 1 above which does not require the affixing of the Common Seal of Council.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.10 Station Street Pavement Rehabilitation - Tender Report T-2022-14

Report Author: Group Manager Capital Projects

Authoriser: Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT:

1. Council accepts the Tender for T- 2022-14 at a lump sum price of \$2,437,744.58 (including GST) for the Station Street pavement rehabilitation project;
2. Council notes the tenders received ranged from \$2,437,744.58 to \$4,353,585.10 (including GST); and
3. Council delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.

The Manager Project Delivery introduced the item.

MN 2022/184

MOTION *moved by the Administrator*

THAT:

1. *Council accepts the Tender from Nace Civil Engineering Pty Ltd for T- 2022-14 at a lump sum price of \$2,437,744.58 (including GST) for the Station Street pavement rehabilitation project;*
2. *Council notes the tenders received ranged from \$2,437,744.58 to \$4,353,585.10 (including GST); and*
3. *Council delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.11 2021/22 Budget - Proposed Expenditure Revotes

Report Author: Management Accountant (Budget)
Authoriser: Director Corporate Strategy and Resourcing

RECOMMENDATION

THAT:

1. Council approve the list of expenditure revotes from the 2021/22 budget as shown in Attachments 1,2 and 3 totalling \$17,254,212, to the 2022/23 budget to allow completion of planned works.
2. Council approve the list of expenditure revotes from the 2021/22 budget as shown in Attachments 1, 2 and 3 totalling \$2,494,751, to the 2023/24 budget to allow completion of planned works.

The Chief Financial Officer introduced the item.

The Director Services and Project Delivery addressed the meeting.

MN 2022/185

MOTION moved by the Administrator

THAT:

1. Council approve the list of expenditure revotes from the 2021/22 budget as shown in Attachments 1,2 and 3 totalling \$17,254,212, to the 2022/23 budget to allow completion of planned works.
2. Council approve the list of expenditure revotes from the 2021/22 budget as shown in Attachments 1, 2 and 3 totalling \$2,494,751, to the 2023/24 budget to allow completion of planned works.

DECLARED CARRIED BY THE ADMINISTRATOR

9.12 Mittagong War Memorial Clock Tower and Winifred West Park - Conservation Management Plans

Report Author: Recreational Planner

Authoriser: Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT:

1. Council adopt the Draft Conservation Management Plan for the Mittagong War Memorial Clock Tower.
2. Council adopt the Draft Conservation Management Plan for Winifred West Park.

The Manager Assets introduced the item.

MN 2022/186

MOTION *moved by the Administrator*

THAT:

1. *Council adopt the Draft Conservation Management Plan for the Mittagong War Memorial Clock Tower.*
2. *Council adopt the Draft Conservation Management Plan for Winifred West Park.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.13 Quarterly Progress Report for End June 2022

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

OFFICER'S RECOMMENDATION

THAT the Quarterly Progress Report on the Delivery Program and Operational Plan for the period ended June 2022 in Attachment 1 be noted.

The General Manager introduced the item.

The Group Manager Corporate & Community introduced the item.

MN 2022/187

MOTION *moved by the Administrator*

THAT the Quarterly Progress Report on the Delivery Program and Operational Plan for the period ended June 2022 in Attachment 1 be noted.

DECLARED CARRIED BY THE ADMINISTRATOR

9.14 Corporate Applications Review

Report Author: Chief Financial Officer

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. That Council receives and notes the report.
2. In accordance with Section 55(3)(i) of the Local Government Act 1993, Council delegate to the General Manager the authority to negotiate directly with Technology One and enter into a contract with Technology One (subject to appropriate terms and conditions) for the provision of an integrated software solution as SaaS platform (as outlined in this report) for the following extenuating circumstances:
 - a. lack of other local government integrated software solution with Council's existing core systems;
 - b. leveraging existing system capabilities in the Technology One solution;
 - c. the cost and time burden of proceeding to tender to make a similar assessment for a similar or inferior financial outcome.
3. A further report be provided to advise Council on the outcomes of the negotiations with Technology One.

The Chief Information Officer introduced the item.

MN 2022/188

MOTION *moved by the Administrator*

THAT:

1. *That Council receives and notes the report.*
2. *In accordance with Section 55(3)(i) of the Local Government Act 1993, Council delegate to the General Manager the authority to negotiate directly with Technology One and enter into a contract with Technology One (subject to appropriate terms and conditions) for the provision of an integrated software solution as SaaS platform (as outlined in this report) for the following extenuating circumstances:*
 - a. lack of other local government integrated software solution with Council's existing core systems;*
 - b. leveraging existing system capabilities in the Technology One solution;*
 - c. the cost and time burden of proceeding to tender to make a similar assessment for a similar or inferior financial outcome.*

3. *A further report be provided to advise Council on the outcomes of the negotiations with Technology One.*
4. *The General Manager appoint an external probity advisor to oversee the negotiations.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.15 Local Government Recovery Grants Program - Funding Application

Report Author: Manager Open Space, Recreation & Building Maintenance

Authoriser: Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT:

1. Council support roadside drainage restoration as the priority project/program of works funded by the Local Government Recovery Grants Program, to the value of \$1,550,000.
2. Council support purchase of emergency response trailers to assist in response to natural disaster for road closures, barriers around hazards and remote sign supply, to the value of \$100,000.
3. Council support flood proofing the Bong Bong Cycleway in Burradoo, to the value of \$350,000;
4. Council formally endorses its application under the Local Government Recovery Grants Program - Disaster Recovery Funding Arrangements Category D for a funding amount up to \$2,000,000 (Excluding GST).
5. Council write to both State and Federal Members to thank them for the support received under the Governments funding programs to assist with the recovery from these recent storms and flood events.

The Manager Shire Presentation introduced the item.

MN 2022/189

MOTION moved by the Administrator

THAT:

1. *Council support roadside drainage restoration as the priority project/program of works funded by the Local Government Recovery Grants Program, to the value of \$1,550,000.*
2. *Council support purchase of emergency response trailers to assist in response to natural disaster for road closures, barriers around hazards and remote sign supply, to the value of \$100,000.*
3. *Council support flood proofing the Bong Bong Cycleway in Burradoo, to the value of \$350,000;*
4. *Council formally endorses its application under the Local Government Recovery Grants Program - Disaster Recovery Funding Arrangements Category D for a funding amount up to \$2,000,000 (Excluding GST).*

5. *Council write to both State and Federal Members to thank them for the support received under the Governments funding programs to assist with the recovery from these recent storms and flood events.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.16 Country Mayors Association of New South Wales - Minutes

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

Authoriser: General Manager

OFFICER'S RECOMMENDATION

THAT the Minutes from the Country Mayors Association meeting be noted.

The Administrator advised that together with the General Manager he also attended the Rural Skills Forum organised by the Country Mayors Associations in Sydney on 4 August 2022.

The Administrator also advised the he was proposing to attend a Forum in Wollongong on 19 August 2022 organised by The Hon. Stephen Jones MP, Assistant Treasurer, Minister for Financial Services and Member for Whitlam where there will be an opportunity to convey accountable solutions on workplace concerns prior to the Jobs and Skills Summit in early September in Canberra.

MN 2022/190

MOTION moved by the Administrator

THAT the Minutes from the Country Mayors Association meeting be noted.

DECLARED CARRIED BY THE ADMINISTRATOR

MN 2022/191

MOTION moved by the Administrator

THAT:

- 1. Standing Orders be suspended in order to consider one supplementary item.***
- 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:***
 - Moss Vale Plastics Recycling Facility - Community Update***

DECLARED CARRIED BY THE ADMINISTRATOR

9.17 Moss Vale Plastics Recycling Facility - Community Update

Report Author: Executive Manager Strategic Outcomes

Authoriser: General Manager

OFFICER'S RECOMMENDATION

THAT:

1. The report on the proposed Moss Vale Plastics Recycling Facility be received for information.
2. Council note the outcome/s of the Social Impact Assessment will be critical to understand before it can provide it can consider the applicant's request to enter into a Voluntary Planning Agreement and request for further information on water and sewer modelling.
3. That a copy of this report be sent to all residents who made a submission to Council on the proposed development as well as both State Members.

The Executive Manager Strategic Outcomes introduced the item.

MN 2022/192

MOTION moved by the Administrator

THAT:

1. *The report on the proposed Moss Vale Plastics Recycling Facility be received for information.*
2. *Council note the outcome/s of the Social Impact Assessment will be critical to understand before it can provide it can consider the applicant's request to enter into a Voluntary Planning Agreement and request for further information on water and sewer modelling.*
3. *That a copy of this report be sent to all residents who made a submission to Council on the proposed development as well as both State Members.*

DECLARED CARRIED BY THE ADMINISTRATOR

MN 2022/193

MOTION moved by the Administrator

THAT Standing Orders be resumed.

DECLARED CARRIED BY THE ADMINISTRATOR

10 MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 4:46 pm