

MINUTES

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

Wednesday 21 September 2022

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

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 SEPTEMBER 2022**

1	OPENING OF THE MEETING	4
2	ACKNOWLEDGEMENT OF COUNTRY	4
3	STATEMENT OF ETHICAL OBLIGATIONS	5
4	APOLOGIES	6
5	ADOPTION OF MINUTES OF PREVIOUS MEETING	6
6	DECLARATIONS OF INTEREST	6
7	ADMINISTRATOR MINUTES	7
	7.1 General Managers Review	7
8	GENERAL MANAGER	10
	8.1 NSW Public Spaces Charter - Signatory Application	10
	8.2 Planning Proposal (PP-2022-1055) To Amend Clause 7.2 - Requirements For Subdividing Dual Occupancies In Zones R2 And B1 - Post Exhibition Report .	11
	8.3 Planning Proposal (PP-2022-933) To Amend The Minimum Lot Size Of Certain Land At Villiers & Hill Roads Moss Vale - Post Exhibition Report.....	13
	8.4 Planning Proposal (PP-2022-1417) To Enable A 3-Lot Subdivision At 12-22 Oldbury Street Moss Vale	14
	8.5 South East And Tablelands Regional Plan	15
	8.6 Bowral Car Parking Contributions Scheme	17
9	REPORTS	18
	9.1 Committee Advisory Committee Structure And Section 355 (Facility Management) Review - Community Engagement Outcomes	18
	9.2 Bowral Memorial Hall Renaming Proposal - Outcome Of Survey	20
	9.3 Renwick Community Centre - Result Of Expression Of Interest For Lease Space	21
	9.4 Draft Former Employees Dealing With Council Policy For Public Exhibition	22

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 SEPTEMBER 2022**

9.5 Draft Assessment Of Development Applications Involving Conflict Of Interest Policy - For Public Exhibition.....	23
9.6 Community Engagement Strategy And Community Strategic Plan - Review Approach	24
9.7 2021/22 Draft Financial Statements	25
9.8 Part 25 Shierlaw Road, Robertson And Part 392 Belmore Road Robertson - Proposed Acquisition.....	28
9.9 Southern Regional Livestock Exchange (SRLX) - Expression Of Interest.....	30
9.10 Festival Of Lights December 2022	31
9.11 Southern Highlands Regional Animal Shelter And Moss Vale Branch SES Update.....	33
9.12 Revolving Energy Fund Annual Report.....	34
9.13 Investment Report - August 2022.....	35
9.14 Permanent Road Closure And Road Lease Policy For Adoption.....	36
9.15 Werai Pump Station & Balance Tank - Tender Report.....	37
9.16 Waste Strategy And Kerbside Waste Collection Documentation Contract	39
9.17 Partnership With The 4K For Development Of An Inclusive Playspace.....	40
9.18 Electricity Market And Electricity Supply Contract Procurement Update	41
9.19 Council Resolutions - Status Update.....	43
9.20 Canberra Region Joint Organisation Board Meeting Minutes	44
10 MEETING CLOSURE	45

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 SEPTEMBER 2022**

**MINUTES OF THE ORDINARY MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN
COUNCIL CHAMBERS, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON WEDNESDAY 21
SEPTEMBER 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 Aden Davis
	Acting Director Service and Project Delivery	Mr Ned Tripkovic
	Executive Manager Strategic Outcomes	Mr Michael Park
	Executive Manager People and Culture	Ms Sally Sammut
	Group Manager Corporate and Community	Ms Danielle Lidgard
	Chief Financial Officer	Mr Pav Kuzmanovski
	Chief Information Officer	Mr John Crawford
	Manager Assets	Mr Shaun Robinson
	Manager Environment and Sustainability	Mr Barry Arthur
	Coordinator Property Services	Ms Mandy McCullagh
	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 will open the meeting.

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 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 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.”

CIVIC ACKNOWLEDGEMENT

The past few weeks at the International, National and Local level has seen some sad and tragic events.

Vale Queen Elizabeth II

The Administrator addressed the meeting in relation to the passing of The Queen Elizabeth the II.

Most Australians have only lived under one Sovereign and the most recent census data has showed in the Wingecarribee, 21% of the Shire’s residents are over 70.

The passing of The Queen Elizabeth II is mourned with profound sadness, respect and gratitude for her selfless service.

I would ask that for a Local Civic acknowledgement to a remarkable life, that all in the Chamber rise in observing a minute’s silence.

At this point the Chamber observed a minute’s silence.

Buxton Tragedy

The Administrator addressed the meeting in relation to the Buxton Tragedy.

A heartbreaking tragedy occurred on the evening of the 6 September, when 5 young residents from villages just of the North of our Shire lost their lives in a horror crash.

The site of the incident was within the boundary of Wingecarribee Shire Council and large number of flower’s, notes and other expressions of grief have been left at the site.

Council has been liaising with the State Member for Wollondilly, Wollondilly Shire Council and Picton High School Principal and at an appropriate time with the above, will liaise with families. In the meantime, with the assistance with the Red Cross the Memorial will be respectfully cleared and stored for future decisions.

My heart goes out to those who were so quickly on the scene, and words can’t describe the impact of this tragedy on so many people.

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 SEPTEMBER 2022**

I would ask all in the Chamber to join with me in a minute silence for Lily Van De Putte, Summer Williams, Gabby McLennan, Tyrese Bechard and Antonio Desisto.

At this point the Chamber observed a minute's silence.

The late Velma Mulcahy OAM

The Administrator addressed the meeting in relation to the passing of local Aboriginal Elder, Velma Mulcahy OAM.

I joined the family and friends of the late Velma Mulcahy OAM to celebrate her life at St Andrews, Catholic Church Little Bay, following her passing on the 22 August 2022 at her home in Mittagong.

Aunty Val was a highly respected and listened to Elder in our indigenous community, who lived a full and rich life and whose wisdom will be sadly missed.

A local memorial service will be held on 15 October between 10am and 12pm at the Aboriginal Cultural Centre on Rainbow Rd, Mittagong.

I would ask all in the Chamber to join with me in a minute silence for Velma Mulcahy OAM.

At this point the Chamber observed a minute's silence.

4 APOLOGIES

Nil

5 ADOPTION OF MINUTES OF PREVIOUS MEETING

MN 2022/194

MOTION moved by Administrator

THAT the minutes of the Ordinary Meeting of Council held on Wednesday, 17 August 2022 MN2022/170 to MN2022/193 inclusive, be adopted as a correct record of the proceedings of the meeting.

DECLARED CARRIED BY THE ADMINISTRATOR

6 DECLARATIONS OF INTEREST

Nil

7 ADMINISTRATOR MINUTES

7.1 General Managers Review

Report Author: Administrator

<https://www.wsc.nsw.gov.au/files/assets/public/council/meeting-minutes/2022/a-minute/administrator-minute-general-managers-review.pdf>

In accordance with the General Manager's Contract of Employment and the Office of Local Government Guidelines for the Appointment and Oversight of the General Manager, the Performance Review process for July 2021 to June 2022, has been completed.

It was previously determined by Council that the General Manager's Review Panel would comprise the Administrator along with the two Independent Persons who were on the initial recruitment and selection panel for the General Manager in April 2021. Further, the General Manager did not nominate any other person and was satisfied with the make-up of the Panel. The Panel was established and comprised the following representatives:

Administrator

Independent, Ms Kelli Hayes

Independent, Ms Christine Hawkins AM

Ms Kath Roach, of SINC Solutions facilitated the review.

This report is to inform Council on the outcome of the review.

As part of the review process, on 19 August 2022 the General Manager completed a self-assessment. The facilitator provided the General Manager's completed self-assessment to the Performance Review Panel Members and two Directors along with a former Director who ceased work with Council on 30 June 2022. The facilitator obtained information/feedback relative to the performance review from the three (3) Directors.

The Panel met on 2 September 2022 and undertook the review process in accordance with the Guidelines and the General Manager also made an excellent presentation to the Panel. The Panel subsequently provided scores and comment against the General Manager's self-assessment of the three (3) Parts of the Performance Review including the Managerial Objectives and Specific Responsibilities; Project Objectives and Agreed Priority Projects; and Personal and Professional Leadership Behaviours.

In brief, the General Manager:

had an overall performance which was determined by the Performance Review Panel to be "highly effective" for each of the three (3) Parts of the Performance Assessment.

was recognised for the significant work undertaken across the organisation including the responsibilities associated with the Public Inquiry and natural disasters which were unknown at the time of the setting of the performance objectives.

had established an Executive Leadership team which stabilised the workforce but was operating in a tight labour market which impacted ongoing recruitment.

was recognised for making strong attempts to improve and promote a positive image of the organisation including the Executive Listening tour.

had achieved over 50% reduction in revotes from the previous year.

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 SEPTEMBER 2022**

continued to lead in an effective manner during an ongoing state of uncertainty.

was always working for the best interests of the community and demonstrated ongoing and effective engagement with the Administrator.

Separately, the Directors and the former Director indicated areas where they held some concerns around finalisation of the organisation structure including ongoing recruitment, and prioritisation of tasks. They highlighted that the projects, in the main, were on track and that they have confidence in the General Manager in leading the organisation in the best interests of the community.

Having completed the review, the Panel concluded that the General Manager is highly effective (consistent achievements and often exceeds goals) in all three (3) parts of the performance areas.

Residents should be under no illusion as to the complexity of returning to the Shire to a Council that can be respected, trusted and consistent. Added to that challenge is the demands during the period under review by virtue placed on the General Manager and staff by the Public Inquiry.

The General Manager should be very proud of how she led an organisation under the microscope while ensuring day to day functions were maintained. In my view some sought to destabilise the administration and myself during the Inquiry and Commissioner Glover's Report deals with such matters at length.

As a result of the Notice of the Inquiry and Call for Submissions, more than 120 initial submissions were received resulting in substantial information being sought from the Council, and during the course of the Inquiry more information was summoned as a result of the giving of evidence and cross examination. All contact with Council was by formal summons resulting in over 25,000 pages of certified information being submitted to the Inquiry.

Many legacy issues remain that impact on Councils overall performance, and I am satisfied and can assure residents that all issues have been prioritised and are being addressed.

Together with the Panel and the General Manager, I am working to finalise the Performance Agreement for the 2022/23 year and will report same to Council at the November meeting in line with my transparency commitments whilst acknowledging my obligations under relevant Acts.

The Office of Local Government on 31 August 2022 issued a circular detailing new standard contracts of employment for general managers basically resulting from recommendations arising from the investigation of the former Canterbury City Council.

The guidelines include guidance that a general manager's performance agreement include indicators related to the promotion of an ethical culture and guidance on the importance of good working relationships between councils and general managers.

The new arrangements permit existing contracts to be varied by agreement, and I am taking advice and liaising with the General Manager and SINC Solutions to ensure the best interest of all parties and will further advise in this regard.

It is worth noting that despite my best endeavours, I have been unable to find any reference in Council minutes (even within closed session) to reporting of previous General Managers' Performance Reviews for six years.

MN 2022/195

MOTION *moved by the Administrator*

THAT Council:

- 1. Receive and note the General Manager Performance Review Panel's Report.**
- 2. Note the General Manager's performance for the review period as determined by the Panel was 'highly effective' in all three (3) Performance Categories.**

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 SEPTEMBER 2022**

3. *Effect an increase to the General Manager's Total Remuneration Package of \$10,000 as agreed during the recruitment process in 2021 upon completion of a satisfactory performance review in 2022.*
4. *Authorise the Administrator to finalise and sign all relevant documentation as required.*

DECLARED CARRIED BY THE ADMINISTRATOR

8 GENERAL MANAGER

8.1 NSW Public Spaces Charter - Signatory Application

Report Author: Strategic Land Use Planner

Authoriser: General Manager

OFFICER'S RECOMMENDATION

THAT:

1. Council endorse the proposal to become a signatory to the NSW Public Spaces Charter.
2. The General Manager sign the NSW Public Spaces Charter under the current delegations.

The Executive Manager Strategic Outcomes introduced the item.

MN 2022/196

MOTION moved by the Administrator

THAT:

1. Council endorse the proposal to become a signatory to the NSW Public Spaces Charter.
2. The General Manager sign the NSW Public Spaces Charter under the current delegations.

DECLARED CARRIED BY THE ADMINISTRATOR

8.2 Planning Proposal (PP-2022-1055) to Amend Clause 7.2 - Requirements for Subdividing Dual Occupancies in Zones R2 and B1 - Post Exhibition Report

Report Author: Senior Strategic Land Use Planner
Authoriser: General Manager

OFFICER'S RECOMMENDATION

1. **THAT** the Planning Proposal to amend clause 7.2 of Wingecarribee Local Environmental Plan 2010 to the following wording be endorsed, and
2. **THAT** 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 2022/197

MOTION moved by the Administrator

THAT:

1. The Planning Proposal to amend clause 7.2 of Wingecarribee Local Environmental Plan 2010 to the following wording be endorsed,

7.2 Requirements for subdividing dual occupancies in Zones R2 and R3

- i. The objectives of this clause are as follows –*
 - a. to provide opportunities for housing on smaller lots in suitable locations on land in Zone R2 Low Density Residential and Zone R3 Medium Density Residential,*
 - b. to protect the heritage significance of the historic village of Berrima.*
- ii. Despite any other provision of this Plan, development consent may be granted for the subdivision of a lawfully erected dual occupancy in Zone R2 Low Density Residential and Zone R3 Medium Density Residential, where the development –*
 - a. is on a corner allotment of not less than 1,000 square metres, and*
 - b. has access to a reticulated town water supply and sewerage system.*
- iii. Despite subclause (2), development consent must not be granted for the subdivision of a lawfully erected dual occupancy if the land is located within the Berrima Conservation Area as shown on the Heritage Map.*

- 2. The Planning Proposal be finalised in accordance with s.3.36 of the Environmental Planning & Assessment Act 1979.*

DECLARED CARRIED BY THE ADMINISTRATOR

8.3 Planning Proposal (PP-2022-933) to Amend the Minimum Lot Size of Certain Land at Villiers & Hill Roads Moss Vale - Post Exhibition Report

Report Author: Senior Strategic Land Use Planner

Authoriser: General Manager

OFFICER'S RECOMMENDATION

1. **THAT** the Planning Proposal to amend Wingecarribee Local Environmental Plan 2010 to reduce the minimum lot size provisions for land at Villiers Road and Hill Road Moss Vale from 8,000m² to 2,000m² be endorsed; and
2. **THAT** 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 2022/198

MOTION moved by the Administrator

THAT:

1. *The Planning Proposal to amend Wingecarribee Local Environmental Plan 2010 to reduce the minimum lot size provisions for land at Villiers Road and Hill Road Moss Vale from 8,000m² to 2,000m² 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

8.4 Planning Proposal (PP-2022-1417) to Enable a 3-Lot Subdivision at 12-22 Oldbury Street Moss Vale

Report Author: Senior Strategic Land Use Planner

Authoriser: Executive Manager Strategic Outcomes

OFFICER'S RECOMMENDATION

THAT the Planning Proposal to amend Wingecarribee Local Environmental Plan 2010 to amend the minimum lot size for land at 12-22 Oldbury Street Berrima from 1 hectare to 4,000m² to enable re-subdivision of the land into a total of three (3) separate allotments **NOT BE SUPPORTED.**

The Executive Manager Strategic Outcomes introduced the item.

MN 2022/199

MOTION moved by the Administrator

THAT the Planning Proposal to amend Wingecarribee Local Environmental Plan 2010 to amend the minimum lot size for land at 12-22 Oldbury Street Berrima from 1 hectare to 4,000m² to enable re-subdivision of the land into a total of three (3) separate allotments **NOT BE SUPPORTED.**

DECLARED CARRIED BY THE ADMINISTRATOR

8.5 South East and Tablelands Regional Plan

Report Author: Executive Manager Strategic Outcomes

Authoriser: General Manager

OFFICER'S RECOMMENDATION

THAT:

1. Council receive and note the report on the draft South East and Tablelands Regional Plan.
2. Council's submission on the draft South East and Tablelands Regional Plan will be based on the key matters outlined in this report and in particular expressing the significant concerns in relation to the dwelling numbers proposed in the draft Plan, which do not appear to be evidence based and have the potential to undermine the adopted Wingecarribee Shire Local Housing Strategy and community confidence in the planning system.
3. Council's submission on the draft South East and Tablelands Regional Plan will be tabled at the Ordinary Meeting of Council on 21 September 2022.

The Executive Manager Strategic Outcomes introduced the item.

The Executive Manager Strategic Outcomes tabled the items below.

https://www.wsc.nsw.gov.au/files/assets/public/council/meeting-minutes/2022/taled-item-8.5-a_2.pdf

<https://www.wsc.nsw.gov.au/files/assets/public/council/meeting-minutes/2022/taled-item-8.5-b.pdf>

MN 2022/200

MOTION moved by the Administrator

THAT:

1. Council receive and note the report on the draft South East and Tablelands Regional Plan.
2. Council's submission on the draft South East and Tablelands Regional Plan will be based on the key matters outlined in this report and in particular expressing the significant concerns in relation to the dwelling numbers proposed in the draft Plan, which do not appear to be evidence based and have the potential to undermine the adopted Wingecarribee Shire Local Housing Strategy and community confidence in the planning system.

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 SEPTEMBER 2022**

3. *Council's submission on the draft South East and Tablelands Regional Plan will be tabled at the Ordinary Meeting of Council on 21 September 2022.*
4. *Council reaffirm its commitment to the Wingecarribee Local Housing Strategy that provides an evidence based framework to meet the housing needs of the local community, and oppose / not support any spot rezoning of rural lands that could undermine the Local Housing Strategy.*

DECLARED CARRIED BY THE ADMINISTRATOR

8.6 Bowral Car Parking Contributions Scheme

Report Author: Executive Manager Strategic Outcomes

Authoriser: General Manager

OFFICER'S RECOMMENDATION

THAT:

1. Council prepare a template Voluntary Planning Agreement for car parking contributions in the Bowral town centre, that will allow new development to pay a monetary contribution in lieu of providing car parking on site.
2. The template Voluntary Planning Agreement for car parking contributions in the Bowral town centre be reported to Council with a defined car parking contribution rate prior to public exhibition.
3. Council prepare complimentary amendments to the Bowral Township Development Control Plan to give effect to the proposed car parking contributions scheme.
4. Council undertake consultation with land and business owners in the Bowral town centre.

The Executive Manager Strategic Outcomes introduced the item.

MN 2022/201

MOTION moved by the Administrator

THAT:

1. *Council prepare a template Voluntary Planning Agreement for car parking contributions in the Bowral town centre, that will allow new development to pay a monetary contribution in lieu of providing car parking on site.*
2. *The template Voluntary Planning Agreement for car parking contributions in the Bowral town centre be reported to Council with a defined car parking contribution rate prior to public exhibition.*
3. *Council prepare complimentary amendments to the Bowral Township Development Control Plan to give effect to the proposed car parking contributions scheme.*
4. *Council undertake consultation with land and business owners in the Bowral town centre.*

DECLARED CARRIED BY THE ADMINISTRATOR

9 REPORTS

9.1 Committee Advisory Committee Structure and Section 355 (Facility Management) Review - Community Engagement Outcomes

Report Author: Group Manager Corporate and Community

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council adopt the engagement structure as detailed in Attachment 1 to this report 'Review of Community Advisory and Section 355 Committees' comprising the following four (4) strategically focused Community Reference Panels supported by Action and Working Groups:
 - Climate Change and Environment
 - Community
 - Sport, Recreation & Leisure
 - Economy
2. Council endorse the draft model 'Terms of Reference' for the Community Reference Panels included in Attachment 1, Appendix B of this report
3. Council commence a trial of a revised model of volunteer involvement in Community Facility Management with the Canyonleigh Section 355 (Community Facility Management) Committees for a period of 12 months as outlined in Attachment 1 to this report.
4. A further report tabled to Council on the findings of the trial with Canyonleigh Section 355 (Community Facility Management) Committee.

Mr David Ackroyd, Consultant introduced the item.

MN 2022/202

MOTION moved by the Administrator

THAT:

1. Council amend Table 9 – 'Community Reference Panels – Informal Strategies' to read as follows:
 - 4 x Panels of between 9 - 12 community representatives
 - Staff member to chair
 - Formal quarterly meetings
 - Supported and minuted by Council staff

- 2. Council amend the Proposed Structure section 2.1 ' of the Model 'Terms of Reference' for the Community Reference Panels to read as follows:**
 - **1 Independent Chair – Council staff member**
 - **2 Support staff – Governance Officer and Professional team member on key topic under discussion**
 - **2 - 3 Invited Technical specialists from relevant government or non-government agencies**
 - **8 Community Representatives sought via EOI process**
 - **Ex officio external experts as required**

- 3. Council adopt the engagement structure as detailed in Attachment 1 to this report 'Review of Community Advisory and Section 355 Committees' as amended in point 1 above comprising the following four (4) strategically focused Community Reference Panels supported by Action and Working Groups:**
 - **Climate Change and Environment**
 - **Community**
 - **Sport, Recreation and Leisure**
 - **Economy**

- 4. Council endorse the draft model 'Terms of Reference' for the Community Reference Panels included in Attachment 1, Appendix B of this report as amended in point 2 above.**

- 5. Council defer the recommendations relating to the section 355 Committees to enable consultation with Section 355 (Community Facility Management) Committees, by the Administrator, prior to revising the model of volunteer involvement in community facility management and any associated implementation plan**

DECLARED CARRIED BY THE ADMINISTRATOR

9.2 Bowral Memorial Hall Renaming Proposal - Outcome of Survey

Report Author: Acting Community Engagement Coordinator

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council, based on feedback from the community retain the name of Bowral Memorial Hall.
2. Council write to all respondents thanking them for their submission and advising them of the outcome.

The Group Manager Corporate and Community introduced the item.

MN 2022/203

MOTION moved by the Administrator

THAT:

1. Council, based on feedback from the community retain the name of Bowral Memorial Hall.
2. Council write to all respondents thanking them for their submission and advising them of the outcome.

DECLARED CARRIED BY THE ADMINISTRATOR

9.3 Renwick Community Centre - Result of Expression of Interest for Lease Space

Report Author: Coordinator Property Services

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council confirms its intention to enter into a five (5) year Lease with a five (5) year option with SoHi Hospitality Group Pty Limited for the area marked "Leased space (independent use)" and "terrace" at Renwick Community Centre as shown in Attachment 1 to this report.
2. Pursuant to Section 47 (1) and (2) of the *Local Government Act, 1993*, Council publicly exhibit the draft proposed Lease referred to in Resolution 1 above for a minimum twenty eight (28) day period **AND THAT** if no objections are received the General Manager and Mayor/Administrator be delegated authority to execute the Lease under the Common Seal of Council.
3. If there are any written objection/s to the proposed Lease referred to in Resolution 1 above, a further report be presented to a future Ordinary meeting of Council.

The Coordinator Property Services introduced the item.

MN 2022/204

MOTION moved by the Administrator

THAT:

1. Council confirms its intention to enter into a five (5) year Lease with a five (5) year option with SoHi Hospitality Group Pty Limited for the area marked "Leased space (independent use)" and "terrace" at Renwick Community Centre as shown in Attachment 1 to this report.
2. Pursuant to Section 47 (1) and (2) of the *Local Government Act, 1993*, Council publicly exhibit the draft proposed Lease referred to in Resolution 1 above for a minimum twenty eight (28) day period **AND THAT** if no objections are received the General Manager and Mayor/Administrator be delegated authority to execute the Lease under the Common Seal of Council.
3. If there are any written objection/s to the proposed Lease referred to in Resolution 1 above, a further report be presented to a future Ordinary meeting of Council.

DECLARED CARRIED BY THE ADMINISTRATOR

9.4 Draft Former Employees Dealing with Council Policy for Public Exhibition

Report Author: Corporate Strategy and Governance Officer

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council endorses the draft Former Employees Dealing with Council Policy being placed on public exhibition for a period of twenty eight (28) days and submissions be invited from the public.
2. A further report be submitted to Council following the conclusion of the public exhibition period.

The Group Manager Corporate and Community introduced the item.

The Director Communities and Place addressed the meeting.

MN 2022/205

MOTION *moved by the Administrator*

THAT:

1. *Council endorses the draft Former Employees Dealing with Council Policy being placed on public exhibition for a period of twenty eight (28) days and submissions be invited from the public.*
2. *The policy be extended to include proponent initiated planning proposals and certification generally.*
3. *A further report be submitted to Council following the conclusion of the public exhibition period.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.5 Draft Assessment of Development Applications Involving Conflict of Interest Policy - for Public Exhibition

Report Author: Corporate Strategy and Governance Officer

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council adopt the amended Code of Conduct as provided in Attachment 1.
2. Council endorse the Draft Development of Assessment Applications Involving Conflict of Interest Policy, as contained in Attachment 2, for public exhibition.

MN 2022/206

MOTION moved by the Administrator

THAT:

1. Council adopt the amended Code of Conduct as provided in Attachment 1.
2. The policy be extended to include proponent initiated planning proposals and certification generally.
3. Council endorse the Draft Development of Assessment Applications Involving Conflict of Interest Policy, as contained in Attachment 2, for public exhibition.

DECLARED CARRIED BY THE ADMINISTRATOR

9.6 Community Engagement Strategy and Community Strategic Plan - Review Approach

Report Author: Group Manager Corporate and Community

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council endorse the phased approach for the review of the Community Engagement Strategy and Community Strategic Plan.

The Group Manager Corporate and Community introduced the item.

MN 2022/207

MOTION moved by the Administrator

THAT Council endorse the phased approach for the review of the Community Engagement Strategy and Community Strategic Plan.

DECLARED CARRIED BY THE ADMINISTRATOR

9.7 2021/22 Draft Financial Statements

Report Author: Deputy Chief Financial Officer

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council refer the Draft Financial Statements for the year ended 30 June 2022 for audit in accordance with Section 413(1) of the *Local Government Act 1993*
2. The Administrator be authorised to sign the Statement by Administrator and Management made pursuant to Section 413(2)(c) of the *Local Government Act 1993*, with the General Manager and the Responsible Accounting Officer.
3. Council fix the date of 16 November 2022 for the audited Financial Statements, together with the auditor's reports, to be presented to the public in accordance with Section 418(1)(a) and 1(b) of the *Local Government Act 1993*.
4. Council notes the working funds position of \$6.48 million.
5. Council allocates \$850,000 of working capital towards the Bowral Memorial Hall project as outlined in the August 2022 Council report.

The General Manager introduced the item.

The Chief Financial Officer introduced the item and advised as follows:

This purpose of this report is to advise Council that the Draft Financial Statements for the year ending 30 June 2022 have been prepared by Council officers and are ready to be referred to audit. The figures presented in this report are draft and subject to audit. The attached Draft financial statements include the General-Purpose Financial Reports, Special Purposes Financial Reports (to separately disclose the Water and Sewer Funds) and Special Schedules (which are not subject to audit). The statements have been prepared in accordance with the Australian Accounting Standards and the Code of Accounting Practice issued by the Office of Local Government.

The 2021/22 draft Financial statements saw Council bring to account approximately \$170M in Revenue, \$141M in Operating Expenditure, \$63M in capital Expenditure and a net assets of \$2.16 billion for the period between 1 July 2021 through to 30 June 2022.

An operating surplus of \$29.4 million for the period between 1 July 2022 and 30 June 2022 was achieved which was approximately \$3M above the original budget estimate. Excluding all capital revenue and asset valuations amounts, Council's Operating Surplus, with these exclusions, is \$11.3M as reflected in Council's Consolidated Operating Performance Ratio.

Some key points of the draft 2022/23 financial statements include:

MINUTES OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 21 SEPTEMBER 2022

- Council bringing to account \$63M of capital works, of which \$8.4M were in-kind developer contributions (which was attributable to open space, stormwater, water and sewer assets).
- Council held \$205 M held as cash and investments as at 30 June 2022 which has been allocated to projects within the LTFP (excluding the working capital surplus).
- The Financial Reserves policy has been reflected in the preparation of these financial statements as resolved by Council in June 2022 as a result of the Finch report.
- Council conducted comprehensive revaluation on its water, sewer and storm water drainage assets and a desktop revaluation of other assets (in light of the recent inflationary pressures), which resulted in a net write up of assets of \$222M.
- A revised non-current provision was brought to account for the Welby Tip site, with the estimated provision increasing by \$13.7M to \$17.3M.
- Council exceeded all the consolidated fund Performance Measures for both financial and infrastructure measures.

Council's unrestricted working capital position as at 30 June 2022 is \$6.48 million. This is \$1.48 million above the council resolved benchmark of \$5M. This surplus was attributable to a combination of one-off revenue amounts received during the year and minor savings in operating expenditure.

The draft financial statements were issued to the ARIC (Audit Risk and Improvement Committee) for review last week and discussed with ARIC on Monday. Feedback in the form of additional text disclosures was provided by ARIC to ensure the correct context has been incorporated in reading and interpreting the financial statements. The feedback has now been incorporated into the financial statements and are ready to be released for audit.

The next steps will see the audit conducted by the Audit Office of NSW, the signing of the audited statements and submitting the audited financial statements to the Office of Local Government by 31 October 2021. The audited financial reports and the conduct of the audit will be presented to Council at the November 2022 Council meeting.

MN 2022/208

MOTION moved by the Administrator

THAT:

1. ***Council refer the Draft Financial Statements for the year ended 30 June 2022 for audit in accordance with Section 413(1) of the Local Government Act 1993.***
2. ***The Administrator be authorised to sign the Statement by Administrator and Management made pursuant to Section 413(2)(c) of the Local Government Act 1993, with the General Manager and the Responsible Accounting Officer.***
3. ***Council fix the date of 16 November 2022 for the audited Financial Statements, together with the auditor's reports, to be presented to the public in accordance with Section 418(1)(a) and 1(b) of the Local Government Act 1993.***
4. ***Council notes the working funds position of \$6.48 million.***

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 SEPTEMBER 2022**

5. *Council allocates \$850,000 of working capital towards the Bowral Memorial Hall project as outlined in the August 2022 Council report.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.8 Part 25 Shierlaw Road, Robertson and Part 392 Belmore Road Robertson - Proposed Acquisition

Report Author: Property and Project Officer

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT

1. Council accepts the owner's offer of \$63,030 plus valuation and legal fees as the compensation payable for the acquisition of part 25 Shierlaw Road Robertson (being part Lot 194 in Deposited Plan 751302).
2. The General Manager be delegated authority to negotiate with the owner of 392 Belmore Falls Road, Robertson for the acquisition of part 392 Belmore Falls Road, Robertson (being part Lot 200 in Deposited Plan 751302) for the purpose of road AND THAT compensation be negotiated within 10% range of formal valuation plus road infrastructure and valuation and legal fees.
3. The acquisition of land referred to in Resolution 1 and Resolution 2 above be funded through the Property Operations Budget.
4. If the acquisitions referred to in Resolution 1 and Resolution 2 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 that 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 *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 acquisition of the land for road purposes referred to in Resolution 1 and Resolution 2 above AND THAT authority be delegated to the General Manager and Mayor/Administrator to execute those documents.
6. Authority be delegated to the General Manager and Mayor/Administrator to execute on behalf of Council any documents associated with the acquisition of the land for road purposes referred to in Resolution 1 and Resolution 2 above that does not require the Common Seal of Council.
7. Upon acquisition of the land referred to in resolution 1 and 2 above, the land be classified operational land.

The Coordinator Property Services introduced the item.

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 SEPTEMBER 2022**

MN 2022/209

MOTION moved by the Administrator

THAT

1. Council accepts the owner's offer of \$63,030 plus valuation and legal fees as the compensation payable for the acquisition of part 25 Shierlaw Road Robertson (being part Lot 194 in Deposited Plan 751302).
2. The General Manager be delegated authority to negotiate with the owner of 392 Belmore Falls Road, Robertson for the acquisition of part 392 Belmore Falls Road, Robertson (being part Lot 200 in Deposited Plan 751302) for the purpose of road **AND THAT** compensation be negotiated within 10% range of formal valuation plus road infrastructure and valuation and legal fees.
3. The acquisition of land referred to in Resolution 1 and Resolution 2 above be funded through the Property Operations Budget.
4. If the acquisitions referred to in Resolution 1 and Resolution 2 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 that 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 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 acquisition of the land for road purposes referred to in Resolution 1 and Resolution 2 above **AND THAT** authority be delegated to the General Manager and Mayor/Administrator to execute those documents.
6. Authority be delegated to the General Manager and Mayor/Administrator to execute on behalf of Council any documents associated with the acquisition of the land for road purposes referred to in Resolution 1 and Resolution 2 above that does not require the Common Seal of Council.
7. Upon acquisition of the land referred to in resolution 1 and 2 above, the land be classified operational land.

DECLARED CARRIED BY THE ADMINISTRATOR

9.9 Southern Regional Livestock Exchange (SRLX) - Expression of Interest

Report Author: Coordinator Property Services

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council undertake an Expression of Interest (EOI) to assess the market interest of third parties in leasing and operating the Southern Regional Livestock Exchange (SRLX).
2. A report be provided to a future meeting of Council detailing the outcome of the EOI.

The Coordinator Property Services introduced the item.

The Director Corporate Strategy and Resourcing addressed the meeting

MN 2022/210

MOTION *moved by the Administrator*

THAT:

1. *Council undertake an Expression of Interest (EOI) to assess the market interest of third parties in leasing and operating the Southern Regional Livestock Exchange (SRLX).*
2. *A report be provided to a future meeting of Council detailing the outcome of the EOI.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.10 Festival of Lights December 2022

Report Author: Tulip Time Officer
Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council note the planned activities for the Festival of Lights Christmas celebration.
2. Council approve the exclusive use of Corbett Gardens by Business Southern Highlands (BSH) for the purpose of setting up and packing down Christmas Wonderland lighting infrastructure from Tuesday 29 November 2022 to Thursday 1 December 2022 and Tuesday 2 January to Wednesday 3 January 2023.
3. Council approve the waiver of fees and charges for the use of community village halls and the Seniors' Rooms in Corbett Gardens to conduct Festival of Lights Christmas activities.
4. Council undertake a 28-day public notification period in relation to waiving the hire fees up to \$7,000 for community village halls and the Senior's Rooms in Corbett gardens associated with the Festival of Lights in accordance with Section 356 of the *Local Government Act 1993*.
5. Council approve the suspension of the Corbett Gardens Alcohol Prohibition Area from 9.00pm 1.00am on New Year's Eve for a ticketed concert and light display.

The Director Corporate Strategy and Resourcing introduced the item.

MN 2022/211

MOTION moved by the Administrator

THAT:

1. Council note the planned activities for the Festival of Lights Christmas celebration.
2. Council approve the exclusive use of Corbett Gardens by Business Southern Highlands (BSH) for the purpose of setting up and packing down Christmas Wonderland lighting infrastructure from Tuesday 29 November 2022 to Thursday 1 December 2022 and Tuesday 2 January to Wednesday 3 January 2023.
3. Council approve the waiver of fees and charges for the use of community village halls and the Seniors' Rooms in Corbett Gardens to conduct Festival of Lights Christmas activities.
4. Council undertake a 28-day public notification period in relation to waiving the hire fees up to \$7,000 for community village halls and the Senior's Rooms in Corbett gardens associated with the Festival of Lights in accordance with Section 356 of the *Local Government Act 1993*.
5. Council approve the suspension of the Corbett Gardens Alcohol Prohibition Area from 9.00pm - 1.00am on New Year's Eve for a ticketed concert and light display.

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 SEPTEMBER 2022**

DECLARED CARRIED BY THE ADMINISTRATOR

9.11 Southern Highlands Regional Animal Shelter and Moss Vale Branch SES Update

Report Author: Acting Director Service and Project Delivery

Authoriser: General Manager

OFFICER'S RECOMMENDATION

THAT:

1. Council notes the status and anticipated timeframes for the Southern Highlands Regional Animal Shelter and the Moss Vale Branch SES projects.
2. Council notes that grant funding opportunities are still being actively sought via the State Government.

The Acting Director Service and Project Delivery introduced the item.

MN 2022/212

MOTION *moved by the Administrator*

THAT:

1. *Council notes the status and anticipated timeframes for the Southern Highlands Regional Animal Shelter and the Moss Vale Branch SES projects.*
2. *Council notes that grant funding opportunities are still being actively sought via the State Government.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.12 Revolving Energy Fund Annual Report

Report Author: **Manager Environment and Sustainability**

Authoriser: Director Communities and Place

OFFICER'S RECOMMENDATION

THAT:

- 1. Council note the energy and financial savings achieved through projects completed under the Revolving Energy Fund**
- 2. Council approve the transfer of \$23,573.73 from Council's electricity budget to the Revolving Energy Fund for the 2021/22 financial year.**

The Manager Environment and Sustainability introduced the item.

The Chief Financial Officer addressed the meeting.

MN 2022/213

MOTION *moved by the Administrator*

THAT:

- 1. Council note the energy and financial savings achieved through projects completed under the Revolving Energy Fund.**
- 2. Council approve the transfer of \$23,573.73 from Council's electricity budget to the Revolving Energy Fund for the 2021/22 financial year.**

DECLARED CARRIED BY THE ADMINISTRATOR

9.13 Investment Report - August 2022

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

OFFICER'S RECOMMENDATION

THAT Council receives and notes this Investment report as at 31 August 2022.

The Chief Financial Officer introduced the item.

MN 2022/214

MOTION moved by the Administrator

THAT:

1. *Council receives and notes this Investment report as at 31 August 2022.*
2. *As part of the next quarterly budget review, a list of prioritised projects that can be delivered in this financial year, that may be funded from the additional working capital be provided for consideration.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.14 Permanent Road Closure and Road Lease Policy for Adoption

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

OFFICER'S RECOMMENDATION

THAT Council adopt the Permanent Road Closure and Road Lease Policy provided in Attachment 2 to this report.

The Coordinator Property Services introduced the item.

MN 2022/215

MOTION *moved by the Administrator*

THAT Council adopt the Permanent Road Closure and Road Lease Policy provided in Attachment 2 to this report.

DECLARED CARRIED BY THE ADMINISTRATOR

9.15 Werai Pump Station & Balance Tank - Tender Report

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

OFFICER'S RECOMMENDATION

THAT:

1. Council, in accordance with s178(1)(b) of the Local Government (General) Regulation decline to accept any of the tenders.
2. Council, in accordance with s178(3)(e) of the Local Government (General) Regulation resolves to enter into negotiations with suitable parties with a view to entering into a contract to construct the Werai Pump Station and Balance Tank.
3. Council, in accordance with s178(4)(a) of the Local Government (General) Regulation note:
 - i. Tenders were called through an Open Tender Process.
 - ii. Council received interest in the tender from a pool of potential tenderers both previously known and unknown to Council.
 - iii. Re-tendering at this time would be unlikely to result in a more beneficial outcome.
4. Council notes that an external probity advisor will be appointed to oversee the negotiations of this contract.
5. Council delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.

The Acting Director Service and Project Delivery introduced the item.

MN 2022/216

MOTION *moved by the Administrator*

THAT:

1. *Council, in accordance with s178(1)(b) of the Local Government (General) Regulation decline to accept any of the tenders.*
2. *Council, in accordance with s178(3)(e) of the Local Government (General) Regulation resolves to enter into negotiations with suitable parties with a view to entering into a contract to construct the Werai Pump Station and Balance Tank.*
3. *Council, in accordance with s178(4)(a) of the Local Government (General) Regulation note:*
 - i. Tenders were called through an Open Tender Process.*
 - ii. Council received interest in the tender from a pool of potential tenderers both previously known and unknown to Council.*
 - iii. Re-tendering at this time would be unlikely to result in a more beneficial outcome.*
4. *Council notes that an external probity advisor will be appointed to oversee the negotiations of this contract.*

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 SEPTEMBER 2022**

5. *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

9.16 Waste Strategy and Kerbside Waste Collection Documentation Contract

Report Author: Acting Manager Business Services

Authoriser: Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT:

1. Council note the appointment of Impact Environmental Pty Ltd for the sum of \$139,040.
2. Council note the submissions received ranged from \$130,645 to \$156,791.

The Acting Director Service and Project Delivery introduced the item.

MN 2022/217

MOTION moved by the Administrator

THAT:

1. Council note the appointment of Impact Environmental Pty Ltd for the sum of \$139,040.
2. Council note the submissions received ranged from \$130,645 to \$156,791.

DECLARED CARRIED BY THE ADMINISTRATOR

9.17 Partnership with The 4K for Development of an Inclusive Playspace

Report Author: **Manager Assets**

Authoriser: Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT Council endorse the Memorandum of Understanding with the Kollege of Knowledge Kommittee for Kids (The 4K) for the purpose of delivering a playspace at David Wood Playing Fields in partnership.

The Manager Assets introduced the item.

MN 2022/218

MOTION *moved by the Administrator*

THAT Council endorse the Memorandum of Understanding with the Kollege of Knowledge Kommittee for Kids (The 4K) for the purpose of delivering a playspace at David Wood Playing Fields in partnership.

DECLARED CARRIED BY THE ADMINISTRATOR

9.18 Electricity Market and Electricity Supply Contract Procurement Update

Report Author: Chief Financial Officer
Authoriser: Director Communities and Place

OFFICER'S RECOMMENDATION

THAT:

1. Council receive this report.
2. Council note that Procurement Australasia Ltd is a prescribed entity for the purposes of tendering exemptions under Section 55(3)(a) of the Local Government Act 1993 as engaged for this procurement activity for the supply of electricity sourced by renewable energy;
3. Council note the General Manager will execute the contract for the supply of electricity sourced by renewable energy based on the outcomes of this procurement activity managed by Procurement Australasia Ltd.
4. The outcomes of the final contract implications be reported to Council at the subsequent Quarterly Budget Review and include any necessary budget adjustments resulting from the rising costs of electricity.

The Chief Financial Officer introduced the item and advised as follows:

The purpose of this report is to update Council on the procurement activity relating to Council's electricity supply and the implications of the current fluctuations within the energy market. This procurement activity has been overseen by Procurement Australasia who are a prescribed entity under the NSW Local Government Regulations. Procurement Australasia have advised that they used their internal probity advisors to oversee this procurement activity. The procurement activity commenced December 2020 where a cohort of seven (7) councils formed to test the electricity supply market for Small and Large Sites and Street Lighting. This report covers:

- Procurement Scope and milestones
- Current Energy Market Conditions
- Tenders Received
- Environmental Benefits of this procurement activity
- Alternate Options
- and the proposed Next Steps of the process

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 21 SEPTEMBER 2022**

It should be noted that since the commencement of this procurement activity, the energy market has seen a large increases in retail energy prices due to a number of local and global events, external factors outside of Council's control.

The environmental outcomes in executing this contract will see council's electricity sourced by 100% renewable energy and reduce the need to purchase carbon offsets (in the future) to meet carbon emission targets.

With Council's existing contract expiring in December 2022 and the increase in energy market rates, Council will be required to review its budget allocations for the second half of the 2022/23 financial year (noting the contract won't commence until 1 January 2023). The financial increase outlined in this report is not reflective of the transition of electricity supply to renewable energy supply, but rather is a result of the energy market fluctuations.

The most viable option is to continue participating in the Procurement Australasia procurement activity to enter into a 100% renewable energy Power Purchase Agreement.

The officers seek that the resolution be adopted by Council.

MN 2022/219

MOTION *moved by the Administrator*

THAT:

- 1. Council receive this report.**
- 2. Council note that Procurement Australasia Ltd is a prescribed entity for the purposes of tendering exemptions under Section 55(3)(a) of the Local Government Act 1993 as engaged for this procurement activity for the supply of electricity sourced by renewable energy;**
- 3. Council note the General Manager will execute the contract for the supply of electricity sourced by renewable energy based on the outcomes of this procurement activity managed by Procurement Australasia Ltd.**
- 4. The outcomes of the final contract implications be reported to Council at the subsequent Quarterly Budget Review and include any necessary budget adjustments resulting from the rising costs of electricity.**

DECLARED CARRIED BY THE ADMINISTRATOR

9.19 Council Resolutions - Status Update

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

OFFICER'S RECOMMENDATION

THAT the report be received and noted.

The General Manager addressed the meeting.

MN 2022/220

MOTION moved by the Administrator

THAT the report be received and noted.

DECLARED CARRIED BY THE ADMINISTRATOR

9.20 Canberra Region Joint Organisation Board Meeting Minutes

Report Author: Executive Assistant to Director Corporate Strategy and Resourcing

Authoriser: General Manager

OFFICER'S RECOMMENDATION

THAT the minutes of the Canberra Region Joint Organisation Board Meeting be noted.

MN 2022/221

MOTION moved by the Administrator

THAT the minutes of the Canberra Region Joint Organisation Board Meeting be noted.

DECLARED CARRIED BY THE ADMINISTRATOR

10 MEETING CLOSURE

* Advised of an extraordinary meeting Tuesday 11 October 2022.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 5:17pm