

MINUTES

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

Wednesday 15 June 2022

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

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 15 JUNE 2022**

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**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 15 JUNE 2022**

**MINUTES OF THE ORDINARY MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN
COUNCIL CHAMBERS, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON WEDNESDAY 15
JUNE 2022 COMMENCING AT 3:30 PM**

Present:	Interim 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 Geoff King *
	Executive Manager Strategic Outcomes	Mr Michael Park
	Executive Manager People and Culture	Ms Sally Sammut
	Chief Financial Officer	Mr Pav Kuzmanovski
	Acting Chief Information Officer	Mr Ian Vong
	Group Manager Corporate and Community	Ms Danielle Lidgard
	Group Manager Capital Projects	Mr Ned Tripkovic
	Manager Assets	Mr Shaun Robinson
	Manager Environment and Sustainability	Mr Barry Arthur
	Acting Manager Business Services	Mr Clinton McAlister
	Coordinator Media and Communications	Mr David Sommers
	Coordinator Property Services	Ms Mandy McCullagh
	Coordinator Economic Development	Ms Jan Campbell
	Corporate Strategy and Governance Officer	Ms Olivia Nettleton

NOTE: Some meeting participants attended the meeting remotely via Microsoft Teams audio visual link. This is indicated by *.

1 OPENING OF THE MEETING

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

2 ACKNOWLEDGEMENT OF COUNTRY

The Interim Administrator, Mr Viv May PSM acknowledged country:

“Wingecarribee Shire Council acknowledge the Gundungurra and Tharawal people as the traditional custodians of this land we now call the Wingecarribee Shire. I pay my respect to

Elders both past, present and emerging. I would also like to extend that respect to all Aboriginal and Torres Strait Islanders present here or watching today.”

3 PRAYER

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

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

4 STATEMENT OF ETHICAL OBLIGATIONS

The Interim Administrator is reminded of the obligations conferred on them at the time of their appointment.

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

5 APOLOGIES

Nil.

6 ADOPTION OF MINUTES OF PREVIOUS MEETING

MN 2022/118

MOTION *moved by Interim Administrator*

THAT the minutes of the Ordinary Meeting of Council held on Wednesday, 18 May 2022 MN 2022/105 to MN 2022/116 inclusive, be adopted as a correct record of the proceedings of the meeting.

DECLARED BY THE INTERIM ADMINISTRATOR

7 DECLARATIONS OF INTEREST

Nil.

8 INTERIM ADMINISTRATOR MINUTES

Nil.

9 GENERAL MANAGER

9.1 Review of Low and Medium Density Residential Development Controls

Report Author: Senior Strategic Planner & Strategic Land Use Planner

Authoriser: General Manager

OFFICER'S RECOMMENDATION

THAT:

1. Council note the commencement of the review of Low and Medium Density Residential Development Controls.
2. Council note that funding of \$79,552 has been secured from the NSW Department of Planning (Project Delivery Unit) to delivery both projects.

The Executive Manager Strategic Outcomes introduced the item.

MN 2022/119

MOTION moved by Interim Administrator

THAT:

1. Council note the commencement of the review of Low and Medium Density Residential Development Controls.
2. Council note that funding of \$79,552 has been secured from the NSW Department of Planning (Project Delivery Unit) to deliver both projects.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10 REPORTS

10.1 Small Business Commissioners Report - Update on Actions

Report Author: Director Corporate Strategy and Resourcing

Authoriser: General Manager

OFFICER'S RECOMMENDATION

THAT Council notes the progress of actions from the Small Business Commissioner Report and the Economic Roundtable discussions and supports the inclusion of any outstanding actions into Council's annual Operational Plan and four yearly Delivery Plan.

The Director Corporate Strategy and Resourcing introduced the item.

MN 2022/120

MOTION moved by Interim Administrator

THAT:

- 1. Council notes the progress of actions from the Small Business Commissioner Report and the Economic Roundtable discussions and supports the inclusion of any outstanding actions into Council's annual Operational Plan and four yearly Delivery Plan.***
- 2. A copy of the update action report be forwarded to the NSW Small Business Commissioner.***

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.2 Code of Meeting Practice - Post Exhibition Report

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

OFFICER'S RECOMMENDATION

THAT Council modify Section 8 'Order of Business at Ordinary Council Meetings' of the Code of Meeting Practice removing the 'Opening Prayer'.

The Group Manager Corporate and Community introduced the item.

MN 2022/121

MOTION moved by Interim Administrator

THAT:

- 1. Council modify Section 8 'Order of Business at Ordinary Council Meetings' of the Code of Meeting Practice removing the 'Opening Prayer'.***
- 2. It be recommended to the incoming Council that Councillors by rotation at the commencement of meetings read the Statement of Ethical Obligations.***

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.3 Draft Feedback and Complaints Policy

Report Author: Corporate Strategy and Governance Officer

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. The revised Feedback and Complaints Management Policy be 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.

MN 2022/122

MOTION moved by Interim Administrator

THAT:

1. *The revised Feedback and Complaints Management Policy be placed on public exhibition for a period of twenty-eight (28) days and submissions be invited from the public.*
2. *The scope for the draft Feedback and Complaints Policy be amended to include the following statement:*
“Council’s Feedback and Complaints Policy forms part of Council’s broader complaints management framework which includes:
 - *Managing Unreasonable Conduct by Complainants Policy*
 - *Code of Conduct and Procedures for the Administration of Code of Conduct*
 - *Public Interest Disclosure Policy*
 - *Council’s independent Internal Ombudsman service.”*
3. *A further report be submitted to Council following the conclusion of the public exhibition period.*

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.4 Draft Managing Unreasonable Conduct by Complainants Policy

Report Author: Group Manager Corporate and Community

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

- 1. The Draft Managing Unreasonable Conduct by Complainants Policy 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 General Manager introduced the item.

The Group Manager Corporate and Community introduced the item.

MN 2022/123

MOTION *moved by Interim Administrator*

THAT:

- 1. The Draft Managing Unreasonable Conduct by Complainants Policy 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.**

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.5 42 Banksia Street Colo Vale - Outcome of Colo Vale Community Consultation following sale

Report Author: Coordinator Property Services

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council notes the consultation undertaken with the Colo Vale community.
2. Council commit \$28,500 to the Colo Vale Mens Shed from the proceeds of sale of 42 Banksia Street, Colo Vale to assist with the costs of provision of a concrete slab for a new Mens Shed.
3. The balance of the net proceeds (after deduction of the donation of \$28,500 to the Mens Shed) from the sale of 42 Banksia Street Colo Vale (being approximately \$428,500) together with an additional \$200,000 (identified for the Jurd Park Upgrade through the Playspace Strategy 2020) be committed to achieve renewal and upgrade of the Jurd Park playspace including:
 - renewal and upgrade of the aging playspace to include both accessible and adventure elements (the upgraded playspace to cater to a wider range of children age groups);
 - provision of a bike pump track;
 - renewal and upgrade of park furniture – including shelters, tables, drinking station and BBQs; and
 - inclusion of skating elements within the park.
4. Council write to all respondents to thank them for their feedback and advise of the outcome.

The Coordinator Property Services introduced the item.

MN 2022/124

MOTION moved by Interim Administrator

THAT the matter be deferred to allow further consultation on the location of the playspace and possible further allocation towards the Men's Shed.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.6 Tourist Information Centre - 13124 Hume Highway, Sutton Forest - Termination of Lease Agreement

Report Author: Property and Project Officer

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council provides formal notice of its agreement to surrender the Lease Agreement held with Australian Property Syndicates Pty Ltd.
2. Authority be delegated to the General Manager and Mayor/Interim Administrator to execute the Surrender of Lease under the Common Seal of Council.
3. Authority be delegated to the General Manager to sign any other documentation required in relation to Surrender of the Lease not requiring the Common Seal of Council.

The Coordinator Property Services introduced the item.

MN 2022/125

MOTION moved by Interim Administrator

THAT:

1. *Council provides formal notice of its agreement to surrender the Lease Agreement held with Australian Property Syndicates Pty Ltd.*
2. *Authority be delegated to the General Manager and Mayor/Interim Administrator to execute the Surrender of Lease under the Common Seal of Council.*
3. *Authority be delegated to the General Manager to sign any other documentation required in relation to Surrender of the Lease not requiring the Common Seal of Council.*

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.7 Investment Report - May 2022

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

OFFICER'S RECOMMENDATION

THAT:

1. The information on Council's Investments as at 31 May 2022 be received and noted.
2. Council endorse the updated Cash Investment Policy to be placed on public exhibition for 28 days.
3. After the public exhibition period, a further Council report tabling any submissions received prior to adoption of the Cash Investment Policy.

The Chief Financial Officer introduced the item.

MN 2022/126

MOTION moved by Interim Administrator

THAT:

1. *The information on Council's Investments as at 31 May 2022 be received and noted.*
2. *Council endorse the updated Cash Investment Policy to be placed on public exhibition for 28 days.*
3. *After the public exhibition period, a further Council report tabling any submissions received prior to adoption of the Cash Investment Policy.*

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.8 Financial Reserves Policy

Report Author: Deputy Chief Financial Officer

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council notes the feedback on the draft Financial Reserves Policy.
2. Council authorise the release of the nominated funds from the financial reserves outlined in the report to establish a minimum working capital position of \$5M.
3. Council endorses the deletion of the existing reserves and establishment of the new reserve as outlined in the body of this report.
4. Council adopts the Financial Reserves Policy.

The Chief Financial Officer introduced the item.

MN 2022/127

MOTION moved by Interim Administrator

THAT:

1. Council notes the feedback on the draft Financial Reserves Policy.
2. Council authorise the release of the nominated funds from the financial reserves outlined in the report to establish a minimum working capital position of \$5M.
3. Council endorses the deletion of the existing reserves and establishment of the new reserve as outlined in the body of this report.
4. Council adopts the Financial Reserves Policy.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.9 Draft Conservation Management Plans for Mittagong War Memorial Tower and Winifred West Park

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

OFFICER'S RECOMMENDATION

THAT:

1. Council endorse the Draft Conservation Management Plan for the Mittagong War Memorial Clock Tower for the purpose of public exhibition.
2. Council endorse the Draft Conservation Management Plan for Winifred West Park, Mittagong for the purpose of public exhibition.
3. A further report be prepared and submitted to Council following the public exhibition of both Plans.

The Manager Assets introduced the item.

MN 2022/128

MOTION moved by Interim Administrator

THAT:

1. *Council endorse the Draft Conservation Management Plan for the Mittagong War Memorial Clock Tower for the purpose of public exhibition.*
2. *Council endorse the Draft Conservation Management Plan for Winifred West Park, Mittagong for the purpose of public exhibition.*
3. *A further report be prepared and submitted to Council following the public exhibition of both Plans.*

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.10 Plan of Management - Renwick Community Centre

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

OFFICER'S RECOMMENDATION

THAT:

1. Council adopt the amended Renwick Community Centre Plan of Management dated May 2022.
2. Council receive the Report prepared by CGM Planning Pty Ltd on the outcome of the public hearing into the proposed categorisation of Renwick Community Centre land.

The Manager Assets introduced the item.

The Coordinator Property Services addressed the meeting on the item.

MN 2022/129

MOTION moved by Interim Administrator.

THAT:

1. Council adopt the amended Renwick Community Centre Plan of Management dated May 2022.
2. Council receive the Report prepared by CGM Planning Pty Ltd on the outcome of the public hearing into the proposed categorisation of Renwick Community Centre land.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.11 Disability Inclusion Action Plan 2022 - 2026

Report Author: Coordinator Community Development

Authoriser: General Manager

The Group Manager Corporate and Community introduced the item.

MN 2022/130

MOTION moved by Interim Administrator

THAT:

1. *The submission received in response to the 28-day public exhibition of the Draft Disability Inclusion Action Plan 2022 – 2026 be noted.*
2. *The Disability Inclusion Action Plan 2022 – 2026 be adopted.*

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.12 Waste Strategy and Kerbside Waste Collection Documentation

Report Author: Resource Recovery Centre Officer

Authoriser: Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT:

1. Council adopt Option 1 for the procurement of the new kerbside collections contract and the preparation of Waste Strategy and policy documents; and
2. Council resolve to include a budget of \$300,000 in the 2022-23 Budget to implement this option, with the funding to be sourced from the Domestic Waste Management Cash Reserve.

The Acting Manager Business Services introduced the item.

MN 2022/131

MOTION moved by Interim Administrator

THAT:

1. Council adopt Option 1 for the procurement of the new kerbside collections contract and the preparation of Waste Strategy and policy documents; noting that they are separable;
2. Council resolve to include a budget of \$300,000 in the 2022-23 Budget to implement this option, with the funding to be sourced from the Domestic Waste Management Cash Reserve and;
3. General Manager report back to Council on the successful consultant/s to deliver the new kerbside collection contract and Waste Strategy.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.13 Agribusiness, Equine and Produce Hub Roadmap

Report Author: Economic Development Coordinator

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. The information in the attached Facilities Summary Plan, Industries Summary Plan and Southern Highlands Produce Hub Feasibility Hub reports are noted.
2. Actions in the Roadmap where Council is considered the lead agent be reviewed for inclusion into relevant team operational plans and workplans.
3. Council note opportunities for collaboration and support with industry-led initiatives identified in the Roadmap
4. Council continues to engage with industry to include new initiatives into the Roadmap

The Coordinator Economic Development introduced the item.

MN 2022/132

MOTION moved by Interim Administrator

THAT:

1. *The information in the attached Facilities Summary Plan, Industries Summary Plan and Southern Highlands Produce Hub Feasibility Hub reports are noted.*
2. *Actions in the Roadmap where Council is considered the lead agent be reviewed for inclusion into relevant team operational plans and workplans.*
3. *Council note opportunities for collaboration and support with industry-led initiatives identified in the Roadmap.*
4. *Council continues to engage with industry to include new initiatives into the Roadmap.*
5. *The General Manager discuss with Destination Sydney Surround South a formal release of the documents and appreciation ceremony.*

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.14 NSW Koala Strategy Regional Partnership - Acceptance of Grant Funding

Report Author: Manager Environment and Sustainability

Authoriser: Director Communities and Place

OFFICER'S RECOMMENDATION

THAT:

1. Council accepts funding of \$600,000 over four years (2022-2026), from the NSW Department of Planning and Environment (DPE) for the NSW Koala Strategy Regional Partnership Agreement for the continuation of the Southern Highlands Koala Conservation Project (the project).
2. Council accepts funding of \$65,000 for the roadkill mitigation component of the project.
3. Council accepts funding of \$150,000 for the koala habitat and corridor mapping component of the project.
4. Council write to the Minister of Environment and Heritage and express appreciation for their support of these projects.

The Director Communities and Place introduced the item.

MN 2022/133

MOTION moved by Interim Administrator

THAT:

1. *Council accepts funding of \$600,000 over four years (2022-2026), from the NSW Department of Planning and Environment (DPE) for the NSW Koala Strategy Regional Partnership Agreement for the continuation of the Southern Highlands Koala Conservation Project (the project).*
2. *Council accepts funding of \$65,000 for the roadkill mitigation component of the project.*
3. *Council accepts funding of \$150,000 for the koala habitat and corridor mapping component of the project.*
4. *Council write to the Minister of Environment and Heritage and express appreciation for their support of these projects.*

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.15 Dendrobium Mine Extension Project - State Significant Infrastructure

Report Author: Manager Environment and Sustainability

Authoriser: Director Communities and Place

OFFICER'S RECOMMENDATION

THAT:

1. The report on the proposed Dendrobium Coal Mine Extension be received for information.
2. Council note the timeframes restricting a submission to be endorsed by Council, prior to sending to the NSW Department of Planning and Environment.
3. Council note the submission to the Department of Planning and Environment reiterates Council's adopted position of opposing longwall mining and new coal mining in the Shire.

The Director Communities and Place introduced the item.

MN 2022/134

MOTION moved by Interim Administrator

THAT:

1. *The report on the proposed Dendrobium Coal Mine Extension be received for information.*
2. *Council note the timeframes restricting a submission to be endorsed by Council, prior to sending to the NSW Department of Planning and Environment.*
3. *Council note the submission to the Department of Planning and Environment reiterates Council's adopted position of opposing longwall mining and new coal mining in the Shire.*
4. *A further letter confirming Council's position of opposing long wall mining and new coal mining in the Shire be forwarded to the Department of Planning and Environment also expressing Council's disappointment that an extension was not granted.*

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

11 MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 4:21PM