

MINUTES

of the
Ordinary Meeting of Council
held in
Council Chambers,
Wingecarribee Shire Council Civic Centre,
68 Elizabeth Street, Moss Vale
on
Wednesday 20 April 2022

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

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WEDNESDAY 20 APRIL 2022**

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**MINUTES OF THE ORDINARY MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN
COUNCIL CHAMBERS, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON WEDNESDAY 20
APRIL 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
	Director Service and Project Delivery	Ms Karin Targa
	Executive Manager Strategic Outcomes	Mr Michael Park
	Executive Manager People and Culture	Ms Sally Sammut
	Chief Financial Officer	Mr Pav Kuzmanovski
	Chief Information Officer	Mr John Crawford
	Group Manager Corporate and Community	Ms Danielle Lidgard
	Group Manager Capital Projects	Mr Ned Tripkovic
	Acting Group Manager Water and Sewer Manager Assets	Mr Graeme Mellor
	Acting Manager Business Services	Mr Shaun Robinson
	Coordinator Media and Communications	Mr Clinton McAlister
	Coordinator Governance	Mr David Sommers
	Project Business Analyst	Ms Marie Petrovski
	Corporate Strategy and Governance Officer	Mr Matthew Torta
	Corporate Strategy and Governance Officer	Ms Olivia Nettleton
		Ms Ivana Vidovich

1 OPENING OF THE MEETING

The Interim Administrator, Mr Viv May PSM opened the meeting.

2 ACKNOWLEDGEMENT OF COUNTRY

The Interim Administrator, Mr Viv May PSM acknowledged country:

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

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

3 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 him 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 2022/68

MOTION moved by Interim Administrator.

THAT the minutes of the Ordinary Meeting held on Wednesday, 16 March 2022 MN 2022/37 to MN 2022/67 be adopted as a correct record of the proceedings of the meeting.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR.

7 DECLARATIONS OF INTEREST

Nil.

8 INTERIM ADMINISTRATOR MINUTES

8.1 Community Update

Report Author: Interim Administrator

PURPOSE

I raised the possibility of Council seeking an additional 0.8% in rate income in the next financial year at the March meeting and authorise the General Manager to commence the process. The original cap of 1.2 % that IPART had advised meant that there would be a short fall of about \$4.85m over the 10 year life of Council's Long Term Financial Plan.

When the Council's draft Operation Plan and Budget for 2022/23 goes on public exhibition the decision taken at the last meeting means it will be advertised on two options 1.2% and 2%. If this action was not taken the potential short fall in income for next year's budget is \$425,000.

The decision to place on exhibition the two options has attracted some publicity and I raise the matter to simply inform that my decision to advertise a possible 2% rate increase simply maintains the integrity of the Long Term Financial Plan endorsed on many occasions by the suspended Council.

The bulky waste collection across the Shire is now complete, and from driving around it appears to have been very well used. I have asked the General Manager to report to Council on the estimated utilisation and amount collected. As the collection is to occur again next year and will be included in the next domestic waste contract, I would like to hear from residents about their experience and possible improvements. From my own observations the zones should be much smaller as there was too much rubbish standing on the kerb for too long - though in fairness the weather did not help.

Many regional Councils including Wingecarribee are facing significant operational challenges in terms of assessing and determining Development Applications. This has been a long standing issue in Wingecarribee Shire, with more applications received than determined over the past few years. Over one thousand (1000) Development Applications were made last year, and assessing these appropriately to meet community and customer expectations has been a challenge for staff.

Growth in application numbers, Covid impacts and competition across Government (at both local and state levels) for planning staff has made the current situation difficult, particularly for residents having to wait too long for smaller scale residential approvals. This is not a criticism of staff, with many working long hours to support the organisation, their colleagues and customer needs, but I recognise that we have reached a point where they need urgent assistance.

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The General Manager and the Director Communities and Place are addressing this with a particular emphasis on increased resourcing.

Some of these changes have already been made – introduction of the new online Duty Planning system, securing assistance from the Department of Planning’s Flying Squad, active recruitment for staff, appointment of specialist contractors and additional resources requested from neighbouring Councils.

More will be required to ensure that the core services of Development Assessment and Certification are properly supported over the next 6 months, so that the current backlog is addressed, the system re-set, processes improved and customer and community confidence restored. I will be requesting regular updates from senior staff on progress in this area and have asked that a status report be provided to the June Council meeting.

Business in Robertson have been impacted by the closure of Macquarie Pass. As part of the Small Business Month program, Service NSW were active in various forums which were open to all businesses and networks in the Highlands. More recently Council officers have been in contact with the Robertson Chamber of Commerce to organise for Service NSW to attend one of their meetings to discuss their individual needs.

I would also like to highlight the Potato Festival which will be held on Saturday 30 April and Sunday 1 May at the Robertson Showground. This Festival will bring all-things-potato to life from cultivation to culinary experiences. From making mash or moonshine, to artmaking and growing, cooking and competitions; there’ll be opportunities to explore and celebrate the diversity and importance of this staple food which is the world’s fourth largest food crop. A great initiative for the Town and I hope people across the Shire support them.

Council staff have been working with the Robertson community to develop the Robertson Place Plan and one of the issues that has been raised through that process is the impact of heavy vehicles on the Illawarra Highway. Not only the impacts on amenity and pedestrian safety within the Robertson village centre, but also the regular closing of Macquarie Pass as a result of heavy vehicles that restricts movement to and from the Southern Highlands. I will be asking the General Manager to raise these concerns with both Transport for NSW and our State Members to investigate whether restricting heavy vehicle usage on Macquarie Pass is an option to resolve these issues. In addition, my personal observation is that such a restriction would also assist Argyle Street, Moss Vale with Picton Road for use by heavy vehicles would appear to be a safer route.

With Anzac Day fast approaching it was pleasing to be advised that the Federal Government has approved a grant of \$61,000 under the Saluting Their Service Commemorative Grants program to assist in the repair an upgrade of the Vietnam War Memorial and Cherry Tree Walk in Bowral.

On 18 March I attended the Illawarra Infrastructure and Investment Summit in Wollongong that was very well attended and included presentations from the Chair of Infrastructure Australia and a

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number of panel sessions involving politicians and key professionals. Business Illawarra is to be congratulated for the initiative.

On Wednesday 30 March together with the General Manager and Mr Park, I attended a meeting at Parliament House, Sydney with the Minister of Planning and Homes the Hon Anthony Roberts which was organised and also attended by the Member for Goulburn, the Hon Wendy Tuckerman MP. The purpose of the meeting was to brief Minister Roberts on the strategic planning challenges that confront Council, particularly in relation to the Southern Highland Innovation Precinct and implementation of the Housing Strategy and to seek financial assistance. Generally our representations aligned with the report on this matter adopted at the March meeting and we received good hearing.

It is opportune that the Coomungie/Chelsea Gardens overview report is on this agenda as it again highlights Council's failure (at both political and administrative level) to address issues strategically and I can assure residents this is now a priority and while the past cannot be recovered, lessons have been learnt.

I was fortunate to be invited by the Wingecarribee Reconciliation Group to its annual mirror flash at Gibbergunyah Reserve on Saturday 9 April 2022. The event was organised by Wingecarribee Reconciliation, we were welcomed with a smoking ceremony which has been a cultural practice of our First Nations People.

<https://www.wsc.nsw.gov.au/files/assets/public/council/meeting-minutes/2022-interim-administrator/ia-minute-community-update-20-april-22.pdf>

Viv May PSM

Interim Administrator

MN 2022/69

MOTION moved by Interim Administrator.

THAT the minute be received and noted.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

9 GENERAL MANAGER

9.1 Agritourism Nominations under Standard Instrument Amendment Order

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

OFFICER'S RECOMMENDATION

THAT

1. The Council not support the introduction of additional permissible uses of "Farmgate Premises" and "Farm Experience Premises" in the RU4, C3 and C4 zones and the additional permitted use of "Farm Stay Accommodation" in the RU4 zone in the absence of a formal Planning Proposal with appropriate community engagement.
2. The Council support the following nominations under the draft Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021:
 - Clause 5.23(2)(b) nominate a maximum gross floor area for Farm stay accommodation of 60m²
 - Clause 5.23(2)(c) nominate maximum number of guests for Farm stay accommodation of 10
 - Clause 5.23(2)(d) nominate maximum number of moveable dwellings on a landholding for Farm stay accommodation of 3
 - Clause 5.24(2)(a) nominate maximum gross floor area for Farm gate premises of 100m²
 - Clause 5.24(2)(b) nominate maximum number of guests for Farm gate premises of 25
3. That Council prepare a Planning Proposal to nominate alternative maxima controls for these land uses and additional zones where such land uses may be considered appropriate to be permitted.

LOCAL PLANNING PANEL ADVICE

This matter was considered at the Local Planning Panel meeting of 6 April 2022 with the following recommendation from staff:

THAT the proposed nominations under the draft Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021, as described in this report, be supported for Council endorsement by the Interim Administrator.

The Panel did not support the staff recommendation and provided the following advice:

1. *The Panel considers that is regrettable that the timetable provided by the Department of Planning does not enable appropriate community consultation in respect of the proposed changes to Wingecarribee LEP 2010 as a consequence of the proposed changes to the standard instrument.*
2. *The Panel does not support the introduction of additional permissible uses of "Farmgate Premises" and "Farm Experience Premises" in the RU4, C3 and C4 zones and the additional permitted use of "Farm Stay Accommodation" in the RU4 zone in the absence of a formal Planning Proposal with appropriate community engagement.*

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3. The Panel does not support the full extent of nominations and changes as set out in the Council Officer's report. Instead the Panel supports the following nominations under the draft Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021 be supported for Council endorsement by the Interim Administrator.

- Clause 5.23(2)(b) nominate a maximum gross floor area for Farm stay accommodation of 60m²
- Clause 5.23(2)(c) nominate maximum number of guests for Farm stay accommodation of 10
- Clause 5.23(2)(d) nominate maximum number of moveable dwellings on a landholding for Farm stay accommodation of 3
- Clause 5.24(2)(a) nominate maximum gross floor area for Farm gate premises of 100m²
- Clause 5.24(2)(b) nominate maximum number of guests for Farm gate premises of 25

4. The Panel recommends a Planning Proposal be prepared to nominate alternative maxima controls for these land uses and additional zones where such land uses may be considered appropriate to be permitted.

The Executive Manager Strategic Outcomes introduced the item and advised that what is not clear in the report is that the staff do not support the Panel's advice in full. It is apparent that where staff do not support the advice provided by the Panel, more detail and an alternate staff recommendation should be provided in the report, and in future Business Papers, that is how it will be presented to Council.

In this instance, after considering the Panel's advice, the staff have provided the following alternate recommendation for Council's consideration as follows:

ALTERNATE OFFICER RECOMMENDATION

THAT in relation to the draft Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021, Council:

1. Write to the Department of Planning and Environment with the following nominations to be incorporated into the Wingecarribee Local Environmental Plan 2010:
 - a. The new definitions of 'Farm Gate Premises' and 'Farm Experience Premises' be made permissible in zones where 'Extensive Agriculture' is permissible, being the RU1, RU2, RU4, C3 and C4 Zones
 - b. The following development standards for Farm Gate Premises be set under the optional Clause 5.24 – Farm Gate Premises:
 - Maximum Gross Floor Area of 200m²
 - Maximum number of guests of 50
2. In relation to Farm Stay Accommodation, Council maintain the existing development standards by:
 - a. Continuing to allow Farm Stay Accommodation in the RU1, RU2, C3, C4 and SP3 Zones
 - b. Continuing to prohibit Farm Stay Accommodation in the RU4 Zone
 - c. Not adopting the optional Clause 5.23 – Farm Stay Accommodation
3. Council prepare a Planning Proposal to nominate additional development standards for Farm Stay Accommodation, in consultation with the community and industry.

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The Interim Administrator subsequently took the Officer's advice and moved the following motion.

MN 2022/70

MOTION moved by Interim Administrator.

THAT in relation to the draft Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021, Council:

- 1. Write to the Department of Planning and Environment with the following nominations to be incorporated into the Wingecarribee Local Environmental Plan 2010:***
 - a. The new definitions of 'Farm Gate Premises' and 'Farm Experience Premises' be made permissible in zones where 'Extensive Agriculture' is permissible, being the RU1, RU2, RU4, C3 and C4 Zones***
 - b. The following development standards for Farm Gate Premises be set under the optional Clause 5.24 – Farm Gate Premises:***
 - Maximum Gross Floor Area of 200m²***
 - Maximum number of guests of 50***
- 2. In relation to Farm Stay Accommodation, Council maintain the existing development standards by:***
 - a. Continuing to allow Farm Stay Accommodation in the RU1, RU2, C3, C4 and SP3 Zones***
 - b. Continuing to prohibit Farm Stay Accommodation in the RU4 Zone***
 - c. Not adopting the optional Clause 5.23 – Farm Stay Accommodation***
- 3. Council prepare a Planning Proposal to nominate additional development standards for Farm Stay Accommodation, in consultation with the community and industry.***

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

The Interim Administrator requested the statement from the Public Forum by Mr Randall Walker, Facilitator of the Southern Highlands Key Stakeholders Group be added to the Minutes. This statement is contained as an attachment.

9.2 Planning Proposal and Heritage Assessment of 2 & 4 Myrtle Street, Bowral, and 'Karingal', 26 Elizabeth Street, Moss Vale—Confirmation of Resolution

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

OFFICER'S RECOMMENDATION

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

The Executive Manager Strategic Outcomes introduced the item.

MN 2022/71

MOTION *moved by Interim Administrator.*

1. ***THAT*** *Council supports the heritage assessment and proposed heritage listing of “‘Karingal’ Interwar bungalow and garden including brick and trachyte fence” comprising Lot 1 DP 986025 and Lot 110 DP 877316 and located at 26 Elizabeth Street, Moss Vale.*
2. ***THAT*** *Council supports the heritage assessment and proposed inclusion of 2, 4 and 6 Myrtle Street, Bowral, comprising Lot 1 DP 840484, Lot 1 DP 741837 and Lot C DP 157898, within the Bowral Conservation Area.*

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

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10 REPORTS

10.1 Consultation on Child Care Gap Fee Waiver

Report Author: Coordinator of Children’s Services
Authoriser: Director Corporate Strategy and Resourcing

OFFICER’S RECOMMENDATION

THAT:

1. Council waive the “gap fee”, backdated to 21 November 2021, for a total of five (5) days per child at Wingecarribee Out of School Service, where the child must isolate because they or a member of their immediate household, is a close contact or tested positive to COVID -19, as per Government requirements until 30 June 2022 or as on advice of the Department of Education Skills and Employment (DESE) guidelines.

The Group Manager Corporate and Community introduced the item.

MN 2022/72

MOTION moved by Interim Administrator.

THAT Council waive the “gap fee”, backdated to 21 November 2021, for a total of five (5) days per child at Wingecarribee Out of School Service, where the child must isolate because they or a member of their immediate household, is a close contact or tested positive to COVID -19, as per Government requirements until 30 June 2022 or as on advice of the Department of Education Skills and Employment (DESE) guidelines.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.2 Wingecarribee Adult Day Care - Request for an existing loan to be transitioned to a grant

Report Author: Coordinator Property Services

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council maintain the current funding agreement with Wingecarribee Adult Day Care Centre (WADCC).
2. Council Officers meet with representatives of Wingecarribee Adult Day Care Centre to explore options for increasing revenue to enable a repayment schedule to be developed.

The Director Corporate Strategy and Resourcing introduced the item.

MN 2022/73

MOTION moved by Interim Administrator.

THAT:

1. Council maintain the current funding agreement with Wingecarribee Adult Day Care Centre (WADCC).
2. Council Officers meet with representatives of Wingecarribee Adult Day Care Centre to explore options for increasing revenue to enable a repayment schedule to be developed.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.3 Visitor Servicing Project

Report Author: Director Corporate Strategy and Resourcing
Authoriser: General Manager

OFFICER'S RECOMMENDATION

THAT:

- 1. Council participate in the Futureproofing Visitor Servicing in NSW project as a pilot.**
- 2. Council contributes \$2,100 (two thousand one hundred dollars) for an additional workshop.**
- 3. A further report be provided to Council, following the industry and community sessions to provide an update on the project and proposed next steps.**

The Director Corporate Strategy and Resourcing introduced the item.

MN 2022/74

MOTION *moved by Interim Administrator.*

THAT:

- 1. Council participate in the Futureproofing Visitor Servicing in NSW project as a pilot.**
- 2. Council contributes \$2,100 (two thousand one hundred dollars) for an additional workshop.**
- 3. A further report be provided to Council, following the industry and community sessions to provide an update on the project and proposed next steps.**

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.4 Draft Disability Inclusion Action Plan 2022 - 2026 for Public Exhibition

Report Author: Coordinator Community Development
Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. The Draft Disability Inclusion Action Plan as provided in Attachment 1 be placed on public exhibition from 25 April 2022 to 23 May 2022.
2. Council receives a further report at the end of the public exhibition period to review any submissions received on the Draft Disability Inclusion Action Plan, prior to adoption.

The Group Manager Corporate and Community introduced the item.

MN 2022/75

MOTION moved by Interim Administrator.

THAT:

1. *The Draft Disability Inclusion Action Plan as provided in Attachment 1 be placed on public exhibition from 25 April 2022 to 23 May 2022.*
2. *Council receives a further report at the end of the public exhibition period to review any submissions received on the Draft Disability Inclusion Action Plan, prior to adoption.*

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.5 Draft Operational Plan and Budget 2022/2023 for Public Exhibition

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

OFFICER'S RECOMMENDATION

THAT:

1. Council endorse the Draft 2022/23 Operational Plan and Budget, Revenue Policy, Capital Works Program and Draft 2022/23 Fees and Charges, as set out in Attachments 1 and 2, for public exhibition from 22 April 2022 to 20 May 2022.
2. Following public exhibition, the Draft 2022/23 Operational Plan and Budget, Revenue Policy, Capital Works Program and Draft 2022/23 Fees and Charges be presented to Council for adoption in June 2022.

The Chief Financial Officer introduced the item.

MN 2022/76

MOTION moved by Interim Administrator.

THAT the draft 2022/23 Operational Plan and Budget be deferred until 4 May 2022 at 3:30pm to enable clarification of resourcing in services and for the draft Long Term Financial Plan to be placed on exhibition at the same time as the draft Operational Plan and Budget.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.6 Draft Financial Reserves Policy for Public Exhibition

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

OFFICER'S RECOMMENDATION

THAT:

1. Council endorse the draft Financial Reserves Policy to be placed on public exhibition for 28 days.
2. After the public exhibition period, a further Council report tabling any submissions received prior to adoption of the Financial Reserves Policy.

The Chief Financial Officer introduced the item.

MN 2022/77

MOTION moved by Interim Administrator.

THAT:

1. Council endorse the draft Financial Reserves Policy to be placed on public exhibition for 28 days.
2. After the public exhibition period, a further Council report tabling any submissions received prior to adoption of the Financial Reserves Policy.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.7 Investment Report - March 2022

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

OFFICER'S RECOMMENDATION

THAT:

1. The information on Council's Investments as at 31 March 2022 be received and noted.

The Chief Financial Officer introduced the item.

MN 2022/78

MOTION moved by Interim Administrator.

THAT the information on Council's Investments as at 31 March 2022 be received and noted.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.8 2021 Council Christmas Festivities Feedback

Report Author: Coordinator Community Development
Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

- 1. Council continues to provide additional funding for Christmas celebrations across the Shire as a part of the 2022/23 budget.**

The Group Manager Corporate and Community introduced the item.

MN 2022/79

MOTION *moved by Interim Administrator.*

THAT *the matter be deferred and THAT itemised expenditure on activities organised in towns and villages during December 2021 be provided and be brought to the Extraordinary Meeting on 4 May 2022.*

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.9 Proposed Right of Carriageway over Council Property being Lot 2 DP790406 and Lot 1 DP738374 Station Street Bowral - review of Notice of Rescission Motion MN 139/16

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

OFFICER'S RECOMMENDATION

THAT provision of a Right of Carriageway in favour of 33-37 Station Street, Bowral as provided for in *MN 139/16* be formally abandoned.

The Director Corporate Strategy and Resourcing introduced the item.

MN 2022/80

MOTION moved by Interim Administrator.

THAT:

- 1. Provision of a Right of Carriageway in favour of Lot 2 DP790406 and Lot 1 DP738374, 33-37 Station Street, Bowral as provided for in MN 139/16 be formally abandoned.***
- 2. A further report to be provided to the next Ordinary Meeting providing details of the report to Council on 23 March 2016 relating to the right of Carriageway over Council property being Lot 2 DP790406 and Lot 1 DP738374, 33-37 Station Street, Bowral.***

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.10 Proposed Lease - Southern Highlands Storm Rugby League Club - Clubhouse, Loseby Park Bowral and Clubhouse Community Oval Moss Vale

Report Author: Coordinator Property Services
Authoriser: General Manager

OFFICER'S RECOMMENDATION

THAT:

- 1. The General Manager be delegated authority to negotiate the terms and conditions of the Lease to Southern Highlands Storm Rugby League Club for part Clubhouse (upper level) Community Oval, Donkin Avenue, Moss Vale (being part Lot 3 DP 1108992) for a maximum term of 21 years.**
- 2. It be noted that the proposed Lease referred to in resolution 1 above is authorised by the adopted Plan of Management for the community land.**
- 3. The draft Lease referred to in resolution 1 above be publicly exhibited for a minimum 28 day period.**
- 4. If any objections are received during the period of public exhibition, a further report be presented to a future ordinary meeting of Council.**
- 5. If there are no objections to the Lease received during the period of public exhibition, the General Manager and Interim Administrator/Mayor be delegated authority to execute the Lease referred to in resolution 1 above under the Common Seal of the Council.**
- 6. If there are no objections to the Lease referred to in resolution 1 above during the period of public exhibition, authority be to delegated to the General Manager to sign any documentation in relation to the Lease not requiring affixing of the Common Seal of Council.**

The Director Corporate Strategy and Resourcing introduced the item.

MN 2022/81

MOTION *moved by Interim Administrator.*

THAT:

- 1. The General Manager be delegated authority to negotiate the terms and conditions of the Lease to Southern Highlands Storm Rugby League Club for part Clubhouse (upper level) Community Oval, Donkin Avenue, Moss Vale (being part Lot 3 DP 1108992) for a maximum term of 21 years.**

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2. *It be noted that the proposed Lease referred to in resolution 1 above is authorised by the adopted Plan of Management for the community land.*
3. *The draft Lease referred to in resolution 1 above be publicly exhibited for a minimum 28 day period.*
4. *If any objections are received during the period of public exhibition, a further report be presented to a future ordinary meeting of Council.*
5. *If there are no objections to the Lease received during the period of public exhibition, the General Manager and Interim Administrator/Mayor be delegated authority to execute the Lease referred to in resolution 1 above under the Common Seal of the Council.*
6. *If there are no objections to the Lease referred to in resolution 1 above during the period of public exhibition, authority be to delegated to the General Manager to sign any documentation in relation to the Lease not requiring affixing of the Common Seal of Council.*

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.11 Planning Proposal to Reclassify Council owned land at Lot 128 DP 1263043, 232 Oxley Drive, Bowral being the site of Council's Telecommunication Tower on Mt Gibraltar

Report Author: Coordinator Property Services

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT a Planning Proposal be prepared and submitted to NSW Department of Planning and Environment for a Gateway Determination to reclassify Lot 128 DP 1263043 being the site of the Mt Gibraltar Communication Tower at 232 Oxley Drive, Mittagong from Community land to Operational land.

The Director Corporate Strategy and Resourcing introduced the item.

The Director Communities and Place addressed the meeting.

MN 2022/82

MOTION moved by Interim Administrator.

THAT the matter be deferred and the General Manager be delegated authority to investigate a subdivision of Lot 128 DP 1263043 to limit the area of land to be reclassified.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.12 Additional Road Closure - Mt Gibraltar - Ellen Street Bowral

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

OFFICER'S RECOMMENDATION

THAT:

1. Council endorse the application for closure of part of the unformed road being Ellen Street, Bowral as shown in Attachment 1 to this report.
2. Council provide a minimum twenty-eight (28) days public notice of its intention to close a segment of the Council road at Ellen Street, Bowral **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 *Roads Act, 1993*, Council as road authority formally approve the closure of the portion of Council public road referred to in Resolution 1 above and that upon closure the newly created lot will be classified as Community Land pursuant to the *Local Government Act 1993*.
4. The General Manager and Mayor/Interim 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 Council public road 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 affixing of the Common Seal of Council.
6. Council endorse the application to NSW Department of Planning and Environment – Crown Lands to transfer management to Council of the sections of Deane Street, Bowral and Bright Street, Bowral as shown in Attachment 2 to this report.

The Director Corporate Strategy and Resourcing introduced the item.

MN 2022/83

MOTION moved by Interim Administrator.

THAT:

1. Council endorse the application for closure of part of the unformed road being Ellen Street, Bowral as shown in Attachment 1 to this report.
2. Council provide a minimum twenty-eight (28) days public notice of its intention to close a segment of the Council road at Ellen Street, Bowral **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 *Roads Act, 1993*, Council as road authority formally

approve the closure of the portion of Council public road referred to in Resolution 1 above and that upon closure the newly created lot will be classified as Community Land pursuant to the Local Government Act 1993.

- 4. The General Manager and Mayor/Interim 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 Council public road 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 affixing of the Common Seal of Council.*
- 6. Council endorse the application to NSW Department of Planning and Environment – Crown Lands to transfer management to Council of the sections of Deane Street, Bowral and Bright Street, Bowral as shown in Attachment 2 to this report.*

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.13 Plan of Management - Draft Generic Bushland

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

OFFICER'S RECOMMENDATION

THAT:

- 1. Council authorises the General Manager to submit the Draft Plan of Management for Community Land and Crown Reserves (Natural Areas – Bushland and Watercourse) to the Department of Planning and Environment – Crown Lands for endorsement prior to giving public notice of this Plan.**
- 2. Following endorsement by the Department of Planning and Environment – Crown Lands a further report is provided to Council.**

The Manager Assets introduced the item.

MN 2022/84

MOTION *moved by Interim Administrator.*

THAT:

- 1. Council authorises the General Manager to submit the Draft Plan of Management for Community Land and Crown Reserves (Natural Areas – Bushland and Watercourse) to the Department of Planning and Environment – Crown Lands for endorsement prior to giving public notice of this Plan.**
- 2. Following endorsement by the Department of Planning and Environment – Crown Lands a further report is provided to Council.**
- 3. A status report and timeline on plans of management be provided to Council on Balmoral Reserve and Commemoration Park.**

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.14 Further support for households in temporary accommodation on land affected by the Black Summer bushfires in 2019 – 2020

Report Author: Acting Manager Planning Certification and Compliance
Authoriser: Director Communities and Place

OFFICER'S RECOMMENDATION

THAT:

1. Council note that of the 68 dwellings lost in the Wingecarribee Shire in the Black Summer bushfires, approximately 37 have been rebuilt to date. Council has received a total of 40 development applications for dwelling rebuilds and issued 37 development consents for dwelling rebuilds and a total of 73 consents for all residential works.
2. Note that the Department of Planning, Industry and Environment relaxed occupation of land for bushfire-affected households to allow them to live in temporary accommodation on their bushfire-affected land for up to two years.
3. Acknowledge that many households affected by the Black Summer bushfires continue to live on their land in temporary accommodation with limited financial, physical, psychological and emotional means to progress redevelopment.
4. Acknowledge the critical shortage of affordable housing in the Wingecarribee Shire, which makes access to alternative accommodation difficult.
5. Resolves, for bushfire-affected households occupying their bushfire-affected property, not to progress compliance action in relation to occupation of temporary accommodation on that land for a two-year period from 20 April 2022, providing that:
 - a) their dwelling was destroyed or severely damaged in the Black Summer bushfire.
 - b) their land has a dwelling entitlement.
 - c) they were temporarily occupying their land under the provisions of the NSW Government's exemption for bushfire-affected people.
 - d) they are not adversely affecting the quiet enjoyment their neighbours could reasonably expect.
 - e) their occupation does not present a material risk to the environment.
 - f) their occupation does not present a material health and safety risk.
 - g) they have no reasonable prospect of alternative affordable accommodation in the local area; and
 - h) they are actively working with Council to progress permanent occupation under a valid development consent.

MN 2022/85

MOTION moved by Interim Administrator.

THAT:

1. Council note that of the 68 dwellings lost in the Wingecarribee Shire in the Black Summer bushfires, approximately 37 have been rebuilt to date. Council has received a total of

40 development applications for dwelling rebuilds and issued 37 development consents for dwelling rebuilds and a total of 73 consents for all residential works.

- 2. Note that the Department of Planning, Industry and Environment relaxed occupation of land for bushfire-affected households to allow them to live in temporary accommodation on their bushfire-affected land for up to two years.*
- 3. Acknowledge that many households affected by the Black Summer bushfires continue to live on their land in temporary accommodation with limited financial, physical, psychological and emotional means to progress redevelopment.*
- 4. Acknowledge the critical shortage of affordable housing in the Wingecarribee Shire, which makes access to alternative accommodation difficult.*
- 5. Resolves, for bushfire-affected households occupying their bushfire-affected property, not to progress compliance action in relation to occupation of temporary accommodation on that land for a two-year period from 20 April 2022, providing that:*
 - a) their dwelling was destroyed or severely damaged in the Black Summer bushfire.*
 - b) their land has a dwelling entitlement.*
 - c) they were temporarily occupying their land under the provisions of the NSW Government's exemption for bushfire-affected people.*
 - d) they are not adversely affecting the quiet enjoyment their neighbours could reasonably expect.*
 - e) their occupation does not present a material risk to the environment.*
 - f) their occupation does not present a material health and safety risk.*
 - g) they have no reasonable prospect of alternative affordable accommodation in the local area; and*
 - h) they are actively working with Council to progress permanent occupation under a valid development consent.*

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.15 Chelsea Gardens / Coomungie Overview Report

Report Author: Director Communities and Place
Authoriser: General Manager

OFFICER'S RECOMMENDATION

THAT:

1. Council receive and note the information contained in this report.
2. An update be provided to Council once the Southern Regional Planning Panel has determined the application.

The Director Communities and Place introduced the item.

MN 2022/86

MOTION moved by Interim Administrator.

THAT:

1. Council receive and note the information contained in this report.
2. An update be provided to Council once the Southern Regional Planning Panel has determined the application.
3. It be noted that Council will be in a position to levy any development contribution fee that is current if future applications are submitted for additional stages of the subject site.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.16 Moss Vale Plastics Recycling Facility - State Significant Development

Report Author: Manager Environment and Sustainability
Authoriser: Director Communities and Place

OFFICER'S RECOMMENDATION

THAT:

1. The report on the proposed Moss Vale Plastics Recycling Facility be received for information.
2. Council endorse the submission to the Department of Planning and Environment on the Moss Vale Plastics Recycling Facility Environmental Impact Statement as contained in the attachment to this report.
3. Council oppose the proposed development in its current proposed location and until such time as important infrastructure gaps are either resolved, or there is certainty about the completion dates for the necessary infrastructure projects.
4. Council advise the Department of Planning and Environment that a further thorough and transparent review of matters of key concern (e.g. air quality, noise, and other health and amenity issues) is required before a final planning decision is made, in order, to address community concern.

The Director Communities and Place introduced the item.

The Executive Manager Strategic Outcomes addressed the meeting.

MN 2022/87

MOTION moved by Interim Administrator.

THAT:

1. *The report on the proposed Moss Vale Plastics Recycling Facility be received for information.*
2. *Council endorse the submission to the Department of Planning and Environment on the Moss Vale Plastics Recycling Facility Environmental Impact Statement as contained in the attachment to this report.*
3. *Council oppose the proposed development in its current proposed location and until such time as important infrastructure gaps are either resolved, or there is certainty about the completion dates for the necessary infrastructure projects.*
4. *Council advise the Department of Planning and Environment that a further thorough and transparent review of matters of key concern (e.g. air quality, noise, and other health and amenity issues) is required before a final planning decision is made, in order, to address community concern.*

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.17 Old South Road Renewal Funding Strategy

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

OFFICER'S RECOMMENDATION

THAT:

1. Council endorse the following project budgets for the Old South Road Renewal Project and makes the associated adjustments to the 22/23 and 23/24 Financial Year budgets and the Long-Term Financial Plan:
 - a. 2022/23 - \$9,025,750 (comprising of \$186,422 Special Rate Variation Funds and \$8,839,328 Grants)
 - b. 2023/24 - \$9,479,499 (comprising of \$8,532,266 Special Rate Variation Funds and General Fund and \$947,233 Grants)
2. Council resolves to proceed to tender for the Old South Road Renewal construction once the tender documents have been completed while the funding adjustments are being implemented and finalised.

The Director Service and Project Delivery introduced the item.

MN 2022/88

MOTION moved by Interim Administrator.

THAT:

1. *Council endorse the following project budgets for the Old South Road Renewal Project and makes the associated adjustments to the 22/23 and 23/24 Financial Year budgets and the Long-Term Financial Plan:*
 - a. *2022/23 - \$9,025,750 (comprising of \$186,422 Special Rate Variation Funds and \$8,839,328 Grants)*
 - b. *2023/24 - \$9,479,499 (comprising of \$8,532,266 Special Rate Variation Funds and General Fund and \$947,233 Grants)*
2. *Council resolves to proceed to tender for the Old South Road Renewal construction once the tender documents have been completed while the funding adjustments are being implemented and finalised.*

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.18 RFT 6330/22.5 Construction of Seven Bridges

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

OFFICER'S RECOMMENDATION

THAT:

1. Council accepts the Tender for Construction of Seven Bridges Separable Portion 1 from Bridge and Civil Pty Ltd at a lump sum price of \$1,714,563.40 (inclusive of GST)
2. Council note the tenders received ranged from \$1,714,563.40 to \$2,007,865.00 (Inclusive of GST).
3. Council accepts the Tender for Construction of Seven Bridges Separable Portion 2 from Brefni Pty Ltd at a lump sum price of \$1,049,033.00 (inclusive of GST)
4. Council note the tenders received ranged from \$1,049,033.00 to \$1,285,357.70 (inclusive of GST)
5. Council note that in relation to the Construction of Seven Bridges Separable Portion 3, that the award of that portion of the Tender be determined by Upper Lachlan Shire Council at its meeting of 21 April 2022.
6. Council delegate authority to the General Manager to execute the contracts relating to works to be undertaken by Wingecarribee Shire Council and any other documentation required to give effect to this resolution.
7. Council resolves to allocate the \$215,508 (exclusive of GST) of funding in the 2022/23 Culverts and Bridges Program to the projects as defined in Separable Portion 1.
8. Council resolves to reallocate \$140,000 (exclusive of GST) of funding from the 2022/23 Range Road Renewal project to the project defined as Separable Portion 2.

The Group Manager Capital Projects introduced the item.

MN 2022/89

MOTION *moved by Interim Administrator.*

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THAT:

1. ***Council accepts the Tender for Construction of Seven Bridges Separable Portion 1 from Bridge and Civil Pty Ltd at a lump sum price of \$1,714,563.40 (inclusive of GST).***
2. ***Council note the tenders received ranged from \$1,714,563.40 to \$2,007,865.00 (Inclusive of GST).***
3. ***Council accepts the Tender for Construction of Seven Bridges Separable Portion 2 from Brefni Pty Ltd at a lump sum price of \$1,049,033.00 (inclusive of GST).***
4. ***Council note the tenders received ranged from \$1,049,033.00 to \$1,285,357.70 (inclusive of GST).***
5. ***Council note that in relation to the Construction of Seven Bridges Separable Portion 3, that the award of that portion of the Tender be determined by Upper Lachlan Shire Council at its meeting of 21 April 2022.***
6. ***Council delegate authority to the General Manager to execute the contracts relating to works to be undertaken by Wingecarribee Shire Council and any other documentation required to give effect to this resolution.***
7. ***Council resolves to allocate the \$215,508 (exclusive of GST) of funding in the 2022/23 Culverts and Bridges Program to the projects as defined in Separable Portion 1.***
8. ***Council resolves to reallocate \$140,000 (exclusive of GST) of funding from the 2022/23 Range Road Renewal project to the project defined as Separable Portion 2.***

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

**10.19 RFT 6330/22.4: Supply and Installation of Venturi Aeration System
- Tender Report to Council**

Report Author: Sewer Headworks Engineer
Authoriser: Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT:

1. Council rejects all tenders for the Supply and Installation of Venturi Aeration System and cancels the proposal for the contract due to a change in project specification.

The Acting Group Manager Water and Sewer introduced the item.

MN 2022/90

MOTION moved by Interim Administrator.

THAT Council rejects all tenders for the Supply and Installation of Venturi Aeration System and cancels the proposal for the contract due to a change in project specification.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.20 RFT 6330.22.6 Stormwater Drainage and Carpark Construction, Station St Bowral

Report Author: Senior Construction Engineer
Authoriser: Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT:

1. Council accepts the Tender from Zivil Earthmoving Pty Ltd for the Stormwater Drainage and Carpark Construction in Station Street, Bowral at a lump sum price of \$767,145.76 (inclusive of GST);
2. Council note the tenders received ranged from \$624,573 to \$1,617,361; 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 Director Service and Project Delivery introduced the item.

MN 2022/91

MOTION moved by Interim Administrator.

THAT:

1. *Council accepts the Tender from Zivil Earthmoving Pty Ltd for the Stormwater Drainage and Carpark Construction in Station Street, Bowral at a lump sum price of \$767,145.76 (inclusive of GST);*
2. *Council note the tenders received ranged from \$624,573 to \$1,617,361; 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 INTERIM ADMINISTRATOR

10.21 Civic Centre Refurbishment Finalisation Report

Report Author: Group Manager Capital Delivery
Authoriser: General Manager

OFFICER'S RECOMMENDATION

THAT:

1. Council note the final position of the Civic Centre Refurbishment Project.
2. A further report be provided to Council following the finalisation of the liquidation of the Matrix Group Co Pty Ltd.

The Group Manager Capital Delivery introduced the item.

MN 2022/92

MOTION moved by Interim Administrator.

THAT:

1. Council note the final position of the Civic Centre Refurbishment Project.
2. A further report be provided to Council following the finalisation of the liquidation of the Matrix Group Co Pty Ltd.
3. Noting that Council's Capital Expenditure Review of November 2019 to the Office of Local Government states "Council is proposing to undertake this project because the existing building has significant maintenance issues, is energy inefficient, does not meet current standards for accessibility, is overcrowded and is inconsistent with current workplace health and safety standards" the General Manager undertake an audit of staff areas and report be provided for funding of same and investigate the opportunity to increase the Moss Vale Library floor space to ensure compliance with State's standards, with the view to the works being undertaken during the next financial year.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.22 T-2022-7 Colo Vale Water Main Distribution Pipework Upsizing

Report Author: Senior Operational Program Engineer
Authoriser: Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT:

1. Council accepts the Tender for Colo Vale Water Main Distribution Pipework Upsizing at a lump sum price of \$355,169.24 (inclusive of GST)
2. Council note the tenders received ranged from \$355,169.24 to \$482,476.50 (inclusive of GST).
3. Council delegate authority to the General Manager to execute the contracts relating to works to be undertaken by Wingecarribee Shire Council and any other documentation required to give effect to this resolution.

The Acting Group Manager Water and Sewer introduced the item.

MN 2022/93

MOTION moved by Interim Administrator.

THAT:

1. Council accepts the Tender for Colo Vale Water Main Distribution Pipework Upsizing at a lump sum price of \$355,169.24 (inclusive of GST)
2. Council note the tenders received ranged from \$355,169.24 to \$482,476.50 (inclusive of GST).
3. Council delegate authority to the General Manager to execute the contracts relating to works to be undertaken by Wingecarribee Shire Council and any other documentation required to give effect to this resolution.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.23 Removal of Soil (General Waste Non Putrescible) stockpiled at the Resource Recovery Centre

Report Author: Coordinator Assets - Parks and Buildings
Authoriser: Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT:

1. Council undertake an open market tender for the removal and disposal of the stockpile;
2. A Council report be prepared upon completion of the tender process and proposed funding arrangements for the project, and
3. Council acknowledge the potential need to access the Waste Facilities General Fund Reserve for the removal and disposal of the stockpile.

The Acting Manager Business Services introduced the item.

MN 2022/94

MOTION moved by Interim Administrator.

THAT:

1. *Council undertake an open market tender for the removal and disposal of the stockpile;*
2. *A Council report be prepared upon completion of the tender process and proposed funding arrangements for the project, and*
3. *Council acknowledge the potential need to access the Waste Facilities General Fund Reserve for the removal and disposal of the stockpile.*
4. *Arrangements be made for the Interim Administrator to undertake a site visit.*

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.24 Audit, Risk and Improvement Committee Minutes

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

OFFICER'S RECOMMENDATION

THAT the Minutes of the Audit, Risk and Improvement Committee Meeting held on 10 March 2022 be received and noted.

BACKGROUND

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

REPORT

The Audit, Risk and Improvement Committee (the Committee) met on 10 March 2022. The Committee will meet for their next meeting in June 2022.

MN 2022/95

MOTION moved by Interim Administrator.

THAT the Minutes of the Audit, Risk and Improvement Committee Meeting held on 10 March 2022 be received and noted.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.25 Country Mayors Association of New South Wales Minutes

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

OFFICER'S RECOMMENDATION

THAT:

1. The Minutes from the Country Mayors Association meeting held on 11 March be noted.

MN 2022/96

MOTION moved by Interim Administrator.

THAT the Minutes from the Country Mayors Association meeting held on 11 March be noted.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

10.26 Illawarra Academy of Sport - Seek Appointment of Council's Representative on the Illawarra Academy of Sport

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

OFFICER'S RECOMMENDATION

THAT:

1. The Interim Administrator, be appointed as Council's representatives on the Illawarra Academy of Sport Board, until the next election of Council.

MN 2022/97

MOTION moved by Interim Administrator.

THAT the Interim Administrator, be appointed as Council's representatives on the Illawarra Academy of Sport Board, until the next election of Council.

DECLARED CARRIED BY THE INTERIM ADMINISTRATOR

11 MEETING CLOSURE

The General Manager addressed the meeting.

Last night our area experienced another major storm event, which has resulted in a number of areas Moss Vale, Robertson, Exeter and Berrima, experiencing power outages and damage and throughout the night and today, the local energy provider has been working to restore power.

Our local Emergency Services, the Southern Highlands Police Command, Fire and Rescue RFS and the SES volunteers have been active since last night and have continued to work and are currently working in the Berrima area. Our IT staff worked last night through to early this morning, to restore power to all of our key sites to ensure smooth operations today, in particularity in the Saleyards to make sure sales could go through today.

We have had staff today checking in on vulnerable people who are using life support machines at home, in terms of their power needs. And a special mention to the Water and Sewer teams who were out last night and we have had some challenges with our water and our sewer. But particular mention to John and Lyle, who were out at Robertson last night until midnight undertaking some works to get the commissioning of the new water main connections to Robertson, with the trunk main working in that storm event. And our operations team undertaking tree clearing works today.

It has been a major effort and we have had quite a lot of severe weather events over the last couple of months.

Finally I am pleased to advise that after a highly competitive recruitment process Michael Park has been appointed to the Executive Manager Strategic Outcomes.

Michael has been with Wingecarribee Shire Council since 2018, most recently in the role of Manager Strategic Land Use Planning, prior to Wingecarribee Shire Council Michael worked in both the private sector as well as Shoalhaven Council. Michael in the role of Executive Manager Strategic Outcomes will sit within the Executive and will play a key role in taking a strategic view to planning for the future and also the management of complex projects.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 5:39pm

ATTACHMENT TO THE MINUTES OF THE ORDINARY MEETING OF COUNCIL

9.1 Agritourism Nominations under Standard Instrument Amendment Order

Mr Randall Walker, Facilitator - Southern Highlands Key Stakeholders Group - Statement from Public Forum Held Prior to the Council Meeting

I am speaking against the Agritourism resolution, item 9.1, in its current form in the Council business paper, on the basis that what is being proposed here is such a significant departure from the optimal and reasonable capacity limits contained in the NSW Government Agritourism amendment to the Standard Instrument and what Council staff initially recommended that it will in fact be counterproductive to the intended outcome.

I noted that the Chair of the Local Planning Panel cited as a reason for rejecting sections, or watering down the optimal capacity limits, that there was not enough time for community consultation. I immediately assumed that there had not been an opportunity for a comprehensive briefing on the matter to be given to the panel, explaining the journey to date and the extensive and exhaustive consultation that has occurred every step of the way over a period of more than five years.

Industry has advocated for this amendment, supported by many regional NSW councils, including Wingecarribee. Agriculture, equine, food & wine, and agritourism are accepted and published as strategic priorities for council and industry.

The Wingecarribee Shire Community Strategic Plan 2017, developed with community engagement and consultation and input from more than 700 participants, clearly identified core aspirations such as:

- “Preservation of the character of the Shire” and
- to “Maintain inter-urban breaks (i.e. the green between) and rural landscape between towns”.

One of the most effective ways to preserve the green between and maintain the rural character of the Shire is to enable working farms to remain as working farms by allowing farmers to build resilience by diversifying into agritourism. This NSW Standard Instrument amendment is simply about giving farmers, primary producers, a fighting chance of surviving disruptions like, drought, bushfires, floods, multiple strains of Covid, and floods again.

In the same way that a grape grower and winery can diversify with a cellar door premises a neighbouring beef farmer, or potato farmer, or horse farmer, should be able to diversify with a farm gate premises and/or farm experience premises.

The Community Plan identifies that to achieve the desired outcome of preserving the green between council’s role is as a “Leader” and a “Regulator” and the “Partner” is the State Government.

On this occasion the State Government has done the heaving lifting, following extensive consultation, by proposing an effective amendment to the Standard Instrument and it simply

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requires now the leadership of Council to adopt the amendment, with optimal capacity limits, into the LEP.

Previously industry was thwarted with what can only be described as a Department of Planning administrative error when the Artisan land use definition was ultimately not permissible on land zoned C3.

Farmers, growers and producers, cannot be thwarted again, too much blood, sweat, and tears has been invested in the advocacy over more than five long years. Council undertook extensive consultation in drafting, with industry input, an outstanding Rural Tourism Policy allowing up to 8 farmstay bedrooms. What is being proposed here by the Local Planning Panel is to limit the number of farmstay guests to 10, which is in fact a retrograde step that would be devastating for farmers and industry.

It is critically important to fully understand what is at stake here.

The University of Technology Sydney (UTS) released a report “Sydney Food Futures” with key findings:

- Unless there is a strategic intervention to limit urban sprawl and support agriculture the Greater Sydney Region, including Wingecarribee, will lose up to 60% of its fresh food production capacity by 2030
- Of all the Local Government Areas (LGAs) in the Greater region Wingecarribee was identified as having the highest agricultural production growth potential – if there was an intervention an increase of more than 1 million tonnes of food production a year is projected

We know that in Wollondilly, our immediate northern LGA neighbour, there are more than 50,000 new residential homes in the pipeline. The brutal reality is Wingecarribee is the last line of defence to resist urban sprawl and maintain a fresh food production capacity. This issue is about food security as well as Shire character.

When a working farm is lost it is inevitable it will become a residential development, an urban heatbank. When a working form is lost it is lost forever. It is not possible to correct that decision in the future. We must do everything we can now to support farmers, growers and producers, and boost the economy when communities, retail shops in the main streets of villages, cafes and restaurants, accommodation venues, tour operators, are all desperately seeking post Covid economic recovery strategies.

Wingecarribee needs a strategic intervention to support agriculture by allowing farmers to build resilience and diversify into agritourism. It is only financially viable if the optimal capacity limits are adopted. We certainly cannot afford to go backwards.

In order to be perceived as a genuine food & wine destination you must maintain a food & wine primary production capacity. That is the paddock to plate immersive authentic experience. Industry, through the Southern Highlands Key Stakeholders Group (SHKSG), in collaboration with Council, with Destination Sydney Surrounds South (DSSS) as the lead agency, scoped out, funded, and implemented an Agribusiness & Equine Industry Development Project. Stakeholder engagement forums were conducted, with beef producers on farm, with equine operators, and a Women In Ag event was held on a farm. All stakeholders fully support the content of the amendment with optimal capacity limits.

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 20 APRIL 2022**

I commend to Council for consideration the original NSW Government amendment with optimal capacity limits, as initially recommended by Council staff.