

MINUTES

Ordinary Meeting of Council



We're with you

Wednesday, 20 September 2023

Council Chambers

Wingecarribee Shire Council Civic Centre

68 Elizabeth Street, Moss Vale

The meeting commenced at 3:30pm

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MINUTES OF THE ORDINARY MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON 20 SEPTEMBER 2023 COMMENCING AT 3:30PM

Present:	Administrator	Mr Viv May
In Attendance:	General Manager	Ms Lisa Miscamble
	Director Corporate Strategy and Resourcing	Ms Carmel Foster
	Director Communities and Place	Mr Adan Davis
	Director Service and Project Delivery	Ms Karin Targa
	Executive Manager Business Transformation	Mr Pav Kuzmanovski
	Executive Manager People and Culture	Ms Sally Sammut
	Acting Executive Manager Strategic Outcomes	Ms Nicole Dukinfield
	Chief Financial Officer	Mr Carl Conrad
	Chief Information Officer	Mr George Harb
	Manager Governance and Corporate Performance	Ms Danielle Lidgard
	Manager Business and Property	Mr Salomon Kloppers
	Manager Project Delivery	Mr Ned Tripkovic
	Manager Assets	Mr Shaun Robinson
	Manager Waste and Resource Management	Mr Clinton McAlister
	Manager Water Services	Mr Graeme Mellor
	Manager Shire Presentation	Mr Greg Bray
	Manager Environment and Sustainability	Mr Barry Arthur
	Acting Manager Development Assessment and Regulation	Mr John McFadden
	Manager Community Life and Libraries	Ms Kathryn Baget-Juleff
	Coordinator Property Services	Ms Amanda McCullagh
	Business Solutions Implementation Manager	Mr John Holland
	ICT Support Officer	Mr Brett Murray
	Governance Officer	Ms Paige Zelunzuk

1 OPENING OF THE MEETING

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

2 ACKNOWLEDGEMENT OF COUNTRY

The Administrator, Mr Viv May PSM acknowledged country:

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

3 STATEMENT OF ETHICAL OBLIGATIONS

The Administrator, Mr Viv May PSM, stated:

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

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

4 APOLOGIES

Nil.

5 ADOPTION OF MINUTES OF PREVIOUS MEETING

MN 2023/480

MOTION moved by Administrator

THAT the minutes of the Ordinary Meeting of Council held on 16 August 2023 MN 2023/450 to MN 2023/479 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

ADMINISTRATOR MINUTE – 1

In accordance with the General Managers 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 2022 to June 2023 has been completed.

In accordance with the process last year, the panel consisted of two independent persons and myself. The General Manager did not nominate any other person and was satisfied with the makeup of the panel.

Panel member Ms Kelli Hayes has advised that she left the area in July and would be standing down from the role and I undertook a process to source a further independent panel member from the initial list of persons who submitted to be associated with the recruitment of the General Manager in April 2021.

It was considered important that this person sit in on the panels deliberations this year as an observer, accordingly the panel comprised of the following representatives:

- Administrator - Mr Viv May
- Independent - Ms Kelli Hayes
- Independent - Ms Christine Hawkins AM
- Observer - Mr John Elvy

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 21 August 2023 the General Manager completed a self-assessment. The facilitator provided the General Manager's completed self-assessment to the Performance Review Panel Members and three Directors. The facilitator obtained information/feedback relative to the performance review from the three (3) Directors.

The Panel met on 4 September 2023 and undertook the review process in accordance with the Guidelines and the General Manager also made a short presentation to the Panel. The Panel subsequently provided scores and comment against the General Manager's self-assessment.

In brief, the General Manager:

- had an overall performance which was determined by the Performance Review Panel to be 'highly effective'.
- 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 team which stabilised the workforce but was operating in a tight labour market which impacted ongoing recruitment.

Together with the Panel and the General Manager, I am working to finalise the Performance Agreement for the 2023/24 year and will report same to Council at the November meeting in line with my transparency commitments whilst acknowledging my obligations under relevant Acts.

Initially, it was my understanding that the Statutory and Other Officers' Remuneration

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Regulation did not provide for any increase in remuneration. However, on 13 September 2023, the Office of Local Government issued a circular indicating that this was not intended to apply to Local Government and the panel subsequently agreed that a 3% increase to the General Managers total performance package was appropriate.

I also intend to accept a recommendation from the facilitator that it would be appropriate that the 2023/24 performance review also undertake an independent benchmarking assessment of the General Managers total remuneration to ensure that it is in line with market expectations.

RECOMMENDATION

THAT:

1. Council receive and note the General Manager Performance Review Panel's Report.
2. Council note the General Manager's performance for the review period as determined by the panel was overall 'highly effective'.
3. Council note that under the Standard Contract for General That in accordance with the NSW OLG Standard Contract for General Managers, and in recognition of an overall rating of highly effective an increase to the General Manager's total Remuneration Package of 3% be provided.
4. The Administrator be delegated the authority to finalise and sign all relevant documentation as required.
5. Ms Kelli Hayes be thanked for her service during the recruitment process and the two General Manager performance review processes.
6. Mr John Elvy be appointed as an independent for the 2023/24 General Manager performance review process.
7. Ms Christine Hawkins AM be re-appointed as an Independent for the 2023/24 General Manager performance review process.

MN 2023/481

MOTION moved by the Administrator

THAT:

1. Council receive and note the General Manager Performance Review Panel's Report.
2. Council note the General Manager's performance for the review period as determined by the panel was overall 'highly effective'.
3. Council note that under the Standard Contract for General THAT in accordance with the NSW OLG Standard Contract for General Managers, and in recognition of an overall rating of highly effective an increase to the General Manager's total Remuneration Package of 3% be provided.
4. The Administrator be delegated the authority to finalise and sign all relevant documentation as required.
5. Ms Kelli Hayes be thanked for her service during the recruitment process and the two General Manager performance review processes.
6. Mr John Elvy be appointed as an independent for the 2023/24 General Manager performance review process.

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- 7. Ms Christine Hawkins AM be re-appointed as an Independent for the 2023/24 General Manager performance review process.*

DECLARED CARRIED BY THE ADMINISTRATOR

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ADMINISTRATOR MINUTE – 2

The Local Housing Strategy provides for 6 new living areas in Chelsea Gardens/Coomungie (now known as the Ashbourne Estate), Bowral South, Moss Vale West, Mittagong East, Roberston (North-East) and Colo Vale. Whilst these new living areas are part of the adopted 20-year Local Housing Strategy, it is important to consider as part of Council's forward plan the impact in services and associated financial impacts. Given the impact that the new living areas will have on the Shire and the increased demands on services – such as maintenance, cleansing, development assessment and customer services I have asked the General Manager bring forward a report on the feasibility of a special rate for the new living areas.

The General Manager and the Council team continue to devote considerable attention to improve community and resident consultation and from resident feedback I know it is appreciated. We acknowledge there is still a way to go.

On this agenda, there is a major report in relation to one source of truth for DA's which in my view will make a quantum improvement.

When I suggested that corflutes be used to advertise the Emergency Management and Resilience meetings for the northern and southern villages, I was somewhat surprised to be told by the General Manager that some in the community consider the use of corflutes to be an environmental issue and Council would not be using this form of communication in the future. This is an inconsistent approach, as the Council uses corflutes to advertise DA's, Tulip Time and they are commonly used by resident groups to advertise a variety of matters such as market days, school fetes etc.

Additionally, corflutes are used by State and Federal Government to bring matters to the attention of the public and of course are used by all political parties at election and referendum time.

In my view, common sense must prevail and while they may not be in some people's eyes environmentally acceptable, they do get the message across – particularly for such an important gathering as resilience meetings.

I have no idea whether the Council has the ability to ban the use of corflutes generally, but it needs a consistent policy and I have asked the General Manager for a report in that regard, to the October meeting.

I attended the 2023 National Roads, Transport and Infrastructure Congress in Canberra on 6-7 September 2023 organised by the Australian Local Government Association.

A number of Ministers and Opposition Shadow Ministers addressed the conference with Natasha Bradshaw from the Grattan Institute providing the opening key-note address outlining preliminary research findings which indicate Federal Funding to Local Government is not keeping up with soaring construction costs.

Cost estimates for repairing flood damaged roads is estimated in Australia to be \$3.8 billion and for many Councils including Wingecarribee, the reality is that we just can't keep up without increased support from other levels of Government. It's already been reported to Council that the independent assessed cost of damage to Council assets from recent weather events is at excess of \$90M.

From October to December this year, I will again be conducting town village and locality visits and full details are attached to this Minute and available on Council's website. This is a continuing learning experience for me and an opportunity for residents to raise matters firsthand.

Arrangements have now been confirmed for the Candidate Information Sessions, with the first one being on 11 October 2023 at 3:30pm in the Council Chambers.

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These are open sessions and if you are considering presenting yourself as part of the new Civic Leadership team for Wingecarribee Shire, I would encourage you to come along - further details are available on the Council's website including dates for the further sessions in April, May and June next year. I again make it very clear that the General Manager and Council staff will not be involved in the sessions but are already planning a comprehensive induction process for those who are elected.

The sessions will be facilitated by John Rayner and are being run in a partnership with the Office of Local Government, along with Central Coast and Balranald Councils which are also in Administration.

For the record I advise that I knew Mr Rayner in a professional capacity as the General Manager of Sutherland Shire, but had little or no contact with him. My first contact was when I was approached by the Department of Premier and Cabinet to undertake the Administration of Georges River Council in 2016 for several weeks as Mr Rayner had a pre- arranged trip to Europe with his wife. At the time I was also the Administrator of Cumberland Council.

Following my appointment as Interim Administrator of Armidale Regional Council, I approached Mr Rayner to become acting General Manager as I knew he was undertaking a similar role in Edward River, and he agreed.

Together with Mr Rayner and several community members we appointed a new General Manager to Armidale and Mr Rayner was subsequently appointed by the then Minister as the Council's Special Advisor and Financial Controller.

I valued Mr Rayner's input and insights into the General Managers selection process at Armidale and he assisted me together with LGNSW and two citizen members in the appointment of Ms Miscamble.

Wingecarribee is on show at the moment and the early hot weather has meant the Tulips have bloomed earlier and it is great to see so many locals taking advantage in our local parks. No doubt over the coming weeks there will be large numbers of visitors in the area and the importance of visitation to the economy of the Highlands cannot be underestimated. I was recently told that the Borealis program at Centennial Vineyards injected over \$10M into the local economy which is an extremely positive outcome for our community. The Council team, whether it be gardeners who planted over 90,000 bulbs or staff at the Visitors Centre in Mittagong, work very hard to ensure that there is the least possible inconvenience to locals whilst acknowledging the important role that visitors play. There have been several changes with sharing Tulip Time across the Shire with Villages and localities being provided with planter boxes and the newly introduced Tulip Trail and at the completion of Tulip Time this year, Council will again be giving away the bulbs to local residents - it is planned that this will take place on 11 October at Corbett Gardens and further details are available on Council's website.

Administrator Village Visits Schedule

LOCATION	DATE	TIME	BOOKING LINK
BERRIMA Anglican Church Hall	5 October 2023	4:00pm – 5:00pm	Berrima Booking Link
ROBERTSON Robertson CTC	10 October 2023	4:00pm – 5:00pm	Robertson Booking Link
BOWRAL Henrietta Room – Outside Bowral Library	16 October 2023	5:00pm – 6:00pm	Bowral Booking Link
MITTAGONG 1 Renwick Community Centre – Meeting Room 3	17 October 2023	5:00pm – 6:00pm	Mittagong Booking Link
BUNDANOON Bundanoon Soldiers Memorial Hall	19 October 2023	6:30pm – 7:30pm	Bundanoon Booking Link
YERRINBOOL Yerrinbool Community Hall	20 October 2023	3:00pm – 4:00pm	Yerrinbool Booking Link
MOSS VALE Council Civic Centre – 68 Elizabeth Street Moss Vale Waratah Room	31 October 2023	4:00pm – 5:00pm	Moss Vale Booking Link
BALMORAL Balmoral Community Hall	6 November 2023	5:30pm – 6:30pm	Balmoral Booking Link
COLO VALE Colo Vale Hall	7 November 2023	5:00pm – 6:00pm	Colo Vale Booking Link
HILL TOP Hill Top Community Centre	9 November 2023	6:30pm – 7:30pm	Hill Top Booking Link
NEW BERRIMA New Berrima Hall	23 November 2023	5:00pm – 6:00pm	New Berrima Booking Link
EXETER Exeter Village Hall	27 November 2023	5:00pm- 6:00pm	Exeter Booking Link

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MITTAGONG 2 Mittagong Senior Citizens Centre	30 November 2023	5:00pm – 6:00pm	Mittagong Booking Link
PENROSE Penrose Community Hall	14 December 2023	5:30pm – 6:30pm	Penrose Booking Link

Note: Appointments for the following locations are still to be confirmed. Please check Council's website for updates: *Canyonleigh, Kangaloon, Burrawang, Medway*

MN 2023/482

MOTION moved by the Administrator

THAT the Administrator Minute - 2 dated 20 September 2023 be noted.

DECLARED CARRIED BY THE ADMINISTRATOR

8 GENERAL MANAGER

9 REPORTS

9.1 2022/23 Draft Financial Statements

Report Author: Damien Jenkins
Deputy Chief Financial Officer

Authoriser: Carmel Foster
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council refer the Draft Financial Statements for the year ended 30 June 2023 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" pursuant to Section 413(2)(c) of the *Local Government Act 1993*, with the General Manager and the Responsible Accounting Officer.
3. Council fixes the date of 15 November 2023 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 endorse the temporary release of Internally Restricted Reserves as outlined in the report until funds are received from external agencies.
5. Council endorse the allocation of \$1.439M SRV funding to nominated General Revenue funded projects as outlined in the report.

The Chief Financial Officer introduced the item.

MN 2023/483

MOTION moved by the Administrator

THAT:

1. Council refer the Draft Financial Statements for the year ended 30 June 2023 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" pursuant to Section 413(2)(c) of the *Local Government Act 1993*, with the General Manager and the Responsible Accounting Officer.
3. Council fixes the date of 15 November 2023 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*.

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4. *Council endorse the temporary release of Internally Restricted Reserves as outlined in the report until funds are received from external agencies.*
5. *Council endorse the allocation of \$1.439M SRV funding to nominated General Revenue funded projects as outlined in the report.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.2 Sale of Surplus Operational Land

Report Author: Amanda McCullagh
Coordinator Property Services

Authoriser: Salomon Kloppers
Manager Business & Property

OFFICER'S RECOMMENDATION

THAT:

1. Council undertake a 28-day public notification period in relation to the disposal of the following properties:
 - a. 8 Ethridge Street Mittagong (Lot 2 in DP 860768 and Lot 2 Section 43 in DP 1374).
 - b. Wilkinson Street Berrima (Lot 21 in DP 552150).
 - c. 56 Elizabeth Street Moss Vale (Lot 403 in DP 858237 and Lot 44 DP 524623).
 - d. 48 Elizabeth Street Moss Vale (Lot 404 in DP 1050021).

AND THAT if any objections are received in relation to a specific property above, a further report be forwarded to a future Ordinary Meeting of Council for determination regarding that particular property.

2. If there are no objections relating to a specific property during the period of public exhibition:
 - a. The General Manager be delegated authority to select a real estate agent to sell the property and negotiate with prospective purchasers within a ten per cent (10%) range of a valuation in respect of the properties outlined in item 1 above.
 - b. Council affix the Common Seal of Council to the Contracts for Sale for the property outlined in item 1 above **AND THAT** authority be delegated to the General Manager and Administrator/Mayor to execute the Contract for Sale.
 - c. Authority be delegated to the General Manager and Administrator/Mayor to execute on behalf of Council any documents associated with the sale of the property outlined to item 1 above that does not require the Common Seal of Council.
 - d. The net proceeds of sale from the sale of the properties outlined to item 1 above be retained and held to establish Council's Property Investment Portfolio in line with Council's Property Investment Policy and Property Investment Strategy.

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The Manager Business and Property Services introduced the item.

MN 2023/484

MOTION moved by the Administrator

THAT the possible disposal of:

- 1. 48 Elizabeth Street, Moss Vale (Lot 404 in DP 1050021) and 56 Elizabeth Street Moss Vale (Lot 403 in DP 858237 and Lot 44 DP 524623) be deferred until completion of the Moss Vale Town Centre Masterplan and associated car parking studies.**
- 2. 8 Ethridge Steet, Mittagong (Lot 2 in DP 860768 and Lot 2 Section 43 in DP 1374) and Wilkinson Street Berrima (Lot 21 in DP 552150) be deferred to allow the Administrator to undertake site inspections.**

DECLARED CARRIED BY THE ADMINISTRATOR

9.3 Destination Sydney Surrounds South Visitor Servicing Report

Report Author: Salomon Kloppers
Manager Business & Property

Authoriser: Carmel Foster
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council:

1. Note the Destination Sydney Surrounds South Futureproofing Visitor Servicing in NSW using Wingecarribee as a pilot Report (the Report)
2. Adopt the following recommendations of the report:
 - a. Establish a Visitor Economy Advisory Panel (VEAP) to provide industry advice on the visitor economy industry including the Visitor Information Centre and endorse the Terms of Reference as contained in Attachment 3;
 - b. That the Southern Highlands Visitor Information Centre (VIC) continues to deliver services in the current physical location;
 - c. That, subject to receiving budgetary allocation (proposed for 2024/25 budget), a refreshed Southern Highlands Destination Strategy 2020-2030 is delivered following consultation with the VEAP and other stakeholders and considers the following details within the Report:
 - i. Improving *sense of place* for visitors at the Centre by developing its visitor experience to attract more travellers;
 - ii. Growing the premium local brand merchandising offer and increasing merchandise revenue;
 - iii. Continuing to explore commercialisation possibilities.
3. Include a request for budget to refresh the Southern Highlands Destination Strategy 2020-2030 Plan as part of the budgetary adjustments to be put to Council during the September Quarterly budget review.

The Manager Business and Property Services introduced the item.

MN 2023/485

MOTION moved by the Administrator

THAT the Destination Sydney Surrounds South Visitor Servicing Report be deferred and:

1. *The membership of the Visitor Economy Advisory Panel be limited to representatives of industry subsectors of the Wingecarribee Shire Council area.*
2. *The General Manager provide options within the parameters of the governing bodies' statutory responsibilities for the Visitor Economy Advisory Panel to have direct decision-making opportunities.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.4 Draft Customer Experience Charter and Standards for Public Exhibition

Report Author: George Harb
Chief Information Officer

Authoriser: Carmel Foster
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council:

1. Endorse the Draft Customer Experience Standards and Charter for Public Exhibition.
2. Continue to maintain active participation in the National Local Government Customer Service Network Inc. This involvement provides valuable opportunities for benchmarking and peer learning, facilitating continuous improvement and the necessary adjustments to enhance our customer service standards.
3. Place the Draft Customer Experience Standards and Charter on Public Exhibition for 28 days and should submissions be received bring a further report back to Council.

The Chief Information Officer introduced the item.

MN 2023/486

MOTION moved by the Administrator

THAT Council:

1. *Endorse the Draft Customer Experience Standards and Charter for Public Exhibition.*
2. *Continue to maintain active participation in the National Local Government Customer Service Network Inc. This involvement provides valuable opportunities for benchmarking and peer learning, facilitating continuous improvement and the necessary adjustments to enhance our customer service standards.*
3. *Place the Draft Customer Experience Standards and Charter on Public Exhibition for 28 days and a further report be brought back to Council.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.5 Draft Resource and Waste Strategy for Public Exhibition

Report Author: Ambre Thompson
Coordinator Resource Recovery Centre Operations

Authoriser: Adan Davis
Director Communities and Place

OFFICER'S RECOMMENDATION

THAT:

1. Council endorse the draft Resource and Waste Management Strategy and it be placed on Public Exhibition for a period of 28 days.
2. A report to Council be prepared for adoption of the Resource and Waste Management Strategy following the conclusion of the Public Exhibition period.

The Manager Waste and Resource Management introduced the item.

MN 2023/487

MOTION moved by the Administrator

THAT:

1. *Council endorse the draft Resource and Waste Management Strategy and it be placed on Public Exhibition for a period of 28 days.*
2. *A report to Council be prepared for adoption of the Resource and Waste Management Strategy following the conclusion of the Public Exhibition period.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.6 Reuse Shop 'Reviva' Operational Model

Report Author: Ambre Thompson
Coordinator Resource Recovery Centre Operations

Authoriser: Adan Davis
Director Communities and Place

OFFICER'S RECOMMENDATION

THAT Council:

1. Approve the Reuse 'Reviva' functions be insourced into the Waste and Resource Recovery Team in order to achieve the following:
 - a. An increase in material diversion away from landfill by a significant level.
 - b. Enhance the financial inflows into Councils operating budget.
 - c. Enable harmonisation and compliance with NSW Resource Recovery frameworks.
 - d. Enable increased compliance with the 2019 National Waste Action Plan.
2. Acknowledge the work performed by Resource Recovery Australia over the past 10 years in the operation of the centre and in their efforts to support the reuse of material and the diversion of waste from landfill.

The Manager Waste and Resource Management introduced the item.

MN 2023/488

MOTION moved by the Administrator

THAT Council:

1. Approve the Reuse 'Reviva' functions be insourced into the Waste and Resource Recovery Team in order to achieve the following:
 - a. An increase in material diversion away from landfill by a significant level.
 - b. Enhance the financial inflows into Councils operating budget.
 - c. Enable harmonisation and compliance with NSW Resource Recovery frameworks.
 - d. Enable increased compliance with the 2019 National Waste Action Plan.
2. Acknowledge the work performed by Resource Recovery Australia over the past 10 years in the operation of the centre and in their efforts to support the reuse of material and the diversion of waste from landfill.

DECLARED CARRIED BY THE ADMINISTRATOR

9.7 Bulky Waste Collection Report 2022/23

Report Author: Ambre Thompson
Coordinator Resource Recovery Centre Operations

Authoriser: Adan Davis
Director Communities and Place

OFFICER'S RECOMMENDATION

THAT Council:

1. Note the report.
2. Be provided with a further report on the bulky waste collection model options and the preferred model.

The Manager Waste and Resource Management introduced the item.

The General Manager addressed the meeting.

MN 2023/489

MOTION moved by the Administrator

THAT Council:

1. Note the report.
2. Be provided with a further report on the bulky waste collection model options and the preferred model.

DECLARED CARRIED BY THE ADMINISTRATOR

9.8 Revolving Energy Fund Annual Report

Report Author: Barry Arthur
Manager Environment and Sustainability

Authoriser: Adan Davis
Director Communities and Place

OFFICER'S RECOMMENDATION

THAT Council:

1. Note the energy and financial savings achieved through projects completed under the Revolving Energy Fund.
2. Approve the transfer of \$31,405.94 from Council's electricity budget to the Revolving Energy Fund for the 2022/23 financial year.

The Manager Environment and Sustainability introduced the item.

MN 2023/490

MOTION moved by the Administrator

THAT Council:

1. *Note the energy and financial savings achieved through projects completed under the Revolving Energy Fund.*
2. *Approve the transfer of \$31,405.94 from Council's electricity budget to the Revolving Energy Fund for the 2022/23 financial year.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.9 Part 25 Shierlaw Road, Robertson (being part of Lot 194 in Deposited Plan 751302) - Proposed Acquisition

Report Author: Natasha Woods
 Property and Project Officer

Authoriser: Salomon Kloppers
 Manager Business & Property

OFFICER'S RECOMMENDATION

THAT:

1. Council accept the owner's offer of \$80,000.00 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. If the acquisitions referred to in Item 1 cannot be negotiated by agreement, Council resolve 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.
3. 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 Item 1 above AND THAT authority be delegated to the General Manager and Mayor/ Administrator to execute those documents.
4. Upon acquisition of the land referred to in Item 1 above, the land be classified operational land.

The Manager Business and Property Services introduced the item.

MN 2023/491

MOTION moved by the Administrator

THAT:

1. Council accept the owner's offer of \$80,000.00 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).

MINUTES OF THE ORDINARY MEETING OF COUNCIL

2. *If the acquisitions referred to in Item 1 cannot be negotiated by agreement, Council resolve to:*
3. *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);*
 - *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;*
 - *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.*
4. *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 Item 1 above AND THAT authority be delegated to the General Manager and Mayor/Administrator to execute those documents.*
5. *Upon acquisition of the land referred to in Item 1 above, the land be classified operational land.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.10 1325 Old South Road, Bowral - Acquisition of Easement for Water Main

Report Author: Julie-Anne Beardsmore
Property and Project Officer

Authoriser: Salomon Kloppers
Manager Business & Property

OFFICER'S RECOMMENDATION

THAT:

1. The General Manager be delegated authority to negotiate with the owner of "Retford Park", Old South Road, Bowral being Lot 221 DP1206897 ("Lot 221") for the acquisition of an Easement for Water Main (3 metres wide) and that compensation be negotiated within 10% range of independent valuation.
2. If the acquisition referred to in Item 1 cannot be negotiated by agreement, Council resolve to:
 - a. Acquire the easement by compulsory acquisition under Section 186 and 187 of the *Local Government Act 1993* and in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*;
 - b. Approve the making of an application to the Minister for Local Government for the issue of a proposed Acquisition Notice under the *Land Acquisition (Just Terms Compensation) Act 1991* with respect to the easement AND THAT Council request the Minister for Local Government approve a reduction in the notification period from ninety (90) days to sixty (60) days;
 - c. Approve the making of an application to the Governor for the publication of an Acquisition Notice in the NSW Government Gazette under the *Land Acquisition (Just Terms Compensation) Act 1991* with respect of the Easement.
3. Council affix the Common Seal of Council to any documents required to be sealed for the acquisition of Easement referred to in Item 1 AND THAT authority be delegated to the General Manager and Administrator to execute those documents.
4. Authority be delegated to the General Manager to execute on behalf of Council any documents associated with the acquisition of the Easement referred to in Item 1 above that do not require the Common Seal of Council.

The Manager Business and Property Services introduced the item.

MN 2023/492

MOTION moved by the Administrator

THAT:

1. *The General Manager be delegated authority to negotiate with the owner of "Retford Park", Old South Road, Bowral being Lot 221 DP1206897 ("Lot 221") for the acquisition of an Easement for Water Main (3 metres wide) and that compensation be negotiated within 10% range of independent valuation.*

MINUTES OF THE ORDINARY MEETING OF COUNCIL

2. *If the acquisition referred to in Item 1 cannot be negotiated by agreement, Council resolve to:*
 - a. *Acquire the easement by compulsory acquisition under Section 186 and 187 of the Local Government Act 1993 and in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991;*
 - b. *Approve the making of an application to the Minister for Local Government for the issue of a proposed Acquisition Notice under the Land Acquisition (Just Terms Compensation) Act 1991 with respect to the easement AND THAT Council request the Minister for Local Government approve a reduction in the notification period from ninety (90) days to sixty (60) days;*
 - c. *Approve the making of an application to the Governor for the publication of an Acquisition Notice in the NSW Government Gazette under the Land Acquisition (Just Terms Compensation) Act 1991 with respect of the Easement.*

3. *Council affix the Common Seal of Council to any documents required to be sealed for the acquisition of Easement referred to in Item 1 AND THAT authority be delegated to the General Manager and Administrator to execute those documents.*

4. *Authority be delegated to the General Manager to execute on behalf of Council any documents associated with the acquisition of the Easement referred to in Item 1 above that do not require the Common Seal of Council.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.11 Part 801 and 848 Range Road, Glenquarry - Acquisition of Land for Road Purposes

Report Author: Natasha Woods
Property and Project Officer

Authoriser: Salomon Kloppers
Manager Business & Property

OFFICER'S RECOMMENDATION

THAT:

1. The General Manager be delegated authority to negotiate with the owners of:
 - Lot 100 in Deposited Plan 1134172 being 801 Range Road, Glenquarry;
 - Lot 11 in Deposited Plan 596095 being 848 Range Road, Glenquarry.for the acquisition of part of those lots for the purpose of road **AND THAT** compensation be negotiated within 10% range of independent valuation.
2. If the acquisition of referred to in Item 1 cannot be negotiated by agreement, Council resolve to:
 - a. Acquire the land by compulsory acquisition under sections 186 and 187 of the *Local Government Act 1993* and in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991 (NSW)*.
 - b. Approve the making of an application to the Minister of Local Government for the issue of a proposed Acquisition Notice under the *Land Acquisition (Just Terms Compensation) Act 1991 (NSW)* with respect to the land **AND THAT** Council request the Minister for Local Government approve a reduction in the notification period from ninety (90) days to sixty (60) days;
 - c. Approve the making of an application to the Governor for the publication of an Acquisition Notice in the NSW Government Gazette under the *Land Acquisition (Just Terms Compensation) Act 1991 (NSW)* with respect of the land.
3. Council affix the Common Seal of Council to any documents required to be sealed for the acquisition of land referred to in Item 1 **AND THAT** authority be delegated to the Mayor/Administrator and General Manager to execute those documents.
4. Authority be delegated to the Mayor/Administrator and General Manager to execute on behalf of Council any documents associated with the acquisition of the land referred to in Item 1 above that do not require the Common Seal of Council.
5. Upon acquisition the land be classified as Operational Land.

The Manager Business and Property Services introduced the item.

MN 2023/493

MOTION moved by the Administrator

THAT:

1. The General Manager be delegated authority to negotiate with the owners of:
 - Lot 100 in Deposited Plan 1134172 being 801 Range Road, Glenquarry;

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- *Lot 11 in Deposited Plan 596095 being 848 Range Road, Glenquarry.*

for the acquisition of part of those lots for the purpose of road AND THAT compensation be negotiated within 10% range of independent valuation.

2. *If the acquisition of referred to in Item 1 cannot be negotiated by agreement, Council resolve to:*
 - a. *Acquire the land by compulsory acquisition under sections 186 and 187 of the Local Government Act 1993 and in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991 (NSW).*
 - b. *Approve the making of an application to the Minister of Local Government for the issue of a proposed Acquisition Notice under the Land Acquisition (Just Terms Compensation) Act 1991 (NSW) with respect to the land AND THAT Council request the Minister for Local Government approve a reduction in the notification period from ninety (90) days to sixty (60) days;*
 - c. *Approve the making of an application to the Governor for the publication of an Acquisition Notice in the NSW Government Gazette under the Land Acquisition (Just Terms Compensation) Act 1991 (NSW) with respect of the land.*
3. *Council affix the Common Seal of Council to any documents required to be sealed for the acquisition of land referred to in Item 1 AND THAT authority be delegated to the Mayor/Administrator and General Manager to execute those documents.*
4. *Authority be delegated to the Mayor/Administrator and General Manager to execute on behalf of Council any documents associated with the acquisition of the land referred to in Item 1 above that do not require the Common Seal of Council.*
5. *Upon acquisition the land be classified as Operational Land.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.12 Meryla Road, Bowral - Proposed Closure of Road Reserve

Report Author: Julie-Anne Beardsmore
Property and Project Officer

Authoriser: Salomon Kloppers
Manager Business & Property

OFFICER'S RECOMMENDATION

THAT:

1. Pursuant to Part 4 Division 3 of the *Roads Act 1993* Council, as roads authority, formally approve the closure of the road reserve known as Meryla Road, Bowral **AND THAT** upon closure, the newly created lot be classified as Operational Land pursuant to the *Local Government Act, 1993*.
2. Following the closure of the road reserve, the General Manager be delegated authority to negotiate the sale of the newly created lot/s.
3. The General Manager and Administrator/Mayor 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 and sale of the road reserve referred to in Item 1 above.
4. Authority be delegated to the General Manager to execute on behalf of Council any other documents associated with the road closure and sale referred to in Item 1 above which do not require the affixing of the Common Seal of Council.

The Manager Business and Property Services introduced the item.

MN 2023/494

MOTION moved by the Administrator

THAT:

1. Pursuant to Part 4 Division 3 of the *Roads Act 1993* Council, as roads authority, formally approve the closure of the road reserve known as Meryla Road, Bowral **AND THAT** upon closure, the newly created lot be classified as Operational Land pursuant to the *Local Government Act, 1993*.
2. Following the closure of the road reserve, the General Manager be delegated authority to negotiate the sale of the newly created lot/s.
3. The General Manager and Administrator/Mayor 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 and sale of the road reserve referred to in Item 1 above.

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- 4. Authority be delegated to the General Manager to execute on behalf of Council any other documents associated with the road closure and sale referred to in Item 1 above which do not require the affixing of the Common Seal of Council.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.13 Councillor Portal - Demonstration

Report Author: George Harb
Chief Information Officer

Authoriser: Carmel Foster
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council receive and note the report.

The General Manager addressed the meeting.

The Chief Information Officer introduced the item and made the attached presentation:

<https://www.wsc.nsw.gov.au/files/assets/public/v/1/council/meeting-minutes/2023/20-september-2023/powerpoint-councillor-portal-presentation-part-1.pdf>

<https://www.wsc.nsw.gov.au/files/assets/public/v/1/council/meeting-minutes/2023/20-september-2023/councillor-portal-presentation-part-2.pptx>

The General Manager took a question on notice from the Administrator regarding councillors' obligation to maintain records under the Records Act.

MN 2023/495

MOTION moved by the Administrator

THAT Council receive and note the report.

DECLARED CARRIED BY THE ADMINISTRATOR

9.14 Mittagong Playhouse - Development CIV, Approval Pathway and Significance

Report Author: Adan Davis
Director Communities and Place

Authoriser: Lisa Miscamble
General Manager

OFFICER'S RECOMMENDATION

THAT Council receive and note the report.

The Director Communities and Place introduced the item.

MN 2023/496

MOTION moved by the Administrator

THAT Council receive and note the report.

DECLARED CARRIED BY THE ADMINISTRATOR

9.15 Open Access Information in Relation to Development Applications

Report Author: Adan Davis
Director Communities and Place

Authoriser: Lisa Miscamble
General Manager

OFFICER'S RECOMMENDATION

THAT:

1. In addition to the standard Development Application lodgement documentation, neighbour notification records, website notice, external authority consultation documentation, Local Planning Panel decisions and assessment and determination documentation currently available on Council's website, the following low risk information be made openly available via the Development Application tracker system in relation to Development Applications (except in circumstances where there is a valid overriding public interest reason against disclosure of specific details):
 - a. Internal floor plan layout
 - b. Public submissions
 - c. Formal correspondence and requests for additional information
 - d. Applicant and owner correspondence received
 - e. Additional supporting documentation including reports and amended plans
 - f. Final internal referral advice and specialist consultant advice
2. Information be released through social and traditional media to communicate the new policy on open information and Development Application documentation, as well as the upcoming system changes, to landowners, future applicants, builders and designers.
3. Council's Development Application checklists and guidance information on the website be updated to reflect the new policy on open information and Development Application documentation, including clarifying that for residential development the requirements for floor plan detail are only what is necessary to assess the application, being:
 - Room layout, partitioning and windows and doors
 - Existing and new proposed areas and any demolition works
 - Room dimensions and floor areas
 - Proposed broad use of each room, being living area, bedroom or non-habitable
4. A further report be presented to Council to review the 'Notification of Development Proposals Policy' 2018 to be consistent with this resolution and the Community Participation Plan within the adopted 'Community Engagement Strategy' 2023.

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The Director Communities and Place introduced the item.

MN 2023/497

MOTION moved by the Administrator

THAT:

1. Council pre-Development Application correspondence be placed on the Development Application Tracker immediately upon receipt of a Development Application in relation to the subject property.
2. The General Manager fix an internal service standard for the clearance of the submitted applications and issuing of the fee estimate to the NSW planning portal.
3. Council note the advice of the Director Communities and Place that section 68 and section 138 matters associated with a Development Application will be undertaken concurrently with the Development Assessment consent.
4. In addition to the standard Development Application lodgement documentation, neighbour notification records, website notice, external authority consultation documentation, Local Planning Panel decisions and assessment and determination documentation currently available on Council's website, the following low risk information be made openly available via the Development Application tracker system in relation to Development Applications (except in circumstances where there is a valid overriding public interest reason against disclosure of specific details):
 - a. Internal floor plan layout
 - b. Public submissions
 - c. Formal correspondence and requests for additional information
 - d. Applicant and owner correspondence received
 - e. Additional supporting documentation including reports and amended plans
 - f. Final internal referral advice and specialist consultant advice
5. Information be released through social and traditional media to communicate the new policy on open information and Development Application documentation, as well as the upcoming system changes, to landowners, future applicants, builders and designers.
6. Council's Development Application checklists and guidance information on the website be updated to reflect the new policy on open information and Development Application documentation, including clarifying that for residential development the requirements for floor plan detail are only what is necessary to assess the application, being:
 - Room layout, partitioning and windows and doors
 - Existing and new proposed areas and any demolition works
 - Room dimensions and floor areas
 - Proposed broad use of each room, being living area, bedroom or non-habitable
7. A further report be presented to Council to review the 'Notification of Development Proposals Policy' 2018 to be consistent with this resolution and the Community Participation Plan within the adopted 'Community Engagement Strategy' 2023.

DECLARED CARRIED BY THE ADMINISTRATOR

9.16 School Community Service Award Donations

Report Author: Meredith Lea
Community Development Officer

Authoriser: Kathryn Baget-Juleff
Manager Community Life & Libraries

OFFICER'S RECOMMENDATION

THAT:

1. All schools in the Wingecarribee Shire be invited to participate in an annual school-based Community Service Award program
2. Council administer this Community Service Award program and provide awards, consisting of a gift card and certificate, to be presented by a Council representative at each participating school's end of year presentations.

The Manager Community Life and Libraries introduced the item.

MN 2023/498

MOTION moved by the Administrator

THAT:

1. All schools in the Wingecarribee Shire be invited to participate in an annual school-based Community Service Award program.
2. Council administer this Community Service Award program and provide awards, consisting of a gift card and certificate, to be presented by a Council representative at each participating school's end of year presentations.

DECLARED CARRIED BY THE ADMINISTRATOR

MN 2023/499

MOTION moved by the Administrator

THAT Standing Orders be suspended in order to consider order to move into Committee of the Whole to provide an opportunity for members of the community to address Council on Item 9.20 Mount Gibraltar Unauthorised Mountain Bike Track – Review of Environmental Factors (REF).

DECLARED CARRIED BY THE ADMINISTRATOR

**Report Brought Forward - Committee of the Whole - 9.20 Mount Gibraltar
Unauthorised Mountain Bike Track - Review of Environmental Factors (REF)**

Report Author: Shaun Robinson

Manager Assets

Authoriser: Karin Targa

Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT Council:

- 1. Accept the draft Review of Environmental Factors (REF), noting that:**
 - a. A section of the unauthorised mountain bike track is of significant environmental impact,**
 - b. Augmentation of the track would be required to minimise erosion and avoid private property, and**
 - c. Further specialist studies, of significant financial and time investment, would be required to enable a final REF determination under Division 5.1 of the Environmental Planning and Assessment Act (1979).**
- 2. Close and decommissions the unauthorised mountain bike track in the northeast area of Mount Gibraltar Heritage Reserve.**

COMMITTEE OF THE WHOLE PROCEEDINGS IN BRIEF

The Administrator invited the members of the public that wished to address Council to speak in the following order:

1. Tavish McPeherson
2. Janine McPherson
3. Richard Macdonald
4. Jordan Kopetko
5. Peter Cunningham
6. Jennifer Slattery
7. Wilson Malouf

Members of the community sought clarification or made comment regarding the following:

- lack of provided alternatives
- the potential damage caused by removing the trails and emergence of unsanctioned trails elsewhere
- lost opportunity to create and maintain friendships obtained through mountain bike riding
- lack of financial support for riders of the Mount Gibraltar bike tracks
- lack of tangible support for youth

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- allocation of the Environmental Levy
- availability of financial statements
- Council's support of Bush Care
- lack of funding for youth gravity riding
- the suggestion that young riders pursue their chosen recreation outside of the Shire
- Youth Strategy and Action Plan 2016-2026:
 - * Priority Area 1 - Participation and Engagement
 - * Priority Area 2 - Health and Wellbeing
 - * Priority Area 3 - Recreation and Leisure
- Community Strategic Plan - Wingecarribee 2041
- equity and fairness and the promotion of equal rights
- request for more time for public consultation before recommendations approved by Council
- the accuracy of the bike trails mapped by Wingecarribee Shire Council
- the actions of Landcare and Bushcare members
- offer of services by Trail Care to assist with the modification and utilisation of existing facilities at Welby
- environmental and planning impacts, together with environmental concerns, regarding the unauthorised mountain bike tracks
- the need for prompt decommissioning of unauthorised mountain bike tracks and area rehabilitation
- regular status reports to be provided regarding status of decommissioning and rehabilitation works
- status reporting generally
- the publication of the REF provides the opportunity for community to understand the extensive environmental and planning assessments that need to be undertaken by Council in respect of Council owned or managed land
- opportunity for riders to work with park rangers, Council and locals to understand how to keep the bushland in pristine condition while also maintain and expand the existing bushland trails so that there is a safe and enjoyable track to ride on.

Copies of the submissions tabled during the Committee of the Whole are attached:

<https://www.wsc.nsw.gov.au/files/assets/public/v/2/council/meeting-minutes/2023/20-september-2023/submissions-tabled-re-item-9.20-during-committee-of-the-whole-ordinary-meeting-of-council-20-september-2023.pdf>

MN 2023/500

MOTION moved by the Administrator

THAT Standing Orders be resumed.

DECLARED CARRIED BY THE ADMINISTRATOR

The General Manager tabled the attached correspondence received in relation to the item:

<https://www.wsc.nsw.gov.au/files/assets/public/v/2/council/meeting-minutes/2023/20-september-2023/correspondence-tabled-re-item-9.20-ordinary-meeting-of-council-20-september-2023.pdf>

The General Manager addressed the meeting.

The Manager Assets introduced the item.

MINUTES OF THE ORDINARY MEETING OF COUNCIL

MN 2023/501

MOTION moved by the Administrator

THAT Council:

1. *Accept the draft Review of Environmental Factors (REF), noting that:
 - a. A section of the unauthorised mountain bike track is of significant environmental impact,
 - b. Augmentation of the track would be required to minimise erosion and avoid private property, and
 - c. Further specialist studies, of significant financial and time investment, would be required to enable a final REF determination under Division 5.1 of the Environmental Planning and Assessment Act (1979).*
2. *Close and decommission the unauthorised mountain bike track in the northeast area of Mount Gibraltar Heritage Reserve.*
3. *The General Manager ensure there is continued monitoring of illegal track construction and usage at the Mount Gibraltar Bike Track especially during weekends and public holidays.*
4. *The final costs of the studies associated with the illegal use of the Mount Gibraltar Reserve and decommissioning be reported to Council in conjunction with the next financial quarterly statements.*
5. *Council note that further options for mountain bike facilities will be considered through the Natural Areas Recreation Activities Strategy and any capping of the former Welby Tip site allow for passive and active recreation.*
6. *Council note that Officers will continue to collaborate with local mountain bike riders to ensure that any selected site and future mountain bike facility is fit for purpose and provides opportunity for partnering in track creation and maintenance.*
7. *An update on the Youth Strategy and Action Plan 2016-26 be provided to Council within 3 months.*
8. *That the General Manager meet with Mr Kopetko to discuss the Welby Tip site and the offer of Mr Matt Ward and this be reported back to Council.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.17 Bowral Classic Sponsorship Request

Report Author: Salomon Kloppers
Manager Property & Services

Authoriser: Carmel Foster
Director Corporate Strategy & Resourcing

OFFICER'S RECOMMENDATION

THAT Council:

1. Enter into a one year sponsorship agreement with Yaffa Media, who own and operate the Bowral Classic to the value of \$10,000 for the 2023 event and payable from the investment income budget.
2. Undertake a 28 day public notification period in relation to the provision of one a year sponsorship payment of \$10,000 under section 356 of the Local Government Act 1993.

The Manager Business and Property Services introduced the item.

MN 2023/502

MOTION moved by the Administrator

THAT subject to Yaffa Media providing its audited financial statements for the Bowral Classic 2022 in accordance with Council Grants, Donations and Sponsorship Policy, Council:

1. Enter into a one year sponsorship agreement with Yaffa Media, who own and operate the Bowral Classic to the value of \$10,000 for the 2023 event and payable from the investment income budget.
2. Undertake a 28 day public notification period in relation to the provision of one a year sponsorship payment of \$10,000 under section 356 of the Local Government Act 1993.

DECLARED CARRIED BY THE ADMINISTRATOR

9.18 Christmas Activations 2023

Report Author: Kathryn Baget-Juleff
Manager Community Life & Libraries

Authoriser: Adan Davis
Director Communities and Place

OFFICER'S RECOMMENDATION

THAT Council endorse the program of Christmas Activations 2023.

The Manager Community Life and Libraries introduced the item.

The Director Corporate Strategy and Resourcing addressed the meeting.

MN 2023/503

MOTION moved by the Administrator

THAT Council endorse the program of Christmas Activations 2023.

DECLARED CARRIED BY THE ADMINISTRATOR

9.19 Festival of Lights - Post Exhibition Report

Report Author: Salomon Kloppers
Manager Business & Property

Authoriser: Carmel Foster
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council:

1. Endorse an amount of \$25,000 to be provided for the Corbett Gardens Festival of Lights subject to Council receiving the appropriate recognition for the use of public funds.
2. Waive fees for the use of Senior Citizens rooms and the exclusive use of Corbett Gardens for the Festival of Lights event up to \$7,000.

The Manager Business and Property Services introduced the item.

The Director Corporate Strategy and Resourcing addressed the meeting.

MN 2023/504

MOTION moved by the Administrator

THAT Council:

1. *Endorse an amount of \$25,000 to be provided for the Corbett Gardens Festival of Lights subject to Council receiving the appropriate recognition for the use of public funds.*
2. *Waive fees for the use of Senior Citizens rooms and the exclusive use of Corbett Gardens for the Festival of Lights event up to \$7,000.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.21 Colo Vale Railway Park - Allocation of Funds

Report Author: Shaun Robinson

Manager Assets

Authoriser: Karin Targa

Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT Council allocate the balance of net proceeds from the sale of 42 Banskia Street, Colo Vale (\$327,000) to the upgrade of facilities at Colo Vale Railway Park.

The Manager Assets introduced the item.

MN 2023/505

MOTION *moved by the Administrator*

THAT:

- 1. Council allocate the balance of net proceeds from the sale of 42 Banskia Street, Colo Vale (\$327,000) to the upgrade of facilities at Colo Vale Railway Park.*
- 2. The assistance of the Member for Wollondilly be sought to expedite the necessary licence agreements to ensure the upgrade is delivered expeditiously.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.22 Sewer Rising Main Upgrade - Tender Evaluation

Report Author: Pearce Anderson
Senior Operational Program Engineer

Authoriser: Karin Targa
Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT Council:

1. Accept the tender from Killard Infrastructure for the SPS-MT6 Sewer Rising Main Upgrade at a lump sum price of \$333,420 (inclusive of GST).
2. Note the tenders received ranged from \$306,570 to \$780,785 (inclusive of GST).
3. Delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.

The Manager Water Services introduced the item.

MN 2023/506

MOTION moved by the Administrator

THAT Council:

1. *Accept the tender from Killard Infrastructure for the SPS-MT6 Sewer Rising Main Upgrade at a lump sum price of \$333,420 (inclusive of GST).*
2. *Note the tenders received ranged from \$306,570 to \$780,785 (inclusive of GST).*
3. *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

9.23 Traffic Management Services - Tender Evaluation

Report Author: Aaron Baumeister
Coordinator Construction - People and Resources

Authoriser: Karin Targa
Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT Council:

1. Accept the Tenders from the successful contractors as outlined in this report to establish a panel contract for the provision of providing Traffic Management Services to Council for the period of five (5) years under the following categories:
 - a. Category 1 - Traffic Control Services:
 - i. Allied Traffic Management
 - ii. D&D Traffic Management Pty Ltd
 - iii. Platinum Traffic Services Pty Ltd
 - iv. Roadworx Surfacing Pty Ltd
 - v. Titanium Traffic Management Pty Ltd
 - vi. Traffic Logistics Pty Ltd
 - b. Category 2 - Traffic Control and Management Planning Services:
 - i. D&D Traffic Management Pty Ltd
 - ii. Go Traffic Pty Ltd
 - iii. Platinum Traffic Services Pty Ltd
 - iv. Stop Slow Traffic Control (NSW) Pty Ltd
 - v. Titanium Traffic Management Pty Ltd
 - vi. Traffic Logistics Pty Ltd
2. Note that the awarded contractors under this contract will be engaged in accordance with their tendered schedule of rates.
3. Delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.

The Manager Shire Presentation introduced the item.

MN 2023/507

MOTION moved by the Administrator

THAT Council:

1. Accept the Tenders from the successful contractors as outlined in this report to establish a panel contract for the provision of providing Traffic Management Services to Council for the period of five (5) years under the following categories:
 - a. Category 1 - Traffic Control Services:

MINUTES OF THE ORDINARY MEETING OF COUNCIL

- i. Allied Traffic Management*
 - ii. D&D Traffic Management Pty Ltd*
 - iii. Platinum Traffic Services Pty Ltd*
 - iv. Roadworx Surfacing Pty Ltd*
 - v. Titanium Traffic Management Pty Ltd*
 - vi. Traffic Logistics Pty Ltd*
- b. Category 2 - Traffic Control and Management Planning Services:**
- i. D&D Traffic Management Pty Ltd*
 - ii. Go Traffic Pty Ltd*
 - iii. Platinum Traffic Services Pty Ltd*
 - iv. Stop Slow Traffic Control (NSW) Pty Ltd*
 - v. Titanium Traffic Management Pty Ltd*
 - vi. Traffic Logistics Pty Ltd*
- 2. Note that the awarded contractors under this contract will be engaged in accordance with their tendered schedule of rates.**
- 3. 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

9.24 Amendment to Fees and Charges - Post Exhibition Report

Report Author: Carl Conrad
Acting Chief Financial Officer

Authoriser: Carmel Foster
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council adopt the amended 2023/24 Fees and Charges outlined in Attachment 1 as publicly exhibited.

The Chief Financial Officer introduced the item.

MN 2023/508

MOTION moved by the Administrator

THAT Council adopt the amended 2023/24 Fees and Charges outlined in Attachment 1 as publicly exhibited.

DECLARED CARRIED BY THE ADMINISTRATOR

9.25 Code of Conduct - Proposed Amendments to Part 6 Relating to Gifts and Benefits

Report Author: Lynley Gardner
Governance Officer

Authoriser: Carmel Foster
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council adopt the amended Code of Conduct at Attachment 1 and reduce the token value of gifts and benefits to \$20.

The Manager Governance and Corporate Performance introduced the item.

MN 2023/509

MOTION *moved by the Administrator*

THAT Council adopt the amended Code of Conduct at Attachment 1 and reduce the token value of gifts and benefits to \$20.

DECLARED CARRIED BY THE ADMINISTRATOR

MINUTES OF THE ORDINARY MEETING OF COUNCIL

9.26 Investments Report - August 2023

Report Author: Damien Jenkins
Deputy Chief Financial Officer

Authoriser: Carmel Foster
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council receive and note this Cash Investment Report as at 31 August 2023.

MN 2023/510

MOTION *moved by the Administrator*

THAT Council receive and note this Cash Investment Report as at 31 August 2023.

DECLARED CARRIED BY THE ADMINISTRATOR

9.27 Traffic Committee - Minutes of 24 August 2023 meeting

Report Author: Elizabeth de Graaf
Administration Officer - Assets

Authoriser: Shaun Robinson
Manager Assets

OFFICER'S RECOMMENDATION

THAT Council:

1. Receive and note the Minutes of the Traffic Committee meeting held on Thursday 24 August 2023.
2. Adopt recommendation numbers,
 - i. TC 2023/48, relating to DA 20/0227.03, 141 Yarrowa Road, Moss Vale – Traffic Signage and Line Marking for Ashbourne Stage 1,
 - ii. TC 2023/52, relating to Eridge Park Road, Burradoo – Footpath & Refuge crossing in the Roundabout at Kangaloon Road,
 - iii. TC 2023/53, relating to the proposed Car Parking at Bong Bong Common, Burradoo,
 - iv. TC 2023/54, relating to Parking Arrangements and Pedestrian Facilities associated with the Upgrade of Casburn Park, Wingello.

MN 2023/511

MOTION moved by the Administrator

The Officers recommendation as follows be adopted subject to the clarification sought by Council in relation to Cars and Coffee monthly event being submitted to the next Committee meeting:

THAT Council:

1. Receive and note the Minutes of the Traffic Committee meeting held on Thursday 24 August 2023.
2. Adopt recommendation numbers,
 - i. TC 2023/48, relating to DA 20/0227.03, 141 Yarrowa Road, Moss Vale – Traffic Signage and Line Marking for Ashbourne Stage 1,
 - ii. TC 2023/52, relating to Eridge Park Road, Burradoo – Footpath & Refuge crossing in the Roundabout at Kangaloon Road,
 - iii. TC 2023/53, relating to the proposed Car Parking at Bong Bong Common, Burradoo,
 - iv. TC 2023/54, relating to Parking Arrangements and Pedestrian Facilities associated with the Upgrade of Casburn Park, Wingello.

DECLARED CARRIED BY THE ADMINISTRATOR

9.28 Country Mayors Association Meeting Minutes - 4 August 2023

Report Author: Jessica Kaiser
Executive Assistant to General Manager

Authoriser: Lisa Miscamble
General Manager

OFFICER'S RECOMMENDATION

THAT Council:

1. Note the minutes of the Country Mayors Association Meeting held on 4 August 2023 and Communique as provided as Attachment 1 and 2 respectively.
2. Endorse the Country Mayors Association 2023 Election Priorities document as provided as Attachment 3.

MN 2023/512

MOTION moved by the Administrator

THAT Council:

1. *Note the minutes of the Country Mayors Association Meeting held on 4 August 2023 and Communique as provided as Attachment 1 and 2 respectively.*
2. *Endorse the Country Mayors Association 2023 Election Priorities document as provided as Attachment 3.*

DECLARED CARRIED BY THE ADMINISTRATOR

10 QUESTIONS WITH NOTICE

11 MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 6.27PM.