

# MINUTES

## Ordinary Meeting of Council



*We're With* **YOU**

Wednesday 17 May, 2023

Council Chambers, Wingecarribee Shire Council Civic Centre,  
68 Elizabeth Street, Moss Vale

THE MEETING COMMENCED AT 3.30PM

**MINUTES OF THE ORDINARY MEETING OF COUNCIL  
WEDNESDAY 17 MAY 2023**

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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 17  
MAY 2023 COMMENCING AT 3:30 PM**

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
Acting Director Service and Project Delivery	Mr Pav Kuzmanovski
Executive Manager Strategic Outcomes	Mr Michael Park
Executive Manager People and Culture	Ms Sally Sammut
Chief Financial Officer	Mr Carl Conrad
Manager Governance and Corporate Performance	Ms Danielle Lidgard
Manager Project Delivery	Mr Ned Tripkovic
Manager Business and Property	Mr Salomon Kloppers
Manager Development Assessment and Compliance	Mr John McFadden
Manager Assets	Mr Shaun Robinson
Co-ordinator Property Services	Ms Mandy McCullagh
Manager Waste and Resource Management	Mr Clint McAlister
Chief Information Officer	Mr George Harb
ICT Support Officer	Mr Brett Murray
Governance Officer	Ms Michelle Gordon
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**

“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 2023/384*

**MOTION** *moved by Administrator*

**THAT** the minutes of the Ordinary Meeting of Council held on Wednesday, 19 April, 2023 (MN2023/360 to MN2023/375 inclusive) be adopted as a correct record of the proceedings of the meeting.

**DECLARED CARRIED BY THE ADMINISTRATOR**

*MN 2023/385*

**MOTION** *moved by Administrator*

**THAT** the minutes of the Extraordinary Meeting of Council held on Wednesday, 26 April 2023 (MN2023/376 to MN2023/382 inclusive) be adopted as a correct recording of the proceedings of the meeting.

**DECLARED CARRIED BY THE ADMINISTRATOR**

**MINUTES OF THE ORDINARY MEETING OF COUNCIL  
WEDNESDAY 17 MAY 2023**

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*MN 2023/386*

**MOTION** *moved by Administrator*

**THAT** the minutes of the Extraordinary Meeting of Council held on Wednesday 10 May, 2023 (MN2023/383) 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

8 GENERAL MANAGER

9 REPORTS

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**9.1 Bong Bong Street High Pedestrian Activity Area**

**Report Author:** Manager Assets

**Authoriser:** Director Service and Project Delivery

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**OFFICER'S RECOMMENDATION**

**THAT:**

1. Council formally support the Transport for NSW proposal for creation of a High Pedestrian Activity Area along Bong Bong Street Bowral and creation of a Shared Zone along Lamond Street Bowral.
2. Council continue to work with Transport for NSW on the design of traffic calming measures to incorporate appropriate landscaping and vegetation that contributes to the beautification of Bong Bong Street.
3. Council make a submission to Transport for NSW requesting the establishment of a load limit on Bong Bong Street Bowral.

The Manager Assets introduced the item.

*MN 2023/387*

**MOTION** moved by the Administrator

**THAT:**

1. Council formally support the Transport for NSW proposal for creation of a High Pedestrian Activity Area along Bong Bong Street Bowral and creation of a Shared Zone along Lamond Street Bowral.
2. Council continue to work with Transport for NSW on the design of traffic calming measures to incorporate appropriate landscaping and vegetation that contributes to the beautification of Bong Bong Street.
3. Council make a submission to Transport for NSW requesting the establishment of a load limit on Bong Bong Street Bowral.

**DECLARED CARRIED BY THE ADMINISTRATOR**



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## 9.2 Community and Recreation Facility Strategy Update

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

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### **OFFICER'S RECOMMENDATION**

**THAT** Council receive and note this report and that a further report be presented to the June Ordinary Meeting of Council.

*MN 2023/388*

**MOTION** *moved by the Administrator*

**THAT** *Council receive and note this report and that a further report will be presented to the June Ordinary Meeting of Council.*

**DECLARED CARRIED BY THE ADMINISTRATOR**

### 9.3 Retford Farm Detention Basin - Tender Recommendation

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

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#### OFFICER'S RECOMMENDATION

**THAT:**

1. Council accepts the Tender from Western Earthmoving Pty Ltd for the Retford Farm Detention Basin at a lump sum price of \$5,198,985.26 (inclusive of GST).
2. Council note the tenders received ranged from \$5,198,985.26 to \$10,232,254.90.
3. Council delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.
4. Council provide an update to neighbouring residents and the community in general of the proposed construction start and expected project timeframes using its various communication platforms including e-news.

The Manager Project Delivery introduced the item.

*MN 2023/389*

**MOTION** moved by the Administrator

**THAT:**

1. *Council accepts the Tender from Western Earthmoving Pty Ltd for the Retford Farm Detention Basin at a lump sum price of \$5,198,985.26 (inclusive of GST).*
2. *Council note the tenders received ranged from \$5,198,985.26 to \$10,232,254.90.*
3. *Council delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.*
4. *Council provide an update to neighbouring residents and the community in general of the proposed construction start and expected project timeframes using its various communication platforms including e-news.*

**DECLARED CARRIED BY THE ADMINISTRATOR**



## **9.4 Quarterly Delivery Program and Budget Review 31 March 2023**

**Report Author: Coordinator Strategy & Business Improvement**

Authoriser: Director Corporate Strategy and Resourcing

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### **OFFICER'S RECOMMENDATION**

**THAT:**

1. The Quarterly Progress Report on the Delivery Program and Operational Plan for the period ended 31 March 2023 in Attachment 1 be noted.
2. Council approves the budget adjustments and the projected financial position as of 31 March 2023.
3. The successful grants received during the quarter be noted.

The Chief Financial Officer addressed the meeting and made the attached presentation.

<https://www.wsc.nsw.gov.au/files/assets/public/council/meeting-minutes/2023/quarterly-delivery-program-and-budget-review-presentation.pdf>

The Manager Governance and Corporate Performance addressed the meeting and continued the presentation.

The General Manager addressed the meeting.

The Manager Project Delivery addressed the meeting.

*MN 2023/390*

**MOTION** moved by the Administrator

**THAT:**

1. The Quarterly Progress Report on the Delivery Program and Operational Plan for the period ended 31 March 2023 in Attachment 1 be noted.
2. Council approves the budget adjustments and the projected financial position as of 31 March 2023.
3. The successful grants received during the quarter be noted.
4. In future, managers' titles be noted in the service activity budget review statements and from 1 January 2024 coordinator titles be included.

**DECLARED CARRIED BY THE ADMINISTRATOR**

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## **9.5 Plant and Equipment Hire Tender - Request for Tender**

**Report Author:** Senior Construction Engineer

**Authoriser:** Director Service and Project Delivery

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### **OFFICER'S RECOMMENDATION**

**THAT:**

1. Council accepts the Tenders from the thirty-seven (37) successful contractors to establish a panel for the provision of plant and equipment hire services to Council for a period of one (1) year with the options to extend the contract for a further two (2) times one (1) year periods.
2. Council notes the thirty-seven (37) successful panel members are as follows:
  - Action Hire Pty Ltd
  - Aqua-Assets Pty Limited
  - Avijohn Contracting Pty Limited
  - BKW Electrical & Earthworks Pty Ltd
  - Brefni Pty Ltd
  - C and E Earthmoving Pty Ltd
  - City Coast Services Pty Ltd
  - Coates Hire Operations Pty Limited
  - Conplant Pty Ltd
  - Coopers Earthmoving & Haulage Pty Ltd
  - Crossgrove Pty Ltd
  - D A Worner Pty Ltd
  - Denrith Pty Ltd
  - Douglas Park Earthmoving Pty Ltd
  - Dynamic Hydro Excavations Pty Ltd
  - First Choice Earthworks Pty Ltd
  - Highlands Sand & Soil Pty Ltd
  - Kennards Hire Pty Limited
  - Kingdown Pty Ltd
  - Leroy Excavations Pty Ltd
  - Liloach Pty Ltd
  - Mark Kracht Contracting Pty Ltd
  - Mulreadys Pty Ltd
  - PMK Services Pty Ltd
  - PremiAir Services Pty Ltd

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- Roadworx Surfacing Pty Ltd
- Rollers Australia Pty Ltd
- Sherrin Rentals Pty Ltd
- Sime Darby Fleet Services Pty Ltd
- Stefanutti Construction Pty Ltd
- Swaye Civil Pty Ltd
- The Trustee for the Michael Reginald Scarce Family Trust (Camden Hire)
- Total Drain Cleaning Services Pty Ltd
- Total Vegetation Management Pty Ltd
- Welby Bulk Haulage Pty Ltd
- Wells Land & Property Services Pty Ltd
- Zivil Earthmoving Pty Ltd

The Acting Director Service and Project Delivery introduced the item.

*MN 2023/391*

**MOTION** moved by the Administrator

**THAT:**

1. ***Council accepts the Tenders from the thirty-seven (37) successful contractors to establish a panel for the provision of plant and equipment hire services to Council for a period of one (1) year with the options to extend the contract for a further two (2) times one (1) year periods.***
2. ***Council notes the thirty-seven (37) successful panel members are as follows:***
  - ***Action Hire Pty Ltd***
  - ***Aqua-Assets Pty Limited***
  - ***Avijohn Contracting Pty Limited***
  - ***BKW Electrical & Earthworks Pty Ltd***
  - ***Brefni Pty Ltd***
  - ***C and E Earthmoving Pty Ltd***
  - ***City Coast Services Pty Ltd***
  - ***Coates Hire Operations Pty Limited***
  - ***Conplant Pty Ltd***
  - ***Coopers Earthmoving & Haulage Pty Ltd***
  - ***Crossgrove Pty Ltd***
  - ***D A Worner Pty Ltd***
  - ***Denrith Pty Ltd***
  - ***Douglas Park Earthmoving Pty Ltd***
  - ***Dynamic Hydro Excavations Pty Ltd***
  - ***First Choice Earthworks Pty Ltd***
  - ***Highlands Sand & Soil Pty Ltd***
  - ***Kennards Hire Pty Limited***
  - ***Kingdown Pty Ltd***
  - ***Leroy Excavations Pty Ltd***
  - ***Liloch Pty Ltd***

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- *Mark Kracht Contracting Pty Ltd*
- *Mulreadys Pty Ltd*
- *PMK Services Pty Ltd*
- *PremiAir Services Pty Ltd*
- *Roadworx Surfacing Pty Ltd*
- *Rollers Australia Pty Ltd*
- *Sherrin Rentals Pty Ltd*
- *Sime Darby Fleet Services Pty Ltd*
- *Stefanutti Construction Pty Ltd*
- *Swaye Civil Pty Ltd*
- *The Trustee for the Michael Reginald Scarce Family Trust (Camden Hire)*
- *Total Drain Cleaning Services Pty Ltd*
- *Total Vegetation Management Pty Ltd*
- *Welby Bulk Haulage Pty Ltd*
- *Wells Land & Property Services Pty Ltd*
- *Zivil Earthmoving Pty Ltd*

**DECLARED CARRIED BY THE ADMINISTRATOR**

## 9.6 Southern Regional Livestock Exchange (SRLX) - Expression of Interest

**Report Author:** Manager Business & Property

**Authoriser:** Director Corporate Strategy and Resourcing

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### OFFICER'S RECOMMENDATION

THAT Council, in accordance with s178(1)(b) of the *Local Government (General) Regulation 2005*, decline the Expression of Interest received pursuant to the Expression of Interest EOI-2022-3 for the lease of the Southern Regional Livestock Exchange (SRLX) Berrima Road, Moss Vale.

The Manager Business and Property introduced the item.

*MN 2023/392*

**MOTION** moved by the Administrator

***THAT Council, in accordance with s178(1)(b) of the Local Government (General) Regulation 2005, decline the Expression of Interest received pursuant to the Expression of Interest EOI-2022-3 for the lease of the Southern Regional Livestock Exchange (SRLX) Berrima Road, Moss Vale.***

**DECLARED CARRIED BY THE ADMINISTRATOR**

## 9.7 Provision of Potable Water Supply to the Northern, Southern and Western Villages

**Report Author:** Manager Assets

**Authoriser:** Director Service and Project Delivery

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### OFFICER'S RECOMMENDATION

**THAT:**

1. Council note the outcome of the community consultation undertaken in relation to the proposed water supply schemes to the northern, southern and western villages, specifically Balmoral/Buxton, Medway and Penrose/Wingello;
2. The proposed water supply schemes to the northern, southern and western villages, specifically Balmoral/Buxton, Medway and Penrose/Wingello are not progressed.
3. Council notify all landowners within the proposed water supply schemes of the outcome.

The Manager Assets introduced the item.

*MN 2023/393*

**MOTION** moved by the Administrator

**THAT:**

1. *Council note the outcome of the community consultation undertaken in relation to the proposed water supply schemes to the northern, southern and western villages, specifically Balmoral/Buxton, Medway and Penrose/Wingello;*
2. *The proposed water supply schemes to the northern, southern and western villages, specifically Balmoral/Buxton, Medway and Penrose/Wingello are not progressed.*
3. *Council notify all landowners within the proposed water supply schemes of the outcome.*

**DECLARED CARRIED BY THE ADMINISTRATOR**

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## 9.8 Financial Reserves Policy Update - Post Exhibition Report

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

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### OFFICER'S RECOMMENDATION

**THAT** Council adopt the Financial Reserves Policy update as placed on public exhibition.

The Chief Financial Officer introduced the item.

*MN 2023/394*

**MOTION** moved by the Administrator

**THAT** Council adopt the Financial Reserves Policy update as placed on public exhibition.

**DECLARED CARRIED BY THE ADMINISTRATOR**



## **9.9 Debt Recovery and Water Determination Policy - Post Exhibition Report**

**Report Author:** Coordinator Revenue  
**Authoriser:** Director Corporate Strategy and Resourcing

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### **OFFICER'S RECOMMENDATION**

**THAT Council adopt the updated Debt Recovery and Water Determination Policies placed on public exhibition unchanged.**

The Chief Financial Officer introduced the item.

The General Manager addressed the meeting.

*MN 2023/395*

**MOTION** *moved by the Administrator*

***THAT Council adopt the updated Debt Recovery and Water Determination Policies placed on public exhibition unchanged.***

**DECLARED CARRIED BY THE ADMINISTRATOR**

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**9.10 Investments Report As At 30 April 2023**

**Report Author: Deputy Chief Financial Officer**

**Authoriser:**

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**OFFICER'S RECOMMENDATION**

**THAT Council receives and notes this Cash Investment Report as at April 2023.**

*MN 2023/396*

**MOTION moved by the Administrator**

**THAT Council receives and notes this Cash Investment Report as at April 2023.**

**DECLARED CARRIED BY THE ADMINISTRATOR**

## **10 MEETING CLOSURE**

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 4.15PM