

MINUTES

Extraordinary Meeting of Council



We're With **YOU**

Wednesday 26 April, 2023

Council Chambers, Wingecarribee Shire Council Civic Centre

68 Elizabeth Street, Moss Vale

The meeting commenced at 3:30pm

**MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 APRIL 2023**

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**MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 APRIL 2023**

**MINUTES OF THE ORDINARY MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN
COUNCIL CHAMBERS, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON WEDNESDAY 26
APRIL 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 |
| Director Service and Project Delivery | Ms Karin Targa |
| Executive Manager Strategic Outcomes | Mr Michael Park |
| Executive Manager People and Culture | Ms Sally Sammit |
| Executive Manager Business Transformation | Mr Pav Kuzmanovski |
| 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 |
| Manager Shire Presentation | Mr Greg Bray |
| Manager Environment and Sustainability | Mr Barry Arthur |
| Manager Waste and Resource Management | Mr Clint McAlister |
| Coordinator Depot and Maintenance | Mr Tejas Vyas |
| Management Accountant | Ms Naomi White |
| Senior Network and Systems Administrator | Mr Adam Berriman |
| 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.

2 ACKNOWLEDGEMENT OF COUNTRY

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

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

The 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.

The Administrator is 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 DECLARATIONS OF INTEREST

Nil.

6 REPORTS

6.1 Community Strategic Plan - Post Exhibition Report

Report Author: Manager Governance and Corporate Performance

Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council adopt the Community Strategic Plan included in Attachment 2 to this report.

The Manager Governance and Corporate Performance introduced the item.

MN 2023/376

MOTION *moved by the Administrator*

THAT the Community Strategic Plan included in Attachment 2 to the report be adopted and a further report be presented to Council with timelines of the proposed program of service reviews.

DECLARED CARRIED BY THE ADMINISTRATOR

6.2 Draft Delivery Program 2023-25 and Operational Plan 2023/24: Council Briefing

Report Author: Manager Governance and Corporate Performance
Authoriser: Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council resolves to move into Committee of the Whole for a Council Briefing on Council's draft Delivery Program 2023-25 and draft Operational Plan and Budget 2023/24.

MN 2023/377

MOTION moved by Administrator

THAT standing orders be suspended and the Council move into Committee of the Whole to provide the opportunity for the Management team to brief Council and the community on Item 6.2 Draft Delivery Program 2023-25 and Operational Plan 2023/24 and that questions relating to the content of the briefing be heard from members of the community in attendance in the Council Chamber and the questions and Council Officer's responses be recorded in the minutes.

DECLARED CARRIED BY THE ADMINISTRATOR

In accordance with section 373 of the Local Government Act 1993 Committee of the Whole was held and Council's Management team provided a briefing via a presentation on Council's Draft Delivery Program 2023-25 and Operational Plan 2023/24. Community members in attendance asked questions and made comments in relation to the briefing.

MN 2023/378

MOTION moved by Administrator

THAT Standing Orders be resumed.

DECLARED CARRIED BY THE ADMINISTRATOR

COMMITTEE OF THE WHOLE PROCEEDINGS IN BRIEF

As the General Manager's delegate the Manager Governance and Corporate Performance addressed the meeting to advise that in accordance with clause 12.4 of Council's Code of Meeting Practice, the proceedings from the Committee of the Whole are as follows:

Council's Management team provided an overview via a presentation on the following:

- the process & timeframes for developing Delivery Program 2023/24 Operational Plan & Budget
- operating and capital budget and factors impacting the budget and changes to Council's fees and charges
- Council's principal activities and proposed initiatives for 2023/24 financial year

Members of the community sought clarification or made comment regarding:

- Council's organisational structure and the management tiers/levels
- Correctness of current population projections for the Shire
- The status of the Children's Service Review
- Defining the Character of the Shire
- Development Assessment timeframes
- Management of road side reserves and housing diversity
- Reserve signage compliance with the LG Act
- Access to walking and cycling tracks
- Closure of Bowral lookouts and timeframe for reopening
- Connectivity of footpaths and requirement for concrete vs asphalt
- Mittagong playhouse construction
- Box Vale walking track
- Stormwater issues at moss vale basketball stadium
- Expenditure of Environment Levy
- Management of bushland reserve including expenditure

- Biodiversity corridors
- Human Resources management

The Administrator sought clarification regarding:

- The fees and charges for tulip time admissions is for visitors outside of the shire only and not local residents
- Integration of DA portal and tracker
- Joint waste collection contract with Wollondilly council
- Completion time for bulky waste collection
- Claims related to impact of natural disasters

COMMITTEE OF THE WHOLE RECOMMENDATIONS

- 1. A report be included in the July Council meeting on footpath construction and the benefits of concrete vs asphalt.***
- 2. A report be including in a future Council meeting relating to drainage issues occurring on the vacant lot adjacent to Moss Vale basketball stadium.***

MN 2023/379

MOTION moved by the Administrator

THAT the Draft Delivery Program 2023-25 and Operational Plan and Budget 2023/24 Council briefing be noted.

DECLARED CARRIED BY THE ADMINISTRATOR

<https://www.wsc.nsw.gov.au/files/assets/public/council/council-meetings/wsc-operational-plan-and-budget-presentation.pdf>

6.3 Draft Community and Recreational Facilities Strategy and Study for Public Exhibition

Report Author: Manager Assets
Executive Manager Strategic Outcomes

Authoriser: Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT:

1. Council receives and notes the contents of this report.
2. Council endorses the Draft Community and Recreational Facilities Strategy for public exhibition.
3. Council endorses the Draft Community and Recreational Facilities Study for public exhibition.
4. A further report be provided following the period of public exhibition.

The Executive Manager Strategic Outcomes introduced the item.

The Manager Assets addressed the meeting.

MN 2023/380

MOTION moved by the Administrator

THAT consideration of the Draft Community and Recreational Facility Strategy and Draft Community and Recreational Facility Study be deferred until the May Council meeting and that the following further information be presented to the meeting:

- i. *The response of the Draft Community and Recreation Facility Strategy to the adopted brief.*
- ii. *Clarification of the process proposed to align the Strategy and Study to other strategic land use planning documents being prepared or proposed under the Integrated Planning and Reporting framework and associated options for the levying of realistic developer contributions.*

- iii. To assist residents in making submissions under the exhibition of both documents, questions be developed on the proposed strategic direction required to address preferred community and recreational facilities and locations across the Shire.*
- iv. The addressing of Council's earlier decision to enter in public consultation in relation to the future of the Mittagong Pool.*
- v. The matters raised in the Administrator's meeting Minute of 19 April 2023 in relation to Mittagong Playhouse.*
- vi. The relationship between the Arts and Culture Strategic Plan 2015 and the Draft Community and Recreation Facility Strategy and Plan.*

DECLARED CARRIED BY THE ADMINISTRATOR

6.4 Section 355 Management Committees Procedures Manual for Public Exhibition

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

OFFICER'S RECOMMENDATION

THAT:

1. Council endorses the Procedures Manual for the 355 Management Committees and places the manual on Public Exhibition for 28 days.
2. Briefing sessions will be held during the exhibition period to discuss changes with the 355 Management Committees
3. The General Manager be delegated authority to make changes to the Procedures Manual as required.

The Executive Manager Business Transformation introduced the item.

MN 2023/381

MOTION *moved by the Administrator*

THAT *the matter be deferred until the decision of September 2022 Council Meeting has been satisfied.*

DECLARED CARRIED BY THE ADMINISTRATOR

6.5 Grant of Easement over Community Land at Public Reserve off Emily Circuit, Bowral - Post Exhibition Report

Report Author: Property and Project Officer

Authoriser: Acting General Manager

OFFICER'S RECOMMENDATION

THAT:

1. Council refer the issue of the grant of an Easement for Battery Storage over Council Community Land at Public Reserve, Emily Circuit, Bowral (being Lot 198 in Deposited Plan 1014858) to the Minister for Local Government for consent as required pursuant to Section 47(5) of the *Local Government Act, 1993* as written objections to the proposed Easement have been received during the public exhibition period.
2. If the Minister grants consent to the Easement referred to in Item 1 above, the General Manager and Administrator be delegated authority to execute the Plan of Easement and to affix the Common Seal of Council to any document required to be sealed in respect of the Easement.
3. Authority be delegated to the General Manager and Administrator to execute on behalf of Council any documents associated with the Easement referred to in Item 1 above not requiring affixing of the Common Seal of Council.
4. If the Minister does not grant consent to the Easement, a further report be forwarded to a future Ordinary Meeting of Council for consideration.
5. Council write to those residents who lodged a submission advising them that the issue of the Easement will now be referred to the Minister for Local Government.

The Director Corporate Strategy and Resourcing introduced the item and advised the item was deferred at the Ordinary Council meeting 19 April 2023 to ensure that anyone who had made a submission was aware that the item was coming to Council. Council's procedure is to notify anyone that has made a submission or has a specific interest in an item should be notified when the item is coming to Council. Unfortunately, on this occasion that action was not undertaken. That was rectified last week after the Council meeting so that now all interested parties have been notified that the matter is coming before Council this afternoon.

It is recommended that Council refer the issue of the grant of an Easement for Battery Storage over Council Community Land at Public Reserve Emily Circuit Bowral to the Minister for Local Government for consent.

**MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL
WEDNESDAY 26 APRIL 2023**

MN 2023/382

MOTION *moved by the Administrator*

THAT:

- 1. Council refer the issue of the grant of an Easement for Battery Storage over Council Community Land at Public Reserve, Emily Circuit, Bowral (being Lot 198 in Deposited Plan 1014858) to the Minister for Local Government for consent as required pursuant to Section 47(5) of the Local Government Act, 1993 as written objections to the proposed Easement have been received during the public exhibition period.**
- 2. If the Minister grants consent to the Easement referred to in Item 1 above, the General Manager and Administrator be delegated authority to execute the Plan of Easement and to affix the Common Seal of Council to any document required to be sealed in respect of the Easement.**
- 3. Authority be delegated to the General Manager and Administrator to execute on behalf of Council any documents associated with the Easement referred to in Item 1 above not requiring affixing of the Common Seal of Council.**
- 4. If the Minister does not grant consent to the Easement, a further report be forwarded to a future Ordinary Meeting of Council for consideration.**
- 5. Council write to those residents who lodged a submission advising them that the issue of the Easement will now be referred to the Minister for Local Government.**

DECLARED CARRIED BY THE ADMINISTRATOR

7 MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 7:07pm