

MINUTES

Extraordinary Meeting of Council



We're with you

Tuesday, 7 November 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
TUESDAY 7 NOVEMBER 2023**

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**MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL
TUESDAY 7 NOVEMBER 2023**

**MINUTES OF THE EXTRAORDINARY MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN
COUNCIL CHAMBERS, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON TUESDAY 7
NOVEMBER 2023 COMMENCING AT 3:30 PM**

Present:	Administrator	Mr Viv May PSM
In Attendance:	General Manager	Ms Lisa Miscamble
	Director Corporate Strategy and Resourcing	Ms Carmel Foster
	Director Communities and Place	Mr Adan Davis
	Director Service and Project Delivery	Ms Karin Targa
	Executive Manager Business Transformation	Mr Pav Kuzmanovski
	Manager Governance and Corporate Performance	Ms Danielle Lidgard
	Acting Chief Financial Officer	Mr Carl Conrad
	Manager Waste and Resource Management	Mr Clinton McAlister
	Manager Assets	Mr Shaun Robinson
	Network and Systems Administrator	Mr Jon Campbell
	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, Viv May PSM, stated:

“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 DECLARATIONS OF INTEREST

The Administrator declared a non-significant, non-pecuniary interest in Item 6.2 - Wingecarribee Women Writers - The Charlotte Project, as he made a moderate donation to the Project following attendance at a Berrima breakfast event.

6 REPORTS

6.1 PROJECT 24 - Contract Negotiation Report - Receival, Processing and Disposal Services for Municipal Waste and Resource Streams

Report Author: Clinton McAlister, Manager Waste and Resource Recovery

Authoriser: Adan Davis, Director Communities and Place

OFFICER'S RECOMMENDATION

THAT:

1. Council receives the confidential Negotiation Report (Negotiation Report) at Attachment 1 regarding the receival, processing and disposal services of municipal waste and resource streams.
2. The Negotiation Report be withheld from access to the media and public as required by Section 11(2) of the Local Government Act 1993 for the following reason:
 - a. The Report is confidential in accordance with s10A(2) of the Local Government Act, 1993, under clause 10A(2)(c) - it contains information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
3. Following the successful negotiation of service agreements in accordance with the resolution of Council in October 2022 and pursuant to s. 178 (3) (e) of the Local Government (General) Regulation 2021:
 - a. Council enters into an agreement with Veolia Recycling & Recovery Pty Ltd (ACN 002 902 650) for the following receival, haulage and processing services for municipal waste and resource streams for an initial term of 5 years and 1 month:
 - i. receival and haulage services for mixed waste,
 - ii. receival and processing services for bulky waste,
 - iii. receival and processing services for recycling, and
 - iv. receival and processing services for garden organics; and
 - b. Council enters into an agreement with Cleanaway Pty Ltd (ACN 000 164 938) for the receival and disposal services for mixed waste for an initial term of 5 years.
4. The General Manager be authorised to execute the relevant contract documents.
5. Soil Co Pty Ltd is notified as appropriate that their offer was not accepted.

**MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL
TUESDAY 7 NOVEMBER 2023**

The Manager Waste and Resource Management introduced the item.

The General Manager addressed the meeting.

MN 2023/536

MOTION moved by the Administrator

THAT:

1. ***Council receives the confidential Negotiation Report (Negotiation Report) at Attachment 1 regarding the receipt, processing and disposal services of municipal waste and resource streams.***
2. ***The Negotiation Report be withheld from access to the media and public as required by Section 11(2) of the Local Government Act 1993 for the following reason:***
 - a. ***The Report is confidential in accordance with s10A(2) of the Local Government Act, 1993, under clause 10A(2)(c) - it contains information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.***
3. ***Following the successful negotiation of service agreements in accordance with the resolution of Council in October 2022 and pursuant to s. 178 (3) (e) of the Local Government (General) Regulation 2021:***
 - a. ***Council enters into an agreement with Veolia Recycling & Recovery Pty Ltd (ACN 002 902 650) for the following receipt, haulage and processing services for municipal waste and resource streams for an initial term of 5 years and 1 month:***
 - i. ***receipt and haulage services for mixed waste,***
 - ii. ***receipt and processing services for bulky waste,***
 - iii. ***receipt and processing services for recycling, and***
 - iv. ***receipt and processing services for garden organics; and***
 - b. ***Council enters into an agreement with Cleanaway Pty Ltd (ACN 000 164 938) for the receipt and disposal services for mixed waste for an initial term of 5 years.***
4. ***The General Manager be authorised to execute the relevant contract documents.***
5. ***Soil Co Pty Ltd is notified as appropriate that their offer was not accepted.***

DECLARED CARRIED BY THE ADMINISTRATOR

6.2 Wingecarribee Women Writers - The Charlotte Project

Report Author: Shaun Robinson, Manager Assets

Authoriser: Karin Targa, Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT:

1. Council approve The Charlotte Project, by Wingecarribee Womens Writers, under the Public Memorial Policy and Guidelines.
2. Upon consideration of the submissions received during the public consultation of 25 to 31 October 2023 and the existing letters of support, that further consultation through a period of public exhibition is not required.

The Administrator addressed the meeting and restated his non-significant, non-pecuniary interest in the item.

The General Manager addressed the meeting and tabled the attached submission received from Mr Julian Brophy in relation to the item: [Brophy Submission](#)

Also attached is a copy of the address made by Ms Kerrie Douglass in relation to the item at the Public Forum held before the meeting: [Douglass Address](#)

The Manager Assets introduced the item.

MN 2023/537

MOTION *moved by the Administrator*

THAT pursuant to the provisions of s377 of the Local Government Act and acknowledging the Council's Public Memorials Policy and Guidelines, this matter be delegated to the General Manager for determination.

DECLARED CARRIED BY THE ADMINISTRATOR

7 MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 3.45 PM