

MINUTES

Ordinary Meeting of Council



We're with you

Wednesday, 13 December 2023

Council Chambers| Wingecarribee Shire Council

68 Elizabeth Street, Moss Vale at 3:37 pm

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WEDNESDAY 13 DECEMBER 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 13 DECEMBER 2023 COMMENCING
AT 3:37 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 Business Transformation	Mr Pav Kuzmanovski
Executive Manager Strategic Outcomes	Mr Deniz Kilic
Chief Information Officer	Mr George Harb
Acting Chief Financial Officer	Mr Carl Conrad
Manager Governance and Corporate Performance	Ms Danielle Lidgard
Manager Environment and Sustainability	Mr Barry Arthur
Manager Development Assessment and Regulation	Mr Jon Shilito
Manager Business and Property	Mr Salomon Kloppers
Manager Community Life and Libraries	Ms Kathryn Baget-Juleff
Manager Waste and Resource Management	Mr Clinton McAlister
Coordinator Community Development	Ms Corinne Buxton
Coordinator Tourism and Events	Ms Suzanne Hannema
Coordinator Governance	Ms Stephanie Salviejo
Community Resilience Officer	Mr David Belic
Governance Officer	Ms Michelle Gordon
Network and Systems Administrator	Mr Jon Campbell

Also in Attendance:

Consultant – Integrated Planning and Reporting	Ms Kathryn Ridley
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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

“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.”

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 2023/565

MOTION *moved by Administrator*

That the minutes of the Ordinary Meeting of Council held on 15 November 2023, MN 2023/538 to MN 2023/564 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 13 December 2023](#)

Over the past 6 months Council has received multiple reports of real estate agent signs being placed and left on public land – specifically the public road verge.

The reports received from the community in relation to real estate agent signs on public road raised issues including:

- interference with pedestrian movement,
- unsightliness and advertising the agency business following sale of a property,
- open day directional signs being left out on public road verge, and
- dumped rubbish accumulating around for sale signs.

The public road verge, or nature strip, between the road edge and property boundaries, is for pedestrian movement, essential services, drainage infrastructure and vegetation.

Council is the authority for most road verges in Wingecarribee, other than State roads.

Under the Roads Act a person cannot erect any structure (including real estate or advertising signs), nor carry out any work, nor dig into the public road verge without the approval of Council (as the road authority).

I am advised that all the reported cases, Council had not given any approval for the sign on public land.

It is recognised that in practical terms, signage may need to be affixed to the outside of a boundary fence to a public road, sometimes resulting in an encroachment into the public land.

Otherwise, there is no legitimate reason real estate agent signs need to be littering public land, and in the rare circumstance it is necessary, it must be with prior approval.

While some agents have been very responsive in removing signs and changing their practice to be lawful, unfortunately others have not.

Council officers can issue a penalty infringement notice (PIN/fine) of \$1,100 per sign, per occasion sighted.

Council can adopt a policy which provides clarity and a general ‘blanket’ approval for sign encroachment in certain circumstances, such as for example the minor encroachment of signs attached to the outside of a high boundary fence, which may overhang public land.

It is noted that, while subject to separate legislation and rules, real estate signs on private land can only advertise that the property is for sale or lease (not general advertisement for the agency) and must be removed within 14 days after the sale or lease of the property.

The General Manager has advised me that all real estate agents in the Shire will be written to early in the new year reminding them of their statutory obligations and that the Council does not want to introduce unnecessary policy but that rangers have been instructed to enforce what are state based rules. Hopefully this will result in more respect being given to both streetscape and fellow residents.

The site of the major fire in July 2021 at the corner of Bong Bong Street and Wingecarribee Street in Bowral continues to be an eyesore.

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Following the fire, Council cooperated with the insurance company responsible for the site and was very generous in the time it allowed for demolition and clearing and negotiated a one metre wide extension of the site onto footpaths (at a rental in line with Council's policies) and arranged for artwork to be placed around the site as it knew it would take some time for it to be redeveloped.

A Development Application was subsequently lodged in July last year but on the recommendation of Council's professional officers, has been refused by the Wingecarribee Local Planning Panel and I understand that the Applicant has now lodged an Appeal with the Land and Environment Court and obviously this process will also take time.

In short, the primary issue with the development proposal and the Appeal relates to carparking being provided for the development in line with a long standing Council policy, adopted in 2010, that redeveloping sites provide for the full amount of car parking generated at the prescribed rates.

Prior to Administration, it was the Council's policy that this required parking be entirely provided on site. In some cases this, caused issues where it may have been impractical and costly to do so, bringing the financial viability of developments into question.

At my instigation, Council developed an interim policy in relation to voluntary carparking contributions to provide business owners and developers an alternative option to expensive basement parking, recoup the cost of it providing additional public carparking until the Bowral Town Centre Masterplan is finalised. The development application for 1,800m² of new retail and commercial space proposed only 2 spaces on site and funding of 30 spaces off-site, about half of the car parking required.

I am conscious that there have been rumours circulating that the Council is endeavouring to sell some of the new carparking spaces that have been developed at the Southern end of Station St – this is not the case. All of these works have been fully funded and any contributions now received by Council will be used for the provision of new carparking that in my view should be provided as a second level at the northern end of the Station St carpark.

Following the refusal by the Independent Planning Panel of the application, the existing hoardings were removed – presumably by the owners – and replaced with chain wire fencing. If this action was taken in an endeavour to embarrass the Council, it hasn't worked. I am advised by the General Manager, that officers from the Council (including her) in meeting with the owners and their representatives have personally requested that permission be given to reinstall the artworks, but this has been refused.

Attempts by the Council to install its own screen fencing hoardings – a process that has become very protracted – have been stifled by red tape. However, residents (and business owners in the area) are assured that the Council is doing its best and the cost to reinstall the artworks will be paid from fees already received from the former hoardings.

The draft Bowral Town Centre Masterplan was endorsed for public exhibition by the Wingecarribee Local Planning Panel at its meeting on 25 October subject to consideration being given to a number of additional matters including additional landscaping to the Station Street Carpark. Unfortunately, the decision of the Panel was not reported to Council at its November meeting but is listed for consideration at this meeting.

I am intending at the meeting to move an additional clause to the Officer's recommendation requesting a consideration be flagged in the Plan to the provision of a second level (80-100 spaces) of carparking at the northern end of Station Street carpark, with concept proposals to align with the recognition that Council is investigating alternatives to onsite parking provision on redevelopment sites within the Town Centre and has adopted a interim funding mechanism to recoup the cost of carparking to service such development.

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There is already a shortfall of carparking in the Bowral Town Centre and while the additional approximately 100 spaces in the Station Street carpark have been of great help – and they are already being heavily used – and the decision to consult on the introduction of a 3 hour limit in the carpark adjacent to Dirty Janes (Wattle Lane Carpark) also provides opportunities to address short term parking convenience.

I have nearly completed my Village Visit meetings and have discussed issues on both a one-to-one basis with many residents and with committees.

One major issue that has been highlighted is the need for some community halls to pay rates and this follows a decision of the Council to introduce a revised grants, donations and sponsorship policy to ensure subsidies are made available more equitably across the rate payer base. Unfortunately, it has highlighted an inequity.

Halls that remain Council owned and that are generally managed by 355 Committees have their rates paid by the Council however halls that are run by Community Committees that are either held in fee-simple or on Crown Land etc are being required to pay rates. Church Halls, Scout Halls do not pay rates and, in my view, it is just unfair to expect volunteers to have sausage sizzles and cake stalls to pay rates on important and well used village community infrastructure.

I think four or five properties may be affected and I have asked the General Manager to report on how to overcome this inequity to the February 2024 meeting.

As residents would be aware, I have devoted considerable time and energy into Council having more open, transparent and consistent approach to dealing with development applications. I make it very clear that this is not a criticism of staff, it is a complex issue dealing with State Legislation which both sides of Parliament agree is in need of review – but which neither side appear to be taking much action.

As from the first of February, Council will have one source of truth for all matters associated with Development Applications that will be easily accessible on the front page of our website – basically a vastly enhanced DA's online system where residents will be able to access up to close of business on any day basically any matter associated with a DA that would be accessible through the GIPA process.

The only thing that the Council cannot do at the present time and which will be introduced prior to the September elections, is recording phone calls and replies. The staff undertook to have a video available of what residents can expect by the 30 November, however I requested that it not be released until this meeting due to the quantum difference it's going to make for residents dealing with their Council.

Residents will recall that I arranged a report on the Council's response to the 2019/2020 Bushfires which was undertaken by Mr Dave Owen. Mr Owen made 44 recommendations which addressed substantial matters including that council undertake a review of the current emergency operation sites to either update the current assets or provide an alternate site for the emergency operations centre. Council provided \$270,000 in its 2023/24 budget to provide a centre shell at the Civic Centre in Moss Vale, and I am delighted to say that following visits by Ministers by both the former and present governments, Council has now been advised that it will receive funding of \$200,000 for the fit-out of the centre. The funds are being provided through the Government's infrastructure grants program and made possible through a club grants category 3 funds which reinvests a contribution from the state registered clubs gaming machines profits back into projects. This is a major achievement for the community and the first time in the Shire's history it will have a fully operational civic based centre and residents are assured that there will be no

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repeats on the Council's behalf of past failures. That General Manager continues to ensure that suitable and adequate staff are trained – including Ms Miscamble who as part of her leadership of the council administration who has also undertaken a course in resilience and emergency management.

At the 21 February meeting of Council I requested that the government policy in relation to the installation of convex safety mirrors be sought. The Minister for Regional Transport and Roads has now advised that Transport NSW does not support the use of such mirrors on state and regional road; however notes these mirrors are appropriate for local roads with low traffic volumes and roads with a low posted speed limit. Resulting from the reply I have asked the General Manager to report to the February meeting on a policy that will delegate to Council staff a mechanism for approval or otherwise of requests for such mirrors subject to the applicant paying the costs involved.

Roads and their condition continue to be a matter of much discussion across the State and I am pleased to advise that in October the NSW Government announced a Regional Emergency Road Repair Fund and a funding allocation to Wingecarribee Shire Council of \$3,118,206 so that Council can continue vital repair and maintenance work on its road network. This builds on the 2022/23 allocation of \$2,223,196 under the Regional and Local Roads Repair Program and on behalf of all residents I have written to the Minister noting our appreciation.

The biggest roads infrastructure project in the Shire for many years – the renewal of Old South Road - is nearing completion and I am advised that despite the bad weather during first week in December it should open before Christmas. This major investment will result in a reduction of traffic volumes in Bowral and Mittagong town centres. Council has already requested that Transport NSW in association with community consultation to reduce speed limits in Bong Bong Street, Bowral to look at load limits following completion of the Station Street renewal project. I have requested the General Manager to provide an update on this to the February meeting together with the history as to why there is a 10 tonne load limit on Old South Road and the mechanisms for it to be removed or increased.

Last Saturday it was again my honour to welcome her Excellency the Honourable Margret Beazley AC KC Governor of New South Wales back to the Shire when she unveiled a marvellous sculpture of Charlotte Waring Atkinson who was a remarkable Berrima district women, who resided for many years at Oldbury Farm, and was Australia's first children's author. She was also a trail blazer in the fight for women's legal rights and a champion for the education of girls.

I accepted the sculpture on behalf of the Shire and complemented it's sculptor Julie Hasler Reilly and Lynn Watson and her team for bring a wonderful project to fruition.

A large crowd attended the event and were a part of the story what is a fascinating piece of our local heritage. Well done to all involved.

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MN 2023/566

MOTION *moved by the Administrator*

THAT *the Administrator Minute be noted.*

DECLARED CARRIED BY THE ADMINISTRATOR

8 GENERAL MANAGER

8.1 Bowral Town Centre Master Plan - Draft for Public Exhibition

Report of: Deniz Kilic
Executive Manager Strategic Outcomes

Authorised by: Lisa Miscamble
General Manager

OFFICER'S RECOMMENDATION

THAT:

1. Council endorse the Draft Bowral Town Centre Master Plan for public exhibition for a period of eight (8) weeks commencing 22 January 2024 and concluding on 17 March 2024.
2. The Draft Bowral Town Centre Master Plan be reported at the conclusion of the exhibition period to the Local Planning Panel in April 2024 and reported to Council in May 2024, outlining a summary of the outcomes of the public exhibition.

The Executive Manager Strategic Outcomes introduced the item.

The General Manager tabled the attached correspondence and presentation received from S Maloney.

[Correspondence and presentation received from S Maloney](#)

MN 2023/567

MOTION moved by the Administrator

THAT:

1. ***Council endorse the Draft Bowral Town Centre Master Plan for public exhibition for a period of eight (8) weeks commencing 22 January 2024 and concluding on 17 March 2024, noting the staff responses to the matters raised by the panel.***
2. ***The Draft Bowral Town Centre Master Plan be reported at the conclusion of the exhibition period to the Local Planning Panel in April 2024 and reported to Council in May 2024, outlining a summary of the outcomes of the public exhibition.***
3. ***A multi deck carpark be considered in the draft Bowral Town Centre Masterplan accommodating 80 - 100 spaces adjacent to the rail line at the Northern end of Station Street, subject to the findings of the draft Wingecarribee Integrated Transport Strategy in early 2024.***

DECLARED CARRIED BY THE ADMINISTRATOR

8.2 Wingecarribee Integrated Transport Strategy Progress Report

Report of: Deniz Kilic
Executive Manager Strategic Outcomes

Authorised by: Lisa Miscamble
General Manager

OFFICER'S RECOMMENDATION

THAT Council:

1. Note progress on the Wingecarribee Integrated Transport Strategy.
2. Note a further report will be provided seeking endorsement to proceed to consultation once the draft Strategy is prepared within the first quarter of 2024.

The Executive Manager Strategic Outcomes introduced the item.

MN 2023/568

MOTION moved by the Administrator

THAT Council:

1. Note progress on the Wingecarribee Integrated Transport Strategy.
2. Note a further report will be provided seeking endorsement to proceed to consultation once the draft Strategy is prepared within the first quarter of 2024.

DECLARED CARRIED BY THE ADMINISTRATOR

8.3 Joadja Heritage Trust

Report of: Deniz Kilic
Executive Manager Strategic Outcomes

Authorised by: Lisa Miscamble
General Manager

OFFICER'S RECOMMENDATION

THAT Council:

1. Receive and notes the report.
2. Endorse a budget adjustment of \$98,600 to fund the Joadja Heritage Conservation Management Plan from General Revenue.
3. Endorse a budget adjustment of \$20,000 to seek legal advice on the existing Joadja Heritage Trust Deed structure and utilisation of associated restricted funds with the outcomes of this advice to be tabled to Council.

The Executive Manager Strategic Outcomes introduced the item.

MN 2023/569

MOTION moved by the Administrator

THAT Council:

1. *Receive and notes the report.*
2. *Endorse a budget adjustment of \$98,600 to fund the Joadja Heritage Conservation Management Plan from General Revenue.*
3. *Endorse a budget adjustment of \$20,000 to seek legal advice on the existing Joadja Heritage Trust Deed structure and utilisation of associated restricted funds with the outcomes of this advice to be tabled to Council.*

DECLARED CARRIED BY THE ADMINISTRATOR

8.4 Draft Community Heritage Study - Options for Peer Review

Report of: Deniz Kilic
Executive Manager Strategic Manager

Authorised by: Lisa Miscamble
General Manager

OFFICER'S RECOMMENDATION

THAT Council:

1. Receive and note the report.
2. Endorse Option 2 for the scope of the Peer Review as outlined in this report.
3. Consider the allocation of funds as part of the end of December quarterly Budget Review.

The Executive Manager Strategic Outcomes introduced the item.

The General Manager addressed the meeting.

MN 2023/570

MOTION moved by the Administrator

THAT Council:

1. Council receive and note the report and Council Officer's play no further role in the matter.
2. Council support the option for peer review of the Community Heritage Study and all submissions received in response to the public consultation process with the view to the final Heritage Study and Planning Proposal being submitted to the NSW Department Planning Department for Gateway determination no later 30 June 2024.
3. The cost for the independent peer review of the Community Heritage Study and exhibition of same by a suitably qualified heritage contractor reporting directly to the General Manager be considered as part of the December budget quarterly review.
4. In relation to point 2, it will be necessary for the General Manager to prepare a timeline for public exhibition of the final draft study for consideration by both the Planning Panel and Council.
5. The General Manager be delegated authority to place the draft Community Heritage Study, post peer review on public exhibition.

DECLARED CARRIED BY THE ADMINISTRATOR

8.5 Yarrowa Road Moss Vale - Letter of Offer to Enter into a Voluntary Planning Agreement for the Development of Land

Report of: Deniz Kilic
Executive Manager Strategic Outcomes

Authorised by: Lisa Miscamble
General Manager

OFFICER'S RECOMMENDATION

THAT Council:

1. Provide in-principle support for the instrument of a legally binding Letter of Offer to enter into a Voluntary Planning Agreement from the owners of land at 121, 131 and 153 Yarrowa Road Moss Vale, as the mechanism for contributions towards infrastructure and community facilities resulting from the development of the subject land.
2. Endorse the finalisation of the Planning Proposal to rezone land at 121, 131 and 153 Yarrowa Road Moss Vale and to extend the boundary of the Chelsea Gardens Coomungie Urban Release Area to include the subject land.

The Executive Manager Strategic Outcomes introduced the item.

MN 2023/571

MOTION moved by the Administrator

THAT Council:

1. *Provide in-principle support for the instrument of a legally binding Letter of Offer to enter into a Voluntary Planning Agreement from the owners of land at 121, 131 and 153 Yarrowa Road Moss Vale, as the mechanism for contributions towards infrastructure and community facilities resulting from the development of the subject land.*
2. *Endorse the finalisation of the Planning Proposal to rezone land at 121, 131 and 153 Yarrowa Road Moss Vale and to extend the boundary of the Chelsea Gardens Coomungie Urban Release Area to include the subject land.*

DECLARED CARRIED BY THE ADMINISTRATOR

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MN 2023/72

MOTION moved by Administrator

THAT Standing Orders be suspended in order to move into Committee of the Whole to provide an opportunity for a community briefing on Item 9.1 Delivering Better Services Framework - Adoption.

DECLARED CARRIED BY THE ADMINISTRATOR

Committee of the Whole Commenced at 4:22 pm.

Ms Kathryn Ridley, Integrated Planning and Reporting Consultant and the Executive Manager Business Transformation made the attached presentation.

[Services Framework Council Briefing December 2023](#)

The Manager Governance and Corporate Performance addressed the meeting.

The General Manager addressed the meeting.

Committee of the Whole concluded at 5:05 pm.

MN 2023/573

MOTION moved by Administrator

THAT Standing Orders be resumed.

DECLARED CARRIED BY THE ADMINISTRATOR

9 REPORTS

9.1 Delivering Better Services Framework - Adoption

Report of: Danielle Lidgard
Manager Corporate Governance and Performance

Authorised by: Carmel Foster
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council:

1. Adopt the Delivering Better Services Framework.
2. Note the Service Reviews proposed for 2024/25.

COMMITTEE OF THE WHOLE PROCEEDINGS IN BRIEF

In accordance with clause 12.4 of Council's Code of Meeting Practice, the proceedings from the Committee of the Whole are as follows:

An overview of the draft Delivering Better Services Framework was provided via a presentation.

The presentation included:

- the context of the framework
- the approach taking in developing the framework
- service plans
- levels of service
- developing a service review program

The Administrator sought clarification regarding:

- number of service reviews
- subject matter of the reviews
- review time-frames
- financial cost
- best value services
- market testing

COMMITTEE OF THE WHOLE RECOMMENDATIONS

THAT Council provide a prioritised list of all service reviews intended to be undertaken and the anticipated time-frames for completion.

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MN 2023/574

MOTION moved by the Administrator

THAT:

- 1. Council adopt the Delivering Better Services Framework.***
- 2. Council note the Service Reviews proposed for 2024/25.***
- 3. Service reviews include value for rate payers dollar and explore opportunities for market testing.***
- 4. Noting the service areas and principle activities detailed in appendix five a proposed interim timeline be presented to a future meeting of Council.***

DECLARED CARRIED BY THE ADMINISTRATOR

9.2 Regional Community Strategic Plan - Update

Report of: Danielle Lidgard
Manager Corporate Governance and Performance

Authorised by: Carmel Foster
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council:

1. Note the report on the Community Strategic Plan.
2. Endorse the updated approach to reviewing the Wingecarribee Community Strategic Plan.

The Manager Governance and Corporate Performance addressed the meeting.

The General Manager addressed the meeting.

Ms Kathryn Ridley, Integrated Planning and Reporting Consultant addressed the meeting.

MN 2023/575

MOTION moved by the Administrator

THAT Council:

1. Note the report on the Community Strategic Plan.
2. Endorse the updated approach to reviewing the Wingecarribee Community Strategic Plan.
3. Note that an End of Term Administrator report will be prepared for presentation to the community prior to the September 2024 election.

DECLARED CARRIED BY THE ADMINISTRATOR

9.3 Development Application Tracker - Demonstration

Report of: **George Harb**
Chief Information Officer

Authorised by: **Carmel Foster**
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council receive and note the report.

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

Application Tracker

Mr May -The purpose of this report is to introduce a demonstration of the Application Tracker, which will replace our current DA Tracker.

As part of Council's approach to being more consistent, open and transparent, the new software will enable easy access for the community to source information on all documents relating to Development Applications. The current system's limitations would not have allowed the integration of all of the documents relating to DA's into the DA Tracker limiting the information that the community can have access to.

Currently in the development stage, we are awaiting the completion of the integration of the NSW Planning Portal and Council systems. Council has experienced some unexpected delays and the NSW Department of Planning has extended the integration time for Council's until March 2024 however WSC will have 80% of the work completed this month (December) and will complete the rest of the integration prior to the due date. The integration is critical for the functionality of the tracker.

February 2024 is set as the release date for the Application Tracker. The tracker aims to provide:

- Customisation of visibility for any application fields.
- Control over document accessibility making it able to publish downloadable, listed, and locked documents
- A 'Follow' feature for the public to track application progress through email updates.
- Ability to make Public submissions during the exhibition period (objections, support, or comments).
- A configurable and maintainable solution.
- Displaying the shires DAs on a interactive map.

Council Officers have worked to address the issues raised by council and the community at the September 2023 meeting, ensuring that any document previously obtained via an informal GIPA at WSC will now be accessible.

In short this will include:

- submitted plans,
- notification processes including the mapping of data,
- internal and external correspondence
- and all information submitted as part of the application and any pre-DA meetings.

Our objective is to ensure the tracker is updated by COB each day by the responsible officer.

Before proceeding any further, I want to highlight an omission in the report. We failed to mention key internal stakeholders who have been involved in this journey, including the Director of Communities and

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Place, the Former Manager of Development Assessment and Regulation, and the Administrator. I would ask that this introduction form a part of the meeting minutes to correct the omission.

The GM recognises the limitations of the current system, including its lack of customization, adaptability to modern platforms, and responsiveness to community needs.

We will now present a brief video on the Application Tracker.

[Application Tracker Demonstration](#)

The Director Communities and Place addressed the meeting.

The General Manager took a question on notice regarding development applications and supporting documents that are lodged on the Planning Portal being simultaneously available for public viewing on Council's Application Tracker.

MN 2023/576

MOTION moved by the Administrator

THAT Council noting the further advice of the Chief Information Officer and read into the minutes that Council receive and note the report.

DECLARED CARRIED BY THE ADMINISTRATOR

9.4 Customer Experience Standards and Charter - Post Exhibition Report

Report of: George Harb
Chief Information Officer

Authoriser: Carmel Foster
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council:

1. Endorse the Customer Experience Standards and Charter with minor amendments.
2. Publish the Customer Experience Standards and Charter on Councils Website.

The Chief Information Officer introduced the item.

The General Manager addressed the meeting and tabled the attached submission received from Mr J Fitzpatrick.

[Submission received from J Fitzpatrick](#)

MN 2023/577

MOTION moved by the Administrator

THAT Council defer the report on the Customer Experience Standards and Charter until the February 2024 Ordinary Meeting of Council to allow for the report to be updated to include the information that was overlooked from submissions.

DECLARED CARRIED BY THE ADMINISTRATOR

9.5 Resource and Waste Management Strategy - Post Exhibition Report

Report of: Clinton McAlister
Manager Waste and Resource Management

Authorised by: Adan Davis
Director Communities and Place

OFFICER'S RECOMMENDATION

THAT Council adopt the Resource and Waste Management Strategy.

The General Manager addressed the meeting.

MN 2023/578

MOTION moved by the Administrator

THAT Council adopt the Resource and Waste Management Strategy and note the attachment in item SA1 in the Supplementary Agenda.

[Waste and Resource Management Strategy 2023-2032](#)

DECLARED CARRIED BY THE ADMINISTRATOR

9.6 Bulky Waste Collection Service - Preferred Option

Report of: Clinton McAlister
Manager Waste and Resource Management

Authorised by: Adan Davis
Director Communities and Place

OFFICER'S RECOMMENDATION

THAT Council:

1. Endorse changes to the bulky waste collection model from scheduled to a pre-booked service.
2. Endorse an annual collection per resident.
3. Endorse the entitlement to the service, to be the provision of a Domestic Waste Service to the premise.
4. Delegate authority to the General Manager be delegated Authority to execute a variation to the Collections and Haulage Contract to establish a pre-booked (on call) Bulky Waste Collection Service.

The Manager Waste and Resource Management introduced the item.

MN 2023/579

MOTION moved by the Administrator

THAT the report on Bulky Waste Collection Service be deferred to the February 2024 Ordinary Meeting of Council 2024 **AND THAT**

1. A report be prepared on any relationship on the failure of the contractor to comply with the specification and the illegal dumping complaints outlined in the report
2. A review be undertaken of the total appointments listed in the report and participation rates; further a costing be prepared for two booked collections each year maintaining the precinct basis.
3. Further consideration be given to the collection for other disposal options for mattresses (non commercial).

DECLARED CARRIED BY THE ADMINISTRATOR

9.7 Resource Recovery Centre - Change of Service Levels

Report of: Clinton McAlister
Manager Waste and Resource Management

Authorised by: Adan Davis
Director Communities and Place

OFFICER'S RECOMMENDATION

THAT Council Endorse:

1. The Resource Recovery Centre being closed to the public on NSW gazetted Public Holidays.
2. The opening hours of the Resource Recovery Centre be increased by an hour to 7.00am to 4.00pm Monday to Saturday and half an hour from 7.30am to 1.00pm on Sundays.

The General Manager addressed the meeting and advised that further information has become apparent and requested the matter be deferred to the February Meeting.

MN 2023/580

MOTION moved by the Administrator

THAT the report on Resource Recovery Centre - Change of Service Levels be deferred to the February 2024 meeting.

DECLARED CARRIED BY THE ADMINISTRATOR

9.8 Parking Fine Fees Changes

Report of: Jon Shillito
Manager Development Assessment and Regulation

Authorised by: Adan Davis
Director Communities and Place

OFFICER'S RECOMMENDATION

THAT Council revert to the full parking infringement fine amount (currently \$129) to ensure that it can patrol streets and car parking areas and carry out its regulatory responsibilities.

The Manager Development Assessment and Regulation addressed the meeting.

The Acting Chief Financial Officer addressed the meeting.

MN 2023/581

MOTION moved by the Administrator

THAT Council revert to the full parking infringement fine amount (currently \$129) to ensure that it can patrol streets and car parking areas and carry out its regulatory responsibilities.

DECLARED CARRIED BY THE ADMINISTRATOR

9.9 Water Extraction Policy - Adoption

Report of: Graeme Mellor
Manager Water Services

Authorised by: Karin Targa
Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT Council adopt the revised Water Extraction policy with performance measure amendments and minor typographical corrections.

MN 2023/582

MOTION *moved by the Administrator*

THAT Council adopt the revised Water Extraction policy with performance measure amendments and minor typographical corrections.

DECLARED CARRIED BY THE ADMINISTRATOR

9.10 Wingecarribee Youth Strategy and Action Plan 2016-26 - Update

Report by: Kathryn Baget-Juleff
Manager Community Life and Libraries

Authoriser: Adan Davis
Director Communities and Place

OFFICER'S RECOMMENDATION

THAT Council:

1. Note this report and the actions under the current Youth Strategy that have been completed.
2. Include an action in the 2024/25 Operational Plan to review and update the Wingecarribee Youth Strategy 2016-2026, with community engagement, to respond to the changing needs of the Youth of Wingecarribee Shire.

The Manager Community Life and Libraries addressed the meeting.

MN 2023/583

MOTION moved by the Administrator

THAT Council:

1. *Note this report and the actions under the current Youth Strategy that have been completed.*
2. *Include an action in the 2024/25 Operational Plan to review and update the Wingecarribee Youth Strategy 2016-2026, with community engagement, to respond to the changing needs of the Youth of Wingecarribee Shire.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.11 Destination Southern Highlands and Visitor Servicing Review

Report of: Salomon Kloppers
Manager Business and Property

Authorised by: 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
2. Establish a Visitor Economy Advisory Panel of representatives of industry subsectors of the Wingecarribee Shire Council area and endorse the Terms of Reference as contained in Attachment 4.
3. Delegate to the Visitor Economy Advisory Panel the following functions to be executed in accordance with the Operational Plan and budget as adopted by Council through the annual planning process;
 - a. develop and implement a Visitor Economy Action Plan that aligns with the goals of the Destination Strategy 2020 - 2030 subject to receiving budgetary allocation in the 2024/25 budget
 - b. present for consideration by Council an annual strategic marketing campaign to ensure the delivery of the Action Plan.
4. Adopt the following additional recommendations of the Destination Sydney Surrounds South report:
 - a. the Southern Highlands Visitor Information Centre (VIC) continues to deliver services in the current physical location;
 - b. Destination Southern Highlands improve the sense of place for visitors to the centre by developing its visitor experience to attract more travellers
 - c. Destination Southern Highlands grow the premium local brand merchandising offer
5. Write to the Destination Sydney Surrounds South Chair and General Manager to advise of the outcome and thank them for their support
6. Write to the Visitor Servicing workshop participants to thank them for their engagement and contribution.
7. A further report to Council will be provided to Council in the first quarter of 2024 to appoint the members of the Visitor Economy Advisory Panel.

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 13 DECEMBER 2023**

The Director Corporate Strategy and Resourcing introduced the item.

MN 2023/584

MOTION moved by the Administrator

THAT Council:

1. *Note the Destination Sydney Surrounds South Futureproofing Visitor Servicing in NSW using Wingecarribee as a Pilot Report*
2. *Establish a Visitor Economy Advisory Panel of representatives of industry subsectors of the Wingecarribee Shire Council area and endorse the Terms of Reference as contained in Attachment 4.*
3. *Delegate to the Visitor Economy Advisory Panel the following functions to be executed in accordance with the Operational Plan and budget as adopted by Council through the annual planning process;*
 - a. *develop and implement a Visitor Economy Action Plan that aligns with the goals of the Destination Strategy 2020 - 2030 subject to receiving budgetary allocation in the 2024/25 budget*
 - b. *present for consideration by Council an annual strategic marketing campaign to ensure the delivery of the Action Plan.*
4. *Adopt the following additional recommendations of the Destination Sydney Surrounds South report:*
 - a. *the Southern Highlands Visitor Information Centre (VIC) continues to deliver services in the current physical location;*
 - b. *Destination Southern Highlands improve the sense of place for visitors to the centre by developing its visitor experience to attract more travellers*
 - c. *Destination Southern Highlands grow the premium local brand merchandising offer*
5. *Write to the Destination Sydney Surrounds South Chair and General Manager to advise of the outcome and thank them for their support*
6. *Write to the Visitor Servicing workshop participants to thank them for their engagement and contribution.*
7. *A further report to Council will be provided to Council in the first quarter of 2024 to appoint the members of the Visitor Economy Advisory Panel.*
8. *Attachment Four to the report be amended to provide that the General Manager allocates appropriate resources for the Visitor Economy Advisory Panel secretariat, delete references to Council and Destination Southern Highlands in Relationships to Council (p3) with General Manager and replace any references in the document to Council Officers to General Manager.*
9. *A short discussion paper be presented to Council in the new year on opportunities for volunteering at the Visitors Centre.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.12 Community Resilience Officer Presentation

Report of: Kathryn Baget-Juleff
Manager Community Life and Libraries

Authoriser: Adan Davis
Director Communities and Place

OFFICER'S RECOMMENDATION

THAT Council receive and note the Community Resilience Officer report.

The Manager Community Life and Libraries addressed the meeting and made the attached presentation.

[Community Resilience Officer Presentation](#)

MN 2023/585

MOTION moved by the Administrator

THAT Council receive and note the Community Resilience Officer report.

DECLARED CARRIED BY THE ADMINISTRATOR

9.13 Bushfire Response & Recovery Review Update on Recommendations #43 and #44 - Mayoral Relief Fund

Report of: Kathryn Baget-Juleff
Manager Community Life and Libraries

Authoriser: Adan Davis
Director Communities and Place

OFFICER'S RECOMMENDATION

THAT Council supports the New South Wales Reconstructions advice to use GIVIT to establish and manage monetary donations during and after any disaster events in the lead up to the 2024 local government elections.

The Manager Community Life and Libraries addressed the meeting.

The General Manager addressed the meeting.

The Executive Manager Business Transformation addressed the meeting.

MN 2023/586

MOTION moved by the Administrator

THAT:

- 1. Council supports the New South Wales Reconstruction advice to use GIVIT to establish and manage monetary donations during and after any disaster events.**
- 2. That a further report be presented to the February 2024 Council meeting on how the remaining Mayoral funds be allocated and subsequent closing of the Mayoral Fund.**

DECLARED CARRIED BY THE ADMINISTRATOR

9.14 IPART Rates Peg Methodology Change

Report of: Carl Conrad
Acting Chief Financial Officer

Authorised by: Carmel Foster
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council note the Final Report on the IPART Review of the Rate Peg Methodology.

The Acting Chief Financial Officer introduced the item.

MN 2023/587

MOTION moved by the Administrator

THAT Council note the Final Report on the IPART Review of the Rate Peg Methodology.

DECLARED CARRIED BY THE ADMINISTRATOR

9.15 Agritourism Uses and the Implication on the Rating Category

Report of: Carl Conrad
Acting Chief Financial Officer

Authorised by: Carmel Foster
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council:

1. Receive and note this report.
2. Write to the Minister for Local Government advising of the possible impact of the agritourism land use on the categorisation of the property for rating purposes and requesting that the rating legislation be amended to add the agritourism land use to the definition of Farmland detailed in the rating legislation.

MN 2023/588

MOTION moved by the Administrator

THAT Council:

1. Receive and note this report.
2. Write to the Minister for Local Government advising of the possible impact of the agritourism land use on the categorisation of the property for rating purposes and requesting that the rating legislation be amended to add the agritourism land use to the definition of Farmland detailed in the rating legislation.

DECLARED CARRIED BY THE ADMINISTRATOR

9.16 Southern Highlands Bridge Club Lease of Land Forming Part of David Woods Playing Fields, Boardman Road, Bowral - Update

Report of: Salomon Kloppers
Manager Business and Property

Authorised by: Carmel Foster
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council:

1. Rescind previous resolution of Council dated 15 March 2023 being *MN 2022/348*.
2. Reimburse the Southern Highlands Bridge Club the sum of \$25,032.00 being the actual out-of-pocket expenses (as provided by the Bridge Club), such payment being contingent upon the Southern Highlands Bridge Club providing confirmation in writing of their Surrender of Lease and Lease Agreement for the area of Council owned land at David Wood Playing Fields, Boardman Road, Bowral.

The Director Corporate Strategy and Resourcing addressed the meeting.

The General Manager addressed the meeting and tabled the attached correspondence.

[S Brabyn - President of Southern Highlands Bridge Club INC - Submission to Council](#)

[S Brabyn - President of Southern Highlands Bridge Club INC - Email](#)

MN 2023/589

MOTION moved by the Administrator

THAT Council:

1. Rescind previous resolution of Council dated 15 March 2023 being *MN 2022/348*.
2. Reimburse the Southern Highlands Bridge Club the sum of \$25,032.00 being the actual out-of-pocket expenses (as provided by the Bridge Club), such payment being contingent upon the Southern Highlands Bridge Club providing confirmation in writing of their Surrender of Lease and Lease Agreement for the area of Council owned land at David Wood Playing Fields, Boardman Road, Bowral.
3. In the event that this matter is not finalised by the 29 February 2024, the General Manager be delegated authority to commence proceedings to bring effect to the legal agreement.

DECLARED CARRIED BY THE ADMINISTRATOR

9.17 Rural Fire Service Facility - Identification of Suitable Land at Bullio

Report of: Amanda McCullagh
Coordinator Property Services

Authorised by: Carmel Foster
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. The General Manager be delegated authority to negotiate the transfer of Lot 2 DP 795815 to Council and that upon transfer the land vest in Council as Operational land pursuant to the Local Government Act, 1993.
2. Council endorse the application for closure of part unnamed road reserve at Bullio as shown in Attachment 1 to this report.
3. Council give a minimum 28 days public notice of its intention to close the Council road reserve referred to in item 2 above AND THAT if any objections are received a further report be forwarded to a future ordinary meeting of Council for determination.
4. If there are no objections received by Council to the closure of the road reserve referred to in item 2 above during the period of public consultation, then pursuant to Part 3 Division 3 of the Roads Act 1993, Council as roads authority formally approve the closure AND THAT upon closure the newly created lot will be classified as Operational Land pursuant to the Local Government Act, 1993.
5. The General Manager and Administrator/Mayor be delegated authority to execute under the Common Seal of Council any agreement, plan, real property act deal or other document in respect of the transfer referred to in Item 1 above and proposed closure of the road reserve referred to item 2 above.
6. Authority be delegated to the General Manager to execute on behalf of Council any other document associated with the transfer referred to item 1 above and road closure referred to in item 2 above which does not require the affixing of the Common Seal.
7. Following the transfer of Lot 2 DP 795815 to Council and closure of the road reserve, a boundary adjustment be registered between (the Council land) and Lot 1 DP 876018 (the Ireland land) for the area of Lot 1 adjoining the Council land on the eastern side of Wombeyan Caves Road, Bullio.
8. The General Manager and Mayor/Administrator be delegated authority to execute under the Common Seal of Council any agreement, plan, real property act dealing or other documentation in respect of the boundary adjustment referred to in item 7 above under the Common Seal of Council.
9. Authority be delegated to the General Manager to execute on behalf of Council any other document associated with the boundary adjustment referred to item 7 above which does not require the affixing of the Common Seal.

MN 2023/590

MOTION moved by the Administrator

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 13 DECEMBER 2023**

THAT:

1. *The General Manager be delegated authority to negotiate the transfer of Lot 2 DP 795815 to Council and that upon transfer the land vest in Council as Operational land pursuant to the Local Government Act, 1993.*
2. *Council endorse the application for closure of part unnamed road reserve at Bullio as shown in Attachment 1 to this report.*
3. *Council give a minimum 28 days public notice of its intention to close the Council road reserve referred to in item 2 above AND THAT if any objections are received a further report be forwarded to a future ordinary meeting of Council for determination.*
4. *If there are no objections received by Council to the closure of the road reserve referred to in item 2 above during the period of public consultation, then pursuant to Part 3 Division 3 of the Roads Act 1993, Council as roads authority formally approve the closure AND THAT upon closure the newly created lot will be classified as Operational Land pursuant to the Local Government Act, 1993.*
5. *The General Manager and Administrator/Mayor be delegated authority to execute under the Common Seal of Council any agreement, plan, real property act deal or other document in respect of the transfer referred to in Item 1 above and proposed closure of the road reserve referred to item 2 above.*
6. *Authority be delegated to the General Manager to execute on behalf of Council any other document associated with the transfer referred to item 1 above and road closure referred to in item 2 above which does not require the affixing of the Common Seal.*
7. *Following the transfer of Lot 2 DP 795815 to Council and closure of the road reserve, a boundary adjustment be registered between (the Council land) and Lot 1 DP 876018 (the Ireland land) for the area of Lot 1 adjoining the Council land on the eastern side of Wombeyan Caves Road, Bullio.*
8. *The General Manager and Mayor/Administrator be delegated authority to execute under the Common Seal of Council any agreement, plan, real property act dealing or other documentation in respect of the boundary adjustment referred to in item 7 above under the Common Seal of Council.*
9. *Authority be delegated to the General Manager to execute on behalf of Council any other document associated with the boundary adjustment referred to item 7 above which does not require the affixing of the Common Seal.*
10. *Messrs Kracht and Ireland be acknowledged for their generosity and community spirit in making the land freely available in correspondence under the signatures of the Administrator and General Manager.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.18 Proposed Road Closure

Report of: **Salomon Kloppers**
Manager Business and Property

Authorised by: **Carmel Foster**
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council endorse the application for closure and sale of:
 - a) part Main Street, Robertson;
 - b) part Charlotte Street, Robertson;
 - c) part Thomas Street, Mittagong;
 - d) part William Street, Mittagong; and
 - e) Charles Street, Mittagong.
2. Council give a minimum 28 days public notice of its intention to close the Council road reserves referred to item 1 above **AND THAT** if any objections are received a further report be forwarded to a future ordinary meeting of Council for determination of the road reserve to which the objection relates.
3. If there are no objections received by Council to the road reserves referred to item 1 above during the period of public consultation, then pursuant to Part 3 Division 3 of the *Road Act 1993*, Council as roads authority formally approve the closures.
4. The General Manager and Administrator/Mayor be delegated authority to execute under the Common Seal of Council any agreement, plan, real property act dealing or other document in respect of the proposed closures and sale of the road reserves referred to in Resolution 1 above.
5. Authority be delegated to the General Manager to negotiate the sale and execute on behalf of Council any other document associated with the road closure and/or sale referred to in item 1 above which does not require the affixing of the Common Seal.

MN 2023/591

MOTION moved by the Administrator

THAT:

1. Council endorse the application for closure and sale of:
 - a) part Main Street, Robertson;
 - b) part Charlotte Street, Robertson;
 - c) part Thomas Street, Mittagong;
 - d) part William Street, Mittagong; and
 - e) Charles Street, Mittagong.

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 13 DECEMBER 2023**

2. *Council give a minimum 28 days public notice of its intention to close the Council road reserves referred to item 1 above **AND THAT** if any objections are received a further report be forwarded to a future ordinary meeting of Council for determination of the road reserve to which the objection relates.*
3. *If there are no objections received by Council to the road reserves referred to item 1 above during the period of public consultation, then pursuant to Part 3 Division 3 of the Road Act 1993, Council as roads authority formally approve the closures.*
4. *The General Manager and Administrator/Mayor be delegated authority to execute under the Common Seal of Council any agreement, plan, real property act dealing or other document in respect of the proposed closures and sale of the road reserves referred to in Resolution 1 above.*
5. *Council note its obligations under section (43)(4) of the Roads Act.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.19 Sutton Forest Village Hall - Imaginarta Update

Report of: Salomon Kloppers
Manager Business and Property

Authorised by: Carmel Foster
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council receive and note the report.
2. Consultation be undertaken in the first quarter of 2024 to obtain community feedback in relation to future use of the Sutton Forest Hall space with a further report to be provided to a future meeting of Council.

MN 2023/592

MOTION *moved by the Administrator*

THAT:

1. Council receive and note the report.
2. Consultation be undertaken in the first quarter of 2024 to obtain community feedback in relation to future use of the Sutton Forest Hall space with a further report to be provided to a future meeting of Council.

DECLARED CARRIED BY THE ADMINISTRATOR

9.20 Construction of Elevated Path Burradoo Tender Evaluation Report

Report of: Greg Bray
Manager Shire Presentation

Authorised by: Karin Targa
Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT Council:

1. Accept the Tender for Construction of Elevated Path – Burradoo from MAK Construction (Aust) Pty Ltd at a lump sum price of \$368,498.45 (inclusive of GST).
2. Note the tenders received ranged from \$368,498.45 to \$818,020.
3. Delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.

MN 2023/593

MOTION moved by the Administrator

THAT Council:

1. Accept the Tender for Construction of Elevated Path – Burradoo from MAK Construction (Aust) Pty Ltd at a lump sum price of \$368,498.45 (inclusive of GST).
2. Note the tenders received ranged from \$368,498.45 to \$818,020.
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

9.21 Joint Select Committee of State Parliament into Protecting Local Water Utilities from Privatisation - Endorsement of Canberra Region Joint Organisation Submission

Report of: Graeme Mellor
Manager Water Services

Authorised by: Karin Targa
Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT Council endorse the Canberra Region Joint Organisation (CRJO) submission as made to the Joint Select Committee of State Parliament into Protecting Local Water Utilities from Privatisation.

MN 2023/594

MOTION moved by the Administrator

THAT Council endorse the Canberra Region Joint Organisation (CRJO) submission as made to the Joint Select Committee of State Parliament into Protecting Local Water Utilities from Privatisation and note the appearance of the Manager Water Services, Mr Graeme Mellor.

DECLARED CARRIED BY THE ADMINISTRATOR

9.22 Signage Material Assessment

Report of: Barry Arthur
Manager Environment and Sustainability

Authorised by: Adan Davis
Director Communities and Place

OFFICER'S RECOMMENDATION

THAT Council:

1. Consider the environmental impact analysis of various temporary sign board materials presented in this report.
2. Generally use materials for temporary sign boards as follows:
 - a. For single use, short term (up to 2 weeks), in indoor covered or weather protected outdoor settings only - Biodegradable (e.g. EcoBoard)
 - b. For multiple use (reuse) or short-medium term (2 weeks to 6 months) use, or in outdoor settings - Recyclable Plastic (e.g. Corflute)
 - c. For longer term (6 months+) use, fixed at single location – Aluminium (i.e. Recyclable)
3. Amend its "Council Operations Environment Policy" to include guidance on material use for temporary signs, in line with this recommendation.

The General Manager addressed the meeting.

The Manager Environment and Sustainability addressed the meeting.

MN 2023/595

MOTION moved by the Administrator

THAT no further action be taken by Council in relation to the signage material.

DECLARED CARRIED BY THE ADMINISTRATOR

9.23 Insurance Pool Membership and Coverage Review

Report of: Danielle Lidgard
Manager Governance and Corporate Performance

Authorised by: Carmel Foster
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council:

1. Continue as a member of Statewide Mutual.
2. Note that based on the recommendation from the Insurance Health Check that 14 actions have been identified to be actioned in the 2023/24 and 2024/25 financial years.

MN 2023/5996

MOTION *moved by the Administrator*

THAT:

1. *In accordance with finding 24 of the PFS consultative report Council go to the market for all its insurance protections.*
2. *The General Manager ensure that all relevant review findings are put in place.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.24 Code of Conduct Complaints Statistics

Report of: Danielle Lidgard
Manager Governance and Corporate Performance

Authorised by: Carmel Foster
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT the information in relation to the Code of Conduct Complaints for 1 September 2022 to 31 August 2023 be submitted to the Office of Local Government by 31 December 2023.

The Manager Governance and Corporate Performance addressed the meeting.

MN 2023/597

MOTION moved by the Administrator

THAT the information in relation to the Code of Conduct Complaints for 1 September 2022 to 31 August 2023 be submitted to the Office of Local Government by 31 December 2023.

DECLARED CARRIED BY THE ADMINISTRATOR

9.25 Investments Report - November 2023

Report Author: Carl Conrad
Acting 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 30 November 2023.

The Executive Manager Business Transformation addressed the meeting.

MN 2023/598

MOTION moved by the Administrator

THAT Council receive and note this Cash Investment Report as at 30 November 2023.

DECLARED CARRIED BY THE ADMINISTRATOR

9.26 Payroll System Upgrade - Procurement Exemption

Report of: Pav Kuzmanovski
Executive Manager Business Transformation

Authorised by: Carmel Foster
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council:

1. Receive and note the report.
2. Provide a procurement exemption in accordance with s55(3)(i) of the Local Government Act 1993 to engage Frontier Software for a five-year period on the basis of unavailability of competitive tenders and that the same outcomes would be achieved if tenders were invited for the upgrade and ongoing maintenance of its existing payroll system as outlined in the report.

The Executive Manager Business Transformation addressed the meeting.

MN 2023/599

MOTION *moved by the Administrator*

THAT Council:

1. *Receive and note the report.*
2. *Provide a procurement exemption in accordance with s55(3)(i) of the Local Government Act 1993 to engage Frontier Software for a five-year period on the basis of unavailability of competitive tenders and that the same outcomes would be achieved if tenders were invited for the upgrade and ongoing maintenance of its existing payroll system as outlined in the report.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.27 Revision of Local Traffic Committee Terms of Reference

Report of: Nasser Hossain
Acting Manager Assets

Authoriser: Karin Targa
Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT Council adopt Version 4 of the Local Traffic Committee Terms of Reference which amends the meeting format to allow the public components of the meeting to be livestreamed.

The Director Service and Project Delivery addressed the meeting.

MN 2023/600

MOTION moved by the Administrator

THAT Council adopt Version 4 of the Local Traffic Committee Terms of Reference which amends the meeting format to allow the public components of the meeting to be livestreamed.

DECLARED CARRIED BY THE ADMINISTRATOR

9.28 Country Mayors Association Meeting Minutes of 24 November 2023

Report Author: Executive Assistant to General Manager
Authoriser: Carmel Foster, Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council:

- 1. Receive and note the minutes of the Country Mayors Association meeting; and*
- 2. Continue it's membership of the Country Mayors Association.*

MN 2023/601

MOTION moved by the Administrator

THAT Council:

- 1. Receive and note the minutes of the Country Mayors Association meeting; and*
- 2. Continue it's membership of the Country Mayors Association.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.29 Traffic Committee - Minutes of 23 November 2023 meeting

Report of: Nasser Hossain
Acting Manager Assets

Authoriser: Karin Targa
Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT Council receive and note the Minutes of the Traffic Committee meeting held on Thursday 23 November 2023.

MN 2023/602

MOTION moved by the Administrator

THAT Council receive and note the Minutes of the Traffic Committee meeting held on Thursday 23 November 2023.

DECLARED CARRIED BY THE ADMINISTRATOR

SA1 Addendum to Item 9.5 – Resource and Waste Management Strategy - Post Exhibition Report - Attachment

MN 2023/603

MOTION moved by the Administrator

THAT it be noted that this matter was dealt with in conjunction with 9.5 of this agenda and a copy of the Resource and Waste Management Strategy be attached to that item.

DECLARED CARRIED BY THE ADMINISTRATOR

SA2.1 Sutton Forest Sand Quarry - Submission to the Department of Planning and Environment

Report of: Adan Davis
Director Communities and Place

Authorised by: Lisa Miscamble
General Manager

OFFICER'S RECOMMENDATION

THAT:

1. Council endorse the draft Submission in relation to the Sutton Forest Sand Quarry, as attached to this report, and for it to be submitted to the NSW Department of Planning and Environment.
2. Submissions received by Council from the community on the proposal, be forwarded to the NSW Department of Planning and Environment.

The Manager Environment and Sustainability introduced the item.

MN 2023/604

MOTION moved by Administrator

THAT:

1. Council endorse the draft Submission in relation to the Sutton Forest Sand Quarry, as attached to this report, and for it to be submitted to the NSW Department of Planning and Environment.
2. Submissions received by Council from the community on the proposal, be forwarded to the NSW Department of Planning and Environment.
3. Council convey to the NSW Department of Planning and Environment its disappointment in the lack of consultation with its community on such an important State controlled application.

DECLARED CARRIED BY THE ADMINISTRATOR

SA2.2 Letter of Response to the Minister for Planning Regarding Medium Density Housing

Report of: Deniz Kilic
Executive Manager Strategic Outcomes

Authorised by: Lisa Miscamble
General Manager

OFFICER'S RECOMMENDATION

THAT Council endorse the Letter of Response to the Minister for Planning.

MN 2023/605

MOTION moved by the Administrator

THAT Council endorse the Letter of Response to the Minister for Planning.

DECLARED CARRIED BY THE ADMINISTRATOR

SA3.1 Information Update - Wingecarribee Local Planning Panel - Member Appointment

Report of: Jon Shillito
Manager Development Assessment and Regulation

Authorised by: Adan Davis
Director Communities and Place

OFFICER'S RECOMMENDATION

THAT Council:

1. Receive and note the report.
2. Extend the term of the Wingecarribee Local Planning Panel for a further 3 years to 2027, with panel members to be appointed before June 2024.
3. Receive a further report in February 2024 to consider and confirm the process and timeframes for the appointment of the Chair, Alternative Chairs, Expert Panel Members and Community Representative members to the Wingecarribee Local Planning Panel.

The Manager Development Assessment and Regulation introduced the item.

MN 2023/606

MOTION moved by the Administrator

THAT Council:

1. Receive and note the report.
2. Extend the term of the Wingecarribee Local Planning Panel for a further 3 years to 2027, with panel members to be appointed before June 2024.
3. Receive a further report in February 2024 to consider and confirm the process and timeframes for the appointment of the Chair, Alternative Chairs, Expert Panel Members and Community Representative members to the Wingecarribee Local Planning Panel.

DECLARED CARRIED BY THE ADMINISTRATOR

SA3.2 Licence to Discharge Water into Rail Corridor and Licence for Existing Infrastructure with ARTC - 21 Ferguson Crescent Mittagong

Report by: Salomon Kloppers
Manager Business and Property

Authorised by: Carmel Foster
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council enter into a Licence to Discharge Water into a Rail Corridor and Licence for Existing Infrastructure within the Rail Corridor with Australian Rail Track Corporation Limited (ARTC) benefiting the property at 21 Ferguson Crescent, Mittagong, such Licence to have an expiration date in 2064.
2. All costs associated with the Licence to Discharge Water into a Rail Corridor and Licence for Existing Infrastructure within the Rail Corridor referred to in item 1 above (including rental) be borne and paid-up front by the owner/developer of 21 Ferguson Crescent, Mittagong.
3. The owner/developer of 21 Ferguson Crescent, Mittagong enter into a separate Deed of Indemnity with Council in relation to the Licence to Discharge Water into a Rail Corridor and Licence for Existing Infrastructure within the Rail Corridor referred to item 1 above and all costs associated with the Deed of Indemnity be borne by the owner/developer.
4. Authority be delegated to the General Manager to negotiate the terms and conditions of the Licence to Discharge Water into a Rail Corridor and Licence for Existing Infrastructure within the Rail Corridor referred to in item 1 above and the Deed of Indemnity referred to item 3 above.
5. Authority be delegated to the Mayor/Administrator and General Manager to execute the Licence to Discharge Water and Licence for Existing Infrastructure within the Rail Corridor into a Rail Corridor referred to item 1 above and Deed of Indemnity referred to in item 3 above under the Common Seal of Council.
6. Authority be delegated to the General Manager to execute any documents associated with the Licence to Discharge Water into a Rail Corridor and Licence for Existing Infrastructure within the Rail Corridor referred to item 1 above and Deed of Indemnity referred to item 3 above not requiring the Common Seal of Council.

MN 2023/607

MOTION moved by the Administrator

THAT:

1. Council enter into a Licence to Discharge Water into a Rail Corridor and Licence for Existing Infrastructure within the Rail Corridor with Australian Rail Track Corporation Limited (ARTC) benefiting the property at 21 Ferguson Crescent, Mittagong, such Licence to have an expiration date in 2064.
 2. All costs associated with the Licence to Discharge Water into a Rail Corridor and Licence for Existing Infrastructure within the Rail Corridor referred to in item 1 above (including rental) be
-

- borne and paid-up front by the owner/developer of 21 Ferguson Crescent, Mittagong.*
- 3. The owner/developer of 21 Ferguson Crescent, Mittagong enter into a separate Deed of Indemnity with Council in relation to the Licence to Discharge Water into a Rail Corridor and Licence for Existing Infrastructure within the Rail Corridor referred to item 1 above and all costs associated with the Deed of Indemnity be borne by the owner/developer.*
 - 4. Authority be delegated to the General Manager to negotiate the terms and conditions of the Licence to Discharge Water into a Rail Corridor and Licence for Existing Infrastructure within the Rail Corridor referred to in item 1 above and the Deed of Indemnity referred to item 3 above.*
 - 5. Authority be delegated to the Mayor/Administrator and General Manager to execute the Licence to Discharge Water and Licence for Existing Infrastructure within the Rail Corridor into a Rail Corridor referred to item 1 above and Deed of Indemnity referred to in item 3 above under the Common Seal of Council.*
 - 6. Authority be delegated to the General Manager to execute any documents associated with the Licence to Discharge Water into a Rail Corridor and Licence for Existing Infrastructure within the Rail Corridor referred to item 1 above and Deed of Indemnity referred to item 3 above not requiring the Common Seal of Council.*

DECLARED CARRIED BY THE ADMINISTRATOR

SA3.3 Naming of new Community Hall, Penrose

Report of: Tim Bell
Acting Manager Assets

Authorised by: Katin Targa
Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT Council approves the name of the new Penrose community hall to "Penrose Village Hall".

MN 2023/608

MOTION moved by Administrator

THAT Council approves the name of the new Penrose community hall to "Penrose Village Hall".

DECLARED CARRIED BY THE ADMINISTRATOR

10 QUESTIONS TAKEN ON NOTICE

10.1 Question taken on Notice: Mount Gibraltar Heritage Reserve Plan of Management - Reason for delay in sending to Crown Lands

Report of: Barry Arthur
Manager Environment and Sustainability

Authorised by: Adan Davis
Director Communities and Place

OFFICER'S RECOMMENDATION

THAT Council receive and note this report.

MN 2023/609

MOTION moved by the Administrator

THAT Council receive and note this report.

DECLARED CARRIED BY THE ADMINISTRATOR

**10.2 Question taken on Notice: Quarterly Delivery Program - Reason for Delay
in the Implementation of the Integrated Transport Strategy**

Report of: Deniz Kilic
Executive Manager Strategic Outcomes

Authorised by: Lisa Miscamble
General Manager

OFFICER'S RECOMMENDATION

THAT Council receive and note this report.

MN 2023/610

MOTION moved by the Administrator

THAT Council receive and note this report.

DECLARED CARRIED BY THE ADMINISTRATOR

11 MEETING CLOSURE

LATE ITEM - AMENDMENT

MN 2023/611

MOTION moved by the Administrator

In accordance with section 9.3(b) of the Code of Meeting Practice, I move as a matter of urgency to note an amendment to the legal proceedings information included in Council's Annual Report 2022/23.

DECLARED CARRIED BY THE ADMINISTRATOR

The Director Corporate Strategy and Resourcing addressed the meeting and advised that since the publication of the 2022/23 Annual Report, some of the information relating to legal proceedings included in part two (2), pages 90 - 91 has been found to be incorrect. The required corrections will be made to the Annual Report 2022/23 and be republished on Council's website and reissued to the Office of Local Government noting the corrections.

MN 2023/612

MOTION moved by the Administrator

THAT the matter be delegated to the General Manager to ensure compliance with Council's statutory obligations.

DECLARED CARRIED BY THE ADMINISTRATOR

The General Manager addressed the meeting and thanked Mr Conrad, Acting Chief Financial Officer for his work over the period that the substantive Chief Information Officer was working on some business transformation initiatives. The Administrator, Coordinators, Managers and Directors were also thanked for their work over the course of the year.

The General Manager formally welcomed the new Executive Manager Strategic Outcomes, Mr Kilic, and the new Manager Development Assessment and Regulatory Services, Mr Shillito. The General Manager thanked the community for their partnership in working on projects, particularly with regard to: Chambers Business Southern Highlands and Grow Southern Highlands; Our Community Partners Volunteers, and the Village Associations.

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 7:30PM