



MINUTES

of the
Ordinary Meeting of Council

held in

the temporary Council Chambers within the Theatrette
Civic Centre, Elizabeth Street, Moss Vale

on

Wednesday 26 February 2020

The meeting commenced at 3.30pm

1. OPENING OF THE MEETING	
2. ACKNOWLEDGEMENT OF COUNTRY	
3. PRAYER	
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MINUTES OF THE ORDINARY MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN THE TEMPORARY COUNCIL CHAMBERS WITHIN THE THEATRETTE, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON WEDNESDAY 26 FEBRUARY 2020 COMMENCING AT 3.30PM

Present: Clr T D Gair (Mayor)
Clr G J Andrews
Clr K J Halstead OAM
Clr G McLaughlin
Clr G Markwart
Clr I M Scandrett
Clr G M Turland
Clr L A C Whipper

In Attendance:

General Manager	Ms Ann Prendergast
Deputy General Manager Operations, Finance and Risk	Mr Barry W Paull
Deputy General Manager Corporate Strategy and Development Services	Mr Mark Pepping
Group Manager Corporate and Community	Ms Danielle Lidgard
Group Manager Planning, Development and Regulatory Services	Mr Nicholas Wilton
Group Manager, Project and Delivery	Mr Ned Tripkovic
Chief Financial Officer	Mr Richard Mooney
Chief Information Officer	Mr John Crawford
Coordinator Media and Communications	Mr David Sommers
Administration Officer	Ms Michelle Richardson

1. OPENING OF THE MEETING

The Mayor Clr T D Gair opened the meeting and welcomed members of the public and the press.

2. ACKNOWLEDGEMENT OF COUNTRY

Clr K Halstead OAM acknowledged country:

"I would like to acknowledge the Traditional Custodians of this land and pay my respect to Elders both past and present. I would also like to extend that respect to all Aboriginal and Torres Strait Islanders present here today."

3. PRAYER

The meeting was led in prayer by Reverend Doug McPherson, Presbyterian Church, Mltagong.

4. APOLOGY

PERS

MN 37/20

MOTION moved by Clr G McLaughlin and seconded by Clr G Markwart

THAT the apology of Clr Nelson be accepted and leave of absence granted.

PASSED

5. CONFIRMATION OF MINUTES

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY 12 FEBRUARY 2020

MN 38/20

MOTION moved by Clr L A C Whipper and seconded by Clr G Markwart

THAT the minutes of the Ordinary Meeting of Council held on Wednesday 12 February 2020 MN 4/20 to MN 36/20 inclusive, copies of which were forwarded to Councillors, be adopted as a correct record of the proceedings of the meeting.

PASSED

6. DECLARATIONS OF INTEREST

101/3, 101/3.1

That where necessary any Councillor now disclose any interest and the reason for declaring such interest in the matters under consideration by Council at this Meeting and to complete the appropriate form to be handed up at the Meeting.

101/3.1 7130/2 PN 1704893

Deputy Mayor G M Turland declared a less than significant non-pecuniary interest in Item 11.5 Licence Agreement to Faith FM for use of Mt Gibraltar Telecommunications Tower at 232 Oxley Drive, Bowral as he has a property adjacent to the tower.

101/3.1 19/1771

Clr G Markwart declared a significant non-pecuniary interest in Item 12.3 Change Of Use - Studio to Secondary Dwelling as he worked with the applicant for a couple of years with Public Health First, fighting for increased funding for Bowral Hospital. He did not believe the agenda item would impact financially and he sees the applicant very infrequently today. He would remain in the chamber when this matter was discussed and take part in the debate and voting thereon.

101/3.1 19/1771

Clr L A C Whipper declared a significant non-pecuniary interest in Item 12.3 Change Of Use - Studio to Secondary Dwelling as the applicant is a member of the management committee at his workplace. He will be absent from the Chambers for consideration of that item to reduce the perception of conflict.

101/3 107/22

Deputy Mayor G M Turland declared a pecuniary interest in Items 13.2 and 19.4 Legal Report as he has a legal matter with Council. If no questions are asked by Council or staff he will remain in the chamber for consideration of that item.

101/3 20/0546

Deputy General Manager Corporate Strategy and Development Services declared a less than significant pecuniary interest in Item 18.4 Notice of Rescission Motion 1/2020 - Development Application 20/0546 -Erection of Buildings and Carrying out of Works for the Purpose of Seniors Housing Lot 2 DP1241233 2 Orchid Street, Colo Vale as he has relatives that live in close proximity to the proposed development. He will be absent from the Chambers for consideration of that item.

SUSPENSION OF STANDING ORDERS

MN 39/20

MOTION moved by Deputy Mayor G M Turland and seconded by Cllr I M Scandrett

THAT Standing Orders be suspended for the following reasons:

- **To enable Ms Elizabeth Aitken, President Balmoral Village Association to address Council on Item 18.6 Notice of Motion 8/2020 Balmoral Village Association Presentation;**
- **To bring forward the following Items to be heard immediately after Visitor Items:**
 - **Item 18.4 Notice of Rescission Motion 1/2020 - DA 20/0546 Development Application 20/0546 -Erection of Buildings and Carrying out of Works for the Purpose of Seniors Housing Lot 2 DP1241233 2 Orchid Street, Colo Vale;**
 - **Item 18.5 Notice of Rescission Motion 2/2020 - DA 19/0922 Development Application 19/0922 - Thirty One (31) Lots Subdivision - 30 Residential Lots and 1 Drainage Easement Allotment - 21 Ferguson Crescent Mittagong; and**
 - **Item 15.1 Petition 2/2020 Planning Proposal to Amend Wingecarribee Local Environmental Plan - Aitken Road Bowral.**

PASSED

7. MAYORAL MINUTES

There were no mayoral minute at this meeting.

8. PUBLIC FORUM

Item 18.6 Notice of Motion 8/2020 Balmoral Village Association Presentation

Ms Elizabeth Aitken addressed Council on this item

Ms Aitken was granted an extension of time of two minutes.

Item 12.3 Change of Use - Studio to Secondary Dwelling

Mr Scott Lee addressed Council on behalf of the applicant

Item 18.4 Notice of Rescission Motion 1/2020 - DA 20/0546 Development Application 20/0546 -Erection of Buildings and Carrying out of Works for the Purpose of Seniors Housing Lot 2 DP1241233 2 Orchid Street, Colo Vale

The Deputy General Manager Corporate Strategy and Development Services left the Chamber, the time being 3.53pm

Ms Elyse White addressed Council on this item.

Item 18.5 Notice of Rescission Motion 2/2020 - DA 19/0922 Development Application 19/0922 - Thirty One (31) Lots Subdivision - 30 Residential Lots and 1 Drainage Easement Allotment - 21 Ferguson Crescent Mittagong

Mr Gary Mann addressed Council on this item

The Deputy General Manager Corporate Strategy and Development Services returned to the meeting the time being 3.58pm

9. VISITOR MATTERS

OPERATIONS

9.1 Emergency Management Arrangements and Local Emergency Management Plans for Wingecarribee Shire

Reference:	100
Report Author:	Organisational Support Officer
Authoriser:	Deputy General Manager Operations, Finance and Risk
Link to Community Strategic Plan:	Empower our community to advance agreed priorities, address emerging issues and collaboratively explore new ideas to improve the Shire

PURPOSE

The purpose of this report is to provide details as to how Council planned for the recent Bush Fire Emergency Event as well as other emergencies; and how has Council prepared to respond to these emergencies.

The General Manager addressed Council on this item.

The Mayor acknowledged the outstanding efforts of Chief Inspector John Klepzarek and Superintendent Martin Surrey.

Chief Inspector John Klepzarek addressed Council as the Local Emergency Operations Controller on this item

Superintendent Martin Surrey Rural Fire Service addressed Council on this item

MN 40/20

MOTION moved by Clr G Markwart and seconded by Clr I M Scandrett

1. **THAT** the report be noted.
2. **THAT** in view of the long standing reputation and track record in policing matters and more recently in emergency management procedures the Highlands Police Chief Inspector John Klepzarek NSW Police Southern Highlands be commended for his outstanding application on behalf of the residents of the Wingecarribee Shire during the recent bushfire emergency.
3. **THAT** Superintendent Martin Surrey NSW Rural Fire Service, Wollondilly Wingecarribee District and the staff and volunteers be acknowledged and thanked for all of their commitments to the bush fire emergency which impacted the Shire in a significant way during 2019-2020 summer.
4. **THAT** the staff of Wingecarribee Shire Council who made themselves available in the immediate aftermath of the fires at Balmoral and Buxton be thanked for all of their commitments to the bush fire emergency which impacted the Shire in a significant way during 2019-2020 summer.

PASSED

CORPORATE AND STRATEGY

9.2 Development Application 19/1042 - Multi Dwelling Housing containing 7 units - 25 Oxley Drive, Bowral

Reference:	19/1042
Report Author:	Senior Town Planner
Authoriser:	Manager Development Assessment Group Manager Planning Development and Regulatory Services
Applicant:	Le Ralais Pty Ltd
Owner:	Tony & Serena Antoun
Link to Community Strategic Plan:	Identify and protect the unique characteristics of towns and villages to retain a sense of place

PURPOSE

The purpose of this report is to consider Development Application 19/1042 which seeks development consent for a Multi Dwelling Housing development containing 7 units at Lot 11 DP 603108, being 25 Oxley Drive, Bowral. This report is prepared for determination, and recommends **APPROVAL**, subject to attached conditions of consent (**Attachment 1**).

Ms Christine Ducker AM addressed Council on this item.

Ms Alison Stephens addressed Council on this item.

The Group Manager Planning, Development and Regulatory Services addressed Council on this item.

VOTING ON THE MOTION

Councillors are required to record their votes on this matter.

MN 41/20

MOTION moved by Clr G McLaughlin and seconded by Clr I M Scandrett

THAT Development Application 19/1042 which seeks approval for a Multi Dwelling Housing development containing 7 units at Lot 11 DP 603108, being 25 Oxley Drive, Bowral, be DEFERRED to allow the applicant to address the issues raised by the objectors in terms of over shadowing and overall building height as viewed from adjoining properties.

PASSED

VOTING ON THE MOTION

For the motion: Clr G J Andrews, Mayor Clr T D Gair, Clr K J Halstead OAM, Clr G Markwart, Clr G McLaughlin, Clr I M Scandrett, Deputy Mayor G M Turland and Clr L A C Whipper

Against the motion: Nil.

9.3 Development Application 20/0587 - Continuing Use of an Advertising Structure and Display of Advertisements, Lot 6 SP41585, 6/310-318 Bong Bong Street, Bowral

Reference:	20/0587
Report Author:	Senior Development Assessment Planner
Authoriser:	Group Manager Planning, Development and Regulatory Services Group Manager Planning Development and Regulatory Services
Applicant:	Lee Environmental Planning
Owner:	F, H & RS Scarcella
Link to Community Strategic Plan:	Conserve the key natural resources of the Shire and minimise the impact from development

PURPOSE

The purpose of this report is to present development application 20/0587 for the Council's consideration and recommends APPROVAL subject to the conditions specified in **Attachment 1**.

Mr Scott Lee addressed Council on this item.

The General Manager left the Chamber, the time being 5.02pm

The Group Manager Planning, Development and Regulatory Services addressed Council on this item.

The General Manager returned to the Chamber, the time being 5.20pm

VOTING ON THE MOTION

Councillors are required to record their votes on this matter.

MN 42/20

MOTION moved by Deputy Mayor G M Turland and seconded by Clr K J Halstead OAM

1. **THAT** development application 20/0587 for continuing use of an advertising structure and display of advertisements at Lot 6 SP41585, No 6/310-318 Bong Bong Street, Bowral be APPROVED subject to conditions as described in Attachment 1 to the report and the following amendment:
 - Condition 7 be amended so that the operation time for the signage be from 6am – 9pm daily.
2. **THAT** Council staff undertake a review of Council's signage provisions under its Development Control Plans for consideration before the end of this term of Council.

PASSED

VOTING ON THE MOTION

For the motion: Clr G J Andrews, Mayor Clr T D Gair, Clr K J Halstead OAM, Clr G Markwart, Clr G McLaughlin, Clr I M Scandrett and Deputy Mayor G M Turland

Against the motion: Clr L A C Whipper

**18.4 Notice of Rescission Motion 1/2020 - DA 20/0546
Development Application 20/0546 -Erection of Buildings
and Carrying out of Works for the Purpose of Seniors
Housing Lot 2 DP1241233 2 Orchid Street, Colo Vale**

Reference: 100/5 20/0546
Report Author: Administration Officer (Meetings)
Authoriser: Deputy General Manager Corporate, Strategy and
Development Services

**Link to Community
Strategic Plan:**

An enhanced culture of positive leadership, accountability
and ethical governance that guides well informed decisions
to advance agreed community priorities

PURPOSE

**THIS ITEM WAS DEALT WITH PURSUANT TO STANDING ORDERS MN 39/20 ON
PAGE 7.**

Deputy General Manager Corporate Strategy and Development Services declared a less than significant pecuniary interest in Item 18.4 Notice of Rescission Motion 1/2020 - DA 20/0546 Development Application 20/0546 -Erection of Buildings and Carrying out of Works for the Purpose of Seniors Housing Lot 2 DP1241233 2 Orchid Street, Colo Vale as he has relatives that live in close proximity to the proposed development. The Deputy General Manager Corporate Strategy and Development Services left the Chambers, the time being 5.28pm.

Councillors Scandrett, Whipper and Halstead have given notice that it is their intention to move the following rescission motion at the Ordinary Meeting of Council on 26 February 2020 that the following resolution from the Ordinary Meeting of Council held on 12 February 2020 be rescinded:

MN 12/20

THAT development application 20/0546 for erection of building and carrying out of works for the purpose of seniors housing at Lot 2 DP 1241233, No 2 Orchid Street, Colo Vale be APPROVED subject to conditions as described in Attachment 1 to the report.

Should the above motion of rescission be carried, we hereby give notice of our intention to move the following motion:

THAT DA 20/0546 be refused for the following reasons:

1. Two storeys is a visual blight on the bush environment;
2. Development is medium density in its current form;
3. The lifestyle of local families will be adversely affected due to the density and increased traffic movements;
4. The amenity of the traditionally low density area will be compromised

-
5. This looks like a block of flats and will be the biggest building in Colo Vale; and is not sympathetic to local amenity;
 6. Bulk and scale are inappropriate
 7. Amenity loss to residents
 8. Traffic issues
 9. Character statements not completed yet
 10. Bushfire issues and concerns
 11. Public transport is insufficient
 12. Totally out of character with existing low density neighbourhood

MOTION moved by Cllr I M Scandrett and seconded by Cllr L A C Whipper

THAT the motion passed by Council on 12 February 2020, Item No. 9.2 Development Application 20/0546 For Erection Of Building And Carrying Out Of Works For The Purpose Of Seniors Housing At Lot 2 DP 1241233, No 2 Orchid Street, Colo Vale, MN 12/20 be rescinded.

VOTING ON THE MOTION

For the motion: Cllr K J Halstead OAM, , Cllr G McLaughlin, Cllr I M Scandrett, and Cllr L A C Whipper

Against the motion: Cllr G J Andrews, Mayor Cllr T D Gair, Deputy Mayor G M Turland and Cllr G Markwart

ON BEING PUT TO THE MEETING VOTING ON THE MOTION WAS TIED AT FOUR VOTES ALL AND THEREFORE THE MAYOR GAIR USED HIS CASTING VOTE AGAINST THE MOTION AND THE MOTION WAS LOST

**18.5 Notice of Rescission Motion 2/2020 - DA 19/0922
Development Application 19/0922 - Thirty One (31) Lots
Subdivision - 30 Residential Lots and 1 Drainage
Easement Allotment - 21 Ferguson Crescent Mittagong**

Reference: 100/5 19/0922
Report Author: Administration Officer (Meetings)
Authoriser: Deputy General Manager Corporate, Strategy and
Development Services

**Link to Community
Strategic Plan:** An enhanced culture of positive leadership, accountability
and ethical governance that guides well informed decisions
to advance agreed community priorities

PURPOSE

THIS ITEM WAS DEALT WITH PURSUANT TO STANDING ORDERS MN 39/20 ON PAGE 7.

The Deputy General Manager Corporate Strategy and Development Services returned to the chambers, the time being 5.48pm

The Group Manager Planning, Development and Regulatory Services addressed Council on this Item.

The General Manager left the Chamber, the time being 5.53pm.

The General Manager returned to the Chamber, the time being 6.02pm.

Councillors Scandrett, Whipper and Halstead have given notice that it is their intention to move the following rescission motion at the Ordinary Meeting of Council on 26 February 2020 that the following resolution from the Ordinary Meeting of Council held on 12 February 2020 be rescinded:

MN 11/20

1. *THAT development application 19/0922 which seeks approval for a 31 lot subdivision - 30 Residential Lots and 1 Drainage Easement Allotment at Lot A DP 430831, Part Lot 10 & Lot 14 Sec 1 DP 651, Lots 1-3 DP 1089997 and Lot 1-4 DP 1099047, being 21 Ferguson Crescent Mittagong be APPROVED in the form of a Deferred Commencement, subject to attached conditions of consent as described in Attachment 1 to the report.*
2. *THAT the suggestions in relation to traffic remediation be forwarded to the Traffic Committee of Council.*

MOTION moved by Cllr L A C Whipper and seconded by Cllr I M Scandrett

THAT the motion passed by Council on 12 February 2020 being Item number 9.1 development application 19/0922 which seeks approval for a 31 lot subdivision - 30 Residential Lots and 1 Drainage Easement Allotment at Lot A DP 430831, Part Lot 10 & Lot 14 Sec 1 DP 651, Lots 1-3 DP 1089997 and Lot 1-4 DP 1099047, being 21 Ferguson Crescent Mittagong, MN11/20, be rescinded.

MINUTES OF THE ORDINARY MEETING OF COUNCIL

Wednesday 26 February 2020



VOTING ON THE MOTION

For the motion: Clr K J Halstead OAM, Clr I M Scandrett, and Clr L A C Whipper

Against the motion: Clr G J Andrews, Mayor Clr T D Gair, Clr G Markwart and Clr G McLaughlin Deputy Mayor G M Turland

LOST

15.1 Petition 2/2020 Planning Proposal to Amend Wingecarribee Local Environmental Plan - Aitken Road Bowral

Reference: 100/8 5901/68
Report Author: Administration Officer (Meetings)
Authoriser: Deputy General Manager Corporate, Strategy and Development Services

Link to Community Strategic Plan: An enhanced culture of positive leadership, accountability and ethical governance that guides well informed decisions to advance agreed community priorities

PURPOSE

THIS ITEM WAS DEALT WITH PURSUANT TO STANDING ORDERS MN 39/20 ON PAGE 7.

Clr Halstead left the Chamber, the time being 6.10pm

Clr Halstead returned to the Chamber the time being 6.11pm

Clr McLaughlin presented to Council a book outlining the history of Bowral received from the Townsend family

The purpose of this report is to present Council with a petition relating to Planning Proposal to Amend Wingecarribee Local Environmental Plan - Aitken Road Bowral.

The petition contains over 150 signatures.

A copy of the Petition has been placed in the Councillors' Room and will be tabled at the Ordinary Meeting of Council.

MN 43/20

MOTION moved by Clr G McLaughlin and seconded by Clr I M Scandrett

THAT Petition 2/2020 relating to Planning Proposal to Amend Wingecarribee Local Environmental Plan - Aitken Road Bowral be received and noted by Council.

PASSED

RESUMPTION OF STANDING ORDERS

MN 44/20

MOTION moved by Cllr G J Andrews and seconded by Cllr G Markwart

THAT Standing Orders be resumed.

PASSED

The Mayor adjourned the meeting for fifteen minutes, the time being 6.24pm

The Mayor resumed the meeting, the time being 6.39pm

10. EN BLOC MOTION

There was no En Bloc Motion at this Meeting.

11. OPERATIONS FINANCE AND RISK

11.1 Post Tender Negotiations for the Vandenberg Road Renewal and Table Drain Works

Reference:	6330/18.21
Report Author:	Project Manager
Authoriser:	Group Manager Capital Projects
Link to Community Strategic Plan:	Work in partnership to ensure a safe road network

PURPOSE

The purpose of this report is to present the outcome from the Post Tender negotiations for Vandenberg Road Renewal and Table Drain Works.

MN 45/20

MOTION moved by Clr G McLaughlin and seconded by Clr L A C Whipper

1. **THAT** in relation to the report concerning Post Tender Negotiations for the Vandenberg Road Renewal and Table Drain Works - Council adopts the recommendations contained within the Closed Council report – Item 19.1.
2. **THAT** Council accepts the Stefanutti Constructions offer received for Tender number 6330/18.21 at a Lump Sum of \$589,282.00 (excl GST) to undertake the Vandenberg Road Renewal and Table Drain Works under 178(1)(b) of the Local Government (General) Regulation 2005.

PASSED

11.2 Tender for Berrima Marketplace Playground All Abilities Upgrade

Reference:	6330/20.1
Report Author:	Project Manager
Authoriser:	Group Manager Capital Projects
Link to Community Strategic Plan:	Create welcoming and accessible community facilities that support opportunities for people to meet and connect with one another

PURPOSE

The purpose of this report is to present the evaluation of the Request for Tender for the Berrima Marketplace – Playground Upgrade.

MN 46/20

MOTION moved by Cllr I M Scandrett and seconded by Cllr L A C Whipper

1. **THAT** in relation to the report concerning Tender for Berrima Marketplace – Playground Upgrade - Council adopts the recommendations contained within the Closed Council report – Item 19.2.
2. **THAT** Council accepts the tender from Growth Civil Landscapes Pty Ltd at a Lump Sum of \$345,780.60 (Inclusive of GST) to undertake Berrima Marketplace – Playground Upgrade.

PASSED

11.3 Investment Report - January 2020

Reference:	2104
Report Author:	Accounting Officer (Banking and Investments)
Authoriser:	Chief Financial Officer
Link to Community Strategic Plan:	Effective financial and asset management ensure Council's long term sustainability

PURPOSE

The purpose of this report is to present Council's Investment Portfolio held at 31 January 2020.

MN 47/20

MOTION moved by Clr L A C Whipper and seconded by Clr G J Andrews

THAT the information on Council's Investments as at 31 January 2020 be received and noted.

PASSED

11.4 Application for Transfer of Unmade Crown Road to Council - Part Surrey Street, Berrima

Reference:	RD1419; RD1423
Report Author:	Coordinator Property Services
Authoriser:	Chief Financial Officer
Link to Community Strategic Plan:	Effective financial and asset management ensure Council's long term sustainability

PURPOSE

The purpose of this report is to seek Council approval to make an application to Department of Planning, Industry and Environment – Crown Lands (“the Crown”) to transfer an unformed Crown Road known as part Surrey Street, Berrima to Council.

The Chief Financial Officer addressed Council on this item.

MOTION moved by Clr G McLaughlin and seconded by Clr G J Andrews

1. THAT Council make application to Department of Planning, Industry & Environment - Crown Lands for the transfer of the unmade Crown road known as Part Surrey Street, Berrima from the Crown to Council as roads authority.
2. THAT if the Minister approves Council’s application referred to in Resolution 1 above, it is noted that Council’s Road Maintenance Policy adopted on 11 December 2019 will apply to the road upon transfer.

MN 48/20

MOTION moved by Clr L A C Whipper and seconded by Clr G Markwart

THAT consideration of this matter be deferred to the next meeting of Council.

PASSED

11.5 Licence Agreement to Faith FM for use of Mt Gibraltar Telecommunications Tower at 232 Oxley Drive, Bowral

Reference:	PN1704893; 7130/2
Report Author:	Property and Projects Officer
Authoriser:	Chief Financial Officer
Link to Community Strategic Plan:	Effective financial and asset management ensure Council's long term sustainability

PURPOSE

The purpose of this report is for Council to approve the issue of a Licence Agreement for the use of Mt Gibraltar Telecommunications Tower by Faith FM.

Deputy Mayor G M Turland declared a less than significant non-pecuniary interest in Item 11.5 Licence Agreement to Faith FM for use of Mt Gibraltar Telecommunications Tower at 232 Oxley Drive, Bowral as he has a property adjacent to the tower.

MN 49/20

MOTION moved by Clr I M Scandrett and seconded by Clr G McLaughlin

1. **THAT** a Licence Agreement be issued by Council with respect to the use of the Mount Gibraltar Telecommunications Tower at 232 Oxley Drive Bowral to Faith FM for a term of five (5) years.
2. **THAT** it be noted that the licence fee payable in the first year is \$986.48 including GST to be increased annually by 5% or CPI (Sydney All Groups) whichever is greater.
3. **THAT** the General Manager and Mayor be delegated authority to execute under the Common Seal of Council the Licence Agreement document with respect to the Licence Agreement to Faith FM for the use of the Council property referred to in Resolution 1 above.

PASSED

11.6 Modification of Easements in favour of Council over "The Hill", Middle Road, Exeter

Reference:	PN 1701275
Report Author:	Coordinator Property Services
Authoriser:	Chief Financial Officer
Link to Community Strategic Plan:	Effective financial and asset management ensure Council's long term sustainability

PURPOSE

The purpose of this report is to seek Council approval to delegate authority to the Mayor and General Manager to execute documentation required to consolidate easements in favour of Council over privately owned land known as "The Hill" 72 Middle Road, Exeter being Lot 2 in DP818087 ("the property").

MN 50/20

MOTION moved by Cllr G McLaughlin and seconded by Cllr G J Andrews

1. **THAT** Council consents to the consolidation of existing easements over property "The Hill" 72 Middle Road, Exeter (being Lot 2 in DP 818087) in order for all services to be captured within the one easement to be registered on title to the property.
2. **THAT** the Mayor and General Manager be delegated authority to affix the Common Seal of Council to the plan of consolidation of easements required to be registered at NSW Land Registry Services in respect of the easement referred to in resolution 1.
3. **THAT** authority be delegated to the General Manager to execute on behalf of Council any other documentation associated with consolidation of the easements referred to in resolution 1 which does not require the affixing of the Common Seal of Council.

PASSED

11.7 Proposed Acquisition - Land in Bowral

Reference:	PN 1346400
Report Author:	Coordinator Property Services
Authoriser:	Chief Financial Officer
Link to Community Strategic Plan:	Effective financial and asset management ensure Council's long term sustainability

PURPOSE

The purpose of this report is to advise Council of a request made by a property owner in Bowral for Council to proceed with the acquisition of part of their property.

MN 51/20

MOTION moved by Clr G McLaughlin and seconded by Clr L A C Whipper

THAT the report concerning Proposed Acquisition of Land in Bowral be considered in Closed Council Item 19.2. This report is confidential in accordance with s10A(2) of the Local Government Act, 1993, under clause 10A(2)b as it is a discussion in relation to the personal hardship of a resident or ratepayer.

PASSED

12. CORPORATE STRATEGY AND DEVELOPMENT SERVICES

12.1 ANZAC Day 2020

Reference: 1671/1
Report Author: PA for Mayor
Authoriser: Group Manager Corporate and Community
Link to Corporate Plan: Encourage all members of the community, especially older residents, to share their knowledge and experience with younger members

PURPOSE

Reporting on the Wreath Laying Ceremonies for ANZAC Day 2020.

MN 52/20

MOTION moved by *Clr G McLaughlin* and seconded by *Clr I M Scandrett*

1. **THAT** subject to Councillor availability, Council be represented at the following services:

	SERVICE	2020 ATTENDANCE
BERRIMA	Dawn Service 5.45am	Clr I M Scandrett
	Main Service 10.30am	Clr G McLaughlin
BOWRAL	Dawn Service – March 5.45am Service 6.00am	Clr K J Halstead and Clr G McLaughlin
	Main Service – March 10.35am Service 11.00am	Deputy Mayor, Clr G M Turland
BUNDANOON	Dawn Service 6am	Clr G J Andrews
	March 10.30am – Service 11.00am	Clr I M Scandrett
ROBERTSON/ KANGALOO	Wreath Laying 10.15 am	Clr L A C Whipper
BURRAWANG	Wreath Laying and Service- 11.00am	Clr L A C Whipper
COLO VALE	Service – 8.00am	Clr I M Scandrett
EXETER	Service - 9.00am	Clr I M Scandrett
HILLTOP	Dawn Service 6.00am	Clr P Nelson
MITTAGONG	Dawn Service – March 5.15am Service 5.30am	Deputy Mayor, Clr G M Turland
	Main Service – March 10.30am Service 10.45am	Clr GJ Andrews
MOSS VALE	March 10.30am - Service 11.00am	Mayor, Clr T D Gair
SUTTON FOREST	March 7.50am – Service 8.00am	Mayor, Clr T D Gair

2. **THAT** the respective Sub-Branchees and community groups be advised of Council representation as detailed in 1 above.
3. **THAT** Council purchase appropriate books for the Bowral, Bundanoon, Moss Vale and Berrima Memorial Services AND THAT wreaths be purchased for the remaining locations, including Berrima.

PASSED

12.2 Bi-Annual Delivery Program 2017-2021 Progress Report, 1 July - 31 December 2019

Reference:	501/2013
Report Author:	Governance Officer
Authoriser:	Coordinator Corporate Strategy and Governance
Link to Community Strategic Plan:	An enhanced culture of positive leadership, accountability and ethical governance that guides well informed decisions to advance agreed community priorities

PURPOSE

This report presents the Bi-Annual Delivery Program Progress Report for the period 01 July to 31 December 2019, which records Council's progress towards achieving the four year actions of the Delivery Program 2017-2021.

The Group Manager Corporate and Community addressed Council on this item.

The General Manager addressed Council on this item.

RECOMMENDATION

THAT Council receive and note the Bi-Annual Delivery Program Progress Report for the period 01 July to 31 December 2019.

The Mayor closed the meeting at 7.00pm.

As the Meeting was closed Item 12.2 Bi-Annual Delivery Program 2017-2021 Progress Report, 1 July - 31 December 2019 was not dealt with; including the following items:

- 12.3 Change Of Use - Studio to Secondary Dwelling
- 13.1 Councillor Planning Day - November 2019
- 13.2 Legal Report
- 13.3 Exclusion of Notice of Motion and Question with Notice from Business Paper on 6 February 2020
- 16.1 Minutes of the Traffic Committee Meeting held electronically on 8 January 2020
- 16.2 Minutes of the Traffic Committee Meeting held electronically on 10 February 2020
- 16.3 Minutes of the Finance Committee Meeting held on 19 February 2020
- 17.1 Question with Notice 4/2020 - Report on Station Street
- 17.2 Question with Notice 5/2020 - Bong Bong Street Taxi Rank
- 17.3 Question with Notice 6/2020 - Walkways along Bong Bong Street Bowral

- 17.4 Question with Notice 9/2020 - MOU Station Street Upgrade
- 18.1 Notice of Motion 3/2020 - Town Water Planning
- 18.2 Notice of Motion 4/2020 Resource Recovery Centre Operating Hours
- 18.3 Notice of Motion 5/2020 - Poll for 2024 Mayor
- 19.3 Proposed Acquisition - Land in Bowral
- 19.4 Legal Report - Closed Council

13. MEETING CLOSURE

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

In accordance with the provisions of Section 375(2) of the Local Government Act, these Minutes of the Ordinary Council Meeting held Wednesday 26 February 2020 numbered M/N 37/20 to M/N 52/20 were signed by me hereunder at the Council Meeting held on Wednesday 11 March 2020.

CHAIRMAN

READ AND CONFIRMED ON WEDNESDAY 11 MARCH 2020

CHAIRMAN

PUBLIC OFFICER