



MINUTES

of the
Ordinary Meeting of Council

held in

held remotely using audio visual link

on

Wednesday 8 July 2020

The meeting commenced at 3.30pm

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MINUTES OF THE ORDINARY MEETING OF COUNCIL

Wednesday 8 July 2020



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MINUTES OF THE ORDINARY MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD REMOTELY USING AUDIO VISUAL LINK AND OPEN TO MEMBERS OF THE COMMUNITY VIA WEBCAST ON WEDNESDAY 8 JULY 2020 COMMENCING AT 3.30PM

Present:

- Clr T D Gair (Mayor)
- Clr G J Andrews*
- Clr K J Halstead OAM*
- Clr G McLaughlin*
- Clr P W Nelson*
- 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 (in part)*
Group Manager Tourism and Economic Development	Mr Steve Rosa (in part)*
Chief Financial Officer	Mr Richard Mooney (in part)*
Chief Information Officer	Mr John Crawford
Coordinator Media and Communications	Mr David Sommers*
Coordinator Economic Development	Ms Jan Campbell (in part)*
Administration Officer	Ms Michelle Richardson

NOTE: Due to current government requirements around social distancing due to the COVID-19 pandemic, some Councillors and some staff attended the meeting remotely via zoom audio visual link. This is indicated by *. The Mayor and remaining staff were present in the Council Chambers for this meeting.

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 L A C Whipper 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 civic prayer by the Mayor Clr T D Gair .

4. APOLOGY

Leave of absence for this meeting was previously granted to Councillor G Markwart to 22 July 2020 (inclusive).

PERS

5. CONFIRMATION OF MINUTES

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY 24 JUNE 2020

MN 250/20

MOTION moved by Clr L A C Whipper and seconded by Deputy Mayor G M Turland

THAT the minutes of the Ordinary Meeting of Council held on Wednesday 24 June 2020 MN 210/20 to MN 248/20 inclusive, copies of which were forwarded to Councillors, be adopted as a correct record of the proceedings of the meeting subject to the wording of Clr Scandrett's declarations to be included in the final minutes for the meeting of 24 June 2020.

PASSED

Clr Scandrett requested Item 6 Declarations of Interest (page 5) be amended to include the following (bolded text):

*Clr I M Scandrett declared a less than significant non-pecuniary interest in Item 9.2 Development Application 20/0609 Information and Educational Facility - Proposed Change of Opening Hours at 93-95 Kirkham Road, Bowral as he chaired the committee that Mr Robson presented **his business case to me and other councillors** when he was chair of the Economic **Development** and Tourism Committee. **It was supported unanimously. Mr Robson has economic and tourism arguments for his DA as per the report and various correspondence and representations to Councillors and council. I will send those in.** He would remain in the chamber when this matter was discussed and take part in the debate and voting thereon.*

*Clr I M Scandrett declared a less than significant non-pecuniary interest in Item 12.1 Local Strategic Planning Statement and Local Housing Strategy - Outcomes of Public Exhibition as Mr Nicholas Dyer is on the Housing and Demographics Committee in which he is the Deputy Chair. **Mr Dyer has also handed out for Clr Scandrett and the Liberals. My Dyer has been active in the community as many people on our committees are.** He would remain in the chamber when this matter was discussed and take part in the debate and voting thereon.*

101/3.1

Clr I M Scandrett declared a less than significant non-pecuniary interest in Item 18.3 Notice of Motion 24/2020 - Shire Bike Strategy, as Mr Nicholas Dyer is on the Housing and

Demographics Committee in which he is the Deputy Chair. Mr Dyer has also handed out for Clr Scandrett and the Liberals. Mr Dyer has been active in the community as many people on our committees are. He would remain in the chamber when this matter was discussed and take part in the debate and voting thereon.

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 20/0720.01 20/0720

Clr G McLaughlin declared a less than significant interest in Item 18.1 Notice of Rescission Motion 9/2020 - Development Application 20/0720.01: Section 8.2 of the Environmental Planning and Assessment Act 1979 Review of Determination of Refused Development Application 20/0720 - Dual Occupancy (Detached) and Subsequent Subdivision to Create Two (2) Lots Lot 210 DP 1213900, 40 Sir James Fairfax Circuit, Bowral as he owns a dual occupancy property in East Bowral. He would remain in the chamber when this matter was discussed and take part in the debate and voting thereon.

101/3.1 101/15

Clr I M Scandrett declared a significant non-pecuniary interest in Item 19.1 Code of Conduct Matter as the Code of Conduct alleges he brought Council into disrepute with reference to Station Street upgrade. He will be absent from the Chambers for consideration of that item.

7. MAYORAL MINUTES

Nil.

8. PUBLIC FORUM

17.1 Question with Notice 22/2020 - Pin Oaks at the Northern Entrance to Bowral

Ms Mhairi Clark addressed Council against the development.

17.2 Question with Notice 23/2020 Venture Playground Park at David Woods Fields

Mr Adam Jacobson addressed Council against the Recommendation

18.1 Notice of Rescission Motion 9/2020 - Development Application 20/0720.01: Section 8.2 of the Environmental Planning and Assessment Act 1979 Review of Determination of Refused Development Application 20/0720 - Dual Occupancy (Detached) and Subsequent Subdivision to Create Two (2) Lots Lot 210 DP 1213900, 40 Sir James Fairfax Circuit, Bowral

Mr Allen Robinson addressed Council against the development

Mr Paul Samulski addressed Council in support of the development

18.2 Notice of Motion 22/2020 - Playhouse Renovation

Mr Stephen Cheers addressed Council in support of the Recommendation.

18.8 Notice of Motion 29/2020 Road Closure Part Argyle Street Mittagong

Mr Paul Brady addressed Council.

9. VISITOR MATTERS

OPERATIONS

Nil

CORPORATE AND STRATEGY

Nil

10. EN BLOC MOTION

There was no En Bloc Motion at this Meeting.

11. OPERATIONS FINANCE AND RISK

11.1 Proposed Road Closure - Unnamed Road Off Barrallier Road Goodmans Ford

Reference:	PN 1661200; RD4801
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 consider a request for the closure of an additional segment of road reserve off Barrallier Road, Goodmans Ford adjoining 473 Barrallier Road, Goodmans Ford.

The Chief Financial Officer addressed Council on this item.

MN 251/20

MOTION moved by Cllr P W Nelson and seconded by Cllr L A C Whipper

1. **THAT** Council invite a formal Application for Road Closure from the applicant (being the owners of 471 and 473 Barrallier Road, Goodmans Ford) for part of the partially formed road off Barrallier Road, Goodmans Ford adjoining 471 and 473 Barrallier Road, Goodmans Ford AND THAT it be noted that all costs in relation to the closure and potential future sale of the road are to be paid by the applicant.
2. **THAT** a right of carriageway be granted over the existing formed access track located within the applicant's property at 471 Barrallier Road, Goodmans Ford to formalise legal access to Lot 112 DP 757053 Wombeyan Caves Road, Goodmans Ford.
3. **THAT** Council give a minimum 28 days public notice of its intention to close a segment of the Council public road adjoining 471 and 473 Barrallier Road, Goodmans Ford AND THAT if any objections are received during the period of public notice, a further report be presented to a future Meeting of Council.
4. **THAT** if there are no objections received by Council during the period of public exhibition, that pursuant to Part 4 Division 3 of the Roads Act 1993, Council as roads authority formally approve the closure of the portion of Council Public Road Reserve referred to in Resolution 1 above.
5. **THAT** the Mayor and General Manager be delegated authority to execute under the Common Seal of Council the plan required to be lodged with NSW Land Registry Services to enable closure of the portion of Council Public Road Reserve referred to in Resolution 1 above.
6. **THAT** authority be delegated to the Mayor and General Manager to execute on behalf of Council any other document associated with the road closure referred to in Resolution 1 above which does not require the affixing of the Common Seal of Council.
7. **THAT** at the expense of the applicant, the newly created allotments be consolidated with the applicant's primary property within twelve (12) months of formalisation of the road closure.

PASSED

11.2 Proposed Licence Agreement - Community Garden - Part Meryla Street, Robertson

Reference:	PN 1785090
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 place on public exhibition a proposed Licence Agreement for the use of Council property being vacant land at Meryla Street, Robertson for the purpose of establishing a community garden.

The proposed licensee is Robertson Community Garden Incorporated.

MN 252/20

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

1. ***THAT Council give a minimum twenty eight (28) days public notice of a proposal to enter into a five (5) year Licence Agreement with Robertson Community Garden Incorporated for a community garden on Council owned land Being Lot 5 DP 244671, Meryla Street, Robertson.***
2. ***THAT following exhibition, authority be delegated to the General Manager to negotiate the terms and conditions of a Licence Agreement for a community garden at Lot 5 DP 244671, Meryla Street, Robertson to Robertson Community Garden Incorporated.***
3. ***THAT if there are no objections received during the period of public notice, the Mayor and General Manager be delegated authority to execute the Licence Agreement referred to in Resolution 1 above under the Common Seal of Council AND THAT if any objections are received, a further report be forwarded to a future meeting of Council.***

PASSED

12. CORPORATE STRATEGY AND DEVELOPMENT SERVICES

12.1 Adoption of the 2020/21 Operational Plan and Budget Including Revenue Policy

Reference:	501/2020
Report Author:	Chief Financial Officer
Authoriser:	Deputy General Manager Operations, Finance and Risk
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

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

The Chief Financial Officer addressed Council on this item

At its meeting on 27 May 2020 Council resolved to place on public exhibition the draft 2020/21 Operational Plan and Budget (MN 169/20). The purpose of this report is to advise Council of the outcomes of the public exhibition and to recommend adoption of the following:

- 2020/21 Operational Plan and Budget
- 2020/21 Revenue Policy (including Fees and Charges schedule)

As required under the *Local Government Act 1993*, Council is also required to resolve the following:

- Making and levying the rates and annual charges for 2020/21, and
- Authorisation of expenditure and voting of money for the 2020/21 Budget.

The General Manager left the meeting, the time being 4.42pm

The General Manager returned to the meeting, the time being 4.51pm

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

THAT the rates rise of 2.76% for 2020-2021 NOT proceed and the matter be deferred to the meeting of 22 July 2020 so that staff can prepare a report on adjusting expenditure accordingly.

MN 253/20

AMENDMENT moved by Mayor Clr T D Gair and seconded by Clr G J Andrews

THAT

1. Council Adopt the 2020/21 Operational Plan and Budget including the Revenue Policy, Fees and Charges and Unfunded Infrastructure Projects List; incorporating the changes recommended in this report.
2. In adopting the 2020/21 Budget and Revenue Policy that:
 - the funds to cover the 2020/21 Budget be voted.
 - a 2.76% increase in permissible rate income (inclusive of crown land adjustment of 0.16%) be adopted in accordance with the rate peg determined by the Independent Pricing and Regulatory Tribunal (IPART).
 - Council make and levy the following ad valorem and minimum rates for the 2020/21 financial year (the period 1 July 2020 to 30 June 2021)

Category	Sub Category	Ad Valorem	Minimum
Residential	Ordinary	0.0035533	\$1,169.81
Residential	Renwick	0.0039086	\$1,169.81
Residential	Moss Vale South	0.0039086	\$1,169.81
Business	Ordinary	0.0071066	\$1,169.81
Farmland	-	0.0023096	\$1,709.44
Mining	Ordinary	0.0117259	\$1,169.81

3. Council make and levy a special rate of 0.000049062 cents in the dollar subject to a base rate in accordance with Section 499 of the Local Government Act, 1993 of \$26.92 per assessment on all rateable land for all rating categories for the 2020/21 financial year, noting that this special rate is referred to as Wingecarribee Our Future Environment Special Rate.
4. Council make and levy the annual charges for domestic waste management services in accordance with Section 496 of the Local Government Act, 1993 for the 2020/21 financial year as outlined within the Revenue Policy.
5. Council make and levy the annual charges for stormwater management services in accordance with Section 496A (1) of the Local Government Act, 1993 for the 2020/21 financial year as outlined within the Revenue Policy.
6. Council adopt the water access and user charges for the 2020/21 financial year, as outlined within the Revenue Policy.
7. Council adopt the sewer access charges for the 2020/21 financial year, as outlined within the Revenue Policy.
8. Council adopt the rate permitted by the Minister for Local Government for the allowable interest rate on overdue rates of 7.00% per annum from the 1 April 2021, noting that Council has suspended all interest on overdue rates and charges from the 1 April 2020 to 31 March 2021 due to COVID-19.
9. Authorise loan borrowings of \$8.260 million in the 2020/21 financial year to part fund a number of high priority infrastructure projects.
10. Authorise the creation of an Animal Shelter Reserve to be established with the opening balance of \$5.2 million (subject to the satisfactory settlement of the land sales).
11. Write to the residents who lodged a submission to formally thank them for their comments and feedback on the Draft 2020/21 Operational Plan and Budget.

AMENDMENT WAS PASSED AND BECAME THE MOTION

MOTION PASSED

12.2 Fees Payable to the Mayor and Councillors for 2020/21

Reference:	101/6
Report Author:	Coordinator Corporate Strategy and Governance
Authoriser:	Group Manager Corporate and Community
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

The purpose of this report is to advise Council of the Local Government Remuneration Tribunal's determination under section 241 of the *Local Government Act 1993* ('LG Act') in respect of the annual fees payable to the Mayor and Councillors for the 2020/21 financial year.

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

The General Manager left the meeting, the time being 5.37pm

The General Manager returned to the meeting, the time being 5.43pm

MN 254/20

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

THAT Council determines to pay the Mayor and Councillors the maximum fees as determined by the Local Government Remuneration Tribunal for the period 1 July 2020 to 30 June 2021.

PASSED

Clr K J Halstead OAM, Clr I M Scandrett and Deputy Mayor G M Turland requested their dissenting vote be recorded.

AMENDMENT moved by *Clr I M Scandrett* and seconded by *Deputy Mayor G M Turland*

THAT Council determine the fees for the Mayor and Councillors to be at the same rate as the 2019-2020 year for 2020-2021 year.

LOST

Clr P Nelson proposed a Foreshadowed Motion

FORESHADOWED AMENDMENT moved by *Clr P W Nelson* and seconded by *Clr G McLaughlin*

THAT the matter be deferred to the next Council meeting on 22 July 2020.

FORESHADOWED AMENDMENT WITHDRAWN

12.3 Development Applications Determined from 26 May 2020 to 22 June 2020

Reference:	5302
Report Author:	Team Leader Business Support
Authoriser:	Group Manager Planning, Development and Regulatory Services
Link to Community Strategic Plan:	Promote building practices and the types of developments that improve resource efficiency

PURPOSE

The purpose of this report is to update Councillors on Development Applications Determined for the period 26 May 2020 to 22 June 2020.

MN 255/20

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

THAT the information relating to the lists of Development Applications Determined for the period 26 May 2020 to 22 June 2020 be received and noted.

PASSED

12.4 Development Applications Received from 26 May 2020 to 22 June 2020

Reference:	5302
Report Author:	Team Leader Business Support
Authoriser:	Group Manager Planning, Development and Regulatory Services
Link to Community Strategic Plan:	Open and effective communication methods and technology are utilised to share information about Council plans, intentions, actions and progress

PURPOSE

The purpose of this report is to update Councillors on Development Applications Determined for the period 26 May 2020 to 22 June 2020.

Clr K J Halstead OAM left the chambers, the time being 05:46pm.

Deputy Mayor G M Turland left the chambers, the time being 05:46pm.

MN 256/20

MOTION moved by Clr LAC Whipper and seconded by Clr G McLaughlin

1. **THAT** the information relating to Development Applications Received from 26 May 2020 to 22 June 2020 be received and noted.
2. **THAT** the following items be placed on Council's weekly circular:
 - Item 8 20/1445 493 Belanglo Road Belanglo NSW 2577 Lot 5 DP 711048;
 - Item 12 17/1822.06 2-18 Centennial Road Bowral NSW 2576 Lots 1 & 2 DP 1101892 Lot 4-11 DP 1109214;
 - Item 13 18/0434.05 19 Funston Street Bowral NSW 2576 Lot 2 DP 1140855;
 - Item 32 20/1325 38 Hoddle Street Burrawang NSW 2577 Lot 1 DP 1239510;
 - Item 50 20/1437 38 Duke Street Mittagong NSW 2575 Lot 670 DP 571916;
 - and
 - Item 51 20/1464 12 Duke Street, Mittagong NSW 2575 Lot 2 DP 806612.

PASSED

12.5 Development Application 20/1283 for Alterations and Additions - Extensions, 16A Hopewood Road Bowral

Reference:	20/1283 PN1714550
Report Author:	Development Officer Planning
Authoriser:	Senior Accredited Certifier
Applicant:	Kathy Barnsley Architects
Owner:	Erin & Liam Adams
Link to Community Strategic Plan:	Promote building practices and the types of developments that improve resource efficiency

PURPOSE

The purpose of this report is to consider Development Application 20/1283, which seeks consent for alterations and additions – extensions to the existing dwelling at 16A Hopewood Road, Bowral. The subject application has been called up by two Councillors for determination, consequently this report is prepared and recommends **APPROVAL**.

VOTING ON THE MOTION

Councillors are required to record their votes on this matter.

Clr K J Halstead OAM returned to the meeting, the time being 05:47pm.

Deputy Mayor G M Turland returned to the meeting, the time being 05:47pm.

MN 257/20

MOTION moved by Clr K J Halstead OAM and seconded by Clr G McLaughlin

THAT development application 20/1283 for the proposed alterations and additions – extensions at Lot 8 DP 1015455 No 16A Hopewood Road, Bowral be APPROVED subject to conditions as described in Attachment 1 to the report.

PASSED

VOTING ON THE MOTION

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

Against the motion: NIL

12.6 Amendments to Council's Notification of Development Proposals Policy and Associated Community Participation Plan

Reference:	5704/6 104/7
Report Author:	Group Manager Planning, Development and Regulatory Services
Authoriser:	Deputy General Manager Corporate, Strategy and Development Services
Link to Community Strategic Plan:	Improve opportunities for people to 'have their say' and take an active role in decision making processes that affect our Shire through diverse engagement opportunities

PURPOSE

The purpose of this report is to consider minor administrative amendments to Council's current Notification of Development Proposals Policy 2018 and associated Community Participation Plan (CPP) following legislation changes made to the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000* by the New South Wales Department of Planning, Industry and Environment.

The Deputy General Manager Corporate, Strategy and Development Services addressed Council on this item.

MN 258/20

MOTION moved by Deputy Mayor G M Turland and seconded by Cllr P W Nelson

1. **THAT** Council endorse the draft administrative amendments to the Notification of Development Proposals Policy and associated Community Participation Plan (CPP) with the retention for the option of advertising in local newspapers as deemed necessary; and
2. **THAT** Council place the draft policy on public exhibition for a period of not less than 28 days in accordance with the Local Government Act 1993.

PASSED

12.7 Wingecarribee Community Assistance Scheme Recommendations for Funding

Reference:	1870/2020
Report Author:	Coordinator Community Development
Authoriser:	Group Manager Corporate and Community
Link to Community Strategic Plan:	Plan and deliver appropriate and accessible local services for the community

PURPOSE

The purpose of this report is to seek Council's approval of the final recommendations from the Community Assistance Scheme Advisory Committee for financial assistance under the 2020/2021 Wingecarribee Community Assistance Scheme.

MN 259/20

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

1. **THAT Council adopt the recommendations of the Community Assistance Scheme Advisory Committee as detailed in Attachment 1 to the report circulated under separate cover - confidential.**
2. **THAT successful applicants be advised and invited to attend a formal presentation to receive Certificates of Entitlement.**
3. **THAT this presentation ceremony be held during Local Government Week from 3 to 9 August 2020, subject to COVID-19 restrictions.**
4. **THAT correspondence is forwarded to the unsuccessful applicants advising them of the outcome of their application.**
5. **THAT \$4,975.80 of funds remaining from the Community Assistance Scheme be allocated to Grants Writing Workshops to be held in early 2021 subject to COVID 19 restrictions.**

PASSED

12.8 Draft Southern Highlands Destination Plan 2020-2030

Reference:	1600/23
Report Author:	Coordinator Economic Development
Authoriser:	Group Manager Tourism & Events
Link to Community	
Strategic Plan:	Promote business and industry development opportunities suited to our distinct region

PURPOSE

To seek Council endorsement of the draft Southern Highlands Destination Plan 2020-2030 and Background Report for public exhibition.

The Group Manager Tourism and Economic Development addressed Council on this item.

The Coordinator Economic Development addressed Council on this item.

MN 260/20

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

1. **THAT** the draft Southern Highlands Destination Plan 2020-2030 in Attachment 1 and the Background Report in Attachment 2 be endorsed for public exhibition.
2. **THAT** the draft Southern Highlands Destination Plan 2020-2030 and Background Report be publicly exhibited for a minimum period of six (6) weeks commencing in July 2020, and
3. **THAT** the staff hold community engagement sessions throughout the Shire during the exhibition period having due consideration to limitations imposed by COVID-19.

PASSED

12.9 Code of Conduct Matter

Reference:	880/2
Report Author:	Group Manager Corporate and Community
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 report deals with a final investigation report into an alleged breach of the Wingecarribee Shire Council Code of Conduct by a Councillor.

MN 261/20

MOTION moved by Cllr K J Halstead OAM and seconded by Cllr P W Nelson

THAT the report concerning the final investigation report into an alleged breach of the Wingecarribee Shire Council Code of Conduct by a Councillor be considered in Closed Council – Item 19.1. This report is confidential in accordance with s10A(2) of the Local Government Act, 1993, under clause 10A(2)(i) as it contains alleged contraventions of any code of conduct requirements applicable under section 440.

PASSED

13. GENERAL MANAGER

Nil

14. DELEGATE REPORTS

Nil

15. PETITIONS

Nil

16. COMMITTEE REPORTS

16.1 Management and Advisory Committee Reports

Reference: 107/1
Report Author: Committee Coordinator

PURPOSE

This report provides the Minutes of the following Committee Meetings, copies of which will be tabled for information:

1. Hill Top Community Centre Committee held on 12 December 2019
2. Moss Vale Senior Citizens and Community Centre Hall Committee held on 16 December 2019
3. East Bowral Community Centre Management Committee 26 November 2019

MN 262/20

MOTION moved by Cllr P W Nelson and seconded by Cllr G J Andrews

THAT the information contained in the following Committee Reports be noted:

1. *Hill Top Community Centre Committee held on 12 December 2019*
2. *Moss Vale Senior Citizens and Community Centre Hall Committee held on 16 December 2019*
3. *East Bowral Community Centre Management Committee 26 November 2019*

PASSED

16.2 Minutes of the Traffic Committee held on Thursday 18 June 2020

Reference: 107/6
Report Author: Administration Officer

PURPOSE

This report provides the Minutes of the Traffic Committee meeting held on Thursday, 18 June 2020.

The General Manager left the meeting, the time being 6.25pm

The General Manager returned to the meeting, the time being 6.28pm

MN 263/20

MOTION moved by Cllr K J Halstead OAM and seconded by Cllr P W Nelson

THAT recommendation Nos TC27/20 to TC39/20 as detailed in the Minutes of the Traffic Committee Meeting held on Thursday, 18 June 2020 be adopted, save for any items which have budgetary implications AND THAT action on any item with budgetary implications be delayed, pending consideration by the Finance Committee.

PASSED

17. QUESTIONS WITH NOTICE

17.1 Question with Notice 22/2020 - Pin Oaks at the Northern Entrance to Bowral

Reference: 101/2 5650 RD 1615
Report Author: Administration Officer (Meetings)
Authoriser: Group Manager Corporate and Community
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

To: General Manager

From: Clr Turland

Received: 29.6.20

Subject: Pin Oaks at the Northern Entrance to Bowral

Question:

1. Has these trees been listed by the National Trust as an item of heritage?
2. Has Council listed these trees as an item of heritage in the LEP Tree Register?

Response:

1. Response to Question one (1) is Yes
2. Response to Question two (2) is No.

Note: Please refer to previous response to QWN 10/2020 13 May 2020

The Deputy General Manager Operations, Finance and Risk addressed Council on this item.

Clr Turland proposed a motion in relation to this matter which was ruled out of order by the Mayor.

MN 264/20

MOTION moved by Cllr P W Nelson and seconded by Cllr G J Andrews

THAT the information in relation to Question with Notice 22/2020 – Pin Oaks at the Northern Entrance to Bowral - be noted.

PASSED

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

THAT the Mayor's ruling of not allowing Cllr Turland's motion be disallowed.

LOST

17.2 Question with Notice 23/2020 Venture Playground Park at David Woods Fields

Reference: 101/2 6535/10
Report Author: Administration Officer (Meetings)
Authoriser: Group Manager Corporate and Community
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

To: General Manager
From: Cllr Turland
Received: 29.6.20

Subject: Venture Playground Park at David Wood Fields

Question:

When will the Venture Playground Park at David Woods Field be completed as per the Voluntary Planning Agreement (VPA) with the Fairfax Estate and WSC

Response:

Under the Voluntary Planning Agreement (VPA) adopted by Council on 12 August 2015 following public consultation, a \$200,000.00 monetary contribution for the David Woods Playing Fields towards the embellishment of David Woods Playing Fields, playground improvement and extension of the carpark was included.

Council is currently undertaking public consultation on the Draft Playspace Strategy. Following the completion of the exhibition period and adoption of the Strategy by Council, planning for the utilisation of the VPA contribution can be undertaken.

The Deputy General Manager Corporate Strategy and Development addressed Council on this item.

The Deputy General Manager Operations, Finance and Risk addressed Council on this item.

MN 265/20

MOTION moved by Cllr P W Nelson and seconded by Cllr G J Andrews

THAT the information in relation to Question with Notice 23/2020 - Venture Playground Park at David Woods Field - be noted.

PASSED

AMENDMENT moved by Deputy Mayor G M Turland and seconded by Cllr K J Halstead
OAM

THAT \$200,000 from the Voluntary Planning Agreement be brought forward to complete the Adventure Park as approved by Council and the developer.

LOST

17.3 Question with Notice 24/2020 Key Management Personnel Remuneration

Reference: 101/2 2105/2019
Report Author: Administration Officer (Meetings)
Authoriser: Group Manager Corporate and Community
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

To: General Manager
From: Cllr Scandrett
Received: 29.6.20

Subject: Key Management Personnel Remuneration

The Chief Financial Officer addressed Council on this item.

The General Manager addressed Council on this item.

Question:

Could the GM please detail for the budget meeting 8/7/2020 the current packages for the key management personnel remuneration, as per the related parties disclosures standard which was due 29/6/2020 [as per the email below 21/6/20] Council's Related Party Disclosures Policy ('the policy') ensures that Council meets its obligations under Australian Accounting Standard AASB 124. This requires Council to disclose, as part of its annual financial statements, key management personnel remuneration, related party relationships, transactions and outstanding balances, including commitments. This information is audited as part of the annual external audit undertaken by the NSW Audit Office.

Council's key management personnel have been identified as follows:

- Councillors (including the Mayor and Deputy Mayor)
- General Manager
- Deputy General Managers
- Group Managers
- Chief Information Officer
- Chief Financial Officer.

This request is made in accordance with the community interest and Our Mission, Our Vision, Our Values.

Response:

In accordance with its obligations under Australian Accounting Standard AASB 124, the aggregated remuneration of Key Management Personnel is included on page 71 of the 2018/19 Audit Financial Statements which can be found at <https://www.wsc.nsw.gov.au/uploads/2508/annual-financial-statements-2018-19.pdf>

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Pursuant to Clause 217 of the Local Government (General) Regulation 2005, Council's Annual Report includes a statement of total remuneration for the General Manager and a total remuneration for all other senior staff (i.e. Deputy General Managers). The 2018/19 Annual Report can be found at <https://www.wsc.nsw.gov.au/uploads/2508/lr-annual-report-1819-final.pdf>

MN 266/20

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

THAT the information in relation to Question with Notice 24/2020 Key Management Personnel Remuneration - be noted.

PASSED

17.4 Question with Notice 25/2020 Transport for NSW Unclassified Roads Claim

Reference: 101/2 7810
Report Author: Administration Officer (Meetings)
Authoriser: Group Manager Corporate and Community
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

To: General Manager

From: Cllr Scandrett

Received: 29.6.20

Subject: Transport for NSW Unclassified Roads Claim

Question:

1. Has Council made a submission to Transport for NSW regarding its current initiative to reclaim 15,000kms of unclassified roads in order to ease Council's burden to manage them?
2. What WSC roads were considered for inclusion in Council's submission?
3. Will you please attach the submission for the information of Councillors and the community? If not, please explain why.

Response:

Council staff are confirmed to attend an information session regarding the NSW Road Classification Review & Transfer Project on 10th July 2020. The information session will provide staff more information on the project and how submissions should be framed and how they will be assessed.

Council staff will subsequently assess candidate roads to be either reclassified (e.g. from a Local Road to a Regional Road) or transferred to TfNSW following the information session. A submission will be made thereafter with submissions required to be received by the end of August 2020.

The following advice has been provided to council's on behalf of the Project Panel:

"In coming weeks, the Independent Panel will provide further information about making a submission for reclassification or transfer. Detailed submissions will be requested with plenty of guidance on what should be provided.

The Panel will also give a brief summary of the type of information they will be looking for as an introduction to all consultation sessions. We encourage you to sign up for a session and put your questions directly to the Panel."

Kind regards,

TfNSW support team

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MN 267/20

MOTION moved by Cllr I M Scandrett and seconded by Cllr P W Nelson

THAT the information in relation to Question with Notice 25/2020 Transport for NSW Unclassified Roads Claim - be noted AND THAT a future update be provided to Council upon receipt of submissions.

PASSED

17.5 Question with Notice 26/2020 Royal Commission into Natural Disaster Arrangements

Reference: 101/2 6437/4
Report Author: Administration Officer (Meetings)
Authoriser: Group Manager Corporate and Community
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

To: General Manager
From: Clr Turland
Received: 29.6.20

Subject: Royal Commission into Natural Disaster Arrangements

Question:

1. Can Councillors have a copy of WSC's submission to the Royal Commission into Natural Disaster Arrangements.

Response:

A copy of Council's Submission to the Royal Commission into Natural Disaster Arrangements has been provided to Councillors.

MN 268/20

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

1. **THAT** the Royal Commission submission into Natural Disasters and the NSW Bushfire Inquiry is a document that is two months late and is insufficient in detail; and
2. **THAT** the General Manager provide a detailed report as to why both submissions were not provided as listed above and lacking in detail in their response and submission.

PASSED

17.6 Question with Notice 27/2020 Local Strategic Planning Statements and the Wingecarribee Local Housing Statement

Reference: 101/2 5612/18
Report Author: Administration Officer (Meetings)
Authoriser: Group Manager Corporate and Community
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

To: General Manager
From: Cllr Whipper
Received: 28.6.20

Subject: Local Strategic Planning Statements and the Wingecarribee Local Housing Statement

Question:

On Wednesday 24 June Council resolved to proceed with the Local Strategic Planning Statements and the Wingecarribee Local Housing Statement before 1 July. I was told when I spoke to staff (around 3pm on Thursday 25 June) about submitting a rescission motion, that both the LSPS and LHS had already been uploaded onto the Department's website.

1. What time were these documents uploaded and why was procedural fairness not afforded to those Councillors who proposed to submit a rescission motion in relation to Item 12.1 of the Council meeting on 24 June 2020?

Response:

In accordance with Clause 20.12 of the Code of Meeting Practice, the General Manager is to implement, without undue delay, lawful decisions of the Council. Further, as this Planning matter was not related to a development application the provisions of Clause 18.10 of the Code of Meeting Practice which prevent staff from acting on a resolution of Council until 4:30pm the following business day do not apply.

Staff undertook minor changes to the Local Strategic Planning Statement document on the morning of 25 June 2020 following the adoption by Council and commenced the uploading of the Local Strategic Planning Statement to the Department of Planning Industry and Environment website early afternoon on 25 June 2020 which was prior to any indication from any Councillor that a Rescission Motion was being contemplated.

The General Manager left the meeting, the time being 7.11pm

The General Manager returned to the meeting, the time being 7.20pm

MN 269/20

MOTION moved by Cllr L A C Whipper and seconded by Cllr P W Nelson

THAT the information in relation to Question with Notice 27/2020 Local Strategic Planning Statements and the Wingecarribee Local Housing Statement - be noted.

PASSED

17.7 Question with Notice 28/2020 Parking at Mittagong to Replace 70 Bowral Station Contingency Spaces

Reference: 101/2 7457/1
Report Author: Administration Officer (Meetings)
Authoriser: Group Manager Corporate and Community
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

To: General Manager
From: Cllr Scandrett
Received: 28.6.20

Subject: Parking at Mittagong to Replace 70 Bowral Station Contingency Spaces

Question:

In relation to the land proposed to be used for car parking at Mittagong Station (Refer: Last Council meeting, minute item 17.3), will the General Manager please advise:

1. Is the land to be purchased included in the Bowral Station Street Upgrade Memorandum of Understanding or a separate MOU as referred to by the Deputy General Manager at the last meeting?
2. Has the relative MOU been completed and signed by any party?
3. If any MOU has been signed, what parties other than Council has (or have) signed it?
4. Are the environmental effects of this carpark land included in the Bowral Station Street Upgrade Review of Environmental Factors (REF), or is there / will there be a separate REF?
5. What is the purchase price of the land, including legal and all other transfer costs?
6. Will all the services alterations and new provisions for drainage and lighting be included in the proposed construction contract?
7. The meeting minute 17.3 of 24 June 2020 states that the land at Mittagong to replace the 70 commuter carparks to be lost at Bowral will be transferred to Council (purchased not leased), and that a contractor has been appointed for the contamination and soil testing investigations so has a contractor has been appointed for the contamination and soil testing investigations of the Mittagong land?
8. Please detail what assessment has been done by Council to arrive at the construction estimate figure of \$1m? What contingency is Council allowing in that \$1m?

Response:

There is no proposal to purchase any land for the proposed Mittagong Car Park. The MoU in relation to Station Street, has not been finalised. Council staff provided details of the assessment of the proposed site in response to Question with Notice (QWN) – Item 17.3 of 24 June 2020 Business Paper. The Budget is based on preliminary construction estimate with a 30% contingency included.

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MN 270/20

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

THAT the Council be promptly informed as to when the MOU is expected to be signed on Station Street.

PASSED

18. NOTICES OF MOTION

18.1 **Notice of Rescission Motion 9/2020 - Development Application 20/0720.01: Section 8.2 of the Environmental Planning and Assessment Act 1979 Review of Determination of Refused Development Application 20/0720 - Dual Occupancy (Detached) and Subsequent Subdivision to Create Two (2) Lots Lot 210 DP 1213900, 40 Sir James Fairfax Circuit, Bowral**

Reference:	100 20/0720 20/0720.01
Report Author:	Administration Officer (Meetings)
Authoriser:	Group Manager Corporate and Community
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

Councillors McLaughlin, Scandrett and Whipper have given notice that it is their intention to move the following motion at the Ordinary Meeting of Council on 8 July 2020:

THAT the motion passed by Council on 24 June 2020, being item number 9.1 Development Application 20/0720.01: Section 8.2 of the Environmental Planning and Assessment Act 1979 Review of Determination of Refused Development Application 20/0720 - Dual Occupancy (Detached) and Subsequent Subdivision to Create Two (2) Lots Lot 210 DP 1213900, 40 Sir James Fairfax Circuit, Bowral minute number MN 213/20 be rescinded.

THAT Section 8.2 of the Environmental Planning & Assessment Act 1979 Review of Determination of Development Application DA20/0720.01 for Dual Occupancy (Detached) and subsequent subdivision to create two lots, Lot 210 DP 1213900, 40 Sir James Fairfax Circuit Bowral, be APPROVED subject to conditions as described in Draft Conditions of Consent (Attachment 1) to the report.

The General Manager left the meeting the time being 7.38pm

The General Manager returned to the meeting the time being 7.38pm

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

THAT the motion passed by Council on 24 June 2020, being item number 9.1 Development Application 20/0720.01: Section 8.2 of the Environmental Planning and Assessment Act 1979 Review of Determination of Refused Development Application 20/0720 - Dual Occupancy (Detached) and Subsequent Subdivision to Create Two (2) Lots Lot 210 DP 1213900, 40 Sir James Fairfax Circuit, Bowral minute number MN 213/20 be rescinded.

THE MAYOR USED HIS CASTING VOTE IN THE NEGATIVE AND THE MOTION WAS LOST.

MN 271/20

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

THAT in accordance with *Council's Code of Meeting Practice*, Council approve an extension of time to 8pm.

EXTENSION OF TIME PASSED

MN 272/20

MOTION moved by *Clr G McLaughlin* and seconded by *Deputy Mayor G M Turland*

THAT the following Items be deferred to the next Council meeting on 22 July 2020:

- 18.2 Notice of Motion 22/2020 - Playhouse Renovation
- 18.3 Notice of Motion 24/2020 - Shire Bike Strategy
- 18.4 Notice of Motion 25/2020 Fire at Resource Recovery Centre on 4 January 2020
- 18.5 Notice of Motion 26/2020 Environment and Sustainability Committee Minutes
- 18.6 Notice of Motion 27/2020 Settlement of Lot 3 Frankland Street, Mittagong
- 18.7 Notice of Motion 28/2020 Station Street Upgrade Project
- 18.8 Notice of Motion 29/2020 Road Closure Part Argyle Street Mittagong

PASSED

18.2 Notice of Motion 22/2020 - Playhouse Renovation

Reference:	100/4 7226
Report Author:	Administration Officer (Meetings)
Authoriser:	Group Manager Corporate and Community
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 DEFERRED FROM 24 JUNE 2020 COUNCIL MEETING

THIS ITEM WAS DEFERRED TO 22 JULY 2020 MEETING

Councillor Turland has given notice that it is his intention to move the following motion at the Ordinary Meeting of Council on 24 June 2020/8 July 2020:

1. THAT Council staff prepare a design and construct tender document as a matter of urgency;
2. THAT Council staff report back to Council by Council meeting 22 July 2020 on the tender documents (OC) and to be funded by the first settlement from the sale of Frankland Street property.

18.3 Notice of Motion 24/2020 - Shire Bike Strategy

Reference:	100/4
Report Author:	Administration Officer (Meetings)
Authoriser:	Group Manager Corporate and Community
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 DEFERRED FROM 24 JUNE 2020 COUNCIL MEETING

THIS ITEM WAS DEFERRED TO 22 JULY 2020 MEETING

Councillor Turland has given notice that it is his intention to move the following motion at the Ordinary Meeting of Council on 24 June 2020:

1. THAT Councillors and staff undertake a site visit with the proponent;
2. THAT Councillors and staff hold a briefing session with the proponent;
3. THAT Council coordinate a workshop with stakeholders and interested parties, including the Member for Goulburn and the Member for Wollondilly as a matter of urgency.

18.4 Notice of Motion 25/2020 Fire at Resource Recovery Centre on 4 January 2020

Reference:	100/4 7503/25
Report Author:	Administration Officer (Meetings)
Authoriser:	Group Manager Corporate and Community
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 DEFERRED TO 22 JULY 2020 MEETING

Councillor Turland has given notice that it is his intention to move the following motion at the Ordinary Meeting of Council on 8 July 2020:

THAT Council prepare a report on the fire at the RRC on 4.1.20.

18.5 Notice of Motion 26/2020 Environment and Sustainability Committee Minutes

Reference:	100/4 5450
Report Author:	Administration Officer (Meetings)
Authoriser:	Group Manager Corporate and Community
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 DEFERRED TO 22 JULY 2020 MEETING

Councillor Whipper has given notice that it is his intention to move the following motion at the Ordinary Meeting of Council on 8 July 2020:

1. THAT: Additional to the endorsed Minutes of the Environment and Sustainability Committee of 19 February, ES 23/20, that Council amend the minute to acknowledge that it will be WinZero that makes a presentation to council in place of Extinction Rebellion.
2. THAT: with reference to ES 23/20, Council nominate a date to schedule the WinZero presentation to Council (noting that due to COVID, the two-month period proposed has now expired).
3. THAT following on from the Council Resolution MN 135/20, Council prepare a report for the next Finance Committee scheduled for the 19th of August to consider funding implications of the Climate Emergency Declaration and to identify potential funding sources
4. THAT: Expressions of Interest be called for the establishment of the proposed Climate Change Advisory Panel. (MN 135/20 2.)
5. THAT: this Climate Change Advisory group be established as a working group of the E& S Committee for the remainder of this current Council term and become operational in September 2020.
6. THAT: This recommendation, be referred to the E& S Committee for information and comment.

18.6 Notice of Motion 27/2020 Settlement of Lot 3 Frankland Street, Mittagong

Reference:	100/4 PN 556900
Report Author:	Administration Officer (Meetings)
Authoriser:	Group Manager Corporate and Community
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 DEFERRED TO 22 JULY 2020 MEETING

Councillor Turland has given notice that it is his intention to move the following motion at the Ordinary Meeting of Council on 8 July 2020:

1. THAT Staff provide a report on the settlement of Lot 3 Frankland Street, Mittagong and address the concerns from the purchaser.
2. THAT staff provide a report from the email from Willow Properties 12.6.20 to Staff General Manager, Deputy General Manager, Mayor Gair and Deputy Mayor Garry Turland.

18.7 Notice of Motion 28/2020 Station Street Upgrade Project

Reference:	100/4 7457
Report Author:	Administration Officer (Meetings)
Authoriser:	Group Manager Corporate and Community
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 DEFERRED TO 22 JULY 2020 MEETING

Councillor Halstead has given notice that it is his intention to move the following motion at the Ordinary Meeting of Council on 8 July 2020:

THAT the General Manager bring forward a report on the Station Street Upgrade Project, outlining the administrative procedures proposed to be followed to ensure absolute compliance with the provisions of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000.

The report is to outline what action is to be undertaken to place the Review of Environmental Factors (REF) on public exhibition.

18.8 Notice of Motion 29/2020 Road Closure Part Argyle Street Mittagong

Reference:	100/4 RD 3111
Report Author:	Administration Officer (Meetings)
Authoriser:	Group Manager Corporate and Community
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 DEFERRED TO 22 JULY 2020 MEETING

Councillor Turland has given notice that it is his intention to move the following motion at the Ordinary Meeting of Council on 8 July 2020:

THAT Council staff bring back a response on this road closure as it was approved at a council meeting 26 July 2017.

THAT Council respond to include all valuations and correspondence.

19. CLOSED COUNCIL

MOVING INTO CLOSED SESSION

107/9

At this juncture, the time being 7.40 pm, Council moved into Closed Council.

MN 273/20

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

1. **THAT Council moves into Closed Council in accordance with the requirements of Section 10A(2) of the Local Government Act 1993 as addressed below to consider the following reports that are confidential for the reasons specified below:**

19.1 Code of Conduct Matter

Relevant Legal Provisions

This report is referred to Closed Committee in accordance with s10A(2) of the Local Government Act, 1993, under clause 10A(2)(i) as it contains alleged contraventions of any code of conduct requirements applicable under section 440 and the Council considers that it would be on balance contrary to the public interest to consider this information in Open Council.

Brief description

This report deals with a final investigation report into an alleged breach of the *Wingecarribee Shire Council Code of Conduct* by a Councillor.

2. **THAT the minutes of the Closed Council part of the meeting (being the Council's resolution) be made public.**

PASSED

19.1 Code of Conduct Matter

Reference:	880/2
Report Author:	Group Manager Corporate and Community
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

CONFIDENTIAL ITEM

This report is confidential in accordance with s10A(2) of the Local Government Act, 1993, under clause 10A(2)(i) as it contains alleged contraventions of any code of conduct requirements applicable under section 440.

PURPOSE

This report deals with a final investigation report into an alleged breach of *the Wingecarribee Shire Council Code of Conduct* by a Councillor.

Clr I M Scandrett left the chambers, the time being 07:42pm.

The Group Manager Corporate and Community informed the Council that advice had been sought from the Office of Local Government who determined that the final investigation report for this Code of Conduct matter must be sent to the Office of Local Government for determination as a quorum for consideration of this matter cannot be reached.

MN 274/20

MOTION moved by Clr K J Halstead OAM and seconded by Clr P W Nelson

THAT the matter of the code of conduct be referred to the Office of Local Government having regard to the unusual circumstances, even though there is no provision for this procedure to be followed having regard to the provisions of the document titled "Procedures for the Administration of the Code of Conduct".

PASSED

20. RESUMPTION OF OPEN AGENDA

107/10

Clr I M Scandrett returned to the meeting, the time being 08:03pm.

5

MN 275/20

MOTION moved by Clr P W Nelson and seconded by Clr G McLaughlin

THAT Council moves from Closed Council into Open Council.

PASSED

No members of the public were present in the Chamber.

The recording and live streaming of the meeting recommenced and all present were reminded that the meeting was being recorded and live streamed via the internet for public viewing.

The General Manager read out the adopted Motion from Closed Council.

21. MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 8.08 PM

In accordance with the provisions of Section 375(2) of the Local Government Act, these Minutes of the Ordinary Council Meeting held Wednesday 8 July 2020 numbered M/N 251/20 to M/N 275/20 were signed by me hereunder at the Council Meeting held on Wednesday 22 July 2020.

CHAIRMAN

READ AND CONFIRMED ON WEDNESDAY 22 JULY 2020

CHAIRMAN

PUBLIC OFFICER