

MINUTES

Ordinary Meeting of Council



We're with you

Wednesday 15 May 2024

Council Chambers, Wingecarribee Shire Council Civic Centre
68 Elizabeth Street, Moss Vale

The meeting commenced at 3:37 pm

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**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 15 MAY 2024**

**MINUTES OF THE ORDINARY MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN COUNCIL
CHAMBERS, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON WEDNESDAY 15 MAY 2024
COMMENCING AT 3:37 PM**

Present:	Administrator	Mr Viv May PSM
In Attendance:	General Manager	Ms Lisa Miscamble
	Acting Director Corporate Strategy and Resourcing	Mr Pav Kuzmanovski
	Director Communities and Place	Mr Adan Davis
	Acting Director Service and Project Delivery	Mr Shaun Robinson
	Executive Manager Strategic Outcomes	Mr Deniz Kilic
	Deputy Chief Financial Officer	Mr Damien Jenkins
	Manager Development Assessment	Mr Jon Shillito
	Manager Environment and Sustainability	Mr Barry Arthur
	Manager Waste and Resource Management	Mr Clinton McAlister
	Coordinator Governance	Mr Warwick Lawrence
	Coordinator Community Development	Ms Corinne Buxton
	Acting Coordinator Strategy & Place	Ms Garima Mendiratta
	Acting Senior Strategic Planner	Ms Rachel Murray
	Cadet Strategic Planner	Ms Isabella Friscic
	ICT Support Officer	Mr Marcellino Derby
	Governance Officer	Ms Paige Zelunzuk

1 OPENING OF THE MEETING

The Administrator, Mr Viv May PSM, opened the meeting and welcomed members of the public.

2 ACKNOWLEDGEMENT OF COUNTRY

The Administrator, Mr Viv May PSM, acknowledged country:

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

3 STATEMENT OF ETHICAL OBLIGATIONS

The Administrator stated:

"As Administrator I will undertake the duties of the Office of Administrator in the best interests of the people of the Wingecarribee Shire Council area and to act faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgement.

I am committed to the declaration of conflicts of interest in relation to items listed for consideration on the Agenda or which are considered at this meeting, in accordance with the Code of Conduct and Code of Meeting Practice."

4 APOLOGIES

Nil.

5 ADOPTION OF MINUTES OF PREVIOUS MEETING

MN 2024/100

MOTION moved by Administrator

That the minutes of the Ordinary Meeting of Council held on 17 April 2024 MN 2024/72 to MN 2024/95 inclusive, be adopted as a correct record of the proceedings of the meeting.

DECLARED CARRIED BY THE ADMINISTRATOR

MN 2024/101

MOTION moved by Administrator

That the minutes of the Extraordinary Meeting of Council held on 1 May 2024 MN 2024/96 to MN 2024/99 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

7.1 ITEMS FOR CONSIDERATION

MN 2024/102

MOTION moved by Administrator

THAT Standing Orders be suspended in order to:

1. Bring forward the following items for consideration for adoption by exception:

Item 8.3 - Southern Highlands Innovation Park - Progress Update

Item 8.4 - Wingecarribee Integrated Transport Strategy Draft for Public Exhibition

Item 8.5 - Voluntary Planning Agreement for Land at Yarrowa Road Moss Vale Draft for Public Exhibition

Item 9.2 - Community Emissions Action Plan Draft for Public Exhibition

Item 9.3 - Asset Management Policy for Adoption and Asset Management Plans for Public Exhibition

Item 9.4 - Mount Gibraltar Heritage Reserve Plan of Management Draft for Adoption

Item 9.5 - Community and Crown Land Natural Areas (Bushland and Watercourse) Plan of Management Draft for Public Exhibition

Item 9.6 - Compliance and Enforcement Policy Draft for Public Exhibition

Item 9.7 - Council Operations Environment Policy Draft for Public Exhibition

Item 9.8 - Aboriginal and Torres Strait Islander Acknowledgement of Country Policy Draft for Public Exhibition

Item 9.9 - Public Art Policy for Public Exhibition Draft for Public Exhibition

Item 9.10 - Backflow Prevention Policy Draft for Public Exhibition

Item 9.12 - Loan Borrowings Policy Draft for Adoption

Item 9.14 - Wingecarribee Shire Council Biosecurity Weed Control Program Draft for Public Exhibition

Item 9.16 - Emergency Services Levy Reform - Discussion Reform

Item 9.17 - Assets, Premises and Funding of the NSW Rural Fire Service Inquiry - Submission

Item 9.18 - Australia Day 2024 Review and Outdoor Dining Fees Post Exhibition Report

Item 9.19 - Project Reinvigorate - Moss Vale Civic Centre Internal Refurbishment Expression of Interest

Item 9.20 - Culvert Upgrade Works - Priestley Street, Mittagong Tender Evaluation Report

Item 9.21 - Culvert Renewals - Robinson Street, Mittagong Tender Evaluation Report

Item 9.22 - Insurance and Insurance Brokering Services Tender Evaluation Report

Item 9.23 - Land Off Railway Avenue, Colo Vale - Licence for Permitted Use from Transport Asset Holding Entity of NSW

Item 9.24 - Bradman Foundation - Request for Sub-Lease for Kiosk and Approval to Carry Out Works

Item 9.25 - Bundanoon Club Update on the Proposed Lease

Item 9.26 - Part Reservoir at 40 Charles Street, Hill Top - Lease to Amplitel Pty Ltd

Item 9.27 - Part 230 Oxley Drive, Bowral (Lot 3 DP 222145) Council Lease from Telstra Corporation Ltd

Item 9.30 - Investments Report April 2024

Item 9.31 - Minutes of the Canberra Region Joint Organisation Meeting - 1 March 2024

Item 9.32 - Traffic Committee - April 2024 Meeting Minutes

2. Bring forward Item 9.28 Mittagong Road Closures - Post Exhibition Report.

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 15 MAY 2024**

MN 2024/103

MOTION moved by the Administrator

THAT the recommendations contained in the reports for the following items be adopted by exception:

- Item 8.3 - Southern Highlands Innovation Park - Progress Update***
- Item 8.4 - Wingecarribee Integrated Transport Strategy Draft for Public Exhibition***
- Item 8.5 - Voluntary Planning Agreement for Land at Yarrawa Road Moss Vale Draft for Public Exhibition***
- Item 9.2 - Community Emissions Action Plan Draft for Public Exhibition***
- Item 9.3 - Asset Management Policy for Adoption and Asset Management Plans for Public Exhibition***
- Item 9.4 - Mount Gibraltar Heritage Reserve Plan of Management Draft for Adoption***
- Item 9.5 - Community and Crown Land Natural Areas (Bushland and Watercourse) Plan of Management Draft for Public Exhibition***
- Item 9.6 - Compliance and Enforcement Policy Draft for Public Exhibition***
- Item 9.7 - Council Operations Environment Policy Draft for Public Exhibition***
- Item 9.8 - Aboriginal and Torres Strait Islander Acknowledgement of Country Policy Draft for Public Exhibition***
- Item 9.9 - Public Art Policy for Public Exhibition Draft for Public Exhibition***
- Item 9.10 - Backflow Prevention Policy Draft for Public Exhibition***
- Item 9.12 - Loan Borrowings Policy Draft for Adoption***
- Item 9.14 - Wingecarribee Shire Council Biosecurity Weed Control Program Draft for Public Exhibition***
- Item 9.16 - Emergency Services Levy Reform - Discussion Reform***
- Item 9.17 - Assets, Premises and Funding of the NSW Rural Fire Service Inquiry - Submission***
- Item 9.18 - Australia Day 2024 Review and Outdoor Dining Fees Post Exhibition Report***
- Item 9.19 - Project Reinvigorate - Moss Vale Civic Centre Internal Refurbishment Expression of Interest***
- Item 9.20 - Culvert Upgrade Works - Priestley Street, Mittagong Tender Evaluation Report***
- Item 9.21 - Culvert Renewals - Robinson Street, Mittagong Tender Evaluation Report***
- Item 9.22 - Insurance and Insurance Brokering Services Tender Evaluation Report***
- Item 9.23 - Land Off Railway Avenue, Colo Vale - Licence for Permitted Use from Transport Asset Holding Entity of NSW***
- Item 9.24 - Bradman Foundation - Request for Sub-Lease for Kiosk and Approval to Carry Out Works***
- Item 9.25 - Bundanoon Club Update on the Proposed Lease***
- Item 9.26 - Part Reservoir at 40 Charles Street, Hill Top - Lease to Amplitel Pty Ltd***
- Item 9.27 - Part 230 Oxley Drive, Bowral (Lot 3 DP 222145) Council Lease from Telstra Corporation Ltd***
- Item 9.30 - Investments Report April 2024***
- Item 9.31 - Minutes of the Canberra Region Joint Organisation Meeting - 1 March 2024***
- Item 9.32 - Traffic Committee - April 2024 Meeting Minutes***

DECLARED CARRIED BY THE ADMINISTRATOR

REPORT BROUGHT FORWARD - 9.28 Mittagong Road Closures - Post Exhibition Report

OFFICER'S RECOMMENDATION

THAT Council not proceed with the proposed closure and sale of Charles Street, part Thomas Street and part William Street, Mittagong to ensure strategic alignment with the Mittagong Town Centre Masterplan.

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
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The Acting Director Corporate Strategy and Resourcing addressed the meeting.

MN 2024/104

MOTION moved by the Administrator

Council not proceed with the proposed closure and sale of Charles Street, Part Thomas Street and Part William Street, Mittagong until the strategic connectivity implications arising from potential long-term infill development opportunities in Mittagong West are further investigated.

DECLARED CARRIED BY THE ADMINISTRATOR

MN 2024/105

MOTION moved by Administrator

THAT Standing Orders be resumed.

DECLARED CARRIED BY THE ADMINISTRATOR

8 GENERAL MANAGER

8.1 Village Place Plan Program 2024-2026

Report of: Rachel Murray
Strategic Land Use Planner

Authorised by: Deniz Kilic
Executive Manager Strategic Outcomes

OFFICER'S RECOMMENDATION

THAT Council receive and note the proposed Village Place Plan Program 2024-2026.

The Executive Manager Strategic Outcomes addressed the meeting and made the [attached presentation](#).

MN 2024/106

MOTION moved by the Administrator

THAT Council receive and note the proposed Village Place Plan Program 2024-2026.

DECLARED CARRIED BY THE ADMINISTRATOR

8.2 Bowral South New Living Area Master Plan and Servicing Strategy - Project Update

Report of: Garima Mendiratta
Acting Coordinator Strategy and Place

Authorised by: Deniz Kilic
Executive Manager Strategic Outcomes

OFFICER'S RECOMMENDATION

THAT Council note the progress and timeline of Bowral South New Living Area Master Plan and Servicing Strategy project.

The Executive Manager Strategic Outcomes addressed the meeting and made the [attached presentation](#).

MN 2024/107

MOTION moved by the Administrator

THAT Council note the progress and timeline of Bowral South New Living Area Master Plan and Servicing Strategy project.

DECLARED CARRIED BY THE ADMINISTRATOR

8.3 Southern Highlands Innovation Park - Progress Update

Report of: Garima Mendiratta
Acting Coordinator Strategy & Place

Authorised by: Deniz Kilic
Executive Manager Strategic Outcomes

OFFICER'S RECOMMENDATION

THAT Council note the progress of the Southern Highlands Innovation Park Master Plan, Governance Strategy and the Strategic Positioning Paper.

MN 2024/118

This matter was adopted by exception

THAT Council note the progress of Southern Highlands Innovation Park Master Plan, Governance Strategy and the Strategic Positioning Paper.

DECLARED CARRIED BY EXCEPTION

8.4 Wingecarribee Integrated Transport Strategy Draft for Public Exhibition

Report of: Susan Stannard
Coordinator Strategic Policy

Authorised by: Deniz Kilic
Executive Manager Strategic Outcomes

OFFICER'S RECOMMENDATION

THAT the draft Wingecarribee Integrated Transport Strategy and the draft Wingecarribee Car Parking Occupancy Study be endorsed for public exhibition for a period of 28 days and that it be reported back to Council at the completion of the exhibition period.

MN 2024/119

This matter was adopted by exception

MOTION

THAT the draft Wingecarribee Integrated Transport Strategy and the draft Wingecarribee Car Parking Occupancy Study be endorsed for public exhibition for a period of 28 days and that it be reported back to Council at the completion of the exhibition period.

DECLARED CARRIED BY EXCEPTION

8.5 Voluntary Planning Agreement for Land at Yarrowa Road Moss Vale Draft for Public Exhibition

Report of: Susan Stannard
Coordinator Strategic Policy

Authorised by: Deniz Kilic
Executive Manager Strategic Outcomes

OFFICER'S RECOMMENDATION

THAT the draft Voluntary Planning Agreement be placed on public exhibition for a period of 28 days and that a further report be provided to Council at the completion of the public exhibition and independent review process.

MN 2024/120

This matter was adopted by exception

MOTION

THAT the draft Voluntary Planning Agreement be placed on public exhibition for a period of 28 days and that a further report be provided to Council at the completion of the public exhibition and independent review process.

DECLARED CARRIED BY EXCEPTION

9 REPORTS

9.1 Preparation of the Regional Drought Resilience Plan - Update

Report of: **Barry Arthur**
Manager Environment and Sustainability

Authorised by: **Adan Davis**
Director Communities and Place

OFFICER'S RECOMMENDATION

THAT Council:

1. Note the report on the preparation of the Regional Drought Resilience Plan which will cover the Shires of Wingecarribee and Goulburn Mulwaree.
2. Note the presentation provided by Rhelm consultants detailing the goals and stages of preparation of the Regional Drought Resilience Plan.

MN 2024/108

MOTION moved by Administrator

THAT Standing Orders be suspended in order for:

1. *Leo Drynan, Director of Rhelm Consultants, to address Council on Item 9.1 Preparation of the Regional Drought Resilience Plan – Update.*

DECLARED CARRIED BY THE ADMINISTRATOR

Mr Leo Drynan, Director Rhelm Consultants, addressed the meeting and made the [attached presentation](#).

The Manager Environment and Sustainability addressed the meeting.

MN 2024/109

MOTION moved by Administrator

THAT Standing Orders be resumed.

DECLARED CARRIED BY THE ADMINISTRATOR

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
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MN 2024/110

MOTION moved by the Administrator

THAT Council:

- 1. Note the report on the preparation of the Regional Drought Resilience Plan which will cover the Shires of Wingecarribee and Goulburn Mulwaree.*
- 2. Note the presentation provided by Rhelm consultants detailing the goals and stages of preparation of the Regional Drought Resilience Plan.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.2 Community Emissions Action Plan Draft for Public Exhibition

Report of: Karen Thorogood
Coordinator Sustainability Services

Authorised by: Adan Davis
Director Communities and Place

OFFICER'S RECOMMENDATION

THAT:

1. Council endorse the draft Community Emissions Action Plan to be placed on public exhibition for a period of 28 days.
2. A further report be submitted to Council following the conclusion of the public exhibition period.

MN 2024/121

This matter was adopted by exception

MOTION

THAT:

1. *Council endorse the draft Community Emissions Action Plan to be released for public consultation and placed on public exhibition for a four (4) week period to allow opportunity for the community to be informed and provide feedback.*
2. *A further report be presented to Council to consider submissions received during the public exhibition period and the adoption of the Community Emissions Action Plan.*

DECLARED CARRIED EXCEPTION

9.3 Asset Management Policy for Adotion and Asset Management Plans for Public Exhibition

Report of: Shaun Robinson
Manager Assets

Authorised by: Karin Targa
Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT Council:

1. Adopt the updated Asset Management Policy.
2. Endorse the Asset Management Plans to be placed on public exhibition for 28 days and a further report be submitted to Council following the conclusion of the public exhibition period.

MN 2024/122

This matter was adopted by exception

MOTION

THAT Council:

1. Adopt the updated Asset Management Policy.
2. Endorse the Asset Management Plans to be placed on public exhibition for 28 days and a further report be submitted to Council following the conclusion of the public exhibition period.

DECLARED CARRIED BY EXCEPTION

9.4 Mount Gibraltar Heritage Reserve Plan of Management Draft for Adoption

Report of: Shaun Robinson
Manager Assets

Authorised by: Karin Targa
Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT Council:

1. Receive the report prepared by CGM Planning Pty Ltd on the outcomes of the public hearing into the proposed categorisation of Mount Gibraltar Heritage Reserve.
2. Adopt the amended *Plan of Management for Mount Gibraltar Heritage Reserve*.

MN 2024/123

This matter was adopted by exception

MOTION

THAT Council:

1. Receive the report prepared by CGM Planning Pty Ltd on the outcomes of the public hearing into the proposed categorisation of Mount Gibraltar Heritage Reserve.
2. Adopt the amended *Plan of Management for Mount Gibraltar Heritage Reserve*.

DECLARED CARRIED BY EXCEPTION

**9.5 Community and Crown Land Natural Areas (Bushland and Watercourse)
Plan of Management Draft for Public Exhibition**

Report Author: Susan Butler
Recreational Planner

Authoriser: Karin Targa
Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT:

1. The draft Plan of Management for Community and Crown Land (Natural Areas Bushland and Watercourse) be endorsed for public exhibition for a minimum period of 28 days.
2. A further report to Council be submitted following the public exhibition and submission period to outline feedback received prior to the finalisation and adoption of the Plan of Management.
3. During the public exhibition period, a public hearing is conducted as the proposed plan will have effect of categorising Community Land under Section 36(4) of the Local Government Act 1993.

MN 2024/124

This matter was adopted by exception

MOTION

THAT:

1. *The draft Plan of Management for Community and Crown Land (Natural Areas Bushland and Watercourse) be endorsed for public exhibition for a minimum period of 28 days.*
2. *A further report to Council be submitted following the public exhibition and submission period to outline feedback received prior to the finalisation and adoption of the Plan of Management.*
3. *During the public exhibition period, a public hearing is conducted as the proposed plan will have effect of categorising Community Land under Section 36(4) of the Local Government Act 1993.*

DECLARED CARRIED BY EXCEPTION

9.6 Compliance and Enforcement Policy Draft for Public Exhibition

Report of: Jon Shillito
Manager Development Assessment and Regulation

Authorised by: Adan Davis
Director Communities and Place

OFFICER'S RECOMMENDATION

THAT:

1. Council endorse the Draft Compliance and Enforcement Policy to be placed on public exhibition for a period of twenty-eight (28) days.
2. A further report be submitted to Council following the conclusion of the public exhibition period.

MN 2024/125

This matter was adopted by exception

MOTION

THAT:

1. Council endorse the Draft Compliance and Enforcement Policy to be placed on public exhibition for a period of twenty-eight (28) days.
2. A further report be submitted to Council following the conclusion of the public exhibition period.

DECLARED CARRIED BY EXCEPTION

9.7 Council Operations Environment Policy Draft for Public Exhibition

Report of: Barry Arthur
Manager Environment and Sustainability

Authorised by: Adan Davis
Director Communities and Place

OFFICER'S RECOMMENDATION

THAT:

1. Council endorse the updated Council Operations Environment Policy for public exhibition for a period of twenty-eight (28) days.
2. A further report be submitted to Council following the conclusion of the public exhibition period.

MN 2024/126

This matter was adopted by exception

MOTION

THAT:

1. *Council endorse the updated Council Operations Environment Policy for public exhibition for a period of twenty-eight (28) days.*
2. *A further report be submitted to Council following the conclusion of the public exhibition period.*

DECLARED CARRIED BY EXCEPTION

9.8 Aboriginal and Torres Strait Islander Acknowledgment of Country Policy Draft for Public Exhibition

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

Authorised by: Adan Davis
Director Communities and Place

OFFICER'S RECOMMENDATION

THAT:

1. The Draft Aboriginal and Torres Strait Islander Acknowledgement of Country Policy be placed on Public Exhibition for a period of twenty-eight (28) days.
2. A further report be submitted to Council following the conclusion of the public exhibition period.

MN 2024/127

This matter was adopted by exception

MOTION

THAT:

1. *The Draft Aboriginal and Torres Strait Islander Acknowledgement of Country Policy be placed on Public Exhibition for a period of twenty-eight (28) days.*
2. *A further report be submitted to Council following the conclusion of the public exhibition period.*

DECLARED CARRIED BY EXCEPTION

9.9 Public Art Policy Draft for Public Exhibition

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

Authorised by: Adan Davis
Director Communities and Place

OFFICER'S RECOMMENDATION

THAT:

1. The revised Draft Wingecarribee Public Art Policy be placed on public exhibition for a period of twenty-eight (28) days.
2. A further report be submitted to Council following the conclusion of the public exhibition period.

MN 2024/128

This matter was adopted by exception

MOTION

THAT:

1. *The revised Draft Wingecarribee Public Art Policy be placed on public exhibition for a period of twenty-eight (28) days.*
2. *A further report be submitted to Council following the conclusion of the public exhibition period.*

DECLARED CARRIED BY EXCEPTION

9.10 Backflow Prevention Policy Draft for Public Exhibition

Report of: Graeme Mellor
Manager Water Services

Authorised by: Karin Targa
Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT:

1. Council endorse the draft Backflow Prevention Policy for public exhibition for a period of twenty-eight (28) days.
2. A further report be submitted to Council following the conclusion of the public exhibition period.

MN 2024/129

This matter was adopted by exception

MOTION

THAT:

1. Council endorse the draft Backflow Prevention Policy for public exhibition for a period of twenty-eight (28) days.
2. A further report be submitted to Council following the conclusion of the public exhibition period.

DECLARED CARRIED BY EXCEPTION

9.11 Urban Tree Management Policy Draft for Public Exhibition

Report of: Michelle Bulloch
Coordinator Open Spaces and Buildings

Authorised by: Karin Targa
Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT:

1. The Draft Urban Tree Management Policy be placed on Public Exhibition for a period of twenty-eight (28) days.
2. A further report be submitted to Council following the conclusion of the public exhibition period.

The General Manager addressed the meeting

MN 2024/111

MOTION moved by the Administrator

THAT the matter be deferred for further information and review by the General Manager.

DECLARED CARRIED BY THE ADMINISTRATOR

9.12 Loan Borrowings Policy Draft for Adoption

Report of: Damien Jenkins
Deputy Chief Financial Officer

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council adopt the Loan Borrowings Policy.

MN 2024/130

This matter was adopted by exception

MOTION

THAT Council adopt the Loan Borrowings Policy.

DECLARED CARRIED BY EXCEPTION

**9.13 Internal Audit Charter and Audit Risk and Improvement Committee
Terms of Reference Draft for Adoption**

Report of: Danielle Lidgard
Manager Governance and Corporate Performance

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council:

1. Adopt the Audit Risk and Improvement Committee Terms of Reference to come into effect from the 1 July 2024.
2. Adopt the Internal Audit Charter to come into effect from the 1 July 2024.

The Acting Director Corporate Strategy and Resourcing addressed the meeting and noted a correction was required to paragraph 4 on page of 154 of the Agenda. The paragraph should read 'Additionally, the model Terms of Reference includes the provision that the Mayor should attend ARIC as a non-voting observer. This provision has not been included in the new Terms of Reference.' This correction aligns with the Audit Risk and Improvement Terms of Reference proposed for adoption and is consistent with current practices.

MN 2024/112

MOTION moved by the Administrator

THAT Council:

1. Adopt the Audit Risk and Improvement Committee Terms of Reference to come into effect from the 1 July 2024.
2. Adopt the Internal Audit Charter to come into effect from the 1 July 2024.

DECLARED CARRIED BY THE ADMINISTRATOR

9.14 Wingecarribee Shire Council Biosecurity Weed Control Program Draft for Public Exhibition

Report of: Tristan Simpson
Team Leader Bushland and Biosecurity

Authorised by: Adan Davis
Director Communities and Place

OFFICER'S RECOMMENDATION

THAT:

1. Council endorse the Draft Wingecarribee Shire Council Biosecurity Weed Control Program 2024-2029 for public exhibition for a period of twenty-eight (28) days.
2. A further report be submitted to Council following the conclusion of the public exhibition period.

MN 2024/131

This matter was adopted by exception

MOTION

THAT:

1. Council endorse the Draft Wingecarribee Shire Council Biosecurity Weed Control Program 2024-2029 for public exhibition for a period of twenty-eight (28) days.
2. A further report be submitted to Council following the conclusion of the public exhibition period.

DECLARED CARRIED BY EXCEPTION

9.15 Development Assessment Performance

Report of: Jon Shillito
Manager Development Assessment and Regulation

Authorised by: Adan Davis
Director Communities and Place

OFFICER'S RECOMMENDATION

THAT:

1. Council note the implementation of the recommendations from the 'Righting the Wrongs' Review (2021) regarding Development and Regulatory Services, at Attachment 1.
2. Council undertake an expression of interest and procurement of new consultant panels for development assessment experts, including assessment town planners, civil development engineers, stormwater and flooding engineers, traffic engineers, water and sewer engineers, ecologists, bushfire risk assessors, building surveyors, and Land and Environment Court expert planners.
3. A further report on the Development Assessment service function of Council be provided for inclusion in the Administrator's end of term report.

The Director Communities and Place addressed the meeting.

The General Manager tabled the [attached correspondence](#) between the Director Communities and Place and David O'Brien from G.J. Gardner dated 13 May 2024.

The General Manager addressed the meeting.

MN 2024/113

MOTION moved by the Administrator

THAT:

1. Council note the implementation of the recommendations from the 'Righting the Wrongs' Review (2021) regarding Development and Regulatory Services, at Attachment 1.
2. Council undertake an expression of interest and procurement of new consultant panels for development assessment experts, including assessment town planners, civil development engineers, stormwater and flooding engineers, traffic engineers, water and sewer engineers, ecologists, bushfire risk assessors, building surveyors, and Land and Environment Court expert planners.
3. A further report on the Development Assessment service function of Council be provided for inclusion in the Administrator's end of term report.

DECLARED CARRIED BY THE ADMINISTRATOR

9.16 Emergency Services Levy Reform - Discussion Reform

Report of: Damien Jenkins
Deputy Chief Financial Officer

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council endorse the submission to the NSW State Government reforming the Emergency Services Funding System.

MN 2024/132

This matter was adopted by exception

MOTION

THAT Council endorse the submission to the NSW State Government reforming the Emergency Services Funding System.

DECLARED CARRIED BY EXCEPTION

9.17 Assets, Premises and Funding of the NSW Rural Fire Service Inquiry - Submission

Report of: Damien Jenkins
Deputy Chief Financial Officer

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council endorse the proposed submission to the NSW State Government Public Accounts Committee relating to the inquiry into the Assets, Premises and Funding of the NSW Rural Fire Service.

MN 2024/133

This matter was adopted by exception

MOTION

THAT Council endorse the proposed submission to the NSW State Government Public Accounts Committee relating to the inquiry into the Assets, Premises and Funding of the NSW Rural Fire Service.

DECLARED CARRIED BY EXCEPTION

9.18 Australia Day 2024 Review and Outdoor Dining Fees Post Exhibition Report

Report of: Suzanne Hannema
Coordinator Tourism and Events

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council:

1. Note the findings of the outdoor dining survey and uptake results from local businesses.
2. Note that a feedback meeting occurred on Monday 19 February 2024 with the Berrima community and businesses to provide input about the festival.
3. Note the dates for Australia Day 2025 celebrations as Sunday 26 January 2025.
4. Endorse extending activations in Berrima to a 3-day event, over the Australia Day long weekend in 2025 in bringing economic benefits to the local economy.

MN 2024/134

This matter was adopted by exception

MOTION

THAT Council:

1. Note the findings of the outdoor dining survey and uptake results from local businesses.
2. Note that a feedback meeting occurred on Monday 19 February 2024 with the Berrima community and businesses to provide input about the festival.
3. Note the dates for Australia Day 2025 celebrations as Sunday 26 January 2025.
4. Endorse extending activations in Berrima to a 3-day event, over the Australia Day long weekend in 2025 in bringing economic benefits to the local economy.

DECLARED CARRIED BY EXCEPTION

9.19 Project Reinvigorate - Moss Vale Civic Centre Internal Refurbishment Expression of Interest

Report of: Ned Tripkovic
Manager Project Delivery

Authorised by: Karin Targa
Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT:

1. Council undertake a selective tender process in accordance with Clause 168 of the *Local Government (General) Regulation 2005* for Project Reinvigorate – Moss Vale Civic Centre Internal Refurbishment.
2. The following companies who responded to the Expression of Interest (EOI) for Project Reinvigorate - Moss Vale Civic Centre Internal Refurbishment be invited to submit a tender:
 - Barpa Pty Ltd
 - Degnan Constructions Pty Ltd
 - Grindley Interiors Pty Limited
 - INTREC Management (NSW) Pty Ltd
 - Patterson Building Group Pty Limited
 - Stephen Edwards Constructions Pty Ltd
 - Trinity Quality Interiors Pty Ltd

MN 2024/135

This matter was adopted by exception

MOTION

THAT:

1. Council undertake a selective tender process in accordance with Clause 168 of the *Local Government (General) Regulation 2005* for Project Reinvigorate – Moss Vale Civic Centre Internal Refurbishment.
2. The following companies who responded to the Expression of Interest (EOI) for Project Reinvigorate - Moss Vale Civic Centre Internal Refurbishment be invited to submit a tender:
 - Barpa Pty Ltd
 - Degnan Constructions Pty Ltd
 - Grindley Interiors Pty Limited
 - INTREC Management (NSW) Pty Ltd
 - Patterson Building Group Pty Limited
 - Stephen Edwards Constructions Pty Ltd
 - Trinity Quality Interiors Pty Ltd

DECLARED CARRIED BY EXCEPTION

9.20 Culvert Upgrade Works - Priestley Street, Mittagong Tender Evaluation Report

Report of: Ned Tripkovic
Manager Project Delivery

Authorised by: Karin Targa
Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT Council:

- 1. Accept the Tender for RFT T-2024-7 Culvert Upgrade Works at Priestley Street, Mittagong from Western Earthmoving Pty Ltd at a lump sum price of \$750,097.81 (inclusive of GST).**
- 2. Note the tenders received ranged from \$644,373.51 (LOWEST) to \$1,194,889.79 (HIGHEST).**
- 3. Delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.**
- 4. Council approve a reallocation of \$200,000 from the West Mittagong Drainage Masterplan - Option 3 Hood Street and Cook Street project to the Priestly Street Culvert Upgrade Project in the 2023/24 financial year.**
- 5. Council officers continue to seek grant funding through Disaster Recovery Funding Arrangements (DRFA) as an alternate funding source for this project.**

MN 2024/136

This matter was adopted by exception

MOTION

THAT Council:

- 1. Accept the Tender for RFT T-2024-7 Culvert Upgrade Works at Priestley Street, Mittagong from Western Earthmoving Pty Ltd at a lump sum price of \$750,097.81 (inclusive of GST).**
- 2. Note the tenders received ranged from \$644,373.51 (LOWEST) to \$1,194,889.79 (HIGHEST).**
- 3. Delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.**
- 4. Council approve a reallocation of \$200,000 from the West Mittagong Drainage Masterplan - Option 3 Hood Street and Cook Street project to the Priestly Street Culvert Upgrade Project in the 2023/24 financial year.**
- 5. Council officers continue to seek grant funding through Disaster Recovery Funding Arrangements (DRFA) as an alternate funding source for this project.**

DECLARED CARRIED BY EXCEPTION

9.21 Culvert Renewals - Robinson Street, Mittagong Tender Evaluation Report

Report of: Ned Tripkovic
Manager Project Delivery

Authorised by: Karin Targa
Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT Council:

1. Accept the Tender from Lamond Contracting Pty Ltd for RFT T-2024-6 Culvert Renewals in Robinson Street, Mittagong at a lump sum price of \$429,214.50 (inclusive of GST).
2. Note the tenders received ranged from \$429,214.50 (Lowest) to \$1,076,247.37 inclusive of GST (Highest).
3. Delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.

MN 2024/137

This matter was adopted by exception

MOTION

THAT Council:

1. *Accept the Tender from Lamond Contracting Pty Ltd for RFT T-2024-6 Culvert Renewals in Robinson Street, Mittagong at a lump sum price of \$429,214.50 (inclusive of GST).*
2. *Note the tenders received ranged from \$429,214.50 (Lowest) to \$1,076,247.37 inclusive of GST (Highest).*
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 EXCEPTION

9.22 Insurance and Insurance Broking Services Tender Evaluation Report

Report of: Danielle Lidgard
Manager Governance and Corporate Performance

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council:

- 1. Decline to accept any of the Tenders for Council's Insurance and Insurance Broking Services.**
- 2. Continue with its current insurance provider, JLT Risk Solutions Pty Ltd, for the provision of Insurances for the 2024/25 financial year.**
- 3. Commence a new tender process for Insurances coverage in January 2025.**

MN 2024/138

This matter was adopted by exception

MOTION

THAT Council:

- 1. Decline to accept any of the Tenders for Council's Insurance and Insurance Broking Services.**
- 2. Continue with its current insurance provider, JLT Risk Solutions Pty Ltd, for the provision of Insurances for the 2024/25 financial year.**
- 3. Commence a new tender process for Insurances coverage in January 2025.**

DECLARED CARRIED BY EXCEPTION

9.23 Land Off Railway Avenue, Colo Vale - Licence for Permitted Use from Transport Asset Holding Entity of NSW

Report of: Amanda McCullagh
Coordinator Property Services

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council enter into a Licence for Permitted Use with Transport Asset Holding Entity of New South Wales for land off Railway Avenue, Colo Vale being part Lot 5009 DP 1213348 for a period of 10 years.
2. Authority be delegated to the General Manager to negotiate the terms and conditions of the Licence for Permitted Use referred to in item 1 above.
3. Authority be delegated to the Administrator/Mayor and General Manager to execute the Licence for Permitted Use referred to in item 1 above under the Common Seal of Council.
4. Authority be delegated to the General Manager to execute any documents associated with the Licence for Permitted Use referred to in item 1 above not requiring the Common Seal of Council.

MN 2024/139

This matter was adopted by exception

MOTION

THAT:

1. *Council enter into a Licence for Permitted Use with Transport Asset Holding Entity of New South Wales for land off Railway Avenue, Colo Vale being part Lot 5009 DP 1213348 for a period of 10 years.*
2. *Authority be delegated to the General Manager to negotiate the terms and conditions of the Licence for Permitted Use referred to in item 1 above.*
3. *Authority be delegated to the Administrator/Mayor and General Manager to execute the Licence for Permitted Use referred to in item 1 above under the Common Seal of Council.*
4. *Authority be delegated to the General Manager to execute any documents associated with the Licence for Permitted Use referred to in item 1 above not requiring the Common Seal of Council.*

DECLARED CARRIED BY EXCEPTION

9.24 Bradman Foundation - Request for Sub-Lease for Kiosk and Approval to Carry Out Works

Report of: Amanda McCullagh
Coordinator Property Services

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council:

1. Endorse the request by the Bradman Foundation to sublease part Lot 2 in Deposited Plan 1153049 to Nations in a Nutshell Pty Limited ACN 636 625 333.
2. Note the status of the Approvals to Carry Out Works (ATCOW).

MN 2024/140

This matter was adopted by exception

MOTION

THAT Council:

1. *Endorse the request by the Bradman Foundation to sublease part Lot 2 in Deposited Plan 1153049 to Nations in a Nutshell Pty Limited ACN 636 625 333.*
2. *Note the status of the Approvals to Carry Out Works (ATCOW).*

DECLARED CARRIED BY EXCEPTION

9.25 Bundanoon Club Update on the Proposed Lease

Report of: Amanda McCullagh
Coordinator Property Services

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. The General Manager be delegated authority to negotiate the terms and conditions of the Lease with The Bundanoon Club Limited for occupation of part Crown Reserve 67616 (being part Lot 60 in Deposited Plan 909008) at Bundanoon AND THAT it be noted that the total term of the Lease be five (5) years.
2. Council give a minimum 28 days public notice of its intention to enter into the Lease referred to in Item 1 above AND THAT if any objections are received, a further report be forwarded to a future ordinary meeting of Council for determination.
3. If there are no objections received by Council during the period of public notice, the General Manager and Administrator/Mayor be delegated authority to execute under the Common Seal of Council the Lease referred to in Item 1 above.
4. Authority be delegated to the General Manager to execute on behalf of Council any documents associated with the Lease referred to in Item 1 above which does not require the affixing of the Common Seal of Council.

MN 2024/141

This matter was adopted by exception

MOTION

THAT:

1. *The General Manager be delegated authority to negotiate the terms and conditions of the Lease with The Bundanoon Club Limited for occupation of part Crown Reserve 67616 (being part Lot 60 in Deposited Plan 909008) at Bundanoon AND THAT it be noted that the total term of the Lease be five (5) years.*
2. *Council give a minimum 28 days public notice of its intention to enter into the Lease referred to in Item 1 above AND THAT if any objections are received, a further report be forwarded to a future ordinary meeting of Council for determination.*
3. *If there are no objections received by Council during the period of public notice, the General Manager and Administrator/Mayor be delegated authority to execute under the Common Seal of Council the Lease referred to in Item 1 above.*
4. *Authority be delegated to the General Manager to execute on behalf of Council any documents associated with the Lease referred to in Item 1 above which does not require the affixing of the Common Seal of Council.*

DECLARED CARRIED BY EXCEPTION

9.26 Part Reservoir at 40 Charles Street Hill Top - Lease to Amplitel Pty Ltd

Report of: Amanda McCullagh
Coordinator Property Services

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. The General Manager be delegated authority to negotiate the terms and conditions of the Lease with Amplitel Pty Limited for occupation of Council property being part Lot 187 in Deposited Plan 704669 known as Reservoir, 40 Charles Street Hill Top for a further four (4) consecutive five (5) year terms.
2. The General Manager and Administrator/Mayor be delegated authority to execute under the Common Seal of Council the Lease referred to in Item 1 above.
3. Authority be delegated to the General Manager to execute on behalf of Council any documents associated with the Lease referred to in Item 1 above which does not require the affixing of the Common Seal of Council.

MN 2024/142

This matter was adopted by exception

MOTION

THAT:

1. *The General Manager be delegated authority to negotiate the terms and conditions of the Lease with Amplitel Pty Limited for occupation of Council property being part Lot 187 in Deposited Plan 704669 known as Reservoir, 40 Charles Street Hill Top for a further four (4) consecutive five (5) year terms.*
2. *The General Manager and Administrator/Mayor be delegated authority to execute under the Common Seal of Council the Lease referred to in Item 1 above.*
3. *Authority be delegated to the General Manager to execute on behalf of Council any documents associated with the Lease referred to in Item 1 above which does not require the affixing of the Common Seal of Council.*

DECLARED CARRIED BY EXCEPTION

9.27 Part 230 Oxley Drive Bowral (Lot 3 DP 222145) Council Lease from Telstra Corporation Ltd

Report of: **Natasha Woods**
 Property and Project Officer

Authorised by: **Pav Kuzmanovski**
 Acting Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council enter into a Lease with Telstra Corporation Limited for part Lot 3 in Deposited Plan 222145, 230 Oxley Drive, Bowral for a period of five (5) years with three (3) five (5) year options.
2. Authority be delegated to the General Manager to negotiate the terms and conditions of the Lease referred to in Item 1 above.
3. Authority be delegated to the Administrator/Mayor and General Manager to execute the Lease referred to in Item 1 above under the Common Seal of Council.
4. Authority be delegated to the General Manager to execute any documents associated with the Lease referred to in Item 1 above not requiring the Common Seal of Council.

MN 2024/143

This matter was adopted by exception

MOTION

THAT:

1. *Council enter into a Lease with Telstra Corporation Limited for part Lot 3 in Deposited Plan 222145, 230 Oxley Drive, Bowral for a period of five (5) years with three (3) five (5) year options.*
2. *Authority be delegated to the General Manager to negotiate the terms and conditions of the Lease referred to in Item 1 above.*
3. *Authority be delegated to the Administrator/Mayor and General Manager to execute the Lease referred to in Item 1 above under the Common Seal of Council.*
4. *Authority be delegated to the General Manager to execute any documents associated with the Lease referred to in Item 1 above not requiring the Common Seal of Council.*

DECLARED CARRIED BY EXCEPTION

9.28 Mittagong Road Closures - Post Exhibition Report

Report of: Julie-Anne Beardsmore
Property and Project Officer

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council not proceed with the proposed closure and sale of Charles Street, part Thomas Street and part William Street, Mittagong to ensure strategic alignment with the Mittagong Town Centre Masterplan.

REPORT BROUGHT FORWARD SEE ITEM 7.1 ITEMS FOR CONSIDERATION

9.29 Monthly Financial Report - as at 30 April 2024

Report of: Damien Jenkins
Deputy Chief Financial Officer

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council:

1. Receive the monthly financial report for April 2024.
2. Approve the budget adjustments to the 2023/24 Capital Works Program detailed within this report and note that they do not have an impact on the bottom line of the capital works program.
3. Endorse the funding source of Joadja Reserve for the Joadja Heritage Conservation Management Plan for \$118K as outlined in the report, noting the previous funding source of General Revenue.

The Acting Director Corporate Strategy and Resourcing addressed the meeting.

MN 2024/114

MOTION *moved by the Administrator*

THAT Council:

1. *Receive the monthly financial report for April 2024.*
2. *Approve the budget adjustments to the 2023/24 Capital Works Program detailed within this report and note that they do not have an impact on the bottom line of the capital works program.*
3. *Endorse the funding source of Joadja Reserve for the Joadja Heritage Conservation Management Plan for \$118K as outlined in the report, noting the previous funding source of General Revenue.*

DECLARED CARRIED BY THE ADMINISTRATOR

9.30 Investments Report April 2024

Report of: Damien Jenkins
Deputy Chief Financial Officer

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council receive and note this Cash Investment Report as at 30 April 2024.

MN 2024/144

This matter was adopted by exception

MOTION

THAT Council receive and note this Cash Investment Report as at 30 April 2024.

DECLARED CARRIED BY EXCEPTION

9.31 Minutes of the Canberra Region Joint Organisation Meeting - 1 March 2024

Report of: Jessica Kaiser
Executive Assistant to General Manager

Authorised by: Lisa Miscamble
General Manager

OFFICER'S RECOMMENDATION

THAT Council receive and note the minutes and agenda summary from the Canberra Region Joint Organisation meeting of 1 March 2024.

MN 2024/145

This matter was adopted by exception

MOTION

THAT Council receive and note the minutes and agenda summary from the Canberra Region Joint Organisation meeting of 1 March 2024.

DECLARED CARRIED BY EXCEPTION

9.32 Traffic Committee - April 2024 Meeting Minutes

Report of: Elizabeth de Graaf
Administration Officer

Authorised by: Karin Targa
Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT Council receive and note the Minutes of the Out of Session, Local Traffic Committee meetings held on 4 April 2024 and 16 April 2024.

MN 2024/146

This matter was adopted by exception

MOTION

THAT Council receive and note the Minutes of the Out of Session, Local Traffic Committee meetings held on 4 April 2024 and 16 April 2024.

DECLARED CARRIED BY EXCEPTION

10 QUESTIONS TAKEN ON NOTICE

10.1 Question taken on Notice: Commercial Waste Collection Probity Matters

Report Author: Clinton McAlister
Manager Waste and Resource Recovery

Authorised By: Adan Davis
Director Communities and Place

MN 2024/115

MOTION moved by the Administrator

THAT Council receive and note this report.

DECLARED CARRIED BY THE ADMINISTRATOR

10.2 Question taken on Notice: 132 Burradoo Road, Burradoo - Rezoning for Public Purposes in LEP

Report Author: Deniz Kilic
Executive Manager Strategic Outcomes

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

The Director Communities and Place addressed the meeting.

The General Manager addressed the meeting.

MN 2024/116

MOTION moved by the Administrator

That the subject land at 132 Burradoo Road Burradoo being Lot 13 in Deposited Plan 716085 be considered for strategic zoning during the next LEP Review scheduled to commence in the 2024/25 financial year to align with the long-term future of the Bowral STP and such proposed action be included on any Section 10.7(5) Certificate.

DECLARED CARRIED BY THE ADMINISTRATOR

The General Manager addressed the meeting to advise that Adan Davis, Director Communities and Place, is leaving Council. The General Manager thanked Mr Davis for his leadership, level of professionalism, good humour and empathy and his recruitment of a very strong management team to provide a great foundation for an incoming director.

The Administrator addressed the meeting and thanked Mr Davis, noting his professionalism and the way he listened to what residents were saying. He noted Mr Davis was leaving with Council's best wishes.

Mr Davis thanked the General Manager and Administrator. Mr Davis thanked staff at Council and the good people of Wingecarribee Shire for their efforts for collaboration over the past year and a half. He noted that there is a lot that has been done that the community cannot see the benefits of yet but that he had every confidence in the General Manager and the highly competent management team that they have established to achieve great things for the incoming Council and for the Wingecarribee community into the future.

11 MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 4.56PM