

MINUTES

Ordinary Meeting of Council



We're with you

Wednesday, 19 June 2024

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

The meeting commenced at 3:48 PM

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

1	OPENING OF THE MEETING	4
2	ACKNOWLEDGEMENT OF COUNTRY	4
3	STATEMENT OF ETHICAL OBLIGATIONS	4
4	APOLOGIES	5
5	ADOPTION OF MINUTES OF PREVIOUS MEETING	5
6	DECLARATIONS OF INTEREST	5
7	ADMINISTRATOR MINUTES	6
7.1	Administrator Minute 1 - June 2024	6
7.2	Administrator Minute 2 - June 2024	10
8	ITEMS FOR CONSIDERATION BY EXCEPTION	11
9	GENERAL MANAGER	13
9.1	NSW Housing Targets Department Of Planning Housing And Infrastructure	13
9.2	Draft Medium Density Study	14
9.3	Update And Draft Wingecarribee Community Heritage Study 2021-2023 And Independent Peer Review	15
9.4	Councillor Onboarding And Induction Program And Dates	16
10	REPORTS	17
10.1	Conservation Management Plan For Bowral Vietnam War Memorial And Cherry Tree Walk Draft For Public Exhibition	17
10.2	Fraud And Corruption And Statement Of Business Ethics Draft For Adoption	18
10.3	Superannuation For Councillors	19
10.4	Expenses And Facilities For The Mayor And Councillors Policy - Public Exhibition Of Draft Policy	20
10.5	Contaminated Land Policy Draft For Public Exhibition	21
10.6	Farmland Rating Policy For Adoption	22
10.7	Review Of Related Party Disclosures Policy For Adoption	23
10.8	Liquid Trade Waste Policy For Adoption	24

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

10.9 Update Of Water And Wastewater Management Policies For Adoption.....	25
10.10 Governance And Management Of Council's Children Services Policy To Be Rescinded	26
10.11 Audit, Risk And Improvement Committee - Membership	27
10.12 Appointment Of Additional 355 Committee Members	28
10.13 Visitor Economy Advisory Panel	29
10.14 Domestic Waste Management Service Review	30
10.15 Arts Trail Update	32
10.16 Community Circles Funding Agreement	33
10.17 Bowral And Moss Vale Sewerage Treatment Plants Proposed Easement.....	34
10.18 Termination Of Agreement To Lease - Southern Highlands Bridge Club	35
10.19 Write Off Of Excess Water Charge	36
10.20 Investments Report - May 2024	37
10.21 Monthly Financial Report - May 2024	38
10.22 Country Mayor's Meeting - 10 May 2024 Minutes.....	39
10.23 Canberra Region Joint Organisation Meeting - 16 May 2024 Minutes	40
10.24 Traffic Committee - 16 May 2024 Meeting Minutes	41
10.25 Community Reference Panel - 16 May 2024 Meeting Proceedings (Minutes)	42
11 QUESTIONS TAKEN ON NOTICE	43
12 MEETING CLOSURE.....	43

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

MINUTES OF THE ORDINARY MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON WEDNESDAY 19 JUNE 2024 COMMENCING AT 3:30 PM

Present: Administrator Mr Viv May PSM

In Attendance:

General Manager	Ms Lisa Miscamble
Acting Director Corporate Strategy and Resourcing	Mr Pav Kuzmanovski
Acting Director Communities and Place	Mr Clinton McAlister
Director Service and Project Delivery	Ms Karin Targa
Executive Manager Strategic Outcomes	Mr Deniz Kilic
Acting Chief Financial Officer	Mr Damien Jenkins
Manager Governance and Corporate Performance	Ms Danielle Lidgard
Coordinator Governance	Mr Warwick Lawrence
Supervisor ICT Operations	Mr Timothy Voegt
Governance Officer	Ms Michelle Gordon

1 OPENING OF THE MEETING

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

2 ACKNOWLEDGEMENT OF COUNTRY

The Administrator, Mr Viv May PSM acknowledged country:

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

3 STATEMENT OF ETHICAL OBLIGATIONS

“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.

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

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 2024/158

MOTION moved by Administrator

THAT the minutes of the Ordinary Meeting of Council held on 15 May 2024, *MN 2024/100 to MN 2024/146* inclusive, be adopted as a correct record of the proceedings of the meeting.

DECLARED CARRIED BY THE ADMINISTRATOR

MN 2024/159

MOTION moved by Administrator

THAT the minutes of the Extraordinary Meeting of Council held on 29 May 2024, *MN 2024/147 to MN 2024/157* inclusive, be adopted as a correct record of the proceedings of the meeting.

DECLARED CARRIED BY THE ADMINISTRATOR

6 DECLARATIONS OF INTEREST

Nil.

7 ADMINISTRATOR MINUTES

ADMINISTRATOR MINUTE 1

There are a number of matters which I would like to address in this Minute that are of general community interest and I think it important that they be formally reported to Council.

As previously advised, and with the support of the Office of Local Government, Council held four Candidate Information Sessions, the final one being on 12 June 2024. I was very pleased with the content and presenters at all sessions and thank them for making themselves available. A total of 35 potential candidates attended across all sessions and while I initially indicated that I would be naming those who attended and when, it has not proved practical and I do not want to become involved in a potential political issue by not naming some who may have attended.

The content of all sessions is now available on the Council's website – as is a plethora of information relating to the period of Administration including the final report of the Public Inquiry, each day's transcripts and YouTube recordings of the proceedings, together with all reports I commissioned and Administrator Minutes. They can be easily found on either the Administrator Page or Council Election page.

In my presentation to the final session, I raised concerns about the potential of the new Council again entertaining spot rezonings – something that I have a strong view on and that believe led to an adhoc approach in land use planning at the Council.

Council remains committed to strategically-led land use planning practices, which have been adopted in the Wingecarribee Local Housing Strategy 2021 (LHS). This document received considerable community input and is based on statutory requirements that align with the State Governments population and housing projections. Speculative, unsolicited, and un-strategic spot-rezonings should not be supported and closer to the elections I will be calling on candidates to publicly state their position on such matters.

The report on this agenda of the Executive Manager Strategic Outcomes on the NSW Housing Targets clearly indicates that the adopted LHS commits to 6,080 dwellings over the next 30 years balanced between New Living Areas and Infill within existing urban areas (basically 50/50), adequately responds to the State Government's demands. Additionally, it should be noted that this Shire is not generally regarded as a high growth regional area by the State Government.

In partnership with the General Manager (GM) and Council Officers, I have worked hard to return strategic land use planning to the Community and adhoc spot rezonings by developers and advocate planners should be totally rejected – to do otherwise in my view will only damage the wonderful environment – both built and natural that makes Wingecarribee such a special place to live, work or play.

It was very disappointing that the Council's application to the Federal Government under the Growing Regions Program for the Mittagong Playhouse was not successful.

Following the success of the Council's initial Expression of Interest, and subsequent invitation by the Department to submit a detailed application, we were hopeful of an approval and with the cooperation of the Berrima District Historical Society and the Highlands Theatre Group a Development Application has been approved and the project is 'shovel ready'. Council will maintain its allocation of \$4M in the 2024/25 budget and will continue to explore funding opportunities and submit another application under the next funding round - Growing Regions Round 2.

At the May 2024 meeting of Council, consideration was given to the possible closure and sale of roads in Mittagong, where it was subsequently resolved that Council not proceed with the proposed closure and

MINUTES OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 JUNE 2024

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.

At the meeting I agreed to meet with residents, and this happened on Sunday 16 June on site when I was amazed to be told that the owner of lands immediately to the west of the site had prepared a detailed subdivision plan for consideration and residents provided me with an internet link.

It is acknowledged that at the meeting of Council held on 14 July 2021 in adopting the Local Planning Panel's advice not to include 9 Howards Way Mittagong in the Local Housing Strategy, it was resolved that the matter be referred back to the Panel for consideration as a future infill development opportunity for Mittagong.

As indicated earlier in this Minute, Council remains committed to implementing and facilitating Infill and New Living Areas already identified in the adopted Wingecarribee Local Housing Strategy (LHS) 2021. Mittagong West is not identified in the adopted LHS and is therefore not considered for rezoning proposals at this time. Council does not support un-strategic and out-of-sequence rezoning proposals due to the known infrastructure capacity constraints. Parts of Mittagong West may be considered in the longer-term, in the late 2040's or 2050's, once the adopted LHS has been exhausted.

Accordingly, I would recommend that no further action be taken in relation to Council's resolution of 14 July 2021 in relation to 9 Howards Way Mittagong – this is consistent with the original recommendation of the Panel.

On behalf of the residents who attended the meeting, I raised this matter with the General Manager who has indicated that consistent with other like speculative proposals, Council's lawyers will be instructed to write to the landholders requesting that they refrain from making any representations about future residential development proposals on the site that may mislead the community.

When considering the draft Medium Residential Development Controls at a meeting held in February 2023 Council endorsed, inter alia, a recommendation from the Planning Panel that it considers establishing a local design review panel in accordance with the NSW Local Government Design Review Panel manual and report the matter back to Council in due course.

There is an enormous amount of work being undertaken by the Council in relation to land use management in the Shire and development applications generally.

Wingecarribee's Local Planning Panel hosts a broad range of experience and highly respected professionals across several disciplines including architecture, urban design and town planning. The Panel considers, deliberates, and determines Development Applications (DAs) and provides advice on Strategic Planning matters such Land Use Policy and Planning (Rezoning) Proposals. The Panel's advice extends to best-practice architectural outcomes, urban design and assessment of local character. I take the view that a separate design panel would be an unnecessary duplication to the existing practical functions and capabilities of the Panel and recommend no further action be taken on the Council's decision of 15 February 2023 as it an unreasonable administrative load that is not required at this time.

Congratulations are in order to the Council Officers for bringing Bridgerton to Bowral. I am informed that a whopping \$2.4 million more was spent in Bowral alone, this April compared to April 2023 – and this does not include accommodation. At a time where there are acknowledged cost of living issues across the Nation I am confident that retailers – particularly in Bowral would have been pleased with the initiative of the Council Officers. Well done!

MINUTES OF THE ORDINARY MEETING OF COUNCIL WEDNESDAY 19 JUNE 2024

For some time, the Berrima Residents Association (BRA) have been working with Council in relation to the installation of sandstone blocks within the road reserve at Berrima Marketplace. An application for consent for works on Councils road was refused under delegation in mid-May for the installation of a series of hewn sandstone blocks measuring approximately 500 by 500 and in lengths of one metre for a total length of approximately 132 metres around part of the Jellore Street, Bryan Street and Market Street boundaries to the park. The BRA noted that the purpose of the sandstone blocks was to protect the ageing trees, the grass, the park generally and to assist with pedestrian safety in and around the site. It was proposed that the cost of the works (approx. \$20k) would be borne by the BRA. The refusal was based on two heritage reports even though the plan was prepared by a recognised landscape consultancy acknowledging the aesthetic values of the Berrima Marketplace and the Berrima Conservation Area.

An option proposed by the Council Officers, and I understand generally supported by the BRA, allows for the installation of sandstone blocks of a smaller dimension, laid in a similar manner to the existing, it being noted in the second heritage report *'would allow for a sense of continuum to the established treatment along the edges of the marketplace'*. The Heritage Consultant noted however that at this time he could not recommend the above for two reasons:

- Not to obscure or confuse the existing sandstone block edging and distract from its significance with any new work being distinguished as such;
- It is essential that any works do not negatively impact upon the health and vigour of the existing trees.

Following discussions and onsite meetings I take the view that the most practical solution is the installation of sandstone blocks similar to the existing, and recommend that an approval be given by Council, subject to advice from a suitable qualified arborist that there would be no adverse impacts on the existing trees and other matters that may be required by the GM for technical reasons.

I am informed that if it was not for the recent spell of wet and cold weather, Stage 3 of Old South Road, from Alymerton Road to the Old Hume Highway, would now be completed. I am sure many residents would be, like me, in not knowing that unless the ground temperature is 12 degrees, it is not possible to finally seal the road – hopefully this will occur and the road will be re-opened this coming weekend – with only line marking remaining and scheduled within two weeks post seal. There is no question that the work on Old South Road has had its problems and residents have been considerably inconvenienced but I am confident that the outcome will be worthwhile.

The GM has advised that legal proceedings have been initiated against a resident in a criminal prosecution in the Land and Environment Court. The action follows successful class 4 proceedings and will pursue unauthorised building works, the removal of vegetation and landfilling and earthworks that could potentially create environmental harm.

Given the severity and legal opinion of good prospects of securing findings of guilt in relation to the unlawful works, I support the actions of the General Manager to undertake the legal action as a criminal matter, as no one is above the law. Be assured that your Council works tirelessly to protect the environment and coming after the well publicised recent success at Canyonleigh a clear message must be sent to builders, developers and advocate planners that a new page has been turned in relation to such matters at Wingecarribee Shire Council.

Council Officers tell me that the new Application Tracker - One Source of Truth - is now fully operational and is proving a success with residents and applicants alike. In the short time it has been in operation there have been over 9000 views (with 4600 actually viewing an Application) and over 170 now registered to automatically follow an application. It is important for the success of the Application Tracker that public

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

access to development applications is provided in an open and transparent way, without inconvenience to residents and considerable workload on Council Officers.

Finally, the General Manager will be taking leave from Saturday, 6 July 2024 to Sunday, 4 August 2024 and in view of the heavy workloads and the fact that two of the Directors will be very fresh to the organisation, has recommended that an external acting General Manager be appointed for the four weeks and I formally give notice and endorse the General Managers recommendation that Mr Hamish McNulty will be acting General Manager during the period of Ms Miscamble's absence.

MN 2024/160

MOTION *moved by the Administrator*

THAT *Administrator Minute 1 be received and noted and the recommendations contained therein be adopted.*

DECLARED CARRIED BY THE ADMINISTRATOR

ADMINISTRATOR MINUTE 2

There are far too many heavy vehicles going through the CBD's of Mittagong, Bowral, Moss Vale, Robertson and Bundanoon and where possible, action should be taken to make the experience of visiting town centres more enjoyable. At the present time, Council continues to negotiate with the State Government to provide on and off ramps for vehicles travelling on the Hume Motorway at the western end of Mittagong and is still working with the State Government on the Moss Vale Bypass detailed designs, which will make a considerable difference to Argyle Street.

The Moss Vale Bypass is a complex project and the State Government has already allocated \$3.5 million for the design for which we are most appreciative. I'm very pleased to be able to advise today that the staff, in negotiation with Transport for NSW has now obtained an additional \$10.8 million to finalise designs and undertake enabling works (services) for this \$155 million project – the balance remains unfunded and residents may be assured in view of the significance of the project, not only to Argyle Street but access to the Southern Highlands Innovation Park we will continue to lobby for.

Bundanoon does not experience the same levels of heavy vehicles usage as the other three townships. In relation to Robertson, the main street is actually the Illawarra Highway and Council continues in its negotiations with Transport NSW (with the support of the Police) to address the issue of heavy vehicle usage – suggesting Picton Road should be the primary route.

Residents will notice there is work being undertaken in Bong Bong Street Bowral to reduce the speed limit to 40k and this was implemented after consultation with both residents and Council.

With the completion of the works in Station Street, Council engaged a consultant to review the use of Station Street as a possible compulsory heavy vehicle detour. The engineering review has found that all vehicles up to 19m B-Doubles can safely navigate the Station Street/Funston Street route. Vehicles longer than this (like 26m b-doubles), or wider than 5m, will still need to traverse Bong Bong Street – however these are not frequent and currently require a distinct National Heavy Vehicle Regulator (NHVR) approval.

To ensure that heavy vehicles up to 19m use Station Street, I recommend that a request be made to the NSW Department of Transport to place a load limit on Bong Bong Street/Moss Vale Road from Station Street to Funston Street intersections and following the load limit being in place that Council install 'Heavy Vehicle Detour' signage on the approach to Station Street/Funston Street.

In addition to the above, I will be writing to the Superintendent of the Hume District Police seeking support to have this matter actioned as quickly as possible in the interests of safety.

MN 2024/161

MOTION moved by the Administrator

THAT Administrator Minute 2 be received and the recommendation contained therein be adopted.

DECLARED CARRIED BY THE ADMINISTRATOR

8 ITEMS FOR CONSIDERATION BY EXCEPTION

MN 2024/162

MOTION moved by the Administrator

THAT Standing Orders be suspended in order to bring forward the following items for consideration by exception:

Item 10.2 - Fraud And Corruption And Statement Of Business Ethics Draft For Adoption

Item 10.3 - 10.3 Superannuation For Councillors

Item 10.4 - Expenses And Facilities For The Mayor And Councillors Policy - Public Exhibition Of Draft Policy

Item 10.5 - Contaminated Land Policy Draft For Public Exhibition -

Item 10.6 - Farmland Rating Policy For Adoption

Item 10.7 - Review Of Related Party Disclosures Policy For Adoption -

Item 10.8 - Liquid Trade Waste Policy For Adoption

Item 10.9 - Update Of Water And Wastewater Management Policies For Adoption

Item 10.10 - 10 Governance And Management Of Council's Children Services Policy To Be Rescinded

Item 10.15 - Arts Trail Update

Item 10.16 - Community Circles Funding Agreement

Item 10.17 - Bowral And Moss Vale Sewerage Treatment Plants Proposed Easement

Item 10.19 - Write Off Of Excess Water Charge

Item 10.20 - Investments Report - May 2024

Item 10.21 - Monthly Financial Report - May 2024

Item 10.22 - Country Mayor's Meeting - 10 May 2024 Minutes

Item 10.23 - Canberra Region Joint Organisation Meeting - 16 May 2024 Minutes

Item 10.24 - Traffic Committee - 16 May 2024 Meeting Minutes

Item 10.25 - Community Reference Panel - 16 May 2024 Meeting Proceedings (Minutes)

DECLARED CARRIED BY THE ADMINISTRATOR

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

MN 2024/163

MOTION moved by the Administrator

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

Item 10.2 - Fraud And Corruption And Statement Of Business Ethics Draft For Adoption

Item 10.3 - 10.3 Superannuation For Councillors

Item 10.4 - Expenses And Facilities For The Mayor And Councillors Policy - Public Exhibition Of Draft Policy

Item 10.5 - Contaminated Land Policy Draft For Public Exhibition -

Item 10.6 - Farmland Rating Policy For Adoption

Item 10.7 - Review Of Related Party Disclosures Policy For Adoption -

Item 10.8 - Liquid Trade Waste Policy For Adoption

Item 10.9 - Update Of Water And Wastewater Management Policies For Adoption

Item 10.10 - 10 Governance And Management Of Council's Children Services Policy To Be Rescinded

Item 10.15 - Arts Trail Update

Item 10.16 - Community Circles Funding Agreement

Item 10.17 - Bowral And Moss Vale Sewerage Treatment Plants Proposed Easement

Item 10.19 - Write Off Of Excess Water Charge

Item 10.20 - Investments Report - May 2024

Item 10.21 - Monthly Financial Report - May 2024

Item 10.22 - Country Mayor's Meeting - 10 May 2024 Minutes

Item 10.23 - Canberra Region Joint Organisation Meeting - 16 May 2024 Minutes

Item 10.24 - Traffic Committee - 16 May 2024 Meeting Minutes

Item 10.25 - Community Reference Panel - 16 May 2024 Meeting Proceedings (Minutes)

DECLARED CARRIED BY THE ADMINISTRATOR

MN 2024/164

MOTION moved by Administrator

THAT Standing Orders be resumed.

DECLARED CARRIED BY THE ADMINISTRATOR

9 GENERAL MANAGER

9.1 NSW Housing Targets Department of Planning Housing and Infrastructure

Report of: Sarah Farnese
Senior Strategic Planner

Authorised by: Deniz Kilic
Executive Manager Strategic Outcomes

OFFICER'S RECOMMENDATION

THAT Council note the NSW Housing Targets Department of Planning Housing and Infrastructure report.

The Executive Manager Strategic Outcomes introduced the item.

MN 2024/165

MOTION moved by the Administrator

THAT Council note the NSW Housing Targets Department of Planning Housing and Infrastructure report.

DECLARED CARRIED BY THE ADMINISTRATOR

9.2 Draft Medium Density Study

Report of: Rachel Murray
Strategic Land Use Planner

Authorised by: Deniz Kilic
Executive Manager Strategic Outcomes

OFFICER'S RECOMMENDATION

THAT:

- 1. The revised Medium Density Study be adopted.**
- 2. The Post-Exhibition Report be endorsed.**
- 3. The General Manager write to all persons who made a submission through the public exhibition period and advise them of the resolution.**

The Executive Manager Strategic Outcomes introduced the item.

MN 2024/166

MOTION *moved by the Administrator*

THAT:

- 1. The revised Medium Density Study be adopted.***
- 2. The Post-Exhibition Report be endorsed.***
- 3. The General Manager write to all persons who made a submission through the public exhibition period and advise them of the resolution.***

DECLARED CARRIED BY THE ADMINISTRATOR

9.3 Update and Draft Wingecarribee Community Heritage Study 2021-2023 and Independent Peer Review

Report of: Susan Stannard
Coordinator Strategic Policy

Authorised by: Deniz Kilic
Executive Manager Strategic Outcomes

OFFICER'S RECOMMENDATION

THAT

1. Council receive and note the Update and Draft Wingecarribee Community Heritage Study 2021-2023 and Independent Peer Review report.
2. A further report be submitted to Council following consideration by the Local Planning Panel.

The Executive Manager Strategic Outcomes introduced the item.

MN 2024/167

MOTION moved by the Administrator

THAT :

1. Council receive and note the Update and Draft Wingecarribee Community Heritage Study 2021-2023 and Independent Peer Review report.
2. A further report be submitted to Council following consideration by the Local Planning Panel.
3. It be noted that the staff advised that the recommendation to the panel in relation to the peer review will be that the proposed Berrima Landscape Conservation Area North and South Extensions and proposed Exeter/Sutton Forest Landscape Conservation Area be deferred for further investigations and separate consultations by June 2025.

DECLARED CARRIED BY THE ADMINISTRATOR

9.4 Councillor Onboarding and Induction Program and Dates

Report of: Lisa Miscamble
General Manager

Authorised by: Lisa Miscamble
General Manager

OFFICER'S RECOMMENDATION

THAT:

1. Council note the Councillor Onboarding and Induction Program.
2. Following the closure of Candidate registrations with the NSW Electoral Commission on 14 August 2024, that General Manager write to all registered candidates advising of the Induction and Onboarding Program key dates.

The General Manager introduced the item.

MN 2024/168

MOTION *moved by the Administrator*

THAT:

1. *Council note the Councillor Onboarding and Induction Program.*
2. *Following the closure of Candidate registrations with the NSW Electoral Commission on 14 August 2024, that General Manager write to all registered candidates advising of the Induction and Onboarding Program key dates.*

DECLARED CARRIED BY THE ADMINISTRATOR

10 REPORTS

10.1 Conservation Management Plan for Bowral Vietnam War Memorial and Cherry Tree Walk Draft for Public Exhibition

Report of: Michael Hamilton
Recreation Planner

Authorised by: Karin Targa
Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT:

1. Council endorse the Draft Conservation Management Plan for the Vietnam War Memorial and Cherry Tree Walk to be placed on public exhibition for 28 days.
2. A further report be submitted to Council following the conclusion of the public exhibition period.

The General Manager tabled the attached correspondence.

[Tabled Item 10.1 Conservation Management Plan For Bowral Vietnam War Memorial And Cherry Tree Walk Draft For Public Exhibition – G and P Tooth Email 1 of 2](#)

[Tabled Item 10.1 Conservation Management Plan For Bowral Vietnam War Memorial And Cherry Tree Walk Draft For Public Exhibition – G and P Tooth Email 2 of 2](#)

The Director Service and Project Delivery introduced the item.

MN 2024/169

MOTION moved by the Administrator

THAT:

1. Council endorse the Draft Conservation Management Plan for the Vietnam War Memorial and Cherry Tree Walk to be placed on public exhibition for 28 days.
2. A further report be submitted to Council following the conclusion of the public exhibition period.

DECLARED CARRIED BY THE ADMINISTRATOR

10.2 Fraud and Corruption and Statement of Business Ethics 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 adopt the Fraud and Corruption Prevention Policy (Attachment 1) and Statement of Business Ethics (Attachment 2).

MN 2024/173

MOTION

THAT Council adopt the Fraud and Corruption Prevention Policy (Attachment 1) and Statement of Business Ethics (Attachment 2).

DECLARED CARRIED BY EXCEPTION

10.3 Superannuation for Councillors

Report of: Damien Jenkins
Acting Chief Financial Officer

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council endorse superannuation to be paid to the incoming Councillors in accordance with section 254B of the *Local Government Act 1993*.

MN 2024/174

MOTION

THAT Council endorse superannuation to be paid to the incoming Councillors in accordance with section 254B of the *Local Government Act 1993*.

DECLARED CARRIED BY EXCEPTION

**10.4 Expenses and Facilities for the Mayor and Councillors Policy - Public
Exhibition of Draft Policy**

Report of: Warwick Lawrence
Coordinator Governance

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council endorse the Draft Expenses and Facilities for the Mayor and Councillors Policy, as amended and place it on public exhibition for 28 days.
2. A further report be presented to Council at the end of the exhibition period to consider any submissions received.

MN 2024/175

MOTION

THAT:

1. Council endorse the Draft Expenses and Facilities for the Mayor and Councillors Policy, as amended and place it on public exhibition for 28 days.
2. A further report be presented to Council at the end of the exhibition period to consider any submissions received.

DECLARED CARRIED BY EXCEPTION

10.5 Contaminated Land Policy Draft for Public Exhibition

Report of: Barry Arthur
Manager Environment and Sustainability

Authorised by: Clinton McAlister
Acting Director Communities and Place

OFFICER'S RECOMMENDATION

THAT:

1. Council endorse the amended Draft Contaminated Land Policy, as set out in attachment 1, for 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 2024/176

MOTION

THAT:

1. Council endorse the amended Draft Contaminated Land Policy, as set out in attachment 1, for public exhibition for a period of 28 days.
2. A further report be submitted to Council following the conclusion of the public exhibition period.

DECLARED CARRIED BY EXCEPTION

10.6 Farmland Rating Policy for Adoption

Report of: David Grima
Coordinator Revenue

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council notes the feedback provided during the public exhibition period.
2. A further report on the Draft Farmland Policy be presented at the November 2024 Council meeting with the outcomes of consultation, noting the complex matters that were raised during the public exhibition period.

MN 2024/177

MOTION

THAT:

1. *Council notes the feedback provided during the public exhibition period.*
2. *A further report on the Draft Farmland Policy be presented at the November 2024 Council meeting with the outcomes of consultation, noting the complex matters that were raised during the public exhibition period.*

DECLARED CARRIED BY EXCEPTION

10.7 Review of Related Party Disclosures Policy for Adoption

Report of: Damien Jenkins
Acting Chief Financial Officer

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT the Related Party Disclosures Policy be adopted by Council, noting the minor updates outlined in the report.

MN 2024/178

MOTION

THAT the Related Party Disclosures Policy be adopted by Council, noting the minor updates outlined in the report.

DECLARED CARRIED BY EXCEPTION

10.8 Liquid Trade Waste Policy for Adoption

Report of: Graeme Mellor
Manager Water Services

Authorised by: Karin Targa
Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT Council adopt the reviewed Liquid Trade Waste policy having been on public exhibition for the required 28 days.

MN 2024/179

MOTION

THAT Council adopt the reviewed Liquid Trade Waste policy having been on public exhibition for the required 28 days.

DECLARED CARRIED BY EXCEPTION

10.9 Update of Water and Wastewater Management Policies for Adoption

Report of: Tim Bell
Coordinator Water Assets

Authorised by: Karin Targa
Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT Council adopt the updated water and wastewater policies:

- 1. Low water supply pressure rebate**
- 2. Pressure Sewer System (PSS)**
- 3. Provision of Water and Wastewater Services: Developments**
- 4. Provision of Water and Wastewater Services: Existing Lots**

MN 2024/180

MOTION

THAT Council adopt the updated water and wastewater policies:

- 1. Low water supply pressure rebate**
- 2. Pressure Sewer System (PSS)**
- 3. Provision of Water and Wastewater Services: Developments**
- 4. Provision of Water and Wastewater Services: Existing Lots**

DECLARED CARRIED BY EXCEPTION

10.10 Governance and Management of Council's Children Services Policy to be Rescinded

Report of: James Borbone
Acting Manager Business and Property Services

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council rescind the existing Governance and Management of Council's Children Services Policy.

MN 2024/181

MOTION

THAT Council rescind the existing Governance and Management of Council's Children Services Policy.

DECLARED CARRIED BY EXCEPTION

10.11 Audit, Risk and Improvement Committee - Membership

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. Reappoint Mr Stephen Horne as Chair of the Audit, Risk and Improvement Committee for a further four-year term, 1 September 2024 – 31 August 2028.
2. Reappoint Mr Mark McCoy as an independent member of the Audit, Risk and Improvement Committee for a further three-year term, 1 September 2024 – 31 August 2027.
3. Reappoint Mr Michael Quirk as an independent member of the Audit, Risk and Improvement Committee for a further two-year term, 1 September 2024 – 31 August 2026.
4. Reappoint Ms Simone Schwarz as an independent member of the Audit, Risk and Improvement Committee for a further one-year term, 1 September 2024 – 31 August 2025.
5. Endorse the remuneration fee of \$23,508.85 (excluding GST) per annual payable to the Chair for 2024/25 and then indexed by the rate peg annually.
6. Endorse the remuneration fee of \$2,350.45 (excluding GST) per meeting to independent committee members for 2024/25 and then indexed in July each year by the rate peg.

The Acting Director Corporate Strategy and Resourcing introduced the item.

MN 2024/182

MOTION moved by the Administrator

THAT Council:

1. *Reappoint Mr Stephen Horne as Chair of the Audit, Risk and Improvement Committee for a further four-year term, 1 September 2024 – 31 August 2028.*
2. *Reappoint Mr Mark McCoy as an independent member of the Audit, Risk and Improvement Committee for a further three-year term, 1 September 2024 – 31 August 2027.*
3. *Reappoint Mr Michael Quirk as an independent member of the Audit, Risk and Improvement Committee for a further two-year term, 1 September 2024 – 31 August 2026.*
4. *Reappoint Ms Simone Schwarz as an independent member of the Audit, Risk and Improvement Committee for a further one-year term, 1 September 2024 – 31 August 2025.*
5. *Endorse the remuneration fee of \$23,508.85 (excluding GST) per annual payable to the Chair for 2024/25 and then indexed by the rate peg annually.*
6. *Endorse the remuneration fee of \$2350.45 (excluding GST) per meeting to independent committee members for 2024/25 and then indexed by the rate peg annually.*

DECLARED CARRIED BY THE ADMINISTRATOR

10.12 Appointment of Additional 355 Committee Members

Report of: Julianne Billington
Project Business Analyst

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council appoints the following nominees to the respective 355 Management Committees:
 - a. Narelle Bower be appointed to the Bong Bong Common Management Committee.
 - b. Georgina Pryke be appointed to the Exeter Hall Management Committee.
 - c. Bronwyn Miller be appointed to the Mittagong Memorial Hall Management Committee
2. Council writes to each elected 355 Management Committee Member to congratulate them on their appointment and to all outgoing committee members to thank them for their service to the community.

The Acting Director Corporate Strategy and Resourcing addressed the meeting.

The General Manager addressed the meeting.

MN 2024/183

MOTION moved by the Administrator

THAT:

1. Council appoints the following nominees to the respective 355 Management Committees:
 - a. Narelle Bower be appointed to the Bong Bong Common Management Committee.
 - b. Georgina Pryke be appointed to the Exeter Hall Management Committee.
 - c. Bronwyn Miller be appointed to the Mittagong Memorial Hall Management Committee
2. Council writes to each elected 355 Management Committee Member to congratulate them on their appointment and to all outgoing committee members to thank them for their service to the community.

DECLARED CARRIED BY THE ADMINISTRATOR

10.13 Visitor Economy Advisory Panel

Report of: James Borbone
Acting Manager Business and Property Services

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council:

1. Endorse the following individuals to form the Visitors Economy Advisory Panel:
 - a. Stefano Marvella
 - b. Nathan Ponder
 - c. Max Mason
 - d. Kellie Stapleton
 - e. Ally Seymour
 - f. Amanda Fry
 - g. Natalie Dare
 - h. Ben Shephard
 - i. Richard Sainsbury

2. Note the first VEAP meeting will be schedule in July 2024.

The General Manager addressed the meeting to advise that Council has received two emails, one from Mr Jeffrey Aston one from Ms Bridget Kennedy which will not be tabled as they contain potentially defamatory comments. The General Manager noted that these comments do not relate to Council staff.

The Acting Director Corporate Strategy and Resourcing introduced the item.

MN 2024/184

MOTION moved by the Administrator

THAT Council defer the matter to the 26 June 2024 Extraordinary Meeting of Council.

DECLARED CARRIED BY THE ADMINISTRATOR

MN 2024/170

MOTION moved by Administrator

Standing Orders were suspended in order to consider Item 10.14 Domestic Waste Management Service Review immediately following Item 10.1 Conservation Management Plan for Bowral Vietnam War Memorial and Cherry Tree Walk Draft for Public Exhibition.

DECLARED CARRIED BY THE ADMINISTRATOR

10.14 Domestic Waste Management Service Review

Report of: Imogen Baker
Acting Manager Waste and Resource Management

Authorised by: Clinton McAlister
Acting Director Communities and Place

OFFICER'S RECOMMENDATION

THAT Council:

- 1. Endorse the application of a Domestic Waste Management Services Charge to properties where a service is available and contain a residence.**
- 2. Endorse the application of the Vacant Land Charge to all properties where a service is available, rated residential and do not contain a residence.**
- 3. Commit to ongoing assessments and analysis of potential service areas, aiming to extend domestic waste services to all unserved residents across the shire, enhancing our waste management efficiency and environmental sustainability.**

The Acting Director Communities and Place introduced the item.

MN 2024/171

MOTION moved by the Administrator

THAT Council:

- 1. Endorse the application of a Domestic Waste Management Services Charge to properties where a service is available and contain a residence.**
 - 2. Endorse the application of the Vacant Land Charge to all properties where a service is available, rated residential and do not contain a residence.**
 - 3. Commit to ongoing assessments and analysis of potential service areas, aiming to extend**
-

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 JUNE 2024**

domestic waste services to all unserved residents across the shire, enhancing our waste management efficiency and environmental sustainability.

- 4. The General Manager continue to work with Highlands Tip Trips in relation to stages 2 and 3 on the understanding that Council has statutory obligations.*

DECLARED CARRIED BY THE ADMINISTRATOR

MN 2024/172

MOTION moved by Administrator

THAT Standing Orders be resumed.

DECLARED CARRIED BY THE ADMINISTRATOR

10.15 Arts Trail Update

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 outcomes of the 2023 Arts Trail event and the dates for Arts Trail 2024 being set as November 9-10 and November 16-17.
2. A further report be provided to Council at the February 2025 Council Meeting on the outcomes of the 2024 Arts Trail event.

MN 2024/185

MOTION

THAT Council:

1. Note the outcomes of the 2023 Arts Trail event and the dates for Arts Trail 2024 being set as November 9-10 and November 16-17.
2. A further report be provided to Council at the February 2025 Council Meeting on the outcomes of the 2024 Arts Trail event.

DECLARED CARRIED BY EXCEPTION

10.16 Community Circles Funding Agreement

Report of: Corinne Buxton
Coordinator Community Development

Authorised by: Clinton McAlister
Acting Director Communities and Place

OFFICER'S RECOMMENDATION

THAT:

1. Council commit payment of \$15,000 from the Community Life and Library 2023/2024 budget to Touched by Olivia Foundation for the continuation of Community Circles in Wingecarribee Shire.
2. The proposed funding agreement be placed on public notice for a period of twenty-eight (28) days.
3. Council extend the current Memorandum of Understanding (MoU) with the Touched by Olivia Foundation until 31 December 2024.

MN 2024/186

MOTION

THAT:

1. Council commit payment of \$15,000 from the Community Life and Library 2023/2024 budget to Touched by Olivia Foundation for the continuation of Community Circles in Wingecarribee Shire.
2. The proposed funding agreement be placed on public notice for a period of twenty-eight (28) days.
3. Council extend the current Memorandum of Understanding (MoU) with the Touched by Olivia Foundation until 31 December 2024.

DECLARED CARRIED BY EXCEPTION

10.17 Bowral and Moss Vale Sewerage Treatment Plants Proposed Easement

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

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

OFFICER'S RECOMMENDATION

THAT:

1. Council affix the Common Seal of Council to any document required to be sealed in respect of the registration of Easement for Underground Cables and Padmount Station over the Council properties known as 'Bowral Sewerage Treatment Plant' Lot 2 in Deposited Plan 1119953, Burradoo Road, Burradoo and 'Moss Vale Sewerage Treatment Plant' Lot 2 in Deposited Plan 187926, 27B Kennedy Close, Moss Vale AND THAT authority be delegated to the General Manager and the Administrator/Mayor to execute those documents.
2. Authority be delegated to the General Manager to execute on behalf of Council any documents associated with the Easement for Underground Cables and Padmount Station referred to in Item 1 above not requiring affixing of the Common Seal of Council.

MN 2024/187

MOTION

THAT:

1. *Council affix the Common Seal of Council to any document required to be sealed in respect of the registration of Easement for Underground Cables and Padmount Station over the Council properties known as 'Bowral Sewerage Treatment Plant' Lot 2 in Deposited Plan 1119953, Burradoo Road Burradoo and 'Moss Vale Sewerage Treatment Plant' Lot 2 in Deposited Plan 187926, 27B Kennedy Close Moss Vale AND THAT authority be delegated to the General Manager and the Administrator/Mayor to execute those documents.*
2. *Authority be delegated to the General Manager to execute on behalf of Council any documents associated with the Easement for Underground Cables and Padmount Station referred to in Item 1 above not requiring affixing of the Common Seal of Council.*

DECLARED CARRIED BY EXCEPTION

10.18 Termination of Agreement to Lease - Southern Highlands Bridge Club

Report of: Amanda McCullagh
Coordinator Property Services

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council note the update provided in the Termination of Agreement to Lease - Southern Highlands Bridge Club report.

The Acting Director Corporate Strategy and Resourcing introduced the item.

MN 2024/188

MOTION *moved by the Administrator*

THAT Council note the update provided in the Termination of Agreement to Lease - Southern Highlands Bridge Club report **AND THAT** subject to the completion of the termination of agreement to lease being executed to the satisfaction of the General Manager by 30 June 2024 the General Manager be authorised to reimburse the Club \$25,032.00.

DECLARED CARRIED BY THE ADMINISTRATOR

10.19 Write Off of Excess Water Charge

Report of: David Grima
Coordinator Revenue

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Confidential Attachment 1 to this report be withheld from access to the media and public as required by section 11(3) of the Local Government Act 1993 as Confidential Attachment 1 includes information that is confidential in accordance with s10A(2)(b) of the Local Government Act 1993 as it relates to the personal hardship of a resident or ratepayer.
2. Council write off the water usage charge of \$3,358.91 included in the notice issued for the 3rd billing period of the 2022/2023 year in accordance with section 213(5)(a) of the Local Government (General) Regulation 2021.
3. Council increase the delegation of the General Manager to write off debts from \$1,500.00 to \$5,000.00, noting that any debt amounts above \$5,000 will need to be written off by Council.

MN 2024/189

MOTION

THAT:

1. Confidential Attachment 1 to this report be withheld from access to the media and public as required by section 11(3) of the Local Government Act 1993 as Confidential Attachment 1 includes information that is confidential in accordance with s10A(2)(b) of the Local Government Act 1993 as it relates to the personal hardship of a resident or ratepayer.
2. Council write off the water usage charge of \$3,358.91 included in the notice issued for the 3rd billing period of the 2022/2023 year in accordance with section 213(5)(a) of the Local Government (General) Regulation 2021.
3. Council increase the delegation of the General Manager to write off debts from \$1,500.00 to \$5,000.00, noting that any debt amounts above \$5,000 will need to be written off by Council.

DECLARED CARRIED BY EXCEPTION

10.20 Investments Report - May 2024

Report of: Damien Jenkins
Acting Chief Financial Officer

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council:

1. Receive and note this Cash Investment Report as at 31 May 2024.
2. Adopt the Cash Investment Policy noting the minor changes made to the Policy outlined in the report.

MN 2024/190

MOTION

THAT Council:

1. *Receive and note this Cash Investment Report as at 31 May 2024.*
2. *Adopt the Cash Investment Policy noting the minor changes made to the Policy outlined in the report.*

DECLARED CARRIED BY EXCEPTION

10.21 Monthly Financial Report - May 2024

Report of: Damien Jenkins
Acting Chief Financial Officer

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council receive the monthly financial report for May 2024.

MN 2024/191

MOTION

THAT Council receive the monthly financial report for May 2024.

DECLARED CARRIED BY EXCEPTION

10.22 Country Mayor's Meeting - 10 May 2024 Minutes

Report of: Lisa Miscamble
General Manager

Authorised by: Lisa Miscamble
General Manager

OFFICER'S RECOMMENDATION

THAT Council receive and note the Minutes of the Country Mayors Association meeting.

MN 2024/192

MOTION

THAT Council receive and note the Minutes of the Country Mayors Association meeting.

DECLARED CARRIED BY EXCEPTION

10.23 Canberra Region Joint Organisation Meeting - 16 May 2024 Minutes

Report of: **Lisa Miscamble**
 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 16 May 2024.

MN 2024/193

MOTION *moved by the Administrator*

THAT Council receive and note the Minutes and Agenda Summary from the Canberra Region Joint Organisation meeting of 16 May 2024.

DECLARED CARRIED BY EXCEPTION

10.24 Traffic Committee - 16 May 2024 Meeting Minutes

Report of: Elizabeth de Graaf
Administration Officer

Authorised by: Shaun Robinson
Manager Assets

OFFICER'S RECOMMENDATION

1. THAT Council adopts the following recommendations:

TC 2024/33 - Item 6.7 Proposed Pedestrian Crossing – Lackey Road, Moss Vale

TC 2024/34 – Item 6.8 Railway Avenue, Wingello – Removal of Pedestrian Refuge

TC 2024/35 – Item 6.9 Access road arrangements for 6 Lot subdivision at 267 Bundanoon Rd, Exeter

TC 2024/36 – Item 6.10 Traffic arrangements for proposed development on Sally's Corner Rd, Sutton Forest

2. THAT Council receive and note the Minutes of the Traffic Committee meeting held on Thursday 16 May 2024.

MN 2024/194

MOTION

1. THAT Council adopts the following recommendations:

TC 2024/33 - Item 6.7 Proposed Pedestrian Crossing – Lackey Road, Moss Vale

TC 2024/34 – Item 6.8 Railway Avenue, Wingello – Removal of Pedestrian Refuge

TC 2024/35 – Item 6.9 Access road arrangements for 6 Lot subdivision at 267 Bundanoon Rd, Exeter

TC 2024/36 – Item 6.10 Traffic arrangements for proposed development on Sally's Corner Rd, Sutton Forest

2. THAT Council receive and note the Minutes of the Traffic Committee meeting held on Thursday 16 May 2024.

DECLARED CARRIED BY EXCEPTION

**10.25 Community Reference Panel - 16 May 2024 Meeting Proceedings
(Minutes)**

Report of: Danielle Lidgard
Manager Governance and Corporate Performance

Authorised by: Pav Kuzmanovski
Acting Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council note the meeting proceedings (minutes) from the Community Reference Panel meeting held on 16 May 2024.

MN 2024/195

MOTION

THAT Council note the meeting proceedings (minutes) from the Community Reference Panel meeting held on 16 May 2024.

DECLARED CARRIED BY EXCEPTION

11 QUESTIONS TAKEN ON NOTICE

Nil.

12 MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 5:00 PM