

# MINUTES

## Extraordinary Meeting of Council



*We're with you*

Wednesday, 29 May 2024

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

The meeting commenced at 6.00 PM

**MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL  
WEDNESDAY 29 MAY 2024**

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<b>1</b>	<b>OPENING OF THE MEETING</b> .....	<b>3</b>
<b>2</b>	<b>ACKNOWLEDGEMENT OF COUNTRY</b> .....	<b>3</b>
<b>3</b>	<b>STATEMENT OF ETHICAL OBLIGATIONS</b> .....	<b>3</b>
<b>4</b>	<b>APOLOGIES</b> .....	<b>4</b>
<b>5</b>	<b>DECLARATIONS OF INTEREST</b> .....	<b>4</b>
<b>6</b>	<b>ADMINISTRATOR MINUTE</b> .....	<b>5</b>
<b>7</b>	<b>GENERAL MANAGER</b> .....	<b>5</b>
<b>7.1</b>	<b>ITEMS FOR CONSIDERATION BY EXCEPTION</b> .....	<b>5</b>
<b>8</b>	<b>REPORTS</b> .....	<b>6</b>
	8.1 Urban Tree Management Policy Deferral Of Revision .....	6
	8.2 CCTV And Portable Surveillance Cameras In Public Places Policy - Draft For Public Exhibition .....	7
	8.3 Cenotaphs And War Memorials (Protected Places) Security And Protection Policy - Draft For Public Exhibition .....	8
	8.4 Code Of Meeting Practice Review - Draft For Adoption.....	10
	8.5 Local Government Remuneration Tribunal Annual Fees Payable To Mayor And Councillors For 2024/2025 .....	12
	8.6 Federal Inquiry Into Local Government Sustainability Submission & IPART Council Reference Group Nomination.....	13
<b>9</b>	<b>MEETING CLOSURE</b> .....	<b>15</b>

**MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL  
WEDNESDAY 29 MAY 2024**

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**MINUTES OF THE EXTRAORDINARY MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN  
COUNCIL CHAMBERS, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON WEDNESDAY 29  
MAY 2024 COMMENCING AT 6:00 PM**

<b>Present:</b>	Administrator	Mr Viv May PSM
<b>In Attendance:</b>	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
	Manager Governance and Corporate Performance	Ms Danielle Lidgard
	Deputy Chief Financial Officer	Mr Damien Jenkins
	Supervisor ICT Operations	Mr Timothy Voegt
	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, Mr Viv May, PSM 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 DECLARATIONS OF INTEREST**

The Administrator, Vivian May, declared a non significant, non-pecuniary interest in Item 8.5 Local Government Remuneration Tribunal Annual Fees Payable to Mayor and Councillors as he is the Local Government Remuneration Tribunal . The Administrator fee is unrelated and fixed by the Minister for Local Government on 12 March 2021.

The Administrator was not absent from the Chambers for consideration of that item.

**6 ADMINISTRATOR MINUTE**  
**7 GENERAL MANAGER**

**7.1 ITEMS FOR CONSIDERATION BY EXCEPTION**

*MN 2024/147*

**MOTION** moved by Administrator

**THAT:**

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

*Item 8.2 - CCTV and Portable Surveillance Cameras in Public Places Policy - Draft for Public Exhibition*

*Item 8.5 - Local Government Remuneration Tribunal Annual Fees Payable to Mayor and Councillors for 2024/2025*

*Item 8.6 - Federal Inquiry into Local Government Sustainability Submission & IPART Council Reference Group Nomination*

**DECLARED CARRIED BY THE ADMINISTRATOR**

*MN 2024/148*

**MOTION** moved by the Administrator

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

*Item 8.2 - CCTV and Portable Surveillance Cameras in Public Places Policy - Draft for Public Exhibition*

*Item 8.5 - Local Government Remuneration Tribunal Annual Fees Payable to Mayor and Councillors for 2024/2025*

*Item 8.6 - Federal Inquiry into Local Government Sustainability Submission & IPART Council Reference Group Nomination*

**DECLARED CARRIED BY THE ADMINISTRATOR**

*MN 2024/149*

**MOTION** moved by Administrator

**THAT** Standing Orders be resumed.

**DECLARED CARRIED BY THE ADMINISTRATOR**

## 8 REPORTS

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### 8.1 Urban Tree Management Policy Deferral of Revision

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**Report of:** Michelle Bulloch  
Coordinator Open Spaces and Buildings

**Authorised by:** Karin Targa  
Director Service and Project Delivery

#### OFFICER'S RECOMMENDATION

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**THAT** Council defer updating the Urban Tree Management Policy until a comprehensive set of plans for holistic tree management across the Shire have been developed.

*MN 2024/150*

**MOTION** moved by the Administrator

***THAT*** the Officer's recommendation be adopted, it being noted that it is the intention of Council within the timeline outlined in the report to develop a Tree Preservation Order to integrate into the Wingecarribee Local Environmental Plan.

**DECLARED CARRIED BY THE ADMINISTRATOR**

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## **8.2 CCTV and Portable Surveillance Cameras in Public Places Policy - Draft for Public Exhibition**

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

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

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### **OFFICER'S RECOMMENDATION**

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**THAT:**

1. Council endorse the CCTV and Portable Surveillance Cameras in Public Places Draft Policy for public exhibition for a period of twenty-eight (28) days.
2. Council revoke the Portable Surveillance Cameras Code of Practice as outlined in the report.
3. Council revoke the CCTV Code of Practice as outlined in the report.
4. A further report be submitted to Council following the conclusion of the public exhibition period.

*MN 2024/155*

*This matter was adopted by exception*

**MOTION**

**THAT:**

1. *Council endorse the CCTV and Portable Surveillance Cameras in Public Places Draft Policy for public exhibition for a period of twenty-eight (28) days.*
2. *Council revoke the Portable Surveillance Cameras Code of Practice as outlined in the report.*
3. *Council revoke the CCTV Code of Practice as outlined in the report.*
4. *A further report be submitted to Council following the conclusion of the public exhibition period.*

**DECLARED CARRIED BY EXCEPTION**

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**8.3 Cenotaphs and War Memorials (Protected Places) Security and Protection Policy - Draft for Public Exhibition**

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**Report of:** Shaun Robinson  
Manager Assets

**Authorised by:** Karin Targa  
Director Service and Project Delivery

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**OFFICER'S RECOMMENDATION**

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**THAT:**

1. Council endorse the updated Cenotaphs and War Memorial (Protected Places) Security and Protection Policy to be placed on public exhibition for twenty-eight (28) days.
2. A further report be submitted to Council following the conclusion of the public exhibition period.

*MN 2024/151*

**MOTION** moved by Administrator

***THAT Standing Orders be suspended in order to enter into Committee of the Whole to allow the Treasurer of the Bundanoon Community Association to address Council on Item 8.3 Cenotaphs and War Memorials (Protected Places) Security and Protection Policy - Draft for Public Exhibition.***

**DECLARED CARRIED BY THE ADMINISTRATOR**

In accordance with section 373 of the Local Government Act 1993, Council entered Committee of the Whole at 6.21 PM and the Treasurer of the Bundanoon Community Association was invited to address Council.

*MN 2024/152*

**MOTION** moved by Administrator

***THAT Standing Orders be resumed.***

**DECLARED CARRIED BY THE ADMINISTRATOR**

The Council meeting resumed at 6.23PM.



**MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL  
WEDNESDAY 29 MAY 2024**

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*MN 2024/153*

**MOTION** moved by the Administrator

**THAT:**

1. *Council endorse the updated Cenotaphs and War Memorial (Protected Places) Security and Protection Policy to be placed on public exhibition for twenty-eight (28) days.*
2. *A further report be submitted to Council following the conclusion of the public exhibition period.*
3. *The question of the coverage under clause 3.1 of the Bundanoon Soldiers' Memorial Hall and Moss Vale War Memorial Aquatic Centre be referred to the General Manager for consultation with the relevant Lessees to address any unintended consequences.*
4. *During the exhibition period, the General Manager take advice to ensure that clause 4.4 of the Policy adheres to any State or Federal protocol on flag flying and it be incorporated in to the Policy.*

**DECLARED CARRIED BY THE ADMINISTRATOR**

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## **8.4 Code of Meeting Practice Review - Draft for Adoption**

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**Report of:** Warwick Lawrence  
Coordinator Governance

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

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### **OFFICER'S RECOMMENDATION**

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**THAT** Council amend its Code of Meeting Practice as follows:

**1. By adding clauses 13.8 and 13.9 as follows:**

**“13.8 That prior to Council determining those items on the business paper to be determined by exception the Chairperson offer the General Manager the opportunity to bring to Council’s attention those reports that should be dealt with individually and not by exception on the basis that such reports are:**

- (a) of significant public interest,**
- (b) had speakers that addressed Council,**
- (c) is a new policy or a substantial amendment to a current policy,**
- (d) is a new matter of such importance that the community should be made aware,**
- (e) is a report where new information has become available since the report was provided, or**
- (f) is a report that has significant budgetary implications for Council.**

**13.9 That those reports identified by the General Manager in Clause 13.8 be determined separately and not by exception.”**

**2. By amending clauses 4.4 and 4.10 to read as follows:**

**“4.4 A person may apply to speak on no more than one (1) item of business on the agenda of the council meeting and if approved must be physically present in the Council Chamber during Public Forum to address the item of business.**

**4.10 Only approved speakers at the public forum are able to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs no less than two (2) business days before the public forum. The general manager or their delegate may refuse to allow such material to be presented.”**

The General Manager tabled the attached updated [Code of Meeting Practice](#).

The Acting Director Corporate Strategy and Resourcing introduced the item and noted that there was an omission in the Code of Meeting Practice attached to the Council report in relation to Section 21 Council Workshops and proposed an additional recommendation to rectify the omission.

**MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL  
WEDNESDAY 29 MAY 2024**

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*MN 2024/154*

**MOTION** moved by the Administrator

**THAT** Council:

1. Amend its Code of Meeting Practice by adding clauses 13.8 and 13.9 as follows:

***“13.8 That prior to Council determining those items on the business paper to be determined by exception the Chairperson offer the General Manager the opportunity to bring to Council’s attention those reports that should be dealt with individually and not by exception on the basis that such reports are:***

- (a) of significant public interest,***
- (b) had speakers that addressed Council,***
- (c) is a new policy or a substantial amendment to a current policy,***
- (d) is a new matter of such importance that the community should be made aware,***
- (e) is a report where new information has become available since the report was provided, or***
- (f) is a report that has significant budgetary implications for Council.***

***13.9 That those reports identified by the General Manager in Clause 13.8 be determined separately and not by exception.”***

2. Amend its Code of Meeting Practice by amending clauses 4.4 and 4.10 to read as follows:

***“4.4 A person may apply to speak on no more than one (1) item of business on the agenda of the council meeting and if approved must be physically present in the Council Chamber during Public Forum to address the item of business.***

***4.10 Only approved speakers at the public forum are able to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs no less than two (2) business days before the public forum. The general manager or their delegate may refuse to allow such material to be presented.”***

3. Note the tabled Code of Meeting Practice that incorporates the resolution of Council 28 July 2021 to amend Clause 21 relating to Council workshops, that was omitted from the Code of Meeting Practice annexed to the Council report, and a copy of the amended Code Meeting Practice be included with the minutes.

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**8.5 Local Government Remuneration Tribunal Annual Fees Payable to Mayor and Councillors for 2024/2025**

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**Report of:** Danielle Lidgard  
Manager Governance and Corporate Performance

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

**OFFICER'S RECOMMENDATION**

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**THAT the annual fees payable for the period 1 July 2024 to 30 June 2025 be set at the maximum amount for the Regional Centre category of \$27,050 per annum for Councillors and an additional \$66,800 per annum for the Mayor to be applied on a pro rata basis from October 2024.**

*MN 2024/156*

*This matter was adopted by exception*

**MOTION:**

**THAT the annual fees payable for the period 1 July 2024 to 30 June 2025 be set at the maximum amount for the Regional Centre category of \$27,050 per annum for Councillors and an additional \$66,800 per annum for the Mayor to be applied on a pro rata basis from October 2024.**

**DECLARED CARRIED BY EXCEPTION**

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## **8.6 Federal Inquiry Into Local Government Sustainability Submission & IPART Council Reference Group Nomination**

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**Report of:** Damien Jenkins  
Deputy Chief Financial Officer

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

### **OFFICER'S RECOMMENDATION**

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#### **THAT Council:**

1. Endorse the proposed submission to The House of Representatives Standing Committee on Regional Development, Infrastructure and Transport Inquiry into Local Government Sustainability.
2. Note the nomination for the Responsible Accounting Officer to sit on IPART's Council Reference Group.

*MN 2024/157*

*This matter was adopted by exception*

#### **MOTION**

#### **THAT Council:**

1. *Endorse the proposed submission to The House of Representatives Standing Committee on Regional Development, Infrastructure and Transport Inquiry into Local Government Sustainability.*
2. *Note the nomination for the Responsible Accounting Officer to sit on IPART's Council Reference Group.*

#### **DECLARED CARRIED BY EXCEPTION**

**MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL  
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The General Manager addressed the meeting to announce the appointment of two new Directors to the Wingecarribee Council Executive team. Namely, Mr Michael McCabe as the Director Communities and Place who will commence on 1 July 2024 and Miss Shelley Jones as the Director Corporate Strategy and Resourcing who will commence on 5 August 2024.

The General Manager stated that both Mr McCabe and Ms Jones bring a wealth of experience and expertise to Wingecarribee and she is confident that they will make a valuable contribution to both the organisation and the community as Council continues to deliver positive outcomes.

The General Manager also expressed thanks and gratitude to Mr Pav Kuzmanovski acting in the Director Corporate Strategy and Resourcing role and Mr Clinton McAlister acting in the Director Communities and Place role. The General Manager acknowledged that they have both done a great job in juggling multiple roles and appreciates their hard work, dedication and leadership at this time.

The General Manager tabled the attached [Community Announcement](#) regarding the appointment of the new Directors.

The General Manager stated that, in accordance with the *Local Government Act 1993*, she had consulted with the Administrator in relation to the appointments of the Directors, which the Administrator then confirmed.

## **9 MEETING CLOSURE**

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 6.41PM