

DRAFT MINUTES

Ordinary Meeting of Council



Wednesday 19 February 2025

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

The meeting commenced at 3.45PM

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WEDNESDAY 19 FEBRUARY 2025**

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**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 FEBRUARY 2025**

**MINUTES OF THE ORDINARY MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN COUNCIL
CHAMBERS, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON WEDNESDAY 19 FEBRUARY 2025
COMMENCING AT 3:45 PM**

Present: Cr Jesse Fitzpatrick (Mayor)
Cr Erin Foley (Deputy Mayor)
Cr Heather Champion
Cr Therese Duffy
Cr James Farrell
Cr David Kent
Cr Sara Moylan
Cr Rachel Russell
Cr Nicole Smith

In Attendance:

Acting General Manager	Mr Michael McCabe
Director Corporate Strategy and Resourcing	Ms Shelley Jones
Director Service and Project Delivery	Mr Clinton McAlister
Chief Financial Officer	Mr Pav Kuzmanovski
Chief Information Officer	Mr George Harb
Manager Governance and Corporate Performance	Ms Danielle Lidgard
Acting Manager Strategic Outcomes	Ms Susan Stannard
Manager Assets	Mr Shaun Robinson
Manager People and Culture	Mr Ricky Tozer
Acting Manager Business and Property	Mr James Borbone
Manager Water Services	Mr Graeme Mellor
Coordinator Property Services	Ms Mandy McCullagh
Coordinator Governance	Ms Paige Zelunzuk
Supervisor ICT Support	Mr Timothy Voight
Governance Officer	Ms Michelle Gordon

1 OPENING OF THE MEETING

The Mayor opened the meeting.

2 ACKNOWLEDGEMENT OF COUNTRY

The Mayor acknowledged country:

"Wingecarribee Shire Council acknowledges the Gundungurra and Dharawal people as the Traditional Custodians of this land. I pay my respect to the Traditional Custodians, their Ancestors who cared for this Country for many thousands of years, and their Elders and descendants who continue to care for Country. I would also like to extend that respect to all Aboriginal and Torres Strait Islander peoples, including those here today."

3 STATEMENT OF ETHICAL OBLIGATIONS

Councillors were reminded of the Oath or Affirmation of Office made by them under Section 233A of the Local Government Act and their obligations under Council's Code of Conduct to disclose and appropriately manage conflicts of interests.

4 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

Nil.

5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MN 2025/1

MOTION moved by Cr Fitzpatrick, seconded by Cr Kent

THAT the minutes of the Ordinary Meeting of Council held on Wednesday 11 December 2024 MN 2024/350 to MN 2024/374 inclusive be confirmed as a correct record of the proceedings of the meeting.

CARRIED UNANIMOUSLY

6 DECLARATIONS OF INTEREST

Councillor Rachel Russell declared a less-than-significant, non-pecuniary interest in Item 8.27 - Traffic Committee Minutes - 21 November 2024 due to an association with one of the representatives from the NSW Police on the Traffic Committee. Councillor Russell advised the interest is less than significant as any advocacy she engages with in her professional role on this matter provides no personal advantages as a consequence of her association and her association is not the representative from NSW Police who engaged in the site assessment on this matter.

She advised she will remain in the Chambers for consideration of that item.

7 MAYORAL MINUTE



In June, I will be attending the National General Assembly, an important opportunity to advocate not only for our community but for the entire Local Government sector. Local Governments face a wide range of challenges, and the Assembly's purpose is to debate motions that address these issues and drive meaningful change.

While lobbying for specific causes is important, the core issue ultimately comes down to funding. As we debate and compete over the mechanics of grants and specific outcomes, we risk ignoring the elephant in the room—the steady erosion of total funding allocated to Local Government nationally year on year. This underlying issue demands our focus.

I believe the priority must be to restore an appropriate level of funding to Local Government. Once this foundation is secured, we can then focus on how best to allocate those resources to meet our community's needs.

I intend to present the following motion at the Assembly:

This National General Assembly call on the Australian Government to:

- A. Gradually and sustainably move towards the allocation of 1% of total Federal tax revenue to Local Government by implementing an annual 12.25% compound increase in Financial Assistance Grants funding until the 1% level is achieved.*
- B. Once the 1% allocation is restored, enshrine this baseline funding level in perpetuity to ensure long-term financial stability for Local Government.*

In 2014, the indexation of Federal Assistant Grant was frozen, halving the Local Government sector's share of total tax revenue from its historic level of approximately 1% to the current 0.5%. Over the years, the sector has consistently advocated for the restoration of this allocation, but no substantial action has been taken.

Rather than calling for an immediate and significant increase, I propose a realistic, phased approach to restore the 1% allocation in a manner that is both measured and sustainable.

By securing this 1% allocation and maintaining it as a guaranteed baseline in perpetuity, Local Governments will gain the financial stability needed to plan and deliver essential services and infrastructure for communities across Australia.

RECOMMENDATION:

That Council endorse the following Motion for submission to the 2025 National General Assembly:

That this National General Assembly call on the Australian Government to:

- 1. Gradually and sustainably move towards the allocation of 1% of total Federal tax revenue to Local Government by implementing an annual 12.25% compound increase in Financial Assistance Grants funding until the 1% level is achieved.*
- 2. Once the 1% allocation is restored, enshrine this baseline funding level in perpetuity to ensure long-term financial stability for Local Government.*

MN 2025/2

MOTION moved by Cr Fitzpatrick

That Council endorse the following Motion for submission to the 2025 National General Assembly:

That this National General Assembly call on the Australian Government to:

- 1. Gradually and sustainably move towards the allocation of 1% of total Federal tax revenue to Local Government by implementing an annual 12.25% compound increase in Financial Assistance Grants funding until the 1% level is achieved.*
- 2. Once the 1% allocation is restored, enshrine this baseline funding level in perpetuity to ensure long-term financial stability for Local Government.*

CARRIED UNANIMOUSLY

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 FEBRUARY 2025**

MN 2025/3

MOTION moved by Cr Fitzpatrick, seconded by Cr Kent

THAT the order of business be changed to bring forward the following items for consideration by exception and the recommendations be adopted:

- 8.1 Community Strategic Plan - Draft for Public Exhibition**
- 8.3 Data Breach Policy - Draft for Adoption**
- 8.5 Water Determination Policy - Draft for Adoption**
- 8.6 Privacy Management Plan - Draft for Adoption**
- 8.9 Colo Vale Playspace - Project Update**
- 8.10 Playspace Adjacent to David Wood Playing Fields - Naming Proposal for Public Exhibition**
- 8.12 Moss Vale Sewage Treatment Plant License Breach**
- 8.14 Model Code of Meeting Practice Consultation Draft Submission**
- 8.15 Biosolids - Tender Evaluation Report**
- 8.16 Renewal of Four Sewer Mains - Tender Evaluation Report**
- 8.20 Bowral Golf Course - Acquisition of Easement**
- 8.21 Request to Reduce Easement in Favour of Council - Merrigang Street Bowral**
- 8.22 Floodplain Risk Management Advisory Committee - Appointment of members**
- 8.23 Development Assessment Progress - November 2024 to January 2025**
- 8.24 Monthly Financial Report**
- 8.25 Investments Reports - November 2024, December 2024 and January 2025**
- 8.26 Audit, Risk and Improvement Committee Meeting Minutes - 28 November 2024**
- 8.28 Canberra Region Joint Organisation Minutes - 6 December 2024**

CARRIED UNANIMOUSLY

8 REPORTS

8.1 Community Strategic Plan - Draft for Public Exhibition

Report of: Shayley McCracken
Coordinator Strategy & Business Improvement

Authorised by: Shelley Jones
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council endorse the draft Community Strategic Plan included in Attachment 1 to be placed on public exhibition for 28 Days.
2. A further report be brought to Council following the conclusion of the public exhibition and engagement program detailing submissions received, outcomes of the engagement and any proposed changes to the Plan.

MN 2025/4

MOTION moved by Cr Fitzpatrick, seconded by Cr Kent

THAT:

1. Council endorse the draft Community Strategic Plan included in Attachment 1 to be placed on public exhibition for 28 Days.
2. A further report be brought to Council following the conclusion of the public exhibition and engagement program detailing submissions received, outcomes of the engagement and any proposed changes to the Plan.

CARRIED BY EXCEPTION

8.2 Volunteer Management Policy - Draft for Public Exhibition

Report of: Ricky Tozer
Manager People and Culture

Authorised by: Shelley Jones
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Council endorse the draft Volunteer Management Policy included in Attachment 1 to this report to be placed on public exhibition for 28 days.
2. Following the conclusion of the public exhibition period, a further report be presented to Council to consider any feedback received during the public exhibition period.

[MN 2025/5](#)

MOTION moved by Cr Kent, seconded by Cr Russell

THAT:

1. Council endorse the draft Volunteer Management Policy included in Attachment 1 to this report to be placed on public exhibition for 28 days.
2. Following the conclusion of the public exhibition period, a further report be presented to Council to consider any feedback received during the public exhibition period.

CARRIED UNANIMOUSLY

8.3 Data Breach Policy - Draft for Adoption

Report of: George Harb
Chief Information Officer

Authorised by: Shelley Jones
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council adopt the Data Breach Policy as included at Attachment 1 to this report.

MN 2025/6

MOTION moved by Cr Fitzpatrick, seconded by Cr Kent

THAT Council adopt the Data Breach Policy as included at Attachment 1 to this report.

CARRIED BY EXCEPTION

8.4 Outdoor Dining & Goods on Footpath Policy - Draft for Adoption

Report of: Elina Quigley
Senior Asset Officer Buildings

Authorised by: Clinton McAlister
Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT Council adopt the Outdoor Dining Policy as included in Attachment 2 to this report.

MOTION moved by Cr Moylan, seconded by Cr Foley

THAT Council adopt the Outdoor Dining Policy as included in Attachment 2 to this report.

AMENDMENT moved by Cr Russell

THAT Council adopt the Outdoor Dining Policy as included in Attachment 2 to this report with an amendment to remove the following clauses in 4.6 Outdoor Furniture Standards:

- *The design of all outdoor furniture including style and materials, is to be approved by Council.*
- *The furniture used must be aesthetically pleasing and involve a colour scheme and materials that are both practical and serviceable and in keeping with its surrounding area and shopfront.*

THE AMENDMENT LASED FOR WANT OF A SECONDER

MN 2025/7

MOTION moved by Cr Moylan, seconded by Cr Foley

THAT Council adopt the Outdoor Dining Policy as included in Attachment 2 to this report.

CARRIED UNANIMOUSLY

8.5 Water Determination Policy - Draft for Adoption

Report of: David Grima
Coordinator Revenue

Authorised by: Pav Kuzmanovski
Chief Financial Officer

OFFICER'S RECOMMENDATION

THAT Council adopt the Water Determination Policy as included in Attachment 1 to this report.

MN 2025/8

MOTION moved by Cr Fitzpatrick, seconded by Cr Kent

THAT Council adopt the Water Determination Policy as included in Attachment 1 to this report.

CARRIED BY EXCEPTION

8.6 Privacy Management Plan - Draft for Adoption

Report of: Paige Zelunzuk
Coordinator Governance

Authorised by: Shelley Jones
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council adopt the draft Privacy Management Plan as included at Attachment 1 to this report.

MN 2025/9

MOTION moved by Cr Fitzpatrick, seconded by Cr Kent

THAT Council adopt the draft Privacy Management Plan as included at Attachment 1 to this report.

CARRIED BY EXCEPTION

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 FEBRUARY 2025**

MN 2025/10

MOTION moved by Cr Fitzpatrick, seconded by Cr Duffy

THAT the order of business be changed so Notice of Motion 2/2025 - Reinstatement of Prayer to the Code of Meeting Practice be brought forward and dealt with immediately.

CARRIED UNANIMOUSLY

9.2 Notice of Motion 2/2025 - Reinstatement of Prayer to the Code of Meeting Practice

COUNCILLOR DUFFY SUBMITTED THE FOLLOWING MOTION:

MOTION

THAT Council Reinstate the Prayer to be included in the Code of Meeting Practice.

Councillor Duffy tabled the [attached correspondence](#) in relation to this item:

MN 2025/11

MOTION moved by Cr Duffy, seconded by Cr Moylan

THAT Council Reinstate the Prayer to be included in the Code of Meeting Practice.

LOST (4/5)

For: Cr Duffy, Cr Fitzpatrick, Cr Moylan and Cr Russell

Against Cr Champion, Cr Farrell, Cr Foley, Cr Kent and Cr Smith

8.7 Code of Meeting Practice - Draft for Adoption

Report of: Danielle Lidgard
Manager Governance and Corporate Performance

Authorised by: Shelley Jones
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council adopt the revised Code of Meeting Practice as included at Attachment 2 to this report noting the change in commencement time for Public Forum from 3.00pm to 2.30pm on the day of the Council meeting.

MOTION moved by Cr Smith, seconded by Cr Foley

THAT Council adopt the revised Code of Meeting Practice as included at Attachment 2 to this report noting the change in commencement time for Public Forum from 3.00pm to 2.30pm on the day of the Council meeting.

AMENDMENT moved by Cr Russell, seconded by Cr Duffy

THAT the draft Code of Meeting Practice at Attachment 8.7.2 to the subject report:

1. Be amended so that the following clauses read as follows:

- a. Clause 3.1 Ordinary meetings of the Council will be held on the fourth Tuesday of each month between February and November and the second Tuesday in December. No meetings shall be held in January. Meetings will commence at 3.30pm at the Civic Administration Centre, Council Chambers, Elizabeth Street, Moss Vale.**
- b. Clause 3.8 The General Manager must send to each councillor, at least ten (10) business days before the meeting of the council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.**
- c. Clause 4.1 The council may hold a public forum on the third Tuesday of the month commencing at 5pm between February and November and the first Tuesday in**

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
WEDNESDAY 19 FEBRUARY 2025**

December prior to each ordinary meeting of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary Council meetings and meetings of committees of the Council.

- 2. Be amended by the deletion of 4.4, 4.7, 4.8 and 4.9 to allow for an unlimited number of speakers at a public forum; and*
- 3. Be placed on public exhibition for a further 42 days before returning to Council for adoption.*

LOST (3/6)

For: Cr Duffy, Cr Moylan and Cr Russell

Against Cr Champion, Cr Farrell, Cr Fitzpatrick, Cr Foley, Cr Kent and Cr Smith

MN 2025/12

MOTION *moved by Cr Smith, seconded by Cr Foley*

THAT *Council adopt the revised Code of Meeting Practice as included at Attachment 2 to this report noting the change in commencement time for Public Forum from 3.00pm to 2.30pm on the day of the Council meeting.*

CARRIED (6/3)

For: Cr Champion, Cr Farrell, Cr Fitzpatrick, Cr Foley, Cr Kent and Cr Smith

Against Cr Duffy, Cr Moylan and Cr Russell

8.8 Quarterly Delivery Program and Budget Review 31 December 2024

Report of: Shayley McCracken
Coordinator Strategy and Business Improvement

Authorised by: Shelley Jones
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council:

1. Note the Quarterly Progress Report on the Delivery Program and Operational Plan for the period ended 31 December 2024 in Attachment 1.
2. Approve the budget adjustments and endorse the projected financial position as of
3. 31 December 2024 in Attachment 2.
4. Approve the realignment of financial report to comply with the Office of Local Government and statutory requirements by:
 - a. Ceasing Monthly Financial Reporting to Council.
 - b. Discontinuing the non-statutory reporting in Quarterly Budget Review Statements; and
 - c. Increasing the financial reporting threshold from \$20,000 to \$100,000 in the Quarterly Budget Review Statement Council report.
5. Note the Quarterly Performance Improvement Order Compliance Report for the period ending 31 December 2024.

MOTION moved by Cr Foley, seconded by Cr Moylan

THAT Council:

1. Note the Quarterly Progress Report on the Delivery Program and Operational Plan for the period ended 31 December 2024 in Attachment 1.
2. Approve the budget adjustments and endorse the projected financial position as of 31 December 2024 in Attachment 2.
3. Approve the realignment of financial report to comply with the Office of Local Government and statutory requirements by:
 - a. Ceasing Monthly Financial Reporting to Council.
 - b. Discontinuing the non-statutory reporting in Quarterly Budget Review Statements; and
 - c. Increasing the financial reporting threshold from \$20,000 to \$100,000 in the Quarterly Budget Review Statement Council report.
4. Note the Quarterly Performance Improvement Order Compliance Report for the period ending 31 December 2024.

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
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AMENDMENT moved by Cr Moylan, seconded by Cr Russell

THAT Council:

1. **Note the Quarterly Progress Report on the Delivery Program and Operational Plan for the period ended 31 December 2024 in Attachment 1.**
2. **Approve the budget adjustments and endorse the projected financial position as of**
3. **31 December 2024 in Attachment 2.**
4. **Approve the realignment of financial report to comply with the Office of Local Government and statutory requirements by:**
 - a. **Discontinuing the non-statutory reporting in Quarterly Budget Review Statements; and**
 - b. **Increasing the financial reporting threshold from \$20,000 to \$100,000 in the Quarterly Budget Review Statement Council report.**
5. **Note the Quarterly Performance Improvement Order Compliance Report for the period ending 31 December 2024.**

LOST (1/8)

For: Cr Moylan

Against Cr Champion, Cr Duffy, Cr Farrell, Cr Fitzpatrick, Cr Foley, Cr Kent, Cr Russell and Cr Smith

MN 2025/13

MOTION moved by Cr Foley, seconded by Cr Moylan

THAT Council:

1. **Note the Quarterly Progress Report on the Delivery Program and Operational Plan for the period ended 31 December 2024 in Attachment 1.**
2. **Approve the budget adjustments and endorse the projected financial position as of**
3. **31 December 2024 in Attachment 2.**
4. **Approve the realignment of financial report to comply with the Office of Local Government and statutory requirements by:**
 - a. **Ceasing Monthly Financial Reporting to Council.**
 - b. **Discontinuing the non-statutory reporting in Quarterly Budget Review Statements; and**
 - c. **Increasing the financial reporting threshold from \$20,000 to \$100,000 in the Quarterly Budget Review Statement Council report.**

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
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5. Note the Quarterly Performance Improvement Order Compliance Report for the period ending 31 December 2024.

CARRIED (8/1)

For: Cr Champion, Cr Duffy, Cr Farrell, Cr Fitzpatrick, Cr Foley, Cr Kent, Cr Russell and Cr Smith

Against Cr Moylan

8.9 Colo Vale Playspace - Project Update

Report of: Justin Allen
Project Supervisor

Authorised by: Clinton McAlister
Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT:

1. Council proceed with Concept Design Option B for the Colo Vale Railway Park in response to community consultation outcomes and site-based constraints.
2. The Jurd Park Masterplan is reviewed to identify suitable location for inclusion of a modest pump track and skate facility, with construction to then be delivered through future funding opportunities.

MN 2025/14

MOTION moved by Cr Fitzpatrick, seconded by Cr Kent

THAT:

1. *Council proceed with Concept Design Option B for the Colo Vale Railway Park in response to community consultation outcomes and site-based constraints.*
2. *The Jurd Park Masterplan is reviewed to identify suitable location for inclusion of a modest pump track and skate facility, with construction to then be delivered through future funding opportunities.*

CARRIED BY EXCEPTION

8.10 Playspace Adjacent to David Wood Playing Fields - Naming Proposal for Public Exhibition

Report of: Karin Targa
Manager Project Delivery

Authorised by: Clinton McAlister
Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT:

1. The proposal to name the new playspace under construction adjacent to David Wood Playing Fields the "Murraural 4K Playspace" be endorsed for public exhibition for a period of twenty eight (28) days.
2. A post exhibition report on the naming proposal to then be submitted to an Ordinary Council Meeting for final determination on the matter.

MN 2025/15

MOTION moved by Cr Fitzpatrick, seconded by Cr Kent

THAT:

1. *The proposal to name the new playspace under construction adjacent to David Wood Playing Fields the "Murraural 4K Playspace" be endorsed for public exhibition for a period of twenty eight (28) days.*
2. *A post exhibition report on the naming proposal to then be submitted to an Ordinary Council Meeting for final determination on the matter.*

CARRIED BY EXCEPTION

8.11 Southern Regional Livestock Exchange - Canteen Renovation Timeline

Report of: James Borbone
Acting Manager Business and Property Services

Authorised by: Shelley Jones
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT the Canteen Renovation - Southern Regional Livestock Exchange timeline be noted.

MN 2025/16

MOTION moved by Cr Russell, seconded by Cr Foley

THAT the Canteen Renovation - Southern Regional Livestock Exchange timeline be noted.

CARRIED UNANIMOUSLY

8.12 Moss Vale Sewage Treatment Plant License Breach

Report of: Graeme Mellor
Manager Water Services

Authorised by: Clinton McAlister
Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT:

1. The circumstances leading to the Moss Vale STP breach of licence event be noted, including:
 - a. the plant operating beyond its design capacity
 - b. delays in the construction of a new plant to meet capacity, and
 - c. the escalated hot dry weather period in December and January.
2. The actions taken to address the Moss Vale STP breach of licence be supported, including:
 - a. proactive reporting of a potential licence breach
 - b. self-reporting of the actual licence breach to Regulatory Authorities
 - c. Continued consultative cooperation with the Regulatory Authorities and expert engineering consultants to implement identified interim plant improvement works to assist in maintaining compliance with licence requirements, whilst the construction of the new, larger plant is continued.

MN 2025/17

MOTION moved by Cr Fitzpatrick, seconded by Cr Kent

THAT:

1. *The circumstances leading to the Moss Vale STP breach of licence event be noted, including:*
 - a. the plant operating beyond its design capacity*
 - b. delays in the construction of a new plant to meet capacity, and*
 - c. the escalated hot dry weather period in December and January.*
2. *The actions taken to address the Moss Vale STP breach of licence be supported, including:*
 - a. proactive reporting of a potential licence breach*
 - b. self-reporting of the actual licence breach to Regulatory Authorities*
 - c. Continued consultative cooperation with the Regulatory Authorities and expert engineering consultants to implement identified interim plant improvement works to assist in maintaining compliance with licence requirements, whilst the construction of the new, larger plant is continued.*

CARRIED BY EXCEPTION

8.13 Consolidated Development Control Plan Consultant Engagement

Report of: Susan Stannard
Acting Manager Strategic Outcomes

Authorised by: Michael McCabe
Director Communities and Place

OFFICER'S RECOMMENDATION

THAT:

1. Council note the appointment of Strategic Perception Pty Ltd to prepare a comprehensive Development Control Plan to guide future development across the Shire.
2. Stage 1 Community Engagement occur at project inception to gain public opinion on Development Control Plan considerations to inform the development of the draft comprehensive Development Control Plan.
3. The feedback received from the Stage 1 Community Engagement and the draft comprehensive Development Control Plan be presented jointly to a future Council meeting prior to exhibiting the draft comprehensive Development Control Plan.

MOTION moved by Cr Smith, seconded by Cr Foley

THAT:

1. Council note the appointment of Strategic Perception Pty Ltd to prepare a comprehensive Development Control Plan to guide future development across the Shire.
2. Stage 1 Community Engagement occur at project inception to gain public opinion on Development Control Plan considerations to inform the development of the draft comprehensive Development Control Plan.
3. The feedback received from the Stage 1 Community Engagement and the draft comprehensive Development Control Plan be presented jointly to a future Council meeting prior to exhibiting the draft comprehensive Development Control Plan.

ADJOURNMENT

At 5.22pm it was moved by Cr Fitzpatrick, seconded by Cr Foley:

THAT the meeting be adjourned for 10 minutes.

CARRIED UNANIMOUSLY

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
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All Councillors were present at the resumption of the meeting at 5.33pm.

MN 2025/18

MOTION moved by Cr Smith, seconded by Cr Foley

THAT:

- 1. Council note the appointment of Strategic Perception Pty Ltd to prepare a comprehensive Development Control Plan to guide future development across the Shire.***
- 2. Stage 1 Community Engagement occur at project inception to gain public opinion on Development Control Plan considerations to inform the development of the draft comprehensive Development Control Plan.***
- 3. The feedback received from the Stage 1 Community Engagement and the draft comprehensive Development Control Plan be presented jointly to a future Council meeting prior to exhibiting the draft comprehensive Development Control Plan.***

CARRIED UNANIMOUSLY

8.14 Model Code of Meeting Practice Consultation Draft Submission

Report of: Danielle Lidgard
Manager Governance and Corporate Performance

Authorised by: Shelley Jones
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council endorse the draft submission in relation to the Office of Local Government's 'New Model Code of Meeting Practice – Consultation Draft', as included in Attachment 1 to this report.

MN 2025/19

MOTION moved by Cr Fitzpatrick, seconded by Cr Kent

THAT Council endorse the draft submission in relation to the Office of Local Government's 'New Model Code of Meeting Practice – Consultation Draft', as included in Attachment 1 to this report.

CARRIED BY EXCEPTION

8.15 Biosolids - Tender Evaluation Report

Report of: Graeme Mellor
Manager Water Services

Authorised by: Clinton McAlister
Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT Council:

1. Accept the Arkwood alternative schedule of rates as the best option for Council to meet environmental obligations for the transport and beneficial reuse of biosolids.
2. Note the tenders received ranged from \$741,056 to \$1,482,723.
3. Delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.

MN 2025/20

MOTION moved by Cr Fitzpatrick, seconded by Cr Duffy

THAT Council:

1. *Accept the Arkwood alternative schedule of rates as the best option for Council to meet environmental obligations for the transport and beneficial reuse of biosolids.*
2. *Note the tenders received ranged from \$741,056 to \$1,482,723.*
3. *Delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.*

CARRIED BY EXCEPTION

8.16 Renewal of Four Sewer Mains - Tender Evaluation Report

Report of: **Graeme Mellor**
 Manager Water Services

Authorised by: **Clinton McAlister**
 Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT Council:

1. Accept the Tender for sewer main renewals from Interflow Pty Ltd at a lump sum price of \$268,379.70 (inclusive of GST)
2. Note the tenders received ranged from \$268,379.70 to \$487,920.
3. Delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.

MN 2025/21

MOTION moved by Cr Fitzpatrick, seconded by Cr Kent

THAT Council:

1. Accept the Tender for sewer main renewals from Interflow Pty Ltd at a lump sum price of \$268,379.70 (inclusive of GST)
2. Note the tenders received ranged from \$268,379.70 to \$487,920.
3. Delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.

CARRIED BY EXCEPTION

8.17 Sewer Manholes Renewal 2025 - Tender Evaluation Report

Report of: **Graeme Mellor**
Manager Water Services

Authorised by: **Clinton McAlister**
Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT Council:

1. Accept the Tender for sewer manhole renewals from Water Brothers Group Pty Ltd at a lump sum price of \$123,664.80 (inclusive of GST).
2. Note the tenders received ranged from \$123,334.80 (LOWEST) to \$712,478 (HIGHEST).
3. Delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.

MN 2025/22

MOTION moved by Cr Moylan, seconded by Cr Farrell

THAT Council:

1. Accept the Tender for sewer manhole renewals from Water Brothers Group Pty Ltd at a lump sum price of \$123,664.80 (inclusive of GST).
2. Note the tenders received ranged from \$123,334.80 (LOWEST) to \$712,478 (HIGHEST).
3. Delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.

CARRIED UNANIMOUSLY

8.18 Northern Villages Distribution Main Stage 1A - Tender Evaluation Report

Report of: **James Knight**
Project Manager

Authorised by: **Clinton McAlister**
Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT Council:

1. Accept the Tender from Northern Villages Distribution Main Duplication – Stage 1A from RA Smith Contracting Pty Ltd at a lump sum price of \$1,517,406.04 (inclusive of GST).
2. Note the tenders received ranged from \$1,517,406.04 to \$2,449,797.00.
3. Approve the additional budget allocation of \$800,000, funded from the Water Fund, to enable full project delivery within the current financial year.
4. Delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.

MN 2025/23

MOTION moved by Cr Foley, seconded by Cr Smith

THAT Council:

1. Accept the Tender from Northern Villages Distribution Main Duplication – Stage 1A from RA Smith Contracting Pty Ltd at a lump sum price of \$1,517,406.04 (inclusive of GST).
2. Note the tenders received ranged from \$1,517,406.04 to \$2,449,797.00.
3. Approve the additional budget allocation of \$800,000, funded from the Water Fund, to enable full project delivery within the current financial year.
4. Delegate authority to the General Manager to execute the contract and any other documentation required to give effect to this resolution.

CARRIED UNANIMOUSLY

8.19 Digitisation Project - Procurement Exemption

Report of: George Harb
Chief Information Officer

Authorised by: Shelley Jones
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT Council:

1. Grant a procurement exemption under s55(3)(i) of the Local Government Act 1993 to engage Jigsaw Group (AUS) Limited for a value of \$570,000 on the basis that inviting tenders would not result in a different outcome based on the pricing that was provided when the market was tested in October 2022.
2. Note that this exemption is justified as previous market testing and a smaller-scale engagement with Jigsaw has demonstrated their efficiency, capability, cost-effectiveness, and commitment to social inclusion.

MN 2025/24

MOTION moved by Cr Smith, seconded by Cr Farrell

THAT Council:

1. *Grant a procurement exemption under s55(3)(i) of the Local Government Act 1993 to engage Jigsaw Group (AUS) Limited for a value of \$570,000 on the basis that inviting tenders would not result in a different outcome based on the pricing that was provided when the market was tested in October 2022.*
2. *Note that this exemption is justified as previous market testing and a smaller-scale engagement with Jigsaw has demonstrated their efficiency, capability, cost-effectiveness, and commitment to social inclusion.*

CARRIED UNANIMOUSLY

8.20 Bowral Golf Course - Acquisition of Easement

Report of: Shaun Robinson
Manager Assets

Authorised by: Clinton McAlister
Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT:

1. Attachments 3 and 4 to this report be withheld from access to the public as required by section 11(3) of the Local Government Act, 1993 for the following reason:
 - a. Attachments 3 and 4 include information that is confidential in accordance with clause 10A(2)(c) of the Local Government Act, 1993, as they relate to commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
2. The General Manager be delegated authority to negotiate acquisition of an easement with the owners of part Lot 1 in Deposited Plan 119005 and part Lot 45 Section G in Deposited Plan 4380, being Bowral Golf Club, 25-43 Kangaloon Road, Bowral for detention basins.
3. If the acquisition of the easement referred to in Item 2 cannot be negotiated by agreement, a further report be submitted to Council.
4. Council affix the Common Seal of Council to any documents that required to be sealed for the acquisition of the easement referred to in Item 2 **AND THAT** authority be delegated to the Mayor and General Manager to execute those documents.
5. Authority be delegated to the Mayor and General Manager to execute on behalf of Council any documents associated with the acquisition of the easement referred to in Item 2 above that do not require the Common Seal of Council.

MN 2025/25

MOTION moved by Cr Fitzpatrick, seconded by Cr Kent

THAT:

1. *Attachments 3 and 4 to this report be withheld from access to the public as required by section 11(3) of the Local Government Act, 1993 for the following reason:*
 - a. *Attachments 3 and 4 include information that is confidential in accordance with clause 10A(2)(c) of the Local Government Act, 1993, as they relate to commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.*
2. *The General Manager be delegated authority to negotiate acquisition of an easement with the owners of part Lot 1 in Deposited Plan 119005 and part Lot 45 Section G in Deposited Plan 4380, being Bowral Golf Club, 25-43 Kangaloon Road, Bowral for detention basins.*

- 3. If the acquisition of the easement referred to in Item 2 cannot be negotiated by agreement, a further report be submitted to Council.*
- 4. Council affix the Common Seal of Council to any documents that required to be sealed for the acquisition of the easement referred to in Item 2 AND THAT authority be delegated to the Mayor and General Manager to execute those documents.*
- 5. Authority be delegated to the Mayor and General Manager to execute on behalf of Council any documents associated with the acquisition of the easement referred to in Item 2 above that do not require the Common Seal of Council.*

CARRIED BY EXCEPTION

8.21 Request to Reduce Easement in Favour of Council - Merrigang Street Bowral

Report of: Amanda McCullagh
Coordinator Property Services

Authorised by: Shelley Jones
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT:

1. Attachment 1 to this report be withheld from access to the public as required by section 11(3) of the Local Government Act, 1993 for the following reason:
 - a. Attachment 1 includes information that is confidential in accordance with clause 10A(2)(d)(i) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
2. Subject to a grant of development consent to development application 24/0567, the General Manager be delegated authority to negotiate with the owner of 127 Merrigang Street, Bowral being Lot 25 in Deposited Plan 1194787 ("Lot 25") for the release of an Easement to Drain Water Variable Width in favour of Council and to negotiate the grant of a new easement to Drain Water 3 Metres wide in favour of Council affecting Lot 25 **AND THAT** compensation payable to Council be negotiated within 10% range of independent valuation.
3. Council affix the Common Seal of Council to any documents required to be sealed for the release of the existing Easement and the grant of new Easement referred to in Item 2 **AND THAT** authority be delegated to the General Manager and Mayor to execute those documents.
4. Authority be delegated to the General Manager to execute on behalf of Council any documents associated with the release of the existing Easement and the grant of new Easement referred to in Item 2 above that do not require the Common Seal of Council.

MN 2025/26

MOTION moved by Cr Fitzpatrick, seconded by Cr Kent

THAT:

1. Attachment 1 to this report be withheld from access to the public as required by section 11(3) of the Local Government Act, 1993 for the following reason:
 - a. Attachment 1 includes information that is confidential in accordance with clause 10A(2)(d)(i) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
2. Subject to a grant of development consent to development application 24/0567, the General Manager be delegated authority to negotiate with the owner of 127 Merrigang Street, Bowral being Lot 25 in Deposited Plan 1194787 ("Lot 25") for the release of an Easement to Drain Water Variable Width in favour of Council and to negotiate the grant of a new easement to Drain Water 3 Metres wide in favour of Council affecting Lot

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- 25 **AND THAT** compensation payable to Council be negotiated within 10% range of independent valuation.*
- 3. Council affix the Common Seal of Council to any documents required to be sealed for the release of the existing Easement and the grant of new Easement referred to in Item 2 **AND THAT** authority be delegated to the General Manager and Mayor to execute those documents.*
- 4. Authority be delegated to the General Manager to execute on behalf of Council any documents associated with the release of the existing Easement and the grant of new Easement referred to in Item 2 above that do not require the Common Seal of Council.*

CARRIED BY EXCEPTION

8.22 Floodplain Risk Management Advisory Committee - Appointment of members

Report of: Shaun Robinson
Manager Assets

Authorised by: Clinton McAlister
Director Service and Project Delivery

RECOMMENDATION

THAT Council note the Floodplain Risk Management Advisory Committee - Appointment of members report.

MN 2025/27

MOTION moved by Cr Fitzpatrick, seconded by Cr Kent

THAT Council note the Floodplain Risk Management Advisory Committee - Appointment of members report.

CARRIED BY EXCEPTION

8.23 Development Assessment Progress - November 2024 to January 2025

Report of: Michael McCabe
Director Communities and Place

Authorised by: Michael McCabe
Director Communities and Place

OFFICER'S RECOMMENDATION

THAT Council note the results of the Development Applications Progress Report as included at Attachment 1 for the period 1 November 2024 to 31 January 2025.

MN 2025/28

MOTION moved by Cr Fitzpatrick, seconded by Cr Kent

THAT Council note the results of the Development Applications Progress Report as included at Attachment 1 for the period 1 November 2024 to 31 January 2025.

CARRIED BY EXCEPTION

8.24 Monthly Financial Report

Report of: Stephen Joss
Deputy Chief Financial Officer

Authorised by: Pav Kuzmanovski
Chief Financial Officer

OFFICER'S RECOMMENDATION

THAT Council note the monthly financial report for the period ending 31 January 2025.

MN 2025/29

MOTION moved by Cr Fitzpatrick, seconded by Cr Kent

THAT Council note the monthly financial report for the period ending 31 January 2025.

CARRIED BY EXCEPTION

8.25 Investments Reports - November 2024, December 2024 and January 2025

Report of: Stephen Joss
Deputy Chief Financial Officer

Authorised by: Pav Kuzmanovski
Chief Financial Officer

OFFICER'S RECOMMENDATION

THAT Council receive and note the Cash Investment Reports as at 30 November 2024, 31 December 2024 and 31 January 2025.

MN 2025/30

MOTION moved by Cr Fitzpatrick, seconded by Cr Kent

THAT Council receive and note the Cash Investment Reports as at 30 November 2024, 31 December 2024 and 31 January 2025.

CARRIED BY EXCEPTION

8.26 Audit, Risk and Improvement Committee Meeting Minutes - 28 November 2024

Report of: Paige Zelunzuk
Coordinator Governance

Authorised by: Shelley Jones
Director Corporate Strategy and Resourcing

OFFICER'S RECOMMENDATION

THAT the Minutes of the Ordinary Meeting of the Audit Risk and Improvement Committee held on 28 November 2024 be received and noted.

MN 2025/31

MOTION moved by Cr Fitzpatrick, seconded by Cr Kent

THAT the Minutes of the Ordinary Meeting of the Audit Risk and Improvement Committee held on 28 November 2024 be received and noted.

CARRIED BY EXCEPTION

8.27 Traffic Committee Meeting Minutes - 21 November 2024

Report of: Nasser Hossain
Coordinator Assets Roads and Traffic

Authorised by: Shaun Robinson
Acting Director Service and Project Delivery

OFFICER'S RECOMMENDATION

THAT Council:

1. Note the Minutes of the Traffic Committee meeting held on Thursday 21 November 2024 as included in Attachment 1 to this report.
2. Adopt the recommendations contained in TC 2024/68:
THAT Council approve the guardrail and Give Way arrangement as shown in Wingecarribee Council concept design plan 2445.
AND THAT Council approve signage additional to the Wingecarribee Council concept design plan 2445 be installed to generally align with AS 1742.2:2022, as well as installation of 10m of centre linemarking either side of the single lane section.
3. Council provide a 14-day notice to Transport for NSW and NSW Police of its intention to endorse the non-unanimous traffic committee recommendation TC 2024/71; after which, if no appeal has been made to the Regional Traffic Committee, the following recommendations shall be considered endorsed:
THAT Council approve the design plans (No. 2123-CC08) designed by Civil Development Solutions for a U-turn Bay on Ringwood Lane, Exeter.
AND THAT Council approve an advisory sign be placed on the No Right Turn sign on Bundanoon Road to advise drivers of the U-turn Bay in Ringwood Lane.

MOTION moved by Cr Farrell, seconded by Cr Russell

THAT Council:

1. Note the Minutes of the Traffic Committee meeting held on Thursday 21 November 2024 as included in Attachment 1 to this report.
 2. Adopt the recommendations contained in TC 2024/68:
THAT Council approve the guardrail and Give Way arrangement as shown in Wingecarribee Council concept design plan 2445.
AND THAT Council approve signage additional to the Wingecarribee Council concept design plan 2445 be installed to generally align with AS 1742.2:2022, as well as installation of 10m of centre linemarking either side of the single lane section.
 3. Council provide a 14-day notice to Transport for NSW and NSW Police of its intention to endorse the non-unanimous traffic committee recommendation TC 2024/71; after which, if no appeal has been made to the Regional Traffic Committee, the following recommendations shall be considered endorsed:
THAT Council approve the design plans (No. 2123-CC08) designed by Civil Development Solutions for a U-turn Bay on Ringwood Lane, Exeter.
AND THAT Council approve an advisory sign be placed on the No Right Turn sign on Bundanoon Road to advise drivers of the U-turn Bay in Ringwood Lane.
-

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AMENDMENT moved by Cr Farrell, seconded by Cr Russell

THAT Council:

- 1. Note the Minutes of the Traffic Committee meeting held on Thursday 21 November 2024 as included in Attachment 1 to this report.**
- 2. Adopt the recommendations contained in TC 2024/68: THAT Council approve the guardrail and Give Way arrangement as shown in Wingecarribee Council concept design plan 2445. AND THAT Council approve signage additional to the Wingecarribee Council concept design plan 2445 be installed to generally align with AS 1742.2:2022, as well as installation of 10m of centre linemarking either side of the single lane section.**
- 3. Reject the non-unanimous Traffic Committee recommendation TC 2024/71.**

CARRIED UNANIMOUSLY

THE AMENDMENT WAS CARRIED AND BECAME THE MOTION

MN 2025/32

MOTION moved by the Cr Farrell, seconded by Cr Russell

THAT Council:

- 1. Note the Minutes of the Traffic Committee meeting held on Thursday 21 November 2024 as included in Attachment 1 to this report.**
- 2. Adopt the recommendations contained in TC 2024/68: THAT Council approve the guardrail and Give Way arrangement as shown in Wingecarribee Council concept design plan 2445. AND THAT Council approve signage additional to the Wingecarribee Council concept design plan 2445 be installed to generally align with AS 1742.2:2022, as well as installation of 10m of centre linemarking either side of the single lane section.**
- 3. Reject the non-unanimous Traffic Committee recommendation TC 2024/71.**

CARRIED UNANIMOUSLY

8.28 Canberra Region Joint Organisation Minutes - 6 December 2024

Report of: Lisa Miscamble
General Manager

Authorised by: Lisa Miscamble
General Manager

OFFICER'S RECOMMENDATION

THAT Council note the Minutes of the Canberra Region Joint Organisation Board Meeting held on 6 December 2024.

MN 2025/33

MOTION moved by Cr Fitzpatrick, seconded by Cr Kent

THAT Council note the Minutes of the Canberra Region Joint Organisation Board Meeting held on 6 December 2024.

CARRIED BY EXCEPTION

9 NOTICES OF MOTION

9.1 Notice of Motion 1/2025 - Mayoral Honour Board

COUNCILLOR RUSSELL SUBMITTED THE FOLLOWING MOTION:

MOTION

THAT Council remove the name of the Administrator from the Mayoral Honour Board (leaving the stars and the existing statement regarding Administration period).

MOTION moved by Cr Russell, seconded by Cr Moylan

THAT Council remove the name of the Administrator from the Mayoral Honour Board (leaving the stars and the existing statement regarding Administration period).

ADJOURNMENT

At 6.18pm, it was moved by moved by Cr Fitzpatrick, seconded by Cr Foley:

THAT the meeting be adjourned for 5 minutes.

CARRIED UNANIMOUSLY

All Councillors were present at the resumption of the meeting at 6.22pm.

AMENDMENT moved by Cr Kent, seconded by Cr Moylan

THAT Council remove Viv May's name from the list of Mayors and replace it with the word Administration.

CARRIED UNANIMOUSLY

THE AMENDMENT WAS CARRIED AND BECAME THE MOTION

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
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MN 2025/34

MOTION moved by Cr Kent, seconded by Cr Moylan

THAT Council remove Viv May's name from the list of Mayors and replace it with the word Administration.

CARRIED UNANIMOUSLY

9.2 Notice of Motion 2/2025 - Reinstatement of Prayer to the Code of Meeting Practice

COUNCILLOR DUFFY SUBMITTED THE FOLLOWING MOTION:

MOTION

THAT Council Reinstate the Prayer to be included in the Code of Meeting Practice.

This item was dealt with immediately preceding Item 8.7 Code of Meeting Practice Draft for Adoption.

10 QUESTIONS WITH NOTICE

Nil.

11 MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 6.27pm.