

# MINUTES

## OF THE ORDINARY MEETING OF COUNCIL

*File No. 100/07*



held on Thursday, 26 April 2007

The meeting commenced at 6.01pm.



## MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street,  
Moss Vale on Thursday, 26 April 2007



# CONTENTS

<b>CONFIRMATION OF MINUTES</b>	<b>1</b>
<b>VISITOR ITEMS</b>	<b>4</b>
<b>CORPORATE SERVICES DIVISION</b>	<b>4</b>
v-CS1 2007/10 Management Plan and Budget .....	4
<b>OPEN COUNCIL</b>	<b>6</b>
<b>ENVIRONMENT &amp; PLANNING DIVISION</b>	<b>6</b>
o-EP1 Development Consents Under Delegated Authority .....	6
o-EP2 List of Development Applications Received By Council .....	6
o-EP3 Land Use Applications Received .....	7
o-EP4 Bundanoon Sewer Treatment Plant Upgrade .....	7
o-EP5 Proposed Driveway and Bridge, Headlam Road, Moss Vale .....	8
o-EP6 Proposed Retail / Commercial Building and Carpark, Victoria St, Bowral .....	8
o-EP7 Highlands Homemakers Centre, 205 Old Hume Highway, Mittagong .....	9
o-EP8 S.94 Plans For Recreation - Review .....	10
<b>QUESTIONS FROM THE PUBLIC</b>	<b>11</b>
o-EP9 Revised Draft Shire-wide LEP for Adoption .....	15
<b>CORPORATE SERVICES DIVISION</b>	<b>16</b>
o-CS1 Hampden Park Management Committee Changes to Constitution .....	16
<b>COUNCIL MATTERS</b>	<b>17</b>
<b>GENERAL MANAGER'S REPORTS</b>	<b>17</b>
c-GM1 Weekly Circulars .....	17
<b>COMMITTEE REPORTS TABLED</b>	<b>18</b>
c-CR1 Management and Advisory Committee Reports .....	18
<b>COMMITTEE REPORTS ATTACHED</b>	<b>18</b>
c-CR2 Economic Development Committee .....	18
c-CR3 Moss Vale Livestock Selling Centre Strategic Advisory Board .....	19
c-CR4 Environment Committee .....	20
c-CR5 Arts & Culture Board .....	21
c-CR6 LEP Steering Committee .....	21
<b>GENERAL BUSINESS</b>	<b>22</b>

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**COMMENCING AT:** 6.01PM

**PRESENT:** Councillor Gordon Lewis (Mayor) in the Chair  
Clr NN Campbell-Jones, Clr J R Clark, Clr T D Gair (6.10pm),  
Clr M L King, Clr J E Mauger, Clr M J Murray, Clr S H Murray,  
Clr P B Tuddenham, Clr L A C Whipper and Clr P Yeo

**IN ATTENDANCE:** General Manager, Director Corporate Services, Director  
Environment & Planning, Director Technical Services, Manager  
Administration Services and Administration Officer (AOR)

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**PRAYER**

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100/1

The meeting was opened in prayer led by Reverend Bob Thomas of Bowral Uniting Church.

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**APOLOGY**

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PERS

***MN 152/07***

***MOTION moved by Clr S H Murray and seconded by Clr P J Yeo:***

***THAT the apology of Clr P A George be accepted and leave of absence granted.***

***PASSED***

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## MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street,  
Moss Vale on Thursday, 26 April 2007



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### CONFIRMATION OF MINUTES

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MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY, 11  
APRIL 2007

100/1

**MN 153/07**

**MOTION** moved by Cllr P J Yeo and seconded by Cllr LAC Whipper:

**THAT** the Ordinary Meeting of Council held on Wednesday, 11 April 2007 MN 124/07 to MN 151/07 inclusive, copies of which were forwarded to Councillors, be adopted as a correct record of the proceedings of the meeting.

**PASSED**

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## DECLARATIONS OF INTEREST

101/3

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1. Clr P B Tuddenham declared a pecuniary interest in Item o-EP9 Revised draft Shire-wide LEP for Adoption in relation to any matters pertaining to the land in the commercial area of Mittagong due to his business being located there; to the land in Willow Vale as he resides in the area; and to the land in Range Road, Mittagong as his parents reside there. He stated he would leave the chamber when these matters were discussed in the LEP, take no part in the debate and refrain from voting thereon.
  2. Clr M Murray declared a pecuniary interest in Item o-EP9 Revised draft Shire-wide LEP for Adoption in relation to the land in Westgrove Road and Devon Road in Exeter as it is near his property and the property of his children's grandfather. He stated he would leave the chamber when these matters were discussed in the LEP, take no part in the debate and refrain from voting thereon.
  3. Clr S Murray declared a pecuniary interest in relation to any matters pertaining to land in the vicinity of Oxley Drive, Mittagong and matters relating to proposed changes to corner allotments as she owns a corner allotment in the area. She stated that she would leave the chamber when this matter was discussed in the LEP, take no part in the debate and refrain from voting thereon.
  4. Clr P J Yeo declared a pecuniary interest in Item o-EP9 Revised draft Shire-wide LEP for Adoption in relation to any matters pertaining to the proposed extension to the Bowral conservation area and the proposed rezoning from medium density to a lower density for the street in which he resides. He stated he would leave the chamber when this matter was discussed in the LEP, take no part in the debate and refrain from voting thereon.
  5. Clr M King declared a pecuniary interest in relation to the land in Wingello in Item o-EP9 Revised draft Shire-wide LEP for Adoption. She stated that she would leave the chamber when these matters were discussed in the LEP, take no part in the debate and refrain from voting thereon.
  6. Clr N N Campbell-Jones declared a pecuniary interest in Item o-EP9 Revised draft Shire-wide LEP for Adoption in relation to the land in West Yerrinbool because of its proximity to his residence due to his association with Mr Bill Carpenter (valuer). He stated that he would leave the chamber when these matters were discussed in the LEP, take no part in the debate and refrain from voting thereon.
  7. Clr J Mauger declared a pecuniary interest in relation to the land in Robertson in Item o-EP9 Revised draft Shire-wide LEP for Adoption. He stated that he would leave the chamber when this matter was discussed in the LEP, take no part in the debate and refrain from voting thereon.
  8. Clr T D Gair declared a pecuniary interest in relation to the land in Fitzroy Falls in Item o-EP9 Revised draft Shire-wide LEP for Adoption. He stated that he would leave the chamber when this matter was discussed in the LEP, take no part in the debate and refrain from voting thereon.
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**OPEN COUNCIL**

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**MN 154/07**

107/10

**MOTION** moved by Clr P B Tuddenham and seconded by Clr J R Clark:

**THAT** Council moves into Open Council to discuss various matters listed in the Agenda with Clr S H Murray in the Chair.

**PASSED**

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**VISITOR ITEMS**

**CORPORATE SERVICES DIVISON**

**v-CS1 2007/10 Management Plan and Budget**

REF: FSM

2120/07

Submitting the 2007/10 Draft Management Plan/Budget and Revenue Policy for endorsement as a draft for public exhibition.

Clr T D Gair joined the meeting at 6.10pm.

**OC 81/07**

*The Committee on a MOTION moved by Clr P J Yeo and seconded by Clr P B Tuddenham*  
**RECOMMENDED:**

1. ***THAT the Draft 2007/10 Management Plan/Budget and Revenue Policy be endorsed and placed on public exhibition from Wednesday, 2 May to Tuesday, 29 May 2007.***
2. ***THAT the Draft 2007/10 Management Plan/Budget and Revenue Policy be considered for adoption by Council at the Ordinary Council meeting on Wednesday 13 June 2007.***
3. ***THAT Council confirms its intention to implement a Special Rate Variation of 9.5% inclusive of rate pegging for five (5) years if approved by the Minister.***
4. ***THAT Council confirms its intention not to source external loan funds for inclusion in the 2007/08 Budget.***

**PASSED**

**Matters Arising from 2007/10 Management Plan and Budget**

1. **WATER FUND ESTIMATES**

2120/07

The Mayor referred to the water fund estimates in relation to renewal works to water mains and asked if there was a works program as to how much water is being leaked from under the roads and footpaths.

The Director Technical Services responded that he could give an estimate of this in the Weekly Circular.

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2. SPENDING OF RATES MONIES

2120/07

Clr T D Gair referred to the public forum held last year in relation to the rates where there had been criticism from members of village communities that the spending was not equitable. He asked for an update on this matter prior to the public meeting.

The Director Corporate Services stated that he would provide this information.

Clr S Murray stated that it was also important to know the amount gathered from various parts of the Shire because people then see that some areas are subsidising others.

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OPEN COUNCIL

ENVIRONMENT & PLANNING DIVISION

o-EP1 Development Consents Under Delegated Authority

REF: DCM 5302

Submitting list of development consents executed under delegated authority of the Director of Environment and Planning between 2/4/07 and 17/4/07.

**OC 82/07**

*The Committee on a MOTION moved by Clr T D Gair and seconded by Clr G Lewis*  
**RECOMMENDED:**

***THAT the information relating to Development Consent Nos 1-12 under Delegated Authority be received and noted.***

**PASSED**

o-EP2 List of Development Applications Received By Council

REF: DCM 5302

Submitting list of development applications which have been received between 2/4/07 and 16/4/07, some of which will be dealt with under delegated authority of the Director of Environment & Planning.

**OC 83/07**

*The Committee on a MOTION moved by Clr P J Yeo and seconded by Clr T D Gair*  
**RECOMMENDED:**

***THAT the information regarding the List of Land Use Applications Nos 1-14 received by Council be received and noted.***

**PASSED**

**o-EP3 Land Use Applications Received**

REF: DCM

5302

Submitting list of Land Use applications received under delegated authority of the Director of Environment & Planning for the month of March 2007.

**OC 84/07**

*The Committee on a MOTION moved by Clr P B Tuddenham and seconded by Clr P J Yeo*  
**RECOMMENDED:**

***THAT the information regarding the List of Land Use Applications Received by Council for the month of March 2007, be received and noted.***

**PASSED**

**o-EP4 Bundanoon Sewer Treatment Plant Upgrade**

REF: DCM

LUA06/1241; PN544700

Reporting on upgrade of Bundanoon Sewer Treatment Plant at Lot 2 DP 618233 Ferndale Road, Bundanoon.

**OC 85/07**

*The Committee on a MOTION moved by Clr P J Yeo and seconded by Clr J R Clark*  
**RECOMMENDED:**

1. ***THAT the Mayor and General Manager be authorised to execute the revised Deed of Agreement for the supply of reclaimed water from the Bundanoon Sewerage Scheme under the Common Seal of Council.***
2. ***THAT application be made to the Minister for Water Utilities for financial assistance towards augmentation of the Bundanoon Sewerage Scheme.***
3. ***THAT Council delegates authority to the Director, Environment & Planning to issue an approval for the proposed STP upgrade based upon the draft conditions forming Attachment 3 to this report.***

**PASSED**

**o-EP5 Proposed Driveway and Bridge, Headlam Road, Moss Vale**

REF: DCM

LUA06/1033

Reporting further on proposed driveway and bridge at Lot 1 DP 1033815 and Lot 3 DP 579578 Headlam Road, Moss Vale.

The Director Environment & Planning advised that there was no further information submitted to Council prior to tonight's meeting.

**OC 86/07**

*The Committee on a MOTION moved by Clr G Lewis and seconded by Clr P J Yeo*  
**RECOMMENDED:**

**THAT the information provided in this report be noted.**

**PASSED**

**o-EP6 Proposed Retail / Commercial Building and Carpark, Victoria St, Bowral**

REF: DCM

LUA06/0879

Reporting further on the proposed retail / commercial building and carpark at Lot 3 DP 1104038 Victoria Street, Bowral.

The Director Environment & Planning advised that no further information had been received from the SCA and RTA. He stated he would request some additional diagrams from the applicant addressing the matter of the wideness of Victoria Street in relation to trucks.

**OC 87/07**

*The Committee on a MOTION moved by Clr LAC Whipper and seconded by Clr P B Tuddenham*  
**RECOMMENDED:**

**THAT the above information be noted by Council.**

**PASSED**



**o-EP7 Highlands Homemakers Centre, 205 Old Hume Highway, Mittagong**

REF: DCM

LUA06/1282

Reporting further on the Highlands Homemakers Centre,

**OC 88/07**

The Committee on a MOTION moved by Clr P J Yeo and seconded by Clr T D Gair  
**RECOMMENDED:**

1. ***THAT Council supports LUA06/1282 for the construction of a bulky goods / homemakers centre at Lot 1 Section 85 DP1374, No.205 Old Hume Highway, Mittagong and that the Director Environment and Planning be authorised to issue a Development Consent in accordance with the draft consent at Attachment 2 to this report with the addition of any requirements of the Roads and Traffic Authority and the Sydney Catchment Authority (for both the original Stage 1 and Stage 2 of the original Development Application).***
2. ***THAT the Conditions of Consent be amended to ensure that the disabled toilet facilities and the parenting room have sliding door access.***
3. ***THAT the Conditions of Consent be amended to ensure that in the event of a significant archaeological find causing a reduction in carparking spaces below the calculated minimum requirement, that a floor space reduction occur.***

**PASSED**

**Dissenting vote:** Clr M King requested that her dissenting vote be recorded in respect of this matter.

**o-EP8 S.94 Plans For Recreation - Review**

DEP SPM 5701/5

This report considers the options to phase in recreation developer contributions for Mittagong and Hill Top and to make some minor amendments to the adopted works program prior to the exhibition of the Management Plan.

Clr P B Tuddenham requested advice on how these estimates had been put together and the basis of any shared costing.

The Director Technical Services stated that he would provide this information by Weekly Circular.

**OC 89/07**

The Committee on a MOTION moved by Clr LAC Whipper and seconded by Clr T D Gair  
**RECOMMENDED:**

- THAT Council adopts the minor amendments to the 2007/08 and 2008/09 works program, being:**

Year Provided	Location	Proposed Works	Est.	Cost
			S.94	Council
2007/08	Mittagong	Upgrade Ovals and Amenities in Mittagong and Welby	\$20,000	\$20,000
2008/09	Moss Vale	Upgrade Church Road Fields including tree removal, landscaping, car parking expansion and seating.	\$103,000	\$51,500

- THAT Council exhibits the proposed amendments to the Recreation s.94 plan that reduces the contributions rates for Mittagong to \$4,191, and Hill Top to \$3,727.**
- THAT a report be prepared that considers any submissions received during the exhibition process for Council's consideration to adopt the amended S.94 plan.**

**PASSED**



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**QUESTIONS FROM THE PUBLIC**

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1. HIGHLANDS HOMEMAKERS CENTRE, 205 OLD HUME HIGHWAY, MITTAGONG  
LUA06/1282

Mr Sam Ibrahim referred to Item o-EP7 Highlands Homemakers Centre, 205 Old Hume Highway, Mittagong and asked the following questions:

- a) Have all Councillors had received a copy of the concerns he had raised with the General Manager and whether these concerns were understood?
- b) Where does it mention that the Heritage assessment says it is unlikely that any artefacts will be found?
- c) How was the contribution of \$98,000 for the upgrade of the roundabout at Cavendish Street assessed?

Mr Ibrahim also stated that the plan shows 7a for a third of the site and 4b for the remainder and asked if the boundary realignment had been done or is Council suggesting that some uses are permissible on 7a. If such a realignment happens would this constitute a rezoning for which the Minister's consent would have to be obtained.

The Director Environment & Planning responded that the application does not involve a change in zoning boundary at this point in time. Council is dealing with the current zoning as described under the Wingecarribee LEP. The site is a dual zoning and Council is not rezoning the land.

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2. UNSAFE TRAFFIC SIGNALS 7456

Mr Charlie Johns stated that there were some traffic issues that may not have been addressed in the Mittagong Traffic Plan. One example was for traffic travelling north from the Mittagong Marketplace on old Hume Highway there is a large sign on the left encouraging right hand turn into Bowral Road to go to Bowral. Given the increased traffic through this intersection in all directions there are more vehicles making the right hand turn which is totally unsafe because of the different phasing of the lights. Mr Johns asked if Council could list this matter for urgent consideration and review by the Traffic Committee.

Clr T D Gair responded that he would take this question on notice but stated the Traffic Committee is reviewing all traffic issues generated by the Mittagong Marketplace development.

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3. HIGHLANDS HOMEMAKERS CENTRE - ABORIGINAL BURIAL SITE LUA06/1282  
5652/11

Mr Peter Falk stated that there was evidence that the Homemakers site is possibly an aboriginal burial site. He asked that all draft development conditions have the following statement included and if not why:

*“Aboriginal Cultural Heritage*

*Prior to the issue of construction certificate for Stage 1 an archaeological assessment be undertaken in compliance with DECC’s Aboriginal Cultural Heritage Standards & Guidelines Kit 1997.”*

The Director Environment & Planning responded that the question is whether it is applicable to all development applications. The whole process is under review and the relevant Ministers are looking at these procedures to review them. He stated that he did not believe it was appropriate to do this for every application.

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4. FLYING OF ABORIGINAL FLAG 1615

Mr Peter Falk stated that 4-1/2 years ago the Aboriginal Advisory Committee had recommended that Council fly the Aboriginal flag five (5) days a week, every week. The Aboriginal community would like to see Wingecarribee Shire Council follow the lead of other Councils and fly the flag.

Clr S Murray stated that she did not believe it had been a resolution of this Council to fly the Aboriginal flag.

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5. PROPOSED RETAIL / COMMERCIAL BUILDING AND CARPARK, VICTORIA ST, BOWRAL LUA06/0879

Mrs Pam Cooper referred to the above development and asked if the possibility of the future development on the opposite corner to Lot 3 / DP 110438 been taken into account regarding future traffic arrangements and the impact on Mittagong Road and Victoria Street. Regarding the applicant’s refusal to amend plans for the third level can Council insist on an amended plan or is it likely the applicant would challenge Council in the Land & Environment Court? If so what counter measures would Council take?

The Director Environment & Planning stated the applicant already has an appeal in the Land & Environment Court based on Council’s deemed refusal. Council can certainly put a condition on any approval it might grant that requires deletion of that third level and it could then become a matter for the applicant to take up if they are dissatisfied with such a condition.

He also stated that in terms of traffic issues his recollection was that the supporting traffic studies of that particular development took into account the site on the opposite side of Victoria Street and the potential development of that site.



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6. 100 HECTARE MINIMUM LAND SIZE 5800/9

Mrs Pam Cooper referred to the statement on page 39 of the agenda that the 100 hectare minimum land size has been changed back to 40 hectares and asked why this had happened.

The Director Environment & Planning responded that Council is recommending that this be done on the basis of the study it commissioned to look into what was the most appropriate subdivision standard for our rural zones.

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7. TOURIST PARK 5300/12, 7142

Mrs Pam Cooper referred to page 50 of the agenda and asked for clarification of the term “tourist park”.

Clr M Murray stated that the term is a combination of what used to be called “caravan park” plus tourist cabins and other various upmarket tourist facilities. He added that tourist parks are more advanced in the type of facilities they offer.

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8. NO GUN CLUB – HILL TOP 6613/3

Mr Patrick Webb representing the “No Gun Club” group stated that a number of members of the group had received a letter from Graeme Hewat, Council’s Town Planner. With regard to the formal submissions from Council on the proposed shooting facility he asked what investigations are undertaken to be included in this submission. Mr Webb stated that the group had submitted a package to all Councillors and asked if they could make a presentation to Councillors on what they had found out so far. There will be a public meeting on 6<sup>th</sup> May 2007 and Mr Webb also asked if a Councillor representative could speak at this meeting.

The Director Environment & Planning advised that once the environmental assessment associated with that proposal is available it would be reviewed and a report provided to Council for consideration so that it can determine what needs to be sent back to the Minister.

Clr S Murray stated that Councillors would be happy for the group to come and address them.

Clr L A C Whipper asked if there was any reason why Council couldn’t request an extended exhibition period and the Director Environment & Planning responded that Council could certainly ask but it would be up to the Minister and the Department to grant this request.

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9. HIGHLANDS HOMEMAKER CENTRE

LUA06/1282

Mr Denis Cribbin referred to the Highlands Homemaker Centre and asked if the actual RTA consent had been given for that proposal and if they require a roundabout at Cavendish Street.

The Director Environment & Planning responded that Council had received the formal letter from the RTA on 24 April 2007 and the RTA does not require a roundabout at the intersection of Cavendish Street and the Old Hume Highway but have indicated that this junction will need an upgrade to traffic signals within the next ten (10) years.

Mr Cribbin asked how Council intended to fund a roundabout at Cavendish Street with only a \$98,000 contribution.

The Director Environment & Planning stated he was unsure of the estimated cost and whether any design work had been done on the roundabout at this point in time. Council has some existing S94 funds for that locality and is collecting other funds through other developments.

Mr Cribbin asked if Councillors really understood recommendation 21 of the LEP, clauses 1 to 4) and how it was possible that a very similar project in Mittagong could not affect the same type of project in Moss Vale which was approved on 13 December 2006.

Clr S Murray thanked Mr Cribbin for his comments but felt that Council had already addressed this issue.

10. HIGHLANDS HOMEMAKER CENTRE

LUA06/1282

Mr Bill Watson referred to two plans for the above development and stated that there did not appear to be a survey contained in the Council documents. He asked if Council was absolutely sure that there was no encroachment of the building envelope over the 7a zoning which seems to fall on two (2) blocks of land.

The Director Environment & Planning stated that he believed this was correct but would be re-checking the zoning.



**o-EP9 Revised Draft Shire-wide LEP for Adoption**

REF: SPM

5900

The purpose of this report is to present to Council the revised draft Shire-wide LEP for adoption.

**OC 90/07**

The Committee on a MOTION moved by Clr N N Campbell-Jones and seconded by Clr P J Yeo **RECOMMENDED**:

**THAT this matter be deferred for consideration to the next Ordinary Meeting of Council to be held on Wednesday, 9 May 2007.**

**PASSED**

## CORPORATE SERVICES DIVISION

o-CS1	Hampden Park Management Committee Changes to Constitution
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REF: MAS	6550/2.1
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Reporting on the changes to the Hampden Park Management Committee Constitution.

### OC 91/07

The Committee on a MOTION moved by Clr M J Murray and seconded by Clr P J Yeo  
**RECOMMENDED:**

1. **THAT the following changes to Hampden Park Management Committee Constitution be adopted:**

**2. Objectives of the Committee**

- 2.1 ***To maximise the use of Hampden Park and its facilities for the benefit of the community in accordance with this Constitution and Instrument of Delegation.***
- 2.2 ***To protect and maintain the integrity of Hampden Park.***
- 2.3 ***To facilitate community advocacy for Hampden Park.***
- 2.4 ***To advise Council of any matters considered by the Committee, to require Council's determination or action in relation to Hampden Park or its operation.***

**3.3 Committee Membership**

- 3.3.1 ***The committee will comprise up to (12) twelve members with a mixture of delegates of regular user groups and community representatives.***
- 3.3.14 ***A quorum will comprise of (5) five members. A quorum must be present within fifteen minutes of the nominated commencement time.***

2. **THAT Council notifies the Hampden Park Management Committee of its determination.**

**PASSED**



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**COUNCIL MATTERS**

**GENERAL MANAGER'S REPORTS**

**c-GM1      Weekly Circulars**

REF.	GM	100/8, 203/2007
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Confirming receipt of weekly circulars from the Local Government Association and Council weekly circulars.

***OC 92/07***

*The Committee on a MOTION moved by Cllr M J Murray and seconded by Cllr P J Yeo*  
**RECOMMENDED:**

***THAT the information relating to Local Government Weekly Circulars Nos 14/07 and 15/07 and Council Weekly Circulars Nos 14/07 and 15/07 be noted.***

**PASSED**

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**COMMITTEE REPORTS**

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**COMMITTEE REPORTS TABLED**

<b>c-CR1</b>	<b>Management and Advisory Committee Reports</b>	
REF.	DCS	107/1

Submitting minutes of the following three (3) Committee meetings that will be tabled for information.

1. Bowral Tulip Time Committee meeting Monday 26 March 2007
2. Moss Vale Senior Citizens & Community centre Management Committee meeting Monday 2 April 2007
3. Seniors Advisory Committee meeting held Tuesday, 3 April 2007

**OC 93/07**

The Committee on a MOTION moved by Clr M J Murray and seconded by Clr P J Yeo  
**RECOMMENDED:**

**THAT the information contained in the three (3) Committee Reports be noted.**

**PASSED**

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**COMMITTEE REPORTS ATTACHED**

<b>c-CR2</b>	<b>Economic Development Committee</b>	
REF	EDO	107/24

Submitting minutes of the Economic Development Committee meeting held Wednesday, 28 March 2007.

**OC 94/07**

The Committee on a MOTION moved by Clr M J Murray and seconded by Clr T D Gair  
**RECOMMENDED:**

**THAT the recommendations as detailed in the minutes of the Economic Development Committee meeting held Wednesday, 28 March 2007 be adopted.**

**PASSED**

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**COMMITTEE REPORTS**

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**Matters Arising from Economic Development Committee Minutes**

1. ENTERPRISE ZONE UPDATE 5700/60

Clr L A C Whipper requested clarification on the second paragraph of Item 4.2 regarding the forecast of zero growth for Camden and Wollondilly shires.

Clr P Yeo also requested clarification on the second paragraph on page 50 with regard to the Moss Vale Enterprise Zone and to land in Braemar north of the industrial zone.

Clr M Murray stated that this information would be provided via the Weekly Circular.

The Director Environment & Planning stated that when Councillors asked for information on development applications in the list an extract is taken from the statement of environmental effects provided by the applicant that describes the proposal. Council does not make an assessment at this point in time.

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2. TOURIST PARKS 5300/12, 7142

Clr J Clark referred to the last paragraph of Item 5 on page 51 of the minutes and asked if Councillors could share the results of the report on this matter which is scheduled to come out on 23 May 2007.

Clr M Murray stated that this would be done.

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<b>c-CR3 Moss Vale Livestock Selling Centre Strategic Advisory Board</b>
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REF	PPM	7170/01
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Submitting minutes of the Moss Vale Livestock Selling Centre Strategic Advisory Board meeting held Friday, 30 March 2007.

**OC 95/07**

*The Committee on a MOTION moved by Clr M J Murray and seconded by Clr T D Gair*  
**RECOMMENDED:**

**THAT the recommendations as detailed in the minutes of the Moss Vale Livestock Selling Centre Strategic Advisory Board meeting held Friday, 30 March 2007 be adopted.**

**PASSED**

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**COMMITTEE REPORTS**

**c-CR4 Environment Committee**

REF PPM 107/25, 5465/29.01

Submitting minutes of the Environment Committee meeting held Wednesday, 21 March 2007.

**OC 96/07**

*The Committee on a MOTION moved by Clr M J Murray and seconded by Clr T D Gair*  
**RECOMMENDED:**

***THAT*** the recommendations as detailed in the minutes of the Environment Committee meeting held Wednesday, 21 March 2007 be adopted with the exception of Recommendation 6 on page 60 (Item 3) – Shire Wide Environment Survey.

**PASSED**

1. SHIRE WIDE ENVIRONMENT SURVEY 5602/13.1

**OC 97/07**

*The Committee on a MOTION moved Clr T D Gair and seconded by Clr N N Campbell-Jones*  
**RECOMMENDED:**

***THAT*** Council holds an information session on Item 3 - Shire Wide Environment Survey to discuss financial and survey aspects in this matter.

**PASSED**

**COMMITTEE REPORTS**

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<b>c-CR5</b>	<b>Arts &amp; Culture Board</b>
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REF	SPM	1660/1
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Submitting minutes of the Arts & Culture Board meeting held Monday, 26 March 2007.

**OC 98/07**

*The Committee on a MOTION moved by Clr M J Murray and seconded by Clr T D Gair*  
**RECOMMENDED:**

**THAT the recommendations as detailed in the minutes of the Arts & Culture Board meeting held Monday, 26 March 2007 be adopted.**

**PASSED**

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<b>c-CR6</b>	<b>LEP Steering Committee</b>
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REF	DEP	5900
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Submitting minutes of the LEP Steering Committee meeting held Monday, 18 April 2007.

Clr T D Gair asked for it to be noted that he believed Mark Pepping, Strategic Planning Manager and Susan Stannard, Strategic Planner, are still doing a great job.

**OC 99/07**

*The Committee on a MOTION moved by Clr M J Murray and seconded by Clr T D Gair*  
**RECOMMENDED:**

**THAT the recommendations as detailed in the minutes of the LEP Steering Committee meeting held Monday, 18 April 2007 be adopted.**

**PASSED**

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**GENERAL BUSINESS**

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1. REPORT ON OUTSTANDING DEBT 2126

Clr L A C Whipper referred to the request by Clr J Mauger at the Ordinary Meeting of Council on Wednesday, 14 March 2007 for a report in relation to the write-off of a certain debt. He asked when this report would be forthcoming.

The Director Corporate Services responded that he believed this request was not passed as a resolution but stated he would investigate and provide information in the Weekly Circular.

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2. UPDATE ON BOOLWEY STREET 7813/1, 8117

The Mayor requested information on the current situation regarding the trees in Boolwey Street, Bowral.

The Director Technical Services responded that an update was provided to Councillors by Weekly Circular last Friday. Since then as promised a landscape plan has been prepared and given to all residents in the street. The Parks & Property Manager had met with the residents and has received some minor changes to the landscape plan. He will make those adjustments and the project will proceed as planned but would need to check with the Works Engineers as to the actual starting date.

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3. LETTER FROM MATT BROWN RE PROPOSED RATE INCREASE 2210/9.2

The Mayor read out a letter received from Matt Brown MP dated 13 April 2007 expressing his support of Council's proposed rate increase in which he states:

*"I am replying to your request for feedback to the proposed rates increase of 9.5% this coming year.*

*I appreciate that Council faces ongoing major depreciation issues on top of all the other demands for new infrastructure and services. I support your decision that existing infrastructure should be properly maintained – in the long run this will provide the best economies.*

*Resident feedback to me has always been that they want their services and facilities upgraded, even if this involves additional contributions – I have never interviewed anyone supporting the reverse.*

*I consider the requested rate increase to be justified and am happy to support Council in any way I can.*

*I trust that Council can maintain efficient staffing and resource use, so that ratepayers enjoy "value for money".*

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**GENERAL BUSINESS**

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4. LOSS OF HALF A ROAD DURING MITTAGONG CENTRAL DEVELOPMENT RD 3131

Clr N N Campbell-Jones referred to the Mittagong Central site and asked if the developer had permission to take half a road (during a recent rain storm, part of Church Lane had washed into the Mittagong Central building site; the walls of the underground car park are now complete and with the lane partly closed vehicle access is restricted). *This matter had been raised at the Ordinary Meeting of Council on 11 April 2007.*

The Director Environment & Planning stated that he would investigate this matter and provide an answer in the Weekly Circular.

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5. LOSS OF PARKING SPACES DURING SCARCELLA DEVELOPMENT 7450

Clr S Murray asked for information on the use of 11 car parking spaces for the Scarcella development in Bowral which were to be set aside for building purposes as they were not being used.

The Director Environment & Planning advised that he would provide information in the Weekly Circular.

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6. LABOR PARTY ELECTION SIGNS 5613, 1400/1

Clr N N Campbell-Jones asked when the Labor Party election signs were going to be taken down now that the March state election is over. He stated there were still signs in Yerrinbool, Mittagong and at Bowral Primary School.

The Director Environment & Planning stated that he would follow this matter up and ask the rangers to remove any remaining signs.

Clr N N Campbell-Jones asked if a response had been received from Integral Energy in relation to the signs on their power poles.

The General Manager stated that he had written to Integral Energy a month ago but had not yet received a response.

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8. SIGNAGE IN THE SHIRE 7415

Clr N N Campbell-Jones referred to certain large signs in the Shire (i.e. one on a container at Bunnings and another on the side of Magnet Mart in Bowral). He asked if these companies had permission to display such large signs.

The Director Environment & Planning stated that he would provide information on this matter in the Weekly Circular.

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**GENERAL BUSINESS**

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10. CHANGES TO SEPP 58 5320/58

Clr M King asked for clarification on the changes to SEPP 58 that came into effect on 1<sup>st</sup> January 2007 and how it differed from the old SEPP 58.

The Director Environment & Planning stated that he would provide what the Sydney Catchment Authority did with regard to comparing and contrasting the two documents in the Weekly Circular.

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11. GRANTING OF COMMUNITY LAND AS PART OF PARKING STRATEGY 7124

Clr T D Gair referred to the proposed information session on the granting of easements across community land as part of our parking strategy and asked if this could be incorporated in the Councillor Information Session.

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12. SEPTIC SYSTEMS 5405/3

Clr T D Gair referred to the meeting held last week on septic systems and asked when the report would come back on this information session.

The Director Environment & Planning stated he would check with the Environment & Health Manager but he believed the intention was to turn this around very quickly.

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13. PASSING OF MAX MOORE AND SONNY RITCHIE 600/4

Clr T D Gair referred to the recent passing of two local identities – Max Moore and Sonny Ritchie – and asked if it would be appropriate to send condolence cards from the Mayor to their families.

The Mayor stated that he would arrange for cards to be sent to both families.

Clr Gair stated that at Max Moore's funeral it was mentioned that just before his passing he had removed a very large gum tree that was split and blown over in the February windstorms. He asked if it would be possible for Council to donate a gum tree or flowering gum to be planted over the site of that large gum tree.

Clr S Murray stated that she thought this was a good idea but Council would need to speak to Mr Moore's family before taking any action.

Clr Gair responded that he would contact the family and advise the Mayor and Deputy Mayor of their feelings in this matter.

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**GENERAL BUSINESS**

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14. LOSS OF SNOW GUMS AT CIVIC CENTRE

7100

Clr N N Campbell-Jones referred to the Snow Gums that are dying outside the Civic Centre because they have been over-fertilised when they are accustomed to poor quality soil. He stated he believed Council needs a replanting strategy to ensure that any tree planted in the future will survive. He also questioned the need to have lawn outside the Civic Centre.

Clr L A C Whipper stated that he would be interested to know what sort of root damage was done when the garden was restructured.

The General Manager responded that an arborist was looking at this and the matter needed to come back to Council.

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**CHAIRPERSON**

At 8.35pm being the conclusion of Open Council, the Mayor, Clr G Lewis, resumed the chair to conduct the remainder of Council business.



## MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street,  
Moss Vale on Thursday, 26 April 2007



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### ADOPTION OF OPEN COUNCIL

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107/10

**MN 155/07**

**MOTION** moved by Clr G Lewis seconded by Clr N N Campbell-Jones:

**THAT the recommendations of the Open Council held on Thursday, 26 April 2007 being OC 81/07 to OC 99/07, be adopted.**

**PASSED**

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## MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street,  
Moss Vale on Thursday, 26 April 2007



THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 8.35PM.

In accordance with the provisions of Section 375(2) of the Local Government Act, these Minutes of the Ordinary Council Meeting held Thursday, 26 April 2007 numbered M/N 152/07 to M/N 155/07, were signed by me hereunder at the Council Meeting held on Wednesday, 9 May 2007.

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CHAIRMAN

READ AND CONFIRMED THIS WEDNESDAY, 9 MAY 2007

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CHAIRMAN

\_\_\_\_\_  
PUBLIC OFFICER



## MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street,  
Moss Vale on Thursday, 26 April 2007

