

MINUTES

OF THE ORDINARY MEETING OF COUNCIL

File No. 100/07



held on Wednesday, 22 August 2007

The meeting commenced at 3.06pm.



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street,
Moss Vale on Wednesday, 22 August 2007



CONTENTS

CONFIRMATION OF MINUTES	2
MAYORAL MINUTE	5
c-MM1 Civic Pride	5
c-MM2 Staff Matter	6
VISITOR ITEMS	7
ENVIRONMENT & PLANNING DIVISION	7
v-EP1 Report on Environment Survey	7
OPEN COUNCIL	8
ENVIRONMENT & PLANNING DIVISION	8
o-EP1 Development Consents Under Delegated Authority	8
o-EP2 List of Development Applications Received by Council	9
o-EP3 Land Use Applications Received	10
o-EP4 Enterprise Corridor DCP and Infrastructure Plan	11
CORPORATE SERVICES DIVISION	12
o-CS1 Investments as at 30 June 2007	12
TECHNICAL SERVICES DIVISION	13
o-TS1 Replacement of Culvert on Ellsmore Road	13
COUNCIL MATTERS	14
GENERAL MANAGER’S REPORTS	14
c-GM1 Weekly Circulars	14
c-GM2 China Friendship Relationship and Cultural Exchange	15
OTHER MATTERS	16
NOTICE OF MOTION	16
c-NM1 22/2007 – Notice of Motion – Additions to Councils “Code of Meeting Practice” (adopted 9 March 2005)	16
COMMITTEE REPORTS TABLED	17
c-CR1 Management and Advisory Committee Reports	17
COMMITTEE REPORTS ATTACHED	18
c-CR2 Bundanoon Master Plan Committee	18
c-CR3 Arts & Culture Board Minutes	18
QUESTIONS FROM THE PUBLIC	19
GENERAL BUSINESS	20
CORPORATE SERVICES DIVISION	26
c-CS1 Closed Council	26
MAYORAL MINUTE	27
MM2 Staff Matter	27

COMMENCING AT: 3.06 PM

PRESENT: Councillor Gordon Lewis (Mayor) in the Chair
Clr NN Campbell-Jones, Clr J R Clark, Clr T D Gair,
Clr P A George, Clr M L King, Clr J E Mauger, Clr M J Murray,
Clr S H Murray (3.56pm), 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)

PRAYER

100/1

The meeting was opened in prayer led by Reverend Steven North of Moss Vale Presbyterian Church.

CONFIRMATION OF MINUTES

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY, 8
AUGUST 2007

100/1

MN 269/07

MOTION moved by Clr T D Gair and seconded by Clr M J Murray:

THAT the minutes of the Ordinary Meeting of Council held on Wednesday, 8 August 2007 MN 242/07 to MN 268/07 inclusive, copies of which were forwarded to Councillors, be adopted as a correct record of the proceedings of the meeting.

PASSED

BUSINESS ARISING

1. UPPER NEPEAN REFERENCE GROUP 5459/7

Clr L A C Whipper referred to the matter raised by Mr Terry Oakes-Ash of the Southern Highland Business Chamber in Questions from the Public regarding the Kangaloon Aquifer on page 23 of the minutes. He asked if Mr Oakes-Ash would be attending today's meeting as he would like to respond directly to that question.

The Mayor advised that if Mr Oakes-Ash arrived later in the meeting either he or Clr P George who would be chairing Open Council would allow Clr Whipper the opportunity to respond.

2. DECLARATIONS OF INTEREST – LEGAL COMMITTEE 107/22

Clr N N Campbell-Jones referred to the declarations of interest on page 5 and stated that these declarations were not made until later in the meeting when the Legal Committee minutes were discussed.

3. o-TS1 TEMPORARY PATH - SOUTHERN SIDE OF OLD HUME HIGHWAY, MITTAGONG 7810/5, RD1427, LUA07/0555

Clr P George referred to the above matter on page 15 and stated that she had recently attended a Mittagong Primary School Council meeting at which the school council had expressed concern about Council approving a temporary footpath on the eastern side. Clr George stated that she had told the school that Council had also reconfirmed its commitment to the permanent footpath on the northern side of the road and there were no changes to that project.

Clr George asked Council to prepare some media information to make the public aware of what is going on and also send a letter to the primary school giving an update of where we are up to with the project, designs and traffic lights etc.

DECLARATIONS OF INTEREST

101/3

No declarations of interest were recorded.

VISIT BY MR GEOFF LARSEN

600

The Mayor advised that this afternoon he had received a visit from Mr Geoff Larsen who had been Shire President from 1975 to 1980 in the old Wingecarribee Shire Council and from 1982 to 1983 in the Amalgamated Council.

Mr Larsen was unable to attend the meeting.

MAYORAL MINUTE

c-MM1	Civic Pride
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REF.	PPM, CSMM
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600 (cc 102/5)

Urging the people of Wingecarribee Shire to take pride in their community.

MN 270/07

MOTION moved by *Clr G Lewis* and seconded by *Clr J E Mauger*:

1. **THAT Council acknowledges the good work done by the majority of residents and property owners in Wingecarribee Shire to maintain their property in a neat and tidy condition.**
2. **THAT Council supports the good work done by our Chambers of Commerce and Village Associations by urging property owners, property managers and tenants with unkempt premises to take pride in their community by maintaining buildings and property in a tidy manner.**
3. **THAT this message be promoted in an upcoming edition of Wingecarribee Today and the local media.**
4. **THAT Council investigates the possibility of a competition for street beautification AND THAT it be sent to the Chambers of Commerce in Bowral, Mittagong and Moss Vale as well as to the village associations.**

PASSED

c-MM2	Staff Matter
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REF.	MAYOR	PERS
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Reporting on a staffing matter concerning the General Manager.

Relevant Legal Provisions

This matter has been placed in Closed Council as it deals with personnel matters concerning particular individuals, under Section 10A(2)(a) of the Local Government Act.

Brief Description

This report deals with the General Manager's performance review for 2006/2007.

Public Interest

It would on balance be contrary to the public interest to consider this information in Open Council because of privacy considerations.

The Mayor advised that he would bring this matter up later in the meeting (refer MN 278/07).

OPEN COUNCIL

MN 271/07

107/10

MOTION moved by Clr P J Yeo and seconded by Clr M J Murray:

THAT Council moves into Open Council to discuss various matters listed in the Agenda with Clr P George in the Chair.

PASSED

VISITOR ITEMS

ENVIRONMENT & PLANNING DIVISION

v-EP1 Report on Environment Survey

REF: EHM

5602/13.1

The purpose of this report is to present the Shire-wide Environment Survey details and to seek Council's endorsement for the survey to proceed.

Council's Environment & Health Manager, Andrew de Montemas, addressed Council on this matter.

Clr M Murray suggested that "views and vistas" be added under Question 2.1 (Randomised Block) on page 2 of the attachment to this report.

OC 237/07

The Committee on a MOTION moved by Clr P J Yeo and seconded by Clr LAC Whipper
RECOMMENDED:

1. ***THAT Council endorses the questionnaire and proceeds with the undertaking of the survey.***
2. ***THAT on completion of the survey a further report be presented to Council detailing the results and findings.***
3. ***THAT the results of the survey be forwarded to the Environment Committee for review and report back to Council.***

PASSED

SUSPENSION OF STANDING ORDERS

2215/2

The Mayor requested that Standing Orders be suspended in order to allow him the opportunity to present a cheque to Mr E Galea of Yerrinbool, one of the five winners in Council's 2007 Early Rate Payment Incentive Scheme.

OC 238/07

The Committee on a MOTION moved by Clr G Lewis and seconded by Clr P A George
RECOMMENDED:

THAT standing orders be suspended to allow the presentation of a cheque to Mr E Galea of Yerrinbool, a winner in Council's 2007 Early Rate Payment Incentive Scheme.

PASSED



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 18/7/07 and 14/8/07.

OC 239/07

The Committee on a MOTION moved by Clr M J Murray and seconded by Clr M L King
RECOMMENDED:

THAT the information relating to Development Consent Nos 1-14 under Delegated Authority be received and noted.

PASSED

Matters Arising from Development Consents under Delegated Authority

1. TOWING HOLDING YARD FOR STORAGE OF DAMAGED VEHICLES – OLD HUME HIGHWAY, MITTAGONG

LUA07/0700

Clr P B Tuddenham referred to Item 14 and stated that he understood Councillors were going to be given a report on the siting of it before it was approved.

The Director Environment & Planning advised that the matter had been approved but he would provide more information on the application itself and any relevant conditions that may have been attached to that approval.



o-EP2 List of Development Applications Received by Council

REF: DCM

5302

Submitting list of development applications which have been received between 16/7/07 and 14/8/07, some of which will be dealt with under delegated authority of the Director of Environment & Planning.

OC 240/07

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

THAT the information regarding the List of Land Use Applications Nos 1-28 received by Council be received and noted.

PASSED

Matters Arising from Development Applications Received by Council

1. DEMOLISH EXISTING DWELLING & GARAGE -
MERRIGANG STREET, BOWRAL LUA07/0852

Clr M King referred to Item 27 and asked if Councillors could be provided with photographs of buildings that are to be demolished.

Clr P Yeo also asked for information on this matter to be included in the Weekly Circular.

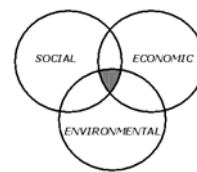
The Director Environment & Planning stated that he would provide details in the Weekly Circular.

2. 9 LOT SUBDIVISION – PADDY’S RIVER, MURRIMBA ROAD,
WINGELLO LUA07/0843

Clr M King referred to Item 25 and asked if all the lots in this subdivision would be a minimum of 40 ha and 60 ha. She also asked how many acres were being subdivided.

The Director Environment & Planning stated that he would provide the plans and further details on this subdivision in the Weekly Circular.

Clr J Clark asked if this matter could be referred to the Environment Committee for consideration as there were probably some biodiversity corridor issues involved.



3. NEON SIGN FOR A VET CLINIC – 472 ARGYLE STREET,
MOSS VALE

LUA07/0794

Clr J Clark referred to Item 15 and asked if this was out of the 3a zone.

The Director Environment & Planning responded that he would check the exact location and provide a site plan and details in the Weekly Circular.

4. 5 LOT SUBDIVISION – INVERARY RD, PADDY'S RIVER

LUA07/0854

Clr J Clark referred to Item 28 and asked if this matter could be referred to the Environment Committee as there were probably some biodiversity corridor issues involved.

o-EP3	Land Use Applications Received
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REF:	DCM
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5302

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

OC 241/07

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

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

PASSED



o-EP4 Enterprise Corridor DCP and Infrastructure Plan

REF: SPM, EDO, FSM

5700/60

This is a joint report of the Economic Development Officer and Manager of Strategic Planning. The purpose of this report is to:

- (i) update Council on the progress of the project;
- (ii) consider exhibiting of the draft DCP for the site;
- (iii) seek Council's endorsement of a funding application to GROW; and'
- (iv) recommend Council allocate funds to further progress the infrastructure aspect of the project.

OC 242/07

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

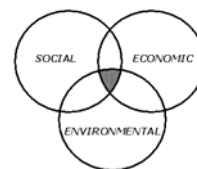
1. ***THAT Council publicly exhibits the draft Development Control Plan for the Moss Vale Enterprise Corridor for 28 days, make the Infrastructure Plan publicly available and inform adjoining owners, the development Industry and other relevant government and community organisations.***
2. ***THAT Council applies to GROW seeking funding for the infrastructure investigations, being 50% of the total costs as a matter of urgency.***
3. ***THAT Council delegates authority to the General Manager to allocate up to \$165,000 towards this project from the Water & Sewer Fund Reserve for:***
 - a) ***Water and Sewerage modelling and development of Developer Servicing Plans;***
 - b) ***feasibility study into the capacity of the Moss Vale Sewer Treatment Plan for expansion;***

and from the Land Rental Reserve for;

 - c) ***traffic modelling to determine the scope of works for the site***
 - d) ***preparation of concept designs for the identified traffic and drainage works;***
and

AND THAT these reserves be repaid when Section 94 funds or Planning Agreement funds become available.

PASSED



CORPORATE SERVICES DIVISION

o-CS1	Investments as at 30 June 2007
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REF	FSM	2104
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Submitting details of Council's Investments as at 30 June 2007.

Clr S Murray joined the meeting at 3.56pm.

OC 243/07

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

THAT the information on Council's Investments as at 30 June 2007 be received and noted.

PASSED

TECHNICAL SERVICES DIVISION

o-TS1	Replacement of Culvert on Ellsmore Road
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REF:	RTM
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RD2304 0040

Report seeking funding for the replacement of a failed corrugated steel pipe culvert on Ellsmore Road, Bundanoon.

OC 244/07

The Committee on a MOTION moved by Cllr M J Murray and seconded by Cllr LAC Whipper
RECOMMENDED:

THAT Council allocates \$80,000 from savings in the IRP Program to replace the failed Hel-Cor pipes on Ellsmore Road, Bundanoon with a concrete box culvert.

PASSED

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 245/07

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

THAT the information relating to Local Government Weekly Circulars Nos 32/07 and 33/07 and Council Weekly Circulars Nos 32/07 and 33/07 be noted.

PASSED

Matters Arising from Weekly Circulars

Clr P Yeo referred to the item "New Ideas for Planning Forum" on page 3 of Local Government Weekly Issue 32. This was a forum held by the State Government on 14 August. He asked if a report would come back to the LEP Committee on any of the issues or papers presented on that day.

The Director Environment & Planning responded that he would provide some brief comments in the Weekly Circular but according to Minister Sartor there would be a discussion paper out within the next two or three months.

c-GM2 China Friendship Relationship and Cultural Exchange
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REF. EDO	600/26, 107/24.3
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Reporting on the economic and business outcomes of Council's development of 'Friendship' and cultural relations with Kaifeng City in the Province of Henan, and engagement with China generally.

OC 246/07

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

1. **THAT Council formally endorses the trade delegation visit to China from Saturday 13 October to Friday 26 October 2007.**
2. **THAT Council authorises official Council representation to lead the delegation to further economic, cultural and friendship ties with China, in particular Kaifeng City in Henan Province AND THAT the Mayor Clr Gordon Lewis, Community Representative Mr Eugene Liu and Economic Development Officer Mr Carl Pemberton be endorsed as Council's representatives.**
3. **THAT Council allocates up to \$20,000 at the September budget review to support the friendship and cultural exchange with Kaifeng City.**
4. **THAT Council holds an information session to determine the future extent of its relation with Kaifeng City on receipt of a report from the October visit.**
5. **THAT subject to other Councillors paying their own way they be included in the official delegation.**

PASSED

CHAIRPERSON

At 5.03pm being the conclusion of Open Council, the Mayor, Clr G Lewis , resumed the chair to conduct the remainder of Council business.

NOTICE OF MOTION

OTHER MATTERS

NOTICE OF MOTION

**c-NM1 22/2007 – Notice of Motion – Additions to Councils “Code of Meeting Practice”
(adopted 9 March 2005)**

REF: MAS 100/4, 100/3

Clr P Yeo has given notice of his intention to move the following Notice of Motion of the Ordinary Meeting at Council on Wednesday 22 August 2007.

“THAT Items 3.7 and 3.10 Council’s Code of Meeting Practice be amended to include the following:-

3.7 Matter to be Included in Minutes of Council Meetings

THAT Council include an additional point (3) under 3.7 namely,
“the reasons a matter of great urgency has been accepted by the meeting (see also 3.10.3(b))”

3.10 Giving Notice of Business

THAT Council include this additional sentence in 3.10.3 (b) namely,
“To establish great urgency it should be clearly demonstrated that Council needs to make a decision on the matter before the following Council meeting”.

MN 272/07

MOTION moved by Clr P J Yeo and seconded by Clr J R Clark:

THAT Items 3.7 and 3.10 Council’s Code of Meeting Practice be amended to include the following:-

3.7 Matter to be Included in Minutes of Council Meetings

**THAT Council include an additional point (3) under 3.7 namely,
“the reasons a matter of great urgency has been accepted by the meeting (see also 3.10.3(b))”**

3.10 Giving Notice of Business

**THAT Council include this additional sentence in 3.10.3 (b) namely,
“To establish great urgency it should be clearly demonstrated that Council needs to make a decision on the matter before the following Council meeting”.**

AMENDMENT moved by Clr M J Murray and seconded Clr P A George

THAT Item 3.7 of Council’s Code of Meeting Practice be amended to include the following:-

3.7 Matter to be Included in Minutes of Council Meetings

THAT Council include an additional point (3) under 3.7 namely,
“the reasons a matter of great urgency has been accepted by the meeting”.

LOST

MOTION PASSED

COMMITTEE REPORTS

COMMITTEE REPORTS TABLED

c-CR1	Management and Advisory Committee Reports
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REF.	DCS	107/1
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Submitting minutes of the following four (4) Committee meetings that will be tabled for information.

1. Hampden Park Management Committee meeting Wednesday 6 June 2007
2. Welby Hall Management Committee Annual General Meeting Thursday 19 June 2007
3. Mittagong Community Centre Management Committee meeting Thursday 19 July 2007
4. Hampden Park Management Committee meeting Wednesday 1 August 2007

MN 273/07

MOTION moved by Cllr J R Clark and seconded by Cllr LAC Whipper:

THAT the information contained in the four (4) Committee Reports be noted.

PASSED

COMMITTEE REPORTS

COMMITTEE REPORTS ATTACHED

c-CR2 Bundanoon Master Plan Committee

REF DCS 1603/29

Submitting minutes of the Bundanoon Master Plan Committee meeting held Monday, 13 August 2007.

MN 274/07

MOTION moved by Clr P A George and seconded by Clr T D Gair:

THAT the recommendation BMP 04/07 as detailed in the minutes of the Bundanoon Master Plan Committee meeting held Monday, 13 August 2007 be adopted.

PASSED

c-CR3 Arts & Culture Board Minutes

REF SPM 1660/1

Submitting minutes of the Arts & Culture Board Meeting held Monday, 30 July 2007.

MN 275/07

MOTION moved by Clr P A George and seconded by Clr T D Gair:

THAT the recommendations as detailed in the minutes of the Arts & Culture Board Meeting held Monday, 30 July 2007 be adopted.

PASSED

QUESTIONS FROM THE PUBLIC

1. TREE REMOVAL BY RTA ON ARGYLE RD, MOSS VALE 7813/1, RD8025 1010

Mrs Pam Cooper referred to the tree removal by the RTA on Argyle Road, Moss Vale and asked if the RTA had contacted Council to advise of their intention to cut down three trees near the roundabout on Argyle Road.

Mrs Cooper believed that the excuse given that they were “obscuring signage” was a poor one as the trees could have been pruned back easily. She asked if Council would liaise with the RTA to have these trees replaced.

The Director Technical Services stated that he would investigate this matter.

2. CENTENARY TREE PLANTING 7813/2, 1671/10

Mrs Pam Cooper referred to the item on page 2 of *Wingecarribee Today* regarding Centenary Tree Planting projects. She stated that a report was requested from Parks & Property twelve months ago on the state of these projects and asked when this report would be forthcoming.

The General Manager stated that he believed the report on this matter would be received soon.

3. BOWRAL COURTHOUSE 1430/2

Mrs Pam Cooper asked if Council had an update on the future of Bowral Courthouse.

The Mayor advised that the last information he had received had been by way of a supporting letter from Pru Goward MP and in correspondence from Matt Brown MP stating that he had referred this matter at Ministerial level.

GENERAL BUSINESS

1. INFORMATION BAY AT ENTRANCE TO MITTAGONG 7415

Clr T D Gair asked what was happening with the information bay that was pulled down for remodelling at the entrance to Mittagong and stated that the signs for the RSL Club and 2ST still remain.

The Director Environment & Planning stated that he would investigate this matter.

2. TRUCK PARKING AT ENTRANCE TO MITTAGONG 1920

Clr T D Gair asked for information on the issue of truck parking on the left hand side of the road near the swimming pool at the entrance to Mittagong.

The Director Environment & Planning stated that he would investigate this matter.

3. TRAFFIC ISSUES WITH DEVELOPMENT APPLICATIONS 7400

Clr T D Gair referred to controversial DAs such as Dan Murphy's which had recently come to Council and asked that where traffic is an issue can one of the Traffic Engineers be in attendance to address any issues that may arise.

4. USE OF POLLUTED ROAD BASE 7810/3

Clr T D Gair stated that three weeks ago he had received representation from the National Parks & Wildlife Service in relation to polluted roadbase being spread on our roads. He had reported it to Council and Council attempted to contact the NPWS who were prepared to go to the EPA. Two weeks later he contacted Council again and was notified that there had been correspondence between Council and the NPWS. Clr Gair stated that this roadbase had been used in Belmore Falls Road, Urunga Road and Redhills Road, Fitzroy Falls and he passed around some photos to Councillors which were dated 17 July 2007.

Clr Gair requested that this be considered as a Matter of Urgency so that urgent action can be taken. He stated that this had occurred about a month ago and asked why Council staff had accepted it, who was the supplier and were they going to be liable.

The General Manager advised that Council had received another allegation from Clr Mauger regarding road surfacing which is also being investigated.

The Mayor responded that a full report on this matter would come back to council.

GENERAL BUSINESS

5. REMOVAL OF TREES BY RTA 7813/1, RD 8025 1010

Clr M King referred to the Mrs Pam Cooper's question regarding the removal of trees by the RTA and asked if Council could send a letter to the RTA requesting them to confer with Council prior to any proposed tree removal in the shire.

The Mayor responded that a letter would be sent from Council regarding this matter.

6. LOOP BUS IN THE VILLAGES 7321

Clr M King asked if Council would consider investigating a northern and southern loop bus doing continuous circuits. State Rail has given us huge buses which travel around the villages half empty. They are not used very much because they come on an infrequent basis and Clr King believed that if we had two smaller buses doing a northern continuous loop and a southern continuous loop it would be more effective and beneficial to the community.

The Mayor stated that Council had tried to improve transport in the village areas in the past but there had been a lack of patronage.

The Director Environment & Planning stated that he would investigate this matter.

7. LACKEY ROAD RD 3369

Clr M King stated that she believed Lackey Road was in urgent need of repair and asked if repair work could be carried out.

The Director Technical Services stated that he would investigate this matter.

8. COUNCIL PUBLIC RELATIONS 600

Clr P George referred to Council's PR and stated that she has found of late Council is not really on the front foot in getting press releases out and in getting information out to the community. She stated that she has always been taught that if you have a story it's best to get to the media first so they are not chasing you and there is no misinformation going around.

Clr George suggested that perhaps Council officers could be encouraged to identify trends as people always ring Pru Goward's office, Alby Schultz's office or Council if they have a complaint. She believed there may be a process of letting Council's Customer Service & Media Manager know when there is a trend happening so that we get press releases out before people ring Council.

GENERAL BUSINESS

9. PENROSE QUARRY (FORMERLY STAFFORD) 5305

Clr N N Campbell-Jones referred to Stafford Quarry at Penrose and asked if they had carried out their reclamation as per the original Conditions of Consent. He understood that over the years every time they cleared five acres they had to reclaim the previous five acres and this is not happening.

The Director Environment & Planning stated that he would investigate this matter.

10. "NON HOUSING" SUBDIVISION IN WEST YERRINBOOL 5825, PN1701328

Clr N N Campbell-Jones referred to a letter from Mr & Mrs Visser in West Yerrinbool. This matter needs to be addressed as Councillors had inspected it about a year ago but there has been no resolution.

Clr Campbell Jones asked if Council would resolve what it was going to do regarding West Yerrinbool.

The Mayor stated this matter would be discussed at the next Executive Meeting.

11. POLITICAL SIGNAGE 1400/1, 105

Clr N N Campbell-Jones referred to the political signage around the Shire which was still in place five months after the State election and asked what Council was going to do about it.

The Mayor stated that he had written to the political party concerned to ask them to remove the signs and as a courtesy Council should wait for a reply.

Clr Campbell-Jones also asked why Council could not do more to make Integral Energy remove the "*Your Rights at Work*" signs on power poles.

The General Manager responded that Council has written to Integral Energy and that removing them was a safety issue.

GENERAL BUSINESS

12. DEVELOPMENT BEHIND SPRINGETTS ARCADE

7470/1

Clr S Murray expressed her concern at the use of 11 car parking spaces by the development being constructed behind Springetts Arcade. She stated that this was affecting businesses in the precinct and the public in general and asked what could be done to reinstate these car spaces for public use.

The Director Environment & Planning responded that he has met with the applicant and progress is being made. The protective barriers have been removed to free footpath area up. However, there is still some spasmodic activity at the site and Council intends to allow 6 spaces to remain for work vehicles and return the rest of the area for public use.

He also advised that Council will be revising the way it issues approvals for these spaces and will only give approval for less than six car spaces.

13. COMPANION ANIMALS ADVISORY COMMITTEE

5500/4.4

Clr L A C Whipper stated that in April 2007 Council referred an item to the Companion Animals Committee seeking some advice on off-leash areas. Both the Mayor and General Manager had attended that meeting in April. There had been a recommendation seeking assistance from Parks & Property to help in that process. However, four months later nothing has happened despite repeated requests from the sub-committee delegated by the committee to deal with this matter.

The Director Technical Services stated that he understood this had been replied to some time ago when a number of suggestions were made regarding parks that would be suitable and an explanation given of the plan of management process.

Clr Whipper stated that the issue was that there has been no direct communication with the people who were delegated by the committee to deal with this matter and as a result we have not been able to move forward.

The Director Technical Services stated that he would investigate this matter.

14. INCREASE IN PUMP OUT FEES

5405, 2106

Clr L A C Whipper stated he had received a call today from a couple of residents in Robertson raising concerns in relation to what they believe are quite hefty excess pump out fees.

The Director Environment & Planning stated that he would provide information via the Weekly Circular.

15. ANNESLEY SENIORS' LIVING COMPLEX PN 3200, PN1753570

Clr L A C Whipper referred to the Question with Notice he had raised on 23 May 2007 in relation to Annesley and the DA planning approvals that were initially given. He stated that an answer was given to this question but there were some other issues which he did not believe had been addressed and a commitment was given to provide more information in relation to this. He asked for an update on this matter.

The Director Environment & Planning stated that he would investigate this matter.

16. HIRE OF VENUES FOR COMMUNITY EVENTS 6500/20

Clr J Clark asked what guidelines Councils adhere to when accepting bookings for community events. When events provide substantial community benefits can Council waive or reduce fees to groups running these events and can organisers apply on a case by case basis for fees to be waived or reduced?

The General Manager stated that he receives many requests from organisations covering many worthy causes who want to hire halls at no cost. He strictly applies Council policy which is if it is a commercial organisation they pay the full cost and if they are a not-for-profit or community organisation they pay a discounted rate.

By and large people accept the fact that there are booking fees and even the Rural Fire Service is asked to pay when they hire a hall. If Council wants to change this policy it would mean amending the guidelines and policy that are currently in place.

17. BOWRAL COUNTRY CLUB GOLF CLUB PUBLIC MEETING 6612/1, PN215900

Clr P Yeo referred to the draft copy of a leaflet regarding the public meeting on the Plan of Management for Bowral Country Golf Club. He believed this should be held in Bowral and not in the Civic Centre Theatre in Moss Vale and asked if Council could ensure that the general public is notified of this meeting as well as those who live in the immediate vicinity of the golf course.

Clr Yeo also asked that the Customer Service & Media Manager handles this process.

The Director Technical Services and Director Environment & Planning will liaise on this matter.

18. POLLUTED ROADBASE

7810/3

Clr J Mauger asked if Councillors could be kept up to date on the progress of the polluted road fill as clean fill was available close by in Belmore Falls Road.

The Director Technical Services responded that this material had been used to fill a bog hole and the material which came out of Caalong Street would have had a lot of fines in it making it slop up very readily which would not have improved the situation.

CORPORATE SERVICES DIVISION

c-CS1	Closed Council	
REF.	DCS	107/9

To consider moving into Closed Council.

At this juncture, the time being 6.10pm, pursuant to section 10A(4), the Mayor offered the opportunity to members of the public to make representations to Council as to whether any items of the Closed Council should not be considered in Closed Council.

This information would, if disclosed, prejudice the maintenance of the law, AND THAT the press and public be excluded from Closed Council as it is the opinion of the General Manager that publication of the proceedings would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

No objections were received from the members of the public.

MN 276/07

MOTION moved by Clr T D Gair and seconded by Clr P B Tuddenham:

1. **THAT Council moves into Closed Council in accordance with the requirements of Section 10 of the Local Government Act 1993 as addressed below to consider the following reports:**

c-MM2 **STAFF MATTER**

PERS

Relevant Legal Provisions

This matter has been placed in Closed Council as it deals with personnel matters concerning particular individuals, under Section 10A(2)(a) of the Local Government Act.

Brief Description

This report deals with the General Manager's performance review for 2006/2007.

Public Interest

It would on balance be contrary to the public interest to consider this information in Open Council because of privacy considerations.

2. **THAT the minutes of the Closed Council part of the meeting (being the Council's resolution) be made public.**

PASSED

MAYORAL MINUTE

MM2	Staff Matter
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REF.	MAYOR
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PERS

Reporting on a staffing matter concerning the General Manager.

Relevant Legal Provisions

This matter has been placed in Closed Council as it deals with personnel matters concerning particular individuals, under Section 10A(2)(a) of the Local Government Act.

Brief Description

This report deals with the General Manager's performance review for 2006/2007.

Public Interest

It would on balance be contrary to the public interest to consider this information in Open Council because of privacy considerations.

The Committee on a MOTION moved by Clr G Lewis seconded by Clr N N Campbell-Jones
RECOMMENDED

THAT the information detailed in the report concerning the General Manager's Performance Review be noted.

PASSED

OPEN COUNCIL

MN 277/07

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

THAT Council moves back into Open Council.

PASSED

No members of the public were present in the Chamber.

ADOPTION OF CLOSED COUNCIL

MN 278/07

107/9

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

THAT the recommendations of the Closed Council held on Wednesday, 22 August 2007 MM-2 be adopted.

PASSED

ADOPTION OF OPEN COUNCIL

MN 279/07

107/10

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

THAT the recommendations of the Open Council held on Wednesday, 22 August 2007 being OC 237/07 to OC 246/07, be adopted.

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL
held in the Council Chamber, Civic Centre, Elizabeth Street,
Moss Vale on Wednesday, 22 August 2007



THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 6.56PM

In accordance with the provisions of Section 375(2) of the Local Government Act, these Minutes of the Ordinary Council Meeting held Wednesday, 22 August 2007 numbered MN 269/07 to MN 279/07, were signed by me hereunder at the Council Meeting held on Wednesday, 12 September 2007.

CHAIRMAN

READ AND CONFIRMED THIS WEDNESDAY, 12 SEPTEMBER 2007

CHAIRMAN

PUBLIC OFFICER



MINUTES OF THE ORDINARY MEETING OF COUNCIL
held in the Council Chamber, Civic Centre, Elizabeth Street,
Moss Vale on Wednesday, 22 August 2007

