

MINUTES

OF THE ORDINARY MEETING OF COUNCIL

File No. 100/07



held on
Wednesday, 26 September 2007

The meeting commenced at 3.04pm.

CONTENTS

CONFIRMATION OF MINUTES	2
MAYORAL MINUTE	4
c-MM1 Council Achievements and Challenges	4
c-MM2 2008 Cancer Council's Relay for Life.....	4
COUNCIL MATTERS	5
GENERAL MANAGER'S REPORTS	5
c-GM1 Election of Mayor for 2007/2008 Term (12 month term).....	5
c-GM2 Election of Deputy Mayor for the 2007/2008 Term (12 month term)	6
c-GM3 Council Committees	9
c-GM4 Weekly Circulars	9
VISITOR ITEMS	11
REPORT OF THE DIRECTOR ENVIRONMENT & PLANNING	11
v-EP1 Proposed Montessori School, 5 Elizabeth Street, Burradoo.....	11
TECHNICAL SERVICES DIVISION	12
v-TS1 Centenary of Federation Tree Planting.....	12
OPEN COUNCIL	13
ENVIRONMENT & PLANNING DIVISION	13
o-EP1 Development Consents under Delegated Authority.....	13
o-EP2 List of Development Applications Received by Council.....	13
o-EP3 Rezoning of South West Yerrinbool as a Proposed Rural Smallholdings Area.....	15
o-EP4 Draft LEP (126) – Moss Vale South West Residential Release Areas	16
EP5 S.96 Amendment to Approved Dan Murphy Store, Mittagong.....	17
o-EP6 Request for Modification at 'The Intersection,' Bowral & Station Sts, Bowral.....	18
CORPORATE SERVICES DIVISION	19
o-CS1 Proposed Acquisition of Lots 26, 28, 30 & 32, DP 729184 - Wombeyan Caves Road, Bullio.....	19
o-CS2 Acquisition of Lot 2 DP 500705 Joadja Road, Joadja.....	20
o-CS3 Pensioner Rate Rebate Claim Number 136.....	21
o-CS4 2006/2007 Financial Year Results	21
TECHNICAL SERVICES DIVISION	22
o-TS1 Outdoor Stage at Lake Alexandra.....	22
OTHER MATTERS	23
NOTICES OF MOTION	23
c-NM1 23/2007 – Notice of Motion – Discussion Paper – Bowral Country Club Golf Course	23
c-NMR2 24/2007 – Notice of Motion of Rescission –Results of Community Feedback on Draft Residential Release Strategy and Rezoning of Wensleydale as a Proposed Residential Release Area	24
c-NM3 25/2007 – Notice of Motion of Rescission –Results of Community Feedback on Draft Residential Release Strategy and Rezoning of Wensleydale as a Proposed Residential Release Area	26
QUESTIONS FROM THE PUBLIC	27



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street,
Moss Vale on Wednesday, 26 September 2007

COMMITTEE REPORTS TABLED	29
c-CR1 Management and Advisory Committee Reports	29
COMMITTEE REPORTS ATTACHED	30
c-CR2 Economic Development Committee.....	30
c-CR3 Wingecarribee Sport & Recreation Committee	30
c-CR4 Wingecarribee Sport & Recreation Committee	31
c-CR5 Wingecarribee Sport & Recreation Committee	31
c-CR6 Wingecarribee Sport & Recreation Committee	32
c-CR7 LEP Steering Committee Minutes	32
GENERAL BUSINESS	33



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street,
Moss Vale on Wednesday, 26 September 2007



COMMENCING AT: 3.04PM

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, 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 the Reverend Stephen Fifer of Bowral Anglican Church.

CONFIRMATION OF MINUTES

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY, 12 SEPTEMBER 2007

100/1

MN 303/07

MOTION moved by Clr M J Murray and seconded by Clr LAC Whipper:

THAT the minutes of the Ordinary Meeting of Council held on Wednesday, 12 September 2007 MN 280/07 to MN 302/07 inclusive, copies of which were forwarded to Councillors, be adopted as a correct record of the proceedings of the meeting with the exception of o-EP4 Proposed development at Heritage Park, Bowral.

PASSED

1. PROPOSED DEVELOPMENT AT HERITAGE PARK, BOWRAL LUA03/1027

Clr J Mauger stated that he had not seconded this motion and Clr P Yeo advised that he was prepared to second the item.

MN 304/07

MOTION moved by Clr T D Gair and seconded by Clr P J Yeo:

THAT authority be delegated to the Director, Environment & Planning to determine the application with a condition to be imposed in any approval to prevent the Ivor Bucks building being walled off by landscaping and remaining visually in the public domain.

PASSED

NOTICE OF SUSPENSION OF STANDING ORDERS

Clr T D Gair gave notice that he would be moving Suspension of Standing Orders to request that the Council meeting finish at 6.20pm in order for Council could move into an Information Session on Council investments.

DECLARATIONS OF INTEREST

101/3

Clr S H Murray declared a non-pecuniary interest in item o-EP6 (Request for Modification at 'The Intersection,' Bowral & Station Sts, Bowral) as she is a friend of the applicant. She stated that she would leave the chamber when this matter was discussed, take no part in the debate and refrain from voting thereon.

MAYORAL MINUTE

c-MM1 Council Achievements and Challenges

REF. MAYOR 103/3 (cc 102/5)

Reflecting on the three and a half years in office of the current Council as it enters the last stage of this term.

MN 305/07

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

1. **THAT** Council's achievements during the past three and a half years be acknowledged, and
2. **THAT** Councillors continue to commit to working hard for the residents and ratepayers of Wingecarribee Shire right up until the end of the present term in September 2008.

PASSED

c-MM2 2008 Cancer Council's Relay for Life

REF: PPM 1850/5, 6530/3 (cc 102/5)

The purpose of this report is for Council to give support and sponsorship to the 2008 Cancer Council Relay for Life.

Clr T D Gair referred to the football grand final to be held on the weekend and asked if Councillors and members of the gallery would like to "tip" on the results of the match with the proceeds to be donated to the Cancer Council's Relay for Life.

MN 306/07

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

THAT Council supports and sponsors the 2008 Cancer Council Relay for Life in the Southern Highlands.

PASSED

COUNCIL MATTERS

GENERAL MANAGER'S REPORTS

c-GM1 Election of Mayor for 2007/2008 Term (12 month term)

REF.	AOR	102/4
------	-----	-------

Reporting on the election of the Mayor for 2007/2008.

MN 307/07

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

THAT the method of voting for the election of Mayor for the 2007/2008 term be by Open Vote.

PASSED

The General Manager (Returning Officer) advised that one (1) nomination had been received for the position of Mayor – Clr G Lewis - and called for further nominations. There were no further nominations received.

MN 308/07

The General Manager (Returning Officer) declared that Clr G Lewis duly ELECTED as Mayor for the 2007/2008 Term.

PASSED

c-GM2 Election of Deputy Mayor for the 2007/2008 Term (12 month term)

REF. AOR 102/1,102/4

Reporting on the election of the Deputy Mayor for 2007/2008.

MN 309/07

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

THAT the method of voting for the election of Deputy Mayor for the 2007/2008 term be by Open Vote.

PASSED

The General Manager (Returning Officer) advised that two (2) nominations had been received for the position of Deputy Mayor – Cllrs T D Gair and P B Tuddenham – and called for further nominations. There were no further nominations received.

The General Manager (Returning Officer) then conducted the initial ballot for the position of Deputy Mayor. Upon a show of hands the following votes were recorded.

Cllr T D Gair 6 Cllrs J Mauger, T D Gair, S H Murray, L A C Whipper,
J Clark and P Yeo

Cllr P B Tuddenham 6 Cllrs M King, M Murray, P George, N N Campbell-Jones,
P B Tuddenham and G Lewis

As voting was tied at 6 votes each the General Manager (Returning Officer) wrote the names of the two (2) candidates on individual pieces of paper and invited Mr Mac Cott of the Southern Highland News to be the scrutineer. The names were then placed in a hat and the General Manager (Returning Officer) drew out the name of Cllr P B Tuddenham.

MN 310/07

The General Manager (Returning Officer) declared Cllr P B Tuddenham duly ELECTED as Deputy Mayor for the 2007/2008 Term.

PASSED

VOTE OF THANKS – MAYOR GORDON LEWIS

PERS

The Mayor, Clr Gordon Lewis, thanked the General Manager and the Councillors who had nominated him and demonstrated their faith in him by electing him to continue as Mayor for a further term.

He stated that leadership is something in which everyone can share and he can only succeed with the co-operation and the fairness of the colleagues around him. As he moved around the community, he found that the majority of citizens are satisfied with what we are trying to achieve even if there are a few who like to constantly complain about Council.

The Mayor ALSO thanked the staff for their efforts. Council has a large workforce and the Councillors are proud of the staff's commitment and hard work.

He extended his appreciation and gratitude to the outgoing Deputy Mayor, Clr Nick Campbell-Jones, for his loyalty and for allowing him the pleasure of being able to work these last few years with no knives in the back – which is quite unusual in the hurly burly of politics, whether it be Local, Federal or State. Nick had taken on a heavy workload with his commitments as Deputy Mayor and in his role as Chairman of the Works & Planning Committee. He had been the target of public abuse but had always met fire with fire and people have known where they stood.

He urged all Councillors to remain strong in their convictions as Council moved into an election year. He stated that it could become a torrid time and there would be much impost on them so we must keep our heads down to concentrate on the business of the day.

He acknowledged the two former Mayors who were present tonight (Clr Sara Murray and Clr Phil Yeo) and stated that although they had had some disagreements over the years it had taught him to recognise how difficult it would have been for them when at the time he was a little bit blasé.

The Mayor referred to the election of the Deputy Mayor and stated how difficult it was when it came down to a six all vote. He welcomed the expertise of Councillor Paul Tuddenham and stated that all Councillors would continue to work as a team for the benefit of Wingecarribee Shire.

The Mayor added that he had brought the box containing the Mayoral Chains to the meeting tonight to place around the neck of whoever had been elected and expressed his hopes that everyone seated around the table would ensure this happened in the future.

OPEN COUNCIL

MN 311/07

107/10

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

THAT Council move into Open Council to discuss various matters listed in the Agenda with Cllr P B Tuddenham in the Chair.

PASSED

c-GM3	Council Committees
--------------	---------------------------

REF.	GM	107
------	----	-----

As Councillors are aware, a review of its committee structure is currently being undertaken and a report is being prepared for consideration at a future Ordinary Meeting of Council. At this time the committees and the committee membership will remain as is until Council has had an opportunity to review its structure.

OC 256/07

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

THAT the information be noted.

PASSED

c-GM4	Weekly Circulars
--------------	-------------------------

REF.	GM	100/8, 203/2007
------	----	-----------------

Confirming receipt of weekly circulars from the Local Government Association and Council weekly circulars.

OC 257/07

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

THAT the information relating to Local Government Weekly Circulars Nos 37/07 and 38/07 and Council Weekly Circulars Nos 37/07 and 38/07 be noted.

PASSED

.....Cont'd

Cont'd.....

Matters Arising from Weekly Circulars

1. ANNESLEY, BOWRAL

DA976/99

Clr L A C Whipper referred to the above item on page 9 of Council Weekly Circular No. 39/07. He stated that he had raised this matter some time ago and did not believe that the information in the circular had answered his questions. He stated that there were still a lot of outstanding issues and requested a further meeting with the Director Environment & Planning.

Clr Whipper added that there was a full page article in today's paper inviting the public to a Life Style Expo on site at Annesley. Has asked if an application had been made for this event and whether a parking management plan had been put in place. He provided a copy of the article to the Director Environment & Planning.

The Director Environment & Planning responded that he would provide further information in the Weekly Circular following his meeting with Clr Whipper.

VISITOR ITEMS

REPORT OF THE DIRECTOR ENVIRONMENT & PLANNING

v-EP1 Proposed Montessori School, 5 Elizabeth Street, Burradoo

REF: PMAL

LUA07/0723

LUA07/0723 seeks approval to convert an existing dwelling house at Lot 205 DP 617682, No 5 Elizabeth Street, Burradoo, into a Montessori School educational establishment, to accommodate 35 children and 3 full time / 1 part time staff.

Mr Bruce Gotterson addressed Council on behalf of the objectors in this matter and the applicant Ms Stephanie Gambrill responded.

OC 258/07

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

1. **THAT this matter be deferred to allow the following additional information to be provided:**
 - i) **Acoustic report**
 - ii) **Traffic report**
 - iii) **Comment from the Traffic Committee**
 - iv) **Plan of management**
 - v) **Details on the type of fencing**
 - vi) **Further comment on flooding issues**
2. **THAT Councillors attend a site inspection of the proposed development.**

The Committee on an **AMENDMENT** moved by Clr LAC Whipper and seconded Clr P J Yeo
RECOMMENDED:

1. **THAT authority be delegated to the Director Environment & Planning to determine the development application with any consent to include conditions requiring the submission of a Management Statement detailing measures to minimise noise impacts upon residential properties.**
2. **THAT the Plan of Management be submitted to Council for consideration and approval including consideration of out of school hours use, car parking and traffic management.**
3. **THAT additional parking be provided on site**
4. **THAT those who made submissions be advised of Council's decision.**

LOST

MOTION PASSED

Dissenting votes: Clrs L A C Whipper, S H Murray, J Clark and P Yeo requested that their names be recorded in respect of this motion.

TECHNICAL SERVICES DIVISION

v-TS1 Centenary of Federation Tree Planting

REF: PPM 1671/10

The purpose of the report is for Council to consider the current status of the Centenary of Federation Tree Planting and adopt the proposed works program.

Council's Parks Supervisor, Alexia Hill, was present to answer questions on this matter.

OC 259/07

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

- THAT Council adopts the following works program for 2007/08.**

Site	Works	Allocation 2007/08
<i>Alpine</i>	<i>Maintenance</i>	\$ 500
<i>Avoca</i>	<i>Maintenance by local residents</i>	\$ 500
<i>Balmoral Village</i>	<i>Maintenance</i>	\$ 500
<i>Berrima</i>	<i>Maintenance by School</i>	-
<i>Bong Bong</i>	<i>Maintenance & replanting</i>	\$ 1,720
<i>Bundanoon</i>	<i>Maintenance</i>	\$ 500
<i>Burradoo</i>	<i>Maintenance</i>	\$ 400
<i>Burrawang</i>	<i>Maintenance & pruning</i>	\$ 1,000
<i>Exeter</i>	<i>Maintenance</i>	\$ 500
<i>Glenquarry</i>	<i>Maintenance</i>	\$ 400
<i>Hill Top</i>	<i>Maintenance & replanting</i>	\$ 900
<i>Kangaloon</i>	<i>Maintenance, replanting, canopy trees</i>	\$ 1,500
<i>Robertson</i>	<i>Maintenance</i>	\$ 500
<i>Sutton Forest</i>	<i>Maintenance in accordance with Parks Program</i>	-
<i>Wingello</i>	<i>Support school with bush regeneration team</i>	\$ 500
<i>Yerrinbool</i>	<i>Maintenance as part of roadside program</i>	\$ 500
TOTAL		\$ 9,920

- THAT consideration be given to include \$10,000 funding in futures budgets for continued maintenance and replacement of Centenary of Federation Tree Planting.**

PASSED

OPEN COUNCIL

ENVIRONMENT & PLANNING DIVISION

o-EP1 Development Consents under Delegated Authority

REF: DCM

5302

Submitting a list of development consents executed under delegated authority of the Director of Environment and Planning between 4/9/07 and 18/9/07.

OC 260/07

The Committee on a MOTION moved by Clr T D Gair and seconded by Clr P A George
RECOMMENDED:

THAT the information relating to Development Consent Nos 1-3 under Delegated Authority be received and noted.

PASSED

o-EP2 List of Development Applications Received by Council

REF: DCM

5302

Submitting a list of development applications which have been received between 4/9/07 and 18/9/07, some of which will be dealt with under delegated authority of the Director of Environment & Planning.

OC 261/07

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

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

PASSED

.....Cont'd

Cont'd.....

Matters Arising from Development Applications received by Council

1. INDOOR RIDING ARENA – MEDWAY ROAD, MEDWAY LUA07/0981

Clr N N Campbell-Jones referred to Item 9 and asked for details on how much land this arena will be situated on and how close it is to the road.

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

2. ROBERTSON INN – DEMOLITION OF PART EXISTING BUILDING
AND ERECTION OF SHOPS/FLATS LUA07/0958

Clr L A C Whipper referred to Item 7 and asked what extent of work was taking place on this site and whether this matter that should come before the Works & Planning Committee.

OC 262/07

The Committee on a MOTION moved Clr LAC Whipper and seconded Clr J E Mauger
RECOMMENDED

THAT Item 7 (Robertson Inn: Stage 1 – Demolition of part exist building & subdivision and Stage 2 – Erection of two shops with flats over) be referred to the Works & Planning Committee for consideration.

PASSED

o-EP3	Rezoning of South West Yerrinbool as a Proposed Rural Smallholdings Area
--------------	---

REF:	SPM
------	-----

5602/6.1

The purpose of this report is to seek a resolution of Council to formally proceed with the preparation of the draft LEP to rezone the area known as South West Yerrinbool from rural to rural smallholdings.

OC 263/07

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

1. ***THAT Council resolves to initiate the rezoning process for the land shown in Attachment 1 of the report from Rural to Rural Residential and notify the Department of Planning in accordance with Section 54 of the EP&A Act of its decision to rezone the land accordingly.***
2. ***THAT it be reiterated that Council is under no obligation at any time to rezone the land despite the findings of the environmental study.***

PASSED

CHAIRPERSON

At 5.05pm being the conclusion of Open Council, the Mayor, Clr G Lewis, resumed the chair to conduct the remainder of Council business.

o-EP4 Draft LEP (126) – Moss Vale South West Residential Release Areas

REF: SPM

PN 267400, PN1678200; 5818/12

Reporting on the exhibition of draft LEP 126, and the progress made on infrastructure provision and funding through proposed voluntary planning agreements.

Council's Section 94 Planner, James Shelton, addressed Council on this matter.

MN 312/07

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

1. **THAT** Council adopts the draft LEP 126 included in Attachment 3 to the report, subject to any amendments required by Parliamentary Counsel.
2. **THAT** subject to Council being satisfied that the Draft Voluntary Planning Agreement addresses each site's Infrastructure and planning requirements, the LEP be implemented in accordance with the procedures under the Environmental Planning and Assessment Act and Regulations.
3. **THAT** the applicants be advised of Council's decision.
4. **THAT** all persons/organisations that made a submission be advised of Council's decision.

PASSED

EP5	S.96 Amendment to Approved Dan Murphy Store, Mittagong
------------	---

REF: DEP	LUA07/0609
----------	------------

Reporting on an s96 amendment to the approved Dan Murphy store, Mittagong (LUA07/0609).

Clr T D Gair referred to the number of major developments in Mittagong and asked for a report to come back to Council on what is needed to alleviate pressure on engineering staff in the concept plan for the Mittagong traffic strategy.

MN 313/07

MOTION moved by Clr M J Murray and seconded by Clr M L King:

THAT the Director Environment and Planning be authorised to issue an amended development consent for LUA07/0609, amending Condition 25(b) in accordance with the submission made by the applicant attached to this report.

PASSED

o-EP6 Request for Modification at 'The Intersection,' Bowral & Station Sts, Bowral

REF: DCM

LUA07/0243

Reporting on request for modification at 'The Intersection.'

Interest: Clr S H Murray declared a non-pecuniary interest in this matter as she is a friend of the applicant. She left the chamber, took no part in the debate and refrained from voting thereon.

MN 314/07

MOTION moved by Clr N N Campbell-Jones and seconded by Clr M J Murray:

THAT Development Consent LUA05/0732 be modified under S.96 of the Environmental Planning & Assessment Act 1979

PASSED

CORPORATE SERVICES DIVISION

o-CS1	Proposed Acquisition of Lots 26, 28, 30 & 32, DP 729184 - Wombeyan Caves Road, Bullio
--------------	--

REF.	PO	PN17444440, PN1743510
------	----	-----------------------

Reporting on a request by Bullio Pastoral Co Pty Ltd, the registered proprietor of Lots 26, 28, 30 and 32 DP 729184, to transfer those Titles to Council.

MN 315/07

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

- THAT the Titles for Lots 26, 28 30 and 32, DP 729184, Wombeyan Caves Road, Bullio be transferred from Bullio Pastoral Company Pty Ltd to Council.***
- THAT subject to 1 above, the consideration to be paid is "nil".***
- THAT Council waives the outstanding rates in respect of Lots 26, 28, 30 and 32, DP 79184, Wombeyan Caves Road, Bullio.***
- THAT the Deed of Agreement and Transfer document be executed under the Common Seal of Council.***

PASSED

o-CS2 Acquisition of Lot 2 DP 500705 Joadja Road, Joadja

REF. PO PN750700

Reporting on a request by the registered proprietor of Lot 2 Deposited Plan 500705 for Council to acquire the subject property.

MN 316/07

MOTION moved by Cllr T D Gair and seconded by Cllr N N Campbell-Jones:

1. **THAT Council acquires the property known as Lot 2 DP 500705 from Maude Matilda Davis as the Executor of the late Eleanor Patricia Lee AND THAT this acquisition proceed as a matter of urgency.**
2. **THAT the property be transferred to Council from the registered proprietor for "nil" consideration in exchange for Council paying the costs of the transfer on behalf of the Estate of the late Eleanor Patricia Lee and waiving any outstanding rates.**
3. **THAT the Deed of Agreement and the Transfer document be executed under the Common Seal of the Council.**

PASSED

o-CS3 Pensioner Rate Rebate Claim Number 136

REF: FSM

2211/2007

Submitting a report on the details of amounts written off and amounts to be claimed from the Department of Local Government for pensioner rates rebates granted on general rates, garbage accounts, water and sewerage accounts from 1 May 2007 to 31 August 2007.

MN 317/07

MOTION moved by Clr T D Gair and seconded by Clr N N Campbell-Jones:

1. **THAT Council authorises the abandonment of \$929,610.66 for the Pensioner Rebate Claim Number 136.**
2. **THAT \$511,285.86 be claimed from the State Government.**

PASSED

o-CS4 2006/2007 Financial Year Results

REF: FSM

2105/2007

Submitting a report on the audit of the 2006/07 Financial Year Results.

MN 318/07

MOTION moved by Clr P B Tuddenham and seconded by Clr M J Murray:

1. **THAT Council adopts the 2006/07 Financial Reports.**
2. **THAT the Annual Financial Reports be put on public exhibition.**
3. **THAT the Annual Financial Reports be presented to the public at the Council meeting on 24 October 2007.**
4. **THAT Council's auditor be invited to a meeting of the Finance Committee on 17 October 2007 to discuss the 2006/07 Financial Reports.**

PASSED

TECHNICAL SERVICES DIVISION

o-TS1 Outdoor Stage at Lake Alexandra
--

REF: PPM

6545/5

The purpose of this report is for Council to give in principle support for the Mittagong Lions Club to build an outdoor stage at Lake Alexandra for community events.

MN 319/07

MOTION moved by Clr N N Campbell-Jones and seconded by Clr M L King:

- THAT Council supports in principle the Mittagong Lions Club's proposal for a stage/amphitheatre at Lake Alexandra on the eastern side.***
- THAT Council donates the value of the LUA fees associated with the project for the Mittagong Lions Club from the Donations Budget.***
- THAT the exact involvement of the Lions Club be clarified.***

PASSED

NOTICES OF MOTION

OTHER MATTERS

NOTICES OF MOTION

c-NM1 23/2007 – Notice of Motion – Discussion Paper – Bowral Country Club Golf Course

REF: PPM, DTS 100/4, 6612/1, PN215900

Clr T D Gair has given notice of his intention to move the following Notice of Motion of the Ordinary Meeting at Council on Wednesday, 26 September 2007.

1. ***THAT** the Discussion Paper prepared by Wingecarribee Shire Council Parks & Property Manager on the Bowral Country Club Golf Course be released as a public document prior to the Public Meeting to be held on 2 October 2007.*
2. ***THAT** any reference to any member of the public be deleted prior to its release.*

MN 320/07

MOTION moved by Clr T D Gair and seconded by Clr LAC Whipper:

1. ***THAT** the Discussion Paper prepared by Wingecarribee Shire Council Parks & Property Manager on the Bowral Country Club Golf Course be released as a public document prior to the Public Meeting to be held on 2 October 2007.*
2. ***THAT** reference to any member of the public be deleted from the discussion paper prior to its release.*
3. ***THAT** the discussion paper and its limitations be noted as an addendum and verbalised on the night of the public meeting **AND THAT** it be placed on Council's website as a matter of urgency so that it can be accessed by the public.*

PASSED

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

NOTICES OF MOTION

c-NMR2 24/2007 – Notice of Motion of Rescission –Results of Community Feedback on Draft Residential Release Strategy and Rezoning of Wensleydale as a Proposed Residential Release Area

REF: MAS

100/4, PN 1624100

Reference: – Ordinary meeting of Council Wednesday 12 September 2007 o-EP6 (MN 283/07).

Council has received the following Notice of Motion of Rescission.

"We hereby give notice of our intention to move at the next meeting of the Council that the following motion passed at the Ordinary Meeting of Council held on 12 September 2007 **be rescinded**:

1. ***THAT** Council notes the summary of the submissions received from the Community in relation to the Draft Residential Release Strategy as detailed in the Report and as Attached.*
2. ***THAT** Council determines whether to proceed with Option 1 or Option 2 in relation to the rezoning of Wensleydale as detailed in the maps contained within the report.*
3. ***THAT** Council notifies the Department of Planning in accordance with Section 54 of the EP&A Act of its intention to rezone that part of Wensleydale as determined in 2 above.*

Dated: 21 December 2006

Signed: Clr M Murray, Clr P George, Clr P J Yeo

It was noted that the motion put forward to be rescinded was incorrect and should be "**THAT Council notes the matter**" which was passed at the Ordinary Meeting of Council held on Wednesday, 12 September 2007.

--

MOTION moved by Clr M J Murray and seconded by Clr P A George:

THAT the Notice of Motion of Rescission "*that Council notes the matter*" be adopted.

LOST

VOTING ON THE MOTION:

Voting for the Motion: Clrs Gair, King, George, M Murray, Tuddenham and Yeo

Voting against the Motion: Clrs Mauger, Campbell-Jones, S H Murray, Whipper, Lewis and Clark

On being put to the meeting voting was tied at six (6) all whereupon the Mayor exercised his casting vote against the Motion.

NOTICES OF MOTION

MN 321/07

SUPPLEMENTARY MOTION moved by Clr S H Murray and seconded by Clr N N Campbell-Jones:

THAT Council not proceed with any rezoning of Wensleydale.

PASSED

VOTING ON THE MOTION:

Voting for the Motion: Clrs Lewis, Mauger, Campbell-Jones, Whipper, S H Murray and Clark

Voting against the Motion: Clrs Gair, King, M Murray, George, Tuddenham and Yeo

On being put to the meeting voting was tied at six (6) all whereupon the Mayor exercised his casting vote in favour of the Motion.

NOTICES OF MOTION

c-NM3	25/2007 – Notice of Motion of Rescission –Results of Community Feedback on Draft Residential Release Strategy and Rezoning of Wensleydale as a Proposed Residential Release Area
--------------	---

REF:	MAS
------	-----

100/4, PN 1624100

Reference: – Ordinary meeting of Council Wednesday 12 September 2007 o-EP6
(MN 283/07)

Clr LAC Whipper has given notice that should the above Notice of Motion of Rescission be passed it is his intention to move the following Notice of Motion

“THAT Council proceeds with Option 2 in relation to the rezoning of Wensleydale as detailed in the maps contained within the report”.

--

It was noted that the Notice of Motion of Rescission was LOST and the above Notice of Motion was not considered.

QUESTIONS FROM THE PUBLIC

QUESTIONS FROM THE PUBLIC

1. CENTENARY OF FEDERATION TREES - EXETER 1671/10

Mrs Jan Hainke referred to the following recommendations in the attachment to Item v-TS1:

- a) Regarding Exeter on page 13 of the attachment (*i.e.* “mulch, spray, work in conjunction with community”). Mrs Hainke asked that Mrs Pam Cooper and herself (as the designers of this site and carers of the trees for over 5 years) be included in the discussion with “the community” and stated that the blackwattles were pre-existing.
- b) Regarding Burrawang on page 10 of the attachment (*i.e.* “Maintenance pruning - \$1,000”). Mrs Hainke asked what species requires this amount of maintenance.
- c) Regarding Sutton Forest on page 21 of the attachment. Mrs Hainke asked who owned this site.

The Mayor responded that these questions would be taken on notice.

2. CUNNINGHAM PARK 6551/2

Mrs Pam Cooper referred to the question she had raised in July regarding the repair of the picnic table in Cunningham Park, Exeter. She asked if this could be attended to in the very near future.

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

3. BOWRAL COURT HOUSE 1430/2

Mrs Pam Cooper referred to Bowral Court House and asked if any decision had yet been made on its future. If not, has the idea (concept) been put to the State Police Department that it could be updated to be used as the new police station?

The Mayor responded that the matter of the court house is currently in the hands of the Hon. Tony Kelly MLC (Minister for Lands, Minister for Rural Affairs and Minister for Regional Development).

The General Manager stated that the police have longer term strategic plans that they have reviewed twice in the past four years on where they should locate their police stations. He did not know whether they had considered this particular building but he believed that their strategies for this whole region were already locked in.

QUESTIONS FROM THE PUBLIC

4. OUTDOOR STAGE AT LAKE ALEXANDRA 6545/5

Mr Mac Cott referred to the above matter and stated that two residents had requested the opportunity to comment on this matter. He asked if local residents would be able to see the plan and comment on the stage's usage.

The Mayor stated that this question would be taken on notice.

5. FOOTPATH IN EAST BOWRAL 7810/5.3

Clr N N Campbell-Jones made a statement on behalf of Mr Kevin George who had to leave the meeting. Mr George had wanted to express his thanks to the relevant staff for the cement work carried out on the footpaths in east Bowral and on a seat in Bowral Street. The work had been carried out quickly and efficiently and was very much appreciated.

COMMITTEE REPORTS TABLED

c-CR1	Management and Advisory Committee Reports
--------------	--

REF.	DCS	107/1
------	-----	-------

The following five (5) Committee meeting minutes were tabled for information.

1. Community Assistance Committee meeting Wednesday, 29 August 2007
2. Companion Animals Advisory Committee meeting Tuesday, 12 July 2007
3. Robertson Community Centre Management Committee meeting Wednesday, 8 August 2007
4. East Bowral Community Centre Management Committee Tuesday, 28 August 2007
5. Heritage Advisory Committee Friday, 7 September 2007

MN 322/07

MOTION moved by Clr T D Gair and seconded by Clr P J Yeo:

THAT the information contained in the five (5) Committee Reports be noted.

PASSED

COMMITTEE REPORTS ATTACHED

c-CR2 Economic Development Committee

REF	EDO	107/24
-----	-----	--------

Submitting minutes of the Economic Development Committee meeting held Wednesday, 22 August 2007.

MN 323/07

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

THAT the recommendations as detailed in the minutes of the Economic Development Committee meeting held Wednesday, 22 August 2007 be adopted.

PASSED

c-CR3 Wingecarribee Sport & Recreation Committee

REF	PPM	6600/6
-----	-----	--------

Submitting minutes of the Wingecarribee Sport & Recreation Committee meeting held Tuesday, 19 September 2006.

MN 324/07

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

THAT the information as detailed in the minutes of the Wingecarribee Sport & Recreation Committee meeting held Tuesday, 19 September 2006 be noted.

PASSED

c-CR4 Wingecarribee Sport & Recreation Committee

REF	PPM	6600/6
-----	-----	--------

Submitting minutes of the Wingecarribee Sport & Recreation Committee meeting held Tuesday, 21 November 2006.

MN 325/07

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

THAT the recommendation as detailed in the minutes of the Wingecarribee Sport & Recreation Committee meeting held Tuesday, 21 November 2006 be adopted.

PASSED

c-CR5 Wingecarribee Sport & Recreation Committee

REF	PPM	6600/6
-----	-----	--------

Submitting minutes of the Wingecarribee Sport & Recreation Committee meeting held Tuesday, 20 February 2007.

MN 326/07

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

THAT the recommendation as detailed in the minutes of the Wingecarribee Sport & Recreation Committee meeting held Tuesday, 20 February 2007 be adopted.

PASSED

c-CR6	Wingecarribee Sport & Recreation Committee
--------------	---

REF	PPM	6600/6
-----	-----	--------

Submitting minutes of the Wingecarribee Sport & Recreation Committee meeting held Tuesday, 17 April 2007.

MN 327/07

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

THAT the recommendations as detailed in the minutes of the Wingecarribee Sport & Recreation Committee meeting held Tuesday, 17 April 2007 be adopted.

PASSED

c-CR7	LEP Steering Committee Minutes
--------------	---------------------------------------

REF	DEP	5900
-----	-----	------

Submitting minutes of the LEP Steering Committee meeting held Wednesday, 19 September 2007.

MN 328/07

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

THAT the recommendations as detailed in the minutes of the LEP Steering Committee meeting held Wednesday, 19 September 2007 be adopted.

PASSED

GENERAL BUSINESS

1. CORRESPONDENCE FROM ARGYLE HOUSING RE WATER ACCOUNT 1823/1,
PN1486600, PN1075400

Clr P Yeo referred to a letter received from Argyle Housing asking for a water account and he requested that a report be brought back to Council on this matter.

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

2. RID SQUAD 7500/17

Clr N N Campbell-Jones asked for an update on the RID Squad issue at Balmoral.

The Director Technical Services responded that he would report on progress in the Weekly Circular.

3. EMPLOYMENT OF ADDITIONAL RANGER 842/2.4

Clr N N Campbell-Jones asked for details on the second ranger who Council voted to employ seven months ago. He stated that there are not enough rangers to look after matters such as the removal of very large garage sale signs in three or four different locations which have been there for several days advertising a garage sale to be held next Saturday.

The Director Environment & Planning advised that the position has had to be re-advertised as it is very difficult to find appropriate staff in any of our divisions.

4. UNEVEN FOOTPATH OUTSIDE MITTAGONG PRIMARY SCHOOL
7810/5, 1510/13

Clr P George stated that shortly after the State elections she had mentioned the condition of the footpath in Albert Street, Mittagong outside Mittagong Primary School. There are many trip hazards and she asked if these could be attended to as soon as possible.

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

5. COMPTON PARK ROAD, BERRIMA

RD1408

Clr P George referred to the letter she had tabled at the Ordinary Meeting of Council held on 12 September 2007. She stated that residents have been contacting her about this matter and she wanted to ensure responses would be forthcoming.

The Director Technical Services advised that the Mayor had signed a response yesterday and it is good news in that Council will take on minimal maintenance of that section of the road. The argument the residents have raised is that when the causeway is out, it is the only way in and out of that part of Berrima and also because heavy vehicles that can't negotiate the causeway need that secondary access. Therefore with those considerations in mind, Council has decided to take on minimal maintenance to get people in and out.

6. HERITAGE PARK SITE

LUA03/1027

Clr P George referred to the Heritage Park site development. There appeared to be a groundswell of discontent about the look of it and she wondered what Council could do at this late stage. The objectors are happy to put together a petition which Council could perhaps forward to the owners.

The Mayor advised that the residents should direct their petition and/or objections to the owners.

Clr George asked if Council could carry out some plantings along the roadway.

Clr N N Campbell-Jones asked if Council staff had approved the use of Hardiplank in the development.

Clr T D Gair referred to the access along the footpath outside Heritage Park and asked if Council could request them to sweep it regularly so it can be used by wheelchairs and motorised scooters.

The Director Environment & Planning stated that there have been four subsequent amendments to the development and he would provide full details in the next Weekly Circular.

7. TULIP TIME

1671/8

Clr M King expressed her thanks to Councillors for their support of Tulip Time and congratulated the parks and garden staff on the presentation of all of our gardens including Winifred West Park and Leighton Gardens. She also thanked the Tourism staff and the many volunteers involved in the event.

Clr King stated that Tulip time had been a great success due to the support of the media and local businesses for the "paint the town pink" campaign.

9. CURB RAMP ON CORNER OF FUNSTON ST & BOWRAL RD 1828, 7810/5

Clr T D Gair expressed his thanks that after five months the curb ramp on the corner of Funston Street and Bowral Road has been completed to make it wheelchair accessible.

10. CANCER COUNCIL RELAY FOR LIFE 2008 1850/5, 6530/3

Clr T D Gair advised Council that the “tip” on the result of the Grand Final between Manly and Melbourne had raised \$150.00 tonight.

The General Manager advised that the funds will be deposited into a special account towards the total funds raised for next year.



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street,
Moss Vale on Wednesday, 26 September 2007



ADOPTION OF OPEN COUNCIL

107/10

MN 329/07

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

THAT the recommendations of the Open Council held on Wednesday, 26 September 2007 being OC 256/07 to OC 263/07, be adopted.

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street,
Moss Vale on Wednesday, 26 September 2007



THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 6.35PM.

In accordance with the provisions of Section 375(2) of the Local Government Act, these Minutes of the Ordinary Council Meeting held Wednesday, 26 September 2007 numbered MN 303/07 to MN 329/07, were signed by me hereunder at the Council Meeting held on Wednesday, 10 October 2007.

CHAIRMAN

READ AND CONFIRMED THIS WEDNESDAY, 10 OCTOBER 2007

CHAIRMAN

PUBLIC OFFICER



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street,
Moss Vale on Wednesday, 26 September 2007

