

MINUTES

OF THE ORDINARY MEETING OF COUNCIL

File No. 100/10



held on Wednesday, 9 June 2010

The meeting commenced at 3.30 pm.



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 9 June 2010

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COMMENCING AT: 3.31 pm

PRESENT: Clr T D Gair (Mayor) in the Chair
Clr G McLaughlin (Deputy Mayor)
Clr J G Arkwright
Clr J R Clark
Clr K Halstead
Clr J Mauger
Clr D Stranger
Clr L A C Whipper

IN ATTENDANCE:

General Manager	Mr Jason Gordon
Director Corporate Services	Mr Barry Paull
Director Environment & Planning	Mr Scott Lee
Director Infrastructure Services	Mr Michael Brearley
Manager Administration & Library Services	Mr Peter Nelson
Administration Officer	Ms Liz Johnson

OPENING OF MEETING, PRAYER AND ACKNOWLEDGEMENT OF COUNTRY

1826/4

The Mayor Clr T D Gair opened the meeting and led the Meeting with the Civic Prayer.

The Mayor acknowledged country:

"We acknowledge the Traditional Owners and Custodians of this Land and we pay respect to the past and present Elders of the Country we are meeting on today."



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APOLOGY

M/N 194/10

PERS

MOTION moved by *Clr D Stranger* and seconded by *Clr L A C Whipper*:

THAT the apology of *Clr Paul Tuddenham* be accepted and leave of absence granted.

PASSED



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CONFIRMATION OF MINUTES

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY, 26 MAY 2010

100/1

MN 195/10

MOTION moved by Clr L A C Whipper and seconded by Clr J R Clark:

THAT the minutes of the Ordinary Meeting of Council held on Wednesday, 26 May 2010 MN 164/10 to MN 193/10 inclusive, copies of which were forwarded to Councillors, be adopted as a correct record of the proceedings of the meeting.

PASSED

BUSINESS ARISING

There was no business arising from the Minutes of the Meeting held on Wednesday 26 May 2010.

DECLARATIONS OF INTEREST

101/3

There were no Declarations of Interest at this Meeting.



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ADDITIONAL MATTER

“Turning of the First Sod”, Moss Vale Enterprise Zone, Douglas Road, Moss Vale

REF: MAYOR

5602/11, 5701/27

The Mayor Clr T D Gair advised Councillors that the “Turning of the First Sod” for the Moss Vale Enterprise Zone has been postponed due to the resignation last Friday of Ian Macdonald, the Minister who was to attend and turn the first sod. He advised that it will be re-scheduled at a future date with the Treasurer, Hon Eric Roozendaal, MLC, who has taken over some of Mr Macdonald’s portfolio, being invited to participate.



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OPEN COUNCIL

MN 196/10

107/10

MOTION moved by *Clr G McLaughlin* and seconded by *Clr L A C Whipper*:

THAT Council moves into Open Council to discuss various matters listed in the Agenda with *Clr Jim Clark* in the Chair.

PASSED



VISITOR ITEM

ENVIRONMENT & PLANNING DIVISION

v-EP1 Assessment of Usages at Annesley, Bowral

REF: DEP LUA99/0976, LUA03/0039, PN3200, 502

Reporting on the operation of various land usages at Annesley, Bowral.

Mrs Alison Hyland, Manager, on behalf of the Applicant, Annesley, addressed Council on this matter.

The Director Environment & Planning addressed Council on this matter.

OC 112/10

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

1. ***THAT Council corresponds with the owners and operators of Annesley to confirm that currently all non residential usages on the site must be restricted to usage by residents of Annesley and their immediate family and guests.***
2. ***THAT Council staff liaise with the owners and operators of Annesley to categorise the different usages on the site that have consent, the limitations that need to be placed upon other uses currently operating on the site and to outline the provisions of Council's draft Local Environmental Plan 2009 that would be relevant in any future Development Application that may be lodged in relation to those uses.***

PASSED

In accordance with the Local Government Act (section 375A – Recording of voting on planning matters) Council must record the Councillor's vote in relation to this matter.

Councillor	For	Against
Clr T D Gair	x	
Clr G McLaughlin	x	
Clr J G Arkwright	x	
Clr J R Clark	x	
Clr K Halstead	x	
Clr J Mauger	x	
Clr D Stranger	x	
Clr P B Tuddenham	A	
Clr L A C Whipper	x	



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ACKNOWLEDGEMENT

ACKNOWLEDGEMENT – COL McPHERDRAN

600/4

The Mayor Clr T D Gair advised Council of the recent passing in Western Australia of Mr Col McPhedran, a former resident of the Shire. The Mayor noted that Mr McPhedran had served 2 x 3 year terms as an Alderman on the former Bowral Municipal Council (in about 1968), he served on the County Council and on the Tourism Committee. The Mayor acknowledged Mr McPhedran's standing in the community, and asked Mr Mac Cott to pass on Council's commiserations to Mr McPhedran's family.

Mr Mac Cott thanked the Mayor and advised that he would convey the Council's thoughts to the late Mr McPhedran's family.

A minutes silence was held.



SUSPENSION OF STANDING ORDERS

LUA10/0272

The Mayor Clr Duncan Gair requested that standing orders be suspended to allow Item v-EP2 – Proposed Renewable Energy Generation Tower, Lot 13 DP 1085141 Sally's Corner Road, Exeter - to be considered at approximately 4.30 pm when the objector would be available to address Council.

OC 113/10

*The Committee on a MOTION moved by Clr G McLaughlin and seconded by Clr L A C Whipper **RECOMMENDED:***

THAT standing orders be suspended to allow Item v-EP2 - Proposed Renewable Energy Generation Tower, Lot 13 DP 1085141 Sally's Corner Road, Exeter - to be considered at approximately 4.30 pm when the objector would be available to address Council.

PASSED

v-EP2	Proposed Renewable Energy Generation Tower, Lot 13 DP1085141 Sally's Corner Road, Exeter
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REF:	MDBS	LUA 10/02722
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This matter was considered by Council later in the meeting (refer OC 122/10).



OPEN COUNCIL

ENVIRONMENT & PLANNING DIVISION

o-EP1 Development Consents Determined by way of Approval under Delegated Authority

REF: MDBS 5302

Submitting list of development consents executed under delegated authority of the Director of Environment and Planning between 18 May 2010 to 1 June 2010.

OC 114/10

The Committee on a **MOTION** moved by Clr G McLaughlin and seconded by Clr L A C Whipper **RECOMMENDED:**

THAT the information relating to Development Consent Determined Nos 1 - 7 under Delegated Authority be received and noted.

PASSED

o-EP2 List Of Land Use Applications Received By Council

REF: MDBS 5302

Submitting list of development applications which have been received between 18 May 2010 to 1 June 2010, some of which will be dealt with under delegated authority of the Director of Environment and Planning.

OC 115/10

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

THAT the information regarding the List of Land Use Applications Nos 1- 12 received by Council be received and noted.

PASSED



Matters Arising from Land Use Applications Received by Council

1. ITEM NO 4 – SUBDIVISION 2 LOT, 20 NERANG STREET, BURRADOO
LUA10/0491

Clr K Halstead asked for some further information in relation to this subdivision, including a plan, via the Weekly Circular.

The Director Environment & Planning advised that this information will be provided in the Weekly Circular.

-
2. ITEM NO 10 – STAGED DA 17 CLUSTER HOMES (SECTION 83B EP& A ACT) COLO STREET, MITTAGONG (PART OF FORMER MITTAGONG HIGH SCHOOL SITE)
LUA10/0451

Clr L A C Whipper asked if there had been a previous application for this development, and asked for confirmation that it would be coming to Council for determination.

The Director Environment & Planning advised that this application will be coming to Council for determination.

o-EP3 Land Use Applications Determined

REF:	MDBS	5302
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Submitting list of Land Use applications determined by way of approval under delegated authority of the Director of Environment & Planning for the month of May 2010. An additional table showing applications received, determined and pending is now also included.

OC 116/10

The Committee on a **MOTION** moved by *Clr G McLaughlin* and seconded by *Clr L A C Whipper* **RECOMMENDED:**

THAT the information regarding the List of Land Use Applications Received by Council for the month of May 2010 and application statistics, be received and noted.

PASSED



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REPORT DIRECTOR ENVIRONMENT & PLANNING

o-EP4 Modify Conditions of Consent via a Voluntary Planning Agreement, Home Hardware, Corner Bowral Road and Princess Street, Mittagong

REF: MDBS

LUA08/1208

This report is about a proposal to modify conditions of development consent relating to intersection upgrades by entering into a Voluntary Planning Agreement (VPA) with the applicant.

The Director Environment & Planning and Manager Development & Building Services addressed Council on this matter.

OC 117/10

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

1. **THAT Council accept the terms and conditions of the Voluntary Planning Agreement and publicly notifies it for 28-days with the respective s96 application to modify development consent LUA2008/1208 for Home Hardware, corner of Bowral Road and Princess Street, Mittagong.**
2. **THAT should no objections be submitted in respect of the Draft Voluntary Planning Agreement and section 96 application to modify the development consent, authority be delegated to the General Manager to approve the modifications to the development consent and authority be delegated to the General Manager and Mayor to sign the Voluntary Planning Agreement.**

PASSED

In accordance with the Local Government Act (section 375A – Recording of voting on planning matters) Council must record the Councillor's vote in relation to this matter.

Councillor	For	Against
Clr T D Gair	x	
Clr G McLaughlin	x	
Clr J G Arkwright	x	
Clr J R Clark	x	
Clr K Halstead	x	
Clr J Mauger	x	
Clr D Stranger	x	
Clr P B Tuddenham	A	
Clr L A C Whipper	x	



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REPORT DIRECTOR ENVIRONMENT & PLANNING

o-EP5 Review of Group 1 B Discount Groups for Halls and Community Centres in Schedule of Fees and Charges

REF: SPM, FSM

501/2010

Reporting on recommendations from the Arts and Culture Board Working Group in regard to arts and culture organisations being eligible for discounts on hire fees for Council halls and community centres as listed in Group 1 B of Council's Schedule of Fees and Charges.

OC 118/10

The Committee on a **MOTION** moved by Cllr G McLaughlin and seconded by Cllr J G Arkwright **RECOMMENDED**:

1. **THAT the listing of discount groups in Group 1 B for NON PROFIT group/organisation from within the Shire and having a constitution – 40% DISCOUNT (subject to validation of the group/organisation by the Arts and Culture Board) of the Schedule of Fees and Charges relating to Halls and Community Centres be amended as follows:**
 - (a) **Moss Vale Players, Classical Music Club and SHEDA to be deleted.**
 - (b) **St Jude's Music Association, Southern Highlands Youth Arts Council and Magic Box Productions be added.**
 - (c) **Australian Decorative and Fine Arts Society (Bowral Branch), Southern Highlands Concert Band and Highlands Theatre Group remain on the list.**
2. **THAT the discount for St Jude's Music Association, detailed in 1(b) above apply to its incorporated and auspiced arts groups currently including the Bowral Autumn Music Festival, the Classical Music Club, the Highlands Sinfonia, the St Jude's Singers and the Southern Highlands Opera Appreciation Group**
3. **THAT all groups listed be advised of the discount and be requested to provide a copy of their constitution for Council's records.**

PASSED



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REPORT DIRECTOR ENVIRONMENT & PLANNING

o-EP6	Funding Agreement from Human Services NSW
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REF:	SPM	1800/1
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Reporting on receipt of the funding agreement received from Human Services NSW Community Services for funding towards the Community Worker Salary which forms part of the Social Planner's Position and seek Council's resolution to have the Council Seal affixed to the agreement. The Social Planner is responsible for advocating on behalf of local community groups and service providers, putting together grant applications, facilitating Council / community service provider meetings, eg Community Services Advisory Committee, Demographic Profile Analysis and development of Social Plan.

OC 119/10

The Committee on a **MOTION** moved by Clr L A C Whipper and seconded by Clr G McLaughlin **RECOMMENDED**:

THAT the funding agreement from Human Services NSW for the Wingecarribee Community Worker (Social Planner) Subsidy be executed under the Common Seal of the Council.

PASSED



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REPORT DIRECTOR ENVIRONMENT & PLANNING

o-EP7 Draft Northern Villages Development Control Plan

REF: SPM

5700/73

The purpose of this report is to advise the outcome of the exhibition of the Draft Northern Villages Development Control Plan (DCP) and recommend adoption of the draft DCP with commencement to coincide with the making of the Wingecarribee Local Environmental Plan 2009.

The Director Environment & Planning addressed Council on this matter.

OC 120/10

The Committee on a **MOTION** moved Clr G McLaughlin and seconded by Clr D Stranger
RECOMMENDED:

1. **THAT Council adopt the Draft Northern Villages Development Control Plan as attached incorporating changes as recommended within the report.**
2. **THAT Council implement the Northern Villages Development Control Plan in accordance with the provisions of the Environmental Planning and Assessment Regulations, 2000 and in conjunction with gazettal of the Wingecarribee LEP 2009.**
3. **THAT any amendments that arise in the first twelve (12) months of the implementation of the Northern Villages DCP be referred to Council for consideration.**

PASSED

In accordance with the Local Government Act (section 375A – Recording of voting on planning matters) Council must record the Councillor's vote in relation to this matter.

Councillor	For	Against
Clr T D Gair	x	
Clr G McLaughlin	x	
Clr J G Arkwright	x	
Clr J R Clark	x	
Clr K Halstead	x	
Clr J Mauger	x	
Clr D Stranger	x	
Clr P B Tuddenham	A	
Clr L A C Whipper	x	



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REPORT DIRECTOR ENVIRONMENT & PLANNING

o-EP8 Development Application for Signage at the Mazda / Subaru Car Dealership which is currently being constructed at Lot 101 DP 1142408, Argyle Street, Moss Vale

REF: MDBS

LUA10/0316

Reporting on LUA 10/0316 which seeks development consent for signage at the Mazda / Subaru car dealership which is currently being constructed Lot 101 DP 1142408, Argyle Street, Moss Vale.

The Director Environment & Planning and Manager Development & Building Services addressed Council on this matter.

OC 121/10

The Committee on a **MOTION** moved Clr L A C Whipper and seconded by Clr G McLaughlin **RECOMMENDED:**

THAT LUA 10/0316 which seeks development consent for signage at the Mazda / Subaru car dealership which is currently being constructed at Lot 101 DP 1142408, Argyle Street, Moss Vale be approved subject to appropriate conditions, including conditions addressing limited hours of illumination and street tree planting.

PASSED

In accordance with the Local Government Act (section 375A – Recording of voting on planning matters) Council must record the Councillor's vote in relation to this matter.

Councillor	For	Against
Clr T D Gair	x	
Clr G McLaughlin	x	
Clr J G Arkwright	x	
Clr J R Clark	x	
Clr K Halstead	x	
Clr J Mauger	x	
Clr D Stranger	x	
Clr P B Tuddenham	A	
Clr L A C Whipper	x	



VISITOR ITEM (CONT)

ENVIRONMENT & PLANNING DIVISION (CONT)

**v-EP2 Proposed Renewable Energy Generation Tower, Lot 13 DP1085141 Sally's
Corner Road, Exeter**

REF: MDBS

LUA 10/0272

Renewable Energy Generation Tower technology is envisaged by the applicant (Pacific Energy International P/L) to be a viable alternative technology able to supplement future 'green energy' demands. The development application has been lodged in response to the Federal Government's Mandatory Renewable Energy Target Legislation. The proposal is for one (1) Energy Generation Tower (Stage 1) to be installed at the subject property, however the Statement of Environmental Effects accompanying the application also refers to further stages (2-10) of the project and in addition plans for a 'National roll-out' of the technology over time.

Mr Nigel Ford, an objector, addressed Council on this matter.

OC 122/10

The Committee on a **MOTION** moved by Clr K Halstead and seconded by Clr L A C Whipper
RECOMMENDED:

1. **THAT LUA10/02722 Proposed Renewable Energy Generation Tower, Lot 13 DP 1085141 Sally's Corner Road, Exeter, be deferred to a future meeting of Council, subject to Council obtaining further information in relation to the proposed technology AND THAT the Department of Energy and the Department of Planning be consulted to provide further comment.**
2. **THAT Council obtain information from one of the Universities in New South Wales in respect to the feasibility of the technology.**
3. **THAT subject to the information being received the Applicant be required to address Council on the matter.**

PASSED

.....Cont'd



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REPORT DIRECTOR ENVIRONMENT & PLANNING

.....Cont'd

In accordance with the Local Government Act (section 375A – Recording of voting on planning matters) Council must record the Councillor's vote in relation to this matter.

Councillor	For	Against
Clr T D Gair	x	
Clr G McLaughlin	x	
Clr J G Arkwright	x	
Clr J R Clark	x	
Clr K Halstead	x	
Clr J Mauger	x	
Clr D Stranger	x	
Clr P B Tuddenham	A	
Clr L A C Whipper	x	



OPEN COUNCIL (CONT)

ENVIRONMENT & PLANNING DIVISION (CONT)

o-EP9 Joint Regional Planning Panels

REF: DEP 5605, 5606, 5300

Reporting on proposed amendments to the operations of Joint Regional Planning Panels.

The General Manager and Director Environment & Planning addressed Council on this matter.

OC 123/10

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

1. **THAT consideration of the proposed amendments to the operations of Joint Regional Planning Panels be deferred until after the National General Assembly to be held in Canberra from 14 to 17 June 2010.**
2. **THAT this resolution form the basis of a written response to the Minister for Planning, the Hon Tony Kelly, MLC, as requested in his correspondence of 18 May 2010.**

PASSED



CORPORATE SERVICES DIVISION

o-CS1 Committee Appointments and Resignations

REF: MALS	7212/1, 7226/4
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Reporting on Management Committee Appointments and Resignations.

OC 124/10

The Committee on a **MOTION** moved by *Clr L A C Whipper* and seconded by *Clr G McLaughlin*:

1. **THAT** *Mr Peter Lee* be appointed to the Hill Top Community Centre Management Committee **AND THAT** *Mr Peter Lee* be notified of Council's determination.
2. **THAT** the resignation of *Mr John D'Arcy* from the Mittagong Memorial Hall Management Committee be accepted with regret **AND THAT** *Mr John D'Arcy* be notified of Council's determination.
3. **THAT** the Hill Top Community Centre and the Mittagong Memorial Hall Management Committees be notified of Council's determination.

PASSED



o-CS2 Request for Funding for Highlands Community Centre Inc for the Hire of Hill Top Community Centre for a Three (3) Month Period

REF: DCS

7212

Reporting on a request from Highlands Community Centre Inc on behalf of Loseby Park Youth Centre to Council requesting funding for the of hire of rooms at the Hill Top Community Centre for a three (3) month trial period for outreach to local youth aged 12 to 18 years.

OC 125/10

The Committee on a **MOTION** moved by Clr G McLaughlin and seconded by Clr L A C Whipper **RECOMMENDED:**

1. **THAT** having regard to the request from Highlands Community Centre Inc, Council provide a one off donation of \$288.00 to assist in a three (3) month trial period for outreach of Hill Top youth aged 12 to 18 years **AND THAT** the funds be allocated from the 355 Management Committee budget.
2. **THAT** Council notifies Highlands Community Centre Inc and Hill Top Community Centre Management Committee of its determination in one (1) above.

PASSED



o-CS3 Acquisition of Part Crown Reserve Being Part Lot 7005 Deposited Plan 1126801, Part Unformed Earl Street Mittagong

REF: PO PN1122200, PN1701507, RD3217

Reporting on necessity to consider acquisition of part Lot 7005 Deposited Plan 1126801 under the *Land Acquisition (Just Terms Compensation) Act 1991* for road purposes.

The Director Corporate Services addressed Council on this matter.

OC 126/10

The Committee on a **MOTION** moved by Cllr G McLaughlin and seconded by Cllr L A C Whipper **RECOMMENDED:**

1. **THAT the General Manager be delegated authority to negotiate with the Land & Property Management Authority, Crown Lands Division, for the acquisition of that part of Lot 7005 Deposited Plan 1126801 being unconstructed road.**
2. **THAT the General Manager and Mayor be delegated authority to execute any Agreement, Plan of Acquisition or Transfer documents under the Common Seal of the Council.**
3. **THAT upon completion of the project the cost of works be referred to the September 2010 Budget Review to identify a funding source.**
4. **THAT Council make representations via the local member/s to the Minister for Lands seeking support of transferring the land to Council at nominal value rather than market value.**

PASSED



INFRASTRUCTURE SERVICES DIVISION

o-IS1	Wombeyan Caves Road Revised Maintenance
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REF:	RTM
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RD 0258-005

Reporting on a revised maintenance program for Wombeyan Caves Road.

The Director Infrastructure Services addressed Council on this matter.

OC 127/10

The Committee on a **MOTION** moved by Clr D Stranger and seconded by Clr L A C Whipper
RECOMMENDED:

THAT the information in relation to Wombeyan Caves Road Revised Maintenance be received and noted.

PASSED



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REPORT OF DIRECTOR INFRASTRUCTURE SERVICES

o-IS2	Passenger Vehicles & Utilities Purchasing Policy
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REF: RTM, RMC

7980/5, 841/5

This report presents a draft policy relating to the purchasing of Council vehicles and utilities.

The Director Infrastructure Services addressed Council on this matter.

Clr K Halstead asked for breakdown of the percentage of mileage (kilometres) on average that is work related compared with the total number of kilometres. He asked for a reply to this question to be placed in the Weekly Circular.

Clr L A C Whipper asked what environmental weighting is being put on the criteria that are being looked at by Council.

The General Manager advised that environmental considerations of the plant fleet is being investigated, which will come into the modification of the policy over the next 12 months.

OC 128/10

The Committee on a **MOTION** moved by Clr L A C Whipper and seconded by Clr D Stranger
RECOMMENDED:

1. **THAT Council approves Attachment 1 to the report titled "Motor Vehicle Purchasing Policy".**
2. **THAT Council rescind the following policies:**
 - (a) **Vehicles, Council Emblem approved MN44/97 on 20 January 1997.**
 - (b) **Vehicles, Private Use Car Scheme and Vehicle Leasing approved MN299/02 on 10 July 2002.**

PASSED

CHAIRPERSON

At this juncture, the time being 5.07 pm, the Mayor, Clr T D Gair, resumed the Chair to conduct the remainder of Council Business.



o-IS3 Swimming Centres

REF: PPM, FSM

6700, 6700/4

The purpose of this report is for Council to consider recommendations for the operation of the Shire's Swimming Centres for the 2010/11 Season.

The Director Infrastructure Services addressed Council on this matter.

MN 197/10

MOTION moved by Cllr D Stranger and seconded by Cllr J Mauger:

1. **THAT** the following fee structure be adopted for Council's Swimming Centres for the 2010/11 Season:

A. Cost of Admission

ADULT	\$ 3.50
CHILD (under 18 years)	\$ 2.50
CONCESSION (Cardholder)	\$ 2.50
SPECTATOR (defined as a guardian or direct relative accompanying or attending a child's activity at the Swimming Centre except Learn to Swim and Squad Training)	\$ 1.50
Children under 3 years	Free
SEASON FAMILY TICKET (immediate family only)	\$400.00

Pass Outs be available for School Children under 16 years of age during School Holidays.

B. Multiple Entry Tickets

- (i) **The multiple entry cards be as follows:-**

20 Tickets	at \$2.50	\$50.00 a book
50 Tickets	at \$2.00	\$100.00 a book; and

- (ii) **Tickets are non refundable and non transferable between swimming seasons with one card issued per visit pass.**

C. Lane Hire

Private coaching/teaching - upon application and subject to peak load periods.

- **Peak hours 6am to 9am and 3pm to 6pm per lane/per hour** **\$25.00**
- **Off peak (all other times) per lane/per hour** **\$15.00**

.....Cont'd

.....Cont'd

D. After Hours Usage

- (i) *Prior to commencement of the season user groups wishing to use the centres after hours on a regular basis attend an information session so that their needs and Council's conditions can be addressed.*
- (ii) *Council charges the standard admission fees for after hours usage of the pools.*
- (iii) *All user groups confirm their program formally prior to the season.*
- (iv) *The casual after hour's usage fee be \$100.00 plus \$35.00 per hour for each staff member required.*

E. School Activity Or Carnival Booking – School Concessions

- (i) *A flat entry fee for students for carnivals and organised school activities be \$2.00 and \$1.50 for spectators be applied.*
- (ii) *A booking fee of \$100.00 per event at Mittagong and Bowral Swimming Centres, which includes staff entry fees, be adopted.*
- (iii) *A booking fee of \$60.00 per event at Moss Vale and Bundanoon Swimming Centres, which includes staff entry fees, be adopted.*
- (iv) *The booking fee be applicable where the school group requests to have exclusive use of a pool including back-up days and the booking fee be non-refundable for cancellations within 48 hours of the date booked.*

2. THAT the following season length and duration be adopted for Council's Swimming Centres for the 2010/11 Season:

- (i) *The Mittagong Swimming Centre's season be 21 weeks commencing Saturday 9 October 2010 and close on Sunday 6 March 2011.*
- (ii) *The Bowral Swimming Centre's season be 20 weeks commencing on Saturday 6 November 2010 and close on Sunday 27 March 2011.*
- (iii) *The Moss Vale Swimming Centre's season be 18 weeks commencing on Saturday 13 November 2010 and close on Sunday 20 March 2011.*
- (iv) *The Bundanoon Swimming Centre's season be 16 weeks commencing on Saturday 20 November 2010 and close on Sunday 13 March 2011.*
- (v) *The Swimming Centres be open each day of the swimming season excluding Christmas Day and Boxing Day.*
- (vi) *Only Mittagong Swimming Centre open on Boxing Day.*

.....Cont'd

.....Cont'd

3. **THAT** the following opening and closing times be adopted for Council's Swimming Centres for the 2010/11 Season:

(i) The opening hours for each swimming centre be as follows.

**Mittagong: 9 Oct to 7 Nov 10
& 13 Dec to 6 Mar 11**

Monday	6am – 9am 2pm – 9pm
Tuesday	6am – 9am 2pm – 9pm
Wednesday	6am – 9am 2pm – 6pm
Thursday	6am – 9am 2pm – 6pm
Friday	6am – 9am 2pm – 8pm
Saturday	10am – 6pm
Sunday	10am – 6pm

**Mittagong:
8 Nov – 10 Dec 10**

Monday	6am – 8am 2pm – 9pm
Tuesday	2pm – 9pm
Wednesday	6am – 8am 2pm – 6pm
Thursday	2pm – 6pm
Friday	6am – 8am 2pm – 8pm
Saturday	10am – 6pm
Sunday	10am – 6pm

Bowral: 6 Nov to 27 Mar 11

Monday	6am – 6pm
Tuesday	6am – 6pm
Wednesday	6am – 6pm
Thursday	6am – 6pm
Friday	6am – 8pm
Saturday	10am – 6pm
Sunday	10am – 6pm

Moss Vale: 13 Nov to 20 Mar 11

Monday	6am – 8am 2pm – 6pm
Tuesday	6am – 8am 2pm – 6pm
Wednesday	6am – 8am 2pm – 6pm
Thursday	6am – 8am 2pm – 6pm
Friday	6am – 8am 2pm – 8pm
Saturday	10am – 6pm
Sunday	10am – 6pm

**Bundanoon: 20 Nov to
13 Mar 11**

Monday	6am – 9am 2pm – 6pm
Tuesday	2pm – 6pm
Wednesday	6am – 9am 2pm – 8pm
Thursday	2pm – 6pm
Friday	2pm – 6pm
Saturday	10am – 5pm
Sunday	10am – 5pm

Note: Opening and closing times to be reviewed pending staff availability.

.....Cont'd



.....Cont'd

- (ii) *The operational hours of the Mittagong, Moss Vale and Bundanoon Swimming Centres be extended during the day in school holidays and that all facilities remain open when required for functions e.g. School Swimming Carnivals.*
 - (iii) *The Swimming Centres will remain open until 6pm, conditional that at 5pm should patronage be less than 20 people (10 at Bundanoon) and the weather is not conducive to swimming, the Pool Supervisors may close the pools at 5pm.*
 - (iv) *On inclement days or where temperatures fall below 17 degrees three of the four Swimming Centres be closed from 9:00am and signage be provided to advise that the pools have been closed due to inclement weather and details of which pool remains open.*
 - (v) *If the forecast temperature is greater than 35 degrees, Bowral pool will remain open until 7pm.*
4. **THAT Bowral Water Polo Club be permitted to continue use of Mittagong Swimming Centre for two additional weeks (Monday and Tuesday evenings only) after Mittagong Pool closes to the public on the 6 March 2011.**

PASSED



o-IS4	Swimming Centres Asset Management Plan
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REF:	PPM, FSM, AOE	6700
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Reporting on the proposed Asset Management Plan for the Council Swimming Centres and the proposed program for advice on an indoor aquatic facility options.

The General Manager and Director Infrastructure Services addressed Council on this matter.

MN 198/10

MOTION moved by *Clr L A C Whipper* and seconded by *Clr J Mauger*:

1. **THAT** Council notes the proposed timeframe for the reporting of the development of a long term option for the development of an indoor facility.
2. **THAT** Council endorses the formation of a working group to review proposals for the development of an indoor aquatic facility in the Shire **AND THAT** Council endorse the nomination of *Clr K Halstead* as Chairperson of the working group and *Clr L A C Whipper*, *Clr D Stranger*, *Clr J Mauger* as the Councillor representatives.
3. **THAT** Council note the Asset Management Plan for the pools.
4. **THAT** a further report be submitted to Council presenting a financial strategy to implement the Asset Management Plan.

PASSED



o-IS5	Bowral – Mittagong Shared Pathway Study
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REF: DPM

6690/16

Reporting on the outcomes of the Bowral – Mittagong Shared Pathway Route Selection Study.

The Director Infrastructure Services addressed Council on this matter.

MN 199/10

MOTION moved by Clr J R Clark and seconded by Clr L A C Whipper:

1. **THAT** Council notes the “Bowral – Mittagong Shared Pathway Route Study: Final Route Selection Report” by Complete Urban Pty Ltd, dated December 2009.
2. **THAT** Council adopts the route along Bowral and Mittagong Roads (identified as Route A in the report) as the preferred route for the development of a shared pathway between Bowral and Mittagong.
3. **THAT** Council also includes consideration of an additional link along the northern track through the Mt Gibraltar Reserve, as recommended by the Bicycle Working Group, as part of the development of a shared path network between Bowral and Mittagong.
4. **THAT** Council includes the staged construction of the Bowral – Mittagong Shared Pathway network for consideration in Council’s future works program.

PASSED



COUNCIL MATTERS

GENERAL MANAGER'S REPORTS

c-GM1 2010 Local Government Association Conference - Albury

REF: GM

204/2010

Reporting on the 2010 Local Government Association Conference to be held in Albury from Sunday 24 to Wednesday 27 October 2010.

MN 200/10

MOTION moved by Clr T D Gair and seconded by Clr G McLaughlin:

1. ***THAT Council be represented at the 2010 Local Government Conference in Albury from Sunday, 24 October to Wednesday, 27 October 2010 and confirm the attendees.***
2. ***THAT Council confirm its delegates at the 2010 Local Government Conference in Albury and their respective voting status as follows:***

***Mayor of the Day
Councillor Jim Mauger
Councillor Juliet Arkwright
General Manager or his nominee***

***Voting delegate
Voting delegate
Voting delegate
Observer***

Councillor Clr Jim Clark

Alternate delegate

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 9 June 2010

REPORT OF THE GENERAL MANAGER

c-GM2 Mayoral Elections 2010

REF. MALS

102/4

Reporting on meeting date for Mayoral Election in September 2010.

The General Manager addressed Council on this matter.

MN 201/10

MOTION moved by Clr J R Clark and seconded by Clr L A C Whipper:

THAT consideration of the election of the Mayor, Deputy Mayor and Delegates of Committees be deferred until the next Ordinary Meeting of the Council to be held on Wednesday, 23 June 2010.

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 9 June 2010

REPORT OF THE GENERAL MANAGER

c-GM3 Follow up Report on Friendship City Agreement with Kaifeng City in China

REF: EDO

600/26, 107/24.3

Following Council's resolution to continue with the current Friendship City Agreement, this report is to update Council on a proposed visit in 2010 to Kaifeng City in the Province of Henan, China.

Interest: Clr J Mauger declared a non-pecuniary interest in this matter as Mrs Elly Liu ran on his ticket at the last Council election. He remained in the chamber, took part in the debate and voted on the matter.

The General Manager addressed Council on this matter.

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MOTION moved by Clr L A C Whipper and seconded by Clr K Halstead:

THAT the information contained in the report be noted.

--

AMENDMENT moved by Clr D Stranger and seconded by Clr G McLaughlin:

1. THAT Council approve the visit by the Mayor of the Day (or his nominee) and/or Council's Economic Development Officer to Kaifeng City, Henan Province, China in 2010, to foster our "Friendship City Agreement" with Kaifeng City AND THAT the delegation be authorised to travel via business class air travel, with the total expenses for the trip not to exceed \$25,000.
2. THAT the specific timing of the visit be determined by the Mayor and General Manager in consultation with Kaifeng City officials.

AMENDMENT LOST

On being put to the meeting voting was tied at four (4) all whereupon the Mayor exercised his casting vote against the Motion.

MOTION LOST



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 9 June 2010

QUESTIONS FROM THE PUBLIC

QUESTIONS FROM THE PUBLIC

1. THE PROTECTION OF PLANNING POWERS FOR LOCAL GOVERNMENT
102, 5300, 5800/18

Mrs Jan Hainke asked if there had been responses to the letters sent to the Local Government areas of NSW in relation to this matter.

The Mayor Clr T D Gair advised that three or four responses had been received from the Mayors of Holroyd City Council, Shoalhaven City Council, Coffs Harbour City Council and Hornsby Shire Council, together with a response from Mr Brad Hazzard, MP, the Shadow Minister for Planning and Infrastructure. The Mayor advised that the responses have been positive and noted that there will be debate on the matter at the National General Assembly in Canberra next week.

2. PROPOSED RENEWABLE ENERGY GENERATION TOWER, LOT 13 DP 1085141
SALLY'S CORNER ROAD, EXETER LUA10/0272

Mrs Pam Cooper advised that Exeter Village Association did not receive a neighbour notification in relation to the proposed Energy Generation Tower, and asked why not as the address of the property is Exeter.

The Director Environment & Planning advised that as matter of course Council does not notify the Exeter Village Association of every application and that in this case the officers took the view that notification was not necessary.

3. PROPOSED RENEWABLE ENERGY GENERATION TOWER, LOT 13 DP 1085141
SALLY'S CORNER ROAD, EXETER LUA10/0272

Mrs Pam Cooper noted referral on a couple of occasions to "commercial project of 10 towers", and asked if Council would proceed with extreme caution and be confident that the project is not just a "shoe-in" for further development in the area.

The General Manager advised that Council has made that decision tonight by the resolution that it has made.

4. DRAFT WINGECARRIBEE LOCAL ENVIRONMENTAL PLAN 2009 5900

Mr Barry Anstee asked if there is any available information in relation to notification (gazettal) of the Wingecarribee Local Environmental Plan.

The Mayor Clr T D Gair advised that it is imminent and that Council should receive a reply by 23 June 2010.



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 9 June 2010

QUESTIONS FROM THE PUBLIC

5. COVERING OF THE MOSS VALE REGIONAL LIVESTOCK EXCHANGE 7170/13, 102/5

Mr Barry Anstee asked if the \$4.2 million grant for the stockyards has matching funds by Council.

The Mayor Clr T D Gair advised that there is and that the grant for \$4.1 million is not refundable, and that the estimated cost for the covering of the Regional Livestock Exchange is \$4.8 million. He advised that as part of the strategy the Livestock Exchange would apply for external grant funding for the difference from the \$4.1 million to the final tender price.

6. FUNDING FROM THE STATE GOVERNMENT TO EXPEDITE THE PROCESSING OF DEVELOPMENT APPLICATIONS 5302

Mr Barry Anstee advised that the State Government announced yesterday (from media reports) that Councils are to receive additional funding to expedite the processing of development applications and asked if Council has any detail on this yet.

The Director Environment & Planning advised that Council does not have any further information.

7. CHELSEA GARDENS / COOMUNGIE AND SUTHERLAND PARK PROPOSED DEVELOPMENTS 5800/18

Mr Ian Scandrett referred to the Mayor's comments earlier in the meeting, and asked if the cap of \$20,000 per new block on s94 contributions would not worry Council as we were well within that, and asked if ratepayers could have an assurance that rates will not rise as a consequence of the cap in relation to direct and indirect infrastructure costs of the Chelsea Gardens/Coomungie and Sutherland Park proposals for over 1400 homes.

The Mayor Clr T D Gair advised that as far as he is aware, the cap under s94 is about \$14,000 per block, well under the \$20,000 cap being imposed by the State Government.

8. ROBERTSON SEWERAGE SCHEME 7650

Mr Ian Scandrett referred to the Robertson Sewerage Scheme and asked if the original budget for the scheme has blown out and that ratepayers are being levied annually to fund the shortfall borrowings.

The Mayor Clr T D Gair advised that with every sewerage scheme each town subsidises the next town and that is how a bank of money is obtained. He advised that Bundanoon has just been completed and will be commissioned next week, and that was an \$18 million project which was subsidised by ratepayers in other towns. The Mayor advised that Council is subsidising the pump-outs at Robertson of approximately \$180,000 annually from the sewerage scheme.



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 9 June 2010

QUESTIONS FROM THE PUBLIC

9. MAYORAL ELECTIONS FOR 2010

102/4

Mr Ian Scandrett asked if Council would consider having the Annual Mayoral Election as a promoted public event at 7.00 pm and provide refreshments to encourage the public to attend and meet and talk to their Councillors.

The Mayor Clr T D Gair advised that this request will be considered.



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 9 June 2010

NOTICE OF MOTION

NOTICE OF MOTION

c-NM1	09/2010 – Notice of Motion – WSC Funded Transport to Macquarie Street, Sydney
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REF:	MALS	100/4, 5300, 200
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Councillor Jim Mauger has given notice that it is his intention to move the following Notice of Motion at the Ordinary Meeting of Council on Wednesday, 9 June 2010:

1. THAT Council give consideration to organising and paying for as many bus coaches as required to transport residents and ratepayers of this Shire to Macquarie Street, Sydney to voice our disgust as to how Local Government has been overridden in planning matters.

MN 202/10

MOTION moved by Clr J Mauger and seconded by Clr J G Arkwright:

THAT Council organise and pay for up to three (3) buses/coaches to transport residents and ratepayers of this Shire to Macquarie Street, Sydney to voice our disgust as to how Local Government has been overridden in planning matters.

PASSED

MN 203/10

MOTION ARISING moved by Clr J Mauger and seconded by Clr J G Arkwright:

THAT Clr L A C Whipper, Clr J G Arkwright and Clr J Mauger form a working group to determine the schedule for the Macquarie Street lobby group AND THAT funding for the project be allocated from Council's Contingency Vote up to \$5,000.

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 9 June 2010

NOTICE OF MOTION

c-NM2 10/2010 – Notice of Motion – Demographic Study of Wingecarribee Shire

REF: MALS

100/4, 5605, 5320

Councillor Ken Halstead has given notice that it is his intention to move the following Notice of Motion at the Ordinary Meeting of Council on Wednesday 9 June 2010:

1. **THAT** Council engage an appropriately qualified consultant to undertake a comprehensive demographic study of the Wingecarribee Shire, as a matter of urgency.

This study is to source data from the Australian Bureau of Statistics and any other reputable source and given due consideration. The accuracy of the Sydney-Canberra Corridor Regional Strategy (issued by the NSW Department of Planning) is to be analysed as part of this study.

2. The General Manager is to report back to the Council with regard to the method of funding this study. This report should make reference to any contributions received by the Council under the provisions of the Environmental Planning and Assessment Act 1979 that may be able to be utilised.

General Manager's Comment:

It is considered that Council could call expressions of interest for the demographic study and a further report could be presented to Council on the likely budget considerations and the way forward in this matter.

MN 204/10

MOTION moved by Cllr K Halstead and seconded Cllr J Mauger:

1. ***THAT Council engage an appropriately qualified consultant to undertake a comprehensive demographic study ("the study") of the Wingecarribee Shire, as a matter of urgency.***
2. ***THAT the study source data from the Australian Bureau of Statistics, and any other reputable source, which will be given due consideration AND THAT the accuracy of the Sydney-Canberra Corridor Regional Strategy (issued by the NSW Department of Planning) be analysed as part of the study.***
3. ***THAT the General Manager report back to Council with regard to the method/sourcing of funding the study AND THAT this report make reference to any contributions received by Council under the provisions of the Environmental Planning and Assessment Act 1979 that may be able to be utilised.***

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 9 June 2010

NOTICE OF MOTION

c-NM3	11/2010 – Notice of Motion – Request for Special Meeting of Council to Discuss Sutherland Park
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REF:	MALS	100/4, 5602/13, PN507400, LUA05/0191, 5902, 5800/18
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Interest: The General Manager declared a non-pecuniary interest in this matter as he owns a house adjacent to Sutherland Park. He remained in the chamber, but took no part in the discussions on the matter.

Councillor Jim Mauger has given notice that it is his intention to move the following Notice of Motion at the Ordinary Meeting of Council on Wednesday 9 June 2010:

1. THAT as the Mayor would not allow recording of the meeting held at Bowral memorial Hall on 27 May 2010 information session and not all Councillors or members of the community were able to attend the meeting or the meeting at Moss Vale Services Club, a special meeting of Council be held;
2. THAT representatives of GASP (Go Away Sutherland Park) and SMS (Stop Moss Vale Sprawl) be asked to make a presentation of not more than 15 minutes each;
3. THAT the special/extraordinary meeting be published via press, ABC and 2ST immediately and repeatedly

General Manager's Comment:

The meetings were called to provide information to members of the public and it was considered not necessary to record the meetings. Notes were taken by Strategic Planning staff at the public meetings.

An Extraordinary Meeting is called to consider issues of importance that require considerable time and debate. The speakers could be incorporated into an Ordinary Meeting of the Council.

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MOTION moved by Cllr J Mauger and seconded Cllr K Halstead:

1. THAT as the Mayor would not allow recording of the meeting held at Bowral memorial Hall on 27 May 2010 information session and not all Councillors or members of the community were able to attend the meeting or the meeting at Moss Vale Services Club, a special meeting of Council be held.
2. THAT representatives of GASP (Go Away Sutherland Park) and SMS (Stop Moss Vale Sprawl) be asked to make a presentation of not more than 15 minutes each.
3. THAT the special/extraordinary meeting be published via press, ABC and 2ST immediately and repeatedly

LOST



QUESTIONS WITH NOTICE

c-QWN1 QWN 03/10 – Proposed Robertson Sewage Scheme

REF: GM 101/2, 7650

To: General Manager, Mr Jason Gordon
From: Cllr David Stranger
Received: 2 June 2010

Subject: Proposed Robertson Sewage Scheme

Question:

1. What cost has Council incurred to date with the Robertson Sewage Scheme?

Comment from Sewerage Project Coordinator

Expenditure on the scheme is currently about \$6.5 million. The major component of these costs are for land acquisition. Other costs involve investigation, environmental assessment, detailed design and contract documentation. The NSW Government has provided subsidy of \$345,500 for investigation costs. However, a substantially greater contribution from the NSW Government is anticipated when construction commences.

2. What other costs are anticipated to be over budget estimates?

Comment from Sewerage Project Coordinator

The estimated cost is reviewed regularly and will be confirmed at the time of awarding the tender to construct the project. With the current information available, the project estimate is within the total project budget of \$26.55 million.

3. Does Council have a contingency fund for the Scheme and if so what is the current balance?

Comment from Sewerage Project Coordinator

The current contingency allowance in the estimate is \$1.7 million.

MN 205/10

MOTION moved by Cllr D Stranger and seconded Cllr J Mauger:

THAT the information in relation to the Proposed Robertson Sewage Scheme be noted.

PASSED



COMMITTEE REPORTS ATTACHED

c-CR1 Minutes of the Water & Sewerage Advisory Committee

REF: SPC 7799/2

Submitting minutes of the Water & Sewerage Advisory Committee held on Friday, 21 May 2010.

MN 206/10

MOTION moved by Clr J Mauger and seconded by Clr T D Gair:

THAT the minutes of the Water & Sewerage Advisory Committee held on Friday, 21 May 2010 be noted.

PASSED

c-CR2 Minutes of the Internal Audit Committee

REF: DCS 2102/3

Submitting minutes of the Internal Audit Committee held on Monday, 31 May 2010.

MN 207/10

MOTION moved by Clr J G Arkwright and seconded Clr L A C Whipper:

THAT the recommendations IAC 3/10 to IAC 5/10 as detailed in the minutes of the Internal Audit Committee held on Monday, 31 May 2010 be adopted.

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL
held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 9 June 2010
COMMITTEE REPORTS

o-CR3 Access Committee

REF: CWAD	1828/3
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Submitting minutes of the Access Committee meeting held on Monday, 19 April 2010.

MN 208/10

MOTION moved by Clr J R Clark and seconded Clr L A C Whipper:

THAT the recommendations as detailed in the minutes of the Access Committee meeting held on Monday, 19 April 2010 be adopted.

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 9 June 2010

GENERAL BUSINESS

GENERAL BUSINESS

1. CONTINUED USE OF UNAUTHORISED WORK (CONCRETE SLAB AND FRAME)
LOT 8, SEC 20 DEP 111201 18 THOMAS STREET, MITTAGONG LUA10/0461

Clr K Halstead asked if the General Manager can provide a comprehensive report (on a Council Agenda) on the process involved in the attempt to erect a "dwelling house" on this property. He asked for the report to detail the involvement of Council's administrative staff in the process, which has resulted in an unacceptable delay since August 2008.

The General Manager advised that this request will be actioned.

2. COMPLAINTS OF SPEEDING VEHICLES THROUGHOUT THE SOUTHERN
HIGHLANDS 7410, 7411

Clr K Halstead referred to the Press Release issued on 7 June 2010 by the Acting Road Safety Officer with regard to the use of speed observation trailers at various locations across the Shire, with an increased Police presence and asked the following questions:

- (i) Does Council own the trailers or were they hired.

The Director Infrastructure Services advised the trailers were hired.

- (ii) It is well known that surveillance is the only method that works and, accordingly, does Council have a commitment from the Police that this will take place.

The Director Infrastructure Services advised that he would take that question on notice.

3. WALLABY HILL EQUESTRIAN CENTRE LUA09/0903

Clr J G Arkwright noted that a meeting had been held between the owners of the Equestrian Centre, accompanied by their solicitor and planning consultant, and senior Council staff, Mr Scott Lee and Mr Les Pawlak, to discuss the conditions applied under deferred consent by Council, and asked what the outcome of this meeting was.

The Director Environment & Planning advised that as a result of the meeting the applicant has lodged an application under s96 seeking amendment to certain conditions of the consent and once this application has been assessed, it will be reported to Council.



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 9 June 2010

GENERAL BUSINESS

4. BLOCKED STORMWATER DRAIN AND FLOODING AT THE CORNER OF CHURCH AND RANGE STREETS, BURRAWANG 8101, 8121

Clr J G Arkwright referred to a blocked stormwater drain at the corner of Church and Range Streets, Burrawang due to the re-alignment of the corner following a recent development. Clr Arkwright noted that the water floods down Church Street causing damage to the road and verge, and asked if repairs can be made a priority and that she be kept informed, as well as the Burrawang/Wildes Meadow Progress Association.

The General Manager advised that he would instruct staff to investigate this matter.

5. LEASE OF GOLF COURSE, CENTENNIAL ROAD, BOWRAL
LSE90, 6612/11, PN215900

Clr J Mauger asked if the amended lease has been signed by the Minister.

The Director Corporate Services advised that the lease was approved by the Minister, with a minor amendment, and that amendment, based on advice received, does not need Ministerial consent.

6. LEASE OF GOLF COURSE, CENTENNIAL ROAD, BOWRAL
LSE90, 6612/11, PN215900

Clr J Mauger asked if the inspections set down in the original lease have been carried out and if not, why not.

The Director Infrastructure Services advised that this will be taken on notice.

7. CENTENNIAL ROAD, BOWRAL RD1529, 7850/1

Clr G McLaughlin noted that there are some signs on Centennial Road and asked if it is closed for roadworks or is Council due to replace the bridge.

The Director Infrastructure Services advised he is pleased to advise that the bridge is being replaced and that a press release went out earlier in the day.

8. STREET LIGHT OUTAGE 7330/2

Clr G McLaughlin asked that after notification of street light outage, and that now it is dark early, what timeframe should be looked at by Integral Energy to do lighting upgrades.

The Director Infrastructure Services advised that this will be followed up with Integral Energy and a reply provided.



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 9 June 2010

GENERAL BUSINESS

9. FOOTPATH AND KERB UPGRADE OUTSIDE BUNDANOON PUBLIC SCHOOL
7810/5.3, 1510/5

Clr J R Clark asked if Council was going to undertake a basic concept plan and costing of the footpath and kerb upgrades in Philips Street, Bundanoon, outside the public school adjacent to the new hall and consider future funding of this project.

The Mayor Clr T D Gair advised that there will be a report coming to Council that will consider Council involvement, school involvement and Education Department involvement.

The Director Infrastructure Services confirmed that a concept design and costing is being prepared by the Design Staff and Council will be applying to the Roads & Traffic Authority for funding under their "Safety Around Schools Programme".



CLOSED COUNCIL

GENERAL MANAGER

cc-GM1 Closed Council

107/9

To consider moving into Closed Council.

At this juncture, the time being 7.12 pm, 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 209/10

MOTION moved by Cllr L A C Whipper and seconded Cllr J Mauger:

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-GM1 WASTE SERVICES CONTRACT

7501/20

Relevant Legal Provision

This report is placed in Closed Committee as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business under Clause 10A(2)(c) of the Local Government Act.

Brief Description

Purpose of this report is to update Council on the Contract between WSN Environmental Solutions (WSN) and South Western Sydney Councils Resource Recovery Project (SWSCRRP) and also update Council on disposal of the inert waste from Council's Resource Recovery Centre in Moss Vale.

Public Interest

It would be contrary to the public interest to consider this information in Open council because it contains information which could confer a commercial advantage.

.....Cont'd



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 9 June 2010

REPORT OF GENERAL MANAGER

.....Cont'd

c-GM2 LEGAL ISSUES REPORT

107/22

Relevant Legal Provisions

This report is referred to Closed Committee under Clause 10A (2)(a) and Clause 10A 2(g) of the Local Government Act, 1993, as it contains personnel matters concerning particular individuals and advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.

Brief Description

Reporting on legal issues arising in the past month.

Public Interest

It would on balance be contrary to the public interest to consider this information in Open Council because it contains personnel matters concerning particular individuals and advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.

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

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 9 June 2010

CLOSED COUNCIL

CLOSED COUNCIL

c-GM1	Waste Service Contracts
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REF: GM	7501/20
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The General Manager addressed Council on this matter.

Clr L A C Whipper left the meeting during debate on this matter.

*The Committee on a **MOTION** moved by Clr D Stranger and seconded by Clr J G Arkwright
RECOMMENDED:*

THAT the information in relation to the Waste Service Contract be noted.

PASSED

c-GM2	Legal Issues Report
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REF: DEP	107/22
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The Director Environment & Planning addressed Council on this matter.

Clr L A C Whipper returned to the meeting.

*The Committee on a **MOTION** moved by Clr G McLaughlin and seconded by Clr L A C
Whipper **RECOMMENDED:***

1. **THAT the register information of legal matters, as detailed in the report, be received and noted.**
2. **THAT Council seeks the full recovery of costs in the judgment of the 10 July 2007 for the Notice of Motion in relation to the Boen Boe Piggery.**

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 9 June 2010

OPEN COUNCIL

107/10

MN 210/10

MOTION moved by Clr J G Arkwright and seconded by Clr G McLaughlin:

THAT Council moves back into Open Council.

PASSED

No members of the public were present in the Chamber.

ADOPTION OF CLOSED COUNCIL

107/9

MN 211/10

MOTION moved by Clr G McLaughlin and seconded by Clr L A C Whipper:

THAT the recommendations of the Closed Council held on Wednesday, 9 June 2010 (Items c-GM1 and c-GM2) be adopted.

PASSED

ADOPTION OF OPEN COUNCIL

107/10

MN 212/10

MOTION moved by Clr J R Clark seconded by Clr L A C Whipper:

THAT the recommendations of the Open Council held on Wednesday, 9 June 2010 being OC 112/10 to OC 128/10, be adopted.

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 9 June 2010

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 7.25 PM

In accordance with the provisions of Section 375(2) of the Local Government Act, these Minutes of the Ordinary Council Meeting held Wednesday, 9 June 2010 numbered M/N 194/10 to M/N 212/10, were signed by me hereunder at the Council Meeting held on Wednesday, 23 June 2010.

CHAIRMAN

READ AND CONFIRMED ON WEDNESDAY, 23 JUNE 2010

CHAIRMAN

PUBLIC OFFICER