

# MINUTES

## OF THE ORDINARY MEETING OF COUNCIL

*File No. 100/10*



held on Wednesday, 23 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, 23 June 2010

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## MINUTES OF THE ORDINARY MEETING OF COUNCIL

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on Wednesday, 23 June 2010

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**COMMENCING AT:** 3.30 pm

**PRESENT:** Cllr T D Gair (Mayor) in the Chair  
Cllr G McLaughlin (Deputy Mayor)  
Cllr J G Arkwright  
Cllr J R Clark  
Cllr K Halstead  
Cllr J Mauger  
Cllr D Stranger  
Cllr P B Tuddenham  
Cllr 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

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### OPENING OF MEETING

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1826/4

The Mayor Cllr T D Gair opened the meeting and welcomed Councillors, staff, members of the public and the press.

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### PRAYER

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100/1

Chaplain John Wheeler from Transport for Christ led the meeting in prayer.

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### ACKNOWLEDGEMENT OF COUNTRY

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1826/4

The Mayor Clr T D Gair 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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### PUBLIC FORUM

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1. o-CS7 - APPLICATION FOR CLOSURE OF UNFORMED ROAD OFF MOUNT ROAD, BOWRAL

PN1003900, PN1003700, RD1524

Mr David McGowan representing the owner of Lot 1 DP 910353 and Lot 1 DP 318839 (Mrs Balfour) addressed Council.

Mr Peter Nevett addressed Council on behalf of the owner of Lot 8 DP 667524 (Mrs Heard).

The Mayor Clr T D Gair thanked Mr McGowan and Mr Nevett for their comments.

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### APOLOGY

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*There were no apologies at this meeting.*

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## MINUTES OF THE ORDINARY MEETING OF COUNCIL

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### CONFIRMATION OF MINUTES

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MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY, 9 JUNE 2010

100/1

**MN 213/10**

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

**THAT the minutes of the Ordinary Meeting of Council held on Wednesday, 9 June 2010 MN 194/10 to MN 212/10 inclusive, copies of which were forwarded to Councillors, be adopted as a correct record of the proceedings of the meeting.**

**PASSED**

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### BUSINESS ARISING

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1. ITEM o-EP9 – JOINT REGIONAL PLANNING PANELS 5606, 5606, 5300

**MN 214/10**

Clr J R Clark referred to Item o-EP9 on page 18 of the Minutes and advised that the matter was deferred until the National General Assembly held in Canberra from 14 to 17 June 2010 and wished to put the following Motion in this matter:

**MOTION** moved by Clr J R Clark and seconded by Clr K Halstead:

1. **THAT Council write to the Minister of Planning advising that Council declines to nominate the General Manager to determine development applications referred by the Joint Regional Planning Panel as proposed under recent amendments.**
2. **THAT Council provide a copy of this Motion to the Southern Councils Group advising of Council's position and requesting their support in this matter.**

**PASSED**



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### DECLARATIONS OF INTEREST

101/3

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Clr P B Tuddenham declared a pecuniary interest in Item No 10 on page 111 in o-EP2 - List of Land Use Applications Received by Council – as he is a Director of a business with premises in Station Street. He stated that he would leave the Chamber when this matter was discussed, take no part in the debate and refrain from voting thereon.

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Clr D Stranger declared a pecuniary interest in Item v-EP5 Chelsea Gardens / Coomungie Urban Release Area – Draft LEP 131 as his business manages the Coomungie and adjoining Park Leigh properties. He stated that he would leave the Chamber when this matter was discussed, take no part in the debate and refrain from voting thereon.

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### OPEN COUNCIL

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107/10

**MN 215/10**

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

**THAT Council moves into Open Council to discuss various matters listed in the Agenda with the Mayor Clr Duncan Gair remaining in the Chair.**

**PASSED**

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**VISITOR ITEM**

**ENVIRONMENT & PLANNING DIVISION**

**v-EP1 Proposed Outdoor Dining Area, Corner of Boolwey Street and Entrance to Woolworths Carpark, Bowral**

REF: DEP

LUA10/0035

This report is about a development application for an outdoor dining area located on the footpath reserve (part of Lot 2 DP868337) adjacent to *Gastronome Café*, which is on the corner of Boolwey Street and the entry to the Woolworths carpark.

The proposal involves the upgrading of public infrastructure, and the applicant has been invited to address Council.

Ms Veronica Katter, the applicant, addressed Council on this matter.

The Development & Building Services Manager addressed Council on this matter.

**OC 129/10**

The Committee on a **MOTION** moved by Cllr K Halstead and seconded by Cllr J Mauger  
**RECOMMENDED:**

**THAT development application LUA2010/0035 for works to create an outdoor dining area, adjacent to *Gastronome Café*, at the corner of Boolwey Street and the entrance to Woolworths car park, Bowral, be approved subject to:**

- (a) ***The applicant bearing the full costs of the works in the initial instance with the licence agreement to reflect payback of Council's contribution over a period in lieu of payment of licence fees, as agreed by the General Manager;***
- (b) ***The applicant entering into a licence agreement with Council to embrace the requirements and responsibilities under ss125 to 127 of the Roads Act, 1993;***
- (c) ***The applicant providing outdoor furniture design for approval by Council's Risk Assessment Coordinator prior to the licence agreement being signed;***
- (d) ***A liquor license must not be sought without the prior written consent of Council;***
- (e) ***The erection of structures being undertaken in such a manner to ensure the existing tree is protected and in that regard a bond/bank guarantee (the amount to be determined) provided to ensure the same; and***
- (f) ***An independent person being engaged, at Council's cost, to assess the situation with respect to the tree (as mentioned in (e) above) to maintain the integrity of the tree.***

**PASSED**



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**REPORT OF DIRECTOR ENVIRONMENT & PLANNING**

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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.

<b>Councillor</b>	<b>For</b>	<b>Against</b>
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	x	
Clr L A C Whipper		x

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**SUSPENSION OF STANDING ORDERS**

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5800/18

Clr L A C Whipper requested that standing orders be suspended to allow Item v-EP5 Chelsea Gardens / Coomungie Urban Release Area – Draft LEP 131 - to be heard at this juncture of the meeting as there were many members of the public present in the gallery.

Interest: Clr D Stranger declared a pecuniary interest in this matter as his business manages the Coomungie and adjoining Park Leigh properties. He left the chamber, took no part in the debate and refrained from voting thereon.

**OC 130/10**

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

**THAT item v-EP5 Chelsea Gardens / Coomungie Urban Release Area – Draft LEP 131 be heard at this point of the meeting as there were many members of the public in the gallery.**

**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.

<b>Councillor</b>	<b>For</b>	<b>Against</b>
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	Did not vote	
Clr P B Tuddenham	x	
Clr L A C Whipper	x	

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**v-EP5 Chelsea Gardens / Coomungie Urban Release Area- Draft LEP 131**

REF: SPM

5800/18

The purpose of this report is to provide Council the opportunity to consider submissions received in response to the exhibition of the revised Chelsea Gardens/Coomungie Draft LEP Amendment 131.

It was noted that Clr D Stranger had declared an interest and was absent during discussion and voting on this matter.

Ms Geraldine Turner addressed Council on behalf of the objectors.

Mr Murray Sowter addressed Council on behalf of the applicants.

The Director Environment & Planning addressed Council on this matter.

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

1. THAT Council not adopt Draft Local Environmental Plan 1989 (Amendment 131) for Chelsea Gardens/Coomungie at this time.
2. THAT Council retain the designation within the Wingecarribee Local Environmental Plan 2010 maps of Chelsea Gardens/Coomungie as a future Urban Release Area.
3. THAT the matter be reconsidered by Council following the preparation of the Wingecarribee Local Planning Strategy.

Clr P B Tuddenham foreshadowed the following further motion:

1. THAT Council adopt Draft Local Environmental Plan 1989 (Amendment 131) for Chelsea Gardens/Coomungie as per Attachment 6 to the report.
2. THAT the Draft Amendment 131 proceeds as an amendment to Wingecarribee Local Environmental Plan 2010.
3. THAT Council write to the Department of Planning as a matter of urgency to seek approval for the rezoning to be completed under the Department of Planning's 'Gateway' process.
4. THAT Council advise all those people who made a submission in respect of the matter of Council's Resolution.
5. THAT Council prepare a Report to advise the Department of Planning of its decision under the Environmental Planning & Assessment Act, 1979.

**MOTION LOST**



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.

<b>Councillor</b>	<b>For</b>	<b>Against</b>
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	Did not vote	
Clr P B Tuddenham		X
Clr L A C Whipper	X	

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The Committee on a **FORESHADOWED MOTION** moved as a **FURTHER MOTION** by Clr P B Tuddenham and seconded by Clr G McLaughlin:

1. **THAT** Council adopt Draft Local Environmental Plan 1989 (Amendment 131) for Chelsea Gardens/Coomungie as per Attachment 6 to the report.
2. **THAT** the Draft Amendment 131 proceeds as an amendment to Wingecarribee Local Environmental Plan 2010.
3. **THAT** Council write to the Department of Planning as a matter of urgency to seek approval for the rezoning to be completed under the Department of Planning’s ‘Gateway’ process.
4. **THAT** Council advise all those people who made a submission in respect of the matter of Council’s Resolution.
5. **THAT** Council prepare a Report to advise the Department of Planning of its decision under the Environmental Planning & Assessment Act, 1979.

**FURTHER MOTION LOST**

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.

<b>Councillor</b>	<b>For</b>	<b>Against</b>
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	Did not vote	
Clr P B Tuddenham	X	
Clr L A C Whipper		X



**v-EP2 Heritage Assessment for “Bethel Cottage”, 38 Old Hume Highway,  
Mittagong (Wingecarribee Interim Heritage Order No 4)**

REF: SPM 5650, PN696100, LUA10/0298

The purpose of this report is to present a heritage assessment of the cottage known as “Bethel Cottage” at 38 Old Hume Highway, Mittagong, on which an Interim Heritage Order (IHO) was placed last month.

Clr D Stranger returned to the Chamber at this juncture.

Mr Roger Grant, the applicant, addressed Council on behalf of the owner of the property.

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

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

1. THAT Council resolve to prepare an amendment to the Wingecarribee Local Environmental Plan 2010 to list “Bethel Cottage” at 38 Old Hume Highway, Mittagong (Lot 4 Sec 3 DP 33) as a heritage item in Schedule 5 of the Local Environmental Plan.
2. THAT Council officers prepare a planning proposal in accordance with the outline contained in this report and send it to the Department of Planning for determination.
3. THAT Council notify the owner of the property of its decision.

**OC 131/10**

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

1. **THAT** Council resolve to prepare an amendment to the Wingecarribee Local Environmental Plan 2010 to list “Bethel Cottage” at 38 Old Hume Highway, Mittagong (Lot 4 Sec 3 DP 33) as a heritage item in Schedule 5 of the Local Environmental Plan.
2. **THAT** Council officers prepare a planning proposal in accordance with the outline contained in this report and send it to the Department of Planning for determination.
3. **THAT** Council notify the owner of the property of its decision.
4. **THAT** Council negotiate with the owner to determine what price he would sell the property to Council for.

**PASSED**

.....Cont'd



.....Cont'd

**VOTING ON THE AMENDMENT**

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.

<b>Councillor</b>	<b>For</b>	<b>Against</b>
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	x	
Clr L A C Whipper	x	

**AMENDMENT BECAME THE MOTION**

**MOTION PASSED**

**VOTING ON THE MOTION**

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.

<b>Councillor</b>	<b>For</b>	<b>Against</b>
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	x	
Clr L A C Whipper	x	

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## MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale  
on Wednesday, 23 June 2010

### QUESTIONS FROM THE PUBLIC

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#### QUESTIONS FROM THE PUBLIC

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1. REQUEST TO AMEND PLANNING CONTROLS OVER LOT A, DP 162073,  
ARGYLE STREET MOSS VALE PN67000

Mrs Jan Hainke requested an update on the Moss Vale McDonald's issue.

The Mayor Clr T D Gair advised that now the LEP is gazetted, Council can proceed with the spot rezoning of the land next to the McDonald's site which will take considerable time.

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2. AFFORDABLE HOUSING 5320/67

Mrs Jan Hainke advised that she had recently requested a definition of "Affordable Housing" but that she has not yet received a reply. She asked if it is a State government definition.

The Director Environment & Planning advised that he would meet with Mrs Hainke on this issue and that she could make an appointment to meet him.

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3. ITEM o-EP2 LIST OF LAND USE APPLICATIONS RECEIVED BY COUNCIL 5302

Mrs Pam Cooper asked for more details on Items Nos 3 and 4 in the Development Applications Received by Council on page 110 of the Agenda. Mrs Cooper stated that she had seen a petition in IGA this week that suggested that Woolworths had intentions of developing the site and asked if this is correct.

The Director Environment & Planning advised that the two applications have been marked as being reported to Council but that in the first instance more details will be provided in the Weekly Circular. He suggested that the Manager Development & Building Services would meet with Mrs Cooper and provide further details of the applications.

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4. HERITAGE ASSESSMENT FOR "BETHAL COTTAGE", 38 OLD HUME HIGHWAY,  
MITTAGONG (WINGECARRIBEE INTERIM HERITAGE ORDER NO 4)  
5650, PN696100, LUA10/0298

Mr Peter Smyth asked if Council has considered re-allocating some of the \$180,000 for the demolition of the Bowling Club in Mittagong towards possibly purchasing an asset for the Shire in relation to heritage listed house at Mittagong

The Mayor Clr T D Gair advised that Council has not yet made the decision to purchase the house but is negotiating a price and that a funding source has not been identified nor the maintenance costs or other ongoing costs.

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## MINUTES OF THE ORDINARY MEETING OF COUNCIL

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### QUESTIONS FROM THE PUBLIC

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5. PROPOSED OUTDOOR DINING AREA, CORNER OF BOOLWEY STREET AND  
ENTRANCE TO WOOLWORTHS CARPARK, BOWRAL LUA10/0035

Mr Peter Smyth commended Council for supporting small business, and asked if the cost borne from the owner is revenue neutral then will Council offer the same beautification carrot to all café owners so that not only the "Gastronome Café" is benefiting but all other cafes would benefit equally to ensure fairness, probity and consistency.

The General Manager advised Council's practise has been, in some cases, to fund the works but this is different to previous cases. He advised that everything that comes before Council is considered on its merits.

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**VISITOR ITEM (CONT)**

**ENVIRONMENT & PLANNING DIVISION (CONT)**

**v-EP3 Proposed 27 Metres High Monopole and Mobile Base Station, Lot 4 P569098  
(Colo Vale Water Reservoir) off Azalea Street, Colo Vale**

REF: DBSM LUA10/0348

This report discusses the erection of a telecommunication facility to host Telstra's "NextG" network.

The proposal has generated 16 submissions and a petition of 72 signatures.

Ms Janet Hutchinson addressed Council on behalf of the objectors.

Ms Vesna Greet addressed Council on behalf of the applicant Telstra.

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

THAT a decision on LUA10/0348 for the Proposed 27 Metres High Monopole and Mobile Base Station be deferred pending Council conducting a further inspection of the other sites identified by Telstra to ascertain whether any of those sites would be more suitable for the proposal which also includes the Sewerage Treatment Plant at Mittagong/Braemar.

**LOST**

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.

<b>Councillor</b>	<b>For</b>	<b>Against</b>
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	x	
Clr L A C Whipper	x	

**v-EP4 Construction of 4 Cluster Houses for Harmony – The Dombroski Foundation  
at 2-14 Old Hume Highway, Mittagong**

REF: DBSM

LUA05/0522

This report is about incomplete development works at Harmony – The Dombroski Foundation located at 2- 4 Old Hume Highway Mittagong.

Mr Thomas Goodman, a Director of the Dombroski Foundation, addressed Council on behalf of the applicant.

**OC 132/10**

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

1. **THAT in the interest of ensuring public safety, Council requires all outstanding building works identified in the report to be completed within a period of three (3) months.**
2. **THAT a Notice of Intention to issue Order No 15 pursuant to s121B of the Environmental Planning and Assessment Act (EP & A Act) and if necessary Order No 15, setting out the time frame in one (1) above, be sent to the applicant.**
3. **THAT Council considers the imposition of conditions requiring civil works, external to the development site, to be necessary and reasonable given the nature and scale of the development, those works being:**
  - (a) **Provide adequate stormwater drainage infrastructure in accordance with the approved stormwater drainage plan - the approved plans (amended in December 2009) show stormwater directed via pipes to the street water table/kerb and gutter in Beresford Street;**
  - (b) **Construct kerb and gutter and associated drainage pits in Beresford Street;**
  - (c) **Construct the road pavement with asphaltic concrete in Beresford Street;**
  - (d) **Construct the footpath in the footway of the development; and**
  - (e) **Construct a footway crossing in accordance with SD108 and SD123.**
4. **THAT authority be delegated to the General Manager to meet with representatives of the Dombroski Foundation, and interested Councillors, to discuss the options and/or alternatives available to address item 3 above, which may include:**
  - (a) **a longer time frame for the completion of all required civil works external to the site;**
  - (b) **an offer from the Dombroski Foundation to enter into a Voluntary Planning Agreement in respect of these civil works; or**



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**REPORT OF DIRECTOR ENVIROMENT & PLANNING**

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(c) *an application pursuant to s96 of the EP and A Act demonstrating that these civil works are an unreasonable and/or unnecessary imposition.*

5. ***THAT a further report be submitted to Council following discussions with the Dombroski Foundation.***

**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.

<b>Councillor</b>	<b>For</b>	<b>Against</b>
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	x	
Clr L A C Whipper	x	

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**REPORT OF DIRECTOR ENVIROMENT & PLANNING**

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**v-EP5 Chelsea Gardens / Coomungie Urban Release Area- Draft LEP 131**

REF: SPM

5800/18

*This matter was considered earlier in the meeting (pages 8 and 9).*

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**v-EP6 Draft Northern Gateway Local Environmental Plan**

REF: SPM

5901/1

To report on the public exhibition of the draft Northern Gateway Local Environmental Plan (LEP).

Mr John Williams, an objector, addressed Council on this matter. He advised that he was happy for the matter to be deferred.

**OC 133/10**

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

**THAT consideration of the Draft Northern Gateway Local Environmental Plan be deferred to a future meeting of Council.**

**PASSED**

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**INFRASTRUCTURE SERVICES DIVISION**

<b>v-IS1</b>	<b>Southern Regional Livestock Exchange – RLCIP Grant</b>
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REF:	PPM
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7170/13
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Council has received a \$4.1 million grant under the Regional, Local and Community Infrastructure Scheme (RLCIP) from the Federal Government. This report outlines the project details and the funding requirements from Council.

Council's Parks & Property Manager, Mr Peter Bowmer, addressed Council on this matter.

**OC 134/10**

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

1. **THAT the General Manager be given delegated authority to sign the Regional, Local and Community Infrastructure Scheme (RLCIP) funding agreement with the Federal Government for \$4.1 million.**
2. **THAT Council borrow any shortfall in funding up to \$700,000 as an external loan for the Council contribution to the roof project AND THAT repayment will be met by the Southern Regional Livestock Exchange.**
3. **THAT Council note the Southern Regional Livestock Exchange Project Plan and ten (10) year Southern Regional Livestock Exchange Financial Strategy.**
4. **THAT interest received on grant funds be accrued to the Roof Project budget.**
5. **THAT Council congratulate the staff, community representatives on the Board, Councillors and others involved with the preparation of the application for the grant funding and the successful outcome in obtaining the funding.**

**PASSED**

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**CHAIRPERSON**

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At this juncture, the time being 6.35 pm, the Mayor, Clr T D Gair, remained in the Chair to conduct the remainder of Council Business.

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**OPEN COUNCIL**

**CORPORATE SERVICES DIVISION**

**o-CS5 Alexandra Square**

REF: DCS

6606/3

Reporting on additional information relevant to Council's consideration of the future use of the precinct.

The Director Corporate Services addressed Council on this matter.

**MN 216/10**

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

1. **THAT** Council maintain the current funding in the 2010/11 Budget for work at Alexandra Square, with no action to be taken to demolish the building until Council further considers options for the future use of the Alexandra Square site.
2. **THAT** a working group consisting of Councillor J G Arkwright, Councillor L A C Whipper, the General Manager and two (2) other staff nominees be formed to review and develop the option of a proposed regional gallery for the future use of the Alexandra Square site, and to investigate if that option complies with the terms of the Deed of Trust, prior to the Council Meeting to be held in 24 November 2010.
3. **THAT** further community consultation be conducted to discuss this option developed by the Council working group.
4. **THAT** a further report be presented to a future meeting of Council, detailing this options and community feedback received on this option canvassed with the community.
5. **THAT** subject to the option for the regional gallery being rejected, for whatever reason, the old Mittagong Bowling Club building be demolished.

**AMENDMENT** moved by Clr L A C Whipper and seconded by Clr T D Gair:

THAT Council expend the funds in this year's budget to demolish the old Mittagong Bowling Club building.

**LOST**

**MOTION PASSED**

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**o-CS7 Application for Closure of Unformed Road off Mount Road Bowral**

REF: PO PN1003900, PN1003700, RD1524

Reporting on an application received for closure of an unformed lane off Mount Road Bowral adjacent to Lot 8 Deposited Plan 667524.

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

**THAT** Council, as a matter of priority, issues orders to the landowner for the illegally constructed gates and fencing on the unformed road to be removed.

Clr K Halstead withdrew his Motion.

**MOTION** moved by Clr L A C Whipper and seconded by --

**THAT** Council, as a matter of priority, issues orders to the landowner for the illegally constructed gates and fencing on the unformed road to be removed.

The Motion **LAPSED** for the want of a Secunder.

**MN 217/10**

**MOTION** moved by Clr D Stranger and seconded by Clr J Mauger:

**THAT** the Application for Closure of Unformed Road off Mount Road, Bowral be deferred to the next Meeting of Council to be held on Wednesday, 14 July 2010.

**PASSED**

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**ENVIRONMENT & PLANNING DIVISION**

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

REF: DBSM 5302

Submitting list of development consents executed under delegated authority of the Director of Environment and Planning between 2 June 2010 and 11 June 2010.

**MN 218/10**

**MOTION** moved by Clr J R Clark and seconded by Clr D Stranger:

**THAT the information relating to Development Consents Nos 1 - 7 (Determined) and Consent No 1 (Refused) under Delegated Authority be received and noted.**

**PASSED**

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**o-EP2 List of Land Use Applications Received By Council**

REF: DBSM 5302

Submitting list of development applications which have been received between 2 June 2010 to 11 June 2010, some of which will be dealt with under delegated authority of the Director of Environment and Planning.

**Interest:** Clr P B Tuddenham declared a pecuniary interest in Item No 10 of this matter as he is a Director of a business with premises in Station Street. He left the chamber, took no part in the debate and refrained from voting thereon.

**MN 219/10**

**MOTION** moved by Clr D Stranger and seconded by Clr J R Clark:

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

**PASSED**

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**o-EP3 Proposed Subdivision (Boundary Adjustment Between 2 Lots With SEPP1)  
Lot 1 DP629639 and Lot 9 DP1022774, RN 8 and 10 Barrett Street,  
Burrawang**

REF: MDBS

LUA10/0378

This report is about a development application which seeks to vary the minimum allotment size provisions in *Wingecarribee Local Environmental Plan 1989* for a boundary adjustment between 2 lots which each contain a dwelling-house.

The application is accompanied by a SEPP1 objection, and Council's support is recommended.

Clr P B Tuddenham returned to the Chamber.

The Manager Development & Building Services addressed Council on this matter.

**MN 220/10**

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

1. **THAT** Council support the objection pursuant to State Environmental Planning Policy No 1 for a departure from the 40 hectare development standard in clause 12 of *Wingecarribee Local Environmental Plan 1989* to enable Lot 1 DP 629639 to be increased by 50m<sup>2</sup> to 4,098m<sup>2</sup>, and Lot 9 DP 1022774 to be reduced by 50m<sup>2</sup> to 15.88 hectares.
2. **THAT** subject to the concurrence of the Director General, Department of Planning, authority be delegated to the General Manager to determine development application LUA 2010/0378 for a 2 lot subdivision (minor boundary adjustment) of Lot 1 DP 629639 and Lot 9 DP 1022774, RN 8 and 10 Barrett Street, Burrawang.

**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	x	
Clr L A C Whipper	x	



**o-EP4 Proposed Section 96 Modification Re-location of Air Conditioning Units, Gibraltar Motel, Country Club and Spa, Lots 3 & 4, DP 238798 Boronia Street, Bowral**

REF: DBSM

LUA05/1340

This report is about a S96 application to modify the development consent by relocating air conditioning units and associated plant from the roof (as approved) to a ground level plant room.

Clr J Mauger left the Chamber during consideration of this matter.

**MN 221/10**

**MOTION** moved by Clr J G Arkwright and seconded by Clr D Stranger

***THAT the s96 application to modify development consent LUA2005/1340 by relocating air conditioning units and associated plant from the roof to a ground level plant room at Gibraltar Motel and Country Club and Spa, on Lots 3 and 4, DP 238798, Boronia Street, Bowral be approved by the addition of notations to reflect the modified plans, and the following conditions as recommended by the Acoustic Consultant for this Project 'Acoustic Logic Pty Ltd':***

- (a) ***Install a full perimeter acoustic screen plant to a minimum height of 600 mm above tallest plant items. Screen to be constructed from a solid material such as FC sheet, sheet metal, masonry or the like. The inside face of screen to be lined with a weather resistant insulation similar to CSR Barisol or the like protected with perforated foil if required.***
- (b) ***In addition to the screen above, pumps are to have a shroud constructed from FC installed over equipment with the ends open. The shroud is to be lined with a weather resistant insulation similar to CSR Barisol or the like protected with perforated foil if required.***
- (c) ***Minimum 1 metre diameter unpadding silencers to be installed to the discharge side of the cooling tower.***
- (d) ***Variable speed controls to be installed to limit use during day time hours.***

**PASSED**

.....Cont'd



**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale  
on Wednesday, 23 June 2010  
**REPORT OF DIRECTOR ENVIRONMENT & PLANNING**

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.....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.

<b>Councillor</b>	<b>For</b>	<b>Against</b>
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	A	
Clr D Stranger	x	
Clr P B Tuddenham	x	
Clr L A C Whipper	x	

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<b>o-EP5</b>	<b>20010/11 Wingecarribee Community Assistance Scheme</b>
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REF: DEP
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1870/2010
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Submitting for Council's consideration the final recommendations from the Community Assistance Working Group for financial assistance under the 2010/11 Community Assistance Scheme.

Clr J Mauger returned to the Chamber.

The Mayor Clr T D Gair thanked the Councillors on the Community Grants (Assistance) Working Group and the Community & Cultural Development Officer, Ms Jenny Kena for their input into the consideration of the many applications for the Community Assistance Scheme that were received by Council.

**MN 222/10**

**MOTION** moved by Clr J R Clark and seconded by Clr G McLaughlin:

1. **THAT** Council adopts the recommendations of the 2010/11 Community Assistance Scheme Working Group as detailed in Attachment 1 circulated under separate cover.
2. **THAT** successful applicants be invited to attend a formal presentation to receive Certificates of Entitlement **AND THAT** this presentation ceremony be conducted during Local Government Week on Wednesday 4 August 2010 commencing at 5.30pm in the Civic Centre Theatre.
3. **THAT** correspondence be forwarded to the unsuccessful applicants regrettably advising them of the outcome.
4. **THAT** an amount of \$3000 be allocated in the 2011/2012 Budget for a subscription to the online grants system for 2011/12.

**PASSED**

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**o-EP6 Draft Berrima Village Development Control Plan**

REF: SPM

5700/14

The purpose of this report is to advise of the outcome of the public exhibition of the draft Berrima Village Development Control Plan and to recommend adoption of the DCP subject to the amendments outlined within the report.

The Director Environment & Planning addressed Council on this matter.

**MN 223/10**

**MOTION** moved by Clr K Halstead and seconded Clr J Mauger:

1. **THAT Council adopt the Draft Berrima Village Development Control Plan as per Attachment 1 (circulated to Councillors under separate cover), incorporating changes as indicated in that document.**
2. **THAT Council implement the Berrima Village Development Control Plan in accordance with the provisions of the Environmental Planning & Assessment Regulation 2000.**
3. **THAT Council inform those persons who made submissions of its decision.**
4. **THAT the issue of the height limit of commercial development within Berrima be considered as part of the investigation and consultation associated with the preparation of the Wingecarribee Local Planning Strategy.**
5. **THAT the Berrima Village Development Control Plan be reviewed within 12 months of its adoption.**

**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.

<b>Councillor</b>	<b>For</b>	<b>Against</b>
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	x	
Clr L A C Whipper	x	



**o-EP7 Bowral Memorial Hall Refurbishment**

REF: DEP

7225

The Arts and Culture Board Working Group has done some preliminary investigation of a proposal to refurbish the Bowral Memorial Hall in order to meet the need for a modern performance space in the Shire. This report provides background to the proposal and makes recommendations in regard to community consultation via public exhibition of the concept plan.

The Strategic Planning Manager addressed Council on this matter.

**MN 224/10**

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

1. **THAT the concept plan for the redevelopment of the Bowral Memorial Hall, comprising the architect's plan commissioned by Mr Richard Ruhfus and the consultant's report commissioned by the Arts and Culture Board Working Group be put on public exhibition at the Civic Centre in Moss Vale and on Council's website, until 6 August 2010, inviting submissions from the Wingecarribee community about any aspect of the proposal, with a view to considering a further report in September 2010 incorporating the community input.**
2. **THAT the Bowral Uniting Church be provided with a detailed briefing of the concept plan prior to the commencement of the public exhibition with regard to loading access via its property.**
3. **THAT submissions in regard to the concept plan also be invited from the Advisory Committees and Working Groups of Council, Bowral Community Men's Shed, Southern Highlands Business Chamber, Bowral Chamber of Commerce and Bowral Ratepayers Association.**
4. **THAT a letter of appreciation be sent to Mr Richard Ruhfus for his commissioning of the concept plan.**

**PASSED**

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**o-EP8 Draft Assessment Policy for Section 94/94A and Section 64 Developer Charges**

REF: SPM 5701, 5701/7, 5701/8

This report discusses a Draft Assessment Policy for Section 94/94A and Section 64 Developer Charges to allow greater transparency in the assessment process of contributions.

**MN 225/10**

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

***THAT Council place the Draft Assessment Policy for Section 94/94A Developer Contributions Plans and Section 64 Development Servicing Plans on public exhibition for a period of 28-days and notify the public by placing a public notices in local newspapers and send letters of notification to local planning, development and building industry members.***

**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.

<b>Councillor</b>	<b>For</b>	<b>Against</b>
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	x	
Clr L A C Whipper	x	



**o-EP9 Building Professional Board Accreditation**

REF: DEP, RMC

5202/2, 5200, 5204

Reporting on the requirement for a delegation to the General Manager for the endorsement of applications for accreditation of Council's Building Surveyors by the New South Wales Building Professionals Board (BPB).

The General Manager addressed Council on this matter.

**MN 226/10**

**MOTION** moved by Clr D Stranger and seconded Clr G McLaughlin:

**THAT Council delegate authority to the General Manager to recommend appropriate levels of accreditation for Council staff to the Building Professionals Board and pursuant to the Building Professionals Act 2005 as amended.**

**PASSED**

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**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
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**REPORT OF DIRECTOR CORPORATE SERVICES**

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**CORPORATE SERVICES DIVISION (CONT)**

**o-CS1 Investments as at 31 May 2010**

REF: FSM	2104
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Submitting details of Council's Investments as at 31 May 2010.

***MN 227/10***

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

***THAT consideration of Council's Investments as at 31 May 2010 be deferred to the Ordinary Meeting of Council to be held on Wednesday, 14 July 2010.***

***PASSED***

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**o-CS2 Draft Management Plan, Budget and Revenue Policy**

REF: FSM 501/2010, 2120/2010

Submitting a report on Council's Draft Budget/Management Plan and Revenue Policy for 2010/13.

The Director Corporate Services addressed Council and advised that there was an error in the total number of submissions received on page 201 of the Agenda and that there was a total of 26 submissions received.

The General Manager also addressed Council on this matter.

**MN 228/10**

**MOTION** moved by Clr K Halstead and seconded Clr G McLaughlin:

1. **THAT** the submissions on the Draft Management Plan, Budget and Revenue Policy be considered by Council.
2. **THAT** an appropriate response be forwarded to those people making a submission on the matter.
3. **THAT** the Draft 2010/2013 Management Plan, Budget and Revenue Policy be adopted.
4. **THAT** the minor amendments to the draft Fees and Charges be included in the 2010/11 Revenue Policy.
5. **THAT** the Domestic Waste Management charge(s) be increased by the 2.6% Rate Pegging amount.

**PASSED**

Dissenting vote: Clr J Mauger requested that his dissenting vote be recorded in respect of this motion.

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**EXTENSION OF TIME**

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**MN 229/10**

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

**THAT** in accordance with Council's Code of Meeting Practice, Council approves an extension of time to 8.00 pm.

**PASSED**

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**o-CS3 The Rating Structure for 2010-2011 Financial Year**

REF: FSM 2210, 2210/5, 2210/6, 2210/8, 2210/9

Submitting a report on the implementation of a rating structure to be applied for the 2010/2011 financial year.

Clr D Stranger left the Chamber during consideration of this matter.

**MN 230/10**

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

1. **THAT** Council set its general rates for 2010-2011 in accordance with the special percentage variation approved by the Minister for Local Government under Section 508(A) of the Local Government Act, 1993.
2. **THAT** the ad valorem and minimum rates be set for Residential, Farmland, Business and Mining categories to maintain the percentage yield from each of these rating categories at the same level as were levied in 2009/2010.
3. **THAT** Council make and levy the following rates in the dollar, minimum rates and base rates for the 2010-2011 financial year:
  - (a) An ordinary rate of 0.003344 cents in the dollar, subject to a minimum rate in accordance with Section 548 of the Act, of \$655.55 per assessment on all rateable land categorised as residential sub category ordinary in accordance with Section 516 of the Local Government Act, 1993 be now made for the period 1 July 2010 to 30 June 2011 and in accordance with Section 543(1) of the Act, this rate will be Residential – Ordinary.
  - (b) An ordinary rate of 0.003678 cents in the dollar, subject to a minimum rate in accordance with Section 548 of the Act, of \$655.55 per assessment on all rateable land categorised as residential sub category Renwick in accordance with Section 516 of the Local Government Act, 1993 be now made for the period 1 July 2010 to 30 June 2011 and in accordance with Section 543(1) of the Act, this rate will be Residential - Renwick.
  - (c) An ordinary rate of 0.001739 cents in the dollar, subject to a minimum rate in accordance with Section 548 of the Act, of \$957.96 per assessment on all rateable land categorised as farmland in accordance with Section 515 of the Local Government Act, 1993 be now made for the period 1 July 2010 to 30 June 2011 and in accordance with Section 543(1) of the Act, this rate will be Farmland.

.....Cont'd

.....Cont'd

- (d) **An ordinary rate of 0.005609 cents in the dollar, subject to a minimum rate in accordance with Section 548 of the Act, of \$655.55 per assessment on all rateable land used or zoned for professional, commercial trade or industrial purposed and categorised as business, sub category ordinary in accordance with Section 529(1) of the Local Government Act, 1993 be now made for the period 1 July 2010 to 30 June 2011 and in accordance with Section 543(1) of the Act, this rate will be Business - Ordinary.**
- (e) **An ordinary rate of 0.001500 cents in the dollar, subject to a minimum rate in accordance with Section 548 of the Act, of \$655.55 per assessment on all rateable land categorised as business, sub category inactive in accordance with Section 529(1) of the Local Government Act, 1993 be now made for the period 1 July 2010 to 30 June 2011 and in accordance with Section 543(1) of the Act, this rate will be Business - Inactive.**
- (vi) **An ordinary rate of 0.009100 cents in the dollar, subject to a minimum rate in accordance with Section 548 of the Act, of \$655.55 per assessment on all rateable land categorised as mining sub category Ordinary in accordance with Section 517 of the Local Government Act, 1993 be now made for the period 1 July 2010 to 30 June 2011 and in accordance with Section 543(1) of the Act, this rate will be Mining Ordinary.**
- (vii) **An ordinary rate of 0.001000 cents in the dollar, and not subject to a minimum rate, on all rateable land categorised as mining sub category coal rights only in accordance with Section 517 of the Local Government Act, 1993 be now made for the period 1 July 2010 to 30 June 2011 and in accordance with Section 543(1) of the Act, this rate will be Mining-Coal Rights.**
- (viii) **A special rate of 0.00005770 cents in the dollar subject to a base rate in accordance with Section 537 of the Local Government Act, 1993 of \$20.15 (which equates to 50% of the total special rate) per assessment on all rateable land for all rating categories in accordance with Section 495 of the Local Government Act, 1993 be now made for the period 1 July 2010 to 30 June 2011, this special rate will be Wingecarribee Our Future Environment Special Rate.**
4. **THAT Council make and levy an annual charge for domestic waste management services in accordance with Section 496 of the Local Government Act, 1993 for the 2010/2011 financial year as follows:**
- (a) **\$283.00 for a weekly domestic waste service.**
- (b) **\$233.00 for a fortnightly domestic waste service.**
- (c) **\$143.00 for an additional domestic waste service.**
- (d) **\$19.50 for vacant land.**

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## MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale  
on Wednesday, 23 June 2010

### REPORT OF DIRECTOR CORPORATE SERVICES

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.....Cont'd

5. ***THAT Council make and levy an annual charge for stormwater management services in accordance with Section 496A (1) of the Local Government Act, 1993 for the 2010/2011 financial year as follows:***
- (a) ***\$25.00 for each residential property.***
  - (b) ***\$12.50 for each residential strata unit***
  - (c) ***\$25.00 for each 350m<sup>2</sup> or part thereof up to a maximum of \$250.00 for each business property.***
  - (d) ***\$25.00 for each 350m<sup>2</sup> or part thereof divided by the number of units within the strata for each business strata unit.***

**PASSED**

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Clr D Stranger returned to the Chamber.



## MINUTES OF THE ORDINARY MEETING OF COUNCIL

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### REPORT OF DIRECTOR CORPORATE SERVICES

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<b>o-CS4</b>	<b>Determination of Annual Remuneration for the Mayor and Councillors</b>
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REF: MALS
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101/6
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Reporting on the 2010 and 2011 determination of remuneration for Mayors and Councillors by the Local Government Remuneration Tribunal under Section 242 of *Local government Act 1993* for the Mayor and Councillors.

**MN 231/10**

**MOTION** moved by Clr P B Tuddenham and seconded Clr L A C Whipper:

**THAT** having regard to the determination from the Local Government Remuneration Tribunal under Section 241 of the Local Government Act 1993, Council approves fees for the 2010/2011 financial year for each Councillor at \$15,970 with the Mayoral fee being set at \$34,860 **AND THAT** in accordance with Section 249(2) of the Local Government Act 1993 the Mayoral fee is paid in addition to the Councillors fee.

**PASSED**

Dissenting vote: Clrs K Halstead and J Mauger requested that their dissenting votes be recorded in respect of this motion.

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**o-CS5 Alexandra Square**

REF: DCS

6606/3

*This matter was considered earlier in the Meeting (MN 216/10).*

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**o-CS6 Access to Information Policy**

REF: MALS

1420/19, 1421/1, 201/2.1, 1420/16

Submitting a report seeking Council's endorsement of a revised *Access to Information Policy*.

***MN 232/10***

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

***THAT*** consideration of the revised *Access to Information Policy* be deferred to the next Ordinary Meeting of Council to be held on Wednesday, 14 July 2010.

***PASSED***

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**o-CS7 Application for Closure of Unformed Road off Mount Road Bowral**

REF: PO

PN1003900, PN1003700, RD1524

*This matter was considered earlier in the Meeting (MN 217/10).*

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<b>o-CS8 Canyonleigh Community Hall Management Committee Constitution</b>
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REF.	DCS, MALS	7205/1
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Reporting on the Canyonleigh Community Hall Management Committee Constitution.

***MN 233/10***

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

***THAT*** *consideration of the Canyonleigh Community Hall Management Committee Constitution be deferred to the Ordinary Meeting of Council to be held on Wednesday, 14 July 2010.*

***PASSED***

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**COUNCIL MATTERS**

**GENERAL MANAGER'S REPORTS**

**c-GM1 Mayoral Elections 2010**

REF: MALS

102/4

Resubmitting a report on meeting date for Mayoral Elections to be held in September 2010.

**MN 234/10**

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

***THAT consideration of the election of Mayor, Deputy Mayor and Delegates for Committees be deferred to the Ordinary Meeting of Council to be held on Wednesday, 14 July 2010.***

**PASSED**

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**c-GM2 Reconfirmation of the Structure of Wingecarribee Shire Council**

REF: GM

800/1

The purpose of this report is to inform Council of the organisational layout as a consequence of the review of the structure.

**MN 235/10**

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

***THAT consideration of the Reconfirmation of the Structure of Wingecarribee Shire Council be deferred to the Ordinary Meeting of Council to be held on Wednesday, 14 July 2010.***

**PASSED**

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## MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale  
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### NOTICE OF MOTION

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### NOTICE OF MOTION

<b>c-NM1</b>	<b>09/2010 – Notice of Motion – Invitation to Department of Planning Wollongong to Speak at Council Meeting</b>
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REF:	MALS	100/4, 5800/0.1, 5901, 5300
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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, 23 June 2010:

1. THAT senior representatives of the Department of Planning Wollongong, be invited to address a Special Meeting of Council regarding the following matters:
  - (i) Preparing Local Environment Plans
  - (ii) Preparing Planning Proposals

The issue of the 'Gateway' determination is to be embraced within these discussions.

***MN 236/10***

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

***THAT consideration of 09/2010 – Notice of Motion – Invitation to Department of Planning Wollongong to Speak at Council Meeting - be deferred to the Ordinary Meeting of Council to be held on Wednesday, 14 July 2010.***

***PASSED***

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**MINUTES OF THE ORDINARY MEETING OF COUNCIL**

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale  
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**NOTICE OF MOTION**

**c-NRM1 04/2010 – Notice of Rescission of Resolution – WSC Funded Transport to Macquarie Street, Sydney**

REF: MALS

100/6, 5300, 200

“We hereby give notice of our intention to move at the next meeting of Council that the motion passed at the Ordinary Meeting of Council held on Wednesday, 9 June 2010 **be rescinded.** (Reference MN 202/10)

1. ***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.***

(Reference MN 203/10)

2. ***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.***

Dated 11 June 2010  
Signed Clr Graham McLaughlin  
Clr Paul Tuddenham  
Clr Duncan Gair”

**MN 237/10**

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

***THAT consideration of 04/2010 – Notice of Rescission of Resolution – WSC Funded Transport to Macquarie Street, Sydney – be deferred to the Ordinary Meeting of Council to be held on Wednesday, 14 July 2010.***

**PASSED**



## MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale  
on Wednesday, 23 June 2010

### QUESTIONS WITH NOTICE

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#### QUESTIONS WITH NOTICE

<b>c-QWN1 QWN 04/10 – Goulburn Pipeline</b>
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REF: GM	101/2, 7790/20
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**To:** General Manager, Mr Jason Gordon  
**From:** Clr Larry Whipper  
**Received:** 16 June 2010

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**Subject: Goulburn Pipeline**

**Question:**

- 1. I have had representations from some residents regarding concerns about the pipeline traversing their properties. Also a recent letter to the editor in the Southern Highland News claimed that there was a threat to EEC's in Kangaloon and other vegetation along the route of the pipeline. Is this true?**

Comment from Sewerage Project Coordinator

The Environmental Assessment for this project is currently on public exhibition on the NSW Planning website. It was prepared by consultants GHD for Goulburn – Mulwaree Council and indicates that small areas of Southern Highlands Shale Woodlands may be affected by construction in Wingecarribee Shire. Goulburn – Mulwaree Council have indicated that they are proposing to avoid as many trees as possible by small adjustments to the pipeline route. The Environmental Assessment also proposes an offset strategy to address the impact of unavoidable tree removal. As the proposed pipeline route is not located in the vicinity of Kangaloon, EEC's in that area should not be affected.

- 2. If the above is true why hasn't the matter come to the Environment & Sustainability Committee for discussion?**

Comment from Sewerage Project Coordinator

The response to Question 3 below addresses referral to the Environment & Sustainability Committee.

- 3. Has Councils Representatives on the committee raised these matters of concern on behalf of our residents and what is the response of the Goulburn-Mulwaree Council to these concerns?**

Comment from Sewerage Project Coordinator

At the Highlands Source Project Working Group meeting of 3 June 2010, Councillor Mauger requested that Wingecarribee Shire Council's Environment & Sustainability Committee be briefed on the project environmental offset strategy.

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**MINUTES OF THE ORDINARY MEETING OF COUNCIL**

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale  
on Wednesday, 23 June 2010

**QUESTIONS WITH NOTICE**

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***MN 238/10***

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

**THAT** consideration of *QWN 04/10 – the Goulburn Pipeline* be deferred to the *Ordinary Meeting of Council to be held on Wednesday, 14 July 2010.*

**PASSED**

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## MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale  
on Wednesday, 23 June 2010

### COMMITTEE REPORTS

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#### COMMITTEE REPORTS TABLED

<b>c-CR1</b>	<b>Management and Advisory Committee Reports</b>
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REF:	MALS
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107/1
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Submitting minutes of the Exeter Park Management Committee Meeting held on Monday, 17 May 2010.

***MN 239/10***

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

***THAT consideration of Exeter Park Management Committee Report be deferred to the Ordinary Meeting of Council to be held on Wednesday, 14 July 2010.***

***PASSED***

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**COMMITTEE REPORTS ATTACHED**

**c-CR2 Environment and Sustainability Committee**

REF: MALS 107/1

Submitting minutes of the Environment and Sustainability Committee held on 21 April 2010.

***MN 240/10***

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

***THAT consideration of the recommendations as detailed in the minutes of the Environment and Sustainability Committee held on 21 April 2010 be deferred to the Ordinary Meeting of Council to be held on Wednesday, 14 July 2010.***

***PASSED***

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**c-CR3 Southern Regional Livestock Exchange Strategic Advisory Board**

REF: ANRC 5465/29.01

Submitting minutes of the Southern Regional Livestock Exchange Strategic Advisory Board held on 23 April 2010.

***MN 241/10***

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

***THAT consideration of the recommendations as detailed in the minutes of the Southern Regional Livestock Exchange Strategic Advisory Board held on 23 April 2010 be deferred to the Ordinary Meeting of Council to be held on Wednesday, 14 July 2010.***

***PASSED***

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**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale  
on Wednesday, 23 June 2010  
**COMMITTEE REPORTS**

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**c-CR4      Integrated Planning & Reporting Committee**

REF:      CP 500/2.4

Submitting minutes of the Integrated Planning & Reporting Committee held on Wednesday, 9 June 2010.

***MN 242/10***

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

***THAT consideration of the minutes of the Integrated Planning & Reporting Committee held on Wednesday, 9 June 2010 be deferred to the Ordinary Meeting of Council to be held on Wednesday, 14 July 2010.***

**PASSED**

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**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale  
on Wednesday, 23 June 2010  
**GENERAL BUSINESS**

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**GENERAL BUSINESS**

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The Mayor, Cllr T D Gair suspended General Business at this meeting due to time constraints.

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## MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale  
on Wednesday, 23 June 2010

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### ADOPTION OF OPEN COUNCIL

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107/10

**MN 243/10**

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

**THAT** the recommendations of the Open Council held on Wednesday, 23 June 2010 being OC 129/10 to OC 134/10, be adopted.

**PASSED**

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## MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale  
on Wednesday, 23 June 2010

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### THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 8.05 PM

In accordance with the provisions of Section 375(2) of the Local Government Act, these Minutes of the Ordinary Council Meeting held Wednesday, 23 June 2010 numbered M/N 213/10 to M/N 243/10, were signed by me hereunder at the Council Meeting held on Wednesday, 14 July 2010.

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CHAIRMAN

READ AND CONFIRMED ON WEDNESDAY, 14 JULY 2010

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CHAIRMAN

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PUBLIC OFFICER