

MINUTES

OF THE ORDINARY MEETING OF COUNCIL

File No. 100/10



held on Wednesday, 25 August 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, 25 August 2010

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MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 25 August 2010

COMMENCING AT: 3.30 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 P B Tuddenham
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
Administration Officer Ms Liz Johnson

OPENING OF MEETING AND ACKNOWLEDGEMENT OF COUNTRY

1826/4

The Mayor Clr T D Gair opened the meeting and 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."

PRAYER

100/1

The meeting was led in prayer by Captain David Day of the Salvation Army.



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APOLOGY

There were no apologies at this Meeting.

CONFIRMATION OF MINUTES

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY,
11 AUGUST 2010

100/1, LUA10/0711

MN 341/10

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

THAT the minutes of the Ordinary Meeting of Council held on Wednesday, 11 August 2010 MN 327/10 to MN 340/10 inclusive, copies of which were forwarded to Councillors, be adopted as a correct record of the proceedings of the meeting, it being noted that in relation to o-EP2 - List of Land Use Applications Received by Council - Item No 7 – 5 Lot Staged Subdivision, Lot 11 Sec 7 DP 792 And Lot 12 Sec 7 DP 792, 29 Willow Street, Willow Vale, Clr P B Tuddenham was the seconder of the Motion (OC 154/10).

PASSED



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BUSINESS ARISING

There was no business arising from the Minutes of the Meeting held on Wednesday, 11 August 2010.

DECLARATIONS OF INTEREST

101/3

Clr D Stranger declared a non-pecuniary interest in o-EP3 – Staged Development Application – Proposed Mixed Use Retail Complex, Lots 31 and 32, DP 524354 and Lot X DP 378400 Argyle Street, Moss Vale, as he is a member of the Southern Regional Joint Planning Panel. He stated that he would leave the Chamber when this matter was discussed, take no part in the debate and refrain from voting thereon.

Clr L A C Whipper declared a non-pecuniary interest in Item o-IS1 – Medway Viability Study, as he is a Member of the Board of the Sydney Catchment Authority. He stated that he would remain in the Chamber when this matter was discussed, take part in the debate and vote thereon.



MAYORAL MINUTE

c-MM1 Possible Coal Mine In Sutton Forest/Exeter Locality

REF: DEP 5305

Reporting on the possibility of a coal mine in the Sutton Forest/Exeter locality.

MN 342/10

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

THAT Council support the formation of the Southern Highlands Coal Action Group to oppose any long-wall mining at Sutton Forest AND THAT Council is willing to assist such a group in any way possible.

PASSED

MN 343/10

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

1. **THAT Council commit to an in principle position to oppose all long-wall mining activity within the Wingecarribee Shire.**
2. **THAT Council support the efforts of the newly formed Coal Action Group in Sutton Forest AND THAT Clr L A C Whipper and Clr J G Arkwright and the Mayor of the Day (as required) be appointed as Council's representatives on the Group.**
3. **THAT Council's Environment & Sustainability Committee be endorsed to provide input and comment when needed.**

PASSED



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OPEN COUNCIL

OPEN COUNCIL

MN 344/10

107/10

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

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

PASSED



OPEN COUNCIL

ENVIRONMENT & PLANNING DIVISION

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

REF: DBSM 5302, LUA10/0740

Submitting list of development consents executed under delegated authority of the Director of Environment and Planning between 3 August 2010 to 16 August 2010.

OC 179/10

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

THAT the information relating to Development Consents Determined Nos 1 - 9 under Delegated Authority and Development Consents Refused No 1 - 3, be received and noted, with the exception of Item 7 Change of Use – Finishing & Processing of Timber, PN1736070, Lot 3 DP 1053325, 15 Old Dairy Close, Moss Vale.

PASSED

1. ITEM 7 – CHANGE OF USE – FINISHING & PROCESSING OF TIMBER, PN1736070, LOT 3 DP 1053325, 15 OLD DAIRY CLOSE, MOSS VALE LUA10/0740

Clr K Halstead asked how substantial the change of use was on this application.

The Development & Building Services Manager advised that he would provide additional information in the Weekly Circular.

OC 180/10

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

THAT the information be received and noted.

PASSED

.....Cont'd



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REPORT OF 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	x	
Clr L A C Whipper	x	



o-EP2 List Of Land Use Applications Received By Council

REF: DBSM 5302, LUA10/0763, LUA10/0760, LUA10/0744, LUA10/0742

Submitting list of development applications which have been received between 3 August 2010 to 15 August 2010, some of which will be dealt with under delegated authority of the Director of Environment and Planning.

OC 181/10

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

THAT the information regarding the List of Land Use Applications Nos 1-15 received by Council be received and noted, with the exception of Item 5 Solar Sun Farm (Pauline Fathers Monastery) Penrose Park, Lot 9 DP 241054, 120 Hanging Rock Road, Sutton Forest (Rural No 120); Item 7 Primitive Camping Ground, Lot 2 DP 833934 – Reserve 64867, Camping Reserve, Oxley Street, Berrima; Item 12 – Church, Lot 5 DP 1007086, 13 Boardman Road, Bowral and Item 15 Shop Fit Out (Highlands Market Place), Lot 1, Pt Lot 2, DP 1142703, 193 Old Hume Highway, Mittagong.

PASSED

1. ITEM 5 – SOLAR SUN FARM (PAULINE FATHERS MONASTERY) PENROSE PARK, LOT 9 DP 241054, 120 HANGING ROCK ROAD, SUTTON FOREST (RURAL NO 120)
LUA10/0763

Clr G McLaughlin asked what the application for a Solar Sun Farm referred to.

The Development & Building Services Manager advised that it involves a number of solar panels that are elevated 1.2m off the ground which brings it under the development application process because of the E3 zoning that the Monastery property is within. He advised that he will provide copies of the plans in the Weekly Circular.

The Mayor Clr T D Gair suggested that it would be appropriate for Council to conduct an inspection of the Pauline Fathers Monastery with the continuation of the development that is taking place.

Clr L A C Whipper asked if the Development & Building Services Manager could include in the Weekly Circular a briefing on the solar farms within the Shire, where they are permissible and what development processes they have to go through.

OC 182/10

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

THAT the information be received and noted.

PASSED

.....Cont'd

.....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	x	
Clr L A C Whipper	x	

2. ITEM 7 – PRIMITIVE CAMPING GROUND, LOT 2 DP 833934 – RESERVE 64867, CAMPING RESERVE, OXLEY STREET, BERRIMA LUA10/0760

Clr D Stranger asked for clarification of the term "Primitive Camping Ground".

The Development & Building Services Manager advised that it is a camping ground that does not have showers, toilets and other facilities, and that is the definition used.

OC 183/10

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

THAT the information be received and noted.

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	



3. ITEM 12 - CHURCH, LOT 5 DP 1007086, 13 BOARDMAN ROAD, BOWRAL
LUA10/0744

Clr G McLaughlin requested that this matter be brought before Council for consideration and determination.

OC 184/10

The Committee on a **MOTION** moved by Clr G McLaughlin and seconded by Clr K Halstead
RECOMMENDED:

THAT Item 12 – Church, Lot 5 DP 1007086, 13 Boardman Road, Bowral, be referred to an Ordinary Meeting of Council for consideration and determination.

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	

4. ITEM 15 – SHOP FIT OUT (HIGHLANDS MARKET PLACE), LOT 1, PT LOT 2, DP 1142703, 193 OLD HUME HIGHWAY, MITTAGONG
LUA10/0742

Clr P B Tuddenham asked if this was a vacant shop at the Highlands Market Place.

The Development & Building Services Manager advised that he will provide information in the Weekly Circular.

OC 185/10

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

THAT the information be received and noted.

PASSED

.....Cont'd



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REPORT OF 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	x	
Clr L A C Whipper	x	



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REPORT OF DIRECTOR ENVIRONMENT & PLANNING

**o-EP3 Staged Development Application – Proposed Mixed Use Retail Complex,
Lots 31 and 32, DP 524354 and Lot X DP 378400 Argyle Street, Moss Vale**

REF: DEP

LUA10/0625

LUA10/0625 has been lodged and will be determined by the Southern Joint Regional Planning Panel (JRPP). While Council is not the determining authority, it can make a submission in response to the public exhibition of the Development Application.

Interest: Clr D Stranger declared a non-pecuniary interest in this matter as he is a member of the Southern Joint Regional Planning Panel. He left the Chamber, took no part in the debate and refrained from voting thereon.

Interest: Clr K Halstead declared a non-pecuniary interest in this matter as his wife owns a business in Moss Vale. He left the Chamber, took no part in the debate and refrained from voting thereon.

Interest: Mr L Pawlak, Development & Building Services Manager declared a non-pecuniary interest in this matter as he is part of the assessment team. He left the Chamber and had no involvement in discussions on the matter.

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

OC 186/10

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

1. **THAT** the Preliminary Statement of Council's Position in relation to LUA10/0625, be endorsed and submitted for inclusion into the planning assessment report being prepared for consideration by the Southern Joint Regional Planning Panel.
2. **THAT** due to the significant community interest in this application, Council request that the Panel hold a pre-determination meeting in a public forum prior to considering the application, as described in the Joint Regional Panels Operational Procedures manual.
3. **THAT** Council convene a community meeting to inform the public of the processes involved with this application and to allow the community to express its views on the proposed development **AND THAT** the views of the community be included in any submissions to the Southern Joint Regional Planning Panel.

PASSED

.....Cont'd



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REPORT OF 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	Did not vote	
Clr J Mauger	x	
Clr D Stranger	Did not vote	
Clr P B Tuddenham	x	
Clr L A C Whipper	x	

Clr D Stranger, Clr K Halstead and Mr L Pawlak rejoined the meeting.



o-EP4 Draft State Environmental Planning Policy (Competition) 2010

REF: SPM

5320/68

The purpose of this report is to advise Council that a Draft State Government Policy (State Environmental Planning Policy (Competition) 2010) is currently on exhibition and to recommend that a submission be made.

Council's Director Environment & Planning addressed Council on this matter.

OC 187/10

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

THAT Council supports lodging a submission to the State Environmental Planning Policy (Competition) 2010.

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-EP5 Moss Vale Enterprise Zone – Proposed Berrima Road Streetscape Scheme

REF: DBSM 5602/14

This report is about the results of consultation/notification of the proposed Streetscape Scheme.

Council's Development & Building Services Manager addressed Council on this matter.

OC 188/10

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

1. **THAT Council proceed with a Berrima Road Streetscape Scheme and Entry Sign as currently proposed AND THAT a further report, including cost estimates, be submitted to Council when the detailed landscaping plans are completed.**
2. **THAT Council write to the property owners advising them of the decision of Council at this meeting.**

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	



CORPORATE SERVICES DIVISION

o-CS1 Investments Report as at 31 July 2010

REF: FSM

2104

Submitting details of Council's Investments as at 31 July 2010.

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

The Director Corporate Services also addressed Council in relation to an article in the Sydney Morning Herald this week following the release of a Department of Local Government report on accessible funds.

OC 189/10

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

THAT the information on Council's Investments as at 31 July 2010 be received and noted.

PASSED



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REPORT OF DIRECTOR CORPORATE SERVICES

o-CS2 Proposed Lease to the Bradman Foundation of Bradman Oval, Being Part Glebe Park, Bowral

REF: PO

PN212200

Reporting on outcome of negotiations with The Bradman Foundation and discussion of the matter at the Councillor Briefing Session held on Wednesday 16 June 2010.

The Director Corporate Services addressed Council on this matter.

OC 190/10

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

1. **THAT the offer of a Lease of the Bradman Oval lot be confirmed to The Bradman Foundation in writing on the following terms and conditions:**
 - (a) **Council maintains trees of significance. Foundation maintains all others.**
 - (b) **Cost of cleaning public toilets split 50-50, with Council continuing to clean 7 days per week.**
 - (c) **Council pay land rates.**
 - (d) **Council pay water access charges.**
 - (e) **Foundation pay all water usage charges.**
 - (f) **Total annual monetary contribution by Council for a twenty (21) year term, to commence at \$40,000.00 (exclusive of GST) in the first year, with a CPI increase in each year.**
 - (g) **Council pays Green Waste fees up to \$7,500 per year.**
2. **THAT the lease referred to in (1) above be for a term of twenty one (21) years.**
3. **THAT the General Manager and Mayor be delegated authority to execute the Lease under the Common Seal of the Council.**

PASSED

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

CHAIRPERSON

At this juncture, the time being 5.28 pm, the Mayor, Clr T D Gair, resumed the Chair to conduct the remainder of Council Business.



MINUTES OF THE ORDINARY MEETING OF COUNCIL

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REPORT OF DIRECTOR CORPORATE SERVICES

o-CS2 Committee Appointments and Resignations

REF: MALS 7226/4, 7205/1, 7222/1, 6536/1.1, 7217/1, 7219/1, 7215/1

Reporting on Management Committee Appointments and Resignations.

MN 345/10

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

1. **THAT** Ms Roma Dix, Mr Dennis Purcell, Ms Deidre Knowlson, Ms Penny Josephson, Ms Robyn Miller, Mrs Leonie Knapman, Ms Anne Thompson and Ms Jill Newell be appointed to the Mittagong Memorial Hall Management Committee **AND THAT** Ms Roma Dix, Mr Dennis Purcell, Ms Deidre Knowlson, Ms Penny Josephson, Ms Robyn Miller, Mrs Leonie Knapman, Ms Anne Thompson and Ms Jill Newell be notified of Council's determination.
2. **THAT** Mrs Jennifer Stewart, Mrs Wendy Quigg, Mrs Gwen Attreed, Ms Hayley Defina, Ms Monika Fox, Mr George Barnett, Ms Cindy Pryma be appointed to the Canyonleigh Community Hall Management Committee **AND THAT** Mrs Jennifer Stewart, Mrs Wendy Quigg, Mrs Gwen Attreed, Ms Hayley Defina, Ms Monika Fox, Mr George Barnett, Ms Cindy Pryma be notified of Council's determination.
3. **THAT** Mr Tony Blake, Ms Judy Berg, Mr John Horvath, Ms Denise Horvath, Mrs Rose Hill, Mr Fred Hill and Mrs Yvette Manly be appointed to the Welby Community Hall Management Committee **AND THAT** Mr Tony Blake, Ms Judy Berg, Mr John Horvath, Ms Denise Horvath, Mrs Rose Hill, Mr Fred Hill and Mrs Yvette Manly be notified of Council's determination.
4. **THAT** Mr Lloyd, Mr John Geraghty, Ms Rhondda Vanzella, Mr Adrian Reynolds, Mr Gary Perrot, Mr John Marks, Ms Helen Coventry, Mr Peter Grigg, Ms Julie Hamilton, Ms Jan Heaven, Mr Peter Anderson, Mr Con Hugithemelis, Mr Phil Cupitt and Mr Sean Elphick be appointed to the Exeter Park Management Committee.
5. **THAT** Council receives with regret the resignations of Ms Sharon Johnson and Mr Tas Smethurst from the Exeter Park Management Committee.
6. **THAT** Mr Lloyd, Mr John Geraghty, Ms Rhondda Vanzella, Mr Adrian Reynolds, Mr Gary Perrot, Mr John Marks, Ms Helen Coventry, Mr Peter Grigg, Ms Julie Hamilton, Ms Jan Heaven, Mr Peter Anderson, Mr Con Hugithemelis, Mr Phil Cupitt, Mr Sean Elphick, Ms Sharon Johnson and Mr Tas Smethurst be notified of Council's determination.
7. **THAT** Mr Terry Manning, Mr Peter Schomburg, Mrs Beverley Moore, Mr Eric Woods, Mrs Trish Manning and Mr Ron Pollock be appointed to the New Berrima Community Centre Management Committee **AND THAT** Mr Terry Manning, Mr Peter Schomburg, Mrs Beverley Moore, Mr Eric Woods, Mrs Trish Manning and Mr Ron Pollock be notified of Council's determination.

.....Cont'd



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REPORT OF DIRECTOR CORPORATE SERVICES

.....Cont'd

8. **THAT Mr Robert Payne, Mr Paul Lewis, Mr Ian Roxby, Ms Pamela Payne, Mrs Joan Compagnoni, Ms Heather Alcorn, Ms Fran Parrot, Ms Jane Wilson, Ms Helen Tranter, Mr Allen Mauger and Mr Terry Riches be appointed to the Robertson Community Centre Management Committee.**
9. **THAT Council receives with regret the resignation of Ms Jill Keft from the Robertson Community Centre Management Committee.**
10. **THAT Mr Robert Payne, Mr Paul Lewis, Mr Ian Roxby, Ms Pamela Payne, Mrs Joan Compagnoni, Ms Heather Alcorn, Ms Fran Parrot, Ms Jane Wilson, Ms Helen Tranter, Mr Allen Mauger, Mr Terry Riches and Ms Jill Keft be notified of Council's determination.**
11. **THAT Ms Shonagh Moore, Ms Linda Falls, Mrs Nancy Huffadine, Mr John Kirkby, Ms Wendy Selman, Ms Annette Hinde and Ms Mae Morris be appointed to the Mittagong Community Centre Management Committee AND THAT Ms Shonagh Moore, Ms Linda Falls, Mrs Nancy Huffadine, Mr John Kirkby, Ms Wendy Selman, Ms Annette Hinde and Ms Mae Morris be notified of Council's determination.**
12. **THAT the Mittagong Memorial Hall Management Committee, Canyonleigh Community Hall Management Committee, Welby Community Hall Management Committee, Exeter Park Management Committee, New Berrima Community Centre Management Committee, Robertson Community Centre Management Committee and the Mittagong Community Centre Management Committee be notified of Council's determination.**

PASSED



INFRASTRUCTURE SERVICES DIVISION

o-IS1	Medway Viability Study
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REF:	WSM
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7713

Reporting on the outcomes of a study on the need and viability of the Medway Water Treatment Plant.

Interest: Clr L A C Whipper declared a non-pecuniary interest in this matter as he is a member of the Board of the Sydney Catchment Authority. He remained in the Chamber, took part in the debate and voted thereon.

The Director Infrastructure Services addressed Council on this matter.

MN 346/10

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

1. **THAT** continued operation and upgrade of the Medway Water Treatment Plant on the basis of submerged membrane filtration technology be confirmed.
2. **THAT** the Water Financial Model be updated to account for the above operation and upgrades.

PASSED



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QUESTIONS FROM THE PUBLIC

QUESTIONS FROM THE PUBLIC

1. ROAD MAINTENANCE

7810/3

Mr Peter Smyth advised that he asked at the Council Meeting held on Wednesday, 14 July 2010, noting that he has now received a reply. He noted that the report he was given outlines the road rating project which was carried out in 2008 and asked:

- (i) Is it normal practise to use information that is close to three (3) years old and did Council pay the RTA for that assessment?

The Director Infrastructure Services advised that there was a recent assessment carried out of the road network by a consultant company Australian Roads & Research Board and that he would provide the updated information to Mr Smyth.

- (ii) Has Council spent \$6 million on roads with no official survey results directing any of those funds to maximise the spending benefits from 2008 to the present.

The General Manager advised that there are two different aspects – one is inspection of roads to do with maintenance which occurs on a routine basis and the other a condition assessment of roads which is conducted every three years. He advised that maintenance basically covers potholes, edge breaks, guide post replacement and replacement of signs, which occur from wear and tear, and vandals, etc, and that the condition based assessment looks at the deterioration of the roads over a number of years. The General Manager advised Mr Smyth that if he wished to come in for a meeting with the Director Infrastructure Services and the Assets Engineer then that could be arranged.

- (iii) Is it good business practise that 79.99% of the roads are either excellent or fair as per the report?

The Mayor Clr T D Gair advised that most of Council's roads are fair to good.

2. ABANDONMENT OF POSTPONED RATES

2216/1

Mr Ian Scandrett referred to recent abandonment of postponed rates and asked for an explanation of the rates abandonment policy.

The Mayor Clr T D Gair advised that there is a rigorous criteria that is followed to the point where Council writes off arrears of rates and only in very limited circumstances where the return from recouping them outweighs Council costs would rates be written off.



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QUESTIONS FROM THE PUBLIC

3. ABANDONMENT OF RATES

2216/1

Mr Ian Scandrett asked how do rate “arrears” or “deferment” or “abandonment” get to five (5) years?

The Director Corporate Services advised that the recent report to Council (referred to by Mr Scandrett) seeking to abandon postponed rates in excess of five (5) years are totally different to arrears of rates. He advised that postponed rates are an entitlement available to some property owners, and that under the Local Government Act Council is obliged to (and must) write off postponed rates after a period of five (5) years.

4. STREET ADDRESSES IN COUNCIL REPORTS

5206/1, 100/2

Mr Ian Scandrett asked if all Council reports could include street addresses.

The General Manager advised that the request will be taken on notice.

INFRASTRUCTURE SERVICES DIVISION (CONT)

o-IS2 Feral Animal Control Tender

REF: PPM

6330/10.16

Reporting on the evaluation of the Tender for Feral Animal Control and subsequent recommendations.

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

The General Manager read out the recommendations of the Closed Committee.

MN 347/10

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

THAT the recommendations contained in Item c-GM1 - Feral Animal Control Tender be adopted, as follows:

1. **THAT** Council engage a unit rate Panel of four (4) companies to provide Feral Animal Control for a period of two (2) years commencing August 2010:
 - (a) **CRP Horticultural Services**
 - (b) **Bruce Noble**
 - (c) **Sydney Feral Animal Control**
 - (d) **Cumberland Livestock**

2. **THAT** Council not accept the tenders from the following companies due to non compliance:
 - (a) **Razorback Pest Control**
 - (b) **Feral Solutions**
 - (c) **Hunter Land Management**

PASSED

In accordance with Section 3.17 of the Tendering Guidelines for NSW Local Government dated October 2009, voting is recorded as follows:

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-IS3 Bushland Services Tender

REF: PPM

6330/10.15

Reporting on the evaluation of the Tender for Bushland Services and subsequent recommendations.

The General Manager addressed Council on this matter.

The General Manager read out the recommendations of the Closed Committee.

MN 348/10

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

THAT the recommendations contained in Item c-GM2 – Bushland Services Tender be adopted, as follows:

1. **THAT** Council engage a unit rate Panel of sixteen (16) companies as listed, to provide Bushland Services for a period of two (2) years commencing August 2010:
 - (a) **NGH Environmental**
 - (b) **Toolijooa Environmental Installations**
 - (c) **Bangalay Botanical Surveys**
 - (d) **Advanced Arbor Services Pty Ltd**
 - (e) **Total Earth Care Pty Ltd**
 - (f) **Molino Stewart Pty Ltd**
 - (g) **All Terrain Contracting**
 - (h) **Bowantz Landscaping**
 - (i) **Biosis Research Pty Ltd**
 - (j) **Bruce Noble Rural Contractors**
 - (k) **Earth Repair Ecology**
 - (l) **Grass Care Garden Maintenance**
 - (m) **Green and Gold Bushcare Maintenance**
 - (n) **K & K Hambridge**
 - (o) **Summit Tree Services**
 - (p) **Utility Asset Management**

2. **THAT** Council writes to the following companies and advise them that their listing on the panel of sixteen (16) companies is subject to receipt of evidence of the insurance coverage required under the contract:
 - (a) **Summit Tree Services**
 - (b) **Green and Gold Buschare**
 - (c) **Bangalay Botanical Services**
 - (d) **K & L Hambridge**

.....Cont'd



.....Cont'd

3. ***THAT Council not accept tenders from the following companies with a score of 2.5 or less:***
- (a) ***Southern Habitat***
 - (b) ***Blue Mountains Wilderness Services***
 - (c) ***Hunter Land Management***
 - (d) ***Proust Bushland Services***
 - (e) ***CRP Horticultural Services***
4. ***THAT Council not accept the tender from Mountain Trails due to their advice that they are not available for any work under \$50,000.***

PASSED

In accordance with Section 3.17 of the Tendering Guidelines for NSW Local Government dated October 2009, voting is recorded as follows:

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	



COUNCIL MATTERS

GENERAL MANAGER'S REPORTS

c-GM1 General Manager's Quarterly Report

REF: GM

506/1

Submitting the General Manager's Quarterly Report to 30 June 2010.

The General Manager addressed Council on this matter.

MN 349/10

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

THAT the information in respect of the General Manager's Quarterly Report to 30 June 2010 be received and noted.

PASSED



COMMITTEE REPORTS ATTACHED – SUPPLEMENTARY REPORT

c-CR1	Minutes of the Water & Sewerage Advisory Committee
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REF:	SPC	7799/2
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Submitting minutes of the Water & Sewerage Advisory Committee held Friday, 20 August 2010.

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

MN 350/10

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

THAT the recommendations as detailed in the minutes of the Water & Sewerage Advisory Committee held Friday, 20 August 2010 be adopted.

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 25 August 2010

GENERAL BUSINESS

GENERAL BUSINESS

1. INCREASE OF RATES

PN443900, 2215

Clr K Halstead referred to a letter from a resident regarding an increase of rates and asked if he could meet with the General Manager to discuss the issue raised.

The General Manager advised that he had received the letter and that staff will follow up this matter.

Clr J R Clark advised that he had received a number of calls from residents in relation to increases in rates, with some of the increases being quite substantial after properties had been revalued, and asked if information could be provided in the Weekly Circular.

The Mayor Clr T D Gair suggested that an article be prepared for Wingecarribee Today.

2. REMOVAL OF TREE DEBRIS IN RANGE STREET, BURRAWANG 7813/1, RD2014

Clr J G Arkwright referred to tree debris left by Integral Energy on the grass verge at Range Street, Burrawang. Clr Arkwright noted that this had occurred two (2) weeks ago and the debris has still not been cleaned up.

The General Manager advised that staff will follow up this matter.

3. UPGRADING OF SPORTING FACILITIES AT ERIDGE PARK

6530/3

Clr D Stranger referred to the upgrading of sporting facilities at Eridge Park and noted the significant upgrading with \$100,000 being spent to upgrade the velodrome and that Southern Highlands Netball was contributing \$80,000 and Council \$55,000 for the upgrading of the netball courts with four (4) new netball courts to be constructed. He noted that this is a very significant upgrading of these facilities.



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 25 August 2010

GENERAL BUSINESS

4. MITTAGONG CENTRAL

PN1381500

Clr D Stranger referred to the decay of "Mittagong Central", and asked what can be done about the unfinished development.

The General Manager advised that the best way to approach the matter was for a report to come back to Council with the options that are available and Council can then decide how to deal with the matter.

Clr P B Tuddenham noted he had received complaints from residents about unsafe scaffolding, parking, items being thrown onto adjoining sites, and loose materials that need to be removed.

The Mayor Clr T D Gair recommended that Council take a stronger line on the matter and requested that the General Manager write to the mortgagee, as a matter of urgency, expressing Council's concern as to the safety of the premises and advising that Council will take further action.

5. REMOVAL OF PHOTINIA HEDGE IN FRONT OF 29 ARGYLE STREET, MOSS VALE

PN43600, 7813, RD80251010

Clr G McLaughlin advised that he had received a telephone call from a resident of 29 Argyle Street, Moss Vale (opposite Church Street) about removal of a photinia hedge at the area of recent road works. Clr McLaughlin advised that the concern expressed by the resident was that Council officers did not advise him of the removal of the trees, and asked that in future Council notify residents of tree removal.

The Director Infrastructure Services advised that the road works at this site were carried out by the RTA but Council's concern will be raised with them, and information provided in the Weekly Circular.

6. RATES IN GENERAL

2210

Clr L A C Whipper asked about rates in general and noted that over a number of months he has received telephone calls from residents, mainly retired people and pensioners who are suffering financial hardship, and who have expressed concern about the way in which they have been dealt with by Council and if the rates have not been paid there is a letter of demand sent out very quickly. Clr Whipper advised that some of the residents feel intimidated by the process, and he asked if an Information Session could be held for Councillors in relation to the way in which rates issues are dealt with.

The Mayor Clr T D Gair advised that this can be put on a future agenda.



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 25 August 2010

GENERAL BUSINESS

7. BUTCHERS SHOP IN STATION STREET, MITTAGONG

PN1381500

Clr P B Tuddenham advised that he had been approached by a resident of Mittagong in relation to removal of building debris at the butchers shop in Station Street, Mittagong. Clr Tuddenham asked if something can be done about the removal of this debris which has been there for several months.

The General Manager advised that staff will follow up this matter.

8. BUSHLAND SERVICES TENDER

6330/10.15

Clr K Halstead referred to the tendering for the Bushland Services Tender and asked why there were only two local (2) tenderers. He asked how widely it was advertised and did Council let local people know about the tender.

The Mayor Clr T D Gair advised that this question will be taken on notice.



MINUTES OF THE ORDINARY MEETING OF COUNCIL
held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 25 August 2010

CLOSED COUNCIL

CLOSED COUNCIL

GENERAL MANAGER

c-CS1 Closed Council

The following confidential reports have been distributed separately:

c-GM1 FERAL ANIMAL CONTROL TENDER 6330/10.16

c-GM2 BUSHLAND SERVICES TENDER 6330/10.15

These matters were considered earlier in the Meeting – Item o-IS2 Feral Animal Control Tender (MN 347/10 and Item o-IS3 Bushland Services Tender (MN 348/10.



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 25 August 2010

ADOPTION OF OPEN COUNCIL

107/10

MN 351/10

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

THAT the recommendations of the Open Council held on Wednesday, 25 August 2010 being OC 179/10 to OC 190/10, be adopted.

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 25 August 2010

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 6.31 PM

In accordance with the provisions of Section 375(2) of the Local Government Act, these Minutes of the Ordinary Council Meeting held Wednesday, 25 August 2010 numbered M/N 341/10 to M/N 351/10, were signed by me hereunder at the Council Meeting held on Wednesday, 8 September 2010.

CHAIRMAN

READ AND CONFIRMED ON WEDNESDAY, 8 SEPTEMBER 2010

CHAIRMAN

PUBLIC OFFICER