

MINUTES

OF THE ORDINARY MEETING OF COUNCIL

File No. 100/09



held on Wednesday, 8 July 2009

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, 8 July 2009

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held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 8 July 2009

COMMENCING AT: 3.30 pm

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

IN ATTENDANCE: General Manager, Mr Mike Hyde
Director Corporate Services, Mr Barry Paull
Director Environment & Planning, Mr Scott Lee
Director Technical Services, Mr Michael Brearley
Manager Administration Services, Mr Peter Nelson
Administration Officer, Ms Liz Johnson

PRAYER

100/1

The meeting was opened in prayer led by the Mayor, Clr T D Gair.

APOLOGY

PERS

M/N 275/09

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

THAT the apology of Clr G McLaughlin be accepted and leave of absence granted.

PASSED



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CONFIRMATION OF MINUTES

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY,
24 JUNE 2009

100/1

MN 276/09

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

THAT the minutes of the Ordinary Meeting of Council held on Wednesday, 24 June 2009 MN 246/09 to MN 274/09 inclusive, copies of which were forwarded to Councillors, be adopted as a correct record of the proceedings of the meeting.

PASSED

BUSINESS ARISING

Nil



MINUTES OF THE ORDINARY MEETING OF COUNCIL

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DECLARATIONS OF INTEREST

101/3

Clr P B Tuddenham declared a pecuniary interest in Item o-EP7 - Draft Wingecarribee LEP 2009 – Public Submissions on Exhibition - (Item 72 on page 43 of the Table 3 Requests for zone changes - Sections 11, 16 and 17 DP 792 Willow Vale) as he owns a house in the vicinity. He stated that he would leave the chamber when this matter was discussed, take no part in the debate and refrain from voting thereon.

OPEN COUNCIL

MN 277/09

107/10

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

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

PASSED



VISITOR ITEM

v-EP1 Boen Boe Stud (Piggery)

REF: DEP

LUA08/0082

Reporting on the upgrading and updating of the Boen Boe Stud (Piggery).

Mr John Miller, Joadja Road Committee, addressed Council on behalf of the objectors.

Mr Richard Smyth of Smyth & Levy Planning (Council's Planning Consultant) addressed Council on this matter.

OC 84/09

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

THAT the development application LUA 08/0082 and all supporting documentation be supported for consent by the Land and Environment Court subject to the conditions in Attachment 1, with the following amendments:

(a) Condition 5(c)(ix)

Recording of and maintaining records of all vehicles and type and quantity of composted or solids or sludge materials they take from the site and the delivery address for those truckloads with materials to be transported in sealed containers AND THAT advice about the precautionary use of such materials in accordance with DPI, SCA and DECC requirements is to be included with each delivery out of the Sydney Catchment Area.

(b) Condition 5(c)(x)

Annual auditing and reporting to the Council, the Department of Environment and Climate Change and the Sydney Catchment Authority with reports to assess piggery performance, effluent quantity and quality, soils monitoring data, the suitability of management measures and safeguards and compliance with the Environmental Management Operations Plan AND THAT the reports are to be prepared by appropriately qualified specialist/s, at the cost of the applicant.

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 K Halstead	X	
Clr J G Arkwright	X	
Clr J R Clark	X	
Clr G McLaughlin	A	
Clr J Mauger	X	
Clr D Stranger	X	
Clr P B Tuddenham	X	
Clr L A C Whipper	X	



OPEN COUNCIL

ENVIRONMENT & PLANNING DIVISION

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

REF: DCM 5302

Submitting list of development consents executed under delegated authority of the Director of Environment and Planning between 15/6/09 and 29/6/09.

OC 85/09

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

THAT the information relating to Development Consent Nos 1-15 under Delegated Authority be received and noted.

PASSED

o-EP2 List Of Land Use Applications Received By Council

REF: DCM 5302

Submitting list of development applications which have been received between 15/6/09 and 29/6/09, some of which will be dealt with under delegated authority of the Director of Environment & Planning.

OC 86/09

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

THAT the information regarding the List of Land Use Applications Nos 1-9 received by Council be received and noted.

PASSED

Matters Arising from Development Applications Received by Council

1. ITEM 3 – ALTERATIONS & ADDITIONS, ETC, LOT 22 DP 574059 “THE OLD RECTORY” EXETER ROAD, SUTTON FOREST LUA09/0556

Clr J R Clark asked about heritage issues on this development and requested further information to be placed in the Weekly Circular.

2. ITEM 6 – PROPOSED HIGHWAY SERVICE CENTRE MASTER CONCEPT DA – 6 STAGES – LOT 10 DP 811912 SALLYS CORNER ROAD, EXETER LUA09/0518

Clr J R Clark referred to the scale of this development and asked if the exhibition period could be extended for this item as members of the public would be interested in this matter.

The Director Environment & Planning advised that the exhibition period could be extended and that information would be supplied in the Weekly Circular.

OC 87/09

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

THAT the exhibition period for the Proposed Highway Service Centre Master Concept DA – 6 Stages – Lot 10 DP 811912 Sallys Corner Road, Exeter, be extended by two (2) weeks.

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 K Halstead	X	
Clr J G Arkwright	X	
Clr J R Clark	X	
Clr G McLaughlin	A	
Clr J Mauger	X	
Clr D Stranger	X	
Clr P B Tuddenham	X	
Clr L A C Whipper	X	

3. ITEM 6 – PROPOSED HIGHWAY SERVICE CENTRE MASTER CONCEPT DA – 6 STAGES – LOT 10 DEP 811912 SALLYS CORNER ROAD, EXETER

LUA09/0518

Clr J Mauger asked if further information would be made available prior to a decision being made on this development.

The Director Environment & Planning advised that there had previously been an information session on this matter and the site was visited on today's inspection tour. He suggested that Council could hold a further information session but that details will be placed in the Weekly Circular. He advised that this application is for the concept approval involving six (6) stages of development and each of those stages would be subject to their own separate DA at a later date.

The General Manager suggested that a further information session should be held to provide a full briefing on the development for Councillors.

o-EP3	List Of SEPP 1 Determinations
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REF:	DCM	5302
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Submitting list of SEPP 1 Determinations from 1st April 2009 to 30th June 2009.

Clr K Halstead asked in respect of SEPP 1 Determinations for the percentage greater than 10% to be included in future reports.

The Director Environment & Planning advised that the request can be accommodated.

OC 88/09

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

THAT the information regarding the List of SEPP 1 determinations received by Council be received and noted.

PASSED



o-EP4 Proposed commercial / retail and light industrial warehouse at Anzac Parade, Bundanoon

REF: DEP

LUA08/1280

Further report on LUA08/1280, involving amended plans lodged by the applicant in response to the Council resolution of 24 June 2009.

OC 89/09

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

1. **THAT the LUA08/1280 for proposed commercial/retail and light industrial warehouse at Anzac Parade, Bundanoon be approved, subject to the following conditions:**
 - (i) ***The shops must be constructed before any certificate of occupancy is issued for the industrial component of the development.***
 - (ii) ***The size of vehicles accessing the warehouse be limited to medium rigid commercial vehicles in accordance with AS 2890.1 and AS 2890.2.***
 - (iii) ***The maximum number of truck movements be limited to two (2) per day.***
2. **THAT the amended plans as presented to Council take into account the following five (5) items:**
 - (i) ***Reduction in size of the industrial building by 16%.***
 - (ii) ***Setback from the boundary to be 2 metres.***
 - (iii) ***Façade of the shops to be addressed to comply with the heritage issues of Bundanoon.***
 - (iv) ***The materials to be used to comply with the DCP and the heritage issues of Bundanoon.***
 - (v) ***Movement of trucks within the development to comply with AS 2890.1 and AS 2890.2.***

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

THAT any approval on the site be conditional on compliance with the B2 Local Centre Zoning Requirements and respect the heritage issues within the area.

AMENDMENT LOST

MOTION 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 motion.

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

CHAIRPERSON

At this juncture, the time being 5.02 pm, the Mayor, Clr T D Gair, resumed the Chair to conduct the remainder of Council Business.



o-EP5 Draft LEP Amendment No 133

REF: SPM

5800/19

The purpose of this report is to clarify the aims of Draft LEP Amendment No 133, which was presented to Council on 10 June 2009.

MN 278/09

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

1. **THAT** the revised draft LEP Amendment 133 at Attachment 1 to this report be endorsed.
2. **THAT** a report be prepared in accordance with the provisions of s54 of the Environmental Planning and Assessment Act 1979, seeking permission from the NSW Department of Planning to proceed with the draft LEP amendment.

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 K Halstead	X	
Clr J G Arkwright	X	
Clr J R Clark	X	
Clr G McLaughlin	A	
Clr J Mauger	X	
Clr D Stranger	X	
Clr P B Tuddenham	X	
Clr L A C Whipper	X	



o-EP6 Bert Flugelman Sculpture

REF: SPM, FSM

1650/13, 1650/21

Reporting on the offer of a sculpture design by the prominent Australian sculptor, Mr Bert Flugelman of Burradoo and submitting recommendations to enable the offer to be accepted.

MN 279/09

MOTION moved by Cllr J G Arkwright and seconded by Cllr P B Tuddenham:

1. ***THAT Council write to Mr Flugelman to advise him that Council would like to accept the generous offer of his sculpture design on behalf of the community.***
2. ***THAT Council agree for the sculpture to be located within the Corbett Plaza precinct, in consultation with the Bowral Chamber of Commerce, with Council to make the final determination on the location.***
3. ***THAT the Manager of Roads & Traffic, Manager of Parks & Property and Community & Cultural Development Officer work with Mr Flugelman and JCA Steel Fabrication to develop a project plan for fabricating and installing the sculpture.***
4. ***THAT a fund be established to accept private donations for the project to be coordinated by the Community & Cultural Development Officer with advice of the Finance Manager and that any excess funds collected be used for future public art projects.***
5. ***THAT the Arts & Culture Board be responsible for any shortfall in funding.***

PASSED

QUESTIONS FROM THE PUBLIC

1. SOUTHERN REGIONAL LIVESTOCK EXCHANGE 7170/01

Mrs Pam Cooper asked if the plans by Goulburn Saleyards to roof their cattle market facilities change Council's plans to roof the Southern Regional Livestock Exchange? She advised that she had heard it on the radio that this decision had apparently been made some years ago but depended on finance but maybe they have received assistance from the government.

The Mayor Clr T D Gair advised that he was not aware of the plans for the Goulburn Saleyards unless there has been a decision within the last 2 or 3 days. The Mayor advised that it will not affect the Southern Regional Livestock Exchange, that plans are going forward and that \$40,000 has been allowed for the architectural plans. He advised that it is anticipated that the DA should be approved by the end of the year.

2. PROPOSED COMMERCIAL/RETAIL AND LIGHT INDUSTRIAL WAREHOUSE AT ANZAC PARADE, BUNDANOON LUA08/1280

Mrs Pam Cooper asked if the size of the vehicles using the warehouse development had yet been established, as ultimately these same vehicles/trucks will have to go through Exeter (via Exeter Road) to the Highway. Mrs Cooper asked how many truck movements per day have been suggested and which direction will they go out of Bundanoon, whether north or south, as they cannot access the Highway via Middle Road?

The Mayor Clr T D Gair advised that part of the recommendation at tonight's meeting was that it be limited to two (2) truck movements per day which would be four (4) rigid truck movements if they did go through Exeter village but of course the truck driver will always take the shortest route to where he wants to go.

3. PROPOSED HIGHWAY SERVICE CENTRE MASTER CONCEPT DA - 6 STAGES LUA09/0518

Mrs Pam Cooper stated that as there are already two (2) food/service centres on the Highway close to Sally's Corner Road, Exeter, the proposal of another service centre will increase traffic at this intersection, and expressed her concern about the subsequent impact on Sally Corner Road to Middle road and Exeter Village. She asked are there more details available on this DA and its probable impact on Exeter Roads and Village intersection?

The Director Environment & Planning advised that there is a detailed Statement of Environmental Effects accompanying the DA and that she should meet with him to discuss the matter.



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QUESTIONS FROM THE PUBLIC

4. DRAFT LEP

5900

Mr Ian Scandrett asked the Mayor if at the Green Between meeting he said something to the effect of "When we process this LEP those items that are not quite fixed we will sort it out on the way?"

The Mayor Clr T D Gair advised that he would not say something like that as that is not his way of explaining, but he would have said that once the LEP is gazetted then a review process will commence on the LEP – it is a continual process.

5. DRAFT LEP AND GATEWAY APPLICATIONS

5900

Mr Ian Scandrett asked if it is Council's intention to actually publicly consult and report to Council and the community before referring gateway applications, ie, applications for spot rezonings, to the Department of Planning?

The Strategic Planning Manager advised that he went to a briefing with the Department of Planning yesterday and he recommended that a presentation on the process be made to Councillors in an information sessions. The process is that if a proponent puts in a proposal it goes before Council and Council makes a decision whether or not to proceed with putting that proposal to the Department of Planning or not proceeding at all, and if that is the case, then it is the end of the line. However, he advised that if it is a proposal that Council wishes to entertain then it is a matter for Council to decide whether it wishes to engage the community before or after the Department of Planning agrees to the proposal.

The Mayor Clr T D Gair advised that an information session will be held for Councillors to go through the details of this process.

6. DRAFT LEP AND GATEWAY APPLICATIONS

5900

Mr Ian Scandrett asked if with the gateway proposals will involve the public before they go to the Department of Planning?

The Mayor Clr T D Gair advised that Council will hold the information session and see what position Council will then take and that he will take the matter on notice.

7. BERT FLUGELMAN SCULPTURE

1650/13, 1650/21

Mr Terry Oakes-Ask asked if the Arts & Culture Board will call for donations to raise the \$15,000 shortfall from the community?

Clr J G Arkwright responded that as agreed in discussions the matter would be referred to the community for donations to be made to make up the \$15,000 shortfall.

The Mayor Clr T D Gair advised that there is a public fund being set up and the community will be asked to donate.

8. MATTERS TO BE DETERMINED BY JOINT REGIONAL PLANNING PANEL

5300

Mr Barry Anstee asked if Council could indicate what role or input Council will have other than Council officers' reports in matters that are to be determined by the Joint Regional Planning Panel, being development applications and gateway re-zoning applications that are to be determined by the Joint Regional Planning Panel?

The Strategic Planning Manager advised that in relation to rezoning proposals the Minister for Planning or the Director General will determine whether or not the proposal is determined by the Joint Regional Planning Panel ("JRPP"), but that the advice received yesterday was that the majority of them would be determined by the Council but if it was a major rezoning it would go to the JRPP.

Mr Anstee advised that from his reading of the legislation it would appear to him that this Council will have no involvement in major development within the Shire.

The Director Environment & Planning advised that Council will still have a role in assessing and making comment to the JRPP if it is up to the JRPP to decide the matter, and that any member of the public can also put in a submission.

9. DRAFT LEP

5900

Mr Peter Cunningham asked if it is true that once submitted to the State Government, no omissions or corrections to the draft LEP can be made by Council and that any approaches by Council will it be at the whim of State bureaucrats to listen, let alone effect any changes?

The Strategic Planning Manager advised that under the new process Council will still have the ability to prepare planning proposals itself to make any amendments to the LEP and they go to the Department of Planning and the Department of Planning will make the decision whether or not they can proceed.

The Mayor Clr T D Gair advised that the Department of Planning is the final arbitrator.

10. DRAFT LEP

5900

Mr Peter Cunningham asked if it is true that once gazetted, the documentation becomes lawful and therefore any corrections or changes cannot happen until raised in Parliamentary debate and to achieve that debate will require extensive political lobbying?

The Mayor Clr T D Gair replied that if there is any change of zoning Council can do that as a recommendation but it still has to be endorsed by the Department of Planning.



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QUESTIONS FROM THE PUBLIC

11. DRAFT LEP

5900

Mr Peter Smyth asked if telephone availability of access to officers will be extended from 8.30 am to 10.00 am after the LEP is gazetted, given that three (3) planners are working on this document?

The Mayor Clr T D Gair advised that the planners had been working on the LEP for quite a number of years but asked the Director Environment & Planning to reply to Mr Smyth's question.

The Director Environment & Planning advised that the limits of 8.30 am to 10.00 am are for staff to see people at the counter or to take direct telephone calls when all the professional staff are available but outside of those hours you cannot see the professional staff at the counter unless you have made a prior appointment. He stated that the staff need to time manage their day otherwise they will not get anything done.

OPEN COUNCIL (CONT)

ENVIRONMENT & PLANNING DIVISION (CONT)

o-EP7 Draft Wingecarribee LEP 2009 – Public Submissions on Exhibition

REF: SPM 5900/3

The purpose of this report is to resubmit the Draft Wingecarribee LEP 2009 to Council following its deferral on 24 June 2009 for a Councillor Workshop and to submit details of an additional minor change to the Draft LEP that is proposed as a result of discussions at the workshop.

Interest: Clr P B Tuddenham declared a pecuniary interest in Item 72 on page 43 Table 3 Request for Zone Changes (Sections 11, 16 and 17 DP 792, Willow Vale) as he owns a house in the vicinity. He stated that he would leave the chamber, take no part in the debate and refrain from voting thereon.

MN 280/09

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

- THAT Council adopt the exhibited Draft Wingecarribee LEP 2009 as included in Attachment 2 of the Report together with the amended land use tables (Attachment 1 of o-EP4 of 24 June 2009) (distributed to Councillors prior to the Meeting) and subject to the incorporation of the amendments detailed below, with the exception of Item 72 on page 43 Table 3 Request for Zone Changes (Sections 11, 16 and 17 DP 792, Willow Vale)***

Summary of Amendments to Draft Wingecarribee LEP 2009 - this section summarises all proposed amendments to the exhibited draft LEP 2009.

Group 1 The following rezoning requests be incorporated into the re-exhibited Draft LEP.

Submission Number	Site	Recommendation
6	Lot 14 & 15 DP 1007910, Bullio Trig Station Road High Range	That Lot 14 & 15 DP 1007910, Bullio Trig Station Road High Range be zoned to E3 Environmental Management.
10	Lot 18 DP 700442, School Lane, Exeter	That Council change the zoning of the property from E3 Environmental Management to RU4 Rural Small Holdings with a subdivision of 8ha.
11	Lot 1, DP 787665 Gibwood Farm Kangaloon Road Glenquarry	1. That Council retain the proposed E3 zone and minimum 40 ha as exhibited.

Submission Number	Site	Recommendation
		2. <i>That the subject area be included for further investigation in the Local Planning Strategy as part of a potential future urban release area.</i>
13	<i>Lot 12, DP 606952; Lot 13 DP 606952; Lot 14, DP 710606; Lot 41, DP 712911; Lot 150 DP 810661; Lot 101, DP 612881 Old Hume Highway, Welby</i>	<i>That Council change the zoning over the subject lands from E3 Environmental Management to SP3 Tourist zone.</i>
14	<i>Lackey Road proposed to be rezoned from Commercial under WLEP 1989 to R3 Residential under Draft LEP 2009.</i>	<ol style="list-style-type: none"> 1. <i>That Council retain the proposed R3 Medium Density Residential zoning as exhibited in the Draft LEP 2009 at this point in time.</i> 2. <i>That Council rezone the land to B4 Mixed Use zone as a future amendment to WLEP 2009 after its gazettal has occurred.</i>
15	<i>Lot B DP 164379 Broughton Street Moss Vale</i>	<i>That Council change the portion of land zoned E3 Environmental Management to R2 Residential with a minimum 700m² subdivision lot size.</i>
18	<i>Moss Vale Services Club Argyle Street (Lot B DP 161550, Lot 100, DP 1037724, Lot 34, DP 1046863, Lot 1, DP 37492), Moss Vale</i>	<ol style="list-style-type: none"> 1. <i>That Council retain the proposed R3 Medium Density Residential zoning as exhibited in the Draft LEP 2009 at this point in time.</i> 2. <i>That Council rezone the land as B4 Mixed Use zone as a future amendment to WLEP 2009 after its gazettal has occurred.</i>
21	<i>Lot 1 DP 846185, Azalea Street Colo Vale</i>	<ol style="list-style-type: none"> 1. <i>That Council retain the proposed RU4 Rural Small Holdings zoning with minimum 2ha subdivision over the subject land as exhibited in the Draft LEP 2009.</i> 2. <i>That the site be included for consideration in the preparation of the Colo Vale Strategy.</i>
22	<i>Moss Vale & District Basketball Association (Lots 9- 14 DP 975386 Parkes Road Moss Vale</i>	1. <i>That Council rezone Lots 9-14, DP 975386 from RE1 Public Recreation as exhibited under the draft LEP 2009 to RE2 Private Recreation as the land is used as private recreation purposes at present.</i>

Submission Number	Site	Recommendation
		2. <i>That Council support the rezoning of Lots 9, 10 and 11 to R2 Low Density residential as an amendment to the LEP 2009 after its gazettal.</i>
23	<i>Lot 100, DP 1049040 Tugalong Road Canyonleigh</i>	<i>That the addition of Subclause 3 below be included Schedule 1 as it relates to the subject property in the Draft LEP 2009</i> (3) <i>Development for the purposes of a Community Scheme for a Tourist facility and associated uses that includes the subdivision of land for:</i> a) <i>Community Association common property lots with a minimum lot size of 5 ha</i> b) <i>60 private lots for individual detached guest accommodation units with a minimum lot size of 1ha.</i>
25	<i>Lot 13 DP 245456 and Lot A DP 395606, Church Road, Colo Vale</i>	1. <i>That Council retain the proposed RU2 Rural Landscape Zone over the land as exhibited under Draft LEP 2009</i> 2. <i>That the subject area be included for further investigation in the Local Planning Strategy as a potential future urban release area.</i>
28	<i>Lot 5 DP 263077 Old South Road, Bowral, 'Retford Farm'</i>	1. <i>That Council not support the suggestion to have a portion of Lot 5, DP 263077 zoned in the future for residential development.</i> 2. <i>That amendments be made to the heritage listing for the property including mapping before the LEP is sent in for gazettal on the proviso that the boundary adjustment plan is registered with the Land Titles Office.</i>
29	<i>Lot 3, DP1033664, 30A Mount Road Bowral</i>	<i>That Council retain the proposed R5 Residential zoning over that portion of the land above the identified Flood Planning Level (100yr ARI plus half metre freeboard) Line and that the portion of the land below the Flood Planning Level be zoned to E3 Environmental Management.</i>

Submission Number	Site	Recommendation
32	<ul style="list-style-type: none"> • Lots 31&32, DP572840, 83-85 Kirkham Road, Bowral • Lot 4, DP39236, 87 – 91 Kirkham Road, • Lot 14, DP 846332, 97 Kirkham Road, • Lots 8 & 9 DP 39236, 28 Oxleys Road • Lot 15, DP846332, 93-95 Kirkham Road, • Lots 2 & 3 DP 702445 28 Oxleys Road 	<ol style="list-style-type: none"> 1. That Council retain Bulky Goods retailing as a prohibited land use within the IN1 General Industrial Zone as exhibited under WLEP 2009 as it is inappropriate to allow commercial development within the general industrial zone . 2. That Council retain the proposed IN1 General Industrial zoning over the land as exhibited under WLEP 2009 at this point in time. 3. That Council reconsider the industrial zoning of this location in the context of the Local Planning Strategy.
33	Lot 2, DP1081770, 63-69 Kirkham Road Bowral	<ol style="list-style-type: none"> 1. That Council retain the proposed IN2 Light Industrial zoning over the land as exhibited under WLEP 2009 at this point in time. 2. That Council reconsider the industrial zoning of this location in the context of the Local Planning Strategy.
34	SP 36297, 6 David Street Bowral (Berida Manor Country Resort)	<ol style="list-style-type: none"> 1. That Council retain the proposed R3 Medium Density Residential zoning over the land as exhibited under WLEP 2009. 2. That the site be listed in Schedule 1 with Tourist and Visitor Accommodation added as an additional use.
36	Lot 8 DP 261563, "Braemar Lodge Motel", Braemar Avenue, Braemar	<ol style="list-style-type: none"> 1. That Council retain the proposed R5 Large Lot Residential zoning over the land as exhibited under WLEP 2009. 2. That the property be included within Schedule 1 with Tourist and Visitor Accommodation added as an additional use.
37	Lot 14 Section 1 DP 793, Lot 1 DP 1036857, Lots 1-2 DP 1078394, Old Hume Highway (the Old Pot Factory), Braemar	That Council add business premises and retail premises to Item 5 in Schedule 1 as it relates to the subject property.
41	Lot 13, DP11791, 61 Railway Avenue Bundanoon	That Council change the zoning of Lot 13 to B2 Local Centre as it is being used now for commercial purposes.

Submission Number	Site	Recommendation
43	Lot 7001, DP1029648, Tugalong Road Canyonleigh	<i>That Council change the zoning of the lot to E3 Environmental Management under the Draft WLEP 2009</i>
45	Lots 8-12 & 18, Section 21 DP 2944, Lot 1 DP 709251, Lot 145 DP 711256 and Lot 1 DP 748658, Flora and Ash Street Colo Vale	<ol style="list-style-type: none"> 1. <i>That Council retain the R5 zoning and the 4000 m² minimum allotment size as proposed in the Draft LEP 2009.</i> 2. <i>That the subject area be included for further investigation in the Colo Vale Planning Strategy for consideration of reduced subdivision potential as previously determined by Council on 30 April 2008.</i>
49	Lot 11, DP 1091676, 197 Old Hume Highway, Mittagong	<ol style="list-style-type: none"> 1. <i>That Council retain the B5 Business Development zoning proposed under the Draft LEP 2009 for this location as exhibited as the location is not regarded as the 'Local Centre' of Mittagong.</i> 2. <i>That the three additional objectives as follows be added to the Objectives for the B5 zone:</i> <ul style="list-style-type: none"> • <i>To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.</i> • <i>To encourage employment opportunities in accessible locations.</i> • <i>To maximise public transport patronage and encourage walking and cycling.</i>
50	Lot 2, DP157625, Mary Street, Mittagong	<ol style="list-style-type: none"> 1. <i>That Council retain the proposed RU2 zone and minimum 40 ha as exhibited</i> 2. <i>That the subject area be included for further investigation in the Local Planning Strategy as a potential future urban release area as previously determined by Council on 30 April 2008.</i>
53	Lot 1 DP734539, 58 Bowral Road & Cnr Bessemer Street, Mittagong	<i>That Council increase the proposed FSR to 0.8 for the subject land and adjoining B4 land which is consistent with what Council resolved on 30 April 2008.</i>
55	Lot 3, DP 877242, Hill Road, Moss Vale	<ol style="list-style-type: none"> 1. <i>That Council retain the proposed RU2 zone and minimum 40 ha as exhibited</i> 2. <i>That the subject area be included for further investigation in the Local Planning Strategy as a potential future</i>

Submission Number	Site	Recommendation
		<i>urban release area as previously determined by Council on 30 April 2008.</i>
56	<i>Lot 2, DP 877242, Hill Road, Moss Vale</i>	<ol style="list-style-type: none"> 1. <i>That Council retain the proposed RU2 zone and minimum 40 ha as exhibited</i> 2. <i>That the subject area be included for further investigation in the Local Planning Strategy as a potential future urban release area as previously determined by Council on 30 April 2008.</i>
60	<i>Lot 1, DP 231843, Water Reservoir Site Woodville Road, Moss Vale</i>	<i>That Council change that part of the site zoned as R2 Low Density Residential to SP2 Infrastructure.</i>
62	<i>Lot 1, DP531671, 609 Argyle Street Moss Vale</i>	<ol style="list-style-type: none"> 1. <i>That Council retain the proposed R3 Medium Density Residential zoning over the land as exhibited under WLEP 2009.</i> 2. <i>That the site be listed in Schedule 1 of the WLEP 2009 with the uses consisting of a service station, food and drink premises which includes take-away food and drink premises.</i>
67	<i>Lot 1, DP1003779, Elizabeth Street, Moss Vale</i>	<ol style="list-style-type: none"> 1. <i>That Council retain the proposed R3 Medium Density Residential zoning over the land as exhibited under WLEP 2009.</i> 2. <i>That the property be included within Schedule 1 with Office Premises as an additional use to reflect the current permissible uses on the site.</i>
70	<i>Lots 5&6, DP805522, 90 The Illawarra Highway Robertson</i>	<i>That Council replace 'Retail Nursery' with 'Landscape and garden supplies' in Schedule 1 as it relates to Item 16 being the subject property.</i>
71	<i>Pt Lot 11 and Lot 12 , DP857127, Lots 7 & 10 DP811912 Cnr Hume Highway and Sally's Corner Road Sutton Forest.</i>	<ol style="list-style-type: none"> 1. <i>That the following activities be added as permissible in Schedule 1 as it relates to the site:</i> <ul style="list-style-type: none"> • <i>caravan park with holiday cabins, general store and manager's office;</i> • <i>motel;</i> • <i>hotel;</i> • <i>market stalls;</i> • <i>Information and education facility)</i> 2. <i>That the zoning map be amended to include all of Lot 10, DP 811912 being covered by Schedule 1.</i>

Submission Number	Site	Recommendation
73	Lot 271 DP 751298, Kareela Road Wingello	<p>1. That Council Rezone Lot 271 from RU2 Rural landscape to R5 Large Lot Residential.</p> <p>2. That Council increase the minimum lot size on Lot 196 from 4000m² to 8000m² and that the minimum lot size on Lot 271 also be 8000m².</p>

Group 2 Submissions - The following general amendments be made.

No	Recommendation
1	<i>Amend the draft LEP to remove clause 6.1(d) and create a clause 6.4(2)(d) with the same wording.</i>
2	<i>Request that the DOP not introduce the hierarchical approach to the land use table, or include within the Standard Instrument a table clearly allocating each land use to its appropriate category.</i>
3	<i>Clarify with the DOP the land uses described in the land use table to ensure that Council's intentions are clearly and accurately stated.</i>
4	<i>That the land Use Table for the B4 Zone allow Residential Flat Buildings to be permissible with consent.</i>
5	<i>Place limitations on the number of trucks allowed to be parked on rural land as part of the rural lands DCP.</i>
6	<p><i>Amend the exhibited clause 7.4 as follows:</i></p> <p><i>(1) (a)</i> <i>Replace protect, enhance and manage with ensure</i> <i>Insert after Wingecarribee add are assessed and considered in planning decisions</i></p> <p><i>(1) (b)</i> <i>Replace values of with values contained within</i></p> <p><i>(1) (c)</i> <i>Replace to enhance with to consider opportunities to enhance</i></p> <p><i>(1) (d)</i> <i>Replace to manage with to appropriately manage</i></p> <p><i>Replace vegetation by preventing with vegetation by integrating it with approved land uses and</i></p>

No	Recommendation
	<p>(3) Replace: <i>the extent to which the development is likely to affect the environmental and ecological conservation value of that land, and for that purpose must consider the following:</i> with: (i) the extent and significance of the environmental and ecological conservation values of that land;</p> <p>(ii) the extent to which the development is likely to affect the environmental and ecological conservation value of that land, and for that purpose must consider the following: (sub-clauses (a) to (i) as currently included.</p> <p>Insert (iii) an appropriate balance between protecting the environmental and ecological conservation values of the land and permissible development on that land</p> <p>(iv) any offset or ameliorative measures proposed as part of a development application.</p> <p>Clause (5): Insert at the end of (ii): through the preparation of a site water management plan.</p> <p>Insert Clause (6): These provisions are not applicable to proposed developments that will not have an adverse environmental impact on land identified in the Natural Resources Sensitivity Map.</p>
7	Incorporate local bio-diversity corridors as a future amendment to the LEP after its gazettal.
8	That the Tourist zone originally identified on the Welby land between the Old Hume Highway and the Hume Highway be re-instated.

Group 3 Recommendations - That the following amendments be undertaken in respect of Berrima

No	Recommendations
1	<i>The proposed revised Berrima Landscape Conservation Area be considered in association with the review of individual heritage items currently being undertaken.</i>
2	<i>Ensure that the Berrima DCP includes controls to minimise any impacts dual occupancies, seniors developments, and serviced apartments may have on the character of Berrima.</i>
3	<i>Amend clause 7.2 to prohibit the subdivision of dual occupancy developments in the Berrima Village.</i>
4	<i>Ensure that the Berrima DCP includes controls to minimise any impacts secondary dwellings may have on the character of Berrima</i>

Group 4 Recommendations - that the following amendments be undertaken in respect of Bowral

No	Recommendations
1	<i>That in respect of Lot 3, DP 1033664, Mount Road Bowral, Council retain the R5 zoning over the portion of the land above the flood planning level (100yr ARI plus half metre freeboard) and zone the portion of the site flood affected as E3 Environmental Management.</i>
2	<i>That the OLSH site with the additional development of Seniors Housing be removed from Schedule 1 of the LEP 2009.</i>

Group 7 Recommendations - That the following amendments be undertaken in respect of Mittagong

No	Recommendations
1	<i>That the Heritage listing for the Renwick site be amended to remove the reference to the row of roadside pines from Schedule five as it relates to the subject property</i>

Group 8 Recommendations - That the following amendments be undertaken in respect of Moss Vale

No	Recommendations
1	Recommended that Council rezone the Lackey Road area from R3 Medium Density Residential to B4 Mixed Use after the gazettal of the LEP 2009.
2	As it is considered that there are a number of outstanding issues to do with the zoning of the Chelsea Gardens Coomungie urban release area, it is recommended that the site retain the RU2 Rural Landscape zone but retain the site as a future designated urban release area on the urban release area map.

Group 10 Recommendations - That the following amendments be undertaken in respect of submissions from Local and State Government Authorities

No	Recommendations
1	Change the Category 2 streams to green and the Category 3 streams to blue on the maps and in Clause 7.4(4) which describes the definition of riparian land.
2	Amend the maps to classify the entire length of the Wollondilly River and Kangaroo River as Category 1 Rivers on the Natural Resources Sensitivity Map.
3	Change "1:100 ARI" to "100 year flood plus a 0.5 metre freeboard".
4	Insert into Clause 7.10(4) the following: "is consistent with any relevant floodplain risk management plan adopted by Council in accordance with the Floodplain Development Manual."
5	Insert the following clause: 7.11 Drinking water catchments (1) This clause applies to land identified as being within the Sydney drinking water catchments as shown on the Sydney Drinking Water Hydrological Catchment Map. (2) The provisions of the Drinking Water catchments Regional Environmental Plan No 1 must be considered for any proposed development within the Sydney drinking water catchments.
6	That Dairy (pasture based) be inserted in item 3 Permitted with consent of the RU1 Primary Production, RU2 Rural Landscape and E3 Environmental Management Zones.

No	Recommendations
7	<p><i>Insert the following provision into the LEP</i></p> <p><i>To be complying development, the development must also not be carried out on land (vii) that is a special area or outer catchment area within the meaning of the Sydney Water Catchment Management Act 1998.</i></p>
8	<p><i>Insert the following words into Clause 6.6(2)(e)</i></p> <p><i>“incorporating water sensitive urban design”</i></p>
9	<p><i>Insert the following clause:</i></p> <p><i>7.12 Subdivision for residential purposes in Zones RU4, R2, R5 and E4</i></p> <p><i>(1) This clause applies to:</i></p> <p><i>(a) land in Zone R2 Low Density Residential,</i></p> <p><i>(b) land in Zone R5 Large Lot Residential,</i></p> <p><i>(c) land in Zone RU4 Rural Small Holdings, and</i></p> <p><i>(d) land in Zone E4 Environmental Living.</i></p> <p><i>(2) Development consent must not be granted for the subdivision of land to which this clause applies for residential purposes unless the consent authority is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.</i></p> <p><i>(3) For the purpose of considering the availability of public utility infrastructure in subclause (2), the consent authority must include consideration of the following matters:</i></p> <p><i>(a) water quality associated with the management of effluent disposal and stormwater, and</i></p> <p><i>(b) the provision of an adequate water supply for drinking and for fire fighting purposes.</i></p>
10	<p><i>Amend the Natural Resources Sensitivity Map by plotting Wollondilly and Wingecarribee Rivers as Category 1 Rivers.</i></p>
11	<p><i>Amend the Natural Resources Sensitivity Map to include all known Natural Waterbodies on the map.</i></p>
12	<p><i>Amend the zoning maps as follows:</i></p> <ul style="list-style-type: none"> <i>• Zone Lot 2, DP 879403 which is part of the Wingecarribee Swamp as E2</i> <i>• Zone Pt Lt 12, DP 1092321 as SP2</i> <p><i>Amend the SP2 of Lake Avon to reflect the full water supply level</i></p>

No	Recommendations
13	<i>Rezone Lot 448 DP 751252, Australia Avenue New Berrima from E1 to E2</i>
14	<i>Rezone Lot 2 DP 728070 Kangaloon Road Robertson from SP1 to RE1</i>
15	<i>Delete Roads from “Permitted without Consent” in all the zones and place it in “Permitted with Consent in all zones</i>
16	<i>Insert the following wording at the end of Clause 7.7(1)</i> <i>“or riparian land as defined on the Natural resources Sensitivity Map.</i>
17	<i>Revert all proposed items designated as “State” significant, but which are not list in the State Heritage Register, to “Local” significance.</i> <i>That Council’s Heritage Advisory Group review the list of proposed “State” sign cant items and advise which items should be nominated by Council to become “State” listed items.</i> <i>Place an asterisk against all items on the State Heritage Register and include an appropriate notation.</i>

That the following amendments be made to the draft LEP Maps as identified through the course of the public exhibition.

No	Recommendations
1	<i>Winifred West Park, Mittagong - That the zoning error be corrected to show full extent of park boundary</i>
2	<i>Valetta Street and Hill Road area, Moss Vale -That the mapping error be corrected to show minimum lot size of V (2,000m2).</i>
3	<i>Station Street, Bowral - That the map be amended to show the correct location of the SP2 zone.</i>
4	<i>Colo Vale - That the correct zoning on map be shown as E2.</i>
5.	<i>Moss Vale Primary School - That lots 1 & 2, DP 438691, lot 1 DP 108591, lot 1 DP 449+146, lot 14 DP 405744, lot 1 DP 545061 and lot 1 DP 545062 be rezoned from R2 to B2 to conform with adjacent zoning.</i>
6.	<i>Bowral Floodplain - That the area identified as floodprone land at the 100 yr ARI plus half metre freeboard be identified on the Floodprone Land Maps</i>
7	<i>Southern Side of Wingecarribee River Berrima. That the land owned RU4 Rural Small Holdings under the exhibited LEP 2009 on the southern side of Wingecarribee River be zoned E4 Environmental Living and that the land bounded by Oldbury Road, Bowen Street, Countess Street and Wilkinson Street have a minimum lot size of 4000m².</i>

That the following additional amendments be made to the draft LEP as exhibited.

No	Recommendations
1	<p><i>That Clause 7.3 also apply to land zoned RU4 Rural Small Holdings with a lot size 10ha or greater</i></p> <p><i>That clause 7.3 be amended to insert between current subclauses (2) and (3) the following additional sub-clause: Despite any other provision of this Plan, development consent may be granted for carrying out development on land to which this clause applies for the purposes of a local rural industry.</i></p>
2	<p><i>That the lot description for Winifred West Park in Schedule 5 be corrected to include Lot 16, DP 1289 and the laneway between the sections of park.</i></p>
3	<p><i>That the wording of Clause 7.1 (1) (Development of existing lots in Zones R2, R3 and R5) be amended to replace subclause (b) with: were created for the purpose of the erection of a dwelling house, dual occupancy development or multi dwelling housing under any previous environmental planning instrument applicable to the Wingecarribee Shire Local Government Area.</i></p>
4	<p><i>Clause 7.2 Requirements for subdividing dual occupancy developments in zone R2 - That the current clause be shown as subclause (1) and that the following subclauses be added:</i></p> <p><i>(2) Notwithstanding any other provision of this plan, the subdivision of dual occupancy developments is prohibited within zone R2 located within the Berrima Heritage Conservation Area.</i></p> <p><i>(3) Notwithstanding any other provision of this plan, the subdivision of dual occupancy developments is prohibited within zone B1 located within the Berrima Heritage Conservation Area.</i></p>
5	<p><i>That night clubs be permitted with consent in the B5 zone.</i></p>
6	<p><i>That the Berrima Sewage Treatment Works be rezoned to IN1 to facilitate the potential relocation of the animal shelter should Council resolve to do so.</i></p>
7	<p><i>Part 3 Exempt and Complying Development - That the following clause be inserted after clause 3.1 (4):</i></p> <p><i>4(A) To be exempt development the development must not be carried out on land to which clause 7.3 applies or land shown as category 1 or 2 riparian land on the Environmentally Sensitive Land Map.</i></p> <p><i>That the following clause be inserted after clause 3.2 (4):</i></p> <p><i>4(A) To be complying development the development must not be carried out on any of the following land:</i></p> <p><i>(a) land to which clause 7.10 applies</i></p> <p><i>(b) land shown as category 1 or 2 riparian land on the Environmentally Sensitive Land Map.</i></p> <p><i>(c) Land within zones E2, E3 or E4.</i></p>

No	Recommendations
	<i>That the clause beginning "Development within the Sydney Drinking Water Hydrological Catchment" be numbered 4(B).</i>
8	<p><i>Clause 3.3 Environmentally sensitive lands excluded</i> <i>That the following two subclauses be added:</i> <i>(k) Land defined as category 1 or category 2 riparian land described in clause 7.4 of this plan.</i> <i>(l) Land which forms part of the Regional Wildlife Corridor mapped in the Environmentally Sensitive Land map.</i></p>
9	<p><i>Clause 5.1 Land acquisition within certain zones - Insert at 5(2) under Zone SP2:</i> <i>Local Roads – Council</i></p>
10	<p><i>That Schedule 1 be amended to include:</i></p> <p><i>24. Use of certain land at Joadja Road, Joadja`</i></p> <p><i>(1) This clause applies to land at Joadja Road, Joadja, being Lots 122/124, 126/131, DP 751276.</i></p> <p><i>(2) Development for the purposes of a piggery and associated waste management and disposal activities.</i></p> <p><i>25. Use of certain land at Joadja Road, Joadja</i></p> <p><i>(1) This clause applies to land at Joadja Road, Joadja, being Lots 138/141, 173, 182 and 183 DP 751276</i></p> <p><i>(2) Development for the purposes of the disposal of waste being composted material and effluent from Boen Boe piggery activities.</i></p>

2. **THAT** Council also incorporate the following amended Clause 1.2(2)(c):-

"to encourage the efficient use of urban land to provide for in-fill development, minimising the spread of urban areas into rural and native vegetation environments, thereby increasing the accessibility of the population to urban facilities and services and preserving the green rural landscapes between and around the Shire's towns and villages".

3. **THAT** the amended draft Wingecarribee LEP 2009 be forwarded to the Department of Planning seeking gazettal as a matter of urgency.

4. **THAT** all persons who made written submissions on the draft LEP be advised of Council's decision.

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL
held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 8 July 2009
REPORT OF DIRECTOR ENVIRONMENT & PLANNING

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

1. ITEM 72 ON PAGE 43 OF THE TABLE 3 REQUEST FOR ZONE CHANGES (SECTIONS 11, 16 AND 17 DP 792, WILLOW VALE)

Interest: Clr P B Tuddenham declared a pecuniary interest in this matter as he owns a house in the vicinity. He left the chamber, took no part in the debate and refrained from voting thereon.

MN 281/09

The Committee on a **MOTION** moved by Clr L A C Whipper and seconded by Clr J R Clark:

THAT *Item 72 on page 43 of the Table 3 Request for Zone Changes (Attachment 1 of the Report together with the amended land use tables – which were circulated to Councillors prior to the Meeting) in that:*

- (i) **That Council Rezone Lot 271 from RU2 Rural Landscape to R5 Large Lot Residential.**
- (ii) **That Council increase the minimum lot size on Lot 196 from 4000m² to 8000m² and that the minimum lot size on Lot 271 also be 8000m².**

be adopted.

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 K Halstead	X	
Clr J G Arkwright	X	
Clr J R Clark	X	
Clr G McLaughlin	A	
Clr J Mauger	X	
Clr D Stranger	X	
Clr P B Tuddenham	A	
Clr L A C Whipper	X	



SUPPLEMENTARY MOTION

1. **ACKNOWLEDGEMENT OF STRATEGIC PLANNING STAFF**

The Mayor Clr T D Gair suggested that Council acknowledge the dedicated work by Strategic Planning staff in preparing the LEP.

MN 282/09

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

THAT Council express its appreciation of the Strategic Planning staff in the drafting of the LEP and bringing it to fruition and particularly acknowledged the dedication and commitment of the staff in this process.

PASSED



CORPORATE SERVICES DIVISION

o-CS1	Appointment of Community Representatives Policy
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REF: MAS	107/31
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Submitting a report in relation to the Appointment of Community Representatives Policy.

The Director Corporate Services addressed Council on this matter.

MN 283/09

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

THAT the Draft Policy for Appointment of Community Representatives Policy as per Attachment 1 of the report be adopted.

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 8 July 2009

REPORT OF DIRECTOR CORPORATE SERVICES

o-CS2	Determination of Annual Remuneration for the Mayor and Councillors
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REF: MAS, FSM

101/6

Reporting on the 2009/2010 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 284/09

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

THAT having regard to the determination from the Local Government Remuneration Tribunal under Section 242 of the Local Government Act 1993, Council approves fees for the 2009/2010 financial year for each Councillor at \$15,500 with the Mayoral fee to be set at \$33,840 **AND THAT** it be noted that the Mayoral fee is paid in addition to the Councillors' fee.

PASSED



o-CS3	Mittagong Community Centre Management Committee Constitution
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REF:	DCS, MAS
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7215/1

Reporting on the review of the Mittagong Community Centre Management Committee Constitution.

MN 285/09

MOTION moved by Clr P B Tuddenham and seconded by Clr D Stranger:

- THAT Council adopts the Mittagong Community Centre Management Committee Constitution incorporating Council's generic constitution adopted on 8 April 2009 and the objectives, and membership as adopted by Council 27 February 2002 AND THAT Council adopts the change in item 3.3.14 of the constitution to read "A majority of appointed members (that is half the membership plus one) will comprise a quorum."***
- THAT the Mittagong Community Centre Management Committee be notified of Council's determination.***

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 8 July 2009

REPORT OF DIRECTOR TECHNICAL SERVICES

TECHNICAL SERVICES DIVISION

o-TS1	Resource Recovery Centre – Establishment of a Strategic Advisory Board
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REF: RRM, AOE	7503/25
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To outline a proposal to establish a Strategic Advisory Board to advise Council on the operation of the RRC.

The Director Technical Services addressed Council on this matter.

MN 286/09

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

1. **THAT** Council support the proposal to establish an Advisory Board for the Resource Recovery Centre **AND THAT** the structure be amended to include five (5) Councillors as follows:

Councillor Duncan Gair (Chair)
Councillor Jim Clark
Councillor Graham McLaughlin
Councillor Jim Mauger
Councillor Paul Tuddenham

2. **THAT** Expressions of Interest be invited for Community Representatives as per the Draft Terms of Reference.
3. **THAT** Council adopt the Draft Terms of Reference for the Advisory Board with amendment to Item 3, Membership and Composition to include five (5) Councillors.

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 8 July 2009

REPORT OF THE GENERAL MANAGER

COUNCIL MATTERS

GENERAL MANAGER'S REPORTS

c-GM1 Organisational Structure Review

REF: GM

800/1

Reporting on an Organisational Structure Review.

The General Manager addressed Council on this matter.

MN 287/09

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

1. **THAT** the name of the Technical Services Division be changed to the Infrastructure Services Division and that the position of Director of Technical Services be amended in all documentation to that of Director Infrastructure Services.
2. **THAT** the name of the Development Control Branch be changed to the Development and Building Services Branch.
3. **THAT** the Manager Human Resources and Library Services become Manager Organisational Development and the Manager Administration become Manager Administration and Library Services.
4. **THAT** Council approves the appointment of a full time Human Resources Cadetship.
5. **THAT** Council approve the appointment of a full-time IRS Works Engineer.
6. **THAT** the hours of the Booking Officer be increased from three (3) days a week to full time to cater for the increased responsibility of Council to manage facility usage.
7. **THAT** the position of Resource Recovery Education/Project Officer becomes a permanent part-time three (3) days per week position in the Resource Recovery Branch on grade 12, under award provisions and the specified job description. The position to be funded from the Domestic Resource Recovery Budget.
8. **THAT** a Gatehouse Attendant for a total of 49 hours per week be approved as a job share position.
9. **THAT** the 2009-2012 Management Plan be amended to reflect the adopted changes.

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 8 July 2009

REPORT OF THE GENERAL MANAGER

AMENDMENT moved by Clr K Halstead and seconded by Clr J Mauger:

THAT no action be taken on this matter until such time as a new General Manager has been appointed.

AMENDMENT LOST

MOTION PASSED

c-GM2 NSW Rural Fire Service - Service Level Agreement

REF: GM

6433

Reporting on the Service Level Agreement between Council and the Rural Fire Service.

MN 288/09

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

THAT the Mayor and General Manager be granted authority to execute the Service Level Agreement between Wingecarribee Shire Council and the NSW Rural Fire Service under the Common Seal of the Council.

PASSED



AGENDA FOR THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 8 July 2009

NOTICES OF MOTION

OTHER MATTERS

NOTICES OF MOTION

c-NM1 10/2009 – Notice of Motion – Alexandra Square

REF: MAS

100/4, 6606/3

Clr Paul Tuddenham has given notice that it is his intention to move the following Notice of Motion at the Ordinary Meeting of Council on Wednesday 8 July 2009:

1. THAT Council not proceed with any demolition work of the building at Alexandra Square, formerly the Mittagong Bowling and Recreation Club, or its surrounds until the budget deliberations in March 2010. This will allow the community to investigate what options they have with respect to the future use of that area.

-

MOTION moved by *Clr P B Tuddenham* and seconded by *Clr D Stranger*:

THAT Council not proceed with any demolition work of the building at Alexandra Square, formerly the Mittagong Bowling and Recreation Club, or its surrounds until the budget deliberations in March 2010. This will allow the community to investigate what options they have with respect to the future use of that area.

LOST



AGENDA FOR THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 8 July 2009

DELEGATES REPORTS

DELEGATES REPORTS

c-DR1	Delegates Report - 2009 National General Assembly of Local Government
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REF:	CLR ARKWRIGHT
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203/1.1, 101/4.3

Reporting on 2009 National General Assembly of Local Government held at Canberra on Sunday 21 to Wednesday 24 June 2009.

MN 289/09

MOTION moved by Clr J G Arkwright and seconded by Clr P B Tuddenham:

THAT the report on the 2009 National General Assembly of Local Government held in Canberra from Sunday 21 to Wednesday 24 2009 be noted.

PASSED

COMMITTEE REPORTS TABLED

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

MN 290/09

MOTION moved by Cllr D Stranger and seconded by Cllr J G Arkwright:

THAT the information contained in the following Committee Reports be noted:

- 1. Wingello Mechanics Institute Management Committee held on Wednesday 3 June 2009.***
- 2. Mittagong Centre Management Committee held on Wednesday 10 June 2009.***
- 3. Moss Vale Senior Citizens and Community Centre Management Committee held on Monday 15 June 2009.***
- 4. Hill Top Community Centres Management Committee held on Thursday 18 June 2009.***

PASSED

COMMITTEE REPORTS ATTACHED

c-CR2	Finance Sub Committee (Council's Investments)	
REF	DCS	107/22

Submitting minutes of the Finance Sub Committee (Council's Investments) meeting held on Tuesday, 30 June 2009.

MN 291/09

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

THAT the minutes of the Finance Sub Committee meeting held on Tuesday, 30 June 2009 be noted and the agreed action endorsed.

PASSED

c-CR3	Minutes of the Southern Regional Livestock Exchange Strategic Advisory Board	
REF:	PPM	7170/01

Submitting minutes of the Southern Regional Livestock Exchange Strategic Advisory Board held Friday, 29 May 2009.

MN 292/09

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

THAT Recommendation 1 as detailed in the minutes of the Southern Regional Livestock Exchange Strategic Advisory Board held Friday, 29 May 2009 be adopted.

PASSED

c-CR4	Minutes of the Traffic Committee
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REF:	TE	107/6
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Submitting minutes of the Traffic Committee held Monday, 22 June 2009.

It was noted that a full copy of the Minutes of the Traffic Committee was inadvertently omitted from the Agenda. A full copy of the Minutes (including additional Recommendations TC 65/09 to Additional item 5 - TC 83/09) were distributed to Councillors at the Meeting.

MN 293/09

MOTION moved by Clr P B Tuddenham and seconded by Clr J Mauger:

THAT the recommendations as detailed in the minutes of the Traffic Committee held Friday, 24 June 2009 be adopted, with the exception of the following Items:

Item 3 – Parking Restrictions on Argyle Street, Moss Vale

Item 7 – Empire Cinema Carpark, Bowral (Times Parking Arrangements)

Item 9 – Pedestrian Refuge on Suttor Road, Moss Vale

Additional Item 1 – Parking Outside the Old Cheese Factory in Robertson

PASSED

1. ITEM 3 - PARKING RESTRICTIONS ON ARGYLE STREET, MOSS VALE 7460/26

Clr P B Tuddenham advised that the issues have been discussed and Mr Brian Whyte was in attendance at the meeting where he tabled a letter and petition to the Traffic Committee outlining his concerns and suggestions for future parking facilities. Clr Tuddenham noted that Mr Michael Craig, President of the Moss Vale Chamber of Commerce, was also in attendance at the meeting.

MN 294/09

MOTION moved by Clr P B Tuddenham and seconded by Clr J Mauger:

1. **THAT** the plan of the proposed parking restrictions and channelisation on Argyle Street (HW25) from Railway Street to Arthur Street, Moss Vale be endorsed.
2. **THAT** consideration be given to removing the existing brick garden walls and replacing them with safety rail fencing.
3. **THAT** Council look at alternative long-term parking facilities in the precinct.
4. **THAT** the Traffic Committee re-visit the PAMPS for Moss Vale with regard to pedestrian facilities near Whytes.

PASSED

2. ITEM 7 – EMPIRE CINEMA CARPARK, BOWRAL (TIMED PARKING ARRANGEMENTS) 5504/1, 7470/6

Clr P B Tuddenham asked that this item be re-submitted to the full Council for consideration at the next meeting of Council to be held on Wednesday, 22 July 2009 as it was no longer possible to trial a three (3) hour voucher system in the Empire Cinema Carpark having regard to the Local Government Act, 1993.

MN 295/09

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

THAT Item 7 Empire Cinema Carpark, Bowral (Timed Parking Arrangements) (TC 62/09) be referred to the Ordinary Council Meeting to be held on Wednesday, 22 July 2009 for further consideration.

PASSED

3. ITEM 9 – PEDESTRIAN REFUGE ON SUTTOR ROAD, MOSS VALE RD3408, 6690

Clr P B Tuddenham referred to this pedestrian refuge and advised that major hauling trucks cannot manoeuvre around them and Council should be conscious that when implementing pedestrian refuges this will prevent the direction that hauling trucks can take.

MN 296/09

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

1. **THAT designated routes for oversize and overmass vehicles in the Shire be investigated and reported back to the next Traffic Committee meeting.**
2. **THAT alternatives for the proposed pedestrian refuge in Suttor Road be investigated and reported back to the next Traffic Committee.**

PASSED

4. ADDITIONAL ITEM 1 – PARKING OUTSIDE THE OLD CHEESE FACTORY IN ROBERTSON 7460/30

Clr L A C Whipper asked when the line marking would be completed outside the Old Cheese Factory.

The Director Technical Services advised that line marking would be completed when the contractor returns to the Shire.

MN 297/09

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

1. **THAT** parallel parking spaces be marked outside the Old Cheese Factory in Robertson as an interim measure.
2. **THAT** Council's Design and Project Section investigates the parking arrangement and the location of the proposed path outside the Old Cheese Factory.
3. **THAT** the line marking outside the Old Cheese Factory at Robertson be expedited.

PASSED

GENERAL BUSINESS

1. CONDITION OF PARRY DRIVE, BOWRAL RD1915

Clr J R Clark referred to a letter he had received from a constituent concerning the condition of Parry Drive, Bowral.

The Director Technical Services advised that this section of the road has recently been inspected and arrangements have been made for urgent maintenance of the road.

2. BONG BONG COMMON 6530/1, 6500/23.1

Clr J R Clark advised that there was concern raised by a constituent in relation to the recent ploughing of the common and the disturbance that was caused to artefacts situated on the land and asked for an up-date in the Weekly Circular.

The Mayor Clr T D Gair advised that it was a recommendation of the Working Committee that the Bong Bong Common required an upgrade and it required to be aerated and sod-seeded.

The Mayor advised that there was disturbance of the land at the site of the old rubbish dump. However, he did acknowledge that there was an air strip on the site thirty (30) years ago which was the cause of major disturbance. The Mayor acknowledged that the Bong Bong Common Management Committee should have been consulted in regard to the work.

MATTER OF URGENCY

3. SUBDIVISION OF JOADJA HISTORICAL SITE

LUA06/0994

Clr K Halstead requested that the signing under the Common Seal of the Council of the Trust Deed between Council and Mr Mark Longobardi, which was an item dealt with at the Legal Committee Meeting held on Wednesday, 8 July 2009, be treated as a matter of urgency.

MN 298/09

MOTION moved by *Clr K Halstead* and seconded by *Clr J G Arkwright*:

THAT *signing of the Trust Deed in relation to the Subdivision of Joadja Historical Site between Council and Mr Mark Longobardi be considered as a matter of urgency.*

PASSED

The Mayor ruled that this is a matter of urgency.

MN 299/09

MOTION moved by *Clr K Halstead* and seconded by *Clr J G Arkwright*:

THAT *the Trust Deed in relation to the Subdivision of Joadja Historical Site between Council and Mr Mark Lombardi be executed under the Common Seal of the Council.*

PASSED

MATTER OF URGENCY

4. SCOTTISH ARMS TAVERN, BOWRAL

502/74, LUA07/0568

The Mayor Clr T D Gair requested that the matter of the Scottish Arms Tavern, Bowral, be treated as a matter of urgency as it is being dealt with by the Land & Environment Court on Friday.

Clr K Halstead stated that he was the applicant for the original development prior to being appointed as a Councillor but is not the applicant in the current appeal to the Land & Environment Court.

Interest: Clr K Halstead declared a non-pecuniary interest in this item due to the fact that he was a consultant planner for the current applicant before his election to the Council. He left the Chamber at the time this matter was discussed, took no part in the debate and refrained from voting thereon.

MN 300/09

MOTION moved by Clr J G Arkwright and seconded by Clr P B Tuddenham:

THAT the matter of the Scottish Arms Tavern, Bowral be considered as a matter of urgency as it is being dealt with by the Land & Environment Court on Friday.

PASSED

The Mayor ruled that this is a matter of urgency.

MN 301/09

MOTION moved by Clr P B Tuddenham and seconded by Clr D Stranger:

THAT Council advise the applicants and the court that it has no objection in principle to the Statement of Environmental Effects subject to appropriate conditions of consent being included.

PASSED

Clr K Halstead returned to the Chamber at this juncture.



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 8 July 2009

GENERAL BUSINESS

EXTENSION OF TIME

MN 302/09

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

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

PASSED

5. BROADCASTING COUNCIL MEETINGS ON THE WINGECARRIBEE COMMUNITY RADIO STATION 107.1 FM 1650/6, 100/1

Clr J G Arkwright tabled a letter dated 5 June 2009 from Wingecarribee Community Radio Station 107.1 FM asking that Council consider the concept of broadcasting Council meetings and the funding thereof.

The Mayor Clr T D Gair advised that there is the request for funding of \$30,000 per year but that there is an insurance issue.

The General Manager advised that Council does not have insurance coverage for transmission of proceedings and Councillors are not covered like Parliamentarians from defamation. He stated that Council would be taking a significant risk as there is no insurance coverage if one Councillor was to be sued and also Council could be sued.

6. ABANDONED VEHICLES 5509/2

Clr J Mauger referred to a memorandum he received last Friday relating to abandoned vehicles impounded between 8 February 2005 and 1 June 2009. He referred to a statement that all impounded motor vehicles from impound number 40 to 104 have been disposed of by means unknown to Council's record data base, so that is 64 cars that there is no record found. Clr Mauger said it goes on then further that all impounded motor vehicles from impound number 130 to 143 have been sold by means of expression of interest for scrap metal, all current motor vehicles from impound number 203 to 247 are stored within Council's impound yard at Moss Vale and that vehicles subject to sale are currently being finalised for expressions of interest within Council's advertised notice. In addition to this report an investigation of Council's finance records in respect to moneys paid to Council to towing contractors have revealed that vehicles being towed by contractors have not been recorded on Council's impounding log. Clr Mauger asked for some information about the 64 vehicles and asked the General Manager whether Council has been paid for them or not?

The General Manager asked if Clr Mauger could put his request on this matter in writing and advised that this matter was the subject of detailed investigation by other authorities which is still ongoing but that he would have Clr Mauger's request researched.

The Mayor Clr T D Gair asked Clr Mauger to hand up his written questions so that if the General Manager cannot answer the questions then the Director Technical Services will reply.

The Mayor suggested that Clr Mauger should make an appointment with him to discuss the information that he has because unless all the information is put on the table, the issues cannot be answered and acquisitions can be made. However, the Mayor advised that he will not be available for the next two (2) weeks.

7. LEAVE OF ABSENCE

PERS

The Mayor Clr T D Gair sought leave of absence for the Ordinary Council meeting on Wednesday, 22 July 2009.

MN 303/09

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

THAT leave of absence be granted to the Mayor Clr T D Gair for the Ordinary Council meeting to be held on Wednesday, 22 July 2009.

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 8 July 2009

REPORT OF DIRECTOR CORPORATE SERVICES

CORPORATE SERVICES DIVISION

c-CS1	Closed Council
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	107/9
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To consider moving into Closed Council.

At this juncture, the time being 7.50 pm, pursuant to section 10A(4), the Mayor offered the opportunity to members of the public to make representations to Council as to whether any items of the Closed Council should not be considered in Closed Council.

The Mayor Clr T D Gair advised of an additional report that he wished to present to Council dealing with a staff matter which is to be considered in Closed Council in accordance with Section 10A(2)(a) of the Local Government Act.

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

Mr Ian Scandrett asked that the matter of the Recruitment of the General Manager be dealt with in open Council.

The Mayor Clr T D Gair advised that it is a staff issue and that staff issues are dealt with in Closed Council as things such as salary are considered and it would not be appropriate for this to be discussed in open Council.

Mr Scandrett suggested that the public is entitled to know about the recruitment process.

The Mayor advised that as soon as there is a decision of Council a press statement will be released, but reiterated that it is a staff issue and will not be discussed in Open Council.

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

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

c-GM1 RECRUITMENT OF GENERAL MANAGER

Relevant Legal Provisions

This matter has been placed in Closed Council as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business, under Section 10A(2)(c) of the Local Government Act.

Brief Description

This report deals with the recruitment process for the appointment of a new General Manager.

Public Interest

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

c-MM1 STAFF MATTER – GENERAL MANAGER

Relevant Legal Provisions

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

Brief Description

This report deals with the General Manager's performance review.

Public Interest

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

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

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 8 July 2009

CLOSED COUNCIL

c-GM1	Recruitment of General Manager
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REF.	MAYOR	503/60
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Reporting on the recruitment process for the appointment of a new General Manager.

Relevant Legal Provisions

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

Brief Description

This report deals with the recruitment process for the appointment of a new General Manager.

Public Interest

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

The recruitment process for the appointment of a new General Manager will be discussed at this meeting.

The Mayor distributed a report to all Councillors at the meeting.

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

THAT Council call for expressions of interest from recruitment consultants to assist Council in appointing the new General Manger.

PASSED

c-MM1 Staff Matter – General Manager

REF: MAYOR

503/60

Reporting on the General Manager's Performance Review.

Relevant Legal Provisions

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

Brief Description

This report deals with the General Manager's performance review.

Public Interest

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

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

1. **THAT Council be given an exact amount of that requested to finalise the General Manager's contract in relation to requested back-dating of salary.**
2. **THAT the report (Mayoral Minute MM2 Staff Matter) dated 22 August 2007 dealing with the General Manager's performance review for 2006/2007 be submitted to the next Ordinary Meeting of Council on Wednesday, 22 July 2009 (Closed Council) for consideration.**

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 8 July 2009

OPEN COUNCIL

MN 304/09

107/10

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

THAT Council moves back into Open Council.

PASSED

No members of the public were present in the Chamber.

ADOPTION OF CLOSED COUNCIL

MN 305/09

107/9

MOTION moved by Clr T D Gair and seconded by Clr K Halstead:

THAT the recommendations of the Closed Council held on Wednesday, 8 July 2009 (Items c-GM1 and c-MM1) be adopted.

PASSED

ADOPTION OF OPEN COUNCIL

MN 306/09

107/10

MOTION moved by Clr T D Gair seconded by Clr K Halstead:

THAT the recommendations of the Open Council held on Wednesday, 8 July 2009 being OC 84/09 to OC 89/09, be adopted.

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 8 July 2009

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 8.15 PM

In accordance with the provisions of Section 375(2) of the Local Government Act, these Minutes of the Ordinary Council Meeting held Wednesday, 8 July 2009 numbered M/N 275/09 to M/N 306/09, were signed by me hereunder at the Council Meeting held on Wednesday, 22 July 2009.

CHAIRMAN

READ AND CONFIRMED ON WEDNESDAY, 22 JULY 2009

CHAIRMAN

PUBLIC OFFICER