

MINUTES

OF THE ORDINARY MEETING OF COUNCIL

File No. 100/09



held on Wednesday, 23 September 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, 23 September 2009

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MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 23 September 2009

COMMENCING AT: 3.30 pm

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

IN ATTENDANCE:

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

PRAYER

100/1

The meeting was opened in prayer led by Chaplain Steve Clancy of Harbison Care.

APOLOGY

PERS

There were no apologies at this meeting.



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CONFIRMATION OF MINUTES

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY,
9 SEPTEMBER 2009

100/1

MN 406/09

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

THAT the minutes of the Ordinary Meeting of Council held on Wednesday, 9 September 2009 MN 393/09 to MN 405/09 inclusive, copies of which were forwarded to Councillors, be adopted as a correct record of the proceedings of the meeting.

PASSED

BUSINESS ARISING

1. ICAC LEGISLATION

1420/5

Clr J Mauger referred to the previous question he had asked in relation to the ICAC legislation, and stated that he still does not regard that the reply in the Business Arising from the Council Meeting held on Wednesday, 9 September 2009 answered his question.

The Mayor Clr T D Gair stated that there was further information in the Weekly Circular Issue 37/09 Item 5 on this matter.

Clr Mauger advised that he will put his request in writing.



MINUTES OF THE ORDINARY MEETING OF COUNCIL

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DECLARATIONS OF INTEREST

101/3

Clr J Mauger declared a pecuniary interest in Item o-IS3 – Paving of Paths Policy and Objections Received for Robertson Project – as he is a director of the company which owns the adjoining land. He stated that he would leave the chamber when this matter was discussed, take no part in the debate and refrain from voting thereon.



MINUTES OF THE ORDINARY MEETING OF COUNCIL

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SUSPENSION OF STANDING ORDERS

100/1

The Mayor Clr T D Gair requested that Council suspend standing orders for Items c-GM1 Election of Mayor for 2009/2010 Term, c-GM2 Election of Deputy Mayor for 2009/2010 Term and c-GM3 Election of Delegates and Representatives to Committees, External Committees and Organisations for 2009/2010, to allow determination of these items at this time.

MN 407/09

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

THAT *standing orders be suspended to allow Items c-GM1 Election of Mayor for 2009/2010 Term, c-GM2 Election of Deputy Mayor for 2009/2010 Term and c-GM3 Election of Delegates and Representatives to Committees, External Committees and Organisations for 2009/2010, to be considered at this juncture.*

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 23 September 2009
ELECTION OF MAYOR, DEPUTY MAYOR AND COMMITTEE DELEGATES

COUNCIL MATTERS

GENERAL MANAGER'S REPORTS

c-GM1 Election of Mayor for 2009/2010 Term

REF: AGM

102/4

Nomination papers for the election of Mayor for 2009/2010 have been circulated to all Councillors.

The Mayor Clr T D Gair vacated the Chair for conducting the election of the Mayor and Deputy Mayor and handed over to the Acting General Manager, Mr Scott Lee (Returning Officer).

MN 408/09

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

1. **THAT** the method of voting for the election of Mayor for the 2009/2010 Term be by Open Vote.
2. **THAT** should there be a change in the office holder of this position, the Delegations Manual be amended accordingly.

PASSED

The Acting General Manager (Returning Officer) advised that **two (2)** nominations had been received for the position of Mayor – **Clr J G Arkwright and Clr T D Gair** - and called for further nominations. There were no further nominations received.

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

Clr J G Arkwright (4) Clrs J Mauger, D Stranger, J G Arkwright and K Halstead

Clr T D Gair (5) Clrs G McLaughlin, J Clark, L A C Whipper, P B Tuddenham and T D Gair

MN 409/09

The Acting General Manager (Returning Officer) declared that Clr T D Gair be duly ELECTED as Mayor for the 2009/2010 term.

PASSED

c-GM2 Election of Deputy Mayor for 2009/2010 Term

REF: AGM

102/1, 102/4

Section 231 of the *Local Government Act, 1993*, provides that Councillors may elect a person from among their number to be the Deputy Mayor. The Councillor may be elected as Deputy Mayor for the Mayoral term or a shorter term. It is the practice of the Council to elect a Deputy Mayor for the Mayoral term.

MN 410/09

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

1. **THAT** the method of voting for the election of Deputy Mayor for the 2009/2010 Term be by Open Vote.
2. **THAT** should there be a change in the office holder of this position, the Delegations Manual be amended accordingly.

PASSED

The Acting General Manager (Returning Officer) advised that **two (2)** nominations had been received for the position of Deputy Mayor – **Clr K Halstead** and **Clr G McLaughlin** - and called for further nominations. There were no further nominations received.

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

Clr K Halstead (4) Clrs J Mauger, D Stranger, J G Arkwright and K Halstead

Clr G McLaughlin (5) Clrs G McLaughlin, J Clark, L A C Whipper, P B Tuddenham and T D Gair

MN 411/09

1. **The Acting General Manager** (Returning Officer) declared that *Clr G McLaughlin* be duly **ELECTED** as Deputy Mayor for the 2009/2010 term.
2. **THAT** the Delegations Manual be amended to note *Clr Graham McLaughlin* as Deputy Mayor.

PASSED

The Mayor resumed the Chair at this juncture.



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ELECTION OF MAYOR, DEPUTY MAYOR AND COMMITTEE DELEGATES

VOTE OF THANKS – MAYOR DUNCAN GAIR

PERS

The Mayor Clr T D Gair thanked Councillors for their support in re-electing him for his second term. He expressed his commiserations to Clr Arkwright and Clr Halstead. He congratulated Clr McLaughlin on his election as Deputy Mayor, and thanked the members of the public who had contacted him to show their support.

The Mayor stated that the campaign had been drawn-out and that he hoped Council would move forward in unity with the employment of a new General Manager, and that it is imperative that Council is seen to be working for the betterment of the community which is most important for the stability of the community.

The Mayor advised that he will be preparing a Mayoral Minute for the next Council Meeting on the achievements of this Council up to the present time, which have been numerous, and stated that Councillors have made some major decisions which have been implemented over the past twelve months.

The Mayor reiterated his thanks to Councillors for their support and the privilege of being able to lead the Wingecarribee Shire Council for the next twelve months.

Other Councillors also expressed their sentiments in relation to the election of Mayor and Deputy Mayor.



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ELECTION OF MAYOR, DEPUTY MAYOR AND COMMITTEE DELEGATES

c-GM3 Election of Delegates and Representatives to Committees, External Committees and Organisations for 2009/2010

REF: MALS, MANAGERS

107 (cc 102/5)

Reporting on the election of delegates and representatives to Committees, External Committees and Organisations.

MN 412/09

MOTION moved by Cllr D Stranger and seconded by Cllr J R Clark:

1. **THAT** the Council Delegates, Representatives and Staff members as amended in the report, and as detailed below, relating to Committees, Advisory Committees, Working Groups and Sunset Committees be adopted.
2. **THAT** in relation to the Companion Animals Working Group meeting be amended to read:

“The Working Group will meet at least twice per year with additional meetings whenever required by Council or the Chairperson”.
3. **THAT** Council appoint the Councillor members of the following Committees for the 2009/2010 Term:

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COMMITTEES FOR 2009/2010 TERM

ACCESS COMMITTEE	
<i>File No. 1828/3</i>	
<i>(Meets as required or by the Councillor Chair of the Committee)</i>	
<i>To address disability access in the Shire relevant to Council facilities</i>	
<i>To act as an avenue for communication between the Shire's residents with a disability and aged population, disability related service providers and Council regarding the needs, issues, services and events; to provide advice to Council and other community representatives as required on matters concerning issues relevant to citizens within the Shire with a disability or other accessibility restrictions including the review of Council and government policies which affect the Shire's planning responsibilities and provision for services provide best practice accessibility</i>	
2008/2009	2009/2010
<p>Councillors: Mayor Clr T D Gair (Chair)</p> <p>Alt Del: Clr Stranger</p> <p>Reps: Jill Chauncy, Dympna Irwin, Pamela Cormick, Bruce Mumford, Robyn Sercombe and Russell Leith</p> <p>Organisation Reps: Disability Services Australia; Essential Personnel representing people who have Intellectual Disability (Amanda Carkagis); Vision Australia (Paul Hartley); Challenge Southern Highlands (Tony McElhinney); Macarthur Disability Services (Rob Moran); Spinal Cord Injuries Australia (Linda Sabato and Alex Traill); Tadpoles Stroke Support Group (Sonja Worthington); Tadpoles Stroke Support Group (Olwen Lammond); representing people who are blind or who have a visual impairment (Maria Robinson) and The Disability Trust (Peg Ludwig)</p> <p>Staff: Disability Aged Worker</p>	<p>Councillors: Mayor Clr T D Gair</p> <p>Alt Del: Clr D Stranger</p> <p>Reps: Jill Chauncy, Dympna Irwin, Pamela Cormick, Bruce Mumford, Robyn Sercombe, Russell Leith, Maria Robinson</p> <p>Organisation Reps: TBA (Disability Services Australia); Essential Personnel representing people who have Intellectual Disability (Amanda Carkagis); Vision Australia (Paul Hartley); Challenge Southern Highlands (Tony McElhinney); Macarthur Disability Services (Rob Moran); Spinal Cord Injuries Australia (Linda Sabato and Alex Traill); Tadpoles Stroke Support Group (Sonja Worthington); Tadpoles Stroke Support Group (Olwen Lammond) and The Disability Trust (Peg Ludwig)</p> <p>Staff: Community Worker Aged & Disability</p>

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COMMUNITY REPRESENTATIVE REVIEW COMMITTEE File No. 107/1 (Meets as required)	
To review and make recommendations on all community representatives applying for community positions on Council	
2008/2009	2009/2010
Councillors: Mayor Clr T D Gair [The Mayor and the Chair of the relevant committee (if they are a Councillor) or the Deputy Mayor if the Chair of that Committee is not a Councillor] Staff: General Manager	Councillors: The Mayor of the Day Clr T D Gair [The Mayor and the Chair of the relevant committee (if they are a Councillor) or the Deputy Mayor if the Chair of that Committee is not a Councillor] Staff: General Manager

COUNCIL INSPECTION COMMITTEE File No. 107/11 As required	
All Councillors are appointed onto the Council Inspection Committee to enable them to participate in Inspections of those matters being considered by Council. Councillors meet with the Director of Environment and Planning at the Civic Centre every second Wednesday of each month (prior to the Ordinary Council Meeting) for a 10.00am departure.	
2008/2009	2009/2010
Councillors: All Councillors Chair: Mayor Clr T D Gair Alternate Chair: Clr K Halstead Staff: Director Environment & Planning	Councillors: All Councillors Chair: Mayor Clr T D Gair Alternate Chair: Clr G McLaughlin Staff: Director Environment & Planning

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ENVIRONMENT AND SUSTAINABILITY COMMITTEE	
<i>File No. 107/25</i>	
<i>(Meets bi-monthly (alternate to the Sustainability Sub-Committee) with meetings to be held from 9.30 am to 12.30 pm)</i>	
<i>To discuss and advise on projects that support sustainability; to discuss and advise Council on proposed works and budgets proposed under the Wingecarribee Our Future Environment (WOFE) program AND to monitor and review progress of the WOFE program; To monitor and review environmental issues relating to road reserves and lineal reserves, and the implementation of Council's Roadside Management Plan</i>	
2008/2009	2009/2010
<p>Councillors: <i>Clr L A C Whipper (Chair), Clr J R Clark and Clr D Stranger</i></p> <p>Community Members: <i>Margaret Krahenbuhl, Jan Hainke, Jane Lemann and Maree Byrne</i></p> <p>Reps: <i>HNCMA Rep Daniel Anderson; NPWS Rep Pat Hall; SCA Rep Tony Paull; Department of Primary Industry Rep Lori McWhirter</i></p> <p>Staff: <i>Environment & Health Manager, Natural Resources Coordinator</i></p>	<p>Councillors: <i>Clr L A C Whipper (Chair), Clr J R Clark and Clr D Stranger</i></p> <p>Community Members: <i>Margaret Krahenbuhl, Jan Hainke, Jane Lemann, Maree Byrne and vacant</i></p> <p>Reps: <i>HNCMA Rep Geoff O'Connor; NPWS Rep Pat Hall; SCA Rep Alan Benson; Department of Industry & Investment Rep Lori McWhirter</i></p> <p>Staff: <i>Environment & Health Manager, Natural Resources Coordinator</i></p>

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FINANCE COMMITTEE	
<i>File No. 107/34</i>	
<i>(Meets four (4) times per year with meetings scheduled for the third Wednesday of September, November, February and May)</i>	
<p><i>The Finance Committee shall have responsibility for providing recommendations to Council on all aspects of financial strategy, policy and performance reviews, including the following:</i></p> <p><i>Review and provide direction on the Draft Management Plan and Budget priorities and works programmes on an annual basis; review Quarterly Financial Reports and make recommendations on identified budget variations and issues; review and make recommendations on Policy Statements of Council that relate to financial matters; review and make recommendations on financial strategy including the Ten Year Financial Plan; review and make recommendations on Council's Revenue Policy including all rates, fees and charges, Section 64 and Section 94 fees; review and make recommendations on Council's borrowing strategy and programme; provide recommendations on other matters relating to policy and strategy decision that affect financial transparency, accountability and sustainability.</i></p> <p><i>The Committee shall serve for the four (4) year tenure of Council.</i></p>	
2008/2009	2009/2010
<p>Councillors: All Councillors with Clr J G Arkwright in the Chair</p> <p>Alternate Chair: Mayor Clr T Gair</p> <p>Staff: (non-voting members) General Manager, Director Corporate Services, Manager Financial Services and other staff as required from time to time</p>	<p>Councillors: All Councillors with Clr J G Arkwright in the Chair</p> <p>Alternate Chair: The Mayor of the Day Clr T D Gair</p> <p>Staff: (non-voting members) General Manager, Director Corporate Services, Manager Financial Services and other staff as required from time to time</p>

GENERAL MANAGER'S PERFORMANCE REVIEW COMMITTEE	
<i>File No. Pers, 800</i>	
<i>To review the General Manager's performance on a six (6) monthly basis and to report back and provide advice to Council following the review (if required).</i>	
2008/2009	2009/2010
<p>Councillors: Mayor of the Day (Clr D Gair); Deputy Mayor of the Day (Clr K Halstead); Clr L A C Whipper; Clr J G Arkwright; Clr J Mauger</p>	<p>Councillors: Mayor of the Day (Clr T D Gair); Deputy Mayor of the Day (Clr G McLaughlin); Clr P B Tuddenham; Clr J G Arkwright; Clr J Mauger</p> <p>Alter Delegate: Clr K Halstead</p> <p>Note: Council to revolve the Councillor positions each year</p>

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INTERNAL AUDIT COMMITTEE	
<i>File No. 107/34</i>	
(Meets at least four (4) times per year with one of these meetings to include review and endorsement of the annual audited financial reports and external audit opinion)	
<p><i>To provide independent assurance and assistance to Council on risk management, control, governance, and external accountability responsibilities.</i></p> <p><i>Within the scope of its role and responsibilities, to:</i></p> <p><i>obtain any information it needs from any employee or external party (subject to their legal obligations to protect information); discuss any matters with the external auditor or other external parties (subject to confidentiality considerations); request the attendance of any employee or councillor at Committee meetings; obtain external legal or other professional advice considered necessary to meet its responsibilities.</i></p>	
2008/2009	2009/2010
<p>Councillors: Mayor Clr T D Gair; Clr J Arkwright (Chair – initially for 12 month period expiring in September 2010), Clr P R Tuddenham and Clr D Stranger</p> <p>Community Reps: Janet Edwards, Noel Crellin, OAM, FCA and Lyle Briggs (appointed for the term of Council)</p> <p>Staff: (non voting) General Manager, Director Corporate Services and Manager Financial Services</p>	<p>Councillors: Mayor of the Day Clr T D Gair and three (3) other Councillors including Clr J Arkwright (Chair – initially for 12 month period expiring in September 2010) Clr P B Tuddenham and Clr D Stranger</p> <p>Community Reps: Janet Edwards, Noel Crellin, OAM, FCA and Lyle Briggs (appointed for the term of Council)</p> <p>Staff: (non voting) General Manager, Director Corporate Services and Manager Financial Services</p>

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SUB-COMMITTEES FOR 2009/2010 TERM

SUB-COMMITTEE TO DEAL WITH URGENT MATTERS RELATING TO COUNCIL'S CLAIMS AGAINST LEHMAN BROTHERS AUSTRALIA LIMITED <i>File No. 2104</i>	
2008/2009	2009/2010
<p>Councillors: Mayor Clr T D Gair and Chair of the Finance Committee and Internal Audit Committee Clr J G Arkwright</p> <p>Staff: General Manager</p>	<p>Councillors: Mayor of the Day Clr T D Gair and Chair of the Finance Committee and Internal Audit Committee Clr J G Arkwright</p> <p>Staff: General Manager</p>

SUSTAINABILITY SUB-COMMITTEE <i>File No. 107/25</i> <i>(Meets bi-monthly (alternate to the Environment and Sustainability Committee) with meetings to be held from 10.30am to 12.00pm</i>	
<i>To advise the Environment and Sustainability Committee on projects that support sustainability; measure, monitor and improve the sustainability of Council and the community; encourage energy adaptation and a transition to a lower energy future and engage with the community on Sustainability issues.</i>	
2008/2009	2009/2010
<p>Councillors: Clr J Clark (Chair)</p> <p>Community Reps: Jan Hainke, Jane Lemann and Maree Byrne</p> <p>Staff: Environment & Health Manager, Natural Resources Co-ordinator and Manager Resource Recovery Centre</p>	<p>Councillors: Clr J R Clark (Chair)</p> <p>Community Reps: Jan Hainke, Jane Lemann and Maree Byrne</p> <p>Staff: Environment & Health Manager, Natural Resources Co-ordinator and Manager Resource Recovery Centre</p>

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ADVISORY COMMITTEES FOR 2009/2010 TERM

COMMUNITY SERVICES ADVISORY COMMITTEE <i>File No. 1800/17</i> (Meets as required or by the Councillor Chair of the Committee)	
<i>To advise Council and the community on social issues. To act as an avenue for communication between the community, residents, community service providers and Council regarding community needs, issues and services; to provide advice to Council and other community representatives as required on matters concerning social or community issues within the Shire including the review of council and government policies which affect the Shire's social planning responsibilities</i>	
2008/2009	2009/2010
<p>Councillors: Clr J R Clark (Chair), Clr G McLaughlin (Alternate Chair) and Clr J Mauger</p> <p>Reps: Members of the Highlands Community Centre (Nikkie McAdoo and Michelle Coates); Representative of Argyle Housing (Lesley Oatley); Service provider representative for each of the following target groups: Children, Youth, Families, Elderly people, People with a Disability, Aboriginal; Independent community members Noel Andrews, Travis Holland, Frank Sotheran and Jenny MacLennan); Representative from each of the following Working Groups: Access, Seniors, Youth and Aboriginal; Anglicare Representative Matt Harden, Wingecarribee Family Support Services Representative Donna Crawford, Access Committee Representative, Bruce Mumford and Member organization Volunteering Wingecarribee</p> <p>Staff: Strategic Planning Manager and Social Planner</p>	<p>Councillors: Clr J R Clark (Chair), Clr G McLaughlin (Alternate Chair) and Clr J Mauger</p> <p>Reps: Members of the Highlands Community Centre (Susan Sainsbury and Michelle Coates); Representative of Argyle Housing (Lesley Oatley); Service provider representative for each of the following target groups: Children, Youth, Families, Elderly people, People with a Disability, Aboriginal; Independent community members Noel Andrews and Frank Sotheran; Representative from each of the following Working Groups: Access, Seniors, Youth and Aboriginal; Anglicare Representative Matt Harden, Wingecarribee Family Support Services Representative Donna Crawford, Access Committee Representative, Bruce Mumford and Member organization Volunteering Wingecarribee Jacqui Page</p> <p>Staff: Strategic Planning Manager and Social Planner</p>

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RESOURCE RECOVERY CENTRE ADVISORY COMMITTEE	
<i>File No. 7500/19</i>	
<i>(Meets at least four (4) times per year, at such times as the Advisory Board may determine)</i>	
<p><i>view and monitor the strategic direction set for the RRC and provide advice to Council and Senior Management on the overall direction and strategies implemented to achieve the agreed objectives, noting the following corporate objectives endorsed by Council:</i></p> <p><i>Maintain and enhance community wealth; provide a continuing business opportunity for Stakeholders; ensure all risks are directly managed by those directly involved and provide a facility for Community Engagement and to provide feedback and advice on strategies devised by Management to achieve the objectives set by Council.</i></p>	
2008/2009	2009/2010
<p>Councillors: Mayor Clr T D Gair (Chair), Clr J R Clark, Clr G McLaughlin, Clr J Mauger and Clr P B Tuddenham</p> <p>Community Reps: External Applicants as follows: Commercial Waste/Financial Background; Environmental Background; Strategic Planning/Finance Background</p> <p>Staff: General Manager or delegate; Director Infrastructure Services or delegate; Director Corporate Services or delegate; Manager Resource Recovery or delegate</p>	<p>Councillors: Mayor Clr T D Gair (Chair), Clr J R Clark, Clr G McLaughlin, Clr J Mauger and Clr P B Tuddenham</p> <p>Community Reps: (1) Carl Peterson (2) Geoff Byrne (3) Peter Reynolds</p> <p>Staff: General Manager or delegate; Director Infrastructure Services or delegate; Director Corporate Services or delegate; Manager Resource Recovery or delegate</p>

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SOUTHERN REGIONAL LIVESTOCK EXCHANGE STRATEGIC ADVISORY BOARD File No. 7170/01 (Meets as Required)	
<i>To provide guidance to Management on objectives and strategies, policy and performance monitoring</i>	
2008/2009	2009/2010
Clrs: Mayor Clr T D Gair (Chair), Clr J Mauger (Alternate Chair) and Clr D Stranger	Councillors: Mayor Clr T D Gair (Chair), Clr J Mauger (Alternate Chair) and Clr D Stranger
Com Reps: Geoffrey James, Peter Bray and Anthony Guinness	Com Reps: Geoffrey James, Peter Bray and Anthony Guinness

TRAFFIC COMMITTEE File No. 107/6 (Meets approximately every 6 weeks)	
<i>Provide technical recommendations to Council on traffic matters in the Shire. Established by mutual agreement between Government Departments to enable Councils to meet their responsibilities to the RTA as part of powers delegated to Councils by the RTA; to advise on road safety and traffic management related matters. Provides technical recommendations to Council on traffic matters in the Shire (local Traffic Committees are an advisory body only, having no decision making powers)</i>	
2008/2009	2009/2010
Councillors: Clr P B Tuddenham (Chair)	Councillors: Clr P B Tuddenham (Chair)
Alt Delegates: Clr K Halstead and Clr J Mauger (no voting rights)	Alt Delegates: Clr K Halstead and Clr J Mauger (no voting rights)
Reps: Roads & Traffic Authority; Police Service: Local Member of State Parliament (or nominee)	Reps: Roads & Traffic Authority; Police Service: Local Member of State Parliament (or nominee)
Staff: Traffic Engineer (no voting rights)	Staff: Traffic Engineer (no voting rights)

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WATER & SEWERAGE ADVISORY COMMITTEE <i>File No. 7799/2</i> <i>(Meets every three months at the Civic Centre, Moss Vale)</i>	
<i>To discuss water supply and sewerage schemes with Department of Commerce, Department of Energy, Utilities & Sustainability and Sydney Catchment Authority</i>	
2008/2009	2009/2010
<p>Councillors: <i>Clr J Mauger (Chair), Clr P B Tuddenham (Alternate Chair), Mayor Clr T D Gair, Clr K Halstead</i></p> <p>Alt Delegate: <i>Clr G McLaughlin</i></p> <p>Reps: <i>Department of Commerce, Sydney Catchment Authority, Department of Environment & Climate Change, Department of Water & Energy,</i></p> <p>Staff: <i>General Manager, Director Infrastructure Services, Sewerage Project Co-Ordinator, Financial Services Manager and Water & Sewer Manager</i></p>	<p>Councillors: <i>Clr J Mauger (Chair), Clr P B Tuddenham (Alternate Chair), Mayor Clr T D Gair and Clr K Halstead</i></p> <p>Alt Delegate: <i>Clr G McLaughlin</i></p> <p>Reps: <i>Department of Commerce, Sydney Catchment Authority, Department of Environment & Climate Change, Department of Water & Energy</i></p> <p>Staff: <i>General Manager, Director Infrastructure Services, Sewerage Project Co-Ordinator, Financial Services Manager and Water & Sewer Manager</i></p>

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WINGECARRIBEE ABORIGINAL ADVISORY COMMITTEE	
<i>File No. 1826/4</i>	
<i>(Meets 4 times per year as well as whenever required to do so by Council or by the Councillor Chair of the Committee)</i>	
<p><i>Role: Assist in the planning for the annual NAIDOC week celebrations; Assist in the preparation and monitoring of Council's Policies as they relate to residents who are Aboriginal or Torres Strait Islander; Provide advice on matters referred to the Committee by Council; Participate in other Working Groups as required</i></p> <p><i>Objectives: To act as an avenue for communication between the Shire's Aboriginal and Torres Strait Islander residents, the wider community, service providers and Council regarding the concerns, issues and culturally appropriate services which the Aboriginal and Torres Strait Islander Community of Wingecarribee Shire require; to provide advice to Council as required on matters concerning the Aboriginal and Torres Strait Islander community including the preparation and review of Council and government policies and cultural protocols which affect the Shire's Aboriginal and Torres Strait Islander community</i></p>	
2008/2009	2009/2010
<p>Councillors: <i>Clr L A C Whipper and Clr J Mauger</i></p> <p>Alternate Chair: <i>As agreed</i></p> <p>Reps: <i>representative of each Local Aboriginal Community Association being Mirri Mirri Bunderra Aboriginal Corporation and Yamanda, David Hough (Traditional Owner), Wendy Lotter, Velma Mulcahy and Eileen (Annie) Warren; representative from Department of Health, representative of Department of Aboriginal Affairs, representative of the Queanbeyan Indigenous Co-ordination Centre, other service providers (as required)</i></p>	<p>Councillors: <i>Clr L A C Whipper and Clr J Mauger</i></p> <p>Alternate Chair: <i>As agreed</i></p> <p>Reps: <i>representative of each Local Aboriginal Community Association being Mirri Mirri Bunderra Aboriginal Corporation, Yamanda and Kula N Gadu, David Hough (Gundungurra Traditional Owner), Vacant (Dharawal Traditional Owner), Velma Mulcahy and Eileen (Annie) Warren and representatives from Department of Health, Department of Aboriginal Affairs, the Queanbeyan Indigenous Co-ordination Centre, other service providers (as required)</i></p> <p>Staff: <i>Aboriginal Liaison Officer</i></p>

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WINGECARRIBEE SHIRE YOUTH COUNCIL <i>File No. 107/12</i> (Meets as required or by the Councillor Chair of the Committee)	
<i>Assist in the planning for Youth week celebrations and other events throughout the year; Assist in the preparation and monitoring of Council's Policies associated with the Shire's Youth; Provide advice on matters referred to the Committee by Council; Participate in other Working Groups as required</i>	
2008/2009	2009/2010
<p>Councillors: <i>Clr L A C Whipper (Chair)</i></p> <p>Alternate Delegate: <i>Clr P B Tuddenham</i></p> <p>Reps: <i>(up to 24) Travis Holland; Meghan Barrell, Danielle Curley, Michael Nielsen and Katrina Muggleton (Bowral High); Demi Fleeton (Chevalier College); Jessica Pitt; Natalie Gray; Katelyn Savage and Jack Greening (Wollondilly Anglican)</i></p> <p>Staff: <i>WSC Youth Liaison Officer</i></p>	<p>Councillors: <i>(1) Clr L A C Whipper (Chair)</i></p> <p>Alternate Delegate: <i>Clr P B Tuddenham</i></p> <p>Reps: <i>(up to 24) Community members representing youth in the Shire (Travis Holland; Meghan Barrell, Danielle Curley, Michael Nielsen and Katrina Muggleton (Bowral High); Jessica Pitt and Jack Greening (Wollondilly Anglican)</i></p> <p>Staff: <i>Youth Liaison Officer</i></p>

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WORKING GROUPS FOR 2009/2010 TERM

ARTS AND CULTURE BOARD WORKING GROUP	
<i>File No. 1660/1</i>	
<i>(Meets 4 times per year as well as whenever required to do so by Council or the Chairperson)</i>	
<i>To act as an avenue for communication between the community, residents, community associations and Council regarding arts and cultural development needs, issues and activities within the community; to provide advice to Council as required on matters concerning arts and cultural activities and community cultural development within the Shire including the review of Council and government policies which affect the Shire's arts and cultural resources and facilities and applications for Community Assistance Scheme</i>	
2008/2009	2009/2010
<p>Councillors: <i>Clr J G Arkwright (Chair) and Clr G McLaughlin</i></p> <p>Reps: <i>Representative from Southern Tablelands Regional Arts (STARTS) – Elizabeth Brown; Community representatives from Arts and Cultural Associations - Ken Challenor, Harlan Hall, Michelle Lindau, Josina Metcalfe and Richard Ruhfus</i></p> <p>Staff: <i>Community & Cultural Development Officer</i></p>	<p>Councillors: <i>Clr J G Arkwright (Chair) and Clr G McLaughlin</i></p> <p>Reps: <i>Representative from Southern Tablelands Regional Arts (STARTS) – Elizabeth Brown; Community representatives from Arts and Cultural Associations – Ken Challenor, Harlan Hall, Michelle Lindau, Josina Metcalfe and Richard Ruhfus</i></p> <p>Staff: <i>Community & Cultural Development Officer</i></p>

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BICYCLE WORKING GROUP	
<i>File No. 7830/2</i>	
<i>(Meets 4 times per year or whenever required to do so by Council or the Chairperson)</i>	
<i>To provide a conduit for communication between the cycling community and Council regarding cyclist needs, issues and services and to provide advice to Council on matters concerning cyclists including the provision and maintenance of facilities.</i>	
2008/2009	2009/2010
<p>Councillors: <i>Clr J G Arkwright (Chair) and Clr J Clark</i></p> <p>Reps: <i>Huw Kingston, Wild Horizons; Greg Searle, Southern Highlands Bicycle Users Group; Richard Jefford, John Scott or Peter Tomlinson, Southern Highlands Cycle Club; Phil Herd, Ben Mikic Foundation for Young Cyclists; Dr David Browning, Climate Action Now! Wingecarribee (CANWin)</i></p> <p>Staff: <i>Road Safety Officer</i></p>	<p>Councillors: <i>Clr J G Arkwright (Chair) and Clr J R Clark</i></p> <p>Reps: <i>Huw Kingston, Wild Horizons; Greg Searle, Southern Highlands Bicycle Users Group; Richard Jefford, John Scott or Peter Tomlinson, Southern Highlands Cycle Club; Phil Herd, Ben Mikic Foundation for Young Cyclists; Dr David Browning, Climate Action Now! Wingecarribee (CANWin)</i></p> <p>Staff: <i>Road Safety Officer</i></p>

COMMUNITY GRANTS (ASSISTANCE) WORKING GROUP	
<i>File Nos. 107/5, 1870</i>	
<i>(Meets twice (once before Scheme opens in January and once to consider recommendations from Working Groups) or by the Councillor Chair of the Committee)</i>	
<i>To evaluate applications received by Council for Community Assistance Grants and make recommendations to Council on funding; to receive recommendations from other Council Working Groups/Committees for allocation of grants and donations</i>	
2008/2009	2009/2010
<p>Councillors: <i>Mayor Clr T D Gair, Clr J G Arkwright (as Chair of Arts & Culture Board), Clr J R Clark (as Chair of Community Services Advisory Committee) and Clr P B Tuddenham (as Chair of the Wingecarribee Sport & Recreation Working Group)</i></p> <p>Alternate Delegate: <i>Clr J Mauger</i></p> <p>Staff: <i>Community & Cultural Development Officer</i></p>	<p>Councillors: <i>Mayor Clr T D Gair, Clr J G Arkwright (as Chair of Arts & Culture Board), Clr J R Clark (as Chair of Community Services Advisory Committee) and Clr P B Tuddenham (as Chair of the Wingecarribee Sport & Recreation Working Group)</i></p> <p>Alternate Delegate: <i>Clr J Mauger</i></p> <p>Staff: <i>Community & Cultural Development Officer</i></p>

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COMPANION ANIMALS WORKING GROUP <i>File No. 5500/4.4</i> (Meets as required by the Councillor/Chair of the Working Group)	
<p><i>Legislation for Council to comply with the Companion Animals Act and to advise Council on policy for the care, protection and welfare of companion animals.</i></p> <p><i>To provide timely and relevant advice for the management of Companion Animal issues within the Shire, and to advise where appropriate, for the effective and efficient management of the Wingecarribee Animal Shelter</i></p> <p><i>Meet per Council determination to discuss specific matters (as determined by Council) relating to companion animal management as they arise, and to provide advice as to the effective and efficient resolution of these issues</i></p> <p><i>Inspections of the Animal Shelter be conducted twice per year</i></p>	
2008/2009	2009/2010
<p>Councillors: <i>Clrs L A C Whipper and Clr D Stranger</i></p> <p>Reps: <i>Megan Kain, Tania Skinner, Diana Fenton, Keith Edwards, Trevor Fenton, Grant Poolman, Candy Raymond, Michael Fenton-Jones and Sarah Hennessy</i></p> <p>Staff: <i>Head ranger and staff as required (non voting)</i></p>	<p>Councillors: <i>Clr L A C Whipper and Clr D Stranger</i></p> <p>Reps: <i>Megan Kain, Tania Skinner, Diana Fenton, Keith Edwards, Trevor Fenton, Grant Poolman, Candy Raymond, Michael Fenton-Jones and Sarah Hennessy</i></p> <p>Staff: <i>Manager Environment & Health, Head ranger and staff as required (non voting)</i></p>

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HERITAGE ADVISORY WORKING GROUP	
<i>File No. 107/16</i>	
<i>(Meets as required by the Councillor/Chair of the Working Group)</i>	
<i>Assist in the planning for the annual heritage week celebrations; assist in the judging of the biannual heritage awards; assist in the preparation and monitoring of heritage policies; contribute to the review of Heritage Listings as required; may be tasked by the Director Environment & Planning to comment on development applications which involve significant heritage issues</i>	
2008/2009	2009/2010
Councillors: <i>Clrs J R Clark (Chair), Clr J G Arkwright and Clr G McLaughlin</i>	Councillors: <i>Clr J R Clark (Chair), Clr J G Arkwright and Clr G McLaughlin</i>
Reps: <i>The Berrima District Historical & Family History Society (Linda Emery); National Trust of Australia (NSW) Berrima District Branch (Eric Savage)</i>	Reps: <i>The Berrima District Historical & Family History Society (Linda Emery); National Trust of Australia (NSW) Berrima District Branch (Eric Savage)</i>
Community Representatives <i>(Terry Brooks, Dennis Brown OAM and Charlotte Webb)</i>	Community Representatives <i>(Terry Brooks and Charlotte Webb)</i>
Staff: <i>Strategic Planning Manager</i>	Staff: <i>Strategic Planning Manager</i>

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MOSS VALE MASTER PLAN WORKING GROUP <i>File No. 1603/28</i> (Meets quarterly or as required by the Councillor/Chair of the Working Group)	
<i>Community based committee with Council input to advise and assist Council on matters relating to planning for town improvements and preparation of a master plan for the town centre; assist with a program of works and consult on major developments; to overview the sesquicentenary (150 year) celebration event for Moss Vale in 2010</i>	
2008/2009	2009/2010
<p>Councillors: Mayor Clr T D Gair and Clr D Stranger</p> <p>Reps: Moss Vale Chamber of Commerce (Martin Blencowe, Bob Murray); Moss Vale Rotary:(Peter Harmon, Denis Cribbin)</p> <p>Community Representatives: (Kathy Barnsley, David Luckie, Steve Newton, Bob Conyers, Graham Smith)</p> <p>Staff: Director Environment & Planning (no voting rights)</p>	<p>Councillors: Mayor Clr T D Gair and Clr D Stranger</p> <p>Reps: Moss Vale Chamber of Commerce – (Michael Craig, Gwenda Webb); Moss Vale Rotary (Peter Hammon, Denis Cribbin)</p> <p>Community Representatives: Kathy Barnsley, David Luckie, Steve Newton, Bob Conyers, Graham Smith</p> <p>Staff: Director Environment & Planning (no voting rights)</p>

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SENIORS WORKING GROUP	
<i>File No. 1860</i>	
<i>(Meets 4 times per year as well as whenever required to do so by Council or by the Councillor Chair of the Committee)</i>	
<i>To act as avenue for communication between the Shire's senior citizens, aged related service providers and Council regarding the needs, issues, services and events; To provide advice to Council and other community representatives as required on matters concerning issues relevant to senior citizens within the Shire including the review of Council and government policies which affect the Shire's planning responsibilities and provision for services for seniors</i>	
2008/2009	2009/2010
<p>Councillors: Clr J Mauger (Chair) and Clr G McLaughlin</p> <p>Alternate Delegate: Mayor Clr T D Gair</p> <p>Reps: Alistair MacLennan (Bowral Probus Club, Access Working Group and Transport Forum); Zelda Williams (Red Cross); Kate Partington (Community Health); Bill Bransom (Moss Vale Combined Probus); Marie Hodgson (Wingecarribee Probus Club); TBA (Uniting Church); Ron Schofield (Nattai Probus Club); Joan Compagnoni (Robertson Senior Citizens); TBA (Warrigal Care/Linkside Nursing Home); Paul Broekhuizen (Probus Southern Highlands/Neighbour Aid/Men's Shed/Community Transport); TBA (Henley Brae)</p> <p>Staff: Disability Aged Worker</p>	<p>Councillors: Clr J Mauger (Chair) and Clr G McLaughlin</p> <p>Alternate Delegate: Mayor Clr T D Gair</p> <p>Reps: Zelda Williams (Red Cross); TBA (Community Health); TBA (Moss Vale Combined Probus); Marie Hodgson (Wingecarribee Probus Club); Ron Schofield (Nattai Probus Club); Joan Compagnoni (Robertson Senior Citizens); TBA (Warrigal Care/Linkside Nursing Home); Paul Broekhuizen (Probus Southern Highlands/Neighbour Aid/Men's Shed/Community Transport); TBA (Henley Brae); Robyn Smith (SH Older Women's Network)</p> <p>Staff: Community Worker Aged & Disability</p>

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TOURISM / ECONOMIC DEVELOPMENT WORKING GROUP	
<i>File No. 1901/4</i>	
<i>(Meets a minimum of 4 times per year or by the Councillor Chair of the Committee)</i>	
<i>To advance the sustainable development of Wingecarribee by: Fostering development of an internal business culture in the Shire which in turn creates investment and growth, encourages enterprise, innovation and excellence; supporting local business growth, investment and entrepreneurship; facilitating new investment both domestic and foreign; providing leadership within Council and the community on tourism, business and economic development issues; increasing the capacity of individuals, enterprises and communities to contribute to the Wingecarribee economy</i>	
2008/2009	2009/2010
<p>Councillors: <i>Clr P B Tuddenham (Chair), Clr J G Arkwright and Clr G McLaughlin</i></p> <p>Alternate Delegate: <i>Clr D Stranger</i></p> <p>Reps: <i>Tourism (Huw Kingston and Paul Rubie), Manufacturing (Alan Spence), Local business (Terry Oakes-Ash)</i></p> <p>Advisors: <i>Mr John Rapp and Mr Richard Colley</i></p> <p>Staff: <i>General Manager, Economic Development Officer, Executive Manager Tourism</i></p>	<p>Councillors: <i>Clr P B Tuddenham (Chair), Clr J G Arkwright and Clr G McLaughlin</i></p> <p>Alternate Delegate: <i>Clr D Stranger</i></p> <p>Reps: <i>Tourism (Huw Kingston and Paul Rubie), Manufacturing (Alan Spence), Local business (Terry Oakes-Ash)</i></p> <p>Advisors: <i>Mr John Rapp</i></p> <p>Staff: <i>General Manager, Economic Development Officer, Executive Manager Tourism</i></p>

TULIP TIME WORKING GROUP	
<i>File No. 1671/8</i>	
<i>(Meets as required or by the Councillor Chair of the Committee)</i>	
<i>To promote a successful Tulip Time Festival that engages the community and showcases our region</i>	
2008/2009	2009/2010
<p>Councillors: <i>Clr K Halstead (Chair) and Clr G McLaughlin</i></p> <p>Reps: <i>Carl Berglin, Denise Layton, Patricia Crimmins, Peter Fleming, Tony Glenn and Terry Oakes-Ash</i></p> <p>Staff: <i>Executive Manager Tourism</i></p>	<p>Councillors: <i>Clr G McLaughlin (Chair) and Clr P B Tuddenham</i></p> <p>Reps: <i>Carl Berglin, Denise Layton, Patricia Crimmins, Peter Fleming, Tony Glenn and Terry Oakes-Ash</i></p> <p>Staff: <i>Executive Manager Tourism</i></p>

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WHITES CREEK FLOODPLAIN RISK MANAGEMENT WORKING GROUP	
<i>File No. 1671/8 (Meets as required)</i>	
<i>To undertake a flood study as the first step in the Floodplain Management Process, which will define the extent of the flood problem along Whites Creek</i>	
2008/2009	2009/2010
<p>Councillors: <i>Clr P B Tuddenham and Clr J Mauger</i></p> <p>Reps: <i>Dept. of Natural Resources (R Upreti); SES Wingecarribee Unit (L Ritchie); Moss Vale Landcare Group (K Pogson); Moss Vale Golf Club (M Eagles)</i></p> <p>Staff: <i>Director Infrastructure Services; Design & Projects Manager; Design & Construction Engineer</i></p>	<p>Councillors: <i>Clr P B Tuddenham and Clr J Mauger</i></p> <p>Reps: <i>Dept. of Natural Resources (R Upreti); SES Wingecarribee Unit (L Ritchie); Moss Vale Landcare Group (K Pogson); Moss Vale Golf Club (M Eagles)</i></p> <p>Staff: <i>Director Infrastructure Services; Design & Projects Manager; Design & Construction Engineer</i></p>

WINGECARRIBEE SPORT & RECREATION WORKING GROUP	
<i>File No. 107/30 (Meets as required by the Councillor Chair of the Committee)</i>	
<i>To provide a point of contact for sporting clubs, associations and users to have an input into the direction and strategies Council pursues for the use of sporting facilities</i>	
2009/2010	2009/2010
<p>Councillors: <i>Clr P B Tuddenham (Chair), Mayor Clr T D Gair, Clr J Mauger and Clr D Stranger</i></p> <p>Reps: <i>Grahame Andrews, Ian Campbell, Gordon Munro, Lisaanthea Taylor and Terry Loader</i></p> <p>Keith Williams as Alternate Delegate</p> <p>Staff: <i>Parks and Property Manager</i></p>	<p>Councillors: <i>Clr P B Tuddenham (Chair), Clr J Mauger, Clr D Stranger</i></p> <p>Reps: <i>Grahame Andrews, Ian Campbell, Gordon Munro, Lisaanthea Taylor and Terry Loader</i></p> <p>Keith Williams as Alternate Delegate</p> <p>Staff: <i>Parks and Property Manager</i></p>

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SUNSET WORKING GROUPS FOR 2009/2010 TERM

<i>LEP STEERING COMMITTEE SUNSET WORKING GROUP</i>	
<i>File No. 5900/1 (Meet Monthly)</i>	
<i>To steer the progress of the Local Environment Plan (LEP) over the next two (2) years from the current position through to gazettal; to take an active role in the various phases of consultation with community and government; be the primary forum for presentations from individuals or groups in relation to particular sites or planning issues</i>	
2008/2009	2009/2010
<p><i>Councillors: Mayor Clr T D Gair (Chair), Deputy Mayor Clr K Halstead, Clr J G Arkwright, Clr J R Clark, Clr G McLaughlin, Clr J Mauger, Clr D Stranger, Clr P B Tuddenham and Clr L A C Whipper</i></p> <p><i>Staff: Director Environment & Planning, Strategic Planning Manager</i></p>	<p><i>Councillors: The Mayor of the Day Clr T D Gair (Chair), Deputy Mayor Clr K Halstead, Clr J G Arkwright, Clr J R Clark, Clr G McLaughlin, Clr J Mauger, Clr D Stranger, Clr P B Tuddenham and Clr L A C Whipper</i></p> <p><i>Staff: Director Environment & Planning, Strategic Planning Manager</i></p>

PASSED

The Mayor suspended the meeting at 3.59 pm and resumed at 4.10 pm.



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 23 September 2009

OPEN COUNCIL

OPEN COUNCIL

MN 413/09

107/10

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

THAT Council moves into Open Council to discuss various matters listed in the Agenda with Clr Ken Halstead in the Chair.

PASSED



OPEN COUNCIL

ENVIRONMENT & PLANNING DIVISION

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

REF: DBSM

5302

Submitting list of development consents executed under delegated authority of the Director of Environment and Planning between 31 August 2009 and 16 September 2009.

OC 129/09

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

THAT the information relating to Development Consent Nos. 1 – 9 (Table 1) and 1 Refused (Table 2) under Delegated Authority be received and noted.

PASSED

Matters Arising from Development Applications Determined by Way of Approval Under Delegated Authority

1. ITEM 4 – CONSOLIDATION OF LOTS, DEMOLITION OF EXISTING DWELLING AND OUTBUILDING AND ERECTDIN OF A WAREHOUSE, 7 SHERWOOD AVENUE, BOWRAL LUA08/0496

Clr G McLaughlin referred to Item No 4 and noted that Council had inspected this development and asked about the outcome of the two (2) trees that had been identified for consideration.

The Acting General Manager advised that he will provide further information in the Weekly Circular.

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2. ITEM 9 – 4 LOT SUBDIVISION, OLD HUME HIGHWAY, MITTAGONG LUA09/0535

Clr G McLaughlin asked about Item 9 – 4 Lot subdivision in Mittagong and asked where this subdivision was and noted that there were “7 more” and asked if that is 7 more lots to come.

The Acting General Manager advised that he will provide further information, including a location map, in the Weekly Circular.



o-EP2 List of Land Use Applications Received by Council

REF: DBSM

5302

Submitting list of development applications which have been received between 31 August 2009 and 16 September 2009, some of which will be dealt with under delegated authority of the Director of Environment & Planning.

OC 130/09

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

THAT the information regarding the List of Land Use Applications Nos. 1-8 received by Council, be received and noted.

PASSED

Matters Arising from Development Applications Received by Council

1. ITEM 1 - ADDITIONS TO EXISTING GUEST RESIDENCE, "COMFORT HILL" HUME HIGHWAY, SUTTON FOREST AND COMFORT HILL WILD LIFE REFUGE
LUA09/0796
ITEM 3 – 2 LOT STRATA SUBDIVISION, THE BELL GALLERY, 10 JELLORE STREET, BERRIMA
LUA09/0775

Clr J R Clark asked about Items 1 and 3 which involve heritage matters and asked for notification of these matters to members of the Heritage Committee.

The Acting General Manager advised that under the protocol in place, they will receive that notification.

2. ITEM 1 - ADDITIONS TO EXISTING GUEST RESIDENCE, "COMFORT HILL" HUME HIGHWAY, SUTTON FOREST AND COMFORT HILL WILD LIFE REFUGE
LUA09/0796

Clr L A C Whipper referred to Item 1 and asked if there are wildlife or environmental issues, and what the matter relates to.

The Director Environment & Planning advised that he will clarify these issues in the Weekly Circular.

o-EP3 S96 Modification: Extension to Bradman Museum (Deferral of Car Parking Construction)

REF: DEP

LUA 09/0130

A s.96 modification application has been received which seeks to defer the construction of a section of car parking (within the Council road reserve in Glebe Street) associated with the proposed extension of the Bradman Museum for a period of twelve months.

The Director Environment & Planning addressed Council on this matter.

OC 131/09

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

1. **THAT the s.96 modification to LUA 09/0130 seeking the deferral of the construction of twenty (20) car spaces in Glebe Street, Bowral until the new facility has been in trading for twelve (12) months be approved and that condition 39(b)(ii) be amended to reflect this AND THAT clarification be sought from the Bradman Museum in relation to the funding for the construction of the new facility and car parking.**
2. **THAT the Mayor and the Acting General Manager meet with the Bradman Foundation to confirm with them that they are seeking additional funding from the Federal Government to fund the budget shortfall..**

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	X	
Clr J Mauger	X	
Clr D Stranger	X	
Clr P B Tuddenham	X	
Clr L A C Whipper	X	



o-EP4 Robertson Inn – New Shops and Alterations

REF: DEP

LUA07/0958

Reporting on application for boundary adjustment, demolition of part of the existing structure and erection of eight (8) new shops (two with residential flats on first floor) at the Robertson Inn, Lot 2, DP 758882 & Lots 10 and 11 DP 546726 Hoddle Street, Robertson.

OC 132/09

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

THAT LUA07/0958 for boundary adjustment, demolition of part of the existing structure and erection of eight (8) new shops (two with residential flats on first floor) at the Robertson Inn, Lot 2, DP 758882 & Lots 10 and 11 DP 546726 Hoddle Street, Robertson, be approved subject to the following:

- (i) 1m increased setback for Shops 1 and 2.**
- (ii) Retention of current proposed roof pitches.**
- (iii) Roofs and roof drainage to be Colorbond.**
- (iv) Applicant to provide detailed landscape plan.**
- (v) Applicant to provide detailed external colour scheme.**
- (vi) Footings within the drip zone of the liquid amber to the rear of Shops 1 and 2 be designed and constructed subject to recommendations of an arborist to minimise the potential impact on the root zone of the tree.**

AMENDMENT moved by Clr Whipper and seconded by Clr J R Clark:

THAT the amended plans for LUA07/0958 for boundary adjustment, demolition of part of the existing structure and erection of eight (8) new shops (two with residential flats on first floor) at the Robertson Inn, Lot 2, DP 758882 & Lots 10 and 11 DP 546726 Hoddle Street, Robertson, be exhibited to inform and invite comment from the community of Robertson **AND** **THAT** submissions come back to Council for consideration prior to the issue of the development consent.

LOST

MOTION PASSED

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MINUTES OF THE ORDINARY MEETING OF COUNCIL
held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 23 September 2009
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	x	
Clr J Mauger		x
Clr D Stranger	x	
Clr P B Tuddenham	x	
Clr L A C Whipper		x



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 23 September 2009

REPORT OF DIRECTOR ENVIRONMENT & PLANNING

o-EP5 Proposed Aboriginal Protocol for Acknowledgement of Aboriginal Country

REF: SPM

1826/4

The purpose of this report is submit for Council adoption a protocol for performing Acknowledgement Of Aboriginal Country at Council run Meetings, Functions and Events.

OC 133/09

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

THAT Council adopt the following Acknowledgement of Council Protocol to be performed before each Ordinary meeting of Council and at Official Council Functions and Events:

'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'

PASSED



o-EP6 Offer of Donation to Bert Flugelman Public Sculpture Fund
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REF: DEP

1650/21

Reporting on the offer of a donation of \$15,000 from Peter and Helen Tyree to the Bert Flugelman public sculpture fund and submitting a recommendation that Council determine whether to accept the offer.

OC 134/09

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

1. **THAT Council note that Mr and Mrs Tyree have withdrawn their offer of a donation of \$15,000 to the Bert Flugelman Public Sculpture Fund at this point in time.**
2. **THAT Council support the establishment of an Independent Southern Highlands Community Arts Board (SHCAB) (working title).**
3. **THAT an information session be held for Councillors to discuss the matter prior to a report being brought back to Council outlining the terms for the establishment of the SHCAB.**
4. **THAT a letter be sent to Mr and Mrs Tyree thanking them for their kind gesture in wishing to be part of the project and encouraging them to reconsider their offer once the establishment of the Board is in place.**

PASSED



o-EP7 Disposing of Abandoned Vehicles

REF: EHM

5509/2

This report is presented in response to a question raised by Cllr Halstead at the meeting of 9 September 2009. In his reply, the Mayor, Cllr Gair, advised that a report to Council would be prepared regarding current abandoned vehicle procedures.

OC 135/09

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

THAT Council receive and note the information contained in this report.

PASSED



CORPORATE SERVICES DIVISION

o-CS1 Investments as at 31 August 2009

REF: FSM

2104

Submitting details of Council's Investments as at 31 August 2009.

OC 136/09

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

THAT the information on Council's Investments as at 31 August 2009 be received and noted.

PASSED



o-CS2 Pensioner Rate Rebate Write Off and Claim Number 140

REF: FSM

2211/2009

Submitting a report on the details of amounts abandoned for pensioner rates rebates granted on general rates, garbage accounts, water and sewerage accounts from 1 July 2009 to 31 August 2009.

OC 137/09

The Committee on a **MOTION** moved by Cllr G McLaughlin and seconded by Cllr P B Tuddenham **RECOMMENDED:**

1. **THAT Council authorise the abandonment and write off of \$1,065,867.20 for Pensioner Rebates granted from 1 July 2009 to 31 August 2009.**
2. **THAT \$790,337.47 for Claim No 140 be claimed from the State Government prior to 1 October 2009.**

PASSED

o-CS3 Proposed Acquisition of Land for Road Widening Purposes – Range Road Reconstruction at Webb Street Intersection, Mittagong

REF. PO PN1260300; PN1260200

A report outlining the requirement for Council to acquire land for road widening purposes, being part Lot 5 Section 32 DP1338, Part Lot 11 Section 5 DP2133 and Part Lot 20 Section 5 DP2133, at Mittagong.

OC 138/09

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

1. **THAT MMH and J Thompson be advised in writing that Council will proceed with the acquisition of approximately 318 square metres of land being part Lot 20 Section 5 Deposited Plan 2133 for the sum of \$1,500.**
2. **THAT Winifred West Schools Limited or its nominee be advised in writing that Council will proceed with the acquisition of 325 square metres being part Lot 5 Section 32 Deposited Plan 1338 and part Lot 22 Section 5 Deposited Plan 2133 for the sum of \$1,500.**
3. **THAT it be noted that the purpose of the acquisition of land in 1 and 2 above be for the purposes of reconstruction of the Webb Street and Range Road intersection at Mittagong.**
4. **THAT the General Manager be delegated authority to do all things necessary to acquire the area of land set out in 1 and 2 above including having the land surveyed and Plans prepared.**
5. **THAT subject to 1 and 2 above, the General Manager and Mayor be authorised to execute the Deeds of Agreement, Transfer and the Plan of Acquisition under the Common Seal of the Council.**
6. **THAT should the registered proprietors of the land referred to in 1 and 2 above not accept Council's offer for compensation for the acquisition within 28 days of the offer in writing by Council AND THAT the subject properties be acquired by the Compulsory Acquisition Process with compensation as determined by the Valuer General.**

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 23 September 2009

REPORT OF DIRECTOR CORPORATE SERVICES

o-CS4 Moss Vale Community Centre Plaque

REF: MALS

7216

Reporting on request from Mary Pogson (resident of Moss Vale) for the erection of a plaque in the Council Theatre, recognising the Moss Vale War Memorial Community Centre.

OC 139/09

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

THAT an Interpretive Plaque as detailed in the report, depicting the Moss Vale Community Centre, be arranged **AND THAT** a Civic Reception be held to unveil the plaque in the Moss Vale Civic Centre Theatre at an appropriate time.

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 23 September 2009

REPORT OF DIRECTOR CORPORATE SERVICES

o-CS5 Extraordinary Meeting - Interview for General Manager

REF: MALS

100/1, 503/60

Requesting Council to conduct an Extraordinary Meeting to be held on Wednesday, 30 September 2009, commencing at 9.00am at the Civic Centre Moss Vale.

OC 140/09

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

THAT an Extraordinary Meeting of Council be held on Wednesday, 30 September 2009, commencing at 8.30am, in the Civic Centre Moss Vale, to conduct interviews for the position of General Manager AND THAT in accordance with Section 10A(2)(d) of the Local Government Act 1993 interviews be conducted in Closed Council.

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 23 September 2009

REPORT OF DIRECTOR INFRASTRUCTURE SERVICES

INFRASTRUCTURE SERVICES DIVISION

o-IS1	State Floodplain Management Program 2009/10
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REF:	DPM	8100/1, 8100/5; 8100/6; 8100/7; 8100/8, 8100/10
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Reporting on project funding under the Floodplain Risk Management Program for the 2009/2010 financial year.

The Director Infrastructure Services addressed Council on this matter.

OC 141/09

The Committee on a **MOTION** moved by Clr K Halstead and seconded by Clr P B Tuddenham **RECOMMENDED**:

1. **THAT** Council accepts the Acting Ministers notional 2/3 grant funding allocation of \$185,000 from the Floodplain Risk Management Program for 2009/2010 for the following projects with proposed total expenditures of:

Bowral Golf Course Detention Basin (Investigation & Design)	\$34,000
Burradoo Catchment BU2 Floodplain Risk Management Study	\$40,000
Whites Creek Floodplain Risk Management Study	\$50,000
Wingecarribee River Flood Study and Floodplain Risk Management Study	\$41,000
Retford Park Detention Basin Design	\$20,000

2. **THAT** Council allocates \$72,345.75 from Section 94 Drainage Contributions that are not under plans and that the remainder of the matching 1/3 contribution of \$20,154.25 be considered for funding from the 2010/11 Stormwater Drainage Levy.

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 23 September 2009

REPORT OF DIRECTOR INFRASTRUCTURE SERVICES

o-IS2 Additional Parking Options for Moss Vale Railway Underpass Vicinity

REF: DPM

7430, 7460/26

Reporting on options to provide additional parking in Moss Vale in the vicinity of the railway underpass in Moss Vale.

The Director Infrastructure Services addressed Council on this matter.

[It should be noted that the correct spelling is “Whites” Creek and not “Whytes” Creek as detailed in the report].

OC 142/09

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

1. **THAT Council give high priority to improving pedestrian linkages between the Bi-Lo carpark and Argyle Street along the Whites Creek corridor in conjunction with the Whites Creek Floodplain Risk Management Study and Plan.**
2. **THAT Council review parking utilisation in the Moss Vale Town Centre following the completion of the intersection improvements at Argyle Street, Lackey Road and Arthur Street intersections AND THAT following that, consideration be given to providing additional parking in Railway Street.**

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 23 September 2009

REPORT OF DIRECTOR INFRASTRUCTURE SERVICES

o-IS3 Paving of Paths Policy and Objections Received for Robertson Project

REF: DIS

6690, 6690/15, 7810/5

Reporting on objections received regarding Council's Paving of Path policy associated with Stage 1 of the shared path along the Illawarra Highway, Robertson.

Interest: Clr J Mauger declared a pecuniary interest in this matter as he is a director of the Company that owns the adjoining land. He left the chamber, took no part in the debate and refrained from voting thereon.

OC 143/09

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

1. **THAT** Council amends its existing policy with regard to contributions towards Paving of Paths and not require residents to contribute to shared pathways and confirm its existing policy for contributions being required for standard 1.2 m wide footpaths.
2. **THAT** affected residents be advised accordingly.

PASSED

Clr J Mauger returned to the chamber at this juncture.

CHAIRPERSON

At this juncture, the time being 5.30 pm, the Mayor, Clr T D Gair, resumed the Chair to conduct the remainder of Council Business.

QUESTIONS FROM THE PUBLIC

1. COUNCIL'S HERITAGE CONSULTANT

5650/5, 601

Mr Peter Smyth asked the following questions:

- (i) Is it true that Wingecarribee Shire Council had a Heritage Consultant in the past who presided over many matters but was later found to be lacking in suitable qualifications?

The Acting General Manager advised that there was a question raised on the qualifications of a previous Heritage Consultant of Council.

- (ii) If the above is correct, then does that put in jeopardy anything that the consultant presided over if an unsatisfied applicant proceeded legally?

The Acting General Manager advised that Council was acting in good faith at the time those decisions were made so it is a matter for any applicant to take up.

- (iii) If the first question is correct, would it be prudent to create a file on any matters that person presided over to go through it with a fine tooth comb and go back and re-visit the issues?

The Acting General Manager advised that the important issue to note is that the Heritage Consultant provides input into the consideration of matters in conjunction with the Heritage Committee and does not make determinations on matters, so there would be no intention, or requirement, to go back over those matters.



INFRASTRUCTURE SERVICES DIVISION (CONT)

o-IS4	“Bundy on Tap” Launch
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REF:	RTM
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RD05690120, 7420/3

Requesting approval to conduct the “Bundy on Tap” Launch on Railway Avenue, Bundanoon.

MN 414/09

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

THAT approval be granted to the Bundanoon Community Association to conduct the “Bundy on Tap” Launch on Railway Avenue, Bundanoon on 26 September 2009 subject to the satisfactory completion of all requirements of the Guide to Traffic and Transport for Special Events for a Class 2 Event.

PASSED



COUNCIL MATTERS (CONT)

GENERAL MANAGER'S REPORTS (CONT)

c-GM1 Election of Mayor for 2009/2010 Term

REF: AGM 102/4

This matter was considered by Council earlier in the meeting (refer M/N 409/09).

c-GM2 Election of Deputy Mayor for 2009/2010 Term

REF: AGM 102/1, 102/4

This matter was considered by Council earlier in the meeting (refer M/N 411/09).

c-GM3 Election of Delegates and Representatives to Committees, External Committees and Organisations for 2009/2010

REF: MALS 107/1, 107 (cc 102/5)

This matter was considered by Council earlier in the meeting (refer M/N 412/09).

COMMITTEE REPORTS TABLED

c-CR1	Management and Advisory Committee Reports
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REF: WSPC	107/4, 7779/2
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Submitting minutes of one (1) Committee meeting that will be tabled for information.

MN 415/09

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

- THAT the information contained in the Report of the Water & Sewerage Advisory Committee held Friday, 28 August 2009 be noted.***
- THAT all future Minutes of the Water & Sewerage Advisory Committee be forwarded to Council for notation.***

PASSED



COMMITTEE REPORTS ATTACHED

c-CR2	Minutes of the Bicycle Working Group
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REF: RSO	7830/3
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Submitting minutes of the Bicycle Working Group held Friday, 26 June 2009.

MN 416/09

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

THAT the Actions Nos 1 to 10 as detailed in the minutes of the Bicycle Working Group held Friday, 26 June 2009 be noted.

PASSED

GENERAL BUSINESS

1. EAST BOWRAL COMMUNITY CENTRE 7208

Clr K Halstead referred to Item 7 in Weekly Circular issue No 35, as a result of an enquiry he made about the closure or placement of a gate at the end of Matavia Place, and asked if this matter could be included on a Council inspection.

The Mayor Clr T D Gair advised it will be included on the next Council inspection.

2. KFC SIGNAGE AT HIGHLANDS GOLF CLUB PN676500, 6612/3, 5456/2

Clr D Stranger referred to Item 5 in Weekly Circular issue No 36 and asked if this matter could be dealt with at this meeting.

The Mayor Clr T D Gair advised that if the matter was to be discussed, it would have to come up as a matter of urgency. He stated that a report will come back to the next Council Meeting on Wednesday, 14 October 2009 with Councillors' comments and the matter will be open for discussion. He thanked Clr Stranger for raising the matter.

3. BANNERS IN MITTAGONG 7459

Clr P B Tuddenham asked if an update on the banners in Mittagong, including the costs, could be placed in the Weekly Circular.

4. SCOTTISH ARMS TAVERN, EAST BOWRAL 502/74, LUA07/0568

Clr P B Tuddenham advised that he had received a letter from the Proprietor of the Scottish Arms Tavern in East Bowral about broken beer bottles, noting that the Scottish Arms does not serve bottled beer, and asked what responsibility Council is putting on the hirers of community halls to ensure responsible service of alcohol, and also having regard to Council's liability in relation to this issue.

The Acting General Manager advised that this matter is under review and that further details will be provided in the Weekly Circular.



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 23 September 2009

GENERAL BUSINESS

5. LARGE "FOR SALE/LEASE" SIGN OUTSIDE BUNNINGS WAREHOUSE AT BRAEMAR 7415, 7415/2, PN1753660, PN693502

Clr L A C Whipper asked about a very large "For Sale/Lease" sign outside Bunnings and asked about the legality of that sign.

The Mayor Clr T D Gair advised that the size of the sign will be reviewed and if it is breaking the signage code, then Bunnings will be requested to change it to the appropriate size.

6. TREE REMOVAL IN GREARSONS ROAD, BUNDANOON 5454, RD1826

Clr J R Clark asked if Council has received an application for the removal of a large number of trees in Grearsons Road, Bundanoon (to the north of Bamburgh Road). Clr Clark stated that he understood this to be a Southern Highlands Shale Woodland area, and questioned whether the large removal of trees in this area was necessary. He asked for some further information on the matter.

The Acting General Manager advised that this matter will be investigated.

7. TREE REMOVAL IN BRIGADOON DRIVE, BUNDANOON 5454, RD1870

Clr J R Clark referred to tree removal in a subdivision at Brigadoon Drive and enquired whether the S88 restriction on that subdivision provided any protection for trees, and noted that residents are referring to legal action on the matter.

The Acting General Manager advised that further enquiries are being conducted on this matter. He advised that the subdivision approval dates back some time and there was a S88B restriction placed on some of the lots with the effect of preserving trees and that Council was the authority to vary or modify that restriction. The Acting General Manager advised that it seemed inevitable that there would be some tree removal, which was unfortunate, but stated that this issue should have been dealt with at the DA stage.

8. DEVELOPMENTS IN GIBRALTAR ROAD, BOWRAL 5320/60, 5700

Clr G McLaughlin asked about a query he had received regarding development in Gibraltar Road, which he had passed on to the Acting General Manager. Clr McLaughlin noted that there may be horse facilities and also tourist facilities, and this is concerning local residents.

The Acting General Manager advised that the assessment of the application is still current but that a great deal of work has already been carried out which is exempt development under the new State Codes and there is not much that can be done about that, but the other issues of the land use is still current and adjoining property owners will have the opportunity to make comment on that.

Clr G McLaughlin asked if this matter could be included on the list for inspection.

The Acting General Manager advised that it will be included for inspection.

9. SCOTTISH ARMS TAVERN, EAST BOWRAL 502/74, LUA07/0568

Clr K Halstead asked if the Acting General Manager was aware of the problem at the East Bowral Community Centre and had he seen a copy of the letter from the proprietor of the Scottish Arms or if he had received a complaint from somebody.

The Acting General Manager advised that Council had received a letter raising the issues that Clr Tuddenham had referred to.

Clr Halstead stated that he was pleased that some action was going to be taken.

10. NEERIM MATTER PN332100, LUA08/0417, LUA08/0616, 502/72

Clr K Halstead asked about the outcome of the Neerim decision which was handed down in the Land & Environment Court today.

The Acting General Manager advised that the Land & Environment Court had handed down its decision on the Neerim (Seniors Living) case this morning and that Council was successful in defending its refusal. He advised that once the Judgment has been received the reasons for the decision of the Court will be known.

The Mayor Clr T D Gair thanked staff for the success on this SEPP5 application in the Land & Environment Court.

11. BUNNINGS DEVELOPMENT, BRAEMAR LUA06/0843

Clr P B Tuddenham asked whether the landscaping plan for Bunnings had been complied with.

The Acting General Manager advised that what is in the ground is what has been approved, noting that the trees are taking some time to grow and establish.

12. ENTRANCE TO THE WINGECARRIBEE SHIRE FROM THE F5 FREEWAY
7803/2007, RD60000000

The Mayor Clr T D Gair asked for a timeframe for the work on the entrance way coming off the freeway this financial year, noting that Council had set aside a substantial amount of money for this project.

The Director Infrastructure Services advised that he understood that this was a budget request and that the project is unfunded, but he will investigate the matter and provide further information.



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 23 September 2009

REPORT OF DIRECTOR CORPORATE SERVICES

CORPORATE SERVICES DIVISION

c-CS1 Closed Council

100/1, 107/9

To consider moving into Closed Council.

At this juncture, the time being 5.48 pm, pursuant to section 10A(4), the Mayor offered the opportunity to members of the public to make representations to Council as to whether any items of the Closed Council should not be considered in Closed Council.

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

No objections were received from the members of the public.

MN 417/09

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

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 report:

c-GM1 ROBERTSON SEWERAGE SCHEME – ACQUISITION OF IRRIGATION AREA 6330/10.1

Relevant Legal Provision

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

Brief Description

Presenting details of the valuation obtained for acquisition of the proposed irrigation area and reporting on negotiations with the land owner.

Public Interest

It is not in the public interest to consider this information in Open Council because it contains information which could confer a commercial advantage.

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, 23 September 2009

CLOSED COUNCIL

GENERAL MANAGER'S REPORT

c-GM1	Robertson Sewerage Scheme – Acquisition of Irrigation Area
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REF:	MBW	7650
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Relevant Legal Provision

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

Brief Description

Presenting details of the valuation obtained for acquisition of the proposed irrigation area and reporting on negotiations with the land owner.

Public Interest

It is not in the public interest to consider this information in Open Council because it contains information which could confer a commercial advantage.

Council's Sewerage Project Manager, Mr Mark Williams addressed Council on this matter.

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

THAT the Acquisition of Irrigation Area for the Robertson Sewerage System be deferred pending receipt by Council of two (2) further independent valuation reports in relation to the property known as Lot 1 DP 103650, Lot 6 DP 241697 and Lot 3 DP 543445 from valuers in Sydney and the Illawarra area AND THAT the valuations be obtained as a matter of urgency.

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 23 September 2009

OPEN COUNCIL

MN 418/09

107/10

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

THAT Council moves back into Open Council.

PASSED

No members of the public were present in the Chamber.

ADOPTION OF CLOSED COUNCIL

MN 419/09

107/9

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

THAT the recommendations of the Closed Council held on Wednesday, 23 September 2009 (Item c-GM1) be adopted.

PASSED

ADOPTION OF OPEN COUNCIL

MN 420/09

107/10

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

THAT the recommendations of the Open Council held on Wednesday, 23 September 2009 being OC 129/09 to OC 143/09, be adopted.

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 23 September 2009

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 6.07 PM

In accordance with the provisions of Section 375(2) of the Local Government Act, these Minutes of the Ordinary Council Meeting held Wednesday, 23 September 2009 numbered M/N 406/09 to M/N 420/09, were signed by me hereunder at the Council Meeting held on Wednesday, 14 October 2009.

CHAIRMAN

READ AND CONFIRMED ON WEDNESDAY, 14 OCTOBER 2009

CHAIRMAN

PUBLIC OFFICER