# MINUTES

of the

Ordinary Meeting of Council

held in

Council Chambers

Civic Centre, Elizabeth Street, Moss Vale

on

**Wednesday 13 April 2016**

The meeting commenced at 3.30 pm

*File No. 100/2016*

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**MINUTES OF THE ORDINARY MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN COUNCIL CHAMBERS, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON WEDNESDAY 13 APRIL 2016 COMMENCING AT 3.30 PM**

**Present:**
Clr L A C Whipper (Mayor – in the Chair)
Clr J G Arkwright
Clr H R Campbell
Clr J R Clark
Clr T D Gair
Clr G McLaughlin
Clr I M Scandrett
Clr G M Turland

| | | |
|---|---|---|
| **In Attendance:** | General Manager | Ms Ann Prendergast |
| | Deputy General Manager Operations, Finance and Risk | Mr Barry W Paull |
| | Deputy General Manager Corporate, Strategy and Development Services | Mr Mark Pepping |
| | Group Manager Corporate and Community | Mr Nick O'Connor |
| | Group Manager Planning, Development and Regulatory Services | Mr Nicholas Wilton |
| | Chief Financial Officer | Mr Richard Mooney |
| | Integrated Planning & Reporting Coordinator (in part) | Ms Danielle Lidgard |
| | Park & Open Spaces Coordinator (in part) | Mr Greg Bray |
| | Tree Management Officer (in part) | Mr Callum Edwards |
| | Administration Officer | Ms Liz Johnson |

## 1. OPENING OF THE MEETING

The Mayor Clr L A C Whipper opened the meeting and welcomed members of the public and the press.

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## 2. ACKNOWLEDGEMENT OF COUNTRY

The Mayor Clr L A C Whipper acknowledged country:

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

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## 3. PRAYER

The meeting was led in prayer by Pastor Donna Jensen of Connect Christian Church, Moss Vale.

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## 4. APOLOGY

PERS

***MN 146/16***

***MOTION*** *moved by Clr T D Gair and seconded by Clr J G Arkwright*

***THAT the apology of Clr J Uliana be accepted.***

***PASSED***

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## 5. CONFIRMATION OF MINUTES

100/1

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY, 23 MARCH 2016

***MN 147/16***

***MOTION*** *moved by Clr T D Gair and seconded by Clr J R Clark*

***THAT the minutes of the Ordinary Meeting of Council held on Wednesday, 23 March 2016 MN 102/16 to MN 145/16 inclusive, copies of which were forwarded to Councillors, be adopted as a correct record of the proceedings of the meeting.***

***PASSED***

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# 6. BUSINESS ARISING

1. ITEM 13.1 – DA 15/1005 CONSTRUCTION OF A FOUR MULTI DWELLING DEVELOPMENT – 23 PURCELL STREET, BOWRAL 15/1138

Clr H R Campbell referred to this Item, noting that the DA had been issued before Council opened for business the next morning. Clr Campbell advised that Council staff were aware that a Notice of Rescission was being put in, that a third signature was required and that two people who had proffered to have their signature put to it were not present on the night. Clr Campbell asked how it was done before Council opened for business.

The General Manager advised that Council opens to the public at 8.30 am and she reminded Councillors that some staff are here very often much earlier than that and that they do not always keep 8.30 am to 4.30 pm business hours.

The Deputy General Manager Corporate, Strategy & Development Services advised the consent was issued the following day in response to the resolution of Council and it was posted in the morning. He advised that the Rescission Motion was not fully completed with the three signatures until later in the day.

Clr Campbell advised that staff knew that the Rescission Motion was coming in, so she asked why it was rushed through knowing full well that the third signature was just a matter, she understood, of getting to somebody's sick bed.

The General Manager advised that an intent to lodge a Rescission Motion is not a Rescission Motion, and there are many occasions where there is an intent indicated and the Rescission Motion does not come in. She advised that this was the second occasion that the Purcell Street matter came before Council and it was not as if this matter was not ready to go the first time. The General Manager advised that it was simply the Council staff being efficient.

Clr H R Campbell advised that it is her understanding that genuine estimates are required under the EP & A Assessment Regulation and the figure that was given on this was $950,000 which, when you do the maths, appears to be far from accurate as it comes out in excess of $1.5 million based on all the figures that are currently in use for how to quantify these things. Clr Campbell advised that the residents of Purcell Street have written on numerous occasions asking staff about this and there has been no response coming forward. She suggested that Council's own fees – long service levy payments and State Planning reform fees - are applicable and that it could be that Council has done itself out of some financial revenue by allowing this to go through. She asked why this has not been responded to.

The Mayor Clr L A C Whipper suggested that, as this is Business Arising and the approval has been given, that Clr Campbell bring this matter back as a Question with Notice to give staff a chance to get the information and answer the questions.

The General Manager advised that she would support the Mayor's suggestion so as to enable an appropriate period of time to respond to the questions and ascertain the facts from Council staff as the answers are not available tonight.

2. ITEM 12.8 – WINGELLO FOREST ENDURANCE RIDE 7420/3

Clr G M Turland referred to Item 12.8 on page 20 and advised that he had a request for a $500 donation towards the event and asked if this matter should be put forward tonight as a motion arising or otherwise how the donation should be dealt with.

The General Manager suggested that the normal process should be followed which is that a letter be written to Council requesting that a donation be made for the event. She advised that a report will then come to Council for a donation to be approved and funded from the contingency fund, and that way it is recorded in Council's financial reports as a part of the donations that are made to the community.

Clr Turland asked if information that he had could be provided to Councillors.

The General Manager asked that it be handed to the Group Manager Corporate & Community and it will be distributed to Councillors.

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3. ITEM 10.1 – DA 15/1138 CONSTRUCTION OF A NEW FARM BUILDING, ALTERATIONS AND ADDITIONS TO EXISTING CELLAR DOOR AND TEMPORARY USE OF SITE FOR FUNCTIONS – MT ASHBY ESTATE, 140 NOWRA ROAD, MOSS VALE 15/1138

Clr I M Scandrett referred to Item 10.1 on page 10 and the approval that was given on the night, and which is subject to a Notice of Rescission later tonight, which was a one year approval with general conditions, one relating to noise. He asked:

1. Was the lack of noise testing the main reason for the twelve month approval?
2. As soon as the building is up can that noise testing take place and that condition be dealt with?

The Mayor Clr L A C Whipper advised that the question will be taken on notice.

The General Manager queried whether this was Business Arising and advised that she would like the staff to have the opportunity to clarify the questions.

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# 7. DECLARATIONS OF INTEREST

101/3, 101/3.1

That where necessary any Councillor now disclose any interest and the reason for declaring such interest in the matters under consideration by Council at this Meeting and to complete the appropriate form to be handed up at the Meeting.

101/3.1, PERS, 15/1138

Clr T D Gair declared a less than significant non-pecuniary interest in Item 20.1 – Notice of Rescission of Resolution of Motion 01/2016 – DA 15/1138 Construction of a New Farm Building, Alterations and Additions to Existing Cellar Door and Temporary Use of Site For Functions – Mt Ashby Estate, 140 Nowra Road, Moss Vale as he is in conflict with some of the business activities at Mt Ashby. He stated that he will be absent from the Chambers for consideration of that item.

# 8. MAYORAL MINUTES

There were no Mayoral Minutes at this Meeting.

# 9. PUBLIC FORUM

100/5, 15/1138

ITEM 20.1 – NOTICE OF RESCISSION OF MOTION 01/2016 – DA 15/1138 CONSTRUCTION OF A NEW FARM BUILDING, ALTERATIONS AND ADDITIONS TO EXISTING CELLAR DOOR AND TEMPORARY USE OF SITE FOR FUNCTIONS – MT ASHBY ESTATE, 140 NOWRA ROAD, MOSS VALE

Mr Greg Mills, representing the Moss Vale & Rural Chamber of Commerce, requested and was granted approval to speak on this matter which is listed on the Agenda.

The Mayor Clr L A C Whipper thanked Mr Mills for his comments and noted that the matter will be considered later in the meeting.

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## COMMITTEE OF THE WHOLE

107/10

***MN 148/16***

***MOTION*** *moved by Clr J G Arkwright and seconded by Clr T D Gair*

***THAT in accordance with Section 373 of the Local Government Act, 1993, Council moves into Committee of the Whole to consider various matters detailed in the Agenda with Clr I M Scandrett to take the Chair.***

***PASSED***

# 10. VISITOR MATTERS

## OPERATIONS

There were no Visitor Items – Operations at this Meeting.

## CORPORATE & STRATEGY

There were no Visitor Items – Corporate & Strategy at this Meeting.

# 11. EN BLOC MOTION

There was no En Bloc Motion at this Meeting.

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# SUSPENSION OF STANDING ORDERS

## SUSPENSION OF STANDING ORDERS

100/4, 2120/2016, 501/2013

***MN 149/16***

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

***THAT Standing Orders be suspended in order to allow Item 20.2 – Notice of Motion 06/2016 – Additional Funding for the 2016/17 Financial Year - to be heard at this juncture of the Meeting and prior to consideration of the budget item and suggested that it be debated now as if it is carried there will not be a budget to adopt.***

***PASSED***

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# 20. NOTICES OF MOTION

## 20.2 Notice of Motion 06/2016 - Additional Funding for the 2016/17 Financial Year

**Reference:** **100/4, 501/2013, 2120/2016**
**Report Author:** **Administration Officer**
**Authoriser:** **Group Manager Corporate & Community**
**Link to Corporate Plan:** **Ensure systems and processes are in place to achieve mutual trust and collaboration**

### PURPOSE

Councillors Ian Scandrett, Juliet Arkwright and John Uliana have given notice that it is their intention to move the following motion at the Ordinary Meeting of Council on 13 April 2016:

THAT staff find funding for the 2016/17 financial year to deliver the following:

1. Resourcing the permanent Events and Events Manager budget request.
2. Resource the permanent additional funding for the Economic Development Manager's budget request.
3. The funding for the additional pot hole repair truck, support ute and retention of existing pot hole repair truck and related costs:
   Patching Truck (Retain Truck) $130,000
   Plant Purchase (Support Vehicle) $ 30,000
   Pothole and Patching Crew $358,000
4. The funding of $15,000 for GIS software to enable electricity pole and roadside tree mapping.
5. The permanent budget increase for Sport and Recreation of $200,000 pa and that such total budget be indexed annually.
6. That five outdoor fitness stations – locations to be determined by staff in consultation with the Sport and Recreation Committee.
7. That an amount of up to $20,000 be allocated for master planning the existing Wingecarribee Animal Shelter site.
8. New footpaths in West Parade and Linda Street Hill Top to 1600 mm width.

***MN 150/16***

***MOTION*** *moved by Clr T D Gair and seconded by Clr H R Campbell*

***THAT Notice of Motion 06/2016 – Additional Funding for the 2016/17 Financial Year be noted.***

***MOTION PASSED***

# 12. OPERATIONS FINANCE & RISK

## 12.1 Tender Evaluation - Construction and Renewal of Wingecarribee Shire Pathways

| | |
|---|---|
| **Reference:** | **6330/16.6** |
| **Report Author:** | **Civil Construction Engineer** |
| **Authoriser:** | **Manager Design and Construction** |
| **Link to Corporate Plan:** | **Provide safe and efficient road, cycle and where appropriate, walking paths between and within town and villages, and conveniently located parking areas for cars and bicycles. Ideally, all road reserves to include provision for safe walking and cycling** |

### PURPOSE

The purpose of this report is to facilitate the evaluation of the Request for Tender for the Construction and Replacement of Wingecarribee Shire Pathways and subsequent recommendations.

Clr J G Arkwright left the chambers, the time being 4.38 pm and returned to the meeting at 4.40 pm.

The Deputy General Manager Operations, Finance & Risk addressed Council on this matter.

The General Manager read the recommendations from the Closed Council report.

***MN 151/16***

***MOTION*** *moved by Clr G M Turland and seconded by Clr T D Gair*

***THAT in relation to the report concerning Tender Evaluation – Construction and Renewal of Wingecarribee Shire Footpaths - Council adopt the recommendations contained within the Closed Council report – Item 22.1, as follows:***

> ***THAT Council accept the tender from South Syd Concrete Pty Ltd at a Lump Sum of $178,952.50 ex GST to undertake the Construction and Replacement of Wingecarribee Shire Pathways.***

***PASSED***

## 12.2 Tender for Management & Operation Mittagong Caravan Park, 1 Old Hume Highway Mittagong

**Reference:** **PN676300; 6330/15.23**
**Report Author:** **Senior Property Officer**
**Authoriser:** **Manager Business Services**
**Link to Corporate Plan:** **Ensure systems and processes are in place to achieve mutual trust and collaboration**

### PURPOSE

Reporting on the evaluation of the tender for the Management & Operation Mittagong Caravan Park.

***MN 152/16***

***MOTION*** *moved by Clr J R Clark and seconded by Clr J G Arkwright*

***THAT the report concerning the Tender for Management & Operation Mittagong Caravan Park be considered in Closed Council – Item 22.2.***

***PASSED***

**Note**: In accordance with Council's Code of Meeting Practice, immediately after a motion to close part of a meeting to the public has been moved and seconded, debate on the motion should be suspended to allow the public to make representations to Council as to why the item should not be considered in Closed Council.

It was noted that no representations from the public were received.

## 12.3 Agreement with WIN Corporation Pty Ltd, 232 Oxley Drive Bowral

| | |
|---|---|
| **Reference:** | **PN1704893** |
| **Report Author:** | **Senior Property Officer** |
| **Authoriser:** | **General Counsel** |
| **Link to Corporate Plan:** | **Ensure systems and processes are in place to achieve mutual trust and collaboration** |

### PURPOSE

The objective of this report is to have authority delegated to Council's General Manager and Mayor to execute legal documents to give effect to the variation of agreement negotiated between Council as property owner and WIN Corporation Pty Ltd.

The General Manager read the recommendations from the Closed Council report.

***MN 153/16***

***MOTION*** *moved by Clr G M Turland and seconded by Clr T D Gair*

***THAT in relation to the report on the Agreement with WIN Corporation Pty Ltd, 232 Oxley Drive Bowral, Council adopts the recommendations contained within the Closed Council report – Item 22.3, as follows:***

1. ***THAT it be noted that WIN Corporation Pty Ltd has exercised its option of the original agreement between Council and WIN Corporation Pty Ltd (formerly TWT Limited) regarding the Mount Gibraltar telecommunications tower site AND THAT in accordance with the original agreement, Council has negotiated the fees payable by WIN for the option period.***

2. ***THAT the General Manager be delegated authority to execute all legal documents necessary to give effect to the agreement for the option period negotiated between Council as property owner and WIN Corporation Pty Ltd.***

***PASSED***

## 12.4 Wingecarribee Shire Council v Lehman Brothers Australia Pty Limited (In Liquidation)

| | |
|---|---|
| **Reference:** | **502/101** |
| **Report Author:** | **Deputy General Manager Operations, Finance & Risk** |
| **Authoriser:** | **Deputy General Manager Operations, Finance & Risk** |
| **Link to Corporate Plan:** | **Ensure systems and processes are in place to achieve mutual trust and collaboration** |

### PURPOSE

To provide an update on the matter of Wingecarribee Shire Council v Lehman Brothers Australia Pty Ltd (In Liquidation).

***MN 154/16***

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

***THAT the update on the matter of Wingecarribee Shire Council v Lehman Brothers Australia Pty Ltd (In Liquidation), be considered in Closed Council – Item 22.4.***

***PASSED***

**Note**: In accordance with Council's Code of Meeting Practice, immediately after a motion to close part of a meeting to the public has been moved and seconded, debate on the motion should be suspended to allow the public to make representations to Council as to why the item should not be considered in Closed Council.

It was noted that no representations from the public were received.

## 12.5 Street Tree Master Plan - Final

**Reference:** **900/1**
**Report Author:** **Tree Management Officer**
**Authoriser:** **Open Space Coordinator**
**Link to Corporate Plan:** **Conserve the key natural resources of the Shire water catchments, arable land, key wildlife corridors, vegetation and scenic landscapes**

### PURPOSE

To report on the public exhibition of the draft Street Tree Master Plan and recommend that the final plan be adopted by Council.

The Tree Management Officer addressed Council on this matter.

***MN 155/16***

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

1. ***THAT the feedback received in response to the public exhibition of the draft Street Tree Master Plan be noted.***

2. ***THAT the final Street Tree Master Plan be adopted.***

3. ***THAT Council staff be congratulated on the production of the final Street Tree Master Plan.***

***PASSED***

## 12.6 Proposed Pedestrian Refuge and Shared Path at Hill Top

**Reference:** **7460/20**
**Report Author:** **Traffic Engineer**
**Authoriser:** **Manager Assets**
**Link to Corporate Plan:** **Encourage walking and cycling**

### PURPOSE

Reporting on the proposed pedestrian refuge and shared path at Hill Top.

The Deputy General Manager Operations, Finance & Risk and General Manager addressed Council on this matter.

***MN 156/16***

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

***THAT Council endorse the construction of a pedestrian refuge on Wilson Drive and a shared path from Telopea Road to Foreman Street, Hill Top.***

***PASSED***

## 12.7 Proposed Development and Sale Lot 126 Anembo Street, Moss Vale

| | |
|---|---|
| **Reference:** | **PN30800** |
| **Report Author:** | **Acting Property & Projects Officer** |
| **Authoriser:** | **Senior Property Officer** |
| **Link to Corporate Plan:** | **Ensure systems and processes are in place to achieve mutual trust and collaboration** |

### PURPOSE

The objective of this report is to advise Council of the outcome of the public exhibition of the draft concept plan of subdivision of Council property, being Lot 126 Anembo Street Moss Vale ("the property").

***MN 157/16***

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

1. ***THAT Council as property owner lodge a development application for the subdivision of Lot 126 Anembo Street Moss Vale into five (5) residential allotments in accordance with the draft concept plan as publicly exhibited.***

2. ***THAT any documentation required to be executed in relation to the sale of the land by Council be executed by the General Manager and Mayor under the Common Seal of Council.***

3. ***THAT the final layout and improvements for the precinct be brought back to a future Information Session for Councillors, with particular reference to access for residents from Anembo Street to Stanley Terrace.***

***PASSED***

## 12.8 Proposed Licence Agreements, 73 Station Street, Bowral

| | |
|---|---|
| **Reference:** | **PN1700777** |
| **Report Author:** | **Senior Property Officer** |
| **Authoriser:** | **Manager Business Services** |
| **Link to Corporate Plan:** | **Ensure systems and processes are in place to achieve mutual trust and collaboration** |

### PURPOSE

The objective of this report is to gain Council approval to grant four (4) licence agreements for the shared occupation of the Council property at 73 Station Street Bowral. The proposed licensees are the four (4) not-for-profit organisations currently occupying office space within Bowral Memorial Hall.

***MN 158/16***

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

1. ***THAT an offer of a licence agreement for the occupation of part 73 Station Street Bowral be made to each of the following not-for-profit organisations:***

   a. ***YWCA New South Wales***
   b. ***Barnardo's Australia***
   c. ***Southern Highlands Foundation Incorporated***
   d. ***Friends of the Southern Highlands Regional Gallery Incorporated***

   ***AND THAT the term of the initial agreement is for five (5) years.***

2. ***THAT the General Manager be delegated authority to execute the Licence Agreements referred to in resolution 1 above.***

3. ***THAT the initial set-up costs (to a maximum of $9,740) in respect of the licence agreements are funded as part of the March Quarterly Review.***

4. ***THAT a bid for the costs of the annual mowing and maintenance of the grounds at 73 Station Street Bowral be considered at the next quarterly budget review, noting that a similar amount will be required to be allocated in the 2016/17 budget and ongoing.***

***PASSED***

## 12.9 Low Water Supply Pressure - Rebate Policy and Treated Water Extraction Policy

| | |
|---|---|
| **Reference:** | **7690/1** |
| **Report Author:** | **Asset Coordinator - Roads & Water** |
| **Authoriser:** | **Manager Assets** |
| **Link to Corporate Plan:** | **Foster preventative health systems and activities to promote physical, mental and social health** |

### PURPOSE

The purpose of this report is to present the revised policies entitled 'Low Water Supply Pressure – Rebate Policy' and 'Treated Water Extraction Policy' to Council and recommend endorsement for the purpose of public exhibition.

Mayor L A C Whipper left the chambers, the time being 5.20 pm and returned to the meeting at 5.21 pm.

The Deputy General Manager Operations, Finance & Risk addressed Council on this matter.

***MN 159/16***

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

1. ***THAT the 'Low Water Supply Pressure – Rebate Policy' and 'Treated Water Extraction Policy' be publicly exhibited for twenty eight (28) days and public submissions be invited.***

2. ***THAT a further report be submitted to Council following the submission period.***

***PASSED***

## MAYOR RESUMES THE CHAIR

***MN 160/16***

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

***THAT Council move from Committee of the Whole back into Council, the time being 5.23 pm with the Mayor Clr L A C Whipper resuming the Chair to conduct the remainder of Council Business.***

***PASSED***

## QUESTIONS FROM THE PUBLIC

There were no Questions from the Public at this Meeting.

Deputy Mayor I M Scandrett left the chambers, the time being 5.23 pm.

# 13. CORPORATE STRATEGY & DEVELOPMENT SERVICES

## 13.1 Public Exhibition of Draft Operational Plan and Budget 2016/17

| | |
|---|---|
| **Reference:** | **501/2013** |
| **Report Author:** | **Integrated Planning & Reporting Coordinator** |
| **Authoriser:** | **Group Manager Corporate & Community** |
| **Link to Corporate Plan:** | **Ensure important decisions are made on the basis of how they meet our goals** |

### PURPOSE

The purpose of this report is to present the draft 2016/17 Operational Plan, Budget, Revenue Policy and Fees and Charges to be endorsed for public exhibition.

The Group Manager Corporate & Community addressed Council on this matter.

Deputy Mayor I M Scandrett returned to the meeting, the time being 5.25 pm.

The Deputy General Manager Operations, Finance & Risk addressed Council on this matter.

The General Manager addressed Council on this matter.

***MN 161/16***

***MOTION*** *moved by Clr T D Gair and seconded by Clr G M Turland*

***THAT draft 2016/17 Operational Plan, Budget, Revenue Policy and Fees and Charges be endorsed for public exhibition from 18 April to 15 May 2016.***

***PASSED***

## 13.2 Development Applications Determined 22 February 2016 to 22 March 2016

| | |
|---|---|
| **Reference:** | **5302** |
| **Report Author:** | **Team Leader Business Support (Development)** |
| **Authoriser:** | **Group Manager Planning, Development & Regulatory Services** |
| **Link to Corporate Plan:** | **Retain and make more distinctive the special qualities that make each town or village unique** |

### PURPOSE

The purpose of this report is to update Councillors on development applications determined in the period 22 February 2016 to 22 March 2016.

Clr J G Arkwright left the chambers, the time being 5.46 pm.

The General Manager left the Meeting at 5.46 pm and the Deputy General Manager Operations, Finance & Risk moved into the chair vacated by the General Manager.

The Deputy General Manager Corporate, Strategy & Development Services addressed Council on this matter.

***MN 162/16***

***MOTION*** *moved by Clr G McLaughlin and seconded by Deputy Mayor I M Scandrett*

***THAT the information relating to the list of development applications determined be received and noted.***

***PASSED***

## 13.3 Development Applications Received 22 February 2016 to 22 March 2016

| | |
|---|---|
| **Reference:** | **5302** |
| **Report Author:** | **Team Leader Business Support (Development)** |
| **Authoriser:** | **Group Manager Planning, Development & Regulatory Services** |
| **Link to Corporate Plan:** | **Retain and make more distinctive the special qualities that make each town or village unique** |

### PURPOSE

The purpose of this report is to update Councillors on development applications received in the period 22 February 2016 to 22 March 2016.

***MN 163/16***

***MOTION*** *moved by Deputy Mayor I M Scandrett and seconded by Clr G McLaughlin*

1. ***THAT the information relating to the list of development applications received be received and noted.***

2. ***THAT information be provided in the Weekly Circular on the following items:***

   ***Item 38 – Change of Use to Food and Drink Premises, 7/291-297 Bong Bong Street, Bowral (Lot 7 SP 58239)***
   ***Item 63 – Demolition (Structure within a Building), Oxleys Hill Road, Bowral (1/151315 & 1/193600 & 1/911508 & 11-12/15/1022146 & 3-4/1028 745 & 1/1053064 & Rail Lease Agreement No.209.3253)***

***PASSED***

## 13.4 2015 Tulip Time Festival Outcomes

| | |
|---|---|
| **Reference:** | **1671/8** |
| **Report Author:** | **Event Coordinator** |
| **Authoriser:** | **Tourism Coordinator** |
| **Link to Corporate Plan:** | **Develop and implement a comprehensive Tourism Strategy for the Southern Highlands, based on the unique Southern Highlands brand of climate, horticulture, recreation, landscape and heritage** |

### PURPOSE

The purpose of this report is to provide Council with information regarding the outcomes of the 2015 Tulip Time Festival.

The Deputy General Manager Operations, Finance & Risk addressed Council on this matter.

***MN 164/16***

***MOTION*** *moved by Clr G M Turland and seconded by Clr G McLaughlin*

***1. THAT 2015 Tulip Time Festival Outcome Report be noted.***

***2. THAT 2015 Tulip Time Festival achieved a shortfall of $5,834.***

***PASSED***

## 13.5 Economic Development and Tourism Committee Appointment of Community Representatives

| | |
|---|---|
| **Reference:** | **107/24** |
| **Report Author:** | **Manager Economic Development** |
| **Authoriser:** | **Deputy General Manager Corporate, Strategy & Development Services** |
| **Link to Corporate Plan:** | **Maintain strong public institutions and facilities in the district to match the evolving needs of the community** |

### PURPOSE

To appoint new members to the Economic Development and Tourism Committee.

***MN 165/16***

***MOTION*** *moved by Deputy Mayor I M Scandrett and seconded by Clr G McLaughlin*

***1. THAT Council appoint:***

***(a) Hugh Clarke (Community***
***(b) Tony Fountain (Community)***

***to the Economic Development and Tourism Committee.***

***2. THAT in the event that a community member vacancy occurs in the future and prior to the next Local Government elections, the selection committee comprising the Mayor, the Committee Chair, the General Manager and a staff representative be authorised to consider submissions from unsuccessful candidates from the recent round of Expressions of Interest.***

***3. THAT the unsuccessful candidates be advised in writing of Council's decision.***

***PASSED***

# 14. GENERAL MANAGER

## 14.1 Salvation Army Red Shield Appeal Request for Sponsorship

| | |
|---|---|
| **Reference:** | **1850/1** |
| **Report Author:** | **Organisational Support Officer** |
| **Authoriser:** | **General Manager** |
| **Link to Corporate Plan:** | **Maintain strong public institutions and facilities in the district to match the evolving needs of the community** |

### PURPOSE

The purpose of this report is to seek Council's approval to sponsor the annual Salvation Army Red Shield Appeal Business Breakfast to be held on 5 May 2016.

***MN 166/16***

***MOTION*** *moved by Clr G M Turland and seconded by Clr G McLaughlin*

***THAT Council grants the Salvation Army's request for sponsorship of the Annual Red Shield Appeal Business Breakfast to be held on 5 May 2016 by donating $1,250.00 towards the event costs AND THAT the funds be drawn from the Contingency Fund.***

***PASSED***

# 15. DELEGATE REPORTS

There were no Delegate Reports at this Meeting.

# 16. PETITIONS

There were no Petitions at this Meeting.

# 17. CORRESPONDENCE FOR ATTENTION

There was no Correspondence for Attention at this Meeting.

# 18. COMMITTEE REPORTS

## 18.1 Management and Advisory Committee Reports

**Reference:** **107/1**
**Report Author:** **S355 Committee Coordinator**
**Authoriser:** **Manager Assets**
**Link to Corporate Plan:** **Ensure systems and processes are in place to achieve mutual trust and collaboration**

### PURPOSE

This report provides the Minutes of the following Committee Meetings, copies of which will be tabled for information:

1. Hill Top Community Centre Committee held on Thursday, 26 November 2015.
2. Mittagong Memorial Hall/Welby Hall Management Committee held on Thursday, 3 December 2015.
3. Bong Bong Common Management Committee held on Tuesday, 19 January 2016.
4. Aboriginal Community and Cultural Centre held on Tuesday, 9 February 2016.
5. Penrose Village Hall Management Committee held on Monday, 15 February 2016.
6. Mittagong Community Centre Management Committee held on Thursday, 18 February 2016.
7. East Bowral Community Centre Management Committee held on Tuesday, 23 February 2016.
8. Mittagong Community Centre Management Committee Extraordinary Meeting held on Thursday, 3 March 2016.
9. Moss Vale Senior Citizens & Community Centre Management Committee held on Monday, 7 March 2016.

***MN 167/16***

***MOTION*** *moved by Clr T D Gair and seconded by Clr J R Clark*

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

1. ***Hill Top Community Centre Committee held on Thursday, 26 November 2015.***
2. ***Mittagong Memorial Hall/Welby Hall Management Committee held on Thursday, 3 December 2015.***
3. ***Bong Bong Common Management Committee held on Tuesday, 19 January 2016.***
4. ***Aboriginal Community and Cultural Centre held on Tuesday, 9 February 2016.***
5. ***Penrose Village Hall Management Committee held on Monday, 15 February 2016.***
6. ***Mittagong Community Centre Management Committee held on Thursday, 18 February 2016.***
7. ***East Bowral Community Centre Management Committee held on Tuesday, 23 February 2016.***
8. ***Mittagong Community Centre Management Committee Extraordinary Meeting held on Thursday, 3 March 2016.***
9. ***Moss Vale Senior Citizens & Community Centre Management Committee held on Monday, 7 March 2016.***

***PASSED***

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## 18.2 Minutes of the Access Committee held on Monday 15 February 2016

| | |
|---|---|
| **Reference:** | **1828/3** |
| **Report Author:** | **Ageing & Disability Officer** |
| **Authoriser:** | **Community Development Coordinator** |
| **Link to Corporate Plan:** | **Foster and support diverse interest groups to harness the skills, passion, time and commitment of community members and organisation, and to leverage effective participation** |

### PURPOSE

This report provides the Minutes of the Access Committee Meeting held on Monday 15 February 2016.

### SUMMARY OF RECOMMENDATIONS AND ACTIONS FOR COUNCILLORS' ATTENTION AND ADOPTION

There are three recommendations that should be noted by Council:

Item 5.3 Missed Business – Distribution

MN 4/16

1. THAT dates be selected during 2016 for distribution of the 'Missed Business' booklet by members of the Access Committee and council staff in Moss Vale, Mittagong, Robertson, Berrima and Hill Top.

2. THAT a media article be released prior to the distribution with information on the booklet and the dates for each location

Item 5.4 Mittagong Pool Lift

MN 5/16

1. THAT the following comments be provided to the Mittagong Swimming Pool Project Manager in relation to a pool-side lift:

   - That there is a manual override feature in the event of a mechanical failure.
   - That the maximum lifting capacity be considered.
   - That secure storage for the machine be identified.
   - That appropriate signage be displayed to inform visitors that the pool lift is available.
   - That appropriate training be delivered to pool staff and handlers to operate the pool lift.
   - That staff are trained in manually assisting users in and out of the pool and in emergency situations in the event that the pool lift malfunctions and is unable to be used.

- That harness or seatbelt options are investigated.

2. THAT the Access Committee supports the purchase of a pool lift.

Item 5.5 Disability Inclusion Action Plan

MN 6/16

THAT a report be prepared for the Executive Team on the project planning and development of the Disability Inclusion Action Plan recommending the following points:

1. THAT an Executive staff member be allocated ownership and responsibility in the development and implementation of the Disability Inclusion Action Plan
2. THAT a multi-disciplinary Steering Committee within council be established to provide project control and advisory roles during the planning and development stage of the Disability Inclusion Action Plan
3. THAT a Community Advisory Committee comprised of external stakeholder groups be considered during the planning and development stage of the Disability Inclusion Action Plan

The Deputy General Manager Operations, Finance & Risk addressed Council on this matter.

***MN 168/16***

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

***THAT recommendations Nos AC 1/16 to 6/16 – as detailed in the Minutes of the Access Committee Meeting held on Monday 15 February 2016 be adopted, save for any items which have budgetary implications AND THAT any item with budgetary implications and which is unfunded, be referred to the Finance Committee for consideration.***

***PASSED***

# 19. QUESTIONS WITH NOTICE

There were no Questions with Notice at this Meeting.

# 20. NOTICES OF MOTION

## 20.1 Notice of Rescission of Motion 01/2016 - DA 15/1138 Construction of a New Farm Building, Alterations and Additions to Existing Cellar Door and Temporary Use of Site for Functions - Mt Ashby Estate, 140 Nowra Road, Moss Vale

| | |
|---|---|
| **Reference:** | **100/5, 15/1138** |
| **Report Author:** | **Administration Officer** |
| **Authoriser:** | **Group Manager Corporate & Community** |
| **Link to Corporate Plan:** | **Ensure systems and processes are in place to achieve mutual trust and collaboration** |

### PURPOSE

Councillors Ian Scandrett, Garry Turland and Holly Campbell have given notice that it is their intention to move the following motion at the Ordinary Meeting of Council on 13 April 2016:

THAT the Motion passed by Council on Wednesday, 23 March 2016, being Item Number 10.1 - DA 15/1138 Construction of a New Farm Building, Alterations and Additions to Existing Cellar Door and Temporary Use of Site for Functions - Mt Ashby Estate, 140 Nowra Road, Moss Vale – Minute No 106/16 be rescinded.

**Interest**: Clr T D Gair declared a less than significant non-pecuniary interest in this matter as he is in conflict with some of the business activities at Mt Ashby. He left the chamber at 5.55 pm, took no part in the debate and refrained from voting on the matter.

The Group Manager Planning, Development and Regulatory Services and Deputy General Manager Corporate, Strategy & Development Services addressed Council on this matter.

***MN 169/16***

***MOTION*** *moved by Deputy Mayor I M Scandrett and seconded by Clr G M Turland*

***THAT the Motion passed by Council on Wednesday, 23 March 2016, being Item Number 10.1 - DA 15/1138 Construction of a New Farm Building, Alterations and Additions to Existing Cellar Door and Temporary Use of Site for Functions - Mt Ashby Estate, 140 Nowra Road, Moss Vale – Minute No 106/16 be rescinded.***

Clr J G Arkwright returned to the meeting, the time being 5.59 pm.

The General Manager returned to the Meeting at 6.03 pm.

***AMENDMENT*** *moved by Clr G McLaughlin and seconded by Clr J R Clark*

*THAT Notice of Rescission of Motion 01/2016 – DA 15/1138 Construction of a New Farm Building, Alterations and Additions to Existing Cellar Door and Temporary Use of Site for Functions – Mt Ashby Estate, 140 Nowra Road, Moss Vale - be noted.*

The General Manager left the Meeting at 6.45 pm.

***THE AMENDMENT WAS PUT TO THE VOTE AND LOST***

VOTING ON THE AMENDMENT

**For the Amendment:** Clr J R Clark, Clr G McLaughlin and Mayor L A C Whipper

**Against the Amendment:** Clr J G Arkwright, Clr H R Campbell, Deputy Mayor I M Scandrett and Clr G M Turland

***THE MOTION WAS PUT TO THE VOTE AND PASSED***

VOTING ON THE MOTION

**For the motion:** Clr J G Arkwright, Clr H R Campbell, Deputy Mayor I M Scandrett and Clr G M Turland

**Against the motion:** Clr J R Clark, Clr G McLaughlin and Mayor L A C Whipper

***MN 170/16***

***MOTION ARISING*** *moved by Deputy Mayor I M Scandrett and seconded by Clr H R Campbell*

***THAT development application DA 15/1138 for a proposed farm building (replacing an existing shed), minor alterations and additions to the existing cellar door and the temporary use of the site for functions at Lot 7 DP 632169, No 140 Nowra Road, Moss Vale be APPROVED for three (3) years subject to conditions as described in Attachment 3 to the report to Council Meeting of Wednesday, 23 March 2016.***

***AMENDMENT*** *moved by Mayor L A C Whipper and seconded by Clr G McLaughlin*

THAT the applicants be invited to submit an application under SP3 Tourist Zone.

***THE AMENDMENT WAS PUT TO THE VOTE AND LOST***

VOTING ON THE AMENDMENT

**For the Amendment:** Clr G McLaughlin and Mayor L A C Whipper

**Against the Amendment:** Clr J G Arkwright, Clr J R Clark, Clr H R Campbell, Deputy Mayor I M Scandrett and Clr G M Turland

***THE MOTION ARISING WAS PUT TO THE VOTE AND PASSED***

VOTING ON THE MOTION ARISING

**For the Motion Arising:** Clr J G Arkwright, Clr H R Campbell, Deputy Mayor I M Scandrett and Clr G M Turland

**Against the Motion Arising:** Clr J R Clark, Clr G McLaughlin and Mayor L A C Whipper

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Clr T D Gair returned to the meeting, the time being 6.54 pm.

## 20.2 Notice of Motion 06/2016 - Additional Funding for the 2016/17 Financial Year

| | |
|---|---|
| **Reference:** | **100/4, 501/2013, 2120/2016** |
| **Report Author:** | **Administration Officer** |
| **Authoriser:** | **Group Manager Corporate & Community** |
| **Link to Corporate Plan:** | **Ensure systems and processes are in place to achieve mutual trust and collaboration** |

*This Item was dealt with earlier in the Meeting (refer MN 150/16 on page 12).*

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It was noted that Minute Numbers 171 and 172 were not used.

The General Manager returned to the Meeting at 6.55 pm.

Clr G M Turland left the chambers, the time being 6.57 pm and returned to the meeting, the time being 6.57 pm.

# 21. GENERAL BUSINESS

General Business Questions are on page 51.

# 22. CLOSED COUNCIL

**MOVING INTO CLOSED SESSION**

107/9

At this juncture, the time being 6.56 pm, Council moved into Closed Council.

***MN 173/16***

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

***1. THAT Council moves into Closed Council in accordance with the requirements of Section 10A(2) of the Local Government Act 1993 as addressed below to consider the following reports that are confidential for the reasons specified below:***

***22.1 Tender Evaluation - Construction and Renewal of Wingecarribee Shire Pathways***

***Relevant Legal Provisions***
***This report is referred to Closed Committee in accordance with s10A(2) of the Local Government Act, 1993, under clause 10A(2)(c) as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and under clause 10A(2)d(i) as it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and the Council considers that it would be on balance contrary to the public interest to consider this information in Open Council.***

***Brief description***
***The purpose of this report is to facilitate the evaluation of the Request for Tender for the Construction and Replacement of Wingecarribee Shire Pathways and subsequent recommendations.***

***22.2 Tender for Management & Operation Mittagong Caravan Park, 1 Old Hume Highway Mittagong***

***Relevant Legal Provisions***
***This report is referred to Closed Committee in accordance with s10A(2) of the Local Government Act, 1993, under clause 10A(2)(c) as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and under clause 10A(2)d(i) as it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and the Council considers that it would be on balance contrary to the public interest to consider this information in Open Council.***

***Brief description***
***Reporting on the evaluation of the tender for the Management & Operation Mittagong Caravan Park.***

***This matter was reported to Council on Wednesday 24 February 2016 when Council resolved to defer the matter pending further information being provided to Councillors. Councillors were requested via email on 8 March 2016, from the Deputy General Manager Operations, Finance &***

***Risk, to provide details of the matters where further information was required. As at the date of submission of this report, no feedback has been received as to what additional information is required by Councillors. This matter is therefore resubmitted to Council for further consideration.***

***22.3 Agreement with WIN Corporation Pty Ltd, 232 Oxley Drive Bowral***

***Relevant Legal Provisions***
***This report is referred to Closed Committee in accordance with s10A(2) of the Local Government Act, 1993, under clause 10A(2)(c) as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and under clause 10A(2)d(i) as it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and the Council considers that it would be on balance contrary to the public interest to consider this information in Open Council.***

***Brief description***
***The purpose of this report is to advise Council of the exercise of an option for a further term by WIN Corporation Pty Limited under its agreement with Council as property owner relating to the communications tower on Mt Gibraltar and delegate authority to the General Manager to execute all legal documents to give effect to the exercise of that option.***

***22.4 Wingecarribee Shire Council v Lehman Brothers Australia Pty Ltd (In Liquidation)***

***Relevant Legal Provisions***
***This report is referred to Closed Committee in accordance with s10A(2) of the Local Government Act, 1993, under clause 10A(2)(e) as it contains information that would, if disclosed, prejudice the maintenance of law and under clause 10A(2)(g) as it contains advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and the Council considers that it would be on balance contrary to the public interest to consider this information in Open Council.***

***Brief description***
***To provide an update on the matter of Wingecarribee Shire Council v Lehman Brothers Australia Pty Ltd (In Liquidation).***

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

***PASSED***

## 22.1 Tender Evaluation - Construction and Renewal of Wingecarribee Shire Pathways

| | |
|---|---|
| **Reference:** | **6330/16.6** |
| **Report Author:** | **Civil Construction Engineer** |
| **Authoriser:** | **Manager Design and Construction** |
| **Link to Corporate Plan:** | **Provide safe and efficient road, cycle and where appropriate, walking paths between and within town and villages, and conveniently located parking areas for cars and bicycles. Ideally, all road reserves to include provision for safe walking and cycling** |

*This Item was dealt with earlier in the Meeting (refer MN 151/16 on page 13).*

## 22.2 Tender for Management & Operation Mittagong Caravan Park, 1 Old Hume Highway Mittagong

| | |
|---|---|
| **Reference:** | **PN676300; 6330/15.23** |
| **Report Author:** | **Senior Property Officer** |
| **Authoriser:** | **Manager Business Services** |
| **Link to Corporate Plan:** | **Ensure systems and processes are in place to achieve mutual trust and collaboration** |

**CONFIDENTIAL ITEM**

*This report is confidential in accordance with s10A(2) of the Local Government Act, 1993, under clause 10A(2)(c) as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and under clause 10A(2)d(i) as it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*

### PURPOSE

Reporting on the evaluation of the tender for the Management & Operation Mittagong Caravan Park.

This matter was reported to Council on Wednesday 24 February 2016 when Council resolved to defer the matter pending further information being provided to Councillors. Councillors were requested via email on 8 March 2016, from the Deputy General Manager Operations, Finance & Risk, to provide details of the matters where further information was required. As at the date of submission of this report, no feedback has been received as to what additional information is required by Councillors. This matter is therefore resubmitted to Council for further consideration.

The Deputy General Manager Operations, Finance & Risk addressed Council on this matter.

***MN 174/16***

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

1. ***THAT in respect of the Tender for Management & Operation Mittagong Caravan Park, Council not accept either of the Tenders received.***

2. ***THAT the General Manager be delegated authority to negotiate with Beragel Pty Limited in respect of the future lease of Mittagong Caravan Park, 1 Old Hume Highway, Mittagong AND THAT a further report is forwarded to a future meeting of Council to consider the terms and conditions of the proposed lease.***

***AMENDMENT*** *moved by Deputy Mayor I M Scandrett and seconded by Clr H R Campbell*

1. THAT in respect of the Tender for Management & Operation Mittagong Caravan Park, Council not accept either of the Tenders received.

2. THAT the General Manager be delegated authority to seek further tenders based on a straight income for the site and such tenders to have a separate proposal for the tenderer to improve the front office, shop and accommodation amenities.

***THE AMENDMENT WAS PUT TO THE VOTE AND LOST***

***THE MOTION WAS PUT TO THE VOTE AND PASSED***

## 22.3 Agreement with WIN Corporation Pty Ltd, 232 Oxley Drive Bowral

| | |
|---|---|
| **Reference:** | **PN1704893** |
| **Report Author:** | **Senior Property Officer** |
| **Authoriser:** | **General Counsel** |
| **Link to Corporate Plan:** | **Ensure systems and processes are in place to achieve mutual trust and collaboration** |

*This Item was dealt with earlier in the Meeting (refer MN 153/16 on page 15).*

## 22.4 Wingecarribee Shire Council v Lehman Brothers Australia Pty Ltd (In Liquidation)

| | |
|---|---|
| **Reference:** | **502/101** |
| **Report Author:** | **Deputy General Manager Operations, Finance & Risk** |
| **Authoriser:** | **Deputy General Manager Operations, Finance & Risk** |
| **Link to Corporate Plan:** | **Ensure systems and processes are in place to achieve mutual trust and collaboration** |

**CONFIDENTIAL ITEM**

*This report is confidential in accordance with s10A(2) of the Local Government Act, 1993, under clause 10A(2)(e) as it contains information that would, if disclosed, prejudice the maintenance of law and under clause 10A(2)(g) as it contains advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.*

### PURPOSE

To provide an update on the matter of Wingecarribee Shire Council v Lehman Brothers Australia Pty Ltd (In Liquidation).

The Deputy General Manager Operations, Finance & Risk provided an update to Council in relation to the Proceedings – City of Swan and Ors v McGraw-Hill Companies Inc. and Anor (S&P) which is a related matter to Wingecarribee Shire Council v Lehman Brothers Australia Pty Ltd (In Liquidation), and advised Council of the likely outcome going forward.

Deputy Mayor I M Scandrett left the chambers, the time being 7.15 pm.

***MN 175/16***

***MOTION*** *moved by Clr T D Gair and seconded by Clr H R Campbell*

***THAT the General Manager be authorised to sign and execute all documents relating to the Settlement Deed for the proceedings City of Swan and Ors v McGraw-Hill Companies Inc and Anor (S+P) including, but not limited to, the Deed of Covenant.***

***PASSED***

## RESUMPTION OF OPEN COUNCIL

107/10

***MN 176/16***

***MOTION*** *moved by Clr T D Gair and seconded by Clr J G Arkwright*

***THAT Council moves from Closed Council into Open Council.***

***PASSED***

No members of the public were present in the Chamber.

## ADOPTION OF CLOSED COUNCIL

107/9

***MN 177/16***

***MOTION*** *moved by Clr H R Campbell and seconded by Clr J R Clark*

***THAT the recommendations of the Closed Council held on Wednesday, 13 April 2016 being MN 174/16 and MN 175/16 be adopted.***

***PASSED***

Deputy Mayor I M Scandrett returned to the meeting, the time being 7.20 pm.

# 21. GENERAL BUSINESS

1. COUNCILLOR ATTENDANCE 100/1, 101

Clr T D Gair asked if attendance figures for all Councillors between 1 September 2014 and the end of April 2016 can be reported to Council.

[It was noted that this question was handed up by Clr Gair and a verbal response was not provided at the Meeting].

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2. RELOCATION OF ADVANCED TREES 5454, 6527/6, 6500/22

Clr G M Turland asked if staff can advertise to the community that if they are going to remove advanced trees on their property (with approval), if Council could relocate those trees to either Corbett Gardens or the Botanical Gardens, with Council gardening staff approval.

The General Manager advised that this question will be taken on notice.

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3. PLANTING OF ADVANCED TREES IN BOWRAL MAIN STREET
RD 8260 1620, 900/1

Clr G M Turland asked if Council staff can provide details on how advanced trees can be planted in the Bowral main street as per our Street Tree policy with a budget and timing for when this planting can be implemented and can the public donate these trees and work to install them.

The General Manager advised that this question will be taken on notice.

---

4. CROSSING ON THE RAILWAY BRIDGE AT THE NORTHERN END OF MOSS VALE
7430/20, RD8025 1010

Clr G McLaughlin referred to the crossing/footpath over the bridge at the northern end of Argyle Street and asked what is the position with the State Government funding.

The Deputy General Manager Operations, Finance & Risk advised that funding had been approved for detailed investigation and design of the pedestrian bridge and that this work was well advanced with a preferred concept selected, discussions are ongoing with the RMS in relation to the budget and timing of the construction of the bridge and the release of funds previously identified for this project in the 2015/16 and 2016/17 RMS Grant allocations.

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## 24. ADOPTION OF COMMITTEE OF THE WHOLE

107/10

***MN 178/16***

***MOTION*** *moved by Clr T D Gair and seconded by Clr J R Clark*

***THAT the recommendations of the Committee of the Whole held on Wednesday, 13 April 2016 being MN 149/16 to MN 160 /16 be adopted.***

***PASSED***

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## 25. MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 7.22 PM

In accordance with the provisions of Section 375(2) of the Local Government Act, these Minutes of the Ordinary Council Meeting held Wednesday 13 April 2016 numbered M/N 146/16 to M/N 178/16 were signed by me hereunder at the Council Meeting held on Wednesday, 27 April 2016.

CHAIRMAN

**READ AND CONFIRMED ON WEDNESDAY, 27 APRIL 2016**

CHAIRMAN

PUBLIC OFFICER