

MINUTES

OF THE ORDINARY MEETING OF COUNCIL

File No. 100/09



held on Wednesday, 16 December 2009

The meeting commenced at 3.32 pm.



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 16 December 2009

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COMMENCING AT: 3.32 pm

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

IN ATTENDANCE:

General Manager	Mr Jason Gordon
Acting Director Corporate Services	Mrs Janice Cruickshank
Director Environment & Planning	Mr Scott Lee
Director Infrastructure Services	Mr Michael Brearley
Manager Administration & Library Services	Mr Peter Nelson
Administration Officer	Ms Liz Johnson

PRAYER

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

ACKNOWLEDGEMENT OF COUNTRY

The Mayor Clr T D Gair acknowledged country:

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



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APOLOGY

PERS

M/N 532/09

MOTION moved by Clr J R Clark and seconded by Clr J Mauger:

THAT the apology of Clr K Halstead be accepted and leave of absence granted.

PASSED



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CONFIRMATION OF MINUTES

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

100/1

MN 533/09

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

THAT the minutes of the Ordinary Meeting of Council held on Wednesday, 9 December 2009 MN 499/09 to MN 531/09 inclusive, copies of which were forwarded to Councillors, be adopted as a correct record of the proceedings of the meeting.

PASSED

BUSINESS ARISING

Clr P B Tuddenham referred to Item v-EP3 - Equestrian Events – “Wallaby Hill Farm”, Wallaby Hill Road, Robertson, which was discussed at the last Council Meeting, and asked when the further report in relation to road conditions will come to Council.

Council’s General Manager, Mr Jason Gordon, advised that the report would come before Council on Wednesday, 27 January 2010.

PRESENTATION – MR GEOFF GOODFELLOW

The Mayor Clr T D Gair advised that this would be the last Council Meeting to be attended by Council’s Media Manager, Mr Geoff Goodfellow, as he is retiring from Council after 40 years of service in Local Government.

The Mayor advised that Geoff was given the task of writing “Wingecarribee Today”, which became a conduit between Council and the community, he wrote speeches and put out media releases, as well as preparing the weekly in-house publication “The Whisper”. The Mayor stated that Geoff will be missed by Councillors and staff generally, and made a presentation, on behalf of Council, in appreciation of his 40 years of service.

The Councillors acknowledged Geoff’s contribution to the Council and the community.



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DECLARATIONS OF INTEREST

101/3

There were no Declarations of Interest at this meeting.



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MAYORAL MINUTE

MAYORAL MINUTE

c-MM1 Complaint Handling Procedures – Code of Conduct

REF: A/DCS

102/5, 800/19

The Code of Conduct, Section 12, outlines the procedures for managing complaints regarding the code of conduct of Councillors. To enhance the procedure and to ensure that matters are managed in a consistent and fair manner, I propose that matters are referred to an external independent agency prior to determination.

KPMG provides services that are impartial and take into account confidentiality and reputational issues as well as ensuring legal and ethical guidelines are applied.

MN 534/09

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

THAT the engagement of an external referral agency for Complaint Handling Procedures relating to the Code of Conduct of Councillors and staff, be deferred to the first available Information Session for Councillors in 2010 prior to further referral to Council.

PASSED



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OPEN COUNCIL

OPEN COUNCIL

107/10

MN 535/09

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

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

PASSED



OPEN COUNCIL

ENVIRONMENT & PLANNING DIVISION

o-EP1 Funding for Land Valuations – Land to be Acquired as Identified in Draft Wingecarribee Local Environmental Plan 2009

REF: SPM

5702/6

This report discusses funding several land valuations for properties identified in the Draft Wingecarribee Local Environmental Plan 2009. It is intended to raise funds for these particular properties through a future Section 94A (Indirect) Contributions Plan.

Council's General Manager, Mr Jason Gordon and Director Environment & Planning, Mr Scott Lee, addressed Council on this matter.

OC 203/09

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

THAT an amount up to \$20,000 be allocated from the Land Rental Reserve for carrying out of valuations for the properties listed in the report.

PASSED



CORPORATE SERVICES DIVISION

o-CS1	Investments as at 30 November 2009
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REF: FSM	2104
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Submitting details of Council's Investments as at 30 November 2009.

OC 204/09

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

THAT the information on Council's Investments as at 30 November 2009 be received and noted, noting that the market values shown in the report are as at 31 October 2009.

PASSED



INFRASTRUCTURE SERVICES DIVISION

o-IS1	Southern Regional Livestock Exchange
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REF:	PPM	7170
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The purpose of the report is to submit the Southern Regional Livestock Exchange 2008/09 Annual Report to Council.

The Mayor Cllr T D Gair acknowledged the work of Councillors Mauger and Stranger, the Members of the Board of the Southern Regional Livestock Exchange and also Council staff, Mr Andrew Murdoch and Mr Peter Bowmer and thanked them for their assistance during the year. He noted, with regret, the retirement of Mr Peter Bray from the Board.

OC 205/09

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

1. **THAT the contents of the Southern Regional Livestock Exchange Annual Report be noted.**
2. **THAT Council thanks the members of the Southern Regional Livestock Exchange Advisory Board for their contribution in 2008/09.**

PASSED



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NOTICE OF MOTION

NOTICES OF MOTION

o-NM1 19/2009 – Notice of Motion – Acquisition of Lot 5 DP 867717 Oxley Drive, Bowral

REF: MALS

100/5, PN318501

Clr Larry Whipper has given notice that it his intention to move the following Notice of Motion at the Ordinary Meeting of Council on Wednesday 16 December 2009:

1. THAT Council give consideration to the acquisition of Lot 5 DP 867717 Oxley Drive, Bowral and the feasibility of adding this allotment to the Mt Gibraltar Reserve.
2. THAT Council meet with members of the Mt Gibraltar Reserve Committee early in 2010 to discuss the matter further.

OC 206/09

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

1. **THAT Council give consideration to the acquisition of Lot 5 DP 867717 Oxley Drive, Bowral and the feasibility of adding this allotment to the Mt Gibraltar Reserve.**
2. **THAT the information supplied by the Director Corporate Services be noted AND THAT a detailed report on the proposed acquisition of Lot 5 DP 867717 Oxley Drive, Bowral, be forwarded to a future Ordinary meeting of Council early in 2010.**
3. **THAT members of the Mt Gibraltar Reserve Committee be invited to attend an Information Session with Councillors, if necessary.**

PASSED



COMMITTEE REPORTS

COMMITTEE REPORTS TABLED

c-CR1 Management and Advisory Committee Reports

REF: DCS

1828/3

Submitting minutes of five (5) Committee meetings that will be tabled for information.

OC 207/09

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

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

1. ***Bong Bong Common Management Committee Annual General Meeting held Tuesday 25 August 2009.***
2. ***Bong Bong Common Management Committee held Tuesday 25 August 2009.***
3. ***Loseby Park 355 Management Committee Annual General Meeting held Thursday 27 August 2009.***
4. ***Penrose Hall and Recreation Reserve Committee held on Monday 19 October 2009.***
5. ***Robertson Community Centre Committee held Wednesday 12 August 2009.***

PASSED



COMMITTEE REPORTS ATTACHED

c-CR2	Minutes of the Access Committee
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REF:	CWAD	1828/3
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Submitting minutes of the Access Committee held Monday, 12 October 2009.

OC 208/09

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

THAT the recommendations and actions as detailed in the minutes of the Access Committee held Monday, 12 October 2009 be adopted with the exception of Item 4 – Correspondence – 4.1 Article on Package for Stimulus for ACT Housing.

PASSED

1. CORRESPONDENCE – 4.1 ARTICLE ON PACKAGE FOR STIMULUS FOR ACT HOUSING 5320/67, 107/24.2

Clr L A C Whipper referred to 4.1 Article on Package for Stimulus for ACT Housing for affordable houses with a six (6) star energy rating. He advised that Councillors may recall that there was a motion from the Environment Committee that suggested that Council consider the six (6) star energy rating as a standard within the Shire. He asked if further information could be circulated to Councillors in relation to six (6) star energy rating houses and the associated costs.

OC 209/09

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

THAT in relation to Correspondence - 4.1 Article on Package for Stimulus for ACT Housing - further information be forwarded to Councillors on six (6) star energy rating houses and the associated costs for achieving such levels.

PASSED



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COMMITTEE REPORTS

c-CR2	Minutes of the Resource Recovery Centre Strategic Advisory Board
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REF: RRM	7503/34
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Submitting minutes of the Resource Recovery Centre Strategic Advisory Board held Monday, 7 December 2009.

Council's General Manager, Mr Jason Gordon, addressed Council on this matter.

OC 210/09

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

THAT the recommendations as detailed in the minutes of the Resource Recovery Centre Strategic Advisory Board held Monday, 7 December 2009 be adopted.

PASSED



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QUESTIONS FROM THE PUBLIC

QUESTIONS FROM THE PUBLIC

There were no questions from the public at this meeting.



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GENERAL BUSINESS

GENERAL BUSINESS

1. PLANNING ISSUE FOR AFFORDABLE HOUSING IN MOSS VALE
5320/67, PN1715740, PN1715730

Clr D Stranger asked if Council had received a response from the Department of Housing in relation to this issue.

Council's Director Environment & Planning, Mr Scott Lee, advised that Mr Matt Brown, MP, the Member for Kiama, had acknowledged receipt of Council's request for a deputation to the Minister for Housing. He advised that in relation to the development itself, no further correspondence has been received, but he noted that the process appears to be that the Department of Housing has commissioned one set of consultants to put the plans together and to liaise with the community and Council, with submissions going back to those consultants, and that information is then forwarded on to a second group of consultants.

Council's General Manager, Mr Jason Gordon, suggested that, given the history of the matter, Council may consider to resolve to take the matter up again with the Department of Housing, as Council seems to have been left out of the process to date.

The Mayor Clr T D Gair suggested that, as it is so close to Christmas, Clr Stranger could raise the matter as a Question with Notice at the full Meeting of Council to be held on Wednesday, 27 January 2010 and the matter can be further discussed at that meeting.

2. UNTIDINESS OF STREETS IN BOWRAL BETWEEN BRADMAN OVAL AND BOWRAL CBD
7810/17, 7530/7, 7810/10.1, 5503/1

Clr D Stranger advised that he had received an email from a constituent in Church Street, Bowral, advising of the unkempt nature of the roads between Bradman Oval and Bowral CBD, with no tidying of footpaths, no mowing, no picking up of rubbish and no rubbish bins provided, and he asked if this matter can be investigated.

Council's General Manager, Mr Jason Gordon, advised that this matter will be taken on notice.

3. OLSH SITE IN BOWRAL

5700/62

Clr G McLaughlin asked in relation to the OLSH site in Bowral:

- (i) Has the Site Compatibility Assessment in accordance with Part 1A of the SEPP HS been completed?
- (ii) Has Australand asked the Director General for another Site Compatibility Certificate as it expires today, viz, 16 December 2009?

Council's Director Environment & Planning, Mr Scott Lee advised that he would address the second question first. He advised that he is not aware whether there is a new application for a Site Compatibility Certificate or whether Council has received notification of that. He advised that the absence of a fresh Certificate being issued, the initial one will lapse and that is the end of the matter as far as the legislation is concerned.

- (iii) Clr McLaughlin noted that the then Minister for Planning, Mrs Kristina Keneally, MP, had requested Council to make considerable adjustments to the DCP.

Mr Lee advised that Council's position was relayed to the Minister and the Department and as far as he is aware there has been no further follow-up and that the DCP is still in place but, as discussed previously, the Minister does have the power, under the Act, to request Council to revoke the DCP.

4. PROPOSED MOTO CROSS AT HILL TOP

LUA09/0969

Clr J G Arkwright referred to the recent meeting held at Hill Top in relation to this matter and advised that she has been contacted by numerous residents who expressed a degree of dissatisfaction as they felt the meeting had turned into a rather vitriolic session. She advised that some residents felt they were verbally and, maybe, physically threatened at the meeting, and asked where the application is up to and what feedback Council's officers had received from the meeting.

Council's General Manager, Mr Jason Gordon, advised that he had in the last week received many complaints regarding the meeting and that some accusations had been made about Council staff. He advised that the intention of the meeting was to inform the public in an attempt to assist with the process, and that there had been some heated discussion between the parties involved. Mr Gordon stated that he had discussions with Councillors Tuddenham and McLaughlin, who had both attended the meeting, and that he is happy, after speaking with the Councillors and staff, that the complaints against the staff are unfounded and that staff did control the meeting. He advised that letters will be written to the people who had complained but that the matter will be quite involved until it gets to Council.

Council's Director Environment & Planning, Mr Scott Lee, advised that meeting was not at any stage out of hand, and that several people had approached him after the meeting acknowledging the effort that Council staff had gone to. He advised that the process is continuing with the applicant advising that they will be obtaining and providing the required Acoustic Report in compliance with the relevant legislation. Mr Lee advised that it had been made quite clear at the meeting that submissions may still be made and that residents are



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GENERAL BUSINESS

being kept well informed on the matter. He advised that it will most likely be February 2010 before the report comes before Council.

Clr Arkwright stated that she was not implying any criticism against Council staff.

Clr P B Tuddenham stated that he was at the meeting and that he and Clr McLaughlin, who also attended, had been able to get a general overview of the meeting. He advised that meetings such as the one held at Hill Top become very emotive and unfortunately not all attendees will be satisfied with the outcome. Clr Tuddenham stated that it was his opinion that Council staff had controlled the meeting very well with the Director Environment & Planning encouraging everyone to have a say. He stated that unfortunately the residents still do not understand the development process, with the applicant lodging an application with Council, which is subsequently dealt with and assessed by Council staff – they still think that the Council is lodging the application and that residents do not have a say.

Clr G McLaughlin agreed with Clr Tuddenham's comments and advised that Council staff had conducted themselves admirably. He advised that some good points were made for and against the proposed development, and generally the conduct of the meeting was always in control.

5. ANGLICARE CHARITY BINS AT ROBERTSON

7520/11

Clr J G Arkwright asked if it was possible for Council to contact Anglicare with a request that they clear the charity bins at Robertson more regularly, as the bins are quite often overflowing.

Council's General Manager, Mr Jason Gordon, advised that this can be done.

Clr P B Tuddenham advised that unfortunately some of the charity bins are used by people for dumping their rubbish rather than using the Resource Recovery Centre.

6. COUNCIL'S DRAFT LEP

5900

Clr P B Tuddenham asked for an up-date on the LEP.

Council's Director Environment & Planning, Mr Scott Lee, advised that Council's Strategic Planner, Mr Mark Pepping, had met with the regional officers of the Department of Planning yesterday to discuss outstanding matters. He advised that the regional officers are preparing their final report to head office. Mr Lee advised that a letter will be drafted to the Director of the Department in an attempt to move the matter along, but that if there is a gazettal by Easter 2010, "we will be doing well".



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GENERAL BUSINESS

7. ROADSIDE CLEARING IN AYLMEYTON ROAD RD1101, 7810/10.1

Clr L A C Whipper referred to some emails he had sent requesting roadside clearing in Aylmerton Road and asked for a response to his request.

Council's General Manager, Mr Jason Gordon, advised that this matter will be taken on notice.

8. BELMORE FALLS ROAD, ROBERTSON 7812/3, 5450/17.1, RD3651

Clr L A C Whipper referred to a further request that he had made in relation to a driveway that had been constructed in Belmore Falls Road, Robertson, and asked the need for the driveway, the construction of which is concrete and not gravel, and if a vegetation assessment was done due to the endangered ecological community on that roadside.

Council's General Manager, Mr Jason Gordon, advised that this matter will be taken on notice.

9. TOILET BLOCK IN CLARENCE STREET, MOSS VALE 7145, 7860/1

Clr J R Clark asked if the toilet block at the upper end of Clarence Street, Moss Vale, was Council owned or run by the shopping centre, noting that there was graffiti on the walls, poor signage and the toilet block was generally in an unkempt condition. Clr Clark asked if Council can have some input into improving these facilities.

Council's General Manager, Mr Jason Gordon, advised that it really does not matter who owns it, something needs to be done and it will be followed up.



CLOSED COUNCIL

CORPORATE SERVICES DIVISION

c-CS1 Closed Council

To consider moving into Closed Council.

At this juncture, the time being 5.03 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 536/09

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

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 REQUEST FOR ACQUISITION OF LAND – PART LOT 21 DP11372, 3 SOMA AVENUE, BOWRAL PN 1346400 & LUA03/0725

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

Requesting consideration of acquisition of land by registered proprietor of Lot 21 Deposited Plan 11372 at 3 Soma Avenue, Bowral

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.

.....Cont'd



.....Cont'd

c-GM2 TENDER FOR THE SUPPLY & DELIVERY OF 3 TABLE TOP TRUCKS
6330/09.12

Relevant Legal Provision

This matter is referred to closed committee 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 (or proposes to conduct) business.

Brief Description

Reporting on the matter of tenders for trade-in and purchase of trucks for use in the Roads and Traffic Branch and Water Services area.

Public Interest

It would on balance be contrary to the public interest to consider this information in Open Council because it contains information of a commercial nature.

c-GM3 TENDER FOR ASPHALTIC CONCRETE (06/10)
6330/10.3

Relevant Legal Provision

This report is placed in Closed Committee as it contains commercial information of a confidential nature, under Clause 10A(2)(d) of the Local Government Act.

Brief Description

Reporting on the tenders for Asphaltic Concrete paving services.

Public Interest

It would on balance be contrary to the public interest to consider this information in Open Council because it contains commercial information of a confidential nature.

c-GM4 TENDER FOR FOOTPATH, KERB AND GUTTER AND ASSOCIATED
WORKS (05/10)
6330/10.2

Relevant Legal Provision

This report is placed in Closed Committee as it contains commercial information of a confidential nature, under Clause 10A(2)(d) of the Local Government Act.

Brief Description

Reporting on the tenders for the provision of Footpath, Kerb and Gutter and Associated Works.

Public Interest

It would on balance be contrary to the public interest to consider this information in Open Council because it contains commercial information of a confidential nature.

.....Cont'd



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CLOSED COUNCIL

.....Cont'd

c-GM5 TENDER FOR PAVEMENT MARKING (11/10)

6330/09.11

Relevant Legal Provision

This report is placed in Closed Committee as it contains commercial information of a confidential nature, under Clause 10A(2)(d) of the Local Government Act.

Brief Description

Reporting on the tenders for Pavement Marking services.

Public Interest

It would on balance be contrary to the public interest to consider this information in Open Council because it contains commercial information of a confidential nature.

c-GM6 TENDER FOR ROAD MATERIALS (08/10)

6330/10.5

Relevant Legal Provision

This report is placed in Closed Committee as it contains commercial information of a confidential nature, under Clause 10A(2)(d) of the Local Government Act.

Brief Description

Reporting on the tenders for the supply and delivery of the following Road Materials:

- *Base and sub-base materials*
- *Aggregates*
- *Pre-mixed concrete*
- *Bitumen Emulsion*
- *Gabion Rock*
- *Cold mix asphalt*
- *Flexible Guide posts*
- *Unspecified road materials*

Public Interest

It would on balance be contrary to the public interest to consider this information in Open Council because it contains commercial information of a confidential nature.

.....Cont'd



.....Cont'd

c-GM7 TENDER FOR TRAFFIC CONTROL MANAGEMENT (07/10) 6330/10.4

Relevant Legal Provision

This report is placed in Closed Committee as it contains commercial information of a confidential nature, under Clause 10A(2)(d) of the Local Government Act.

Brief Description

Reporting on the tenders for Traffic Control Management.

Public Interest

It would on balance be contrary to the public interest to consider this information in Open Council because it contains commercial information of a confidential nature.

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

PASSED



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CLOSED COUNCIL

CLOSED COUNCIL

c-GM1	Request for Acquisition of Land – Part Lot 21 Dp11372, 3 Soma Avenue, Bowral
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REF:	PO	PN1346400 & LUA03/0725
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Council's General Manager, Mr Jason Gordon, addressed Council on this matter.

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

1. **THAT Council advise the owner of Lot 21 DP11372 at 3 Soma Avenue, Bowral, that it declines to acquire the area of the property zoned 6(d) under the current Local Environmental Plan.**
2. **THAT the acquisition of Lot 21 DP11372 at 3 Soma Avenue, Bowral, be further considered in the 2010/2011 budget.**

PASSED

VOTING ON THE MOTION

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



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CLOSED COUNCIL

c-GM2 Tender for the Supply and Delivery of 3 Table Top Trucks

REF: RTM

6330/09.12

Council's General Manager, Mr Jason Gordon, addressed Council on this matter.

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

THAT Council accepts the Tender of Tri City Trucks Pty Ltd dated 9 November 2009 for the supply and delivery of three (3) x Fuso 4.0 FE85GDWSRFAB Table Top Trucks with the nominated trade amounts.

PASSED

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

c-GM3 Tender for Asphaltic Concrete (06/10)

REF: RTM

6330/10.3

Council's General Manager, Mr Jason Gordon and Director Infrastructure Services, Mr Michael Brearley, addressed Council on this matter.

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

1. ***THAT Council engage a unit rate Panel of five (5) companies to provide asphaltic concrete paving services for a period of two (2) years commencing January 2010.***
2. ***THAT Council accepts the tenders of RoadWorx Surfacing Pty Ltd, Clearwater Asset Services Pty Ltd, Ledacon Pty Ltd, OzPave (Aust) Pty Ltd and Fulton Hogan Pty Ltd in that order and appoints them to a panel for a period of two (2) years AND THAT Contractors shall be engaged according to this ranking, then subject to availability and ongoing performance.***
3. ***THAT the Mayor and General Manager be authorised to execute the Standing Offer Contracts under the Common Seal of the Council.***

PASSED



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on Wednesday, 16 December 2009

CLOSED COUNCIL

c-GM4 Tender for Footpath, Kerb and Gutter and Associated Works (05/10)

REF: RTM

6330/10.2

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

1. **THAT** Council engage a unit rate Panel of six (6) companies to provide footpath, kerb and gutter and associated works for a period of two (2) years commencing January 2010.
2. **THAT** Council accepts the tenders of Ledacon Pty Ltd, I W Concreting Pty Ltd, Roadworx, Genner Constructions Pty Ltd, CW Concrete Pty Ltd and Allscope Project Services in that order and appoints them to a panel for a period of two (2) years **AND THAT** Contractors shall be engaged according to this ranking, then subject to availability and ongoing performance.
3. **THAT** the Mayor and General Manager be authorised to execute the Standing Offer Contracts under the Common Seal of the Council.

PASSED

c-GM5 Tender for Pavement Marking (11/10)

REF: RTM

6330/09.11

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

1. **THAT** Council engage a unit rate Panel of two (2) companies to linemarking services for a period of two (2) years commencing January 2010.
2. **THAT** Council accept the tender of Wollongong Line Marking Services Pty Ltd and Workforce Road Services Pty Ltd and appoint them to a panel for a period of two (2) years in that order and appoints them to a panel for a period of two (2) years **AND THAT** Contractors shall be engaged according to this ranking, then subject to availability and ongoing performance.
3. **THAT** the Mayor and General Manager be authorised to execute the Standing Offer Contracts under the Common Seal of the Council.

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 16 December 2009

CLOSED COUNCIL

c-GM6 Tender for Road Materials (08/10)

REF: RTM

6330/10.5

Council's Director Infrastructure Services, Mr Michael Brearley, and Procurement Officer, Mr Daniel Cooper addressed Council on the matter.

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

1. **THAT Council accept tenders for the supply of Base and Sub-base materials from Australian Steel Mill Services, Holcim (Aust) Pty Ltd, Cooper's Haulage Pty Ltd, Cleary Brothers (Bombo) Pty Ltd and Hi Quality Environmental Services Pty Ltd for a period of two (2) years commencing 1 January 2010.**
2. **THAT Council accepts tenders for the supply of Aggregate materials from Holcim (Aust) Pty Ltd and Cooper's Haulage Pty Ltd for a period of two (2) years commencing 1 January 2010.**
3. **THAT Council reject the tenders for the supply of Pre-mixed Concrete as tendered rates do not provide value for money based on Council's current pricing arrangements AND THAT Council continue to purchase pre-mixed concrete in accordance with the quotation conditions of General Manager Practice Note 7.**
4. **THAT Council accept the tender for the supply of Bitumen Emulsion from Boral Asphalt Pty Ltd.**
5. **THAT Council accepts tenders for the supply of Gabion Rock from Holcim (Aust) Pty Ltd, Cooper's Haulage Pty Ltd, Hi Quality Environmental Services Pty Ltd and Cleary Bros (Bombo) Pty Ltd for a period of two (2) years commencing 1 January 2010.**
6. **THAT Council accepts tenders for the supply of Cold mix Asphalt from Boral Asphalt Pty Ltd and Fulton Hogan Pty Ltd for a period of two (2) years commencing 1 January 2010.**
7. **THAT Council accepts tenders for the supply of Flexible Guide Posts from Roadside Products (Durapost) Pty Ltd and Roadwise Safety Solutions Pty Ltd for a period of two (2) years commencing 1 January 2010.**
8. **THAT Council accepts tenders for the supply of Unspecified Road Materials from Holcim (Aust) Pty Ltd, Cooper's Haulage Pty Ltd, Cleary Brothers (Bombo) Pty Ltd and Hi Quality Environmental Services Pty Ltd for a period of two (2) years commencing 1 January 2010.**

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 16 December 2009

CLOSED COUNCIL

c-GM7 Tender for Traffic Control Management (07/10)

REF: RMT

6330/10.4

Council's Director Infrastructure Services, Mr Michael Brearley and Procurement Officer, Mr Daniel Cooper addressed Council on this matter.

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

1. **THAT Council engage a unit rate Panel of seven (7) companies to provide traffic control management services for a period of two (2) years commencing January 2010.**
2. **THAT Council accept the tenders of Vale Industrial Personnel Pty Ltd, Roadworx, Traffic Management Services (Aust) Pty Ltd, Evolution Traffic Control, Statewide Traffic Control Pty Ltd, Dialtone Pty Ltd and D&D Traffic Management Pty Ltd in that order and appoints them to a panel for a period of two (2) years AND THAT Contractors shall be engaged according to this ranking, then subject to availability and ongoing performance.**
3. **THAT the Mayor and General Manager be authorised to execute the Standing Offer Contracts under the Common Seal of the Council.**

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 16 December 2009

OPEN COUNCIL

107/10

MN 537/09

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

THAT Council moves back into Open Council.

PASSED

No members of the public were present in the Chamber.

ADOPTION OF CLOSED COUNCIL

107/9

MN 538/09

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

THAT the recommendations of the Closed Council held on Wednesday, 16 December 2009 (Items c-GM1 to – c-GM7) be adopted.

PASSED

ADOPTION OF OPEN COUNCIL

107/10

MN 539/09

MOTION moved by Clr D Stranger seconded by Clr J G Arkwright:

THAT the recommendations of the Open Council held on Wednesday, 16 December 2009 being OC 203/09 to OC 210/09, be adopted.

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 16 December 2009

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 5.46 PM

In accordance with the provisions of Section 375(2) of the Local Government Act, these Minutes of the Ordinary Council Meeting held Wednesday, 16 December 2009 numbered M/N 532/09 to M/N 539/09, were signed by me hereunder at the Council Meeting held on Wednesday, 27 January 2010.

CHAIRMAN

READ AND CONFIRMED ON WEDNESDAY, 27 JANUARY 2009

CHAIRMAN

ACTING PUBLIC OFFICER