

MINUTES

OF THE ORDINARY MEETING OF COUNCIL

File No. 100/09



held on Wednesday, 27 January 2010

The meeting commenced at 3.30 pm.



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 27 January 2010

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COMMENCING AT: 3.30 pm

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

IN ATTENDANCE:

General Manager	Mr Jason Gordon
Director Corporate Services	Mr Barry Paull
Acting Director Environment & Planning	Mr Mark Pepping
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 Pastor Donna Jensen, Southland Christian Church, Moss Vale.

ACKNOWLEDGEMENT OF COUNTRY

1826/4

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

There were no apologies at this meeting.

CONFIRMATION OF MINUTES

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

100/1

MN 01/10

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, 16 December 2009 MN 532/09 to MN 539/09 inclusive, copies of which were forwarded to Councillors, be adopted as a correct record of the proceedings of the meeting.

PASSED

BUSINESS ARISING

Nil.



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DECLARATIONS OF INTEREST

101/3

Clr J Mauger declared a non-pecuniary interest in Item o-EP2 – List of Land Use Applications Received by Council - SEPP 1 Report – October to December 2009 – Boundary Adjustment – Lot 1 Mangers Road, Robertson (LUA09/0585) – as he is the father of the property owner. He stated that he would take no part in the debate and refrain from voting thereon.

The Mayor Clr T D Gair declared a non-pecuniary interest in Item o-EP5 – Proposed Hayshed and Building Line Variation, with SEPP 1 Objection - Lot 3 DP 739390, Myra Vale Road, Wildes Meadow – as he has dealings with the applicant. He stated that he would remain in the chamber when this matter was discussed, take part in the debate and vote thereon.

Clr D Stranger declared a pecuniary interest in Item o-EP7 – Chelsea Gardens/Coomungie Urban Release Area – Draft 19089 LEP Amendment 131 – as his business manages cottages on Coomungie and Parkleigh. He stated that he would leave the chamber when this matter was discussed, take no part in the debate and refrain from voting thereon.

Clr L A C Whipper declared a non-pecuniary interest in Item o-IS2 – Bulk Water Supply Agreement – as he is a Member of the Board of the Sydney Catchment Authority and there may be a perception of conflict. He stated that he would leave the chamber when this matter was discussed, take no part in the debate and refrain from voting thereon.



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AUSTRALIA DAY 2010

1671/2

The Mayor Clr T D Gair acknowledged Australia Day for 2010, and thanked his fellow Councillors who attended and staff involved, and stated that although the weather was hot, it was a very successful day.

OPEN COUNCIL

MN 02/10

107/10

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

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

PASSED



VISITOR ITEM

ENVIRONMENT & PLANNING DIVISION

v-EP1 Proposed Planning Proposal To Rezone 'Sutherland Park', Burradoo for Residential Development

REF: SPM

PN507400

Reporting on a Planning Proposal involving the rezoning of the property known as 'Sutherland Park' on Eridge Park Road, Burradoo for residential development.

Mr Peter Childs, Director of Planning, Crighton Properties Pty Ltd, addressed Council on this matter.

OC 01/10

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

1. **THAT the draft Planning Proposal involving the rezoning of the property 'Sutherland Park', Eridge Park Road, Burradoo for residential development, as provided in Attachment 1 circulated under separate cover be noted.**
2. **THAT community consultation of the Draft Planning Proposal be undertaken in accordance with the chart as provided in Appendix 8 being the Community Consultation Plan of the draft Planning Proposal and commence 8 February 2010 and conclude on 5 April 2010 AND THAT the proponent be responsible for all costs associated with the community consultation.**
3. **THAT a further report be submitted to Council as soon as practical after the completion of the community consultation containing the submissions and respective issues as made by the community to the proposal.**
4. **THAT the Department of Planning be advised in writing of the progress made in relation to this matter.**
5. **THAT Council retains the option to refuse to enter into the gateway process if the community does not support the concept of rezoning the land for the proposed development.**

PASSED

.....Cont'd



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REPORT OF DIRECTOR ENVIRONMENT & PLANNING

.....Cont'd

In accordance with the Local Government Act (section 375A – Recording of voting on planning matters) Council must record the Councillor's vote in relation to this matter.

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



OPEN COUNCIL

ENVIRONMENT & PLANNING DIVISION

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

REF: MDBS 5302

Submitting list of development consents executed under delegated authority of the Director of Environment and Planning between 1st December 2009 and 12th January 2010.

OC 02/10

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

THAT the information relating to Development Consent Nos 1-12 Approved and Development Consent Nos 1 – 3 Refused under Delegated Authority be received and noted.

PASSED



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REPORT OF DIRECTOR CORPORATE SERVICES

o-EP2 List Of Land Use Applications Received By Council

REF: MDBS 5302

Submitting list of development applications which have been received between 1 December 2009 and 12 January 2010, some of which will be dealt with under delegated authority of the Director of Environment & Planning.

Interest: Clr J Mauger declared a non-pecuniary interest in the SEPP 1 Report – October to December 2009 – Lot 1 Maugers Road, Robertson (LUA09/0585) – as he is the father of the property owner. He took no part in the debate and refrained from voting thereon.

OC 03/10

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

THAT the information regarding the List of Land Use Applications Nos 1 – 23 received by Council and the SEPP 1 report be received and noted.

PASSED

Matters Arising from Land Use Applications Received by Council

1. ITEM NO 1 – DEMOLITION AND REPLACE WITH TWO LIGHT INDUSTRIAL BUILDINGS, OXLEYS HILL ROAD, BOWRAL LUA10/0018

Clr P B Tuddenham asked for further information on this item via the Weekly Circular.

2. ITEM NO 5 – CHANGE LOADING DOCK INTO A RETAIL AREA (OLD BUNTERS FURNITURE BUILDING) - BOOLWEY STREET, BOWRAL LUA09/1137

The Mayor Clr T D Gair requested further information in relation to this development, as he is concerned about a retail area losing its loading dock.

The General Manager advised that information will be provided in the Weekly Circular.

3. ITEM NO 8 – BOUNDARY ADJUSTMENT, BROMLEY, 37-39 DUKE STREET, MITTAGONG LUA09/1155

Clr P B Tuddenham asked for information in the Weekly Circular on this boundary adjustment.



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4. ITEM NO 9 – BOUNDARY ADJUSTMENT, HUNTWORTH, GREENHILLS ROAD, WERAJ LUA09/1180

Clr P B Tuddenham asked for information in the Weekly Circular on this boundary adjustment.

5. ITEM NO 13 – 55 LOT COMMUNITY TITLE SUBDIVISION – IVY TUDOR RESTAURANT, MOSS VALE ROAD, BOWRAL LUA09/1136

Clr J R Clark noted that this matter is to be dealt with under delegation and asked if it could be dealt with by Council.

Council's Acting Director Environment & Planning advised that the proposal is what was approved by the Land & Environment Court, and is an application to finalise the strata subdivision of the dwellings once they are constructed on the site.

6. ITEM NO 15 – DEMOLITION OF EXISTING BUILDING AND ERECTION OF NEW RURAL RETAIL STORE – 52-54 ILLAWARRA HIGHWAY, ROBERTSON LUA090/1126

Clr L A C Whipper asked for further information in relation to this development.

Council's Acting Director Environment & Planning advised that information will be provided in the Weekly Circular.

7. ITEM NO 20 – 3 LOT SUBDIVISION, MANDALAY, BUNDANOON ROAD, EXETER LUA09/1223

Clr J R Clark asked for information in the Weekly Circular on this boundary adjustment.

8. ITEM NO 21 – WINERY AND CELLAR DOOR, BUNDANOON ROAD, EXETER LUA09/1125

Clr J R Clark asked for information in the Weekly Circular on this development.



o-EP3 Land Use Applications Determined

REF: MDBS	5302
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Submitting list of Land Use applications determined by way of approval under delegated authority of the Director of Environment & Planning for the month of December 2009.

OC 04/10

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

THAT the information regarding the List of Land Use Applications Received by Council for the month of December 2009, be received and noted.

PASSED



o-EP4 Proposed 25 Lot Subdivision at ‘Vine Lodge’, Lot 1 DP 596495, Lot A DP 927745 and Lot 4 DP 660174 Exeter Road, Exeter

REF: MDBS

LUA08/1042

Reporting on the proposed 25 Lot subdivision at “Vine Lodge” Lot 1 DP596495, Lot A 927745, Lot 4 DP660174 Exeter Road, Exeter.

Council’s Acting Director Environment & Planning addressed Council on this matter.

OC 05/10

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

1. ***THAT the development application LUA2008/1042 for a proposed 25 lot subdivision at “Vine Lodge”, Lot 1 DP596495, Lot A DP927745 and Lot 4 DP660174, Exeter Road, Exeter, be approved subject to conditions as set out in Attachment 2 to the Report.***
2. ***THAT the landscaping plan be as per the carbon offset recommendations as set out in Attachment 2 to the Report which states:***

“To offset carbon emissions from the additional twenty five (25) dwellings, the developer shall provide a revegetation plan prior to the release of the Construction Certificate to the satisfaction of the Director Environment and Planning. Revegetation in accordance with the approved plan shall be completed prior to the release of the Subdivision Certificate. A minimum of twenty five (25) trees per lot shall be provided to offset average annual household carbon emissions. The revegetation program shall also include a mix of mid-storey and groundcover species at a rate of 3:1 for every tree provided.

Reason: Carbon sequestration rates are based on mature trees of approximately 20 – 30 years of age. The provision of mid-storey and groundcover species will increase the amount of carbon absorbed during the early growth period, assist in weed control, improve the soil nutrient balance and provide a more natural environment or ecosystem. All species used shall be indigenous to the local area.”

PASSED

.....Cont’d



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.....Cont'd

In accordance with the Local Government Act (section 375A – Recording of voting on planning matters) Council must record the Councillor's vote in relation to this matter.

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



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o-EP5 Proposed Hayshed and Building Line Variation, with SEPP 1 Objection Lot 3 DP739390, Myra Vale Road, Wildes Meadow

REF: MDBS

LUA09/1085

Reporting on a proposed hayshed and building line variation and concurrent State Environmental Planning Policy No 1 – Development Standards (SEPP1) Objection lodged for Lot 3 DP 739390 Myra Vale Road, Wildes Meadow.

Interest: The Mayor, Clr T D Gair declared a non-pecuniary interest in this matter as he has business dealings with the applicant. He remained in the chamber, took part in the debate and voted thereon.

OC 06/10

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

THAT development application LUA2009/1085 for a hayshed on Lot 3 DP739390, Myra Vale Road, Wildes Meadow, be approved subject to conditions to be determined by the General Manager or his delegate.

PASSED

In accordance with the Local Government Act (section 375A – Recording of voting on planning matters) Council must record the Councillor's vote in relation to this matter.

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



o-EP6 Section 96 Modification – Condition 3, Bulky Goods Retail Centre, 205 Hume Highway, Mittagong

REF: MDBS

LUA06/1282

Reporting on a proposed modification to reduce the approved minimum floor area.

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

OC 07/10

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

THAT authority be delegated to the General Manager to approve condition 3 of LUA 2006/1282 in the following manner:

- “ any increase in the number of tenancies will require application to Council. The showroom areas of all tenancies, other than the designated food stores and unit 6, must remain greater than 200m² .”***

PASSED

In accordance with the Local Government Act (section 375A – Recording of voting on planning matters) Council must record the Councillor's vote in relation to this matter.

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



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REPORT OF DIRECTOR CORPORATE SERVICES

o-EP7 Chelsea Gardens / Coomungie Urban Release Area – Draft 1989 LEP Amendment 131

REF: SPM

5800/18

The purpose of this report is to present a proposed alteration to the Draft LEP 1989 Amendment 131 zone map which has been requested by the proponents for the Chelsea Gardens property prior to re-exhibition commencing.

Interest: Clr D Stranger declared a pecuniary interest in this matter as his business manages cottages on Coomungie and Parkleigh. He left the chamber, took no part in the debate and refrained from voting thereon.

Council's Acting Director Environment & Planning and Manager Development & Building Services addressed Council on this matter.

OC 08/10

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

- 1. THAT the modified Draft Local Environmental Plan Map included in Attachment 2 replace the previously adopted draft LEP Map of 9 December 2009 as part of the exhibition to commence after 1 February 2010.***
- 2. THAT any future conditions of consent deal with any localised flooding issues by way of notification on the properties whether that be easements or specific building envelopes identified.***

PASSED

In accordance with the Local Government Act (section 375A – Recording of voting on planning matters) Council must record the Councillor's vote in relation to this matter.

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



o-EP8	Update on the Establishment of the Wingecarribee Community Arts Trust and Board
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REF:	SPM	1650
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The purpose of this report is to update Council on the progress with the establishment of the Wingecarribee Community Arts Trust and Board.

Clr D Stranger returned to the Chamber at this juncture.

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

OC 09/10

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

1. **THAT** the update on the establishment of the Wingecarribee Arts Trust (WAT) and Board be noted.
2. **THAT** a Councillor Information Session be arranged to outline the opportunity of utilising The Southern Highlands Foundation to administer the running of WAT.

PASSED



**o-EP9 Funding Strategy for Douglas Road, Moss Vale (Enterprise Corridor)
Upgrade and S96(2) Application for Modification to Existing Consents for
Industrial Developments on Douglas Road, Moss Vale**

REF: MSP 5701/27, LUA03/0363, LUA04/0266,
LUA05/0324, LUA07/1430, LUA09/0631

This report discusses voluntary planning agreements negotiated between Council and three separate developers for the upgrade of Douglas Road Moss Vale within the Enterprise Corridor and provision of basic sewer services; acceptance of the Draft Deed of Agreement – Local Infrastructure Support Fund; and an application for an Interest Free Loan – Local Infrastructure Fund and the accompanying S96 Modification Application and Development Application for one of the sites.

Council's General Manager addressed Council on this matter.

OC 10/10

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

1. **THAT Council accepts the Deed of Agreement and informs the Department of Industry and Development of its decision AND THAT the Deed of Agreement be executed under the Common Seal of the Council.**
2. **THAT Council accepts the terms and conditions of the Voluntary Planning Agreements as included in Attachment 3 (which was circulated under separate cover to Councillors) and publicly exhibit them for 28-days with their respective S96 Applications to Modify Consents.**
3. **THAT Council delegate authority to the General Manager to determine the proposed subdivision LUA09/0631, and the s96(2) applications for modifications to LUA03/0363 and LUA04/0266 subject to the completion of the Voluntary Planning Agreement between Council and three separate developers for the upgrade of Douglas Road and the provision of basic sewer services.**
4. **THAT Council delegate authority to the General Manager to determine the future S96 Applications to LUA07/1430 and LUA05/0324 relating to the respective attached Draft Voluntary Planning Agreements.**
5. **THAT should no objections be submitted in respect of the Draft Voluntary Planning Agreements and Section 96 Applications that delegation be granted to the General Manager to approve the Applications and that the General Manager and Mayor to sign the Voluntary Planning Agreements officially entering Council into those agreements.**
6. **THAT Council note the Minister's announcement of approval for an interest free loan on 25 January 2010 AND THAT a further report be forwarded to an Ordinary Meeting of Council on the terms and conditions of the loan as soon as possible.**

PASSED



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



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REPORT OF DIRECTOR CORPORATE SERVICES

o-EP10 Request For Funding To Transport A Life Education Van To Local Schools

REF: SPM

1855/5, 7105

To seek a budget from Council to assist Life Education NSW with the transportation of Learning Centre Van to schools throughout the Shire.

Council's General Manager addressed Council on this matter.

OC 11/10

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

1. **THAT an amount of \$6,000 be taken from Council's Contingency Fund in the 2009/2010 Budget to cover the costs of towing of the Mobile Learning Centre Van operated by Life Education NSW to schools in the Wingecarribee Shire.**
2. **THAT an amount of \$6,000 be considered as a recurrent vote in the 2010/2011 budget.**
3. **THAT Life Education NSW be advised of Council's decision.**
4. **THAT Council write to the State Government raising the issue of ongoing impacts to Councils of cost shifting its responsibilities to Local Government.**

PASSED



CORPORATE SERVICES DIVISION

o-CS1 Investments as at 31 December 2009

REF: FSM

2104

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

Council's Director Corporate Services addressed Council on this matter.

OC 12/10

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 December 2009 be received and noted.

PASSED

CHAIRPERSON

At this juncture, the time being 5.03 pm, the Mayor, Clr T D Gair, resumed the Chair to conduct the remainder of Council Business.



o-CS2	2009/2010 Loan Program
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REF:	FSM	2130
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Submitting a report on Council's 2009/2010 Loan Borrowing Program.

Council's Director Corporate Services addressed Council on this matter.

MN 03/10

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

1. ***THAT subject to it being established that the interest rate offered by the National Australia Bank is a competitive rate within the market, Council accept the National Australia Bank's offer to provide a \$4,000,000.00 Sewer Fund loan for the Bundanoon and Robertson Sewerage Schemes.***
2. ***THAT the Mayor and General Manager be authorised to sign the necessary documentation under the Common Seal of the Council.***
3. ***THAT the General Manager and his nominated delegate be authorised to negotiate the interest rate at draw down time with the National Australia Bank.***

PASSED



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REPORT OF DIRECTOR CORPORATE SERVICES

o-CS3	Applications for Special Variation to General Notional Rate Income 2010/2011
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REF:	DCS
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2210

Reporting on guidelines issued by the Department of Local Government for the preparation of an application for a special variation to General Income in 2010/2011.

Council's General Manager addressed Council on this matter.

MN 04/10

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

THAT the information be received and noted.

PASSED



o-CS4 Bradman Museum Extension Lease

REF: PO	PN 212200, 6537/3.2
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Reporting on the outcome of public exhibition of the Lease between Council and The Bradman Foundation for an additional area of land to accommodate the Bradman Museum extension which is under construction.

Council's Director Corporate Services addressed Council on this matter.

MN 05/10

MOTION moved by Clr P B Tuddenham and seconded by Clr G McLaughlin:

1. **THAT** it be noted that pursuant to Section 47 of the Local Government 1993, Council has publicly exhibited the proposed Lease of the Bradman Museum extension area of Glebe Park **AND THAT** no submissions or objections were received by Council during the period of public exhibition.
2. **THAT** it be noted that, as there were no objections received with respect to the proposed Lease of the Bradman Museum extension area, that Council may proceed with the Lease to The Bradman Foundation without obtaining the approval of the Minister for Local Government.
3. **THAT** the Lease of the Bradman Museum extension be executed under the Common Seal of the Council.

PASSED



o-CS6 Easement for Electricity Transmission – Yerrinbool Reservoir

REF: PO 7740/9; 6840/1

Reporting on the requirement for Council to enter into an Agreement with the National Parks & Wildlife Service for an easement for electricity transmission at Yerrinbool Reservoir.

Council's Director Corporate Services addressed Council on this matter.

MN 07/10

MOTION moved by Clr K Halstead and seconded by Clr G McLaughlin:

1. **THAT** Council seeks the approval of the Minister of Lands to grant an easement for electricity transmission for and right of carriageway to Council's facilities at Yerrinbool Reservoir, within the Upper Nepean State Conservation Area **AND** **THAT** as part of the approval process, Council request the concurrence of Sydney Catchment Authority.
2. **THAT** the electricity wires be of a bundled nature.

PASSED



o-CS7 Integrated Planning and Reporting Committee

REF: MOD, AOE

500/2.4

The Mayor and two (2) Councillor nominees are requested for the Integrated Planning and Reporting Committee.

Council's General Manager addressed Council on this matter.

MN 08/10

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

THAT Council endorse the formation of the Integrated Planning and Reporting (IP&R) Committee and nominate the Mayor and two (2) Councillors to sit on this Committee, with the following membership:

- ***Mayor of the Day (Clr T D Gair) – Chair***
- ***Councillor Ken Halstead***
- ***Councillor David Stranger***
- ***General Manager***
- ***Director Corporate Services***
- ***Director Environment and Planning***
- ***Director Infrastructure Services***
- ***Corporate Planner***
- ***Organisational Development Manager***

PASSED



o-CS8	Committee Appointments and Resignations
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REF:	MALS	6549/1.1, 7216/1
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Reporting on Management Committee Appointments and Resignations.

MN 09/10

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

- THAT Ms Carol Princic be appointed to the Penrose Hall & Recreation Reserve Management Committee AND THAT Ms Princic be notified of Council's determination.***
- THAT Ms Elizabeth Shepherd be appointed to the Moss Vale Community Centre Management Committee AND THAT Ms Shepherd be notified of Council's determination.***
- THAT the Penrose Hall & Recreation Reserve Management Committee and the Moss Vale Community Centre Management Committee be notified of Council's determination.***

PASSED



o-CS9 Wingello Mechanics Institute Management Committee Constitution

REF: DCS, MALS

7223/2

Reporting on the Wingello Mechanics Institute Management Committee Constitution.

MN 10/10

MOTION moved by Clr G McLaughlin and seconded by Clr P B Tuddenham:

1. ***THAT Council adopts the Wingello Mechanics Institute Management Committee Constitution incorporating Council's generic constitution adopted on 8 April 2009 and the following recommendations:***
 - (a) ***That the committee to be known as the Wingello Mechanics Institute Management Committee.***
 - (b) ***Item 3.3.1 The Committee will comprise up to twelve (12) members including representatives of the user groups of the facility and community representatives.***
 - (c) ***Item 3. 3.14 A quorum will comprise five (5) members.***
2. ***THAT the Wingello Mechanics Institute Management Committee Management Committee be notified of Council's determination.***

PASSED



INFRASTRUCTURE SERVICES DIVISION

o-IS1 Wallaby Hill Road Gravel re Sheeting Works

REF: RTM LUA 09/0903, RD3640, 100/5, 7810/3

The purpose of this report is to provide information in relation to the recycled road material used to gravel re-sheet Wallaby Hill Road, Robertson in 2008 and 2009. This information was requested by Councillors following the approval of Land Use Application (LUA) 09/0903 for the proposed use of Wallaby Hill Farm for equestrian events.

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

MN 11/10

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

THAT the matter be deferred to the next Ordinary Meeting of Council to be held on Wednesday, 10 February 2010 AND THAT an Information Session for Councillors be held in relation to any issues that may arise in relation to this matter (eg, traffic counting), prior to that Meeting.

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

1. **THAT** the information be received and noted.
2. **THAT** the 'Missing Link' of unsealed road within Belmore Falls Road between Wallaby Hill Road and the sealed section be re-prioritised against other competing projects within the Roads To Recovery Program as part of the management plan review for the upcoming financial year.

LOST

Voting on the Amendment

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

MOTION PASSED

.....Cont'd



MINUTES OF THE ORDINARY MEETING OF COUNCIL
held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 27 January 2010

REPORT OF DIRECTOR INFRASTRUCTURE SERVICES

.....Cont'd

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	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, 27 January 2010

REPORT OF DIRECTOR INFRASTRUCTURE SERVICES

QUESTIONS FROM THE PUBLIC

1. PROPOSED 25 LOT SUBDIVISION AT 'VINE LODGE', LOT 1 DP 596495, LOT 1 DP 927745 AND LOT 4 DP 660174 EXETER ROAD, EXETER LUA08/1042

Mrs Pam Cooper referred to the construction of the footpath/pathways in "Vine Lodge" and access to Exeter Park, and asked if Council would consider deferring this matter to a later date for consultation with Malcolm Holdings, Exeter Park Management Committee and Council.

Council's Acting Director Environment & Planning advised that now the draft conditions of consent have been approved by Council, it is intended that the DA will be issued. He advised that the 2.5 m pathway was for safety, for example, for two cyclists passing or a pedestrian in a motorised scooter, and that is generally the best practise for footpaths and shared pathways.

The Mayor suggested that the Acting Director Environment & Planning meet with Mrs Cooper to discuss the issue she raised.



o-IS2	Bulk Water Supply Agreement
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REF: WSM	7730/2
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The purpose of this report is to advise of minor changes to the Bulk Water Supply Agreement (BWSA) with the Sydney Catchment Authority (SCA).

Interest: Clr L A C Whipper declared a non-pecuniary interest in this matter due to the fact that he is a member of the Board of the Sydney Catchment Authority. He left the chamber, took no part in the debate and refrained from voting thereon.

Clr K Halstead left the Chamber during debate of this matter.

MN 12/10

MOTION *moved by Clr D Stranger and seconded by Clr J R Clark:*

THAT *the amended Bulk Water Supply Agreement between the Sydney Catchment Authority and Wingecarribee Shire Council be approved for execution by the General Manager.*

PASSED

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



o-IS3	Proposed Statue of Mary Poppins – Glebe Park, Bowral
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REF:	PPM	1650/23
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The purpose of this report is for Council to consider a proposal to erect a statue of Mary Poppins in Glebe Park, Bowral.

Clr L A C Whipper and Clr K Halstead returned to the Chamber at this juncture.

MN 13/10

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

1. **THAT** the proposal to erect a statue of Mary Poppins in Glebe Park, Bowral be supported by Council **AND THAT** the preferred location as detailed in the report be approved.
2. **THAT** the details of the proposed sculpture be submitted to Council for approval within a two (2) month timeframe.

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 27 January 2010

NOTICE OF MOTION

COUNCIL MATTERS

QUESTIONS WITH NOTICE

c-QWN1 QWN 01/10 – Planning Issues for Affordable Housing in Moss Vale

REF:	SPM	101/2, 107/24.2
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To: General Manager, Mr Jason Gordon
From: Clr David Stranger
Received: 13 January 2010

Subject: Planning Issues for Affordable Housing in Moss Vale

Question:

1. Could the General Manager advise on the outcome of Council's representations to the Minister for Housing, The Hon David Lawrence Borger BEc, in relation to the proposed development – SEPP (affordable Rental Housing) 2009 Lots 24 and 25 DP 1013577 Argyle Street Moss Vale.

Council's General Manager, Mr Jason Gordon and Acting Director Environment & Planning, Mr Mark Pepping, addressed Council on this matter.

MN 14/10

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

THAT Council continue to pursue making representations to the Premier of New South Wales, the Hon Kristina Keneally, MP, the Minister for Housing, the Hon David Borger, MP and the Minister for Planning, the Hon Tony Kelly, MP, and expressing Council's extreme disappointment in the manner in which the State Government has implemented the new legislation in relation to affordable housing.

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 27 January 2010

NOTICE OF MOTION

NOTICE OF MOTION

c-NRM1	01/2010 - Notice of Motion of Rescission - Development Application 'Wallaby Hill Farm', Lot 4 DP 590435, Wallaby Hill Road, Robertson
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REF:	MALS
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LUA2009/0903, 100/4

"We hereby give notice of our intention to move at the next meeting of Council that the motion passed at the Ordinary Meeting of Council held on Wednesday, 9 December 2009 be **rescinded**. (Reference MN503/09)

"THAT development application LUA2009/0903 for the use of 'Wallaby Hill Farm' Lot 4 DP590435, Wallaby Hill Road, Robertson, for equestrian events on four (4) occasions in a calendar year be approved subject to deferred commencement and special conditions as described in Attachment 2 to the report, which was circulated under separate cover AND THAT the special conditions requiring a 2 coat bitumen seal to Wallaby Hill Road include confirmation that such sealing is for a length of approximately 1.5kms from the intersection with Belmore Falls Road to the entry gate of 'Wallaby Hill Farm', up to a cost of \$60,000."

*Dated 16 December 2009
Signed Clr Juliet Arkwright
Clr David Stranger
Clr Paul Tuddenham"*

MN 15/10

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

THAT the Notice of Motion of Rescission – Development Application "Wallaby Hill Farm", Lot 4 DP 590435, Wallaby Hill Road, Robertson - be deferred to the next Ordinary Meeting of Council to be held on Wednesday, 10 February 2010.

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 27 January 2010

NOTICE OF MOTION

o-NM1	01/2010 – Notice of Motion – Development Application ‘Wallaby Hill Farm’ Lot 4 DP 590435, Wallaby Hill Road, Robertson
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REF:	MALS	LUA2009/0903, 100/4
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Clr Juliet Arkwright has given notice that it is her intention to move the following Notice of Motion at the Ordinary Meeting of Council on Wednesday 27 January 2010:

1. THAT Development Application LUA 2009/0903 for the use of ‘Wallaby Hill Farm’ Lot 4 DP590435, Wallaby Hill Road, Robertson for equestrian events on four (4) occasions in a calendar year be approved subject to deferred commencement and special conditions as described in Attachment 2 of the report at the meeting held on Wednesday 9 December 2009 which was circulated under separate cover.

MN 16/10

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

THAT the Notice of Motion - Development Application “Wallaby Hill Farm” Lot 4 DP590435, Wallaby Hill Road, Robertson - be deferred to the next Ordinary Meeting of Council to be held on Wednesday, 10 February 2010.

PASSED



COMMITTEE REPORTS TABLED

c-CR1	Management and Advisory Committee Reports
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REF: DCS	107/1
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Submitting minutes of five (5) Committee meetings that will be tabled for information.

MN 17/10

MOTION moved by Cllr P B Tuddenham and seconded by Cllr G McLaughlin:

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

- 1. Welby Community Hall 355 Management Committee Annual General Meeting held Monday, 10 August 2009.***
- 2. Wingello Mechanics Institute Management Committee held Wednesday, 25 October 2009.***
- 3. Moss Vale Senior Citizens and Community Centre Management Committee held Monday, 9 November 2009.***
- 4. Mittagong Community Centre Management held Thursday 12 November 2009.***
- 5. Moss Vale Senior Citizens and Community Centre Management Committee held Monday, 14 December 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, 30 November 2009.

MN 18/10

MOTION moved by Clr P B Tuddenham and seconded by Clr G McLaughlin:

THAT the recommendations as detailed in the minutes of the Access Committee held Monday, 30 November 2009 be adopted.

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 27 January 2010

COMMITTEE REPORTS

c-CR3 Minutes of the Water & Sewerage Advisory Committee

REF: WSM

7799/2

Submitting minutes of the Water & Sewerage Advisory Committee held Friday, 27 November 2009.

Council's General Manager and Director of Infrastructure Services addressed Council on this matter, noting Fact Sheet One, Water for Goulburn attached to the Water & Sewerage Advisory Committee Minutes.

MN 19/10

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

THAT the information detailed in the minutes of the Water & Sewerage Advisory Committee held Friday, 27 November 2009 be adopted.

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 27 January 2010

COMMITTEE REPORTS

GENERAL BUSINESS

1. REQUEST FROM GWYDIR SHIRE COUNCIL 2152

Clr J G Arkwright referred to the letter from Gwydir Shire Council (Item No 2 of Weekly Circular Issue 03/10) and asked if Council would be considering a petition to the House of Representatives and the Speaker to have a referendum to seek formal arrangements in the Constitution to make grants to Local Government.

The Mayor requested that Clr Arkwright put the matter as a Question with Notice at the next full Meeting of Council on Wednesday, 10 February 2010.

2. DEVELOPMENT AT THE CORNER OF VICTORIA STREET AND MITTAGONG ROAD, BOWRAL LUA09/0998

Clr K Halstead asked what development is anticipated for the property at the corner of Victoria Street and Mittagong Road, Bowral, and if it is to be (or has it already been) dealt with under delegated authority?

Council's Acting Director Environment & Planning advised that details will be provided in the Weekly Circular.

3. LAMOND LANE, BOWRAL 7470/7, PN1641800, LUA09/0624, D12720 D1

Clr K Halstead referred to the Lamond Lane, Bowral parking area lockout, and asked if the Mayor and/or General Manager could indicate why procedures were not in place to bring forward legal documents, including leases, etc, that were nearing their nominated date for renewal under the Local Government Act, 1993?

The General Manager advised that an issue did arise in dealings with the owner where Council did ask for a period of time to get information and from there the matter has deteriorated. However, he stated that this is a matter that will be further discussed.



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 27 January 2010

COMMITTEE REPORTS

4. ALLEGED ILLEGAL SIGNAGE AT "TARELLA" GREENHILLS ROAD, WERAI PN601500

Clr K Halstead asked what action has been taken to prosecute the breach for the "alleged" illegal signage at the property "Tarella", Greenhills Road, Werai and asked what was the nature of the breach. Clr Halstead also asked if the Mayor could confirm that the sign titled "Old Wares" located on Nowra Road, Fitzroy Falls, is an approved sign?

The Mayor advised that the sign on Nowra Road is not, as far as he is aware, an approved sign.

The General Manager advised that information on this matter will be placed in the Weekly Circular.

5. ACCESS TO THE ALDI STORE AT MITTAGONG LUA07/0613, 7460/25

Clr P B Tuddenham referred to the large volume of traffic to and from the Mittagong Marketplace over Christmas and the holiday period, and asked if the issue of access to the new Aldi store at Mittagong can be revisited. He stated that he was concerned that all traffic going south was forced to go through the Marketplace to gain access to the Aldi store. Clr Tuddenham asked how this matter could best be dealt with and that he would like to put it on the agenda for the next Traffic Committee Meeting if he had Council's support.

The General Manager advised that this matter will be taken on notice and reviewed due to the traffic and safety issues in that area.

6. TOILET BLOCK – CLARENCE STREET, MOSS VALE 7145, 101, 7860/1

Clr P B Tuddenham referred to Item No 3 in Weekly Circular Issue 03/10 and stated that he found unsatisfactory the option of demolishing the toilet block in Clarence Street, Moss Vale, and asked for this matter to come back to Council before a decision is made.

The General Manager advised that the comment about demolishing the toilet block was one option for dealing with the issue, but before anything happens it would be referred back to Council for further consideration.

7. PLANTINGS IN ROUNDABOUTS 7451

Clr L A C Whipper asked about the logic in the planting of agapanthus in roundabouts within the Shire, as when they flower they have a very large flower head. Clr Whipper questioned whether this was a vision hazard for drivers negotiating roundabouts.

The General Manager advised that the planting of vegetation (or other means) generally means that drivers will slow down when negotiating roundabouts. However, he stated that there are design standards for vegetative plantings and that agapanthus may not be the appropriate plant. The General Manager advised that the matter will be investigated and a reply provided in the Weekly Circular.



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
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COMMITTEE REPORTS

8. ROADSIDE CLEARING IN AYL MERTON ROAD, AYL MERTON 5210/3

Clr L A C Whipper referred to the issue of roadside clearing in Aylmerton Road, Aylmerton, which he had raised at a previous Council meeting. He noted that he had received a response that it was illegal clearing but asked if he could be provided with an up-date on the matter.

9. TREE REMOVAL IN BLUE GUM ROAD, BUNDANOON 7813/1

Clr J R Clark referred to his previous request in relation to this matter, and stated that it was his understanding that there was agreement to put up a sign at this area, but so far that sign has not been put up. He asked if the matter can be followed up.

The Mayor advised that a reply will be provided in the Weekly Circular.

10. DEVELOPMENT APPLICATION IN CHURCH STREET, BUNDANOON (ON CONSTITUTION HILL) LUA08/1059, LUA09/0951

Clr J R Clark referred to this matter, which he had raised previously. He noted that the development is on a very steep block and stated that there are quite extreme earthworks taking place with the driveway currently under construction. Clr Clark advised that he had received a request from a constituent about whether the development complies with the regulations regarding the grade of construction and asked for some information on the matter.

The Mayor advised that a reply 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, 27 January 2010

CLOSED COUNCIL

CORPORATE SERVICES DIVISION

c-CS1	Closed Council
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To consider moving into Closed Council.

At this juncture, the time being 6.50 pm, pursuant to section 10A(4), the Mayor offered the opportunity to members of the public to make representations to Council as to whether any items of the Closed Council should not be considered in Closed Council.

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 20/10

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

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 **PROPOSED ACQUISITION OF LAND – PART LOT 11 DEPOSITED PLAN 577683 BELMORE FALLS ROAD, ROBERTSON**
PN1346400 & 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

Reporting on the necessity to acquire land to facilitate the proposed replacement of Belmore Falls Road Bridge over Johnson's Creek at Robertson.

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



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 27 January 2010

CLOSED COUNCIL

.....Cont'd

c-GM2 LUMP SUM CONTRACT 14/10- REHABILITATION OF WATER AND SEWER MAINS 6330/10.7, 7799

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 (or proposes to conduct) business under Clause 10A(2)(c) of the Local Government Act.

Brief Description

Reporting on tenders received for the rehabilitation of approximately 1,297 metres of sewerage mains and 2,000 metres of water mains in various locations in Bowral, Mittagong, Moss Vale and Bundanoon.

Public Interest

It would be contrary to 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, 27 January 2010

CLOSED COUNCIL

CLOSED COUNCIL

c-GM1 Proposed Acquisition of Land – Part Lot 11 Deposited Plan 577683 Belmore Falls Road, Robertson

REF: PO

PN142800, 7850/6

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

1. **THAT a formal valuation be undertaken of part of Lot 11 Deposited Plan 577683 at Belmore Falls, Robertson for the acquisition of approximately 65 square metres of land for the purpose of proposed bridge works over Johnson's Creek.**
2. **THAT following receipt of the valuation report referred to in 1 above, the General Manager be delegated authority to negotiate with the owners of the subject property being Lot 11 Deposited Plan 577683 at Belmore Falls Road, Robertson for the acquisition of approximately 65 square metres of land.**
3. **THAT if agreement cannot be reached by negotiations between Council and the owners of the subject property being Lot 11 Deposited Plan 577683, Council proceed to compulsory acquisition.**
4. **THAT the General Manager and Mayor be delegated authority to execute any Deed of Agreement, Plan and Transfer documents 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
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CLOSED COUNCIL

c-GM2 Lump Sum Contract 14/10- Rehabilitation of Water and Sewer Mains

REF: WSM

6330/10.7, 7799

Council's Director Infrastructure Services addressed Council on this matter.

The Committee on a **MOTION** moved by Clr D Stranger and seconded by Clr K Halstead
RECOMMENDED:

1. **THAT the Lump Sum tender in the sum of \$463,400 plus GST submitted by ITS Trenchless Pty Ltd be accepted for Schedule 1 of Contract 14/10.**
2. **THAT the Lump Sum tender in the sum of \$219,400 plus GST submitted by ITS Trenchless Pty Ltd be accepted for Schedule 2 of Contract 14/10.**
3. **THAT the Lump Sum tender in the sum of \$58,623 plus GST submitted by Interflow Pty Ltd be accepted for Schedule 3 of Contract 14/10.**
4. **THAT the Mayor and General Manager be authorised to execute the contract(s) 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, 27 January 2010

OPEN COUNCIL

107/10

MN 21/10

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

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 22/10

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

THAT the recommendations of the Closed Council held on Wednesday, 27 January 2009 (Items c-GM1 and c-GM2) be adopted.

PASSED

ADOPTION OF OPEN COUNCIL

107/10

MN 23/10

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

THAT the recommendations of the Open Council held on Wednesday, 27 January 2009 being OC 01/10 to OC 12/10, be adopted.

PASSED



MINUTES OF THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 27 January 2010

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 7.25 PM

In accordance with the provisions of Section 375(2) of the Local Government Act, these Minutes of the Ordinary Council Meeting held Wednesday, 27 January 2010 numbered M/N 01/10 to M/N 23/10, were signed by me hereunder at the Council Meeting held on Wednesday, 10 February 2010.

CHAIRMAN

READ AND CONFIRMED ON WEDNESDAY, 10 FEBRUARY 2010

CHAIRMAN

PUBLIC OFFICER