

6 April 2018

Dear Councillor,

You are kindly requested to attend the **Ordinary Meeting** of Wingecarribee Shire Council to be held in **Council Chambers, Civic Centre, Elizabeth Street, Moss Vale** on **Wednesday 11 April 2018** commencing at **3.30 pm**.

Yours faithfully

Ann Prendergast
General Manager

SCHEDULE

3.30pm	Council Meeting begins
5.30pm	Questions from the Public to be read out
7.40pm	Closed Council

RUNNING SHEET

ORDINARY MEETING OF COUNCIL

held in the Council Chambers, Civic Centre, Elizabeth Street, Moss Vale

on Wednesday, 11 April 2018 at 3.30 pm.

Time	Item
3.30pm	Opening of meeting – please remind all present that mobile phones must be switched off before the meeting and that the meeting is tape recorded and the Council Chamber now has 24 Hour Video Surveillance.
	Acknowledgement of Country - Cllr L A C Whipper
3.32pm	Opening Prayer – Reverend Gavin Perkins, Bowral Anglican Church
3.35pm	<ul style="list-style-type: none">• Apologies – Cllr P W Nelson• Adoption of Previous Minutes – Wednesday, 28 March 2018• Business Arising (<i>if any</i>)• Declarations of Interest (<i>if any</i>)• Mayoral Minute (<i>if any</i>)• Public Forum (<i>if any</i>)• Motion to move into Committee of the Whole – Cllr L A C Whipper• Visitor Item - Nil• Council Reports
5.30pm	Motion to move into Council and the Mayor resumes the Chair
5.30pm	Questions from the Public - <i>to be read</i> Continuation of Council Reports General Business Questions Questions with Notice Notices of Motion
7.40pm	Closed Council
8.00pm	Meeting Closed

Ann Prendergast
General Manager



Business

1. **OPENING OF THE MEETING**
2. **ACKNOWLEDGEMENT OF COUNTRY**
3. **PRAYER**
4. **APOLOGIES**
Clr P W Nelson
5. **ADOPTION OF MINUTES OF PREVIOUS MEETING**
Ordinary Meeting of Council held on 28 March 2018
6. **BUSINESS ARISING FROM THE MINUTES**
7. **DECLARATIONS OF INTEREST** 1
8. **MAYORAL MINUTES**
9. **PUBLIC FORUM**

COMMITTEE OF THE WHOLE

10. VISITOR MATTERS

OPERATIONS, FINANCE AND RISK

Nil

CORPORATE, STRATEGY AND DEVELOPMENT SERVICES

Nil

11. EN BLOC MOTION

12. OPERATIONS FINANCE AND RISK

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- 12.2 Request for a Loan - Southern Highlands Croquet Club Inc..... 13
- 12.3 Tender for the Upgrade of Braemar Avenue Culvert, Braemar..... 18

13. CORPORATE STRATEGY AND DEVELOPMENT SERVICES

- 13.1 Development Applications Determined from 26 February 2018 to 23 March 2018..... 23
- 13.2 Development Applications Received from 26 February 2018 to 23 March 2018..... 33
- 13.3 Planning Proposal to Permit a Dwelling Entitlement on Lot 2 DP 854905, Park Avenue, Aylmerton. 43
- 13.4 Economic Development and Tourism Committee 78
- 13.5 Media Policy 81

Mayor to resume chair at 5.30 pm



COUNCIL MATTERS

14. GENERAL MANAGER

Nil

15. DELEGATE REPORTS

16. PETITIONS

Nil

17. CORRESPONDENCE FOR ATTENTION

Nil

18. COMMITTEE REPORTS

- 18.1 Minutes of the Community Development Advisory Committee
Meeting held on Tuesday , 13 March 2018 98

19. QUESTIONS WITH NOTICE

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20. NOTICES OF MOTION

- 20.1 Notice of Motion 10/2018 - Plantings of Leylandii.....115

21. GENERAL BUSINESS

Nil

22. CLOSED COUNCIL

- Moving into Closed Session.....117

22.1 Tender for the Upgrade of Braemar Avenue Culvert, Braemar

This report is referred to Closed Committee in accordance with s10A(2) of the Local Government Act, 1993, 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.

23. RESUMPTION OF OPEN COUNCIL

Resumption of Open Council

Adoption of Closed Session

24. ADOPTION OF COMMITTEE OF THE WHOLE

25. MEETING CLOSURE

Our Mission, Our Vision, Our Values

OUR MISSION

To create and nurture a vibrant and diverse community growing and working in harmony with our urban, agricultural and natural environments

OUR VISION

Leadership: *'An innovative and effective organisation with strong leadership'*

People: *'A vibrant and diverse community living harmoniously, supported by innovative services and effective communication with Council'*

Places: *'Places that are safe, maintained, accessible, sympathetic to the built and natural environment, that supports the needs of the community'*

Environment: *'A community that values and protects the natural environment enhancing its health and diversity'*

Economy: *'A strong local economy that encourages and provides employment, business opportunities and tourism'*

OUR VALUES

Integrity, trust and respect

Responsibility and accountability

Communication and teamwork

Service quality

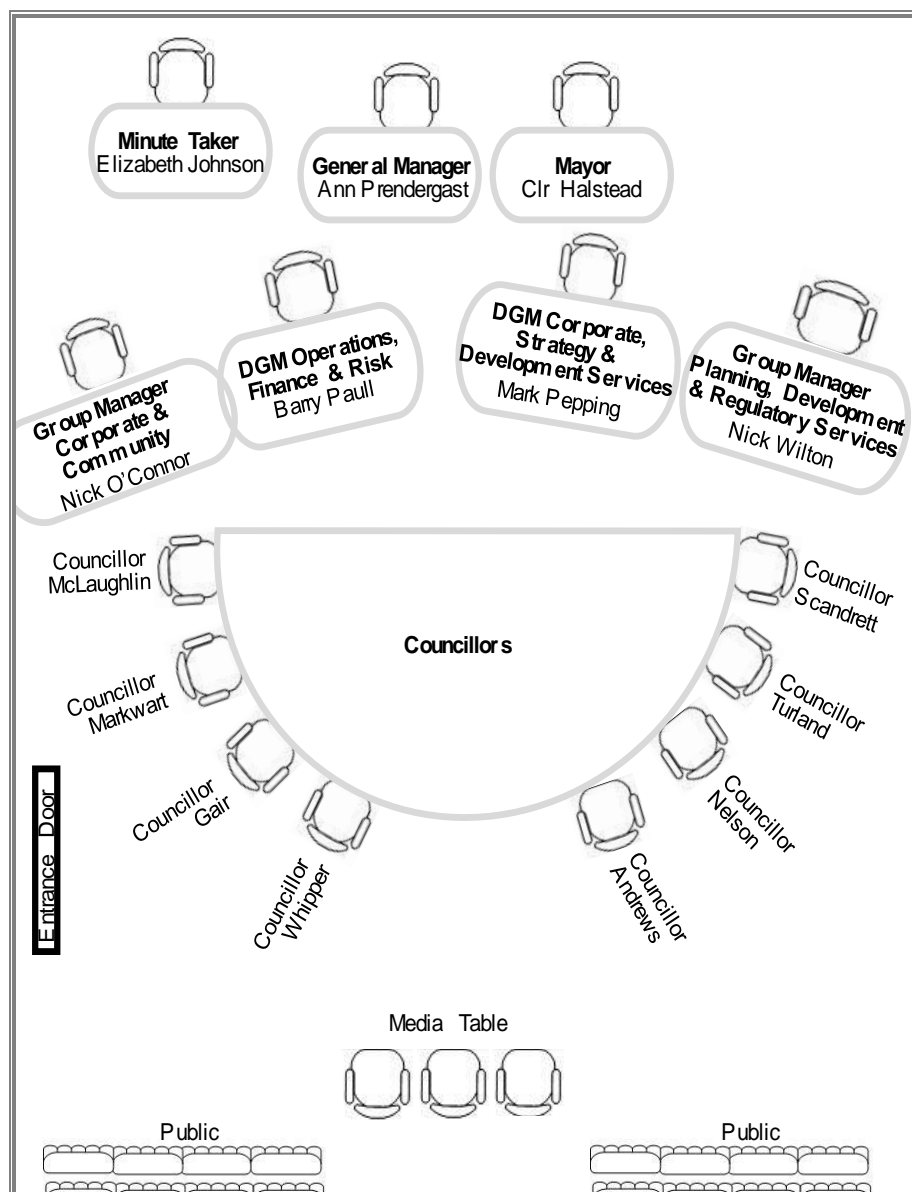
Council Chambers

Recording of Ordinary and Extraordinary Meetings of Council

As authorised by the *Local Government Act 1993*, Wingecarribee Shire Council records the proceedings of the Ordinary and Extraordinary Meetings of Council to ensure accurate transcription of resolutions.

Recording of meetings by members of the media is permitted only for the purpose of verifying the accuracy of any report concerning such meeting. Broadcasting of any sound recording is not permitted. Video recording is also not permitted. No member of the public is to use any electronic, visual or vocal recording device or instrument to record the proceedings of Council without prior permission of the Council.

The Council Chamber now has 24 Hour Video Surveillance.



ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the Traditional Custodians of this land and pay my respect to Elders both past and present. I would also like to extend that respect to all Aboriginal and Torres Strait Islanders present here today.

APOLOGIES/LEAVE OF ABSENCE

Request for Leave of Absence – Councillor Peter Nelson

Councillor Peter Nelson intends to be absent from all Council commitments on Wednesday, 11 April 2018, including the Ordinary Meeting of Council and Briefing Sessions that day, for personal reasons.

Under Section 234 of the *Local Government Act 1993* and Clause 235A of the *Local Government Regulations 2005* leave of absence can be granted to a Councillor with Council approval.

Council's consideration of the request for leave of absence is sought.

DECLARATIONS OF INTEREST

101/3, 101/3.1

The provisions of Chapter 14 of the *Local Government Act 1993* regulate the way in which Councillors and nominated staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public trust.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest and the reasons for declaring such interest must be disclosed as soon as practicable after the start of the meeting.

As members are aware, the provisions of the Local Government Act restrict any member who has declared a pecuniary interest in any matter from participating in the discussions or voting on that matter and further require that the member vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code also provides for a number of ways in which a member may manage non pecuniary conflicts of interest.

COMMITTEE OF THE WHOLE

12 OPERATIONS FINANCE AND RISK

12.1 The Bundanoon Club Limited Request for Financial Assistance

Reference:	1732/3
Report Author:	Organisational Support Officer
Authoriser:	Deputy General Manager Operations, Finance and Risk
Link to Community Strategic Plan:	Promote business and industry development opportunities suited to our distinct region

PURPOSE

The purpose of this report is to seek Council's position in relation to a request for funding for maintenance materials for the upkeep of the Bundanoon Club Limited's building as it resumes trading following a declaration of solvency.

RECOMMENDATION

THAT Council determines its position with regard to the request for financial assistance from The Bundanoon Club Limited.

REPORT

BACKGROUND

A formal request has been made by the Bundanoon Club Limited (the Club) to provide financial assistance of \$5,000 towards the purchase of paint, deck maintenance and general upkeep of the premises located on Erith Street Bundanoon.

The matter was considered by Council on Wednesday, 14 February 2018 when it was resolved as follows (MN 10/18):

***THAT** Council invite representatives of The Bundanoon Club Limited to attend a briefing session with Councillors to discuss the request for funding.*

A briefing session was held with representatives of The Bundanoon Club on 7 March 2018.

The Bundanoon Club provided some photographs showing the present condition of the building and they discussed their proposed upgrades. The photographs are attached – see **Attachment 1**.

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 11 April 2018

REPORT DEPUTY GENERAL MANAGER OPERATIONS, FINANCE AND RISK



REPORT

The Bundanoon Club, Erith Street Bundanoon has for over 50 years been a cultural and sports meeting place for the Bundanoon Community.

On 14 January 2017 due to financial problems, the Bundanoon Club closed its doors to trade, the Club again reopening in August 2017 with restricted trading times and operations.

With the assistance of a team of local volunteers, the Club has been opening three days a week, offering social bowls, bar service and bistro meals and is actively engaging with the community to promote the facility as a family friendly community hub.

The club provides a restaurant for locals, lawn bowling and croquet greens and a meeting place with rooms for the local community groups and sporting clubs including the local theatre group, the 'Needle and Natters' sewing group, the local historic group, and the cricket, soccer and football clubs.

In order to promote the Club and improve the appearance of the facility, the Club has requested financial assistance from Council in the amount of \$5,000 towards the purchase of paint and other materials required for both internal and external maintenance on the building.

Existing Community Loan

In September 2005, Council resolved to provide the Club with a \$90,000 loan, which at the time of approval was to be repaid in equal quarterly instalments over a period of 10 years. The terms of this loan have been renegotiated at various stages over the life of the loan, with the current repayment terms \$416.66 per month. The current balance outstanding as at 31 January 2018 is \$5,750.34.

Garbage Bins

The request regarding the garbage bins as noted in the attached letter has been dealt with as a separate item with Council providing the necessary information to enable the Club to modify their garbage service options.

IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

None

CONSULTATION

Community Engagement

None

Internal Consultation

Deputy General Manager Operations Finance and Risk

Chief Financial Officer

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 11 April 2018

REPORT DEPUTY GENERAL MANAGER OPERATIONS, FINANCE AND RISK



External Consultation

None

SUSTAINABILITY ASSESSMENT

- **Environment**

There are no environmental issues in relation to this report.

- **Social**

The Bundanoon Club provides a family friendly meeting place for the local community of Bundanoon and has been an integral part of the Bundanoon Oval recreational enclave for over 50 years.

- **Broader Economic Implications**

There are no broader economic implications in relation to this report.

- **Culture**

There are no cultural issues in relation to this report.

- **Governance**

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

The current available balance of the Councillor Contingency Fund is \$16,835. Should Council support this donation, the remaining balance in the Contingency Fund will be \$11,835.

RELATED COUNCIL POLICY

None

OPTIONS

That Council provide a donation of \$5,000 to The Bundanoon Club Limited and that it be funded from the Contingency Fund.

CONCLUSION

The Bundanoon Club has been a family friendly meeting hub for the Bundanoon Community for over 50 years. With their clearance to resume trading following financial difficulties the members and volunteers from the community have come together to bring it back to Bundanoon as an ongoing and viable concern and has requested Council's assistance with funding for maintenance materials for this Council owned asset.

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 11 April 2018

REPORT DEPUTY GENERAL MANAGER OPERATIONS, FINANCE AND RISK



ATTACHMENTS

1. Bundanoon Club Request Letter
2. Photographs

12.1 The Bundanoon Club Limited Request for Financial Assistance
ATTACHMENT 1 Bundanoon Club Request Letter



ATTACHMENT 1



THE BUNDANOON CLUB LIMITED
 Memorial Park, Erith Street Bundanoon NSW 2578
 Tel. (02) 4883 6174 Fax. (02) 4883 7153
 Mail: PO Box 101, Bundanoon NSW 2578
 Email: bundanoonclub@bigpond.com

7 November 2017

Mr B Paull
 Deputy General Manager Operations, Finance & Risk
 Wingecarribee Shire Council
 PO Box 141, MOSS VALE NSW 2577

Dear Barry

WINGECARRIBEE SHIRE COUNCIL		
Classification: MAILING		
Doc. No.		
File No. 6606/2		
21 NOV 2017		
OFFICER	ACTION	INFO
H W B. Paull	✓	

The Bundanoon Club Limited would like to inform Council that the Club resumed trading in August 2017. This followed an extensive review of the Club's financial position by Clubs NSW after which the Club was declared solvent and allowed to resume trading.

The Members have agreed to allow the Board to recruit new members and to actively engage with the Community to try and promote the Club as a family friendly community hub. With the assistance of a team of volunteers the Club has been opening three days a week, offering social bowls, bar service and bistro meals.

In order to try and promote the Club and improve the appearance of the facility, we have a number of volunteers willing to assist with much needed painting and general maintenance to the internal and external finishes of the building. As the building is a Council asset, the Board would like to respectfully request that Council considers allocating \$5,000 towards the purchase of paint, deck maintenance and general upkeep of the building. It would also greatly assist the Club if garbage bins could be provided in line with the regular Council service. The Club would be willing to keep the bins locked away to avoid use by the general public and would place them kerb side each Sunday for collection. In the past the Club has paid \$500 per month for a large skip bin and this is not viable in the current financial position.

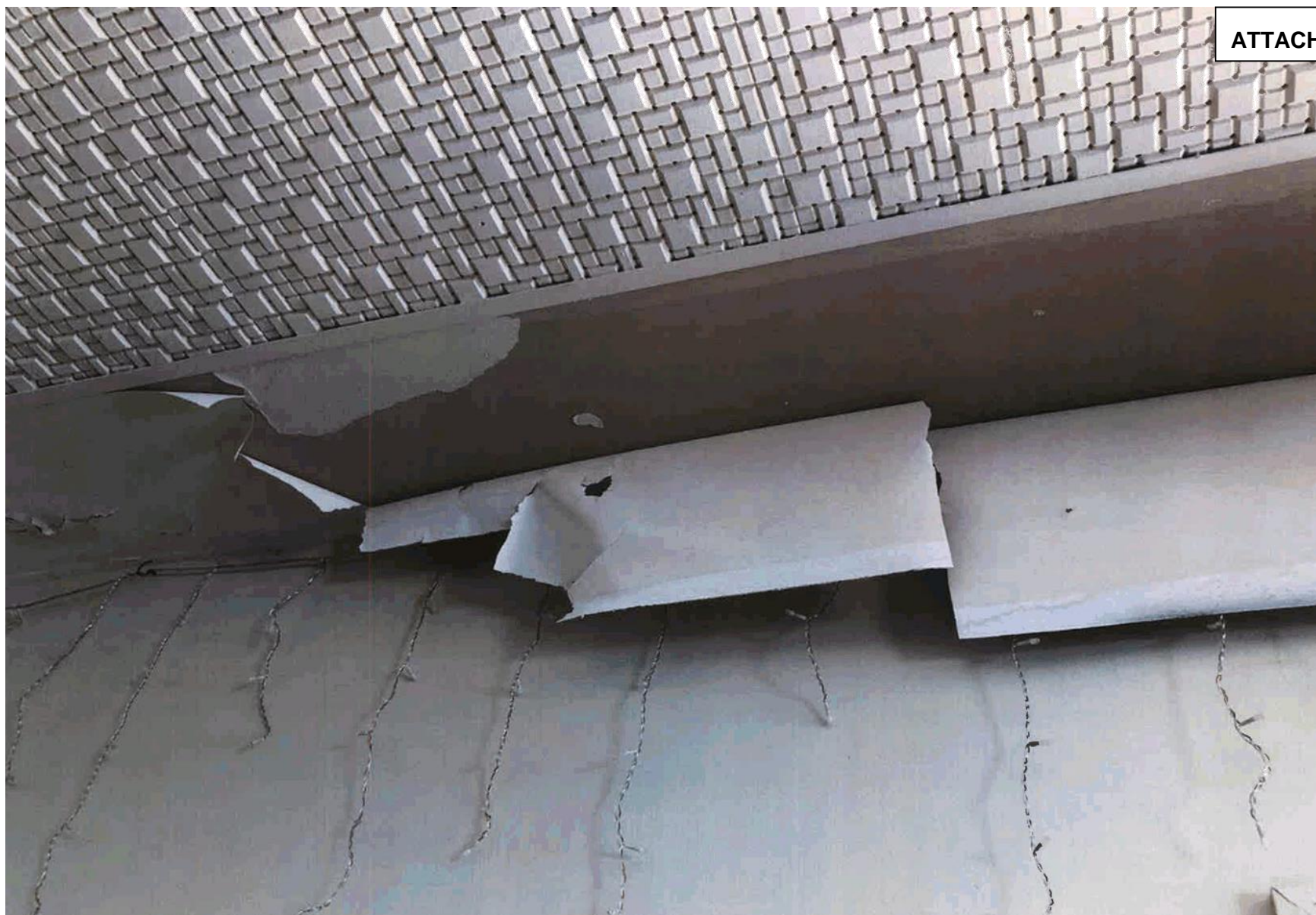
The Board would welcome the opportunity to meet with yourself or the appropriate Council Officers at a convenient date, to discuss the expired lease and our intentions for promoting the Club. Over 100 members attended the EGM and we have seen weekly attendance ranging from 20 to 60 patrons each Friday for the past three months. We believe we have a committed Board willing to try new ideas, together with the necessary support of a strong membership base, to create a positive place of family entertainment for the Highlands community. The Board would be most appreciative of Council's support of this endeavour.

Yours sincerely,

Steven Granger
 Chairman,

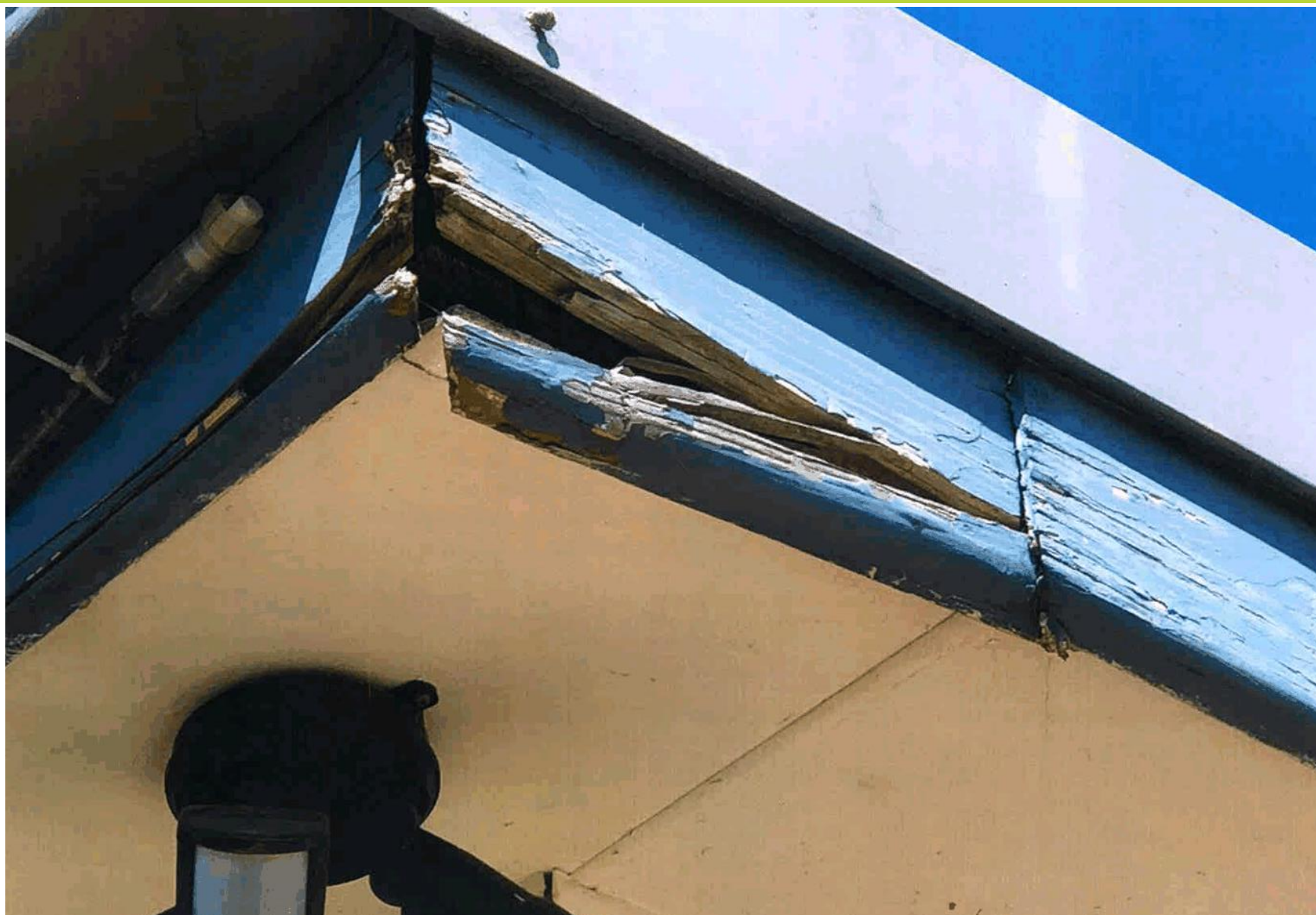
*Peter Ellsmore, Deputy Chairman
 on behalf of
 Steven Granger.*

ATTACHMENT 2











AGENDA FOR THE ORDINARY MEETING OF COUNCIL

12.1 The Bundanoon Club Limited Request for Financial Assistance

ATTACHMENT 2 Photographs



12.2 Request for a Loan - Southern Highlands Croquet Club Inc

Reference: 6608/1, 17/1040
Report Author: Senior Assets Officer
Authoriser: Manager Assets
Link to Community Strategic Plan: Increase promotion of healthy lifestyle choices

PURPOSE

The purpose of this report is to present to Council a request made by the Southern Highlands Croquet Club for a \$10,000 loan to assist in the construction of a storage shed at the Croquet Club grounds in Exeter.

RECOMMENDATION

Submitted for Council determination.

REPORT

BACKGROUND

In July 2017 the Southern Highlands Croquet Club submitted a Development Application for the construction of a storage shed to be located on the grounds of the Croquet Courts in Exeter. Council approved the application in October 2017 with a Construction Certificate issued January 2018.

In February 2018, the Club requested Council provide an interest free loan of \$10,000 to assist in meeting the total cost of the project. A copy of the formal request is provided as **Attachment 1**.

REPORT

The Southern Highlands Croquet Club has received development approval for the construction of a shed to be located on the grounds of the Croquet Courts in Exeter. The Club have advised Council that the cost of constructing the approved shed is approximately \$90,000. Council officers understand that this also includes the fit-out of the shed and utility connection.

The Club has advised Council that they have \$80,000 available in cash reserves to fund the project. The club has formally requested an interest free loan from Council for the balance of the works, an amount of \$10,000. The club has also advised that they are actively seeking grants and donations for the project.

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

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REPORT DEPUTY GENERAL MANAGER OPERATIONS, FINANCE AND RISK



Provision of Interest Free Loan

Council has provided interest free loans to a number of community groups in the past to assist with improvements to sporting and community facilities throughout the Shire. These loans have generally been for large-scale infrastructure improvements, where in the absence of any support by Council, these groups would have incurred significantly higher costs if they had been required to seek borrowings through a commercial lender.

There is no impediment to Council offering an interest free loan to the Southern Highlands Croquet Club for this project. However, given that the requested amount is relatively small compared to other projects which have been supported through the provision of an interest free loan, Council may wish to consider providing financial assistance (or part assistance) through the Councillor Contingency Fund.

The current balance of the Councillor Contingency fund is \$16,835. Should Council support the request for a donation in Item 13.1 of this Agenda, the balance remaining in the Councillor Contingency Fund will be \$11,835.

In the event that Council elects to offer an interest free loan, it is recommended that the terms of the loan be on the basis of a repayment schedule of \$1,250 per quarter over a period of 2 years.

IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

This matter has no impact on Council's Improvement Plan.

COMMUNICATION AND CONSULTATION

Community Engagement

No community engagement required

Internal Communication and Consultation

Deputy General Manager Operations, Finance & Risk
Finance

External Communication and Consultation

Council has contacted Southern Highlands Croquet Club to request further information relating to this project.

SUSTAINABILITY ASSESSMENT

- **Environment**

There are no environmental issues in relation to this report.

- **Social**

There are no social issues in relation to this report.

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 11 April 2018

REPORT DEPUTY GENERAL MANAGER OPERATIONS, FINANCE AND RISK



- **Broader Economic Implications**

There are no broader economic implications in relation to this report.

- **Culture**

There are no cultural issues in relation to this report.

- **Governance**

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

The current balance of the Councillor Contingency fund is \$16,835. Should Council support the request for a donation in Item 13.1 of this Agenda, the balance remaining in the Councillor Contingency Fund will be \$11,835.

Should Council elect to offer an interest-free loan, the amount will be treated as a receivable. Given that the requested amount is relatively small, it is not considered that this would have any impact on Council's liquidity, therefore would not need to be funded from an internal cash reserve.

RELATED COUNCIL POLICY

None

OPTIONS

The options available to Council are:

Option 1

Provide financial assistance (amount to be determined by Council) to the cost of the works from the Councillor Contingency Fund.

Option 2

Provide a \$10,000 interest free loan on the basis of a repayment schedule of \$1,250 per quarter over a period of 2 years.

Option 3

Decline the request made by the Southern Highlands Croquet Club for any form of financial assistance.

Submitted for Councillor Determination.

CONCLUSION

Council has received a formal request from the Southern Highlands Croquet Club to provide financial assistance for the construction of a shed to be located on the grounds of the Croquet Courts in Exeter. A range of options have been provided to Council regarding how support could be provided, if Council determined that it was appropriate.

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 11 April 2018

**REPORT DEPUTY GENERAL MANAGER OPERATIONS, FINANCE
AND RISK**



ATTACHMENTS

1. Request for Financial Assistance - Southern Highlands Croquet Club

12.2 Request for a Loan - Southern Highlands Croquet Club Inc
ATTACHMENT 1 Request for Financial Assistance - Southern
Highlands Croquet Club



ATTACHMENT 1

Ms Ann Prendergast General Manager,
 Wingecarribee Shire Council.
 68 Elizabeth Street,
 MOSS VALE, NSW, 2577.

WINGECARRIBEE SHIRE COUNCIL		
Classification: MAILING		
Doc. No.		
File No. 6608/1 1711040		
15 FEB 2018 1230		
OFFICER	ACTION	INFO
Bolton		

Dear Ms. Prendergast,

I am writing to you on behalf of the Southern Highlands Croquet Club Inc. As you are aware, we are in the process of constructing a new shed alongside the courts at Exeter. We have obtained all necessary consents from your Council and are in the process of engaging a builder to construct the shed. The cost of the shed will be approximately \$90,000 and the Club currently has approximately \$80,000 to apply to this project.

The Club committee has asked me to write to you with a request that the Council consider making an interest free loan to the Club of \$10,000. On two previous occasions the Council has made an interest free loan to the Club and both these loans have been repaid some time ago. The Club has noted that the Council has recently made such a loan to enable the Bowral Bowls Club to enhance its premises.

Our Club has 43 financial members who each pay \$440 per annum as membership fees and we are accepting new members on a regular basis. The Club maintains the two croquet courts to a high standard with the assistance of a paid greenkeeper and conducts itself in accordance with its constitution. The Club committee meets monthly and there are two general meetings for members each year and an Annual General Meeting. The Club provides an important sporting facility within the Shire and is one of only two croquet clubs in the Shire.

We are actively applying for grants towards the cost of building the shed and donations are being sought from members. To date, we are awaiting responses to our grant applications.

We would be happy to meet with you or your Council officers to answer any questions you may have about this application.

Yours Sincerely,

Rev. Harry J. Herbert AM

President. 

12.3 Tender for the Upgrade of Braemar Avenue Culvert, Braemar

Reference:	6330/18.4
Report Author:	Project Manager
Authoriser:	Manager Projects and Contracts
Link to Community	
Strategic Plan:	Manage and plan for future water, sewer and stormwater infrastructure needs

PURPOSE

The purpose of this report is to present the evaluation of the Request for Tender for the Upgrade of the Braemar Avenue Culvert, Braemar.

RECOMMENDATION

1. **THAT** in relation to the report concerning Upgrade of the Braemar Avenue Culvert, Braemar - Council adopts the recommendations contained within the Closed Council report – Item 22.1.

OR

2. **THAT** the report concerning Tender for Upgrade of the Braemar Avenue Culvert, Braemar - be considered in Closed Council – Item 22.1.

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.

REPORT

BACKGROUND

Wingecarribee Shire Council sought Tenders from appropriately qualified and experienced contractors to undertake the Upgrade of the Braemar Avenue Culvert, Braemar.

REPORT

Council has sought tenders for suitable and qualified contractors to provide a lump sum tender for the scope of works. The full scope of works was detailed in the design drawings and tender documents.

In accordance with the *Local Government (General) Regulation 2005* part 7, section 163(1), Council is required to invite tenders where estimated expenditure is greater than \$150,000 (GST inclusive).

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 11 April 2018

REPORT DEPUTY GENERAL MANAGER OPERATIONS, FINANCE AND RISK



This report presents the assessment and recommendation relating to the advertised tender.

ADVERTISING

The tender advertising period was from the 6 February 2018 to 6 March 2018 (28 days).

The tender was advertised as follows:

Newspaper / Website	Date Advertised
Newspaper – Sydney Morning Herald	6 February 2018
Newspaper – Southern Highlands News	7 February 2018
Council's Website	For the duration of the advertising period
Council's eTendering Website	For the duration of the advertising period

TENDERS RECEIVED

A total of four (4) tender submissions were received:

Company Name	Location	Postcode
Brefni Pty Ltd	Picton	2570
Civil Engineered Construction	Bondi Junction	2022
Starcon Group Pty Limited	Smithfield	2164
Stefanutti Construction Pty Ltd	Unanderra	2526

LATE TENDERS

No late tender submissions were received.

TENDER EVALUATION

A Procurement Evaluation Plan was developed which outlined the pre-determined selection criteria, the criteria weightings, and members of the tender evaluation panel.

Each submission was evaluated against the specified criteria by the tender evaluation panel with a scoring system based from 0 to 10 and weighted according to the pre-determined criteria.

SELECTION CRITERIA

The pre-determined criteria used to evaluate the tender were as follows:

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 11 April 2018

REPORT DEPUTY GENERAL MANAGER OPERATIONS, FINANCE AND RISK



Mandatory Criteria:

Criteria
Public Liability - \$20 million
Workers Compensation OR [Self Employed] Personal Accident and Illness Insurance or Personal Income Protection
Professional Indemnity
Motor Vehicle - Comprehensive
Identify Mandatory Participation Criteria e.g. Compliance with QMS Accreditation
Identify Mandatory Participation Criteria e.g. Compliance with Licences, Trade certificates

Tenderers were required to meet the mandatory criteria to be eligible to be shortlisted and progress any further in the evaluation process.

Non-Cost Selection Criteria & Weighting:

Non-Cost Selection Criteria	
Criteria	Weighting
Capability & Experience	15%
Specifications	10%
Fit for Purpose	5%
Quality Assurance & Innovation	5%
Community & Social (including local content)	5%
Work Health and Safety, Environment & Sustainability	10%
Total	50%

Summary of Selection Criteria & Weighting:

Selection Criteria	
Criteria	Weighting
Total Non-Cost Criteria	50%
Total Cost Criteria	50%
Total	100%

NON-COMPLIANT TENDERS

Upon evaluation no tender submissions were determined to be non-compliant.

IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

Funding for Upgrade of Braemar Avenue Culvert, Braemar has been included in Council's adopted Capital Works Program.

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

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REPORT DEPUTY GENERAL MANAGER OPERATIONS, FINANCE AND RISK



Consideration was given to the impact of this project on Council's Improvement Plan at the time of adopting Council's Operational Plan and Budget.

CONSULTATION

Community Engagement

Tenders are part of a commercial arrangement and therefore no community engagement is required.

Internal Consultation

Extensive consultation has taken place between Council's procurement area, assets and project delivery areas. This consultation included scope, technical requirements and evaluation methodologies.

External Consultation

Tenders are part of a commercial arrangement and therefore not external consultation is required.

SUSTAINABILITY ASSESSMENT

- **Environment**

There are no environmental issues in relation to this report.

- **Social**

There are no social issues in relation to this report.

- **Broader Economic Implications**

There are no broader economic implications in relation to this report.

- **Culture**

There are no cultural issues in relation to this report.

- **Governance**

This tender has been conducted in accordance with Part 7 of the *Local Government (General) Regulation 2005*.

COUNCIL BUDGET IMPLICATIONS

Council's 2017/18 Operational Plan includes an allocation for this project.

RELATED COUNCIL POLICY

Council's Procurement Guidelines have been used to inform the tender process.

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 11 April 2018

**REPORT DEPUTY GENERAL MANAGER OPERATIONS, FINANCE
AND RISK**



CONCLUSION

The tender evaluation summary and recommendation are documented in the report to Council's Closed Committee.

ATTACHMENTS

There are no attachments to this report.

Barry W Paull

Deputy General Manager Operations, Finance and Risk

Friday 6 April 2018

13 CORPORATE STRATEGY AND DEVELOPMENT SERVICES

13.1 Development Applications Determined from 26 February 2018 to 23 March 2018

Reference: 5302
Report Author: Team Leader Business Support
Authoriser: Group Manager Planning, Development and Regulatory Services

Link to Community Strategic Plan: Provide a mixture of housing types that allow residents to meet their housing needs at different stages of their lives and support affordable living

PURPOSE

The purpose of this report is to update Councillors on Development Applications Determined for the period 26 February 2018 to 23 March 2018.

RECOMMENDATION

THAT the information relating to the lists of Development Applications Determined for the period 26 February 2018 to 23 March 2018 be received and noted.

APPROVED APPLICATIONS BY DATE RANGE Date range: 26 February 2018 to 23 March 2018

	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
1	17/1821	5982 Illawarra Highway Avoca NSW 2577 Lot 2 DP 1031036	Karatal Holdings Pty Limited	Subdivision (2) Lots	22/12/2017	0	83	83	16/03/2018
2	18/0043	12 Crimea Street Balaclava NSW 2575 Lot 31 Sec 2 DP 841	JM Pace, CL Drane	Residential Alterations and Additions	17/01/2018	0	44	44	02/03/2018
3	18/0062	12 Crimea Street Balaclava NSW 2575 Lot 31 Sec 2 DP 841	JM Pace, CL Drane	Demolition of existing dwelling	22/01/2018	0	41	41	05/03/2018
4	18/0107	18D Balaclava Street Balaclava NSW 2575 Lot 5 DP 1222421	SE Wellington, GJ Wellington	Residential Alterations and Additions	06/02/2018	0	36	36	15/03/2018

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**REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY
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	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
5	17/1575	43A Railway Parade Balmoral NSW 2571 Lot 3 DP 1204910	SE Grace	Dwelling House	07/11/2017	0	132	132	19/03/2018
6	17/1612	2 Station Street Balmoral NSW 2571 Lot 6 DP 1145369	JA Wallis	Residential Alterations and Additions	14/11/2017	0	111	111	06/03/2018
7	17/1797	73 Compton Park Road Berrima NSW 2577 Lot 2 DP 1214829 Lot 3 DP 1214829 Lot 5 DP 1214829	Irish Corner Pty Ltd	Building Identification Sign	20/12/2017	0	70	70	28/02/2018
8	17/1818	117 Old Mandemar Road Berrima NSW 2577 Lot 10 DP 844048	AM Schaffer	Residential Alterations and Additions	22/12/2017	0	73	73	05/03/2018
9	15/0956.04	Stephens Park & Wingecarribee Adult Day Care 12-26 Derby Street Bowral NSW 2576 Lot 63 DP 13235 Lot 64 DP 13235 Lot 65 DP 13235 Lot 66 DP 13235 and 5 more	Wingecarribee Shire Council	Section 96 Modification (amend layout of storage, sanitary facilities and common area and kitchen)	07/12/2017	0	92	92	01/03/2018
10	15/0984.04	Public Reserve Beavan Place Bowral NSW 2576 Lot 8 DP 241836	Wingecarribee Shire Council	Section 96 Modification – Subdivision (2 lots) Modification to remove one additional tree	19/02/2018	0	29	29	20/03/2018
11	17/0259.04	102 Merrigang Street Bowral NSW 2576 Lot 9 DP 236690	AG Smith, CJ Smith	Section 96 Modification (reduce the size of addition)	23/10/2017	0	126	126	26/02/2018
12	17/1588	30 Boolwey Street Bowral NSW 2576 Lot 1 DP 810017	DA Murrie	Residential Alterations and Additions	08/11/2017	0	127	127	16/03/2018
13	17/1597	10-14 Parmenter Court Bowral NSW 2576 Lot 217 DP 1213360	KJ Mooney, LA Mooney	Dwelling House	10/11/2017	32	98	130	21/03/2018
14	17/1602	17 St Jude Street Bowral NSW 2576 Lot 10 Sec C DP 11838	AJD Wentworth	Demolition of Existing Shed & Construction of Dual Occupancy (detached)	10/11/2017	0	131	131	21/03/2018

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	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
15	17/1605	57 Sir James Fairfax Circuit Bowral NSW 2576 Lot 301 DP 1234848	IR Pearce, KH Pearce	Dwelling House	10/11/2017	0	116	116	07/03/2018
16	17/1617	8 Herald Drive Bowral NSW 2576 Lot 122 DP 1227641	PR Larsen	Dwelling House	15/11/2017	0	103	103	26/02/2018
17	17/1635	8 Betty Close Bowral NSW 2576 Lot 337 DP 1234848	EC Robertson, JA Robertson	Dwelling House	17/11/2017	18	105	123	21/03/2018
18	17/1637	7 Caroline Avenue Bowral NSW 2576 Lot 128 DP 1231974	J Mulholland, S Mulholland	Dwelling House	17/11/2017	0	109	109	07/03/2018
19	17/1659	91 Shepherd Street Bowral NSW 2576 Lot 4 DP 826510	RA Ferns, LM Ferns	Residential Alterations and Additions	23/11/2017	14	99	113	16/03/2018
20	17/1673	8A Park Road Bowral NSW 2576 Lot 72 DP 1227347	CCB Fitzgerald	Dwelling House	24/11/2017	66	51	117	22/03/2018
21	17/1682	5 Rose Street Bowral NSW 2576 Lot A DP 363406	AJ Devlin, AM Donohoe	Residential Alterations and Additions	28/11/2017	0	113	113	22/03/2018
22	17/1742	5 Albert Street Bowral NSW 2576 Lot 9 DP 242805	DB Alty, RA Alty	Residential Alterations and Additions	12/12/2017	9	91	100	23/03/2018
23	17/1786	60 Sir James Fairfax Circuit Bowral NSW 2576 Lot 325 DP 1234848	RH Williams, CC Williams	Dwelling House	19/12/2017	0	79	79	08/03/2018
24	17/1804	52 Bendooley Street Bowral NSW 2576 Lot 1 DP 119351 Lot 2 DP 119351 Lot 3 DP 119351	A Zink, ME Zink	Residential Alterations and Additions	20/12/2017	0	76	76	06/03/2018
25	18/0009	42 Price Street Bowral NSW 2576 Lot 76 DP 24267	DB Boehme, MP Boehme	Residential Alterations and Additions	08/01/2018	0	53	53	02/03/2018
26	18/0027	Botanic Gardens Old South Road Bowral NSW 2576 Lot 3 DP 736856	Wingecarribee Shire Council	Additional building as an education centre	15/01/2018	0	52	52	09/03/2018
27	18/0034	36 Gordon Road Bowral NSW 2576 Lot 1 DP 210620	GM Hutchinson, JL Hutchinson	Residential Alterations and Additions	16/01/2018	0	51	51	08/03/2018
28	11/0771.03	22 Mansfield Road Bowral NSW 2576 Lot 421 DP 792719	JO Fairfax	Section 96 Modification (amend building envelope)	16/08/2017	0	23	23	09/03/2018

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	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
29	17/1774	35 Bartholomew Way Braemar NSW 2575 Lot 285 DP 1228384	CE Douch	Dwelling House	18/12/2017	0	95	95	23/03/2018
30	18/0090	20 Thornbill Crescent Braemar NSW 2575 Lot 228 DP 1223682	Davis Rice Developments Pty Ltd	Dwelling House	30/01/2018	0	43	43	15/03/2018
31	17/1163	"Solar Springs" Osborn Avenue Bundanoon NSW 2578 Lot 4 DP 577219	Southern Highlands Hotel Holdings Pty Ltd	Commercial Alterations and Additions	23/08/2017	145	50	195	07/03/2018
32	17/1363	10 Birch Park Road Bundanoon NSW 2578 Lot 32 DP 800633	RH Dunstan, G Dunstan	Subdivision (2 Lots)	28/09/2017	0	151	151	26/02/2018
33	17/1571	6 Rochester Drive Bundanoon NSW 2578 Lot 3 DP 1220012	MN Hanrahan	Dwelling House	06/11/2017	31	101	132	20/03/2018
34	17/1596	12 Ella Street Bundanoon NSW 2578 Lot 16 DP 1136	KA Marriott	Residential Alterations and Additions	10/11/2017	0	117	117	08/03/2018
35	17/1627	3 Ashgrove Place Bundanoon NSW 2578 Lot 2 DP 264041	PW Brennan, GA Brennan	Residential Alterations and Additions	17/11/2017	34	89	123	21/03/2018
36	17/1720	85 Greasons Road Bundanoon NSW 2578 Lot 310 DP 802450 & 89 Greasons Road Bundanoon NSW 2578 Lot 331 DP 1007707	AJ McKenna, EA Grant & DC Schofield	Subdivision (Boundary Adjustment)	06/12/2017	70	35	105	22/03/2018
37	17/0940	66A Osborne Road Burradoo NSW 2576 Lot 2 DP 1219836	GL Rykers, AP Rykers	Dwelling House	19/07/2017	168	76	244	20/03/2018
38	17/1440	107 Burradoo Road Burradoo NSW 2576 Lot 22 DP 883565	JF Wallman, MJ Mulvihill	Dwelling House	13/10/2017	9	137	146	09/03/2018
39	17/1608	5 Bedford Place Burradoo NSW 2576 Lot 4 DP 252707	DJ Garnett, JJ Garnett	Dwelling House	13/11/2017	90	22	112	07/03/2018
40	17/1623	14 Foldgarth Way Burradoo NSW 2576 Lot 11 DP 1102306	DP Massie, TL Massie	Residential Alterations and Additions	16/11/2017	58	66	124	21/03/2018

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	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
41	17/1683	578-580 Moss Vale Road Burradoo NSW 2576 Lot 5 DP 609703	RA Williams, DM Williams	Dual Occupancy (detached)	29/11/2017	0	110	110	19/03/2018
42	17/1780	1A Romney Place Burradoo NSW 2576 Lot 11 DP 1233865	AJ Brett, JM Epps	Residential Alterations and Additions	18/12/2017	0	93	93	21/03/2018
43	17/1817	2 Ranelagh Road Burradoo NSW 2576 Lot 2 DP 1219070	PJ Byrne, AK Byrne	Residential Alterations and Additions	22/12/2017	0	74	74	06/03/2018
44	18/0019	40 Nerang Street Burradoo NSW 2576 Lot 10 DP 713573	JR Crawley, C Abboud	Residential Alterations and Additions	10/01/2018	0	68	68	20/03/2018
45	17/1521	13 Crown Street Burrarawang NSW 2577 Lot 18 Sec 3 DP 2660	Vassallo Group Pty Limited	Dwelling House	27/10/2017	113	26	139	16/03/2018
46	17/0961	15 Pine Street Colo Vale NSW 2575 Lot 21 DP 1226440	HWA Hasemann, A Hasemann	Subdivision (2 Lots)	21/07/2017	228	5	233	01/03/2018
47	17/1492	160 Colo Road Colo Vale NSW 2575 Lot 2 DP 625845	RJ Lyons, AB Lyons	Residential Alterations and Additions	20/10/2017	0	131	131	28/02/2018
48	18/0020	14 Beech Street Colo Vale NSW 2575 Lot 10 Sec 23 DP 2944	KA Wyeth, AD Wyeth	Residential Alterations and Additions	11/01/2018	0	54	54	06/03/2018
49	17/1304	78 Bundanoon Road Exeter NSW 2579 Lot 2 DP 522290	JC Newell, MD Newell	Residential Alterations and Additions	18/09/2017	38	147	185	22/03/2018
50	13/0717.02	9 Middle Road Exeter NSW 2579 Lot 1 DP 155752	EJ Hardy, V Hardy	Residential Alterations and Additions	22/02/2018	0	19	19	07/03/2018
51	17/1641	Nowra Road Fitzroy Falls NSW 2577 Lot X DP 376842 Lot 2 DP 214374 Lot 2 DP 614047	GM Baker, MA Mitchell	Dwelling House	20/11/2017	0	105	105	05/03/2018
52	17/1739	9 George Emery Lane Glenquarry NSW 2576 Lot 6 DP 633513	Leaver Estates Pty Limited	Demolition of existing dwelling, Construct Dwelling House	11/12/2017	10	70	80	02/03/2018
53	10/0332.01	345 Sheepwash Road Glenquarry NSW 2576 Lot 2 DP 1113295 Lot 2 DP 248254 Lot 2 DP 555648	G E Menzies Pty Ltd	Section 96 Modification (amend subdivision boundary line and lot sizes)	05/12/2017	0	93	93	06/03/2018

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	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
54	17/1812	131 Soapy Flat Road High Range NSW 2575 Lot 2 DP 808196	LP Marshall, DL Hailstones	Dwelling House	21/12/2017	36	55	91	23/03/2018
55	17/1604	3-5 Laura Street Hill Top NSW 2575 Lot 25 Sec 37 DP 1349 Lot 26 Sec 37 DP 1349, Lot 27 Sec 37 DP 1349, Lot 28 Sec 37 DP 1349 and 8 more	SM Ryan	Dwelling House	10/11/2017	42	74	116	07/03/2018
56	17/1639	19 Rosina Street Hill Top NSW 2575 Lot 1 DP 1069224	JA Weier	Dwelling House	20/11/2017	37	71	108	09/03/2018
57	17/1810	6 Namoi Street Hill Top NSW 2575 Lots 33-35 Sec 72 DP 1717	RC Foster, CJ Foster	Residential Alterations and Additions	20/12/2017	0	68	68	27/02/2018
58	18/0003	196 Wilson Drive Hill Top NSW 2575 Lot 8 Sec 1 DP 6221	AT Strandberg, BH Morrison	Residential Alterations and Additions	02/01/2018	0	64	64	08/03/2018
59	18/0015	74 Jacks Valley Road Joadja NSW 2575 Lot 12 DP 858859	DC Marshall	Residential Alterations and Additions	10/01/2018	0	50	50	02/03/2018
60	18/0051	1200 Kangaloon Road Kangaloon NSW 2576 Lot 101 DP 1203686 Lot 100 DP 1203686	G Richardson, R Richardson	Residential Alterations and Additions	19/01/2018	0	45	45	05/03/2018
61	17/1563	9 Louisa Street Mittagong NSW 2575 Lot 4 DP 241603	AD Matthews	Residential Alterations and Additions	06/11/2017	6	114	120	07/03/2018
62	17/1567	17 Wandevan Place Mittagong NSW 2575 Lot 12 DP 247089	DJ Hamlen, SM Hamlen	Residential Alterations and Additions	06/11/2017	22	106	128	15/03/2018
63	17/1572	"Hyggelig" 6 Argyle Street Mittagong NSW 2575 Lot 8 Sec 4 DP 2133	PW Brady, JE Brady	Residential Alterations and Additions	06/11/2017	0	122	122	09/03/2018
64	17/1577	68-68A Oxley Drive Mittagong NSW 2575 Lot 82 DP 877341	NJ Martin	Residential Alterations and Additions	07/11/2017	0	120	120	08/03/2018
65	17/1722	24 Bowral Road Mittagong NSW 2575 Lot 1 DP 717352	Hamerdark Pty Ltd	Kitchen/Restaurant Fit Out	06/12/2017	0	105	105	22/03/2018

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	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
66	17/1744	16 Spencer Street Mittagong NSW 2575 Lot 1 DP 1232376	AC Horne	Dwelling House	12/12/2017	0	98	98	20/03/2018
67	17/1789	49-51 Oxley Drive Mittagong NSW 2575 Lot 4 DP 13879 Lot 5 DP 13879	EG Hartnup, M Hartnup	Subdivision (2 Lots)	19/12/2017	0	93	93	22/03/2018
68	18/0096	11 Barton Close Mittagong NSW 2575 Lot 12 DP 1213476	JG Lisle	Residential Alterations and Additions	02/02/2018	0	41	41	16/03/2018
69	16/0720.05	"Tarcoola Park" Douglas Road Moss Vale NSW 2577 Lot 40 DP 1189246	Nakar Pty Ltd	Section 96 Modification (Amend approved plans to alter name of owner)	01/02/2018	0	27	27	28/02/2018
70	16/1207.04	28 Browley Street Moss Vale NSW 2577 Lot 1 DP 14457 Lot A DP 376230	SL Blackley	Demolition of Garage	08/11/2017	0	125	125	13/03/2018
71	17/0639.04	370 Nowra Road Moss Vale NSW 2577 Lot 259 DP 751303	BA Thompson, DI Sommerville	Dwelling House	06/02/2018	0	45	45	23/03/2018
72	17/1211	24-26 Villiers Road Moss Vale NSW 2577 Lot 3 DP 258085	AD Key, MA Key	Subdivision (2 Lots)	30/08/2017	195	6	201	20/03/2018
73	17/1415	Shop 5 256 Argyle Street Moss Vale NSW 2577 Lot 8 S/P 50623	MVII Pty Limited	Change Of Use (vacant shop to takeaway food shop)	10/10/2017	140	20	160	20/03/2018
74	17/1456	Moss Vale Services Club 17 Yarrowa Street Moss Vale NSW 2577 Lot 100 DP 1037724	Moss Vale Services Club Ltd	Commercial Alterations and Additions	17/10/2017	0	147	147	14/03/2018
75	17/1458	3 Endeavour Circuit Moss Vale NSW 2577 Lot 104 DP 1218966	DL Packett	Dwelling House	17/10/2017	18	136	154	21/03/2018
76	17/1761	15A Lytton Road Moss Vale NSW 2577 Lot 2 DP 1234563	BJ Hough	Dwelling House	14/12/2017	32	64	96	21/03/2018
77	18/0018	8 Baker Road Moss Vale NSW 2577 Lot 1 DP 1234706	DJ Sidebottom	Dwelling House	10/01/2018	68	2	70	21/03/2018
78	18/0029	84 Lytton Road Moss Vale NSW 2577 Lot 4 DP 567497	LC Edwards, AK Edwards	Residential Alterations and Additions	15/01/2018	23	41	64	22/03/2018

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	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
79	18/0068	16 Illawarra Highway Moss Vale NSW 2577 Lot 32 DP 736050	SM Elderton	Residential Alterations and Additions	24/01/2018	1	52	53	19/03/2018
80	18/0114	16 Stables Place Moss Vale NSW 2577 Lot 47 DP 1061253	R Ross	Residential Alterations and Additions	07/02/2018	0	39	39	19/03/2018
81	18/0173	8 Old Oak Place Moss Vale NSW 2577 Lot 84 DP 1211808	NR Tamme, DJ Tamme	Residential Alterations and Additions	21/02/2018	0	20	20	14/03/2018
82	09/0200.03	"Glarnerland" 338 Headlam Road Moss Vale NSW 2577 Lot 111 DP 825441 Lot 112 DP 825441	PD Edwards	Section 96 Modification (change to Lot size)	18/09/2017	0	165	165	02/03/2018
83	18/0076	17 Argyle Street New Berrima NSW 2577 Lot 1 DP 802541	JW McKinlay, LA Brown	Residential Alterations and Additions	25/01/2018	0	46	46	12/03/2018
84	17/0302.04	200 Kareela Road Penrose NSW 2579 Lot 2 DP 831225	MP Carter, LJ Carolan	Residential Alterations and Additions	15/02/2018	0	21	21	09/03/2018
85	17/0891	115 Westwood Track Penrose NSW 2579 Lot 3 DP 1229356	JP Ingrey, CA Blunt	Proposed Dwelling House, Horse Stables, Swimming Pool, Tennis Court & Machinery Shed	06/07/2017	120	132	252	16/03/2018
86	17/1405	Whitfield Lane Renwick NSW 2575 Lot 201 DP 1174912	Minister for Community Services & Assistant Minister for Health	Subdivision (2 Lots)	09/10/2017	0	141	141	27/02/2018
87	17/1406	Whitfield Lane Renwick NSW 2575 Lot 201 DP 1174912	Minister for Community Services & Assistant Minister for Health	Subdivision (8 Lots)	09/10/2017	0	164	164	27/02/2018
88	17/0796.04	39 Hoddle Street Robertson NSW 2577 Lot 4 Sec 15 DP 758882	J Cauchi	Section 96 Modification (minor internal alterations)	28/02/2018	0	19	19	20/03/2018
89	17/1111	101 Greenhills Road Weraí NSW 2577 Lot 15 DP 11722	AR Noble, LF Noble	Dwelling House	14/08/2017	75	126	201	05/03/2018
90	18/0133	4C Drapers Road Willow Vale NSW 2575 Lot 4 DP 1221560	HG Parker, KA Toovey	Residential Alterations and Additions	12/02/2018	0	37	37	22/03/2018

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	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
91	17/1693	820 Kareela Road Wingello NSW 2579 Lot 61 DP 1159822	KL Turner, SL Turner	Dwelling House	30/11/2017	25	74	99	09/03/2018
92	18/0073	"Glen Lyndon Park" 660 Kareela Road Wingello NSW 2579 Lot 141 DP 751298	CK Roberts	Residential Alterations and Additions	25/01/2018	0	48	48	15/03/2018

REFUSED APPLICATION

	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
1	17/1806	8 Sierra Street Yerrinbool NSW 2575 Lot 83 DP 11780	Grelie Pty Ltd	Subdivision (2 Lots)	20/12/2017	50	26	76	08/03/2018

Reasons for Refusal:

1. The proposal is unsatisfactory with regard to the principles and objectives set out in sections A2.2.8 General Objectives, Environmental Sustainability and A3.1(a) and (c) – Ecological Sustainable Development of the Northern Villages Development Control Plan. Council considers there to be significant impacts on threatened species and ecological communities from the proposal warranting application of the Precautionary Principle as the threat of serious or irreversible harm has not been comprehensively considered and addressed, and Council is of the opinion such harm will occur should the proposal be approved. Additionally, the proposal is not consistent with the principles of ESD in that there is a net loss from the development

(Section 4.15 (1) (a) (iii) and 4.15 (1) (b) of the *Environmental Planning and Assessment Act 1979*)

2. The proposal is inconsistent with the objectives of Section A3.2.1 – Development on Land Within the Urban Ecological Setting, given impacts on biodiversity and critically threatened species are increased and there is a net, being significant to total loss, of remnant vegetation on the site, which includes Critically Endangered Ecological Communities.

(Section 4.15 (1) (a) (iii) and 4.15 (1) (b) of the *Environmental Planning and Assessment Act 1979*)

3. The proposal is inconsistent with Section A6.1.7(a) & (e) – Vegetation Management and Landscaping, Assessment Considerations of the Northern Villages Development Control Plan. Further to the loss of biodiversity and ecological values, local amenity and streetscape impacts are considered high, given the scale of the proposed clearing required and the valuable contribution the existing vegetated area on the site provides. Additionally, the proposal is not considered to be consistent with the objective of preserving the amenity, biodiversity and ecology through the preservation of trees and other vegetation. In this regard, the expectation of subdividing the land with the proposed building envelope and required APZ would be that most, if not all, the trees and native vegetation within the subject site are removed.

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(Section 4.15 (1) (a) (iii) and 4.15 (1) (b) of the *Environmental Planning and Assessment Act 1979*)

4. The proposal in its current form would not be within the public interest.

(Section 4.15 (1) (e) of the *Environmental Planning and Assessment Act 1979*)

ATTACHMENTS

There are no attachments to this report.

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13.2 Development Applications Received from 26 February 2018 to 23 March 2018

Reference: 5302
Report Author: Team Leader Business Support
Authoriser: Group Manager Planning, Development and Regulatory Services

Link to Community Strategic Plan: Effective and efficient Council service delivery is provided within a framework that puts the customer first

PURPOSE

The purpose of this report is to update Councillors and Development Applications Received in the period of 26 February 2018 to 23 March 2018.

RECOMMENDATION

THAT the information relating to Development Applications Received from 26 February 2018 to 23 March 2018 be received and noted.

RECEIVED APPLICATIONS BY DATE RANGE Date range: 26 February 2018 to 23 March 2018

	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
1	18/0217	964 Sheepwash Road Avoca NSW 2577 Lot 1 DP 602938	CJ Mockett	Residential Alterations and Additions (shed and Secondary Dwelling)	02/03/2018		#PENDING		
2	18/0274	5982 Illawarra Highway Avoca NSW 2577 Lot 2 DP 1031036	Karatal Holdings Pty Limited	Residential Alterations and Additions (Farm Shed)	15/03/2018		#PENDING		
3	18/0286	12 Crimea Street Balaclava NSW 2575 Lot 31 Sec 2 DP 841	JM Pace, CL Drane	Dwelling House	16/03/2018		#PENDING		
4	18/0203	28-30 Victoria Street Balmoral NSW 2571 Lot 23 Sec 1 DP 2500 Lot 24 Sec 1 DP 2500	ND Jones	Dwelling House	27/02/2018		#PENDING		

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
5	18/0281	3411 Old Hume Highway Berrima NSW 2577 Lot 1 DP 797604	R Kaegi	Residential Alterations and Additions	16/03/2018		#PENDING		
6	15/1283.03	1 Mansfield Road Bowral NSW 2576 Lot 1 DP 740799	AS Springett, YL Springett	Section 96 Modification (Pergola & Blockwork Wall)	06/03/2018		#PENDING		
7	17/1523.01	374-378 Bong Bong Street Bowral NSW 2576 Lot 1 DP 1025926	Ennever Enterprises Pty Ltd	Section 96 Modification (Delete DA Consent Conditions 6 & 7 and retain existing shop front)	09/03/2018		#PENDING		
8	18/0196	73 Sir James Fairfax Circuit Bowral NSW 2576 Lot 309 DP 1234848	TH Cowper, VN Cowper	Dwelling House	26/02/2018		#PENDING		
9	18/0198	26 Mansfield Road Bowral NSW 2576 Lot 104 DP 1227641	SJ Wright, JC Bradley	Residential Alterations and Additions (Garage, swimming pool and tennis court)	26/02/2018		#PENDING		
10	18/0200	7 Herald Drive Bowral NSW 2576 Lot 114 DP 1227641	SR Dunn, CS Dunn	Dwelling House	27/02/2018		#PENDING		
11	18/0219	95 Sir James Fairfax Circuit Bowral NSW 2576 Lot 135 DP 1231974	PA Sansone, A Kennedy	Dwelling House	02/03/2018		#PENDING		
12	18/0231	34 Caroline Avenue Bowral NSW 2576 Lot 122 DP 1231974	S Rofe, AL Drummond	Dwelling House	07/03/2018		#PENDING		
13	18/0240	15 Gordon Road Bowral NSW 2576 Lot D DP 27445	Bathampton Homes Pty Limited	Dwelling House	08/03/2018		#PENDING		
14	18/0252	13 Carlisle Street Bowral NSW 2576 Lot 16 DP 775490	WI Johnson, AN Feros	Dual Occupancy (detached)	09/03/2018		#PENDING		
15	18/0259	17 Edward Riley Drive Bowral NSW 2576 Lot 108 DP 1227641	TD O'Brien, RL Toomey	Dwelling House	12/03/2018		#PENDING		
16	18/0268	7 Centennial Road Bowral NSW 2576 Lot 14 DP 1160069	Destin Pty Ltd	Commercial (Monthly Markets)	14/03/2018		#PENDING		✓

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
17	18/0269	17 Ayrshire Parade Bowral NSW 2576 Lot 216 DP 1239600	PR Ford, CE Ford	Dwelling House	14/03/2018		#PENDING		
18	18/0275	58 Shepherd Street Bowral NSW 2576 Lot 201 DP 595798	CM Grenlell	Dwelling House	15/03/2018		#PENDING		
19	18/0276	5 Warwick Close Bowral NSW 2576 Lot 224 DP 1239600	AR Robinson, EF Simpson	Dual Occupancy (attached)	15/03/2018		#PENDING		
20	18/0280	69 Sir James Fairfax Circuit Bowral NSW 2576 Lot 307 DP 1234848	PLW Gardiner, JM Gardiner	Dwelling House	16/03/2018		#PENDING		
21	18/0299	48 Sir James Fairfax Circuit Bowral NSW 2576 Lot 332 DP 1234848	D Fernandez, JN Fernandez	Dwelling House	20/03/2018		#PENDING		
22	18/0304	63 Sir James Fairfax Circuit Bowral NSW 2576 Lot 304 DP 1234848	JJ Nicholls, MT Nicholls	Dwelling House	20/03/2018		#PENDING		
23	18/0308	116 Mittagong Road Bowral NSW 2576 Lot 22 DP 529628	SL Hoffman, SK Hoffman	Boarding House (2 x two storey buildings containing 22 studio units and 1 managers apartment)	21/03/2018		#PENDING		✓
24	18/0309	8 Ayrshire Parade Bowral NSW 2576 Lot 104 DP 1231974	D4 Retford Pty Ltd	Dwelling House	21/03/2018		#PENDING		
25	18/0310	12 Railway Parade Bowral NSW 2576 Lot 26 Sec E DP 2630 Lot 2 DP 307632	CA Hurditch	Demolish existing shed. Residential Alterations and Additions.	21/03/2018		#PENDING		
26	18/0312	99 Sir James Fairfax Circuit Bowral NSW 2576 Lot 106 DP 1231974	PJ Gallen	Dwelling House	21/03/2018		#PENDING		
27	18/0316	75 Sir James Fairfax Circuit Bowral NSW 2576 Lot 310 DP 1234848	TF Neven, MA Beal	Dwelling House and Pool	22/03/2018		#PENDING		

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
28	18/0333	70 Woodbine Street Bowral NSW 2576 Lot 9 DP 995366	AJ Hayes, GA Norrie	Residential Alterations and Additions	23/03/2018		#PENDING		
29	18/0197	2 Garnida Close Bundanoon NSW 2578 Lot 9 DP 1227700	B Rofe, JS Crook	Dwelling House	26/02/2018		#PENDING		
30	18/0233	10 Larkin Close Bundanoon NSW 2578 Lot 35 DP 1102297	DW Meek, EA Meek	Residential Alterations and Additions (Shed)	07/03/2018		#PENDING		
31	18/0251	34 Erith Street Bundanoon NSW 2578 Lot 171 DP 826560	MJ Heffernan	Residential Alterations and Additions	09/03/2018		#PENDING		
32	18/0261	Bundanoon Oval Erith Street Bundanoon NSW 2578 Part Lot 60 DP 909008	The State of NSW	Telecommunications Facility	12/03/2018		#PENDING		✓
33	18/0287	36 Brigadoon Drive Bundanoon NSW 2578 Lot 41 DP 1048841	T Inui	Commercial Premises (New Secondary Dwelling and Medical Consulting Rooms)	16/03/2018		#PENDING		✓
34	18/0305	Osborn Avenue Bundanoon NSW 2578 Lot 12 DP 2849 Lot 13 DP 2849	AN Clegg	Dwelling House and detached studio	21/03/2018		#PENDING		
35	18/0192	1 Holly Road Burradoo NSW 2576 Lot 2 DP 1137728	BW Denton, LR Denton	Dwelling House	26/02/2018		#PENDING		
36	18/0227	"Heathfield" 39 Eridge Park Road Burradoo NSW 2576 Lot 6 DP 258453	DG King, TV King	Residential Alterations and Additions (Shed)	06/03/2018		#PENDING		
37	18/0297	16 Ranelagh Road Burradoo NSW 2576 Lot 2 DP 630180	J Jasinski	Residential Alterations and Additions	19/03/2018		#PENDING		
38	18/0328	14 Campbell Avenue Burradoo NSW 2576 Lot 2 DP 1043292	RD Lanigan, M Lanigan	Residential Alterations and Additions	23/03/2018		#PENDING		
39	18/0332	30 Toongoon Road Burradoo NSW 2576 Lot 62 DP 734673	DS Ellis	Subdivision (2 Lots)	23/03/2018		#PENDING		

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**REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY
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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
40	15/1099.04	2331 Canyonleigh Road Canyonleigh NSW 2577 Lot 5 DP 1188556	GR Thurston	Section 96 Modification (add mezzanine office to existing shed)	21/03/2018		#PENDING		
41	18/0272	Old Coowong Road (Priv.) Canyonleigh NSW 2577 Lot 4 DP 1183492	NM Prentice, AD Prentice	Dwelling House	15/03/2018		#PENDING		
42	16/0529.03	1 Emerald Court Colo Vale NSW 2575 Lot 16 DP 1212335	SB Reilly	Section 96 Modification (increase floor space & adjust building alignment)	05/03/2018		#PENDING		
43	18/0216	16 Daphne Street Colo Vale NSW 2575 Lot 9 Sec 10 DP 2389	MA Evans	Residential Alterations and Additions (Garage)	02/03/2018		#PENDING		
44	18/0253	5 Orchid Street Colo Vale NSW 2575 Lot 2 DP 247847	S Henderson, AJ Henderson	Residential Alterations and Additions (Garage and tree removal)	09/03/2018		#PENDING		
45	18/0301	29 Wilson Drive Colo Vale NSW 2575 Lot 1 DP 711934	MG Crawford, LG Crawford	Dual Occupancy (detached)	20/03/2018		#PENDING		
46	17/0869.02	541 Ellsmore Road Exeter NSW 2579 Lot 5 DP 244690	LM Jeffreys	Section 96 Modification (changes to effluent management system)	26/02/2018		#PENDING		
47	18/0199	7 Invergowrie Lane Exeter NSW 2579 Lot 4 DP 1009356	J Rose, A Ashton	Residential Alterations and Additions (Shed)	27/02/2018		#PENDING		
48	18/0210	Ellsmore Road Exeter NSW 2579 Lot 3 DP 8812 Lot 1 DP 183599	AA Barnes	Residential Alterations and Additions	28/02/2018		#PENDING		
49	18/0224	Middle Road Exeter NSW 2579 Lot 6 Sec 6 DP 3373	TJ Hayter	Dwelling House	05/03/2018		#PENDING		
50	18/0296	60 Ringwood Lane Exeter NSW 2579 Lot 4 DP 1183141	ADE Lungershausen	Stable Building and Covered Horse Arena	19/03/2018	✓	#PENDING		✓
51	18/0311	"Tally Ho" 19 Cornwall Road Exeter NSW 2579 Lot 13 DP 243503	Tristar Holdings Pty Ltd	Residential Alterations and Additions	21/03/2018		#PENDING		

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**REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY
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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
52	18/0329	85 Westgrove Road Exeter NSW 2579 Lot 6 DP 1018748	JL Purdie, MA Collins	Residential Alterations and Additions (Shed)	23/03/2018		#PENDING		
53	18/0205	460 Wombeyan Caves Road High Range NSW 2575 Lot 11 DP 707398 & EP 43420	MF Halliday	Subdivision (2 Lots)	28/02/2018		#PENDING		
54	18/0212	131 Soapy Flat Road High Range NSW 2575 Lot 2 DP 808196	LP Marshall, DL Hailstones	Demolition of existing dwelling	01/03/2018		#PENDING		
55	17/1660.03	1801 Kangaloon Road Kangaloon NSW 2576 Lot 103 DP 617717& EP 171258	LME Jensen	Section 96 Modification (Additional Shed)	27/02/2018		#PENDING		
56	18/0295	1239 Kangaloon Road Kangaloon NSW 2576 Lot 11 DP 600844	RJ Colvin, GB Colvin	Residential Alterations and Additions	19/03/2018		#PENDING		
57	18/0241	500 Medway Road Medway NSW 2577 Lot 12 Sec 1 DP 758665	DA Morgan, S Morgan	Residential Alterations and Additions (Shed)	08/03/2018		#PENDING		
58	15/0628.08	1 Ferguson Crescent Mittagong NSW 2575 Lot 16 DP 1005636	J Griffin	Section 96 Modification (alterations to 6 self-contained accommodation buildings)	23/03/2018		#PENDING		✓
59	18/0194	33 Vernon Street Mittagong NSW 2575 Lot 12 Sec 15 DP 1289	SM Kettle	Demolition of existing dwelling	26/02/2018		#PENDING		
60	18/0211	13 Arthur Street Mittagong NSW 2575 Lot 45 Sec D DP 20	NW Oldham, SE Hiscock	Residential Alterations and Additions (Garage)	01/03/2018		#PENDING		
61	18/0213	4 Siemens Street Mittagong NSW 2575 Lot 3 DP 585091	MR Spencer, TJ Spencer	Residential Alterations and Additions	01/03/2018		#PENDING		
62	18/0222	81A Main Street Mittagong NSW 2575 Lot A DP 28806	MT Anstee, KS Alvis	Retail and Storage Premises	05/03/2018		#PENDING		

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
63	18/0228	15 Nero Street Mittagong NSW 2575 Lot 21 DP 860888 (AKAS Devon St)	WJ Jiang	Residential Alterations and Additions (Shed)	06/03/2018		#PENDING		
64	18/0239	12 Anne Street Mittagong NSW 2575 Lot 52 DP 1239571	TD Crompton, DE Crompton	Residential Alterations and Additions (Shed)	08/03/2018		#PENDING		
65	18/0247	41 Oxley Drive Mittagong NSW 2575 Lot 11 DP 1214567	JWH Jessop, VM Jessop	Dwelling House	08/03/2018		#PENDING		
66	11/0355.02	Robinson Street Mittagong NSW 2575 Lot 12 DP 1177180	Willow Properties Pty Ltd	Section 96 Modification (impose a building envelope upon proposed Lot 134)	09/03/2018		#PENDING		
67	15/0169.04	Lytton Road Moss Vale NSW 2577 Lot 26 Sec D DP 2810	AA Champion, DM Champion	Section 82A (8.2) Review	20/03/2018		#PENDING		
68	17/0589.04	11 Napper Close Moss Vale NSW 2577 Lot 42 DP 1144867	A Torrisi	Section 96 Modification (Re- engineering of carport concrete slab)	21/03/2018		#PENDING		
69	17/0814.03	68 Watson Road Moss Vale NSW 2577 Lot 2 DP 1055416	PJ Zantis, J Zantis	Section 96 Modification (enable additional tree removal)	15/03/2018		#PENDING		
70	18/0193	45 Dengate Crescent Moss Vale NSW 2577 Lot 20 DP 252203	JH Bell, NM Bell	Demolish existing dwelling	26/02/2018		#PENDING		
71	18/0208	14 Wembley Road Moss Vale NSW 2577 Lot 162 DP 1095611	RD Russo, A Russo	Change of Use (secondary dwelling - new granny flat within existing shed)	28/02/2018		#PENDING		
72	18/0230	Funeral Directors 415-417 Argyle Street Moss Vale NSW 2577 Lot 10 DP 832397	CJ Boland, LH Boland	Commercial Alterations & Additions (Funeral Home – alter rear of garage area for mortuary use)	06/03/2018		#PENDING		
73	18/0238	16 East Street Moss Vale NSW 2577 Lot 1 DP 1064895	NU Meehan, ARJ Meehan	Dwelling House	08/03/2018		#PENDING		
74	18/0242	15 Salamander Place Moss Vale NSW 2577 Lot 8 DP 1221913	IK Keeley, CE Thorne	Residential Alterations and Additions (Garage)	08/03/2018		#PENDING		

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**REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY
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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
75	18/0243	9-11 Wyatt Street Moss Vale NSW 2577 Lot 19 Sec 2 DP 940 Lot 20 Sec 2 DP 940	A Pittolo	Dwelling House	08/03/2018		#PENDING		
76	18/0249	238 Argyle Street Moss Vale NSW 2577 Lot 12 DP 551620	NGP Investments (No 2) Pty Ltd	Vehicle sales premises	08/03/2018		#PENDING		✓
77	18/0260	17 Old Dairy Close Moss Vale NSW 2577 Lot 2 DP 1053325	Sitecat Pty Limited	Commercial (Retail, Office and Storage)	12/03/2018		#PENDING		
78	18/0266	12 Berrima Road Moss Vale NSW 2577 Lot 10 DP 1178993	S.D Kearney Nominees Pty Ltd, JM Lawson, AJ Lawson	Subdivision (Strata)	13/03/2018		#PENDING		
79	18/0288	Church 16 Waite Street Moss Vale NSW 2577 Lot 21 Sec 1 DP 38 Lot 22 Sec 1 DP 38	Anglican Church Property Trust Diocese of Sydney	Church Alterations and Additions	16/03/2018		#PENDING		
80	18/0314	17 Old Dairy Close Moss Vale NSW 2577 Lot 2 DP 1053325	Sitecat Pty Limited	Change of Use (wholesale lighting)	21/03/2018		#PENDING		
81	18/0317	44 Church Road Moss Vale NSW 2577 Lot 23 DP 854027	PJ Dalby, B Dalby	Residential Alterations and Additions, Swimming Pool	22/03/2018		#PENDING		
82	18/0209	106 McGuinness Drive Mount Murray NSW 2577 Lot 5 DP 215550	PF Peacock	Residential Alterations and Additions	28/02/2018		#PENDING		
83	18/0270	Sydney Street New Berrima NSW 2577 Lot 243 DP 15995	JV Lane	Dwelling House	14/03/2018		#PENDING		
84	17/0796.04	39 Hoddle Street Robertson NSW 2577 Lot 4 Sec 15 DP 758882	J Cauchi	Section 96 Modification (internal alterations)	28/02/2018		#APPROVED	20/03/2018	
85	18/0202	360 Belmore Falls Road Robertson NSW 2577 Lot 109 DP 751302	KJ Iredale	Swimming Pool	27/02/2018		#PENDING		
86	18/0235	491 Belmore Falls Road Robertson NSW 2577 Lot 1 DP 244159	DE Klimenko, BAE Saunders- Klimenko	Dwelling House	08/03/2018		#PENDING		

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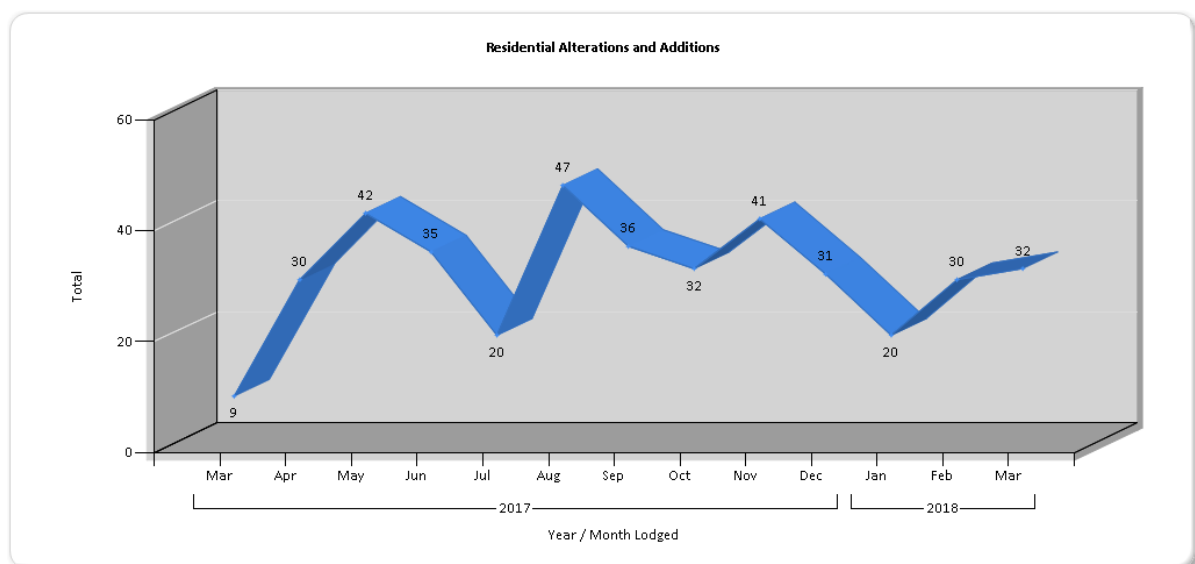
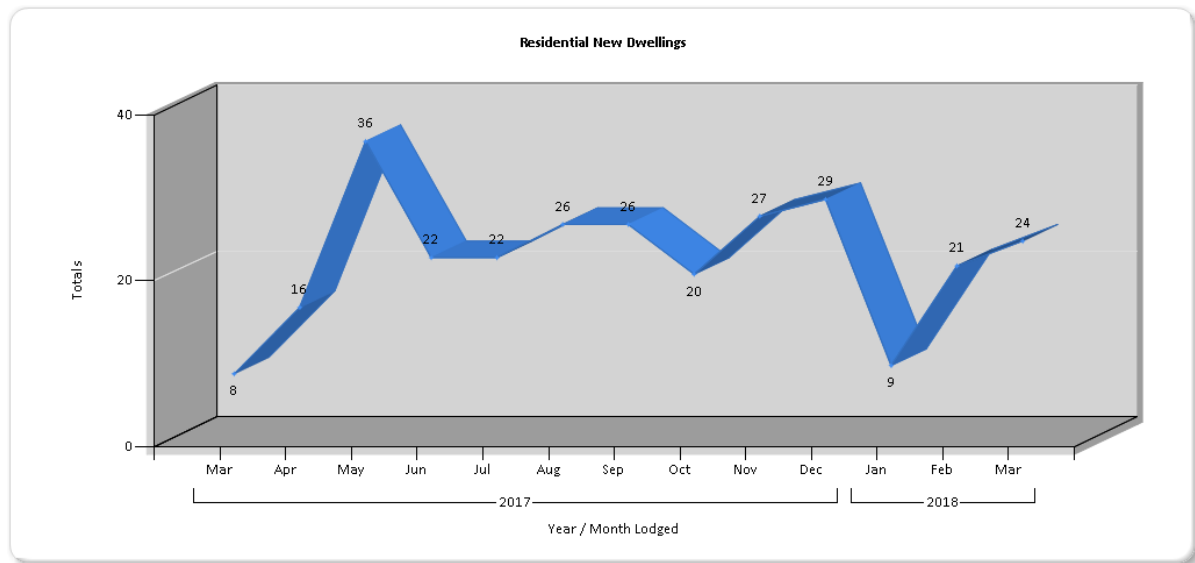
**REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY
AND DEVELOPMENT SERVICES**

	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
87	18/0321	233 Wallaby Hill Road Robertson NSW 2577 Lot 1 DP 731833	RP Sorensen	Residential Alterations and Additions (2 Sheds)	22/03/2018		#PENDING		
88	18/0327	"Linden Hall" 166 McEvilly Road Robertson NSW 2577 Lot 1 DP 1000195	DE Graham	Residential Alterations and Additions	23/03/2018		#PENDING		
89	18/0223	"Brookville" 230 Blencowes Lane Wildes Meadow NSW 2577 Lot 102 DP 627195	KJ White	Residential Alterations and Additions	05/03/2018		#PENDING		
90	18/0218	18 Badgery Street Willow Vale NSW 2575 Lot 15 Sec 11 DP 792	AL Murton, LCM Meeks	Residential Alterations and Additions (Shed)	02/03/2018		#PENDING		
91	18/0237	24 Badgery Street Willow Vale NSW 2575 Lot 18 Sec 11 DP 792	RM Rigoli, BA Rigoli	Dwelling House	08/03/2018		#PENDING		
92	18/0334	Lot 20 Sec 11 Badgery Street Willow Vale NSW 2575 Lot 20 Sec 11 DP 792	FJ Cole	Dwelling House	23/03/2018		#PENDING		
93	18/0201	31 Pine Tree Road Wingello NSW 2579 Lot 2 DP 1123259	SJ Parmenter, KE Parmenter	Dwelling House	27/02/2018		#PENDING		
94	18/0289	"Forest Hill" 1392 Highland Way Wingello NSW 2579 Lot 1 DP 838894	RA Doonan	Residential Alterations and Additions (Shed)	16/03/2018		#PENDING		
95	18/0330	32 Forest Road Wingello NSW 2579 Lot 5 DP 1103842	MA Batho, SP Batho	Dwelling House	23/03/2018		#PENDING		
96	18/0248	2435 Old Hume Highway Woodlands NSW 2575 Lot 13 DP 606952	NRH Soster, G Soster	Tourist and Visitor Accommodation (2 detached cabins) and Managers Residence	08/03/2018		#PENDING		✓

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REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY AND DEVELOPMENT SERVICES



ATTACHMENTS

There are no attachments to this report.

13.3 Planning Proposal to Permit a Dwelling Entitlement on Lot 2 DP 854905, Park Avenue, Aylmerton.

Reference:	PN1704859, 5901
Report Author:	Senior Strategic Land Use Planner
Authoriser:	Coordinator Strategic Land Use Planning
Link to Community Strategic Plan:	Provide a mixture of housing types that allow residents to meet their housing needs at different stages of their lives and support affordable living

PURPOSE

To consider a submission to amend Wingecarribee Local Environmental Plan (WLEP) 2010 to enable a dwelling house to be constructed on Lot 2 DP 854905, Park Avenue, Aylmerton.

VOTING ON THE MOTION

Councillors are required to record their votes on this matter.

RECOMMENDATION

1. **THAT** the Planning Proposal to amend Schedule 1 (Additional Permitted Uses) of Wingecarribee Local Environmental Plan (WLEP) 2010 to permit development with consent for the purposes of a dwelling house on Lot 2 DP 854905, Park Avenue, Aylmerton, be supported by Council.
2. **THAT** the Planning Proposal be submitted to the Department of Planning and Environment for a Gateway Determination.
3. **THAT** Council request the proponent to provide a bushfire assessment prior to public exhibition, to demonstrate that an appropriate building envelope can be provided on the site, consistent with the requirements of the NSW Rural Fire Service draft 'Planning for Bush Fire Protection 2017'.
4. **THAT** Council initiate the registration of a covenant on the property title to ensure that no identified endangered vegetation is removed from the subject land at any time in the future.

REPORT

BACKGROUND

A Planning Proposal was lodged with Council by Lee Environmental Planning requesting that Council consider an amendment to WLEP 2010 to enable a dwelling house to be constructed on the subject land. The proposal was assessed by Strategic Planning staff and discussed with Councillors at an Information Session on 14 March 2018.

REPORT

Proposal

The subject land fronts Park Avenue at Aylmerton as indicated by the star in **Figure 1** below. The site covers an area of some four (4) hectares. The site is zoned E3 Environmental Management with a minimum lot size of 40 hectares and no dwelling entitlement exists under the provisions of WLEP 2010.

The proposal seeks to amend WLEP 2010 by including the subject land in Schedule 1 Additional Permitted Uses for the purposes of a dwelling house.

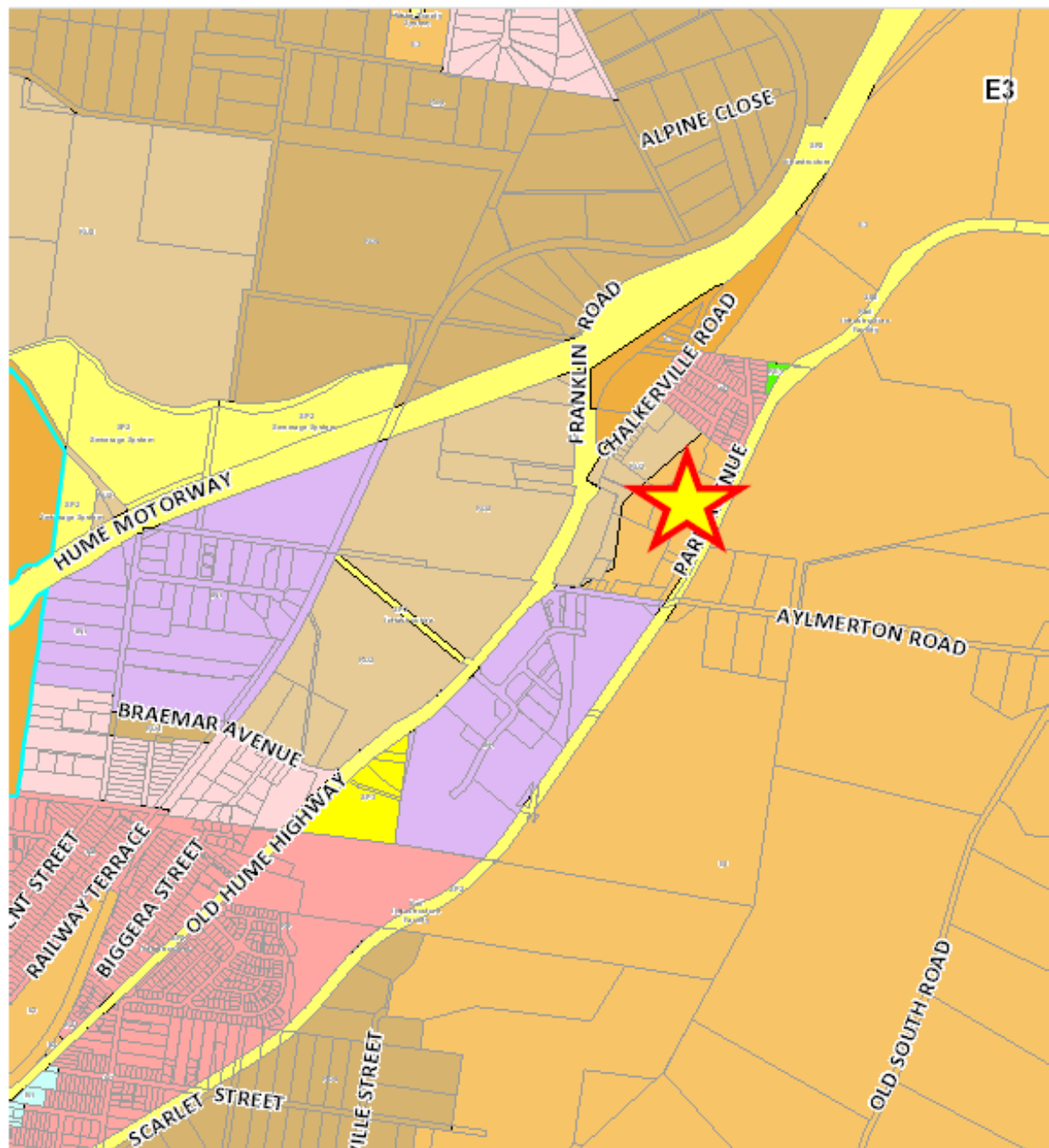


Figure 1

The site forms part of an area of non-urban land zoned E3 Environmental Management and RU2 Rural Landscape zoned land separating the village of Aylmerton to the north from an area of IN1 General Industrial zoned land to the south as indicated in **Figure 2** below. **Figure 3** provides an aerial view.

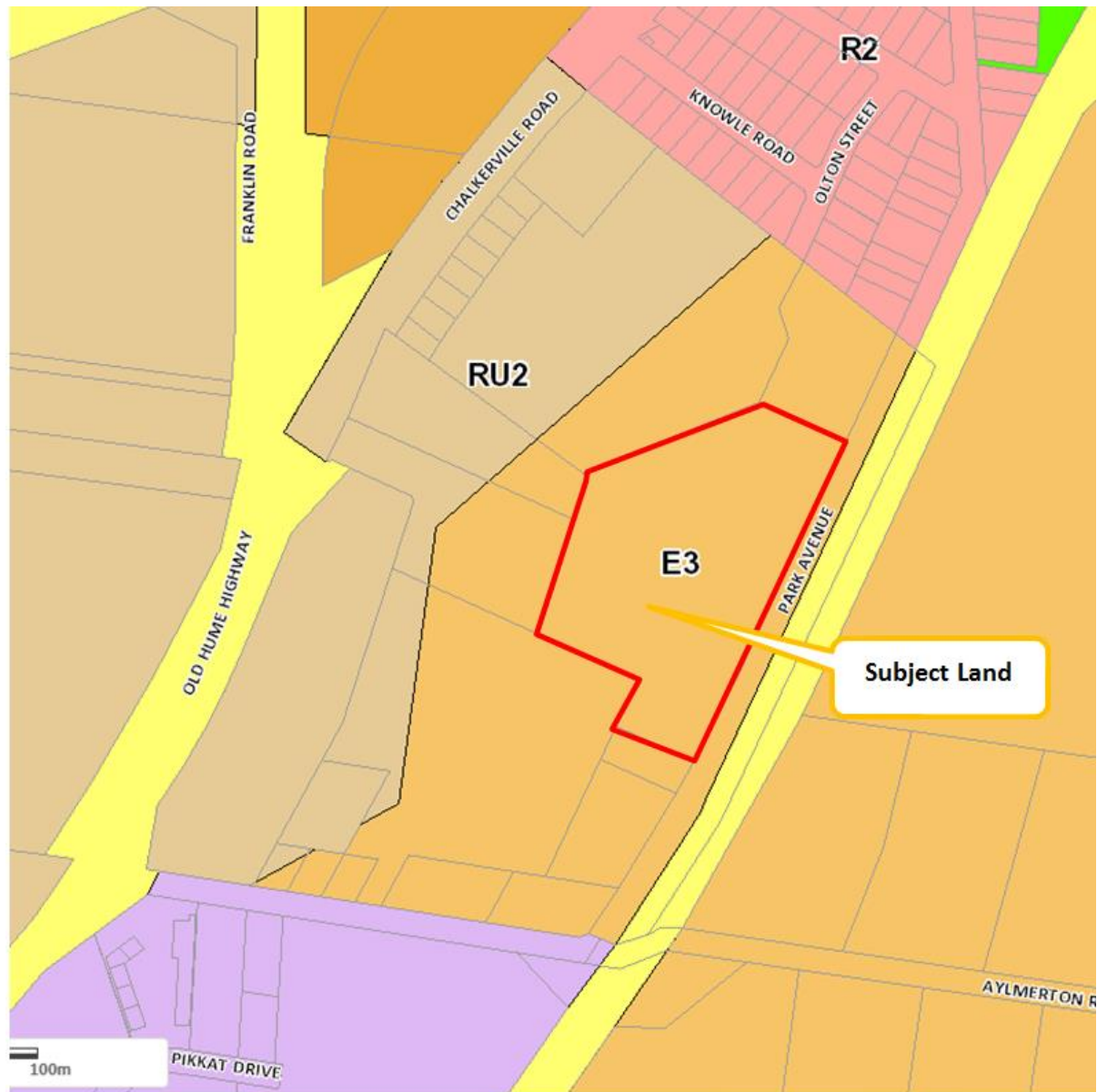


Figure 2

Strategic Assessment

All lots within the non-urban RU2/E3 area are well below the minimum lot size of 40 hectares, being as low as approximately 1,000m². The two largest sites, one of which is the subject land, are just over 4 hectares in area. Most, if not all, of the lots have a dwelling located on the site except the subject land.



Figure 3

Figure 4 below indicates that the site is identified as containing the Southern Highlands Shale Woodland Threatened Ecological Community (TEC), but as **Figure 3** (above) indicates, much of the site is cleared of vegetation.

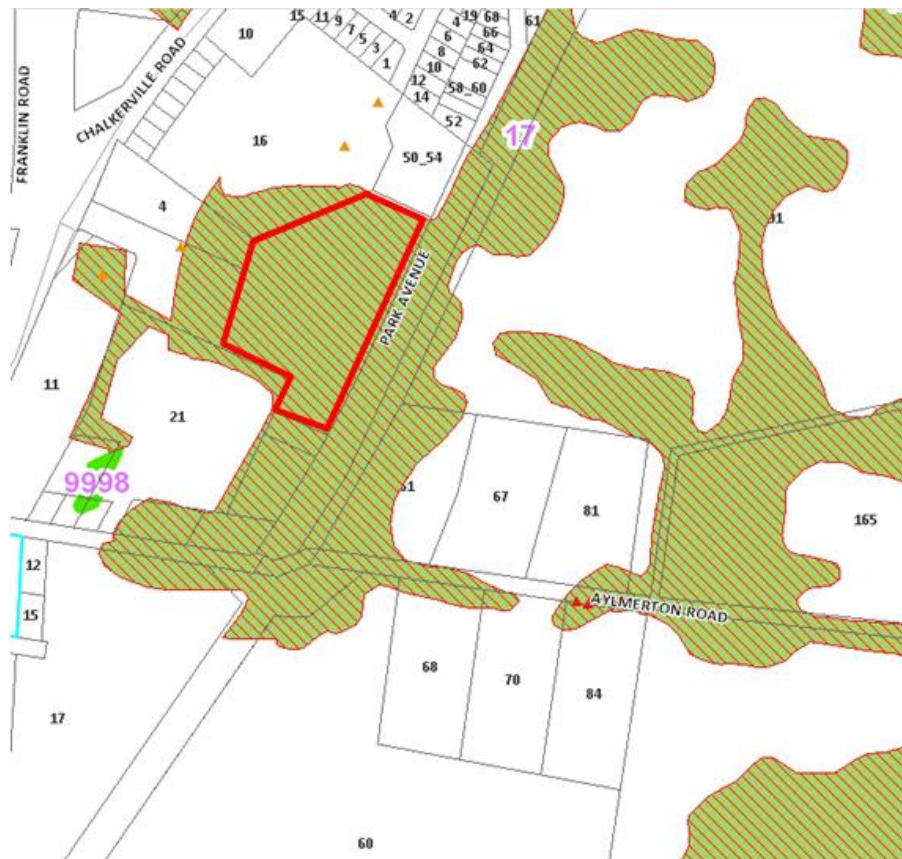


Figure 4

The proponent was asked to identify a potential building envelope where any subsequent development and access to it would not require the removal of any trees and where adequate asset protection from bushfire can be provided.

The proponent identified two (2) possible sites as indicated in **Figure 5** below. It is emphasised that only one (1) building envelope would be provided through this amendment, if supported. In either case, access would be off Park Avenue through an area of already cleared land.

It is recommended that, prior to public exhibition, the proponent provide a bushfire assessment report to demonstrate that an appropriate building envelope and access can be provided on the site, consistent with the requirements of the NSW Rural Fire Service draft 'Planning for Bush Fire Protection 2017'.



Figure 5

Recommendation

Almost all of the lots in the vicinity of the subject land already have dwellings and are well below the 40 hectare minimum lot size. The subject land is one of the larger lots.

If the Planning Proposal is supported by Council and should a Gateway Determination to proceed be issued, Council will require, prior to public exhibition, that the proponent provide a bushfire assessment report to demonstrate that an appropriate building envelope and access can be provided on the site, consistent with the requirements of the NSW Rural Fire Service draft 'Planning for Bush Fire Protection 2017'.

On this basis, it is recommended that the Planning Proposal **BE SUPPORTED**.

IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

There are no implications for Council's Fit for the Future Improvement Plan resulting from this report.

COMMUNICATION AND CONSULTATION

Community Engagement

Any submission to amend WLEP 2010 which is supported by Council is lodged with the Department of Planning & Environment for a Gateway Determination to proceed. Community consultation occurs in accordance with the Gateway requirements.

Internal Communication and Consultation

Any submission to amend WLEP 2010 which is supported by Council would be internally referred to relevant staff for comment.

External Communication and Consultation

Any submission to amend WLEP 2010 which is supported by Council would be externally referred to relevant agencies for comment as required by the Gateway Determination.

SUSTAINABILITY ASSESSMENT

- **Environment**

It is proposed that a caveat be placed on the property title to the effect that no vegetation is to be removed from the site during construction of the dwelling or access way.

- **Social**

There are no social issues in relation to this report.

- **Broader Economic Implications**

There are no broader economic implications in relation to this report.

- **Culture**

There are no cultural issues in relation to this report.

- **Governance**

The submission has been considered in accordance with guidelines provided by the Department of Planning & Environment and any Planning Proposal supported by Council would also be processed in accordance with departmental guidelines.

COUNCIL BUDGET IMPLICATIONS

Any Planning Proposal supported by Council will be subject to a fee as set out in the schedule of Council's adopted Fees and Charges. As there is currently no dwelling entitlement, any future development of the land would be assessed to determine whether it attracted s.94 and s.64 development contributions.

RELATED COUNCIL POLICY

There are no other Council related policies.

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REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY AND DEVELOPMENT SERVICES



OPTIONS

The options available to Council are:

Option 1

Not support the proposed amendment resulting in the site remaining without a dwelling entitlement.

Option 2

Support the proposed amendment which would result in a dwelling house being permitted on the site subject to Council consent, in a location determined by the application of a building envelope.

Option 2 is the recommended option to this report.

CONCLUSION

The Planning Proposal has been assessed and a recommendation made based on the content and intended outcome of the proposal. It is concluded that the proposed amendment to WLEP 2010 can be supported on strategic planning grounds.

ATTACHMENTS

1. Planning Proposal regarding Park Avenue Aylmerton



ATTACHMENT 1

Planning Proposal

Proponent Initiated

To amend Wingecarribee Local Environmental
Plan 2010 to include Lot 2 DP854905, Park
Avenue, Aylmerton into Schedule 1 to allow the
construction of a dwelling house on the land

Prepared & Submitted by: Lee Environmental Planning

On behalf of: Marie Chalker, property owner of Lot 2
DP854905, Park Avenue, Aylmerton

Version 1 – For Council Assessment & Determination

December 2017



Civic Centre, Elizabeth St, Moss Vale, NSW 2577
PO Box 141, Moss Vale. ABN 49 546 344 354
T. (02) 4868 0888 E. wscmail@wsc.nsw.gov.au

www.wsc.nsw.gov.au

**13.3 Planning Proposal to Permit a Dwelling Entitlement on Lot 2 DP
854905, Park Avenue, Aylmerton.**

**ATTACHMENT 1 Planning Proposal regarding Park Avenue
Aylmerton**



Planning Proposal – Park Avenue, Aylmerton

Prepared by Lee Environmental Planning

Version 1 for Council Assessment & Determination

ATTACHMENTS WHICH FORM PART OF THIS PLANNING PROPOSAL

1	Planning Proposal to amend Schedule 1 of WLPE2010 and Schedule 1 Map for land at Park Avenue, Aylmerton
2	Political Donations Declaration Form

**13.3 Planning Proposal to Permit a Dwelling Entitlement on Lot 2 DP
854905, Park Avenue, Aylmerton.**

**ATTACHMENT 1 Planning Proposal regarding Park Avenue
Aylmerton**



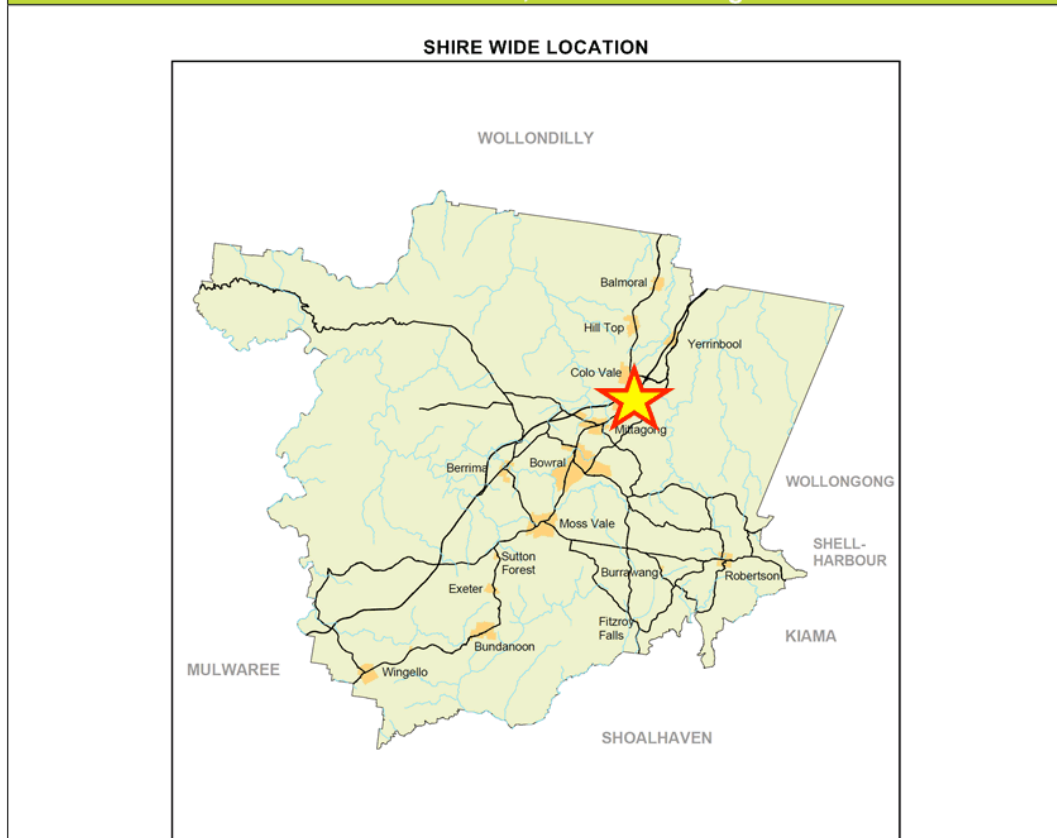
Planning Proposal – Park Avenue, Aylmerton

Prepared by Lee Environmental Planning

Version 1 for Council Assessment & Determination

LOCAL GOVERNMENT AREA: WINGECARRIBEE SHIRE COUNCIL

ADDRESS OF LAND: 18-20 Parkes Road, Moss Vale being Lots1 & 2 DP627287



13.3 Planning Proposal to Permit a Dwelling Entitlement on Lot 2 DP 854905, Park Avenue, Aylmerton.**ATTACHMENT 1 Planning Proposal regarding Park Avenue Aylmerton**

Planning Proposal – Park Avenue, Aylmerton

Prepared by Lee Environmental Planning

Version 1 for Council Assessment & Determination

SITE LOCATION & DESCRIPTION

The subject site is legally described as Lot 2 DP854905.

It is situated in the village of Aylmerton just off the Old Hume Highway near its connection with the Hume Motorway.

The site is within in a small discrete locality that sits between the Old Hume Highway as its western boundary, Park Avenue/Southern Rail Line as its eastern boundary and Aylmerton Road as its southern boundary. To the north is the residential area of Aylmerton village.

The subject site is currently vacant. It is immediately to the east of Lot 1 DP512875, that is also owned by the applicant and on which a dwelling house and farm sheds have been erected.

The site has frontage to Park Avenue along its eastern boundary of approximately 300 metres.

The site is accessed off the Old Hume Highway at Chalkerville Road and thence onto Park Avenue via Station Road, or directly off Aylmerton Road at its intersection with Park Avenue. It is not visible from the Old Hume Highway.

Only some of the land in this locality, the western portion, is visible to passing traffic on the Old Hume Highway, whereas the eastern half of the land is not visible from the Highway due to the topography.

The residential area of Aylmerton is within the R2 Low Density zone of the Wingecarribee Local Environmental Plan 2010. The land parcels in the 'village' are routinely 800 - 1000 square metres in area. There are approximately fifty four existing dwellings in the village built over the approximate 70 individual lots that exist.

The rural residential area between the village area and Aylmerton Road to the south, has no particular subdivision pattern. The existing development has occurred randomly and now presents as a small lot rural residential area with dwellings dotted across the sites. This is despite its current zoning that is split between RU2 Rural Landscape for the western portion and E3 Environmental Management for the eastern portion, both overlaid with a minimum lot size for subdivision of 40 hectares. Given that there are no lots in this area remotely close to this 40 hectare figure, let alone greater than it to allow subdivision, the 40 hectares is a meaningless development standard as it does not even reflect the existing pattern of development.

In total, there are twelve holdings in this locality, with eleven existing dwellings. These holdings range in size upwards from just 3700 square metres for a single lot on the corner of Aylmerton Road and Park Avenue that is within the E3 Environmental Management zone.

The subject site, Lot 2 DP854905 is approximately 4 hectares making it the largest single parcel in this locality.

However, only the subject site, Lot 2, does not enjoy the opportunity of a dwelling house, other than a series of small residential sized lots fronting Chalkerville Road that do not have individual dwelling entitlements but are attached to one of the other larger holdings that already has a dwelling constructed upon it.

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The zoning split between RU2 and E3 appears to be a reflection of the topography of the site and the consequential zoning provisions of the previous local planning instrument, the Wingecarribee Local Environmental Plan 1989. Under this plan, certain land was zoned 5c Special Uses (Water Catchment). The land in this locality that drained to the east into the broader water catchment area, fell into that zone, while the land to the west, which drained into a different catchment, was included into the standard 1(b) Rural B zone. When the new WLEP2010 was made, those zonings were simply rolled over into the equivalent zones under the standard template LEP – hence the existing split in this locality between RU2 Rural Landscape (Rural B) and E3 Environmental Management (5c water catchment).

On the following pages are some maps and photos that identify the site and surrounds.

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Figure 1: Site locality plan showing existing development pattern

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Figure 2: Aerial view of site showing relationship with adjoining land uses with residential to the north and multiple small lot rural residential surrounding.

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Figure 3: View towards the site from Old Hume Highway – actual site is beyond view lines due to topography



Figure 4: View of site from Park Avenue looking south west

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Figure 5: View of adjoining site on Park Avenue to the north



Figure 6: View of adjoining site on Park Avenue to the south

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Figure 7: View towards the site from just east of the railway bridge on Aylmerton Road – site obscured by heavy existing roadside vegetation

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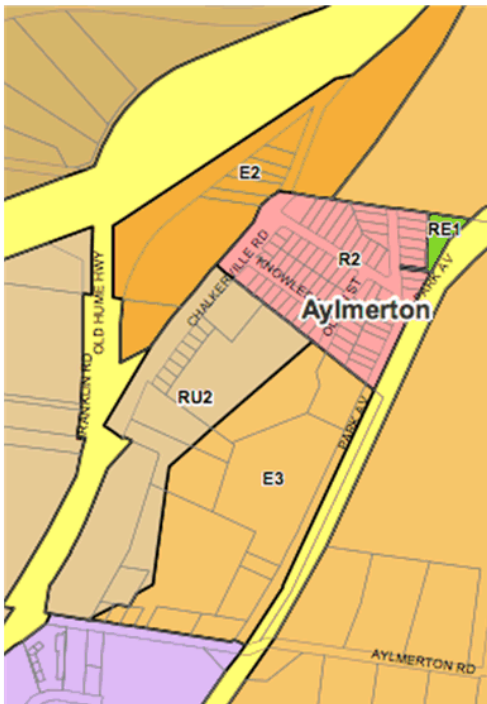
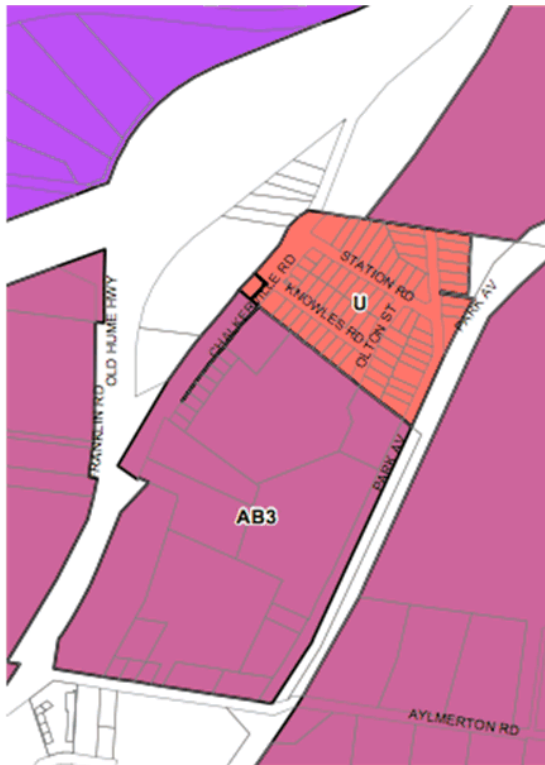


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The subject land is within WLEP2010 map Land Zoning Map Sheets 007I. It is identified on the Lot Size Map 007I with a minimum lot size for subdivision of 40 hectares.

Land Zoning Map	Lot Size Map
<p>Extract from WLEP2010 Land Zoning Map Sheet LZN_007I showing the site with the random range of zoning in the locality ranging from low density residential, rural, environmental management and industrial. Given the nature of the land and the prevailing usage pattern, the most appropriate land use zone would in fact appear to be RU4 Primary Production Small Lots</p> 	<p>Extract from WLEP2010 Lot Size Map Sheet LSZ_007I showing a minimum 1000 square metres (U) for the residential properties and 40 hectares (AB3) for the RU2 and E3 land. The entire area of the combined RU2 and E3 zoning is only 22 hectares, so the development standard in that part of the locality is meaningless.</p> 

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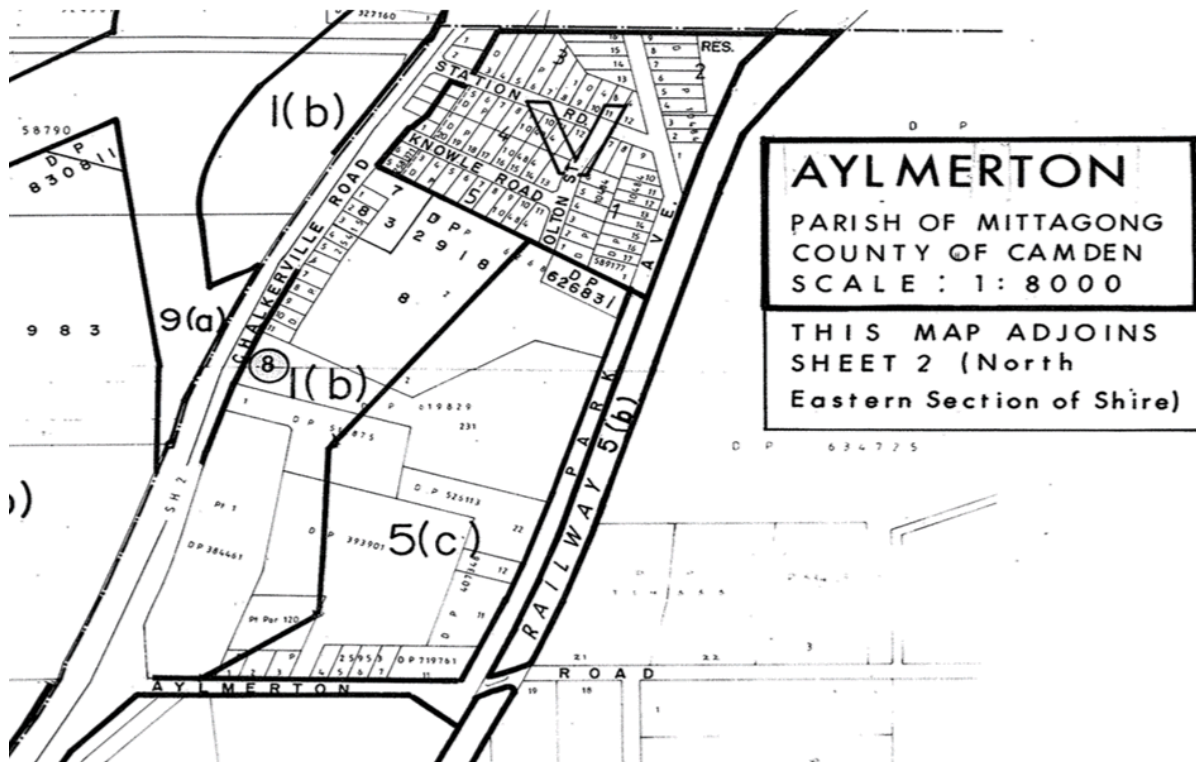


Figure 8: Extract from zoning maps of Wingecarribee Local Environmental Plan 1989 showing split zoning that has been reproduced in the WLEP2010 plan with the use of the equivalent zones.

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PART 1: OBJECTIVES OR INTENDED OUTCOMES

The objectives of this Planning Proposal are as follows:

- To provide for the future residential development of the land, being a single dwelling entitlement
- To provide the appropriate planning mechanism to give effect to the desired development outcome

The intended statutory planning outcome would be that the land (Lot 2 DP854905) is identified within Schedule 1 of Wingecarribee Local Environmental Plan 2010 so that it is recognised as having a single dwelling entitlement, notwithstanding it is below the minimum lot size for a dwelling within the E3 Environmental Management zone pursuant to the provisions of Clause 4.2A of WLEP2010.

The intended built form outcome would be, subject to the submission and assessment of a future Development Application, the construction of a dwelling house on the land. This process would involve the assessment of the existing land including the opportunities and constraints to allocate the appropriate building area for the new dwelling.

The resultant development would be completely compatible with the adjoining residential development that has occurred on all of the other existing allotments in this locality. It would address what appears to be an unfair outcome for the property owner in that other allotments have been able to support a dwelling house, while Lot 2 has not.

There is no significant or broader issues of Shire significance attached to the Planning Proposal. However, it is important from a strategic planning perspective that Council recognise such circumstances when they exist and allow an opportunity to develop a single land parcel in the same manner as other land owners have been able to do.

The site represents a simple infill development consistent with the pattern of development in the locality and well within the sites capability to accommodate the development.

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PART 2 : EXPLANATION OF THE PROVISIONS

To achieve the intended outcomes of the Planning Proposal the following amendments to the WLEP 2010 instrument will be required:

Schedule 1 Additional Permitted Uses of the WLEP2010 instrument should be amended to include reference to the subject site with the following text:

Use of certain land at Park Avenue, Aylmerton

- (1) This clause applies to land at Park Avenue, Aylmerton, being Lot 2 DP854905.
- (2) Development for the purposes of a dwelling house is permitted with consent.

This amendment is necessary in order to achieve the intended outcomes of the Planning Proposal.

The changes required are map related as described below.

To achieve the intended outcomes of the Planning Proposal the following WLEP 2010 maps will also require amendment:

Map to be amended	Detail of Amendment
Local Clauses Map, Schedule 1 Map Sheet CL1_007F	Include/identify Lot 2 DP854905 on the map with a corresponding reference to the LEP instrument

The choice of inclusion of the site into Schedule 1 of the WLEP2010 to allow for a dwelling house is considered warranted and the most efficient and effective way for a Planning Proposal to proceed. This is because Schedule 1 should be used only for very particular circumstances when other alternative amendments either cannot do the job or would result in odd planning control outcomes.

In this case, a minimum lot size change amendment for one lot would not be suitable as it may have repercussions on adjoining land. The prevailing subdivision pattern in this locality is already at odds with the stated minimum lot size standard and reflects the random nature of development that has occurred in this locality. The same could be said about the underlying zoning of the land. The more appropriate land use zone given the nature of the land and the usage pattern would be the RU4 Primary Production Small Lots, with a subdivision minimum of 4 hectares, however, such a change would not be reasonable for just one lot. It would need to be considered across all of the land in this locality.

In the circumstances it is reasonable to use Schedule 1 and it should be favoured over the use of either a zoning or minimum lot size change in this case.

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PART 3 : JUSTIFICATION OF OBJECTIVES, OUTCOMES & PROCESS**Section A – Need for the Planning Proposal****1. Is the Planning Proposal a result of any strategic study or report?**

The Planning Proposal is not the result of any particular Council resolution or strategic study. With regard to the Wingecarribee Local Planning Strategy 2015-2031, it does not specifically address the situation as it pertains to the subject site.

The Local Planning Strategy recognises the need to provide more housing opportunities and to do so without compromising the inherent rural character of the Shire. This Planning Proposal is made on the basis of the need for Council to consistently review its position in relation to individual circumstances as well as the broader long term strategic perspective. In this case, the Planning Proposal is more closely aligned with 'housekeeping' than it is with strategic vision, but having said that, it is not a Proposal that will undermine any of Council's broader strategic planning objectives.

For Council to be successful in achieving its strategic aims for housing within the Shire that balances 'green field' growth opportunities and 'infill' development opportunities, there will be a need to recognise those infill opportunities. This is so no matter how small that opportunity when they can contribute to this objective without causing any disruption to existing neighbourhoods or without the need for major infrastructure expenditure. This is one such opportunity.

It is in this context that this Planning Proposal is put forward as a way to address a situation that is of importance to the land owner but of little strategic consequence to Council.

Therefore while it could be argued that the Proposal is not strictly in accordance with the current Planning Strategy of Council, it is clearly in accordance with the need for Council to react in a positive way to obvious and potentially unfair consequences of earlier broader strategic planning decisions.

2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

A Planning Proposal is the appropriate way to achieve the desired outcome. It is not possible to move directly to the Development Application phase to allow the construction of a dwelling house upon the land under the existing E3 Environmental Management zoning of the land and the associated provisions of Clause 4.2A that deal with the erection of dwelling houses on certain rural and environmental protection zones.

It should be reasonably assumed that a Planning Proposal pathway will be accepted by Council as the appropriate means of achieving the intended outcomes.

The combination of the current zoning of the land and the restrictions imposed by Clause 4.2B, does not allow for a reasonable redevelopment of the land that would be consistent with the character of the surrounding locality, which is predominately residential in nature despite its current rural and environmental management zoning.

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One further residential development in this locality will not lead to any potential conflict with existing residential amenity and would represent the highest and best use of the land. There is ample alternative rural land available in locations and of lot sizes that are better suited to agriculture or primary production than is the subject site.

Section B – Relationship to strategic planning framework**3. Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including draft strategies)?**

The Planning Proposal is not inconsistent with the South East and Tablelands Regional Plan that has superseded the Sydney Canberra Corridor Regional Strategy 2006-31.

In broad terms, the Regional Plan, as did its predecessor, seeks to cater for continued growth within the region, without impacting adversely upon the character of the region. This Planning Proposal achieves this by providing an opportunity for a single residential development upon the land at a density of development achievable upon the subject land, with such development being consistent with the predominant rural residential character of the locality and within the capacity of the land to accommodate residential development.

Although the site is wholly within the E3 Environmental Management zone, the locality is split between the E3 and the RU2 Rural Landscape zone. This is a reflection of maintaining the status quo from earlier planning instruments as much as it is any statement of strategic intent or judgment on the sensitivity or capacity of the land.

The strategies broad aim of protecting the sensitive elements of the natural environment is not endangered by this Planning Proposal.

Chapter 4 of the Strategy is Environmentally sustainable housing choices. This Planning Proposal supports that broad objective, albeit in a limited fashion.

Direction 24 of the Strategy is to deliver greater housing supply and choice, noting that local housing strategies need to consider community aspirations. This Planning Proposal will support this objective and would be consistent with the community aspirations as put forward in previous community workshops that show support for well located housing options and actions that have a positive impact on the issue of housing affordability within the Southern Highlands.

Housing affordability is currently a major and serious issue of concern. There are various issues that play into housing affordability, however the supply of land and housing is critical in that equation. This locality already provides housing that is well located, easily serviced and offers an affordable price point in the housing market. It is acknowledged however that this is not a major consideration in this particular Planning Proposal, although it is supportive of this issue.

Direction 25 of the Strategy Focus is for housing growth in locations that maximise infrastructure and services in particular to achieve sustainable urban outcomes that do not undermine existing strategic and local centres. The sites location amongst other like properties is ideal in the opportunity it provides to leverage off infrastructure and services already existing in this locality.

Direction 27 is to deliver more opportunities for affordable housing which this Planning Proposal can achieve.

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4. Is the Planning Proposal consistent with a council's local strategy or other local strategic plan?

The Planning Proposal is not inconsistent with the local planning strategy for Wingecarribee Shire.

The relevant local strategy is the recently adopted Wingecarribee Local Planning Strategy 2015 - 2031.

Chapter 4 set out to deal with managing housing needs and it clearly identifies the ongoing pressure to ensure a supply of housing opportunities across the Shire for a range of different needs. The establishment of the Demographics and Housing Advisory Committee is part of this work.

This Planning Proposal is consistent with the Objective of Chapter 4 of the Strategy because it will eventually add to the available housing stock in a location that has access to essential services and proximity to community services, in a location already established as a rural residential neighbourhood.

The concept of 'infill' development as described in the Local Strategy, is supported by this Planning Proposal. It is dealing with land with good access to services, the development of which will not compromise the rural character of the Shire nor threaten sensitive rural landscapes. In this case it will result in a suitable and compatible land use outcome, whereas the site is not currently a productive rural property. To enforce rural activity/primary production upon the site is likely to give rise to potential land use conflict with adjoining properties, although such uses are encouraged under the present zoning.

5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal is not inconsistent with any State Planning Policy.

Due to the rural nature of previous land uses upon the site, it would be necessary to consider the requirements of *State Environmental Planning Policy No 55—Remediation of Land* before any final decision on rezoning was taken. The preparation of relevant contamination reports and if necessary remediation reports can be a condition of any gateway approval.

State Environmental Planning Policy	Relevance to Planning Proposal
No.1 Development Standards	No longer relevant due to Clause 4.6 of WLEP2010 being the mechanism for the consideration of variations to development standards
No.14 Coastal Wetlands	Does not apply to the subject site
No.19 Bushland in Urban Areas	Does not apply to the subject site
No.21 Caravan Parks	Potentially applicable to future development at Development Application

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	stage, however it is noted that caravan parks are not permissible in the existing RU2 and E3 zones
No.26 Littoral Rainforests	Does not apply to the subject site
No.30 Intensive Agriculture	Does not apply to the subject site because intensive livestock agriculture is prohibited with both the RU2 and E3 zones
No.33 Hazardous and Offensive Development	Potentially applicable to future development at Development Application stage, however it is noted that industries of the type covered by the Policy are not permissible in the RU2 or E3 zones
No.36 Manufactured Home Estates	This Policy applies to land within Wingecarribee Shire. However it is noted that caravan parks are not permissible in the RU2 or E3 zones and therefore manufactured home estates will not be permissible
No.44 Koala Habitat Protection	This Policy applies to land within the Wingecarribee Shire. However the Policy requires Council to be satisfied of certain matters prior to issuing consent to Development Applications, not Planning Proposals. Clause 16 does allow for the preparation of local environmental studies, which could be required as part of any Gateway determination. However, in this case, it is not considered that the subject land contains potential koala habitat and is not core koala habitat, so the likely need for such a study is negligible.
No. 47 Moore Park Showground	Does not apply to the subject site
No.50 Canal Estate Development	Does not apply to the subject site
No.52 Farm Dams and Other Works in Land and Water Management Plan Areas	Does not apply to the subject site
No.55 Remediation of Land	This Policy applies to land within the Wingecarribee Shire. Clause 6 requires the planning authority to consider whether the land is contaminated and/or whether the land can be made suitable for purpose. The land is not within a class of land identified within Clause 6 subclause (4) however the zoning and previous rural land use history suggests that land

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	contamination may be present although unlikely. Initial contamination assessments can be required either as part of a Gateway determination or as part of subsequent Development Applications.
No. 62 Sustainable Aquaculture	Not applicable to the form of development permissible within the proposed zones
No.64 Advertising and Signage	This policy applies to land within the Wingecarribee Shire. However, the provisions relate to the assessment of Development Applications and can be properly administered if relevant applications are made in the future.
No.65 Design Quality of Residential Apartment Development	This Policy applies to land within Wingecarribee Shire. However it is noted that residential flat buildings and other building types covered by the policy are not permissible in the RU2 or E3 zones
No.70 Affordable Housing (Revised Schemes)	Does not apply to the subject site
No.71 Coastal Protection	Does not apply to the subject site
Affordable Rental Housing 2009	This Policy applies to land within Wingecarribee Shire but not to the types of development permissible within the RU2 or E3 zones. It would not be applicable to this site or the outcomes arising from this Planning Proposal. The PP is not inconsistent with the Policy and any relevant Development Application lodged can be assessed against the Policy if that development seeks to rely upon the Policy
Building Sustainability Index: Basix 2004	Related to the development/building phase
Educational Establishments and Child Care Facilities 2017	This Policy applies to land within Wingecarribee Shire. However, the Policy is focused on the development application process. The RU2 zone is a prescribed zone for the purposes of the Policy which will enable certain development to proceed, with or without consent whereas the E3 Environmental Management zone is not a prescribed zone
Exempt and Complying Development Codes 2008	This Policy applies to land within Wingecarribee Shire and will be applicable in the usual way

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Housing for Seniors or People with a Disability 2004	This Policy applies to land within Wingecarribee Shire. The PP is not inconsistent with the Policy. Neither the RU2 or the E3 zone are zones considered to be land zoned primarily for urban purposes and seniors housing will therefore not be permissible under the Policy, which is the same as it is under WLEP2010.
Infrastructure 2007	This Policy applies to land within Wingecarribee Shire. However it is focused upon the development application phase. A new dwelling entitlement upon the subject land would not be of a scale to trigger referral to the RMS as Traffic Generating Development under Clause 104 Schedule 3. A Gateway determination may require more detailed assessment as part of the formal exhibition process or the matter could be dealt with as part of the Development Application process. The PP is not inconsistent with the Policy.
Integration and Repeals 2016	Does not apply to the subject site
Kosciuszko national Park - Alpine Resorts 2007	Does not apply to the subject site
Kurnell Peninsula 1989	Does not apply to the subject site
Mining, Petroleum Production and Extractive Industries 2007	This Policy applies to land within Wingecarribee Shire. However it does not contain provisions that require any specific provisions within PPs. The policy is focused on the Development Application phase
Miscellaneous Consent Provisions 2007	This Policy applies to land within Wingecarribee Shire however has no particular relevance to this PP
Penrith Lakes Scheme 1989	Does not apply to the subject site
Rural Lands 2008	This Policy applies to land within Wingecarribee Shire. The land is not State Significant agricultural land. The Policy is not relevant to this PP.
State and Regional Development 2011	This Policy applies to land within Wingecarribee Shire however the PP does

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	not involve land or a scale of development that is relevant to the Policy
State Significant Precincts 2005	This Policy applies to land within Wingecarribee Shire however the PP does not involve land or a scale of development that is relevant to the Policy
Sydney Drinking Water Catchment 2011	The Wingecarribee Shire is within the area covered by the Policy. The key purpose of the Policy is to ensure water quality impacts are properly assessed as part of development proposals. Any Gateway determination could require further more detailed water quality assessment to be part of the formal exhibition process or such assessment could be held over until the development application phase. The PP is not inconsistent with the Policy and there is no reason to suspect that future residential development upon the site cannot satisfy the NorBE test under the Policy
Sydney Region Growth Centres 2006	Does not apply to the subject site
Three Ports 2013	Does not apply to the subject site
Urban Renewal 2010	Does not apply to the subject site
Vegetation in Non-Rural Areas 2017	Does not apply to the subject site
Western Sydney Employment Area 2009	Does not apply to the subject site
Western Sydney Parklands	Does not apply to the subject site

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6. Is the Planning Proposal consistent with applicable Section 117 Directions?

The following table provides an assessment of the Directions issued by the Minister for Planning under section 117(2) of the *EP&A Act 1979*:

Direction	Assessment
1. Employment and Resources	
1.1 Business and Industrial Zones	The Planning Proposal will have no impact upon the available land that is zoned as employment generating.
1.2 Rural Zones	The Planning Proposal does not impact upon the rural lands of the Shire. It does not take away any existing opportunity to utilise the land for rural activities/primary production. The land in question is of such limited site area as to have no impact upon the total use of rural land within the Shire
1.3 Mining, Petroleum Production and Extractive Industries	NA
1.4 Oyster Aquaculture	NA
1.5 Rural Lands	See above
2. Environment and Heritage	
2.1 Environment Protection Zones	The land is within an environment protection zone. However, the Planning Proposal would not alter the requirement for any development proposal (future dwelling house) to properly consider the appropriate range of environmental issues, in this case, stormwater quality and native vegetation. The PP is not inconsistent with the Direction.
2.2 Coastal Protection	NA
2.3 Heritage Conservation	The land is not within a conservation area under WLEP2010, nor in proximity to any individually listed heritage item.
2.4 Recreation Vehicle Areas	NA

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3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	The PP is not inconsistent with this Direction but in reality it is not particularly relevant. It simply seeks to introduce one additional residential opportunity on land that has appropriate access to infrastructure and services and would have minimal impact upon the environment. The PP is not seeking to expand the urban fringe because it is taking advantage of a site within the developed rural residential area.
3.2 Caravan Parks and Manufactured Home Estates	NA
3.3 Home Occupations	NA
3.4 Integrating Land Use and Transport	NA
3.5 Development Near Licensed Aerodromes	NA
3.6 Shooting Ranges	NA
4. Hazard and Risk	
4.1 Acid Sulfate Soils	NA
4.2 Mine Subsidence and Unstable Land	NA
4.3 Flood Prone Land	The land is not identified flood prone land
4.4 Planning for Bushfire Protection	The subject land is not mapped as bushfire prone on Council's Bushfire Hazard Maps. Any future Development Application can include an assessment of bushfire threat if that was considered necessary at that time
5. Regional Planning	
5.1 Implementation of Regional Strategies NB: This Direction has been revised to include previous Directions 5.6 and 5.7.	The South East and Tablelands Regional Plan (previously the Sydney – Canberra Corridor Regional Strategy) is in place and therefore relevant. The PP is not inconsistent with the regional plan that seeks to achieve additional housing opportunities within the Wingecarribee Shire.

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5.2 Sydney Drinking Water Catchments	<p>The proposed amendment to WLEP2010 would still require any future development of the land to properly consider the requirements of the State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011.</p> <p>Any development proposal would need to demonstrate a neutral or beneficial effect on water quality as a result of the development.</p> <p>The land is within a developed rural residential area and does not represent a risk to water quality within the catchment. Residential development of the land represents a manageable risk to water quality.</p> <p>The PP is not inconsistent with the Direction</p>
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	NA
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	NA
5.8 Second Sydney Airport: Badgerys Creek	NA
5.9 North West Rail Link Corridor Strategy	NA
6. Local Plan Making	
6.1 Approval and Referral Requirements	A PP that seeks to allow a single dwelling house on a designated land parcel is not inconsistent with the Direction.
6.2 Reserving Land for Public Purposes	NA
6.3 Site Specific Provisions	The PP does not propose to have any site specific provisions

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Section C – Environmental, Social & Economic Impacts**7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the Planning Proposal?**

No. The land is not identified as containing any critical habitat or threatened species, populations or ecological communities or their habitats

8. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

There are no immediate environmental impacts arising from the Planning Proposal.

As a consequence of the PP, there will be a Development Application for a dwelling house upon the land. This Development Applications will provide the appropriate mechanism for the thorough assessment of any potential environmental impacts and these can be managed through the imposition of conditions of development consent as appropriate.

There is no reason to suggest that the subject land is not capable of accommodating an additional dwelling house.

Taking into account the pattern and usage of adjoining land, any future dwelling will be compatible with adjoining properties. This would be a positive outcome.

9. Has the Planning Proposal adequately addressed any social and economic effects?

There are no particular social impacts arising from the Planning Proposal. It is a site specific issue, rather than one that may have broader implications throughout the community. It will eventually provide for an additional dwelling, the occupants of which will then contribute to the local community and the Southern Highlands more generally.

From an economic perspective, the PP will provide for the economic and best use of the land.

13.3 Planning Proposal to Permit a Dwelling Entitlement on Lot 2 DP 854905, Park Avenue, Aylmerton.

ATTACHMENT 1 Planning Proposal regarding Park Avenue Aylmerton



Planning Proposal – Park Avenue, Aylmerton

Prepared by Lee Environmental Planning

Version 1 for Council Assessment & Determination

Section D – State and Commonwealth Interests

10. Is there adequate public infrastructure for the Planning Proposal?

Appropriate and adequate public infrastructure is available to service the resultant development (power, water etc). The increase of one dwelling will not place any significant burden upon these services. The existing road network is capable of accommodating the minor traffic increase generated by the PP. If additional infrastructure analysis was considered necessary, then this could be a condition of any Gateway approval, to be carried out prior to any formal change to the WLEP2010.

PART 4 – MAPPING

The subject land is situated at Aylmerton. The following maps require amendment as indicated below:

Map to be amended	Detail of Amendment
Local Clauses Map, Schedule 1 Map Sheet CL1_007F	Include Lot 2 DP854905 on the map with a corresponding reference to the LEP instrument

PART 5 – COMMUNITY CONSULTATION

Community consultation will occur as directed in the Gateway Determination and in accordance with the Department's Guide to preparing LEPPs. It is noted that Council normally provides at least 28 days of public exhibition that includes, as relevant, notification by letter/email to adjoining property owners and weekly advertising in the Southern Highland News for the duration of the exhibition period. Copies of the Planning Proposal and relevant documentation are provided on Council's website, at the Customer Service Counter at the Civic Centre and at all relevant libraries including Council's Rural Outreach & Delivery Service (ROADS) Mobile Library.

**13.3 Planning Proposal to Permit a Dwelling Entitlement on Lot 2 DP
854905, Park Avenue, Aylmerton.****ATTACHMENT 1 Planning Proposal regarding Park Avenue
Aylmerton**

Planning Proposal – Park Avenue, Aylmerton

Prepared by Lee Environmental Planning

Version 1 for Council Assessment & Determination

PART 6 – TIMELINE

It is anticipated that the Planning Proposal will progress in accordance with the following key timeline milestones:

MILESTONE	INDICATIVE DATE
Gateway Determination	
Agency Consultation	
Public Exhibition	
Report to Council on exhibition of Planning Proposal.	
S.59 Documents to DP&E & PCO.	
Approximate completion date	

DELEGATIONS

TO BE COMPLETED BY COUNCIL SHOULD THE PLANNING PROPOSAL PROCEED.

END

13.4 Economic Development and Tourism Committee

Reference:	107/24
Report Author:	Deputy General Manager Corporate, Strategy and Development Services
Authoriser:	Deputy General Manager Corporate, Strategy and Development Services
Link to Community Strategic Plan:	An enhanced culture of positive leadership, accountability and ethical governance that guides well informed decisions to advance agreed community priorities

PURPOSE

The purpose of this report is to report back to Council in respect of the Economic Development and Tourism Committee following the Council resolution passed at its meeting held on 28 February 2018

RECOMMENDATION

1. **THAT Council confirms that it wishes to retain an Economic Development and Tourism Committee as part of its suite of Council Committees.**
2. **THAT Council not proceed with re-establishing the Economic Development and Tourism Committee until after Council re-appoints Councillors to the Council Committees in September 2018.**

REPORT

BACKGROUND

Council at its meeting held on 28 February 2018 passed the following resolution as a result of a Notice of Motion:

1. *THAT Council disband the Economic Development and Tourism Advisory Committee due to a range of structural alignment issues.*
2. *THAT Council formally thanks the existing committee members for their contribution.*
3. *THAT Council meet, as soon as possible, with an aim to set Terms of Reference, re-advertise positions and nominate a Chair.*
4. *THAT the newly appointed Committee be functional by May 2018.*
5. *THAT existing members of the Economic Development and Tourism Advisory Committee be invited to re-apply.*

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REPORT

In relation to part 3 of the resolution, Councillors met on 14 March 2018 in a Councillor Briefing session. The terms of reference of similar committees in operation in other councils was considered. It was also noted that in recent years many councils had opted to not operate an Economic Development Committee as part of their committee structures.

In some Council areas, there are alternate non council run forums which address the local economic environment and strategies for their respective council areas.

At the conclusion of the Councillor briefing session, the majority of Councillors were of a view to defer the re-establishment of the Committee until after September 2018.

IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

Not Applicable

COMMUNICATION AND CONSULTATION

Community Engagement

No Community Engagement undertaken.

Internal Communication and Consultation

Councillor Briefing Session held on 14 March 2018.

External Communication and Consultation

A number of NSW local councils were contacted by phone and through their website to establish their respective positions of having an Economic Development and Tourism Committee or similar.

SUSTAINABILITY ASSESSMENT

- **Environment**

There are no environmental issues in relation to this report.

- **Social**

There are no social issues in relation to this report.

- **Broader Economic Implications**

There are no broader economic implications in relation to this report.

- **Culture**

There are no cultural issues in relation to this report.

- **Governance**

Committees are established by Council resolution. There is no statutory requirement for Council to have an Economic Development and Tourism Committee.

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REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY AND DEVELOPMENT SERVICES



COUNCIL BUDGET IMPLICATIONS

Not applicable

RELATED COUNCIL POLICY

Not applicable

OPTIONS

The options available to Council are:

Option 1

That Council proceed to re-establishing the Economic Development and Tourism Committee by May in accordance with the 28 February 2018 resolution of Council

Option 2

That Council leave the re-establishment of the Economic Development and Tourism Committee until after September 2018.

CONCLUSION

Council by resolution establishes Council Committees and the Councillor representatives on each Committee. Following the resolution by Council to disband the Economic Development and Tourism Committee and subsequent Councillor Briefing session held thereafter, Councillors expressed a preference to defer re-establishing the Economic Development and Tourism Committee until after September 2018.

ATTACHMENTS

There are no attachments to this report.

13.5 Media Policy

Reference:	5125
Report Author:	Media and Communications Coordinator
Authoriser:	Group Manager Corporate and Community
Link to Community Strategic Plan:	Open and effective communication methods and technology are utilised to share information about Council plans, intentions, actions and progress

PURPOSE

A Media Policy has been developed to:

- clearly identify authorised spokespersons on behalf of Council;
- provide guidelines to authorised spokespersons when making statements regarding Council business;
- minimise the possibility for miscommunication and negative publicity, and to
- provide direction to staff and Councillors about the personal and professional use of social media.

RECOMMENDATION

THAT Council adopt the Media Policy (Attachment 1) including changes outlined in this report.

REPORT

BACKGROUND

Wingecarribee Shire Council is committed to engaging with its local community and recognises the important role media plays in communicating with the community.

This draft policy builds upon the framework of Council's previously adopted *Communications Strategy 2014*.

This report also details the submissions received during the exhibition period of the Draft Media Policy, endorsed by Council at its Ordinary Meeting dated 13 December 2017 (MN 580/17).

Included in this report are amendments based on feedback received during the exhibition period.

REPORT

Communication and community engagement are significant benchmarks of the Community Strategic Plan, *Wingecarribee 2031*.

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The community has clear expectations that Council will communicate and engage with the community “in a diverse, open and inclusive way” (Goal 1.2) and that “open and effective communication methods and technology are utilised to share information about Council plans, intentions, actions and progress” (1.2.1).

Satisfaction with provision of information to residents is a key measure within the area of Leadership.

This is reflected in Council’s *Delivery Program 2017-2021* (DP15: Provide quality, timely and accessible information to the community) and *Operational Plan 2017/18* (OP035: Develop a Council Media Policy and Social Media Guidelines).

Council informs the community of Council decisions and business using a variety of information channels including, but not limited to, media releases, social media and newsletters.

The draft Media Policy was placed on public exhibition for a period of 49 days from 14 December 2017 to 31 January 2018.

During this period nine submissions were received. Of these nine submissions three were supportive of the document while six opposed the draft document or elements thereof.

A summary of these submissions is included (**Attachment 2**).

As a result of these submissions the following amendments are suggested:

1. To further emphasise that the proposed Media Policy does NOT seek to impede personal views of Councillors, but rather, ensure consistent and accurate information is disseminated, it is proposed that the below statement is included within the *Responsibilities* section of the policy (pp.4);

‘Councillors have the right to express personal opinion but must ensure they clarify that any views expressed may not represent the official position or opinion of Council.’

This statement is in-line with existing wording found in both the *Policy Statement* (pp.2) and *5.0 Personal views of elected members* (pp.8) sections of the document.

2. Within section *5.0 Personal views of elected members*, it is suggested the wording, *‘Councillors should keep in mind their leadership role in Council and the community, and should express opinions consistent with community expectations of them as civic leaders,’* be added (pp.9).
3. At the end of section *5.0 Personal views of elected members*, it is suggested the following closing sentence be amended to read; *‘Councillors are reminded of their obligations under the Local Government Act 1993 and the relevant provisions of the Wingecarribee Shire Council Code of Conduct and Model Code of Conduct For Local Councils in NSW.’* (pp.9)

IMPACT ON COUNCIL’S FIT FOR THE FUTURE IMPROVEMENT PLAN

The outcomes of this report will not impact on Council’s *Fit for the Future Improvement Plan*.

COMMUNICATION AND CONSULTATION

Community Engagement

The Draft Media Policy was placed on public exhibition for a period of 49 days from 14 December 2017 to 31 January 2018 to obtain feedback from the community.

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Details of the exhibition period and submission process were distributed via media release on 15 December 2017 and in Council's Community Update page on 20 December 2017, 3 January, 10 January, 17 January and 26 January 2018.

There were nine submissions received during the exhibition period.

Internal Communication and Consultation

Development of this document has been undertaken with input from across the organisation.

External Communication and Consultation

In addition to the community consultation referred to above, staff reviewed a number of Media Policies from other Local Government Agencies and sought input from relevant industry authorities.

SUSTAINABILITY ASSESSMENT

- **Environment**

There are no environmental issues in relation to this report.

- **Social**

There are no social issues in relation to this report.

- **Broader Economic Implications**

There are no broader economic implications in relation to this report.

- **Culture**

There are no cultural issues in relation to this report.

- **Governance**

Council's Community Strategic Plan and associated Integrated Planning and Reporting documents provide a framework for open communication.

COUNCIL BUDGET IMPLICATIONS

There are no budget implications in relation to this report.

RELATED COUNCIL POLICY

This policy relates to the *Wingecarribee Shire Council Code of Conduct*, as adopted on 23 August 2017.

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REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY AND DEVELOPMENT SERVICES



OPTIONS

The options available to Council are:

Option 1

Adopt the Media Policy with the changes recommended in this report.

Option 2

Make further changes to the Media Policy prior to adoption.

Option 1 is the recommended option to this report.

CONCLUSION

The introduction of a Media Policy is in-line with Council's *Communication Strategy* and *Operational Plan 2017/18*.

This policy is intended to provide users with clear guidelines and directions when interacting with the media. It provides a level of accountability for staff and Councillors not previously detailed.

ATTACHMENTS

1. Media Policy
2. Feedback Summary

Mark Pepping

Deputy General Manager Corporate, Strategy and Development Services

Friday 6 April 2018



Media Policy

ATTACHMENT 1

LEADERSHIP

1.2 COUNCIL COMMUNICATES AND ENGAGES WITH THE COMMUNITY IN A DIVERSE, OPEN AND INCLUSIVE WAY

Adoption Date:	(Governance to insert)
Council Reference:	(Governance to insert)
Policy Owner:	Media and Communications Coordinator
Next review date:	April 2020
File Reference:	5125
Related Policies/Legislation:	Local Government Act 1993 Government Information (Public Access) Act 2009 Copyright Act 1879 Defamation Act 2005 Privacy and Personal Information Protection Act 1998
Related Documents:	Wingecarribee Shire Council Code of Conduct Communications Strategy, 2014 Community Engagement Strategy, 2014
Superseded Policy/GM Practice Note:	General Managers Practice Note No.3: Media Contact (for staff only)

OBJECTIVES

The objectives of this policy are:

- to clearly identify authorised spokespersons on behalf of Council
- to provide guidelines for authorised spokespersons when making statements regarding Council business
- to promote a professional and consistent corporate image
- to promote positive media relationships
- to minimise the possibility for miscommunication and negative publicity
- to provide direction to staff and Councillors about the personal and professional use of social media.





Media Policy

POLICY STATEMENT

Wingecarribee Shire Council is committed to engaging with its local community and recognises the important role media plays in communicating with the community we serve.

It is also accepted that rapidly evolving technology has transformed the way councils communicate and engage with their communities.

It is important that Council builds on its relationship with the media, both traditional and emerging social media, and the community while continuing to provide accurate, timely, informative and interesting content in-line with Council's vision and values.

This policy applies to all media and social media comment and activity on behalf of Council.

Council respects the right of Councillors and staff to maintain social media accounts and to interact on social media as a private citizen.

This policy does not impede the use of personal social media, rather, it provides direction on the use of social media should it overlap with Council business.

Staff need to be aware of the risks when personal usage overlaps with their professional lives.

Councillors and staff have the right to express personal opinion, however must make it clear that these are personal opinions and not necessarily the official view of Council.

SCOPE

This policy applies to:

- circumstances when authorised spokespersons are required to make comment or provide background information on matters under Council jurisdiction
- circumstances when Council wishes to engage with the media or community to release information relating to Council business
- individuals or groups wanting to set up social media accounts associated with Council
- all Councillors, employees, contractors and volunteers; and
- all comment to media regarding Council business and policy.

DEFINITIONS

For the purpose of this policy, media has been separated into the following categories.





Media Policy

Traditional media

The term commonly given to various means of traditional communication that reaches a broad cross-section of the community such as television, radio and print media.

Social Media

The term commonly given to web-based tools that allow users to publish, share and discuss content. Currently social media may include (although it is not limited to):

- social networking applications (e.g. Facebook, LinkedIn)
- micro-blogging (e.g. Twitter)
- video and photo sharing websites (e.g. Instagram, Flickr, YouTube)
- blogs hosted by media outlets (e.g. 'comments' on news articles)
- forums, discussion boards and groups (e.g. Google groups)

Journalists and the Press

- For the purpose of this policy, only accredited members of the *Australian Press Council* (APC) or affiliated members of the *Australian Communications and Media Authority* (ACMA) shall be recognised as members of the *Press* or *Journalists*. This includes any media-related function of Council, including formal response and Council Meetings.
- Council reserves the right to exercise its discretion when liaising with non-accredited representatives.
- Due to resourcing constraints, Council will only pro-actively engage with accredited journalists from 'traditional media' and respond to their enquiries.
- Bloggers, online commentators, community representatives and residents are encouraged to access Council's online digital Media Centre at media.wsc.nsw.gov.au to view Council's press releases, statements, photos and social media communications.

RESPONSIBILITIES

Statements relating to Council business and policy can be made to the media by:

- the Mayor;
- the Deputy Mayor when delegated;
- a Councillor nominated by the Mayor;
- Councillor Committee Chairpersons;
- the General Manager (or delegate);
- staff members nominated by the General Manager or, for non-controversial topics, the Media and Communications Coordinator.

In accordance with Section 226 of the *Local Government Act 1993*, the Mayor is the principal spokesperson for the governing body, including representing the views of the Council as to its local priorities.





Media Policy

The Mayor and his/her Councillor delegates may comment on matters relating to the business of Council or Council decisions.

Comments are to be made on behalf of Council.

Councillors have the right to express personal opinion but must ensure they clarify that any views expressed may not represent the official position or opinion of council.

For operational matters, the General Manager (or delegate) will be the official spokesperson.

Councillors and staff of Council will not provide comment on staff matters.

Any queries in relation to staff matters must be directed to the General Manager.

Authorised persons are entitled to decline comment.

Staff must notify and seek advice from the Media and Communications Coordinator prior to providing comment to the media in a professional capacity.

Staff and Councillors are entitled to provide comment in their capacity as a resident of the Wingecarribee Shire via either traditional or social media, however, staff and Councillors must:

- ensure it is clear that views expressed are their own
- not post or say anything that would bring Council into disrepute
- not act in a way that compromises their professional duties
- ensure any comment provided is based on fact and is not speculative
- ensure any comment is not perceived to be an official comment on behalf of Council where you have not been authorised to make such a comment
- ensure any confidential information is not divulged
- not post or say anything that has the potential to have a negative impact on your working relationships within the Council or with external parties
- not post or say anything that has the capacity to damage the Council's reputation or contains content about the Council that may be misleading, speculative or deceptive
- not post or say anything that is offensive, humiliating, threatening or intimidating to other Council officials or those that deal with Council.

PERFORMANCE MEASURES

The success of this policy will be measured by:

- zero or limited incidents of non-compliance with this policy.





Media Policy

BREACHES OF THE POLICY

Failure to comply with this policy may constitute a breach of employment terms and, depending on the circumstances, and/or a breach of the Wingecarribee Shire Council Code of Conduct.

Depending on the circumstances of the breach, disciplinary action may be warranted or referral of the breach may be made to other authorities.

APPROVED BY:

WINGECARRIBEE SHIRE COUNCIL

(Insert Date)





Media Policy

PROCEDURES

The purpose of this procedure is to provide guidance to Councillors and staff when engaging in media activity.

1.0 Media releases and alerts

Staff may prepare draft media releases and alerts but they must be forwarded to Media and Communications staff for editing, formatting and distribution.

Media and Communications staff will ensure approval is sought from quoted Councillors and staff prior to release and must obtain approval from the relevant Manager, Deputy General Manager, General Manager and where appropriate, the Mayor prior to release.

Recognised media organisations and their representatives will be treated equally and without bias.

Releases and alerts will be uploaded to Council's Media Centre in a timely fashion for the benefit of staff, community groups and residents not on Council's distribution list.

2.0 Response to media enquiries

Media enquiries are to be dealt with by Media and Communications staff promptly and truthfully.

Where permissible, staff will always attempt to reply to reasonable media deadlines within mutually agreed timeframes.

As nominated by either the General Manager or Media and Communications Coordinator, when appropriate, a member of Council staff may become the official spokesperson on a specific issue, event or initiative to ensure consistency of message.

In the case of matters with possible legal consequences, such as official investigations, accidents, injuries or enquiries into business dealings or actions, statements must be authorised and approved by the General Manager.

All responses containing financial information must also first be approved by the Chief Financial Officer.

Council reserves the right to not comment on any matter at its discretion.

3.0 Radio, Television and Councillor Columns

The Mayor will be the 'face' of Wingecarribee Shire Council for all television interviews unless the interview is relating to an operational matter.

Where the Mayor is unavailable, the Mayor's delegated Councillor will generally fulfil the spokesperson role.





Media Policy

For operational matters, the General Manager (or delegate) will be the official spokesperson.

Alternatively the Mayor, General Manager or Media and Communications Coordinator may authorise a spokesperson for non-controversial matters.

Media and Communications staff will provide assistance in the drafting and submission of columns upon request from the Mayor.

4.0 Social media

Although Council considers social media to be an informal communication channel, we acknowledge that immediacy is one of the key benefits of social media and the community's expectation is for active communication.

Council subsequently operates a number of official social media accounts. These accounts are monitored by the Media and Communications team.

Those individuals or groups wanting to set up social media accounts associated with Council need to seek permission. A 'Social Media Approval Form' (see Appendix A) must be approved by the General Manager (or delegate) and returned to the Media and Communications Coordinator and the Communications Officer prior to engaging in conversation as a representative of Council.

In the event of a critical incident, publishing to social media sites will be the responsibility of Media and Communications staff unless otherwise authorised.

Council's social media sites are not a tool for reporting emergencies and life-threatening situations, please contact the following if required:

- Police, Ambulance and Fire Brigade - 000
- SES - 132 500

Council endeavours to maintain the currency and accuracy of information published on its social media sites, however, it does not guarantee that the information is current or that the data is free from defects or malicious code such as viruses.

Likewise, the inclusion of any link does not imply endorsement of that website and or organisation, service or person by Wingecarribee Shire Council. Council is not responsible for the content or reliability of links, or for any loss or inconvenience arising from their use.

Only content that is classified as public information may be posted.

As a general rule, social media will only be actively maintained during standard Council business hours.

Excellent customer service is paramount. However social media must not be used to action customer requests.





Media Policy

All customer service and action requests must be referred to Council's Customer Service Centre by phone, email, the corporate website or approved third-party apps such as 'Snap, Send, Solve'.

Requests in need of escalation should be brought to the attention of the Coordinator Customer Services and where possible a reference number should be sought to expedite the resolution.

Council acknowledges that social media, its associated technologies and platforms is a constantly evolving environment. As such, authorised Council staff will periodically review the choice of social media platforms utilised as communications tools by the organisation.

4.1 Dealing with offensive behaviour

Wingecarribee Shire Council encourages constructive dialogue through its social media sites.

Social media community members are asked to:

- show respect and not include content that is defamatory, derogatory, offensive, obscene, discriminatory or hateful to any person or organisation, including Council, its employees and other people or organisations
- ensure you do not harass or make personal attacks against other users, Council, Councillors or Council staff
- refrain from spamming (trolling) with multiple or repetitive posts
- not post personal or commercially sensitive material
- keep content relevant to Wingecarribee Shire Council and/or the Southern Highlands
- only post factual and accurate information.

Council reserves the right to remove any posts from its social media sites, at its discretion, that do not comply with Council's Media Policy or which Council considers otherwise inappropriate.

Users who breach these guidelines may be banned from accessing Council's social media sites.

5.0 Personal views of elected members

The policy does not inhibit the right of individual Councillors to express their own views with the media as long as they cannot be perceived to be an official comment or view on behalf of the Council and it does not place Council in a position of liability.

Statements made by Councillors are to be identified as their opinions only and as such do not necessarily represent the position of the Council.





Media Policy

When engaging with the media, Councillors must provide high quality leadership to the Council and community and must serve the overall public interest of the Shire.

Councillors should keep in mind their leadership role in Council and the community, and should express opinions consistent with community expectations of them as civic leaders.

As a courtesy, Councillors should notify the Media and Communications Coordinator prior to providing comment to the media where possible.

Councillors are reminded of their obligations under the *Local Government Act 1993* and the relevant provisions of the Wingecarribee Shire Council Code of Conduct and Model Code of Conduct For Local Councils in NSW.

6.0 Staff Comment

Members of staff are not permitted to speak with the media on Council business or policy unless prior approval is sought from the Media and Communications Coordinator.

The Media and Communications Coordinator will then delegate responsibility for any non-controversial issues in consultation with the responsible officer and notify the relevant Deputy General Manager.

Queries relating to operational matters, policy and staffing will be addressed to the General Manager (or delegate).

Staff should advise the Media and Communications Coordinator if contacted for comment.

Staff may express their views in a public debate in their capacity as a local citizen and not as a Council representative and should avoid any perception of conflict of interest.

7.0 Paid media advertising

Paid media advertising, sometimes referred to as display advertising, is the responsibility of the relevant Manager.

Design and content of advertising material should be undertaken in consultation with Media and Communications staff to ensure that it is consistent with brand guidelines.

8.0 Confidential information

As specified by the *Local Government Act*, Councillors and staff must not disclose or distribute material classified as confidential in briefing sessions or in reports presented to Council.

APPROVED BY:

WINGECARRIBEE SHIRE COUNCIL
(Insert Date)





Appendix A

Social Media Approval Form

Civic Centre, Elizabeth St. Moss Vale, NSW 2577. PO Box 141, Moss Vale.
t. (02) 4868 0888 f. (02) 4869 1203 e. mail@wsc.nsw.gov.au



Corporate account details	
Social network (e.g. Facebook, Twitter)	
Account name	

Primary administrator	
Name	
Position	
Council division	
Phone	
Mobile	
Email	

Secondary administrator	
Name	
Position	
Council division	
Phone	
Mobile	
Email	

What is the objective of the social media site?

Agreed time frame for administrators to reply to public questions?

Action to be taken in the event of inappropriate comments being posted?

In signing this document you agree to adhere to Wingecarribee Shire Council's Media Policy and Social Media Guidelines.

Primary administrator signature

Secondary administrator signature

Approved by Deputy General Manager

Approved by General Manager (or delegate)

**Draft Media Policy feedback summary (attachment 2)**

Sub. No.	Summary of comments/Issue	Branch response	Amendment to Policy
1	I do not support or approve of the changes to the Media Policy. I do not understand why the public should only know what is happening about council decisions, through the office of the Mayor only. I believe that everybody, including the media must be able to speak to and quote from the various heads of council departments.	Comments noted	N/A
2	Outrageous document for Councillors and accredited Members of the Press. Council is trying to stifle Freedom of Speech by Councillors who are our duly Elected Representatives. Council wants to control Output by Councillors. Council wants to effectively "Gag" Members of the Press from writing / broadcasting about Council which in many cases does not reflect them positively. I have No concerns with Social Media Policy for Wingecarribee Shire paid staffers of all ranks. This is in line with most Corporates common practice.	Comments noted	N/A
3	I just had a look at the proposed draft media policy and think that it's a wonderful idea. Its adoption will mean that everyone on Council is "singing from the same hymn sheet" and we should also result from the occasional back biting amongst councillors. Go for it!!)	Comments noted	N/A
4	I believe in freedom of the press. This draft policy should most definitely not be implemented in any form.	Comments noted	N/A
5	Most aspects of the draft policy are fine, but I am concerned with the apparent gag on councillors that are not delegated by the mayor. This will stifle the democratic process, Councillors are there to express a range of opinions, even when those are uncomfortable for the mayor, or for the organisation as a whole. They are effectively MP's on a local government level – would anyone suggest that MP's should keep their social media to personal issues? The freedom of political speech for councillors should be maintained.	To further emphasis that the Policy does not impede personal opinion, but rather, seeks to ensure consistent and accurate information is disseminated, it is proposed the following statement is included within the <i>Responsibilities</i> section of the Policy; <i>'Councillors have the right to express personal opinion but must ensure they clarify that any views expressed may not represent the official position or opinion of Council.'</i>	Yes



Sub. No.	Summary of comments/Issue	Branch response	Amendment to Policy
6	<p>Good to see the council looking to adopt a draft media policy.</p> <p>From my reading of the draft policy I thought it well crafted and containing nothing that isn't standard practice in any business - private or the public sector. No organisation worth its salt wants the media getting responses from those not authorised to provide responses. Professional journalists understand this and wouldn't expect anything less.</p> <p>Just good governance.</p> <p>The best way to provide good access is through a solid media policy, so there is no confusion for all parties – staff, councillors and journalists.</p> <p>Just two things that may be worth consideration in this draft media policy:</p> <p>Spell out the steps for councillors and staff to follow if contacted by journalists – not just what they shouldn't do, but precisely what they should do.</p> <p>Some reassurance to the media that the council is not trying to stifle comment, or impede access to information, but rather provide a policy consistent with any other business to ensure accurate and consistent information is disseminated to the community via the media.</p>	<p>To further emphasis that the Policy does not impede personal opinion, but rather, seeks to ensure consistent and accurate information is disseminated, it is proposed the following statement is included within the <i>Responsibilities</i> section of the Policy;</p> <p><i>'Councillors have the right to express personal opinion but must ensure they clarify that any views expressed may not represent the official position or opinion of Council.'</i></p>	Yes
7	<p>I have just finished reading the Draft Media Policy for the council and believe the document covers all relevant points for both personal and council usage.</p> <p>I understand that social media has been identified by the council as an informal communication tool, there are a large number of people in the community that use the channels for communication on a regular basis.</p> <p>I was not aware that the Council had social media channels running and was wondering if there would be a larger focus on using these to communicate with the community? Perhaps some form of low key advertising and acknowledgement they exist on the Council signage that is around the towns?</p>	Comments noted	N/A
8	<p>I totally reject the new media policy - I feel it is lacking in transparency and access by the media. In order for media to communicate with the people of Wingecarribee Shire, they must be given complete access. What is council trying to hide? Freedom of the press is a basic right in a democratic society.</p> <p>The press MUST be given access to report ALL council matters (not just the ones council want us to know about). We do not need a General Manager who is a despot and who censors what is disclosed to the press (and residents). WE MUST HAVE TOTAL MEDIA ACCESS at all times.</p>	Comments noted	N/A



Sub. No.	Summary of comments/Issue	Branch response	Amendment to Policy
9	<p>I am focusing on 5.0 Personal views of elected members.</p> <p>This entirely negative section needs to be rewritten totally, to give Councillors the freedom to express their own views. It should also be made clear that Councillors do not report to the Media and Communications Coordinator and are free to speak on breakfast radio, for example, without prior permission. A policy does not prescribe what may or may not be courteous.</p>	<p>Within section 5.0 <i>Personal views of elected members</i>, it is suggested the wording, '<i>Councillors should keep in mind their leadership role in Council and the community, and should express opinions consistent with community expectations of them as civic leaders,</i>' be added.</p> <p>And</p> <p>At the base of section 5.0 Personal views of elected members, it is suggested the following closing sentence be amended to read; '<i>Councillors are reminded of their obligations under the Local Government Act 1993 and the relevant provisions of the Wingecarribee Shire Council Code of Conduct and Model Code of Conduct For Local Councils in NSW.</i>'</p>	Yes

COUNCIL MATTERS

18 COMMITTEE REPORTS

18.1 Minutes of the Community Development Advisory Committee Meeting held on Tuesday, 13 March 2018

Reference:	1880
Report Author:	PA for Mayor
Authoriser:	Group Manager Corporate and Community
Link to Community Strategic Plan:	Work collaboratively to address social disadvantage

PURPOSE

This report provides the Minutes of the Community Development Advisory Committee Meeting held on Wednesday, 13 March 2018.

SUMMARY OF RECOMMENDATIONS AND ACTIONS FOR COUNCILLORS' ATTENTION AND ADOPTION

Item 1 Welcome and Apologies

CD 1/18

THAT an apology from Cllr G McLaughlin, Mr T McKeon, Mr B Mumford, Mr T Styman and Ms D Barnes be accepted and leave of absence granted.

Item 3 Adoption of Minutes of Previous Meeting

CD 2/18

1. *THAT the minutes of the Community Development Advisory Committee Meeting held on Tuesday 19 September 2017 MN CD19/17 to MN CD27/17 inclusive, copies of which were forwarded to the Committee, be adopted as a correct record of the proceedings of the meeting.*
2. *THAT the Committee note there were no minutes recorded at the 14 November 2017 Community Development Advisory Committee due to a want of a quorum.*

Item 6.1 National Disability Insurance Scheme (NDIS)

CD 3/18

1. *THAT the Committee thank Karen Grant, NDIS Team Leader, Bowral for her presentation and providing an update on the NDIS.*
2. *THAT the report on the current status of the NDIS in the Shire be noted.*

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 11 April 2018

COMMITTEE REPORTS



Item 6.2 Provide an update on Community Development Projects

CD 4/18

THAT the report, as presented by Ms Cath Brennan, Community Development Coordinator on the current projects and activities undertaken by the Community Development Team be noted.

Item 6.3 Wingecarribee Community Assistance Scheme 2018 / 2019

CD 5/18

*THAT the report on the Wingecarribee Community Assistance Scheme 2018/2019 be noted
AND THAT the Committee meet on 8 May 2018 to assess the 2018 Community Assistance Scheme applications.*

Item 6.4 Minutes of the Access Community Reference Group Meeting held Monday 5 February 2018

CD 6/18

1. *THAT recommendations Nos AC 22/18 to AC 24/18 as detailed in the minutes of the Access Community Reference Group meeting held on Monday, 5 February 2018, be adopted save for any budgetary implications and which is unfunded, be referred to the Finance Committee for consideration.*
2. *THAT AC 25/18 not be supported by the Community Development Advisory Committee AND THAT during this current term of Council, the Access Community Reference Group be encouraged to direct concerns or issues through the Community Development Advisory Committee as required.*
3. *THAT any operational matters arising from the Access Community Reference Group be directed to the relevant Council officers via Council's Action Request system.*

Item 6.5 Minutes of the Access Community Reference Group Meeting held on Monday 6 November 2017

CD 7/18

THAT recommendations Nos AC 18/17 to 21/17 as detailed in the Minutes of the Access Community Reference Group Meeting held on Monday 6 November 2017 be adopted, save for any budgetary implications and which is unfunded, be referred to the Finance Committee for consideration.

Item 6.6 Minutes of the Seniors Community Reference Group Meeting held on Tuesday 26 September 2017

CD 8/18

THAT recommendations Nos 13/17 to 15/17 as detailed in the minutes of the Seniors Community Reference Group meeting held on Tuesday 26 September 2017, be adopted save for any budgetary implications and which is unfunded, be referred to the Finance Committee for consideration.

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 11 April 2018

COMMITTEE REPORTS



Item 6.7 Minutes of the Seniors Community Reference Group Meeting held on Tuesday, 7 November 2017

CD 9/18

THAT recommendations Nos 16/17 to 19/17 as detailed in the minutes of the Seniors Community Reference Group meeting held on Tuesday 7 November 2017, be adopted save for any budgetary implications and which is unfunded, be referred to the Finance Committee for consideration.

Item 6.8 Update on the Friends of Wingecarribee Animal Shelter

This Item was deferred to the next Meeting of the Community Development Advisory Committee to be held on 8 May 2018.

MOTION

CD 10/18

THAT Mr Jai Rowell MP be acknowledged for his contribution and support to Community Groups within the Wingecarribee Shire during his term as the State Member for Wollondilly.

RECOMMENDATION

THAT recommendations Nos CD 1/18 to CD 10/18 – as detailed in the Minutes of the Community Development Advisory Committee Meeting held on Tuesday, 13 March 2018 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.

ATTACHMENTS

1. Minutes of the Community Development Advisory Committee Meeting held on Tuesday, 13 March 2018



ATTACHMENT 1



MINUTES

of the Community Development Advisory Committee Meeting

held in

Gibraltar Room

Civic Centre, Elizabeth Street, Moss Vale

on

Tuesday 13 March 2018

The meeting commenced at 4.30pm

File No. 1800/58

18.1 Minutes of the Community Development Advisory Committee Meeting held on Tuesday , 13 March 2018

ATTACHMENT 1 Minutes of the Community Development Advisory Committee Meeting held on Tuesday, 13 March 2018



MINUTES OF THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE MEETING

Tuesday 13 March 2018



- 1. WELCOME AND APOLOGIES**
- 2. ACKNOWLEDGEMENT OF COUNTRY**
- 3. ADOPTION OF MINUTES OF PREVIOUS MEETING**
- 4. BUSINESS ARISING FROM THE MINUTES**
Community Development Advisory Committee Meeting held on 14 November 2017
- 5. DECLARATIONS OF INTEREST**

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18.1 Minutes of the Community Development Advisory Committee Meeting held on Tuesday, 13 March 2018

ATTACHMENT 1 Minutes of the Community Development Advisory Committee Meeting held on Tuesday, 13 March 2018



MINUTES OF THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE MEETING

Tuesday 13 March 2018



MINUTES OF THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE MEETING OF WINGECARRIBBEE SHIRE COUNCIL HELD IN GIBRALTAR ROOM, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON TUESDAY 13 MARCH 2018 COMMENCING AT 4.45PM.

Due to want of a quorum – the meeting commenced with item 6.1 – National Disability Insurance Scheme (NDIS) presentation - no business was conducted until quorum achieved after 5pm.

Present:

Councillors: Clr L A C Whipper *Chair*
Clr G J Andrews
Clr G Markwart

Community

Representatives: Ms Lynne Burgoyne
Ms Rebecca Reidy - Joined meeting at 5pm – quorum achieved at this time
Mr Dylan Whitelaw

In Attendance: Mr Nick O'Connor, *Group Manager Corporate & Community*
Ms Cath Brenan, *Community Development Coordinator*
Ms Leesa Stratford, *Mayor's PA*

1. WELCOME AND APOLOGIES

It was noted that apologies were received from Clr G McLaughlin, Mr T McKeon, Mr B Mumford, Mr T Styman and Ms D Barnes

CD 1/18

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

THAT an apology from Clr G McLaughlin, Mr T McKeon, Mr B Mumford, Mr T Styman and Ms D Barnes be accepted and leave of absence granted.

PASSED

2. ACKNOWLEDGEMENT OF COUNTRY

Clr Larry Whipper acknowledged country:

I would like to acknowledge the Traditional Custodians of this land and pay my respect to Elders both past and present. I would also like to extend that respect to all Aboriginal and Torres Strait Islanders present here today.

18.1 Minutes of the Community Development Advisory Committee Meeting held on Tuesday , 13 March 2018

ATTACHMENT 1 Minutes of the Community Development Advisory Committee Meeting held on Tuesday, 13 March 2018



MINUTES OF THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE MEETING

Tuesday 13 March 2018



3. ADOPTION OF MINUTES OF PREVIOUS MEETING

MINUTES OF THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE MEETING HELD ON TUESDAY 19 SEPTEMBER 2017.

DUE TO WANT OF A QUORUM THERE WERE NO MINUTES OF THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE MEETING HELD ON TUESDAY 14 NOVEMBER 2017

CD 2/18

MOTION moved by Cllr G Markwart and seconded by Ms R Reidy

1. ***THAT the minutes of the Community Development Advisory Committee Meeting held on Tuesday 19 September 2017 MN CD19/17 to MN CD27/17 inclusive, copies of which were forwarded to the Committee, be adopted as a correct record of the proceedings of the meeting.***
2. ***THAT the Committee note there were no minutes recorded at the 14 November 2017 Community Development Advisory Committee due to a want of a quorum.***

PASSED

4. BUSINESS ARISING

Action: *Item for discussion to be listed on the next meeting agenda - Terms of Reference for the Community Development Advisory Committee.*

Action: *Email correspondence to be sent to all Committee members outlining the importance of the Community Development Advisory Committee and seeking the ongoing commitment to Committee from all members.*

Action: *The Access Community Reference Group were invited to nominate an additional representative for the Community Development Advisory Committee. Staff to follow up on this request and ensure that an invitation is sent to the nominated member prior to the next Ordinary Advisory Committee.*

5. DECLARATIONS OF INTEREST

There was no Declarations of Interest Declared at this meeting

18.1 Minutes of the Community Development Advisory Committee Meeting held on Tuesday, 13 March 2018

ATTACHMENT 1 Minutes of the Community Development Advisory Committee Meeting held on Tuesday, 13 March 2018



MINUTES OF THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE MEETING

Tuesday 13 March 2018



6. AGENDA REPORTS

6.1 National Disability Insurance Scheme (NDIS)

Reference: 1800/58
Report Author: Coordinator Community Development

PURPOSE

The purpose of this report is to update the Committee on the delivery of the National Disability Insurance Scheme in our community. Karen Grant, NDIS Team Leader in Bowral, will provide an update.

The NDIS commenced in July 2013 as a trial in four locations. In July 2016, the NDIS finished its trial period and the full Scheme began rolling out across Australia. Local residents had access to the NDIA from July 2016.

The NDIS is designed to provide financial support to eligible individuals allowing them more choice and control over the supports they require.

Australian Bureau of Statistics figures from 2015 indicated that nearly one in five people in Australia have a disability. Based on this ratio, people with disability in Wingecarribee Shire would be 9,576. Mobility Parking stickers issued totals 2,595 (RMS September 2017) and there are 1,499 people aged 16 – 64 years receiving the Disability Support Pension (Social Health Atlas June 2016) living in our Shire.

CD 3/18

MOTION moved by Mr D Whitelaw and seconded by Cllr G Markwart

1. ***THAT the Committee thank Karen Grant, NDIS Team Leader, Bowral for her presentation and providing an update on the NDIS.***
2. ***THAT the report on the current status of the NDIS in the Shire be noted.***

PASSED

18.1 Minutes of the Community Development Advisory Committee Meeting held on Tuesday , 13 March 2018

ATTACHMENT 1 Minutes of the Community Development Advisory Committee Meeting held on Tuesday, 13 March 2018



MINUTES OF THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE MEETING

Tuesday 13 March 2018



6.2 Provide an update on Community Development Projects

Reference: 1800/58
Report Author: Coordinator Community Development

PURPOSE

To provide an update on Council Community Development projects and activities including:

- Seniors Festival 4 – 15 April
- Vessels of Change Earth Hour Celebration 24 March
- Youth Week 13 – 22 April
- Child, Youth and Family App
- Bowral Memorial Hall Refurbishment
- Paint The Town REaD
- Love Bites
- Go 4 Fun

CD 4/18

MOTION moved by Cllr G J Andrews and seconded by Cllr G Markwart

THAT the report, as presented by Ms Cath Brennan, Community Development Coordinator on the current projects and activities undertaken by the Community Development Team be noted.

PASSED

18.1 Minutes of the Community Development Advisory Committee Meeting held on Tuesday , 13 March 2018

ATTACHMENT 1 Minutes of the Community Development Advisory Committee Meeting held on Tuesday, 13 March 2018



MINUTES OF THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE MEETING

Tuesday 13 March 2018



6.3 Wingecarribee Community Assistance Scheme 2018 / 2019

Reference: 1800/58
Report Author: Coordinator Community Development

PURPOSE

To provide some background information on the Wingecarribee Community Assistance Scheme including the Committee's role in the assessment of applications

CD 5/18

MOTION moved by Mr D Whitelaw and seconded by Ms L Burgoyne

THAT the report on the Wingecarribee Community Assistance Scheme 2018/2019 be noted **AND THAT** the Committee meet on 8 May 2018 to assess the 2018 Community Assistance Scheme applications.

PASSED

18.1 Minutes of the Community Development Advisory Committee Meeting held on Tuesday, 13 March 2018

ATTACHMENT 1 Minutes of the Community Development Advisory Committee Meeting held on Tuesday, 13 March 2018



MINUTES OF THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE MEETING

Tuesday 13 March 2018



6.4 Minutes of the Access Community Reference Group Meeting held Monday 5 February 2018

Reference: 1828/3
Report Author: Coordinator Community Development

PURPOSE

This report provides minutes of the Access Community Reference Group held Monday 5 February 2018.

CD 6/18

MOTION moved by Cllr L A C Whipper and seconded by Mr D Whitelaw

1. **THAT** recommendations Nos AC 22/18 to AC 24/18 as detailed in the minutes of the Access Community Reference Group meeting held on Monday, 5 February 2018, be adopted save for any budgetary implications and which is unfunded, be referred to the Finance Committee for consideration.
2. **THAT** AC 25/18 not be supported by the Community Development Advisory Committee **AND THAT** during this current term of Council, the Access Community Reference Group be encouraged to direct concerns or issues through the Community Development Advisory Committee as required.
3. **THAT** any operational matters arising from the Access Community Reference Group be directed to the relevant Council officers via Council's Action Request system.

PASSED

18.1 Minutes of the Community Development Advisory Committee
Meeting held on Tuesday , 13 March 2018

ATTACHMENT 1 Minutes of the Community Development
Advisory Committee Meeting held on Tuesday, 13 March 2018



MINUTES OF THE COMMUNITY DEVELOPMENT ADVISORY
COMMITTEE MEETING

Tuesday 13 March 2018



**6.5 Minutes of the Access Community Reference Group
Meeting held on Monday 6 November 2017**

Reference: 1828/3
Report Author: Ageing and Disability Officer

PURPOSE

This report provides the Minutes of the Access Community Reference Group Meeting held on Monday 6 November 2017. Minutes for this meeting will be tabled at the meeting.

Recommendations for the information of the Community Development Advisory Committee will be tabled at the meeting.

CD 7/18

MOTION moved by Mr D Whitelaw and seconded by Ms R Reidy

THAT recommendations Nos AC 18/17 to 21/17 as detailed in the Minutes of the Access Community Reference Group Meeting held on Monday 6 November 2017 be adopted, save for any budgetary implications and which is unfunded, be referred to the Finance Committee for consideration.

PASSED

18.1 Minutes of the Community Development Advisory Committee Meeting held on Tuesday, 13 March 2018

ATTACHMENT 1 Minutes of the Community Development Advisory Committee Meeting held on Tuesday, 13 March 2018



MINUTES OF THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE MEETING

Tuesday 13 March 2018



6.6 Minutes of the Seniors Community Reference Group Meeting held on Tuesday 26 September 2017

Reference: 107/26
Report Author: Ageing and Disability Officer

PURPOSE

This report provides the minutes of the Seniors Community Reference Group meeting held on Tuesday 26 September 2017. This was an additional meeting scheduled for planning of the 2018 Seniors Festival events and activities.

CD 8/18

MOTION moved by Cllr G Markwart and seconded by Cllr G J Andrews

THAT recommendations Nos 13/17 to 15/17 as detailed in the minutes of the Seniors Community Reference Group meeting held on Tuesday 26 September 2017, be adopted save for any budgetary implications and which is unfunded, be referred to the Finance Committee for consideration.

PASSED

18.1 Minutes of the Community Development Advisory Committee
Meeting held on Tuesday , 13 March 2018

ATTACHMENT 1 Minutes of the Community Development
Advisory Committee Meeting held on Tuesday, 13 March 2018



MINUTES OF THE COMMUNITY DEVELOPMENT ADVISORY
COMMITTEE MEETING

Tuesday 13 March 2018



**6.7 Minutes of the Seniors Community Reference Group
Meeting held on Tuesday 7 November 2017**

Reference: 107/26
Report Author: Ageing and Disability Officer

PURPOSE

This report provides the minutes of the Seniors Community Reference Group meeting held on Tuesday 7 November 2017. Copies of the minutes will be tabled at the meeting.

CD 9/18

MOTION moved by Cllr G Markwart and seconded by Ms L Burgoyne

THAT recommendations Nos 16/17 to 19/17 as detailed in the minutes of the Seniors Community Reference Group meeting held on Tuesday 7 November 2017, be adopted save for any budgetary implications and which is unfunded, be referred to the Finance Committee for consideration.

PASSED

**18.1 Minutes of the Community Development Advisory Committee
Meeting held on Tuesday , 13 March 2018**

**ATTACHMENT 1 Minutes of the Community Development
Advisory Committee Meeting held on Tuesday, 13 March 2018**



**MINUTES OF THE COMMUNITY DEVELOPMENT ADVISORY
COMMITTEE MEETING**

Tuesday 13 March 2018



6.8 Update on the Friends of Wingecarribee Animal Shelter

Reference: 1800/58
Report Author: Coordinator Community Development

PURPOSE

Committee member, Deborah Barnes, will be providing an update on Friends of Wingecarribee Animal Shelter (FOWAS) and plans for 2018/2019.

**THIS ITEM WAS DEFERRED TO NEXT COMMUNITY DEVELOPMENT ADVISORY
COMMITTEE MEETING TO BE HELD ON 8 MAY 2018**

18.1 Minutes of the Community Development Advisory Committee Meeting held on Tuesday , 13 March 2018

ATTACHMENT 1 Minutes of the Community Development Advisory Committee Meeting held on Tuesday, 13 March 2018



MINUTES OF THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE MEETING

Tuesday 13 March 2018



7. DATE OF NEXT MEETING

The next meeting will be held on Tuesday 8 May 2018 in Gibraltar Room Civic Centre, Elizabeth Street, Moss Vale commencing at 4.30pm.

MOTION

CD 10/18

MOTION moved by Mr D Whitelaw and seconded by Clr L A C Whipper

THAT Mr Jai Rowell MP be acknowledged for his contribution and support to Community Groups within the Wingecarribee Shire during his term as the State Member for Wollondilly.

PASSED

VOTING FOR: CLR WHIPPER, CLR ANDREWS, MS L BURGOYNE, MS R REIDY AND MR D WHITE LAW

VOTING AGAINST: CLR MARKWART

8. MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 6.00 PM

19 QUESTIONS WITH NOTICE

19.1 Question with Notice 05/2018 - Station Street Upgrade

Reference: 101/2, 7457/4
Report Author: Administration Officer
Authoriser: Group Manager Corporate and Community
Link to Community Strategic Plan: An enhanced culture of positive leadership, accountability and ethical governance that guides well informed decisions to advance agreed community priorities

To: Cllr Ian Scandrett

From: Cllr Garry Turland

Received: 4 April 2018

Subject: Station Street Upgrade

Question:

1. As you reported on radio and WIN TV, and stated in a local publication that there are 108 car parks lost and 153 trees lost, can you confirm the location of the lost car parks and trees?
2. Can you guarantee that all the 3000 signatures on the Highlands Matters petition are from the Bowral area?

Response:

A response will be provided at the Council Meeting.

RECOMMENDATION

THAT Question with Notice 05/2018 – Station Street Upgrade - be noted.

20 NOTICES OF MOTION

20.1 Notice of Motion 10/2018 - Plantings of Leylandii

Reference:	100/4
Report Author:	Administration Officer
Authoriser:	Group Manager Corporate and Community
Link to Community Strategic Plan:	Conserve the key natural resources of the Shire and minimise the impact from development

PURPOSE

Councillor Larry Whipper has given notice that it is his intention to move the following motion at the Ordinary Meeting of Council on 11 April 2018:

1. **THAT Council identify any properties adjoining a Council road reserve or road frontage within the Wingecarribee Shire where leylandii are planted along a common boundary with Council or community land and where these plantings either steal or have the potential to steal the views and vistas of the adjoining properties to Council or community land.**
2. **THAT having identified the properties in 1 above, Council serve a Fencing Notice as a step in the process of a dispute, before applying to the Local Court or NSW Civil and Administrative Tribunal (NCAT) for an order about fencing work under the *Dividing Fences Act, 1991*.**
3. **THAT if agreement cannot be reached through this process within one month of serving the notice, Council lodge an application to the Local Court or NCAT seeking orders.**

RECOMMENDATION

Submitted for determination.

Preamble

As Council has been denied natural justice in our efforts for well over 10 years to gain regulatory power over leylandii planting that continue to steal our public views and vistas, it is my intent to seek Council's support to "test" the *Dividing Fences Act, 1991* (the Act).

Clearly Council is landowner on behalf of the community and as neighbouring landowners should have rights under the Act to protect the rights of the wider community and enter into a dispute resolution process to achieve those rights.

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 11 April 2018

NOTICES OF MOTION



Under the Act, a fence means a structure, ditch or embankment, or a hedge or similar vegetative barrier, enclosing or bounding land, whether or not continuous or extending along the whole of the boundary separating the land of adjoining owners.

Final orders made by the NSW Civil and Administrative Tribunal (NCAT) are binding and enforceable.

NCAT can make orders about dividing fence disputes under the Act.

NCAT's order can cover:

- What the fence should be made of and how high the fence should be.

I therefore submit this motion to test the Act, as we have been clearly and consistently ignored by the Department of Planning and Environment and successive Ministers for well over a decade on this matter of concern.

22. CLOSED COUNCIL

MOVING INTO CLOSED SESSION

Section 10A of the *Local Government Act 1993*, empowers Council and Committees of which all the members are Councillors to close a part of a meeting in certain circumstances in accordance with the requirements of the Act, and relevant Regulations and Guidelines.

Subject to the provisions of Section 10 of the Act, so much of a meeting may be closed as comprises certain information as outlined in Section 10A(2).

However, the Act also contains the following provisions qualifying the use of Section 10A(2).

Section 10B

1. *[Time spent closed to be minimised]* A meeting is not to remain closed during the discussion of anything referred to in section 10A(2):
 - a. *Except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and*
 - b. *If the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret-unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.*
2. *[Qualification of 10A(2)(g)]* A meeting is not to be closed during the receipt and consideration of information or advice referred to in section 10A(2)(g) unless the advice concerns legal matters that:
 - a. *are substantial issues relating to a matter in which the council or committee is involved, and*
 - b. *are clearly identified in the advice, and*
 - d. *are fully discussed in that advice.*
3. *[Qualification of 10A(3)]* If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in section 10A(3)), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting (other than consideration of whether the matter concerned is a matter referred to in section 10A(2)).
4. *[Irrelevant matters]* For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:
 - a. *a person may misinterpret or misunderstand the discussion, or*
 - b. *the discussion of the matter may:*
 - (i) *cause embarrassment to the council or committee concerned, or to Councillors or to employees of the council, or*
 - (ii) *cause a loss of confidence in the council or committee.*

Attention is also drawn to provisions contained in Part 7 of Council's Code of Meeting Practice.

Director General's Guidelines

The Director General of the Department of Local Government has issued guidelines concerning the use of Section 10 of the Act. A copy of the Director General's guidelines has been sent to all Councillors. Section 10B(5) of the Act requires that council have regard to these guidelines when considering resolving into Closed Session.

RECOMMENDATION

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 for the Upgrade of Braemar Avenue Culvert, Braemar

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)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 present the evaluation of the Request for Tender for the Upgrade of the Braemar Avenue Culvert, Braemar.

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

Ann Prendergast
General Manager

Friday 6 April 2018