

9 March 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 14 March 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, 14 March 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 Richard Mills, Mittagong Anglican Church
3.35pm	<ul style="list-style-type: none"> • Apologies - Cllr Graham McLaughlin • Adoption of Previous Minutes – Wednesday, 28 February 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 P W Nelson • 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 G McLaughlin
5. **ADOPTION OF MINUTES OF PREVIOUS MEETING**
Ordinary Meeting of Council held on 28 February 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

- 12.1 Reclassification and Rezoning Part Council Property at 12 Endeavour Circuit, Moss Vale 2
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Mayor to resume chair at 5.30 pm

COUNCIL MATTERS

14. GENERAL MANAGER

Nil

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Nil

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21. GENERAL BUSINESS

Nil

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22.1 Tender Report for the Bundanoon Aeration Project - Procurement and Installation of Diffusers, Hoses, Manifold and Accessories

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

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

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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

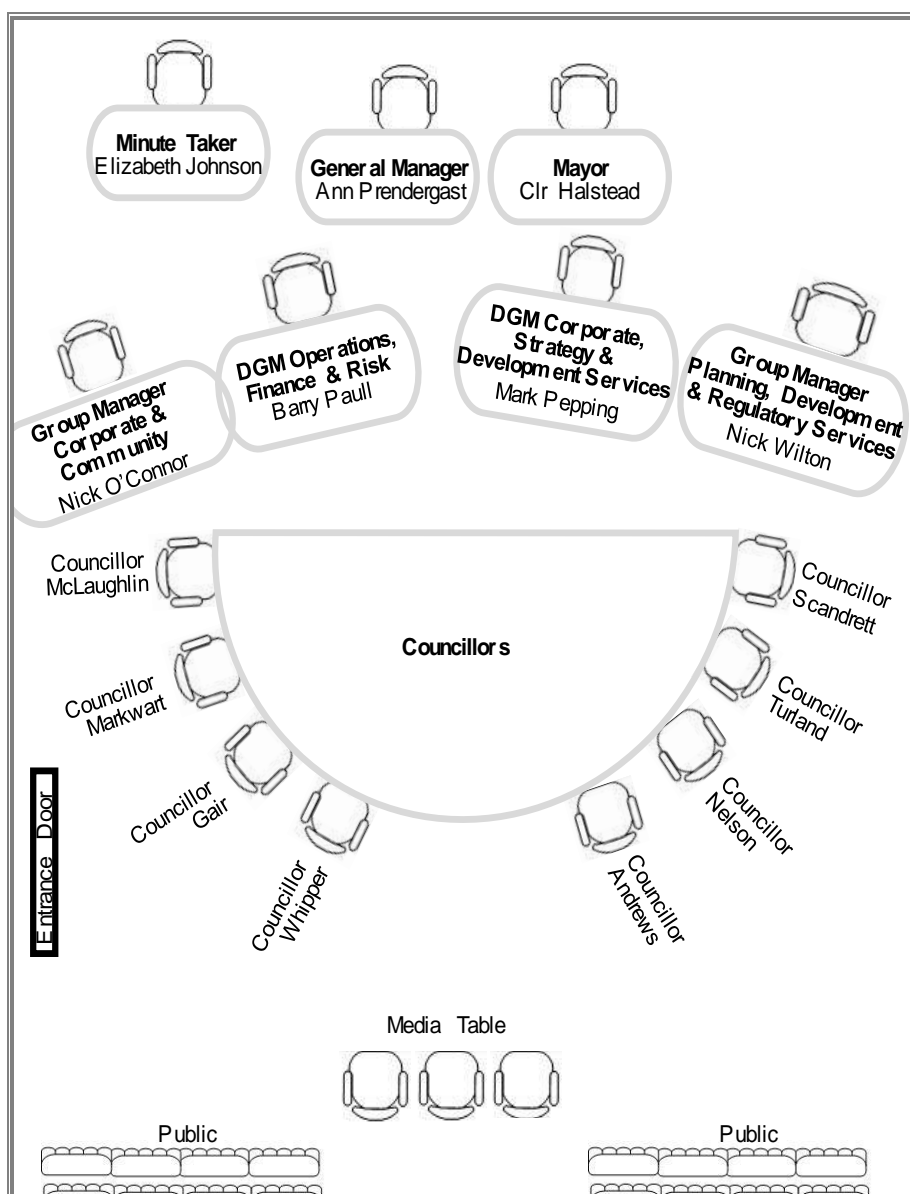
Council Chambers

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 Graham McLaughlin

Councillor Graham McLaughlin wrote to Council on 7 March 2018 advising that he is seeking leave of absence from all Council commitments on Wednesday, 14 March 2018, including the Ordinary Meeting of Council and Briefing Sessions to be held on that day, and from all Committee Meetings for the week commencing Monday, 12 March to Friday, 16 March 2018, 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 Reclassification and Rezoning Part Council Property at 12 Endeavour Circuit, Moss Vale

Reference:	PN1800250, PN1788900
Report Author:	Coordinator Property Services
Authoriser:	Chief Financial Officer
Link to Community Strategic Plan:	Effective financial and asset management ensure Council's long term sustainability

PURPOSE

The purpose of this report is to seek Council approval to reclassify and rezone part of Council property at 12 Endeavour Circuit, Moss Vale. The objective of the reclassification and rezoning of part of the Council property is to resolve the issue of access for the adjoining owner at 11 Darraby Drive, Moss Vale.

RECOMMENDATION

THAT Council give a minimum 28 days public notice of its intention to consider the reclassification of Part Lot 121 Deposited Plan 1218966 (being Part 12 Endeavour Circuit, Moss Vale) from Community Land to Operational Land **AND THAT** a further report be forwarded to a future Council Meeting to provide advice on the outcome of that public notice.

REPORT

BACKGROUND

Council is the owner of vacant land being Public Reserve at 12 Endeavour Circuit, Moss Vale. The area of the Council property is approximately 3,226 square metres. The Public Reserve adjoins 11 Darraby Drive, Moss Vale, a privately owned residential lot.

As a result of drainage groundwork on the kerb and the physical kerb alignment, it is not possible for the owner of 11 Darraby Drive, Moss Vale to meet Council's standard for a driveway crossing to the property. The owner initially sought a Right of Carriageway over the Public Reserve to enable construction of a driveway. However, for the reasons set out below, this request has not been supported by Council officers.

REPORT

This report proposes that Council consider the reclassification and rezoning of part of Council property at 12 Endeavour Circuit Moss Vale being Public Reserve ('the Council property'). The objective of reclassification and rezoning of part of the Council property is to

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REPORT DEPUTY GENERAL MANAGER OPERATIONS, FINANCE AND RISK



resolve the issue of access for the adjoining owner at 11 Darraby Drive, Moss Vale ('the adjoining property').

The aerial map attached to this report shows the Council property and the adjoining property – **Attachment 1**.

It is proposed to reclassify an area of the Council property sufficient to enable construction of a driveway crossing to access the adjoining property. The precise area will be determined in consultation with Council's Development Engineer; the indicative area is shown in the attached aerial map and is shaded in blue.

The construction of the driveway will still be subject to the independent approval of Council as consent authority for a driveway crossing. In the interim, pending reclassification, it is recommended that Council grant an access licence benefitting the adjoining owner, to legalise access to the adjoining property over the Council property.

REASONS FOR RECOMMENDATION

The most common forms of easements are rights of carriageway and easements for services, such as water or electricity. A Right of Carriageway is an interest in land owned by another party.

In this case, a Right of Carriageway would provide the owner of the adjoining property with the legal right to traverse the Council property; however the grant of that right would cause ongoing issues for both the owner and Council, namely:

- Issues as to the maintenance of the Right of Carriageway,
- Public liability issues,
- The owner of the adjoining property has an implied right to enter the Council property to do whatever is reasonably necessary to make the easement suitable for the exercise of the right granted and to maintain it in a condition suitable for that use,
- The owner of the adjoining property would not own the access way to the adjoining property and this would cause potential concerns for any prospective future purchase of the adjoining property,
- Potential extinguishment when the Right of Carriageway becomes obsolete if the property were redeveloped (and access configured within the lot) in the future.

For these reasons, this report recommends that Council consider the reclassification of part of the Council property and, following reclassification, the proposed sale of that portion of land to the owner of the adjoining property as freehold title.

IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

None identified.

COMMUNICATION AND CONSULTATION

Community Engagement

This is an administrative matter between Council and the adjoining owner. However, if Council resolves to proceed with the reclassification of part of the Council property the requisite consultation and public notice to the community will be required as part of the Gateway Process, including a Public Hearing.

Internal Consultation

Development Services

External Consultation

Adjoining owner

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**

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

It is proposed that all costs of the reclassification, proposed subdivision and future sale of part of the Council property are to be paid by the applicant.

RELATED COUNCIL POLICY

None

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OPTIONS

The options available to Council are:

Option 1

That Council proceed with the reclassification and rezoning of part of Council property at 12 Endeavour Circuit, Moss Vale, commencing with a 28 day public notice period.

Option 2

That Council not proceed with the reclassification process and advise the adjoining property owner of this outcome.

Option 1 is the recommended option to this report.

CONCLUSION

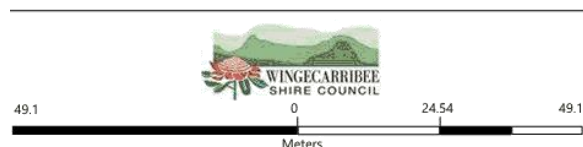
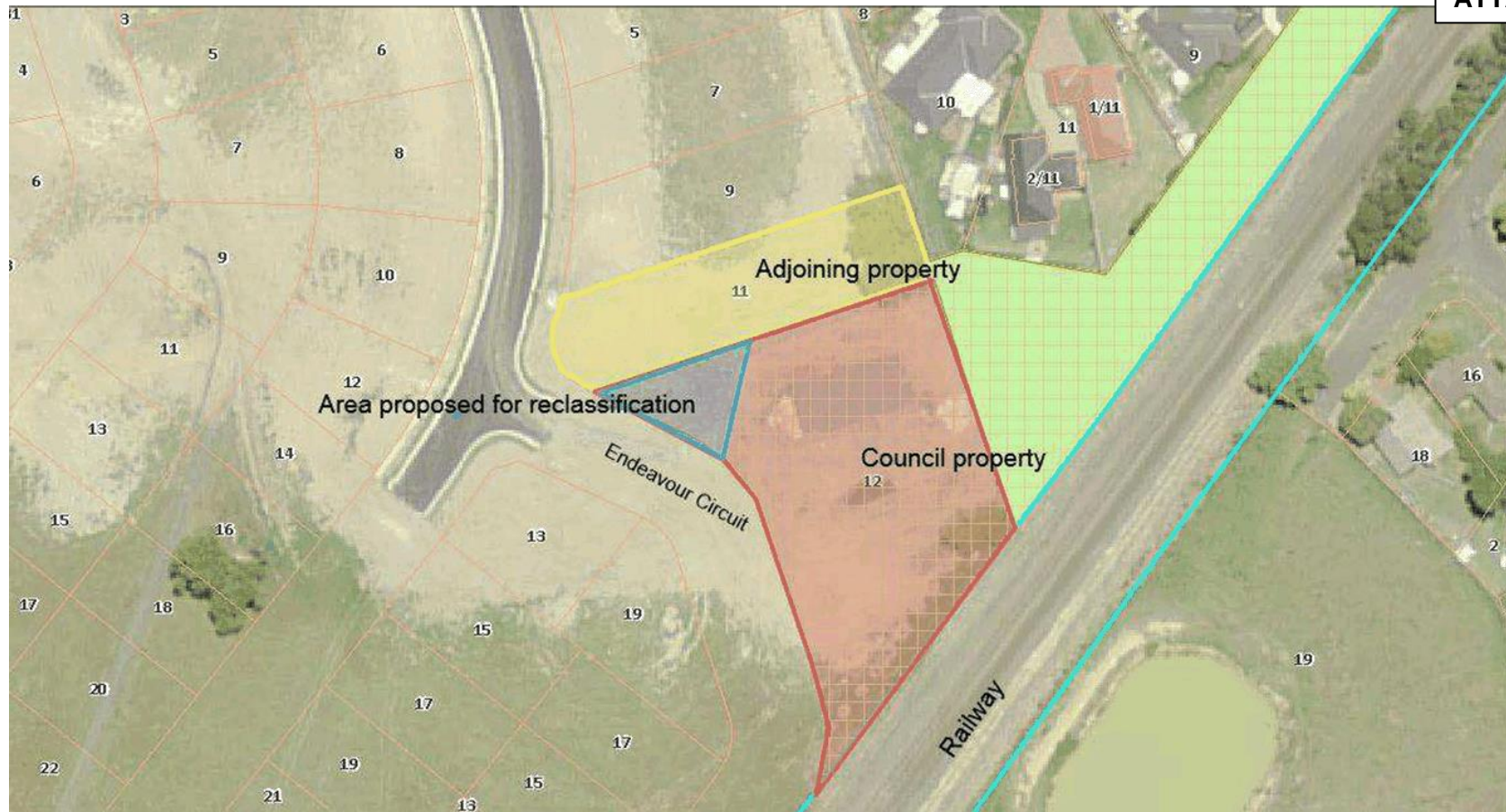
Council has been approached by the property owner of 11 Darraby Drive, Moss Vale to provide access through part of Council property at 12 Endeavour Circuit Moss Vale for the purposes of constructing a driveway. The provision of a Right of Carriageway is not recommended by Council Officers.

It is recommended that Council approve the reclassification and rezoning of part Council property at 12 Endeavour Circuit, Moss Vale, which will then allow the adjoining property owner to acquire the required land to allow the construction of the driveway.

ATTACHMENTS

1. Aerial Map

ATTACHMENT 1



Wingecarribee Shire Council

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12.2 Request for Fees Assistance by Yaffa Media for the Bowral Classic Bicycle Race in 2018

Reference:	1723/34, 6530/3
Report Author:	Organisational Support Officer
Authoriser:	Deputy General Manager Operations, Finance and Risk
Link to Community	
Strategic Plan:	Provide and support a range of community events, festivals and celebrations

PURPOSE

The purpose of this report is to seek Council's position on a request from Yaffa Media for Council's financial assistance for development fees associated with the Bowral Classic Bicycle Race to be held in October 2018.

RECOMMENDATION

THAT Council determines its position with regard to the request for financial assistance from Yaffa Media for the Bowral Classic Bicycle Race in 2018.

REPORT

BACKGROUND

At the Ordinary Meeting of Council held on Wednesday, 22 March 2017 Council considered a Request for Support from Yaffa Media for the Bowral Classic 2017. A copy of the report to the Meeting of Wednesday, 22 March 2017 is attached (see **Attachment 1**).

At that Meeting it was resolved as follows (*MN 102/17*):

1. **THAT** Council support the Bowral Classic by providing:
 - (a) *Appropriate road maintenance on the race route.*
 - (b) *Waste collection to an equivalent sum of \$1,000.*
2. **THAT** *it be funded from the Contingency Fund.*
3. **THAT** *it be noted that this is a one-off only support for this event.*

REPORT

The Bowral Classic Bicycle race will for the third year running, take place on the weekend of 21 October 2018.

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Yaffa Media have submitted a modification to their five (5) year Development Application (DA) that would allow a helicopter to land each year at Eridge Park on race day. They have requested Council's assistance with the DA modification fees as well as the Section 68 and Section 138 fees for the loud speakers and porta-loos in Bowral for the start of the event.

The DA modification fees will cover the remaining four (4) years of the event's permitted use, however the Section 68 and Section 138 fees are an annual fee imposed by Council for the use of speakers and porta-loos at the start in downtown Bowral.

Yaffa Media, a commercial operation, have requested that Council 'terminate' these fees in light of the growing popularity of the event and the value they bring to local businesses over the duration of the weekend. Yaffa Media notes that 'the Bowral Classic is now the most awarded sporting event in Australia (versus all other sports not just cycling)' and that 'The media and marketing for Bowral extends past \$3 million' (see **Attachment 3**) and as a result the company is 'seeking cost efficiencies in how they run The Bowral Classic'.

A quote for the DA modification (to permit the landing of a helicopter at Eridge Park each year) and the section 68 and 138 fees for the sound equipment and porta-loos for this year amount to \$663.50 (see **Attachment 2**). The DA modification will affect Yaffa Media's current DA and will continue for another four (4) years. The Section 68 and 138 fees are subject to change each year and charged accordingly.

As Council cannot 'terminate' fees and must be transparent in all transactions, the financial assistance to Yaffa Media in respect of these fees is for Council's determination.

YAFFA MEDIA

Yaffa Media, the organiser of the Bowral Classic, is one of Australia's largest independent media companies consisting of '28 consumer and business-to-business media brands made up of 28 specialist magazines, market-leading websites and e-newsletters, interactive digital apps and highly engaged social media outlets'. Many of these brands also extend to a range of industry and consumer events and exhibitions including Yaffa Media's Bowral Classic.

IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

Nil

COMMUNICATION AND CONSULTATION

Community Engagement

There has been no community engagement

Internal Consultation

There has been no internal consultation

External Consultation

There has been no external consultation

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

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REPORT DEPUTY GENERAL MANAGER OPERATIONS, FINANCE AND RISK



SUSTAINABILITY ASSESSMENT

- **Environment**

The permission to land a helicopter at Eridge Park will be subject to neighbourhood notification.

- **Social**

There are no social implications 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**

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

The current balance of the Contingency Fund is \$16,835.

RELATED COUNCIL POLICY

Nil

OPTIONS

Submitted for determination by Council.

CONCLUSION

The Bowral Classic, according to Yaffa Media the commercial operation that puts on the Bowral Classic, is fast becoming Australia's premier cycling event. The company have requested Council's assistance with their development fees.

ATTACHMENTS

1. Report to Council Meeting of Wednesday, 22 March 2017
2. Development Fees
3. Yaffa Media Email

12.2 Request for Fees Assistance by Yaffa Media for the Bowral Classic Bicycle Race in 2018

ATTACHMENT 1 Report to Council Meeting of Wednesday, 22 March 2017



ATTACHMENT 1

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Wednesday 22 March 2017

REPORT GENERAL MANAGER



14.3 Bowral Classic 2017 Request for Support

Reference: 1000
Report Author: Organisational Support Officer
Authoriser: General Manager
Link to Delivery Program: Develop and implement a comprehensive Tourism Strategy for the Southern Highlands, based on the unique Southern Highlands brand of climate, horticulture, recreation, landscape and heritage

PURPOSE

The purpose of this report is to seek Council's financial support for the 2017 Bowral Classic.

RECOMMENDATION

THAT Council determines its position with regard to financial support of the 2017 Bowral Classic.

REPORT

BACKGROUND

The Bowral Classic is an on-road bicycle event staged for the first time in 2016 by Yaffa Media and Bicycling Australia (Yaffa Media's bicycling publication) on Sunday 23 October 2016. The course, set on Southern Highlands country roads was challenging and at the same time popular with enthusiasts of one of the most rapidly growing sports in Australia.

REPORT

According to Yaffa Media 3,000 riders came from all over the country and overseas for the inaugural event and is one of the largest events of its kind in Australia and a huge success with the organisers so much so that they are now planning to make it a regular event on the sporting calendar.

In light of this success, Council has been approached by Yaffa Media with a request for assistance in 2017 with the expectation that the event will be good economically for both Yaffa Media and Wingecarribee Shire merchants alike.

ACCOMMODATION SHORTAGE

Over the 2016 'Classic' weekend, visitors to the Highlands experienced a significant shortage in available accommodation. This can partially be attributed to the influx of riders and spectators for the bicycle event, however, it should also be noted that October is 'Wedding Season' in the Highlands with weddings and accommodation booked 12 months in advance at the various 'Wedding Venues' including the major hotels Peppers Craigieburn, the Gibraltar Hotel, Milton Park and others. In addition 500 attendants for the NSW's

12.2 Request for Fees Assistance by Yaffa Media for the Bowral Classic Bicycle Race in 2018**ATTACHMENT 1 Report to Council Meeting of Wednesday, 22 March 2017****AGENDA FOR THE ORDINARY MEETING OF COUNCIL**

Wednesday 22 March 2017

REPORT GENERAL MANAGER

National Trust Annual Conference held in Bowral that same weekend plus the normal tourists, the Highlands was bursting at the seams.

In light of this, plans for 2017 include a special 'Bowral Classic' return train from Sydney and potentially a 'glamping' tent city transforming Bong Bong Race Course for the overflow of visitors. Shuttle bus transportation would move visitors to and from the event home ground and race finish line at Eridge Park where local producers and sporting providers will present their wares to visitors and participants 'festival style' on the Saturday and Sunday of the Bowral Classic weekend.

YAFFA MEDIA

Yaffa Media, the organiser of the Bowral Classic, is one of Australia's largest independent media companies consisting of '28 consumer and business-to-business media brands made up of 28 specialist magazines, market-leading websites and e-newsletters, interactive digital apps and highly engaged social media outlets'. Many of these brands also extend to a range of industry and consumer events and exhibitions including Yaffa Media's Bowral Classic.

The Bowral Classic appeals to both novice and experienced riders alike with its three courses catering to various ages, abilities and fitness levels but perhaps the most unique feature of Yaffa Media's Bowral Classic is their philanthropic model. While not compulsory, entrants have the option to create their own fund raising platform for their nominated charity either on their own or as part of a team, using their participation to gain pledges of financial support from their own personal contacts. It should be noted that no portion of an entrants registration fee paid to Yaffa Media is donated by Yaffa Media to charity. It is wholly generated and paid by the participants. In this way, the 2016 Bowral Classic (as reported by Yaffa Media) raised \$109K for the collective charities of the 2016 participants.

LEVEL PLAYING FIELD

It should be noted that Council receives many requests for assistance from both non-profit and commercial enterprises that bring or could potentially bring a multitude of benefits to our community. Council, in most cases assists Charities and Not-For-Profit entities that benefit the wider community through contributions from the Councillor's Contingency Fund. The Contingency Fund is limited by a budget of \$25K per annum so amounts beyond its annual allotment must be funded from another identified source.

COUNCIL ASSISTANCE

Council must be seen as impartial, fair and equitable with its treatment of requests for financial assistance and mindful of what has been provided to other commercial entities resulting from requests for assistance.

On previous occasions Council has responded to requests for assistance from commercial entities that will potentially benefit local economy by

- assisting with applicable development application fees
- providing a single point of contact to assist with community negotiations, Council requirements and to coordinate grounds and street maintenance for the event and;
- by waiving charges for Council owned facilities and sports grounds

12.2 Request for Fees Assistance by Yaffa Media for the Bowral Classic Bicycle Race in 2018**ATTACHMENT 1 Report to Council Meeting of Wednesday, 22 March 2017****AGENDA FOR THE ORDINARY MEETING OF COUNCIL**

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REPORT GENERAL MANAGER

For the first time this year Council has contributed financially to Bundanoon is Brigadoon as it celebrates its 40th year of operation but it should be noted that Brigadoon has a 40 year history of drawing 10-15,000 people to the Highlands each year and is nationally recognised. It should also be noted that some of that contribution will go to improvements to Bundanoon Village as well as Bundanoon Oval which is a Council managed asset.

SUPPORT REQUESTED

Yaffa Media have asked for Council's assistance on a number of items directly related to the event. Some items can be addressed through maintenance channels and have already been scheduled or taken care of. Yaffa Media have already (as with another similar sporting events), been provided with a dedicated Council officer to assist with negotiating Council's procedures, forms and requirements as well as assisting with community liaison where required.

As a road bicycle event, one of the greatest expenses in providing a safe event is Traffic Management which in 2016 was approximately \$60K for traffic management plans, registration fees and on road management and a further additional \$10K for variable message boards as required by the Police. Yaffa Media have requested a contribution from Council of \$20K towards this expense.

They have also requested assistance with the supply of 27 garbage bins, rubbish collection on Saturday afternoon for 16 bins and rubbish collection on Monday for 27 bins at a total cost of \$875.35.

Additional to this is a request for Council assistance with local advertising to promote a greater awareness of the event within the Southern Highlands community in print and on radio for 4 weeks leading up to the event. This could partially be addressed by incorporating information about the event in the General Manager's weekly column in the Southern Highlands News and the Mayor's weekly radio interview with 2ST. Additionally Council will include notification to residents of changed traffic conditions for the weekend of the race in Council's Wednesday notification page in the Southern Highlands News and Destination Southern Highlands will of course promote the event through their website and Council's Facebook pages.

In return for Council's assistance and the potential commercial benefits to the local economy, Council will be promoted at the event and in all associated media as a premier sponsor.

Yaffa Media have not to date provided Council with any information as to their own financial returns for the 2016 Bowral Classic or predicted returns for 2017 so it is difficult to put in perspective their request for support from Council.

Destination Southern Highlands, Council's Tourism and Events Unit, as part of their promotion of a first time event provided significant assistance in 2016 to the Bowral Classic including a full page advertisement in the Destination Planner, other featured advertising, social media promotions, press releases, a media launch, a banner across Bong Bong Street and radio and local press interviews to an estimated value of \$7K.

They have confirmed their commitment in assisting the Bowral Classic again in 2017, however, this time it will be in line with any other major events taking place in the Highlands. This would be through normal website promotional channels, social media and their weekly media video clip promotion amongst others.

12.2 Request for Fees Assistance by Yaffa Media for the Bowral Classic Bicycle Race in 2018

ATTACHMENT 1 Report to Council Meeting of Wednesday, 22 March 2017



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REPORT GENERAL MANAGER



IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

None.

CONSULTATION

Community Engagement

No Community Consultation has taken place

Internal Consultation

Councillors
Executive
Parks Coordinator
Traffic Engineer

External Consultation

No External Consultation has taken place

SUSTAINABILITY ASSESSMENT

• Environment

There are no environmental issues in relation to this report.

• Social

Sporting Events such as the Bowral Classic are encouraged in our community providing as they do opportunities not only to actively participate in physical exercise but also because they bring different social groups together to share and enjoy festivities, promote local producers and boost trade with local merchants over the course of the weekend.

• Broader Economic Implications

The economic boost to local producers and merchants along with the visibility in the wider national and international community this event brings to our region can only help to promote the Southern Highlands as a desirable 'destination' with the wider public.

• 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

If Council supports the requests for funding in Items 14.1 and 14.2 totalling \$4,500, the available balance remaining in the Councillor's Contingency Fund will be \$8,885.50.

**12.2 Request for Fees Assistance by Yaffa Media for the Bowral
Classic Bicycle Race in 2018**

**ATTACHMENT 1 Report to Council Meeting of Wednesday, 22
March 2017**



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REPORT GENERAL MANAGER



RELATED COUNCIL POLICY

Nil

OPTIONS

The options available to Council are:

Option 1

Submitted for determination by Council

CONCLUSION

The purpose of this report is to seek Council's financial support for the 2017 Bowral Classic which is submitted for Council's determination.

ATTACHMENTS

There are no attachments to this report.

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12.2 Request for Fees Assistance by Yaffa Media for the Bowral**Classic Bicycle Race in 2018****ATTACHMENT 2 Development Fees****ATTACHMENT 2**

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

Applicant: Yaffa Media (BOWRAL CLASSIC)

(WILL LEVY)

Property: Lot 5 DP 1087928ERIDGE PARK - ROAD RESERVE 576 MOSS VALE
ROAD BURRAGO NSW 2576**Quote No:** QUO18/0224**Date Issued:** 12 February 2018**Expiry Date:** 30 June 2018**CSO:****Estimated Cost:****Group:** Local Government Approval**Category:** Section 68

Charge Description	Quantity	Amount	GST	Total
9.7.8 - Section 68	1.00	\$168.00		\$168.00
Total:		\$168.00		\$168.00

Group: Section 138 Roads Act**Category:** Roads Act

Charge Description	Quantity	Amount	GST	Total
9.8.11 Roads Act Section 138 in Conjunction DA	1.00	\$168.00		\$168.00
Total:		\$168.00		\$168.00

Group: Modifications of Consent**Category:** Section 96 Modification DA

Charge Description	Quantity	Amount	GST	Total
9.8.4(a) - Application, Registration, Record Chg	1.00	\$80.00		\$80.00
9.1.9.2 - Modification Minimal Env Impact	285.00	\$142.50		\$142.50
9.1.1 - Neighbour Notification	1.00	\$105.00		\$105.00
Total:		\$327.50		\$327.50
Grand Total:		\$663.50		\$663.50

Printed: 12/02/2018 4:43:58PM

This estimate of fees is given based on the information provided and is current at the date of issue. Additional fees may be payable if the development is incorrectly described or is undervalued.

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12.2 Request for Fees Assistance by Yaffa Media for the Bowral
Classic Bicycle Race in 2018
ATTACHMENT 3 Yaffa Media Email

**ATTACHMENT 3**

From: James Yaffa [REDACTED]
Sent: Thursday, 14 December 2017 1:27 PM
To: Ken Halstead
Cc: Ian Scandrett
Subject: The Bowral Classic

Dear Ken,

I trust you are well and 2017 has been a progressive year for the council.

Thanks for supporting The Bowral Classic, we certainly have created quite a following from all over Australia.

The Bowral Classic <https://vimeo.com/239767526> is now the most awarded sporting event in Australia (v all other sports not just cycling).....we are very proud of this achievement. The media and marketing for Bowral extends past \$3 million. The campaign goes far beyond the cycling event and is very consistent from March to October. In short we are doing what most councils would only dream of!

On reflection the 2017 event was better organised and certainly well received by the local community. It was great to see local farm owners out on the side of the roads ringing bells and supporting the riders.....scenes from the great European cycling events! These major road cycling events are very expensive to run and require significant investment, both 2016 and 2017 events were financially marginal at best. We like you want to be here in the future, delivering a strong vibrant community event that has far reaching benefits to your community. 97% of respondents to the Destination NSW/Bowral Classic 2017 Survey rated their experience as good or very good (810 survey sample)...and 96% stated it was likely or very likely they would recommend the Bowral Classic to a friend or colleague. Fantastic event advocacy. Importantly we (Yaffa Media) use your local suppliers...from the furniture companies to the food providers and so on....all key to delivering more value to local business. In short they love it.

Council might not be aware of this, but you have perhaps the most talked about cycling event right on your doorstep and I can assure you it has reached the top of Government and Business...why can't NSW hold the best cycling event in Australia ? **We are not there yet, but I'd like to think we can do it!**

I'm aware your long standing Highland Fling has now closed for good, a well run event with a really strong history. We do not want to be in this position and we are seeking cost efficiencies in how we run The Bowral Classic.

In light of this we are requesting all council fee's (around \$3k) to be terminated.

We hope you will look at this matter in due course, and together we can continue to build on what could be the cycling event for Australia! Our very best wishes for a safe and Merry Christmas to all councillors!

Best Regards

James

PS- It was good to see The Bowral Classic mentioned on page 18 of last Friday's AFR Magazine!

12.3 Tender Report for the Bundanoon Aeration Project - Procurement and Installation of Diffusers, Hoses, Manifold and Accessories

Reference: 6330/17.29
Report Author: Senior Project Manager
Authoriser: Manager Projects and Contracts
Link to Community
Strategic Plan: Sustainably manage natural resources for broader
community benefit

PURPOSE

The purpose of this report is to present the evaluation of the Request for Tender for the Bundanoon Aeration Project – Procurement and Installation of Diffusers, Hoses, Manifold & Accessories.

RECOMMENDATION

1. **THAT** in relation to the report concerning Tender for Bundanoon Aeration Project - Procurement and Installation of Diffusers, Hoses, Manifold & Accessories – Council adopts the recommendations as contained in the Closed Council report – Item 22.1.

OR

2. **THAT** the report concerning Tender for Bundanoon Aeration Project – Procurement and Installation of Diffusers, Hoses, Manifold & Accessories - 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

The Bundanoon Creek Dam is an on-stream storage on the Bundanoon Creek that supplies raw water to the Bundanoon Water Treatment Plant (WTP). The dam has a maximum depth of 31.9 m and a storage volume of 2,046 ML at its full supply level.

The dam has a history of soluble iron and manganese water quality issues. Typically, elevated levels of iron and manganese are a result of thermal stratification occurring over summer. During stratification cycles a low water temperature (WT) and dissolved oxygen (DO) zone forms near the floor of the dam that enables the leaching of soluble iron and manganese and phosphorus (algae nutrient) from the sediments.

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Also, at the surface a warm layer occurs which may encourage algal growth. It has been recommended by GHD Consultancy and approved by Council's water and sewer department that an effective way to minimise these detrimental stratification cycles is implementation of an adequately sized compressed air-based mixing system.

Council operates a system on the dam to manage water quality, aerate and prevent thermal stratification. However, soluble iron and manganese levels continue to be an issue in the supply from this dam to the downstream water treatment plant, and subsequently Council engaged GHD to review the sizing and effectiveness of the current aeration system and to provide design specifications for a new aeration system.

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).

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

ADVERTISING

The tender advertising period was from the 14 November 2017 to 5 December 2017 (21 days). The tender was advertised as follows:

Newspaper / Website	Date Advertised
Newspaper – Sydney Morning Herald	Tue 14 Nov 2017
Newspaper – Southern Highlands News	Wed 15 Nov 2017, Wed 22 Nov 2017
Council's Website	For the duration of the advertising period
Council's e - Tendering Website	For the duration of the advertising period

TENDERS RECEIVED

A total of two (2) tender submissions were received:

Company Name	Location	Postcode
EMT Pty Ltd	Seven Hills	2147
Prime Pumps Pty Ltd	Riverstone	2765

LATE TENDERS

There were no late tenders.

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:

Mandatory Criteria:

Criteria
Public Liability - \$20 million
Workers Compensation OR [Self Employed] Personal Accident and Illness Insurance or Personal Income Protection

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	10%
Specifications	5%
Fit for Purpose	10%
Community & Social	10%
Work Health & Safety, Environment and Sustainability	10%
Total	45%

Summary of Selection Criteria & Weighting:

Selection Criteria	
Criteria	Weighting
Total Non-Cost Criteria	45%
Total Cost Criteria	55%
Total	100%

IMPACT ON FIT FOR THE FUTURE PROPOSAL OUTCOME

Funding for Bundanoon Aeration Project – Procurement and Installation of Diffusers, Hoses, Manifold and Accessories has been included in Council's adopted Capital Works Program and Investing in Our Future Improvement Plan.

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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 and operational areas. This consultation included scope, technical requirements and evaluation methodologies.

External Consultation

Tenders are part of a commercial arrangement and therefore no 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 2018 Capital Expenditure Project Plan includes an allocation of \$160,000.00 for this project.

RELATED COUNCIL POLICY

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

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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.

12.4 Proposed Lease to Illawarra Local Aboriginal Land Council, Proposed Lot 1, 1 Rainbow Street Mittagong

Reference:	PN700000
Report Author:	Coordinator Property Services
Authoriser:	Chief Financial Officer
Link to Community Strategic Plan:	Effective financial and asset management ensure Council's long term sustainability

PURPOSE

The purpose of this report is to obtain Council approval to enter into a long-term lease with the Illawarra Local Aboriginal Land Council for the property known as Proposed Lot 1, 1 Rainbow Street Mittagong, being the location of the Aboriginal Cultural Centre.

RECOMMENDATION

1. **THAT** authority be delegated to the General Manager to negotiate the terms and conditions of the Lease with Illawarra Local Aboriginal Land Council for the property known as Proposed Lot 1 Rainbow Street, Mittagong **AND THAT** it be noted that the term of the proposed Lease is ninety nine (99) years.
2. **THAT** Council give a minimum twenty eight (28) days public notice of its intention to enter into the Lease of Council property referred to in resolution 1 above.
3. **THAT** if no objections are received by Council during the period of public notice, the General Manager and Mayor be delegated authority to execute the Lease referred to in resolution 1 above under the Common Seal of Council (if required) **AND THAT** if any objections are received, a further report be forwarded to a future Ordinary Meeting of Council for determination.

REPORT

BACKGROUND

The Council property is known as 1 Rainbow Street, Mittagong. The Council property comprises Mineral Springs Reserve and the Aboriginal Cultural Centre.

On the 23 August 2017, Council considered a report seeking approval to proceed with a Plan of Boundary Adjustment relating to the land known as Mineral Springs Reserve and the former closed road, Part Rainbow Street, Mittagong ('the Council property') – see **Attachment 1**. The proposal also considered the resolution of a long-standing encroachment by the adjoining property owner onto the Council property. It was resolved by Council as follows (*MN 381/17*):

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1. THAT upon vesting of the newly created lot (former closed road, part Rainbow Street Mittagong), the newly created lot be classified pursuant to Section 26 Local Government Act 1993 as Operational Land.
2. THAT Council lodge a Plan of Boundary Adjustment to create 3 lots as follows:
 - (a) Lot 1 – to be retained in Council ownership for the Aboriginal Community & Cultural Centre, under management by Section 355 Committee;
 - (b) Lot 3 – to be transferred to the adjoining property owner to remedy the existing encroachment, with the consideration payable to be determined by formal valuation;
 - (c) Lot 2 – to be retained in Council ownership.
3. THAT it be noted that the classification of public land referred to in Resolution 2 above as Lot 2 and Lot 3 is resolved to be Operational Land.
4. THAT Council affix the Common Seal of the Council to any documents required to be sealed for the land referred to in Resolutions 1 and 2 above (including the Plan of Road Closure and First Title Creation) AND THAT authority be delegated to the Mayor and General Manager to execute those documents.
5. THAT authority be delegated to the General Manager to execute on behalf of Council any documents associated with the Land referred to in Resolutions 1, 2 and 3 above that does not require the Common Seal of Council.

REPORT

The Plan of Boundary Adjustment is underway with respect to the variation to the boundaries of the Council property. Ultimately a plan will be lodged to adjust the boundaries to create 3 separate lots. Proposed Lot 1 comprises the Aboriginal Cultural Centre being the Council property the subject of this report. The land is classified as Operational Land.

The Aboriginal Cultural Centre operates from Proposed Lot 1 and is currently run by a Section 355 Management Committee of Council with local Aboriginal and community representatives.

Discussions have been held with Council's Executive Team and the Illawarra Local Aboriginal Land Council ('ILALC') with respect to a proposed lease of the Aboriginal Cultural Centre. A letter has recently been received from ILALC confirming their request for the lease of the Council property – **Attachment 2**.

ILALC is proposing to enter into a long term lease of the Council property. The purpose of the lease is for ILALC to manage and operate the site for the benefit of all Aboriginal people in the Wingecarribee Shire.

To encourage sound management of the Council property, the proposed lease to ILALC would comply with Council's policy for *Lease & Licence of Council property to Not-for-Profit and Community-Based Organisations*. The general terms and conditions of the proposed lease would be in accordance with the *Local Government Act 1993*, *Local Government Regulations* and *Office of Local Government Guidelines*.

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An exception to this policy would be the requirement for ILALC as Lessee to pay for all rates and charges, and to pay for the cost of ongoing maintenance and improvements to the premises, in addition to required day-to-day maintenance and repairs.

It is recommended that Council's General Manager be delegated authority to negotiate the terms and conditions of the proposed lease that represent a fair and reasonable balance between Council as Property Owner (Lessor) and ILALC (as Lessee).

Further, to ensure that the proposed lease of the Council property is consistent, transparent and impartial, it is recommended that, while not obligated to do so, Council give public notice of its intention to enter into a long-term lease with ILALC in respect of the Council property.

LEGISLATION

The Council property is classified as Operational Land pursuant to Section 26 *Local Government Act 1993*. As Operational Land, the Council property can be dealt with without the legislative restrictions imposed on Community Land.

IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

None identified.

COMMUNICATION AND CONSULTATION

Community Engagement

Engagement with the community is not considered essential in respect of the request for a lease of Operational Land. Notwithstanding that requirement, it is recommended that Council give 28 day's public notice of its intention to enter into a long-term lease with ILALC in respect of the Council property.

Internal Communication and Consultation

Executive Team

Assets

Councillors

External Communication and Consultation

ILALC

SUSTAINABILITY ASSESSMENT

- **Environment**

There are no environmental issues in relation to this report.

- **Social**

There are no social issues in relation to this report.

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- **Broader Economic Implications**

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

- **Culture**

The proposal to lease part of the Council property to ILALC for the purpose of management and operation of the Aboriginal Cultural Centre is for the benefit of all Aboriginal people in the Wingecarribee Shire.

ILALC have stated that they will continue to support the ongoing tenancy of current organisations at the Centre.

- **Governance**

There are no governance issues in respect of this report.

COUNCIL BUDGET IMPLICATIONS

There are no budgetary implications arising from this report. All ongoing costs of maintenance and improvement to the premises are to be paid by the Lessee for the term of the lease.

RELATED COUNCIL POLICY

Lease & Licence of Council Property: Not-For-Profit & Community Based Organisations
(Adopted Wednesday 26 November 2014, MN326/14).

The purpose of this policy is to provide benefits to the Council and its residents by:

- defining the general terms and conditions of Leases and Licences to Not-For-Profit Organisations in respect of Council Property;
- ensuring that leasing and licensing of Council Property is consistent, transparent, fair and impartial;
- ensuring that the lease or licence is in accordance with the Local Government Act 1993, Local Government Regulations and Office of Local Government Guidelines;
- encouraging sound management of Council Property.

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OPTIONS

The options available to Council are:

Option 1

Proceed with entering into negotiations with the Illawarra Local Aboriginal Land Council to lease the property known as Proposed Lot 1 Rainbow Street Mittagong for a period of ninety nine (99) years.

Option 2

Proceed with entering into negotiations with the Illawarra Local Aboriginal Land Council to lease the property known as Proposed Lot 1 Rainbow Street, Mittagong for a period of twenty five (25) years.

Option 1 is the recommended option to this report.

CONCLUSION

Council has been requested by ILALC to consider the granting of a lease over the Council property where the Aboriginal Cultural Centre is located. Giving consideration of the classification of the land and improved grant funding opportunities for the redevelopment of the Aboriginal Cultural Centre if the lease is approved, it is recommended that Council proceed with granting a lease to ILALC.

ATTACHMENTS

1. Cadastral map showing location of premises to be leased (Proposed Lot 1)
2. Letter (undated) from ILALC to Council

Barry W Paull
Deputy General Manager Operations, Finance and Risk

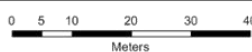
Friday 9 March 2018

12.4 Proposed Lease to Illawarra Local Aboriginal Land Council,
Proposed Lot 1, 1 Rainbow Street Mittagong

ATTACHMENT 1 Cadastral map showing location of premises to
be leased (Proposed Lot 1)



ATTACHMENT 1



Wingecarribee Shire Council
Boundary Adjustment

Any information (promotional or otherwise), representation, statement, opinion or advice expressed or implied in this publication is made in good faith but on the basis that the Council of the Shire of Wingecarribee, its agents and its employees are not liable (whether by reason of negligence, lack of care or otherwise) to any person for any damage or loss whatsoever which has occurred or may occur in relation to that person taking or not taking any action in reliance on the information, representation, statement, opinion or advice referred to above.



**12.4 Proposed Lease to Illawarra Local Aboriginal Land Council,
Proposed Lot 1, 1 Rainbow Street Mittagong
ATTACHMENT 2 Letter (undated) from ILALC to Council**



ATTACHMENT 2



3 Ellen Street WOLLONGONG NSW 2500 Ph: (02) 42263338 Fax: (02) 42 263360

Ann Prendergast
General Manager
Wingecarribee Shire Council
Moss Vale NSW

RE: LEASE LOT 33 DP 9299 (Known as the Wingecarribee Aboriginal Community Cultural Centre)

Dear Ms Prendergast,

The Illawarra Local Aboriginal Land Council (Land Council) would like to request Wingecarribee Shire Council (Council) consider offering a long term lease for the Council owned facility at Lot 33 DP 9299 currently operated as the Wingecarribee Aboriginal Community Cultural Centre. This request seeks Council consideration in the offer and establishment of a lease agreement that will cover the current facilities as well as the proposed redeveloped centre, which is currently being evaluated for funding under a submission from Yamanda Aboriginal Corporation to the Department of Prime Minister and Cabinet.

The Land Council is prepared to enter into a long term agreement with Council in relation to the management and operation of this site for the benefit of all Aboriginal People in the Wingecarribee Shire Council area. As part of the arrangement the Land Council will continue to support the ongoing tenancy of current organisations at the Centre with specific reference to the Yamanda Aboriginal Corporation.

As part of this request the Land Council would like to inform Council that as a legislated entity, under the New South Wales Land Rights Act 1983, our functions provide for the representation of all Aboriginal People within our region, which includes the Local Government Areas of Wollongong, Shellharbour, Kiama and the Wingecarribee, the later being a region where we are seeking to grow our presence and representation. This request therefore supports the legislated function of the Land Council as well as providing an opportunity for strengthening the collaboration of the Council and Land Council on future projects.

Regards



Paul Knight
Chief Executive Officer

13 CORPORATE STRATEGY AND DEVELOPMENT SERVICES

13.1 Development Applications Determined from 29 January 2018 to 25 February 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 29 January 2018 to 25 February 2018.

RECOMMENDATION

THAT the information relating to the lists of Development Applications Determined for the period 29 January 2018 to 25 February 2018 be received and noted.

APPROVED APPLICATIONS BY DATE RANGE Date range: 29 January 2018 to 25 February 2018

	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
1	18/0085	41 Amber Close Alpine NSW 2575 Lot 4 DP 778616	DJ Cotterill, COK Cotterill	New Dwelling	30/01/2018	0	7	7	05/02/2018
2	17/1573	1091 Sheepwash Road Avoca NSW 2577 Lot 66 DP 751303 Lot 67 DP 751303 Lot 5 DP 114685	SP Grant	Residential Alterations and Additions	07/11/2017	0	97	97	12/02/2018
3	17/1310	20C Balaclava Street Balaclava NSW 2575 Lot 2 DP 1222421	KA Rundle	New Dwelling	19/09/2017	0	134	134	01/02/2018
4	17/1498	53 Greenhills Road Berrima NSW 2577 Lot 3 DP 546287 Lot 4 DP 546287	TC Northall, CCS Dyball	Residential Alterations and Additions	23/10/2017	0	106	106	07/02/2018

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	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
5	17/1510	Oxley Street Berrima NSW 2577 Lot 13 Sec 37 DP 758098 Lot 14 Sec 37 DP 758098	PJ Palmer, DWL Palmer	Residential Alterations and Additions	25/10/2017	63	42	105	07/02/2018
6	15/1077.06	"Anthem" 21-23 Retford Road Bowral NSW 2576 Part Lot 1 DP 1105017	Robsea Nominees Pty Ltd	Section 96 Modification (alter conditions 4 and 5 pertaining to site consolidation and road closure prior to issue of final occupation certificate)	07/12/2017	0	74	74	20/02/2018
7	16/0454.04	110 Oxleys Hill Road Bowral NSW 2576 Part Lot 1 DP 358488	SM Clutton	Residential Alterations and Additions	06/10/2017	0	138	138	22/02/2018
8	17/1287	11 Edward Riley Drive Bowral NSW 2576 Lot 105 DP 1227641	G Reardon, K Reardon	New Dwelling	14/09/2017	0	136	136	29/01/2018
9	17/1367	196 Bowral Street Bowral NSW 2576 Lot 1 DP 708665	JE Brady	Dual Occupancy (attached)	29/09/2017	74	48	122	29/01/2018
10	17/1447	121 Bowral Street Bowral NSW 2576 Lot 9 Sec C DP 8185	Copeland Developments Pty Ltd	Subdivision (3 Lots)	16/10/2017	118	7	125	19/02/2018
11	17/1470	6 McDonald Street Bowral NSW 2576 Lot 5 DP 243730 Lot 6 DP 243730	SC Kinsella, JD Kinsella	Residential Alterations and Additions	19/10/2017	0	119	119	15/02/2018
12	17/1535	83 Sir James Fairfax Circuit Bowral NSW 2576 Lot 314 DP 1234848	A Di Francesco, PM Di Francesco	New Dwelling	30/10/2017	0	107	107	14/02/2018
13	17/1556	55 Sir James Fairfax Circuit Bowral NSW 2576 Lot 300 DP 1234848	RA Miller, JJ Frazer	New Dwelling	03/11/2017	0	104	104	15/02/2018
14	17/1582	89 Sir James Fairfax Circuit Bowral NSW 2576 Lot 132 DP 1231974	RW Curr, KA Curr	New Dwelling	08/11/2017	0	92	92	09/02/2018
15	17/1610	20 Caroline Avenue Bowral NSW 2576 Lot 115 DP 1231974	MT Beurle	New Dwelling	14/11/2017	29	64	93	15/02/2018
16	17/1619	56 Sir James Fairfax Circuit Bowral NSW 2576 Lot 323 DP 1234848	LJ Geradts, RE Geradts	New Dwelling	15/11/2017	0	78	78	01/02/2018

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	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
17	17/1670	31 Westbrook Crescent Bowral NSW 2576 Lot 309 DP 1031487	AM Paull, BW Paull	Residential Alterations and Additions	24/11/2017	0	75	75	07/02/2018
18	17/1731	14 Caroline Avenue Bowral NSW 2576 Lot 113 DP 1231974	AV Williams, JE Williams	New Dwelling	08/12/2017	7	68	75	21/02/2018
19	17/1751	8 Caroline Avenue Bowral NSW 2576 Lot 110 DP 1231974	WG Jacobs, KL Jacobs	New Dwelling	13/12/2017	30	21	51	02/02/2018
20	13/0264.04	"Hawthorne" 208 Oxleys Hill Road Bowral NSW 2576 Lot 6 DP 860109	Cate Investments Pty Limited	Section 96 Modification (remove solid fuel heater)	08/02/2018	0	11	11	19/02/2018
21	17/1541	44 Red Gum Drive Braemar NSW 2575 Lot 242 DP 1223682	MC Jackson, CR Buchanan	New Dwelling	01/11/2017	0	114	114	23/02/2018
22	17/1558	39 Biggera Street Braemar NSW 2575 Lot 25 Sec 1 DP 792	Lichtenberger Property Pty Ltd	Residential Alterations and Additions	03/11/2017	29	62	91	02/02/2018
23	17/1622	4 Lomandra Lane Braemar NSW 2575 Lot 131 DP 1204085	MW O'Maley, KL Fitzgerald	New Dwelling	16/11/2017	0	84	84	09/02/2018
24	17/1485	272 Pulpit Rock Road Bullio NSW 2575 Lot 4 DP 814845	KR Ruhnau, DE Ruhnau	Residential Alterations and Additions	20/10/2017	0	103	103	01/02/2018
25	17/1300	1A Elmswood Court Bundanoon NSW 2578 Lot 141 DP 1158927	WJ O'Connell	Dual Occupancy (attached)	18/09/2017	0	158	158	23/02/2018
26	17/1345	639 OLD Argyle Road Bundanoon NSW 2578 Lot 2 DP 717202	D Buckman, KJ McIvor	Residential Alterations and Additions	25/09/2017	0	144	144	16/02/2018
27	17/1426	29 Garland Road Bundanoon NSW 2578 Lot 44 DP 263668	HAG Dawson, TE Dawson	Residential Alterations and Additions	12/10/2017	0	111	111	30/01/2018
28	17/1783	7 Elmswood Court Bundanoon NSW 2578 Lot 11 DP 1029284	TM Day, MR Day, DR Day	Residential Alterations and Additions	18/12/2017	0	62	62	19/02/2018
29	18/0094	87 Railway Avenue Bundanoon NSW 2578 Lot 1 Sec 1 DP 10378	MJ Elliott	Residential Alterations and Additions	01/02/2018	0	20	20	21/02/2018

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	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
30	17/0309.02	35 Links Road Burradoo NSW 2576 Lot 2 DP 1108071	JA Robertsen, EC Robertsen	Section 96 Modification (Increased building footprint, window & door amendments, external cosmetic changes, deletion of detached lodge, & revised pool design)	18/12/2017	0	55	55	12/02/2018
31	17/1489	"lynmere" 32 charlotte street Burradoo NSW 2576 Lot 221 DP 814233	D Stone	Residential Alterations and Additions	20/10/2017	6	107	113	12/02/2018
32	17/1557	7 Sunninghill Avenue Burradoo NSW 2576 Lot 1 DP 840959	JO Grant, A Grant	Residential Alterations and Additions	03/11/2017	29	61	90	02/02/2018
33	17/1755	113 Burradoo Road Burradoo NSW 2576 Lot 4 DP 578816	CB Higgins	Dual Occupancy (detached)	13/12/2017	0	47	47	30/01/2018
34	18/0007	132 Osborne Road Burradoo NSW 2576 Lot 4 DP 39383	ML Tessarolo, DD Di Bitetto	Demolition of existing dwelling	04/01/2018	42	7	49	22/02/2018
35	18/0060	34A Eridge Park Road Burradoo NSW 2576 Lot 11 DP 1077394	L Palivos, A Palivos	Swimming Pool	22/01/2018	0	32	32	23/02/2018
36	17/1254	15 Crown Street Burrawang NSW 2577 Lot 19 Sec 3 DP 2660	SB Biggar	New Dwelling	06/09/2017	17	131	148	01/02/2018
37	17/0954	40 Banksia Street Colo Vale NSW 2575 Lot 4 Sec 5 DP 2389	GF Allan	Residential Alterations and Additions	20/07/2017	0	27	27	21/02/2018
38	17/1550	36-40 Ebony Place Colo Vale NSW 2575 Lot 6 DP 792443	ACM Solutions Pty Ltd	Residential Alterations and Additions	02/11/2017	0	109	109	19/02/2018
39	17/1507	2179 Kangaloon Road East Kangaloon NSW 2576 LOT 2 DP 1077400 & EP 43445	Wildwood Hill Holdings Pty Ltd	Continued Use (existing building as secondary dwelling)	25/10/2017	0	119	119	21/02/2018
40	17/0374.04	90 Middle Road Exeter NSW 2579 Lot 1 DP 818087	GC Smith, JE Smith	Residential Alterations and Additions	22/01/2018	0	24	24	15/02/2018
41	17/1749	898 Nowra Road Fitzroy Falls NSW 2577 Lot 1 DP 1050654	BRE Anson	Residential Alterations and Additions	13/12/2017	0	58	58	09/02/2018
42	17/1424	43 Rosina Street Hill Top NSW 2575 Lot 100 DP 804323	DJ Fabrizio	New Dwelling	12/10/2017	28	82	110	31/01/2018

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	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
43	17/1516	20 Pearce Street Hill Top NSW 2575 Lot 1 DP 1232616	JP Franke	New Dwelling	26/10/2017	6	113	119	23/02/2018
44	18/0026	11 King Street Hill Top NSW 2575 Lot 1 DP 792625 (AKAS 10 Wyong ST)	BMG Ramsay	Residential Alterations and Additions	12/01/2018	0	23	23	05/02/2018
45	17/1660	1801 Kangaloon Road Kangaloon NSW 2576 Lot 103 DP 617717& EP 171258	LME Jensen	Residential Alterations and Additions	23/11/2017	0	81	81	13/02/2018
46	17/0398.05	177 Oxley Drive Mittagong NSW 2575 Lot 1 DP 855077	TMP Harper	Section 96 Modification (retain swimming pool, new deck and pool fencing. Delete proposed garage)	07/12/2017	0	66	66	12/02/2018
47	17/1324	215 Oxley Drive Mittagong NSW 2575 Lot 5 DP 584985	MF Fenner, CA Fenner	Residential Alterations and Additions	20/09/2017	146	4	150	19/02/2018
48	17/1412	18 Spencer Street Mittagong NSW 2575 Lot 1 DP 419100	AD Wallwork	Residential Alterations and Additions	10/10/2017	0	114	114	01/02/2018
49	17/1469	34 Lyell Street Mittagong NSW 2575 Lot 4 Sec 7 DP 111201	NM Crowe, H Crowe	Residential Alterations and Additions	19/10/2017	26	82	108	05/02/2018
50	17/1609	193-203 Old Hume Highway Mittagong NSW 2575 Lot 1 DP 1142703	Bieson Pty Ltd	Commercial Alterations and Additions	14/11/2017	85	8	93	16/02/2018
51	17/1764	80A Railway Parade Mittagong NSW 2575 Lot 2 DP 617323	MJ Linolli, RL Wilson	Residential Alterations and Additions	14/12/2017	0	61	61	14/02/2018
52	18/0119	52 Old Hume Highway Mittagong NSW 2575 Lot A DP 391366	P Borbilas	Residential Alterations and Additions	08/02/2018	0	3	3	12/02/2018
53	17/1130	31-35 Hill Road Moss Vale NSW 2577 Lot 1 DP 571991	Gualtieri Investments Pty Ltd	Subdivision (13 Lots)	17/08/2017	64	119	183	12/02/2018

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	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
54	17/1256	38-48 Arthur Street Moss Vale NSW 2577 Lot 20 Sec 3 DP 975495 Lot 21 Sec 3 DP 975495 Lot 1 Sec 9 DP 975495 Lot 2 Sec 9 DP 975495 and 22 more	Moss Vale Golf Club Ltd	Telecommunications Facility	06/09/2017	0	169	169	23/02/2018
55	17/1318	Church & Community Activity Centre 18 Spring Street Moss Vale NSW 2577 Lot 90 DP 751253	Connect Christian Church T/A Southlands Care	Temporary Use of Land (Grow, Cook, Eat Festival))	20/09/2017	0	134	134	30/01/2018
56	17/1524	"The Arcade" 348-354 Argyle Street Moss Vale NSW 2577 Lot 1 DP 742038 Lot 4 DP 601901	EM McManus, EG O'Sullivan	Continued Use (Court House Café) & Commercial Alterations and Additions	27/10/2017	52	42	94	30/01/2018
57	17/1590	25 Koyong Close Moss Vale NSW 2577 Lot 24 DP 732183	VFM Gallmann, M Gallmann	Residential Alterations and Additions	09/11/2017	0	106	106	23/02/2018
58	17/1718	"Woodrose Stud" 6077 Illawarra Highway Moss Vale NSW 2577 Part Lot 176 DP 751303	PL Seaton, LR Paterson	Residential Alterations and Additions	05/12/2017	0	55	55	30/01/2018
59	17/1752	58A Argyle Street Moss Vale NSW 2577 Lot 2 DP 1235814	PF Maloney, JAL Maloney	New Dwelling	13/12/2017	0	48	48	30/01/2018
60	17/1762	4 Joseph Hollins Street Moss Vale NSW 2577 Lot 53 DP 1218966	CJ Wailes	New Dwelling	14/12/2017	0	57	57	09/02/2018
61	17/1738	1177 Penrose Road Penrose NSW 2579 Lot 1 DP 960718	JL Martins, EM Martins	Residential Alterations and Additions	08/12/2017	0	66	66	13/02/2018
62	15/1098.03	2 Lemmons Road Robertson NSW 2577 Lot 19 DP 245774	DN O'Brien	Section 96 Modification (alter deck and family room)	17/01/2018	0	29	29	15/02/2018
63	17/1587	66-68 Old Hume Highway Welby NSW 2575 Lot 7 Sec 3 DP 759070	HL Kemsley	Residential Alterations and Additions	08/11/2017	0	92	92	09/02/2018

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REFUSED APPLICATIONS

	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
1	16/0445	Loftus Street Bowral NSW 2576 Lot 24 DP 713573	Conceal Pty Limited	Residential Flat Building (42 units)	01/06/2016	480	152	632	23/02/2018

Reasons for Refusal:

1. Insufficient information has been provided proving acceptable flood free access to the site via Loftus Street can be obtained. (S.79C(1)(a)(b)(c)(d)(e) of the *Environmental Planning & Assessment Act 1979*)
2. Insufficient information has been provided regarding lifting levels of Loftus Street cul-de-sac and resultant effects on flood depths and any impacts to adjoining properties for the 5, 10, 100 year design event floods. (S.79C(1)(a)(b)(c)(d)(e) of the *Environmental Planning & Assessment Act 1979*)
3. Insufficient information has been provided regarding flood depths and velocities for the 5, 10, 100 year design event floods, and compliance with acceptable limits as detailed in the current Floodplain Development Manual. (S.79C(1)(a)(b)(c)(d)(e) of the *Environmental Planning & Assessment Act 1979*)
4. Insufficient information has been provided regarding diversion of current flows, including along Alcorn Street, to reduce impact of flooding at the proposed cul-de-sac of Loftus Street. (S.79C(1)(a)(b)(c)(d)(e) of the *Environmental Planning & Assessment Act 1979*)
5. Insufficient information has been provided regarding water and sewer modelling for the proposed development to understand broader reticulated supply impacts and impacts on sewer capacity. (S.79C(1)(a)(b)(c)(d)(e) of the *Environmental Planning & Assessment Act 1979*)
6. Insufficient information has been provided regarding impacts of the proposed development upon road design along the southern boundary of the development site. (S.79C(1)(a)(b)(c)(d)(e) of the *Environmental Planning & Assessment Act 1979*)
7. The north western portion of Building A proposes setbacks which do not comply with the setback requirements of Bowral Town Plan Development Control Plan. The south western portion of Building B proposes setbacks which do not comply with the setback requirements of Bowral Town Plan Development Control Plan. This reduced setback reduces landscaping provided so that the built form is not sufficiently secondary to the landscape setting, when viewed from the bypass road, which is not in character with the Bowral area. The proposed design does not lower proposed Buildings A & B into the site / excavate the basement carpark level so that it is largely below natural ground level, which does not assist in addressing these landscaping and setback issues. (S.79C(1)(a)(b)(c)(d)(e) of the *Environmental Planning & Assessment Act 1979*).
8. The amended plans do not demonstrate a landscaped buffer area to separate north eastern facing units BG05 and B105 of proposed Building B to soften the visual impact and privacy impacts of the development upon the adjoining eastern residential properties. The side setback between units BG05 and B105 and the adjoining eastern residential properties is dominated by rock rip rap area and stormwater infrastructure. The building footprint of Building B in the location of units BG05 and B105 does not enable a sufficient landscaped buffer to address this visual impact / privacy impact concern, and does not enable softening the appearance of the development with landscaping when viewed from adjoining eastern properties. Landscape screening vegetation has not been sufficiently provided within the site itself, and the development should not be reliant upon landscaping treatments located in the

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rear garden areas of adjoining eastern properties. (S.79C(1)(a)(b)(c)(d)(e) of the *Environmental Planning & Assessment Act 1979*)

9. The south eastern corner balcony of proposed Unit BG05 Building B does not comply with the minimum 7.7 metre side setback requirement to the adjoining eastern boundary as required by Bowral Town Plan Development Control Plan. The building footprint for proposed Building B does not enable a sufficient area for a landscaped buffer area to soften the visual impact and privacy impacts of the development upon the adjoining eastern residential properties. (S.79C(1)(a)(b)(c)(d)(e) of the *Environmental Planning & Assessment Act 1979*)
10. Section C4.4.2 of Bowral Town Plan Development Control Plan requires that all ground floor units must provide a minimum private open space area of 30 square metres, with a minimum length of 4 metres. 14 of the 21 ground floor units do not achieve the minimum private open space area of 30 square metres. The proposed design does not lower proposed Buildings A & B into the site / excavate the basement carpark level so that it is largely below natural ground level, which does not assist in providing ground floor units access to natural ground level open space area, to achieve the minimum 30 square metre private open space area requirement for each ground level unit, and which does not assist in reducing the visual impact of the development, and achieving minimum setback requirements. (S.79C(1)(a)(b)(c)(d)(e) of the *Environmental Planning & Assessment Act 1979*)

	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
2	17/1235	40 Park Road Bowral NSW 2576 Lot 4 DP 25888	Lucky Wombat Pty Ltd	Residential Flat Building	04/09/2017	96	75	171	23/02/2018

Reasons for Refusal:

1. Proposed landscaped open space does not achieve the minimum 50% of site area as required by Section C3.14 of Bowral Town Plan Development Control Plan. Proposed landscaped open space with the 3 unit multi dwelling housing development, as calculated in accordance with Section C3.14 of Bowral Town Plan Development Control Plan, is 42.1% of the site area, being a 93.76 square metre landscaped open space deficiency. The proposed deficient landscaping is not considered to be sympathetic to neighbourhood character or enhance urban amenity as required by Section 2.2.4 of Bowral Town Plan Development Control Plan. (S.79C(1)(a)(b)(c)(d)(e) of the *Environmental Planning & Assessment Act 1979*)
2. In accordance with Section C2.2.2 of Bowral Town Plan Development Control Plan Council will not grant consent to the carrying out of multi dwelling development unless it is satisfied that the area and configuration of the allotment on which the development is proposed is such that it has at least 25 metres of site frontage to a public street or other appropriate public place. The subject site has a frontage of 24.384 metres to Park Road, which does not satisfy the minimum 25 metre site frontage to a public street requirement. (S.79C(1)(a)(b)(c)(d)(e) of the *Environmental Planning & Assessment Act 1979*)
3. The variations to landscaped open space and site frontage sought by the proposed development to Bowral Town Plan Development Control Plan requirements indicates that the proposed development is an overdevelopment of the site. (S.79C(1)(a)(b)(c)(d)(e) of the *Environmental Planning & Assessment Act 1979*)

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	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
3	15/0169.02	Lytton Road Moss Vale NSW 2577 Lot 26 Sec D DP 2810	AA Champion, DM Champion	Section 96 Modification (increase length of shed by 12m)	16/11/2017	0	85	85	09/02/2018

Reasons for Refusal:

1. Insufficient information has been provided in order to assess the impacts associated with the proposed extension of the industrial building on the onsite detention basin catering for proposed storm water management.

Section 79(c)(1)(b) likely impacts associated with the development.

2. Insufficient information has been provided in order to assess the impacts on water quality as the Water Cycle Management Study dated 15 April 2015 does not provide sufficient detail in order to assess the impacts associated with the proposed modification.

Section 79(c) likely impacts associated with the development.

3. Insufficient information has been provided in order to assess the impacts associated with storm water management on the site.

Section 79(c) likely impacts associated with the development.

4. Plans and associated documentation provided with the application does not identify vehicle access and egress arrangements, surface treatments for drainage and overland flows, and also parking and maneuverability areas in accordance with AS 2890.

Section 79(c) likely impacts associated with the development.

5. The proposed modification is not in the public interest.

Section 79(c)(1)(e) Public Interest.

ATTACHMENTS

There are no attachments to this report.

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13.2 Development Applications Received from 29 January 2018 to 25 February 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 29 January 2018 to 25 February 2018.

RECOMMENDATION

THAT the information relating to Development Applications Received from 29 January 2018 to 25 February 2018 be received and noted.

RECEIVED APPLICATIONS BY DATE RANGE Date range: 29 January 2018 to 25 February 2018

	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
1	18/0085	41 Amber Close Alpine NSW 2575 Lot 4 DP 778616	DJ Cotterill, COK Cotterill	New Dwelling	30/01/2018		#APPROVED	05/02/2018	
2	18/0107	18D Balaclava Street Balaclava NSW 2575 Lot 5 DP 1222421	SE Wellington, GJ Wellington	Residential Alterations and Additions	06/02/2018		#PENDING		
3	18/0183	2 Elms Place Balmoral NSW 2571 Lot 303 DP 835493	Warehousing and Logistics Pty Ltd	Dual Occupancy (attached)	23/02/2018		#PENDING		
4	18/0164	"Bunnygalore" 535 Bunnygalore Road Belanglo NSW 2577 Lot 2 DP 630269	The Austral Brick Co Pty Limited	Section 96 Modification (realign and extend approved extraction boundary)	20/02/2018		#PENDING		
5	18/0151	Greenhills Road Berrima NSW 2577 Lot 13 DP 1025773	CL Francis, LG Francis	Residential Alterations and Additions	16/02/2018		#PENDING		

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
6	18/0188	250 Compton Park Road Berrima NSW 2577 Lot 16 DP 262971 Lot 15 DP 262971 Lot 8 DP 114594	K Nicholson	Approval of the location of building envelopes	23/02/2018		#PENDING		
7	11/0476.03	Greenhills Road Berrima NSW 2577 Lot 13 DP 1025773	CL Francis, LG Francis	Section 96 Modification (alter window and door placement and increase alfresco area)	16/02/2018		#PENDING		
8	15/1184.04	25 Ascot Road Bowral NSW 2576 Lot 12 DP 13755	Galet Pty Ltd	Section 96 Modification (Proposed modification to approved 4 unit multi dwelling development, including extension of front deck for House 1, changes to windows and increase roof height by 75mm.)	29/01/2018		#PENDING		
9	18/0083	33-37 Bowral Street Bowral NSW 2576 Part Lot 100 DP 1144699	Reverse Signage Pty Ltd	Business Identification Sign	29/01/2018		#PENDING		
10	18/0091	4 Herald Drive Bowral NSW 2576 Lot 120 DP 1227641	S Carter	New Dwelling	31/01/2018		#PENDING		
11	18/0093	15 Rose Street Bowral NSW 2576 Lot A DP 338185	FE Hegarty	Residential Alterations and Additions	31/01/2018		#PENDING		
12	18/0098	58 Shepherd Street Bowral NSW 2576 Lot 201 DP 595798	CM Grenlell	Demolition of existing dwelling	05/02/2018		#PENDING		
13	18/0117	6 Caroline Avenue Bowral NSW 2576 Lot 109 DP 1231974	RW Ming, N Ming	New Dwelling	08/02/2018		#PENDING		
14	18/0120	12-14 Bundaroo Street Bowral NSW 2576 Lot 31 Sec B DP 975353	MJ Miller, EJ Miller	Change of Use (Remedial massage)	08/02/2018		#REJECTED	13/02/2018	
15	18/0122	1 Warendra Street Bowral NSW 2576 Lot 18 DP 8795 (AKAS 58 Bendooley St)	NCK Lo, ALN Lo	Residential Alterations and Additions	08/02/2018		#PENDING		

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
16	18/0127	7 Centennial Road Bowral NSW 2576 Lot 14 DP 1160069	Destin Pty Ltd	Markets	09/02/2018		#REJECTED	13/02/2018	
17	18/0130	7 Edward Street Bowral NSW 2576 Lot 24 Sec C DP 14661	DJ Lyons, BM Lyons	Dual Occupancy (detached)	12/02/2018		#PENDING		
18	18/0132	128 Bowral Street Bowral NSW 2576 Lot 12 DP 597780	PB Burrows, IP Burrows	Residential Alterations and Additions	12/02/2018		#PENDING		
19	18/0144	44 Linden Way Bowral NSW 2576 Lot 32 DP 835302	CJ Donat	Residential Alterations and Additions	14/02/2018		#PENDING		
20	18/0147	7 Betty Close Bowral NSW 2576 Lot 319 DP 1234848	JV Trethewie, LD Nock	New Dwelling	15/02/2018		#PENDING		
21	18/0153	63 Bendooley Street Bowral NSW 2576 Lot 1 DP 211068	PC Symons, JAE Kropf	New Dwelling	16/02/2018		#PENDING		
22	18/0158	38 Ascot Road Bowral NSW 2576 Lot 2 DP 23766	GD Keeley	Residential Alterations and Additions	19/02/2018		#PENDING		
23	18/0167	136 Mittagong Road Bowral NSW 2576 Lot 151 DP 1209641	RP Arlington	New Dwelling	20/02/2018		#PENDING		
24	13/0055.01	11 Evans Lane Bowral NSW 2576 Lot 100 DP 1142239	BJ Badenock- Jones	Section 96 Modification (relocate Lot boundary to accommodate right of carriageway and easements)	29/01/2018		#PENDING		
25	13/0264.04	"Hawthorne" 208 Oxleys Hill Road Bowral NSW 2576 Lot 6 DP 860109	Cate Investments Pty Limited	Section 96 Modification (remove solid fuel heater)	08/02/2018		#APPROVED	19/02/2018	
26	18/0090	20 Thornbill Crescent Braemar NSW 2575 Lot 228 DP 1223682	Davis Rice Developments Pty Ltd	New Dwelling	30/01/2018		#PENDING		
27	18/0145	6 Lomandra Lane Braemar NSW 2575 Lot 130 DP 1204085	SM Binns, CD Binns	Swimming Pool	14/02/2018		#PENDING		

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28	18/0171	68-72 Old Hume Highway Braemar NSW 2575 Lot 22 DP 789172	ZUG Pty Ltd	Subdivision (7 Lots)	21/02/2018		#PENDING		✓
29	18/0094	87 Railway Avenue Bundanoon NSW 2578 Lot 1 Sec 1 DP 10378	MJ Elliott	Residential Alterations and Additions	01/02/2018		#APPROVED	21/02/2018	
30	18/0102	14 Bromhall Road Bundanoon NSW 2578 Lot 11 DP 831816	SM Cunningham	Dual Occupancy (detached)	05/02/2018		#PENDING		
31	18/0102.01	14 Bromhall Road Bundanoon NSW 2578 Lot 11 DP 831816	SM Cunningham	Subdivision (2 Lots)	05/02/2018		#PENDING		
32	18/0105	19 Penrose Road Bundanoon NSW 2578 Lot C DP 340470	JL Armstrong	Residential Alterations and Additions	05/02/2018		#PENDING		
33	18/0116	12A Birch Park Road Bundanoon NSW 2578 Lot 1 DP 1027061	MK Van Twest	New Dwelling	08/02/2018		#PENDING		
34	18/0124	188 Erith Street Bundanoon NSW 2578 Lot 3 DP 1190548	JA Armida	New Dwelling	08/02/2018		#PENDING		
35	18/0157	122 Old Wingello Road Bundanoon NSW 2578 Lot 1 DP 1104146	SJ Barnett, CA Barnett	New Dwelling	16/02/2018		#PENDING		
36	18/0174	4 Brigadoon Drive Bundanoon NSW 2578 Lot 3 DP 1084987	GA Cruise, D Cruise	Residential Alterations and Additions	22/02/2018		#PENDING		
37	18/0081	5A Eridge Park Road Burradoo NSW 2576 Lot 2 DP 1214696	VM Aspinall, A Koop	Dual Occupancy (detached)	29/01/2018		#PENDING		
38	18/0109	17 Hurlingham Avenue Burradoo NSW 2576 Lot 3 DP 259638	Z Farah, A Courtney	Subdivision (3 Lots)	06/02/2018		#PENDING		
39	18/0118	23 Sullivan Road Burradoo NSW 2576 Lot 62 DP 709095	AE Falvey, AM Falvey	Dual Occupancy (detached)	08/02/2018		#PENDING		
40	18/0143	42C Toongoon Road Burradoo NSW 2576 Lot 6 DP 1051615	RE Chambers, EM Chambers	Residential Alterations and Additions	14/02/2018		#PENDING		

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
41	18/0185	6 Tirrikee Lane Burradoo NSW 2576 Lot 7 DP 1220165	Jl Mijoc, AA Mijoc	New Dwelling	23/02/2018		#PENDING		
42	15/1025.03	326 Colo Road Colo Vale NSW 2575 Lot 81 DP 751267	LMM Matthews	Section 96 Modification (remodel NW section of building to include 1 additional room. Addition of garage)	31/01/2018		#PENDING		
43	18/0176	17 Jasmine Street Colo Vale NSW 2575 Lot 2 Sec 13 DP 2389	T Mazzeo	Subdivision (2 Lots)	22/02/2018		#PENDING		
44	18/0095	9 Middle Road Exeter NSW 2579 Lot 1 DP 155752	JA Hancock	Continued Use (Approval of extension of existing dwelling)	02/02/2018		#WITHDRAWN	07/02/2018	
45	18/0169	133 Sallys Corner Road Exeter NSW 2579 Lot 4 DP 239258	RJ Hayward, MJ Hayward	New Dwelling	20/02/2018		#PENDING		
46	13/0717.02	9 Middle Road Exeter NSW 2579 Lot 1 DP 155752	JA Hancock	Section 96 Modification (Approval of extension of existing dwelling)	22/02/2018		#PENDING		
47	18/0152	620 Redhills Road Fitzroy Falls NSW 2577 Lots 91/225/278- 279/313/396 DP751303	Tyro Industries Pty Ltd	New Dwelling	16/02/2018		#PENDING		
48	18/0150	"Wombaroo" 162 Black Spring Road High Range NSW 2575 Lot 1 DP 1158096	The Outdoor Education Group	Temporary Use of Land (Rowany Medieval Festival, 18th to 22nd April 2018)	15/02/2018		#PENDING		
49	18/0181	545 Wanganderry Road High Range NSW 2575 Lot 16 DP 751293	JN Janssen	Residential Alterations and Additions	22/02/2018		#PENDING		
50	18/0179	11 Pirillie Street Hill Top NSW 2575 Lot 80 DP 1145180	MG Arnold, DJ East	Residential Alterations and Additions	22/02/2018		#PENDING		
51	18/0180	55 West Parade Hill Top NSW 2575 Lot 4 DP1191760	K Summerhayes, JT Summerhayes	New Dwelling	22/02/2018		#PENDING		
52	18/0182	101 Richards Lane Joadja NSW 2575 Lot 22 DP 800614	SWA Farms Pty Ltd	Residential Alterations and Additions	23/02/2018		#PENDING		

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
53	18/0121	1740 Kangaloon Road Kangaloon NSW 2576 Lot 1 DP 903422	RV Watkins, KL Watkins	New Dwelling	08/02/2018		#PENDING		
54	18/0086	"Wybalena" 209 Joadja Road Mandemar NSW 2575 Lot 2 DP 703543	Lask Nominees Pty Limited	Residential Alterations and Additions	30/01/2018		#PENDING		
55	14/0411.05	68 Southey Street Mittagong NSW 2575 Lot E DP 23958	JE Vainsaar	Section 96 Modification (Convert file store to home office)	16/02/2018		#PENDING		
56	15/0628.07	1 Ferguson Crescent Mittagong NSW 2575 Lot 16 DP 1005636	J Griffin	Section 96 Modification (6 New Accommodation buildings)	12/02/2018		#REJECTED	26/02/2018	
57	18/0096	11 Barton Close Mittagong NSW 2575 Lot 12 DP 1213476	JG Lisle	Residential Alterations and Additions	02/02/2018		#PENDING		
58	18/0101	13 Winifred Crescent Mittagong NSW 2575 Lot 8 DP 701446	CS Smith, KE Holliday	Residential Alterations and Additions	05/02/2018		#PENDING		
59	18/0106	114-116 Main Street Mittagong NSW 2575 Lot 1 Sec 5 DP 1289 Lot 2 Sec 5 DP 1289	Wingecarribee Shire Council	Commercial Alterations and Additions (Signage)	06/02/2018		#PENDING		✓
60	18/0111	2811 13 Fitzroy Street Mittagong NSW 2575 Lots 7-8 Sec 1 DP 33 PMS 2811	Telstra Corporation Limited	Seniors Housing	07/02/2018		#PENDING		✓
61	18/0119	52 Old Hume Highway Mittagong NSW 2575 Lot A DP 391366	P Borbilas	Residential Alterations and Additions	08/02/2018		#APPROVED	12/02/2018	
62	18/0126	"Lochbuie" 88 Oxley Drive Mittagong NSW 2575 Lot 2 DP 621654	GC McFadzean, GM McFadzean	Residential Alterations and Additions	09/02/2018		#PENDING		
63	18/0135	26 Southey Street Mittagong NSW 2575 Lot 22 DP 242136	KA Bahls, NJ Thomson	Residential Alterations and Additions	12/02/2018		#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
64	18/0187	33 Vernon Street Mittagong NSW 2575 Lot 12 Sec 15 DP 1289	SM Kettle	Dual Occupancy (attached)	23/02/2018		#PENDING		
65	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 change owners name)	01/02/2018		#PENDING		
66	17/0639.04	370 Nowra Road Moss Vale NSW 2577 Lot 259 DP 751303	BA Thompson, DI Sommerville	New Dwelling	06/02/2018		#PENDING		
67	17/0811.04	22 Yarrawa Street Moss Vale NSW 2577 Lot 3 DP 37492	AHF Booth, L Booth	Residential Alterations and Additions	20/02/2018		#PENDING		
68	17/1250.03	17 Old Dairy Close Moss Vale NSW 2577 Lot 2 DP 1053325	Sitecat Pty Limited	Section 96 Modification (change to notice of payment)	19/02/2018		#WITHDRAWN	23/02/2018	
69	18/0084	17 Old Dairy Close Moss Vale NSW 2577 Lot 2 DP 1053325	Sitecat Pty Limited	Micro Craft Spirits Distillery	29/01/2018		#PENDING		
70	18/0114	16 Stables Place Moss Vale NSW 2577 Lot 47 DP 1061253	R Ross	Residential Alterations and Additions	07/02/2018		#PENDING		
71	18/0123	65C Church Road Moss Vale NSW 2577 Lot 3 DP 1072420	PN McDade, GN Barilla	New Dwelling	08/02/2018		#PENDING		
72	18/0137	6586 Illawarra Highway Moss Vale NSW 2577 Lot 1 DP 1214570	JA Shirlow	Subdivision (3 Lots)	13/02/2018		#PENDING		
73	18/0168	223 Yarrawa Road Moss Vale NSW 2577 Lot 3 DP 624069	IR Oates, SM Charker	Residential Alterations and Additions	20/02/2018		#PENDING		
74	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		#PENDING		
75	18/0186	45 Dengate Crescent Moss Vale NSW 2577 Lot 20 DP 252203	JH Bell, NM Bell	New Dwelling	23/02/2018		#PENDING		

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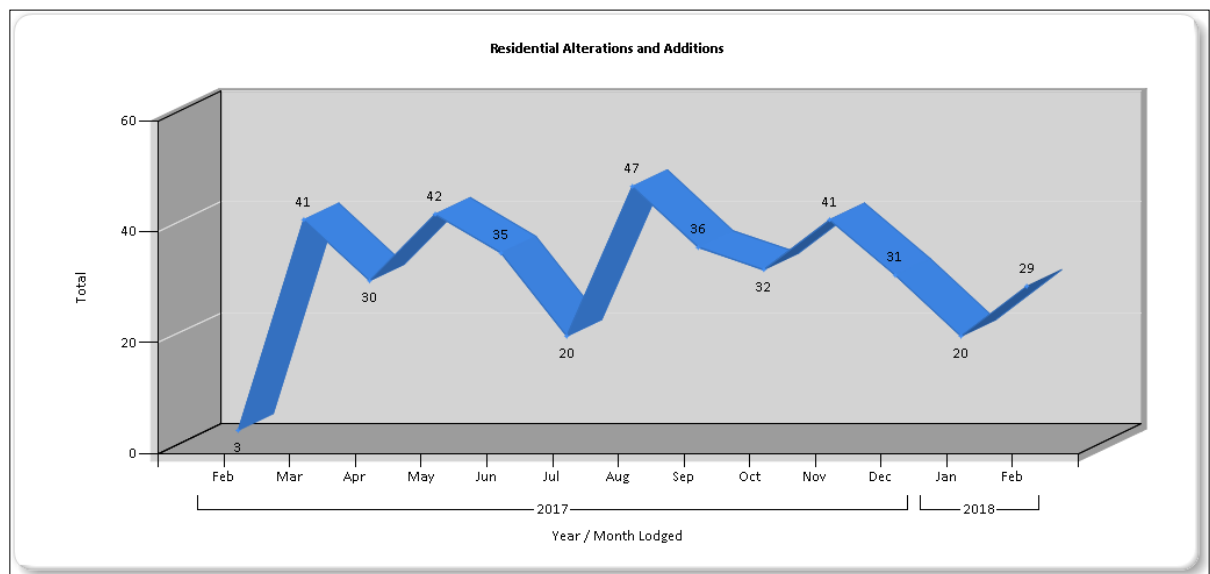
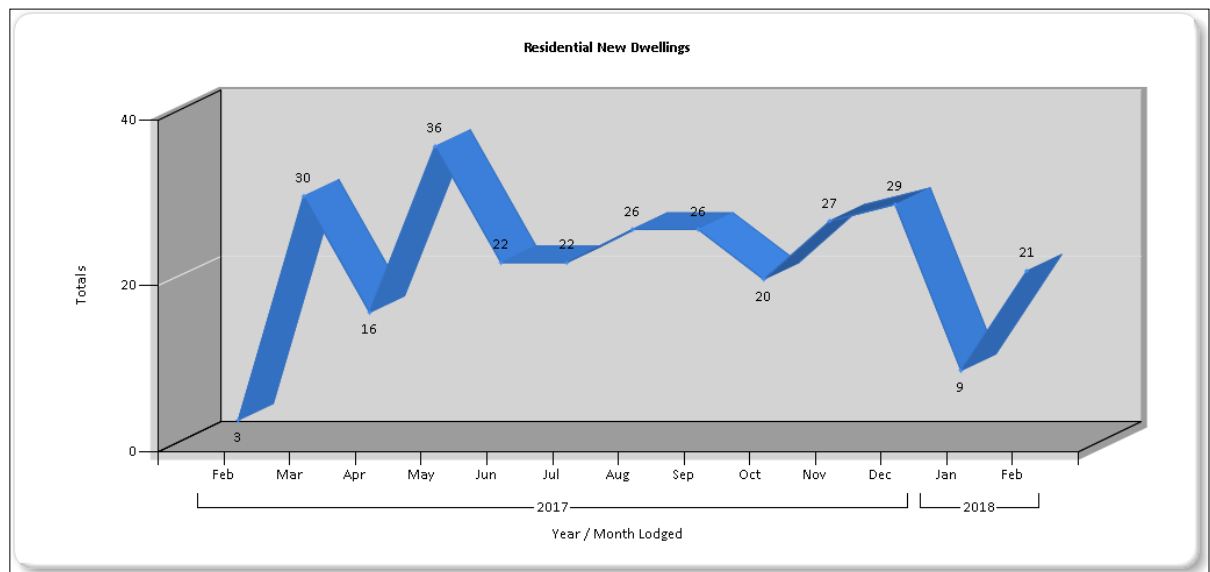
**REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY
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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
76	11/1092.03	Pool Donkin Avenue Moss Vale NSW 2577 Part Lot 3 DP 1108992	Wingecarribee Shire Council	Section 96 Modification (amended operational hours)	23/02/2018		#PENDING		
77	17/0302.04	200 Kareela Road Penrose NSW 2579 Lot 2 DP 831225	MP Carter, LJ Carolan	Residential Alterations and Additions	15/02/2018		#PENDING		
78	18/0103	52 Charlotte Street Robertson NSW 2577 Lot 8 DP 702184	DJ Gair, JB Gair	Residential Alterations and Additions	05/02/2018		#PENDING		
79	18/0175	"Robertson Park" 635 Belmore Falls Road Robertson NSW 2577 Lot 2 DP 731833	National Email Directory Pty Ltd	Residential Alterations and Additions	22/02/2018		#PENDING		
80	17/0979.01	Public Reserve 46 Meranie Street Welby NSW 2575 Lot 7307 DP1146411 (Crown Reserve 530067 & 91032)	The State of NSW (Crown Land)	Section 82A Review (telecommunications facility)	21/02/2018		#PENDING		✓
81	18/0149	61 Joadja Street Welby NSW 2575 Lot 44 DP 564360	GS Fairbairn, DJ Fairbairn	Residential Alterations and Additions	15/02/2018		#PENDING		
82	18/0133	4C Drapers Road Willow Vale NSW 2575 Lot 4 DP 1221560	HG Parker, KA Toovey	Residential Alterations and Additions	12/02/2018		#PENDING		
83	18/0155	Hall - Mechanics Institute 65 Railway Parade Wingello NSW 2579 Lot 5 Sec 2 DP 759097	State of NSW	Community Facility (provide access ramp and convert internal toilet for accessibility)	16/02/2018		#PENDING		
84	18/0172	131 Forest Road Wingello NSW 2579 Lot 1 DP 777027	WJ Booth, JA Booth	Residential Alterations and Additions	21/02/2018		#PENDING		
85	18/0177	SRA Cottage No 2 3 Sydney Street Wingello NSW 2579 Lot 2 DP 867647	RS Linger, CM Linger	Residential Alterations and Additions	22/02/2018		#PENDING		
86	18/0184	580 Murrumba Road Wingello NSW 2579 Lot 1 DP 785109	BM Den	Subdivision (5 Lots)	23/02/2018		#PENDING		

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REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY AND DEVELOPMENT SERVICES



ATTACHMENTS

There are no attachments to this report.



13.3 ANZAC Day 2018

Reference: 1671/1
Report Author: PA for Mayor
Authoriser: Group Manager Corporate and Community
Link to Corporate Plan: Encourage and implement activities that strengthen community spirit

PURPOSE

Reporting on the Wreath Laying Ceremonies for ANZAC Day 2018.

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RECOMMENDATION

1. **THAT** subject to Councillor availability, Council be represented at the following services:

	SERVICE	2018 ATTENDANCE
BERRIMA	Dawn Service 5.45am	
	Main Service 10.30am	
BOWRAL	Dawn Service – March 5.45am Service 6.00am	
	Main Service – March 10.35am Service 11.00am	
BUNDANOON	Dawn Service 6am	
	March 10.30am – Service 11.00am	
ROBERTSON/ KANGALOO	Wreath Laying 10.15 am	
BURRAWANG	Wreath Laying and Service- 11.00am	
COLO VALE	Service – 8.00am	
EXETER	Service - 9.00am	
HILLTOP	Dawn Service 6.00am	
MITTAGONG	Dawn Service – March 5.15am Service 5.30am	
	Main Service – March 10.30am Service 10.45am	
MOSS VALE	March 10.30am - Service 11.00am	
SUTTON FOREST	March 7.50am – Service 8.00am	

2. **THAT** the respective Sub-Branches be advised of Council representation as detailed in 1 above.
3. **THAT** Council purchase appropriate books for the Bowral, Bundanoon, Moss Vale and Berrima Memorial Services **AND THAT** wreaths be purchased for the remaining locations.

REPORT

BACKGROUND

Council has in the past been represented at ceremonies conducted on ANZAC Day which this year falls on Wednesday, 25 April 2018. These services are traditionally held in Berrima, Bowral, Bundanoon, Burrawang, Colo Vale, Exeter, Hill Top, Mittagong, Moss Vale, Robertson/Kangaloon and Sutton Forest

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REPORT

Council is requested to determine who will be its representatives at the various ceremonies so that the appropriate RSL Sub-Branch can be notified.

The following 2018 ANZAC Day Services have requested Councillor Attendance (***with the attendances for 2017 beside each service***):

SERVICE		2017 ATTENDANCE	2018 ATTENDANCE
BERRIMA	<i>Dawn Service 5.30 am</i>	<i>Clr I M Scandrett</i>	
	<i>Main Service 10.30 am</i>	<i>Clr G McLaughlin</i>	
BOWRAL	<i>Dawn Service – March 5.45 am Service 6.00 am</i>	<i>Mayor Clr K J Halstead and Clr G McLaughlin</i>	
	<i>Main Service – March 10.35 am Service 11.00 am</i>	<i>Clr G M Turland</i>	
BUNDANOON	<i>Dawn Service – Service 6.00 am</i>	No Councillor Attendance	
	<i>Main Service – March 10.35 am Service 11.00 am</i>	<i>Clr I M Scandrett</i>	
ROBERTSON/KANGALOO	<i>Wreath Laying 10.15 am</i>	<i>Clr L A C Whipper</i>	
BURRAWANG	<i>Wreath Laying and Service- 11.00 am</i>	<i>Clr L A C Whipper</i>	
COLO VALE	<i>Service 8.00am</i>	<i>Clr I M Scandrett</i>	
EXETER	<i>Service 9.00 am</i>	<i>Mayor, Clr KJ Halstead and Clr I M Scandrett</i>	
HILLTOP	<i>Dawn Service 6.00 am</i>	<i>Mr Mark Pepping, Deputy General Manager Corporate, Strategy & Development Services</i>	
MITTAGONG	<i>Dawn Service – March 5.15 am Service 5.30 am</i>	<i>Clr G M Turland and Clr GJ Andrews</i>	
	<i>Main Service – March 10.30 am Service 10.45 am</i>	<i>Clr GJ Andrews</i>	
MOSS VALE	<i>March 10.30 am - Service 11.00 am</i>	<i>Clr T D Gair and Clr P Nelson</i>	
SUTTON FOREST	<i>March 7.50 am – Service 8.00 am</i>	<i>Clr T D Gair and Clr P Nelson</i>	

LAYING A WREATH OR PLACING A BOOK

The Bundanoon and Moss Vale RSL Sub-Branches and the Berrima Residents' Association have previously requested that books to be presented in lieu of the traditional wreaths during their ANZAC Day services. The Bowral RSL Sub-Branch has requested a book in lieu of a wreath for their second service only. In each case, the books are intended to be presented to local schools or the Shire libraries.

The wreaths and books will be collected by Councillors on Tuesday, 24 April 2018.

TRAFFIC MANAGEMENT

Council's Assets and Project Delivery, Traffic Engineer has engaged the services of All Areas Traffic Services to manage the traffic for the ANZAC Day Parades.

CONSULTATION

Community Engagement

Details of road closures for the ANZAC Day Ceremonies will be advertised in the local press.

Internal Consultation

A report was referred to the Traffic Committee Meeting on Friday, 2 March 2018.

SUSTAINABILITY ASSESSMENT

- **Environment**

There are no environmental issues in relation to this report.

- **Social**

ANZAC Day is of great historical significance and an important event attended each year by thousands of Australians.

- **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**

Coordination has been undertaken with each association in regard to risk management procedures for ANZAC Day.

COUNCIL BUDGET IMPLICATIONS

Funding for the required traffic control will be sourced from the March Quarterly Review of the 2017/18 Budget.

RELATED COUNCIL POLICY

There are no policy implications.

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**REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY
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ATTACHMENTS

There are no attachments to this report.

13.4 Water and Sewer Development Servicing Plans

Reference:	7729/1
Report Author:	Coordinator Strategic Land Use Planning
Authoriser:	Group Manager Planning, Development and Regulatory Services
Link to Community Strategic Plan:	Manage and plan for future water, sewer and stormwater infrastructure needs

PURPOSE

The purpose of this report is to update Council on the outcomes of the public exhibition of the amendment to the Wingecarribee Development Servicing Plan (DSP) 2017 and to seek a resolution of Council in regard to the proposed moratorium on the increased developer charges which were adopted by Council in July 2017 and effective on 15 September 2017.

RECOMMENDATION

1. **THAT** Council adopt the amendment to the Water and Sewerage Development Servicing Plan with revised wording as follows:

For development consents (including complying development certificates) granted by the Council or a Private Certifier prior to 15 September 2017 and where an application is made to the Council under section 305 of the Water Management Act 2000 for a certificate of compliance for the development prior to close of business (4.30pm) on 21 June 2018, the following developer charges apply:

- Water Supply Developer Charge - \$6,736.74 per ET
- Sewerage Developer Charge - \$8,574.04 per ET

Where an application for a certificate of compliance is made after 21 June 2018, the development will be subject to the rates as adopted by the revised Development Servicing Plan that came into effect on 15 September 2017.

2. **THAT** the three (3) month moratorium period commence on Wednesday, 21 March 2018 and conclude at close of business (4.30 pm) on Thursday, 21 June 2018.
3. **THAT** Council writes to all affected owners / applicants with existing development consents approved between 15 September 2012 and 15 September 2017 to notify them of Council's resolution.
4. **THAT** Council publicly notify the moratorium period in the local and Sydney media, signage at Council facilities, Council publications such as Wingecarribee Today and on Council's website.

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REPORT

BACKGROUND

Levying appropriate Water Supply and Sewerage Developer Charges is one of the requirements of the NSW Best-Practice Management of Water Supply and Sewerage Framework, regulated by the Department of Primary Industries – Water. Developer Charges are up-front charges levied to recover part of the infrastructure costs incurred by the water authority in servicing new developments or additions or changes to existing developments.

On 26 July 2017, Council adopted a new Development Servicing Plan (DSP) for Water and Sewerage following public consultation which occurred from mid-May to mid-June 2017. In adopting the new DSP, Council also resolved to repeal the former DSPs which commenced on 1 January 2007.

The new DSP was made effective on 15 September 2017 and the developer charges for both the old and new DSPs at the changeover date are shown in **Table 1**. It is noted that the rate which commenced on 15 September 2017 was increased effective 1 November 2017 and 1 February 2018 in accordance with the Consumer Price Index (CPI) as reflected in the last column of the Table. **Table 1** also shows the rates from the old DSP, indexed through to current values in accordance with CPI.

Type of Service	Old DSP Rate Prior to 15 Sep 2017	New DSP Rate Effective 15 Sep 2017	Difference	Increase (%)	Old DSP Rate Indexed to 1 Feb 2018	New DSP Rate Effective 1 Feb 2018
Water Supply	\$6,689.17	\$10,676	\$3,986.83	60%	\$6,736.74	\$10,829
Sewerage	\$8,513.50	\$10,350	\$1,836.50	22%	\$8,574.04	\$10,498

Table 1 – Old and New DSP rates

Following the commencement of the new DSP rates for water and sewerage, Council received a number of complaints from consent holders in relation to the increased developer charges. The matter was reported to Council's Ordinary Meeting of 13 December 2017 and it was resolved:

***THAT** Council prepare and publicly exhibit an amendment to the new Section 64 Development Servicing Plans for Water and Sewerage adopted by Council in July 2017 and effective as at 15 September 2017 (DSP) to include a provision to the following effect:*

This Plan does not apply to development which is the subject of a development consent granted by the Council prior to 15 September 2017, provided that an application is made to the Council under section 305 of the Water Management Act 2000 for a certificate of compliance for the development up to three (3) months after the adoption of the amendment to the DSP.

The Amendment to the DSP was publicly exhibited in accordance with Council's resolution, and this report provides an update on the outcomes of the public exhibition.

REPORT

The draft Amendment to the Water and Sewerage DSP was publicly exhibited from 17 January to 15 February 2018 (inclusive) at the Civic Centre, Moss Vale and on Council's website. The exhibition material included a public Information Sheet which outlined the implications of the draft Amendment, the options available and process for applicants seeking to take up the reduced developer charges.

A total of one (1) submission was received during the exhibition period which supported the draft Amendment and the proposed three month moratorium period on the increased developer charges.

AMENDMENT CLARIFICATION

A number of enquiries were received during the exhibition period seeking clarification on the proposed moratorium period, how it would be applied and what rate would be used for development consents that are eligible for a refund. The wording of the draft Amendment as exhibited is shown below:

This Plan does not apply to development which is the subject of a development consent granted by the Council prior to 15 September 2017, provided that an application is made to the Council under section 305 of the Water Management Act 2000 for a certificate of compliance for the development up to three (3) months after the adoption of Amendment 1 to the DSP.

It is recommended that the above wording be amended to provide clarity in relation to the reduced developer charges and the sunset date for the three (3) month moratorium period. Further, as Council has repealed the previous DSPs, there is a need to specify the rates that will apply to consents issued prior to 15 September 2017. The recommended wording to be adopted in the Amendment is shown below:

For development consents (including complying development certificates) granted by the Council or a Private Certificate prior to 15 September 2017 and where an application is made to the Council under section 305 of the Water Management Act 2000 for a certificate of compliance for the development prior to close of business (4.30 pm) on 21 June 2018, the following developer charges apply:

- *Water Supply Developer Charge - \$6,736.74 per ET*
- *Sewerage Developer Charge - \$8,574.04 per ET.*

Where an application for a certificate of compliance is made after 21 June 2018, the development will be subject to the rates as adopted by the revised Development Servicing Plan that came into effect on 15 September 2017.

IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

Water and Sewerage were not considered under the State Government's Council Fit for the Future Program and as such any decisions made by Council in relation to this report are not relevant to the Fit for the Future Improvement Plan. Notwithstanding that there are potential financial implications which will be dealt with later in this report.

COMMUNICATION AND CONSULTATION

Community Engagement

Extensive community consultation was undertaken in accordance with the Legislative and Guideline requirements during the original preparation of the DSP, including a formal exhibition and notification to construction industry bodies and local developers, who had applied for a planning approval during the preceding six months.

The Draft DSP and details of the public submission were reported to Council on 26 July 2017 and Council subsequently adopted the Plan and new rates. The new Plans and new DSP Rates took effect on 15 September 2017. Public notice was placed in the SHN on the 6 and 13 September informing stakeholders that the DSP will be effective from 15 September 2017.

The current Amendment to the DSP was publicly exhibited from 17 January to 15 February 2018 (inclusive) at the Civic Centre, Moss Vale and on Council's website. Prior to the exhibition period, Council consulted the Department of Primary Industries – Water (DPI – Water) in relation to the exhibition requirements. As the Amendment is considered an administrative change to the Plan, DPI – Water advised that the exhibition requirements of the Guidelines were not applicable and that a 30 day exhibition period was considered adequate and reasonable.

A total of one (1) submission was received during the exhibition period which supported the draft Amendment and the proposed three month moratorium period on the increased developer charges.

Internal Communication and Consultation

Internal consultation occurred with Council's Assets, Planning, Development and Regulatory Services and Finance Branches prior to the Council resolution of 13 December 2017. A Councillor Briefing Session was also held on 29 November 2017.

External Communication and Consultation

If the Amendment to the DSP is adopted, it is recommended that Council write to all owners / applicants with current development consents (issued prior to 15 September 2017) to advise them of the Council resolution. This will ensure that all existing consents will have an opportunity to be levied the reduced developer charges and will avoid confusion when the rates within the 2017 DSP are applied after 21 June 2018. It is recommended that Council notify in accordance with the following criteria:

- All owners / applicants with development consents dated between 15 September 2012 and 15 September 2017 where the developer charges have not yet been paid.
- All owners / applicants with development consents dated between 15 September 2012 and 15 September 2017 where the developer charges were paid under the current 2017 DSP.

In addition to the above criteria, Council will endeavour to write to any known development consent holders that were issued prior to 15 September 2012 that have commenced and would be eligible for the reduced developer charges (i.e. large scale staged subdivisions).

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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 is bound by legislation in regard to the preparation of Development Servicing Plan and the levying of contributions under those plans as well as Council Policies.

COUNCIL BUDGET IMPLICATIONS

In order to understand the current value of all outstanding development consents under the former DSPs, the number of equivalent tenements was applied against the developer charges for the repealed plan as at July 2017. This is summarised in **Table 2**.

Repealed Plan – Contributions	Rate	ETs	Value
Water	\$6,594	679.97	\$4,483,722
Sewer	\$8,392	596.25	\$5,003,730
			\$9,487,452

Table 2 – Repealed Plan Contributions

In order to calculate the total value of outstanding contributions based on the revised charges, a similar calculation was performed, however in this case the charges were based on the rates included in the revised DSP. This is summarised in **Table 3**.

Revised Plan – Contributions	Rate	ETs	Value
Water	\$10,676	679.97	\$7,259,360
Sewer	\$10,350	596.25	\$6,171,188
			\$13,430,547

Table 3 – Revised Plan Contributions

Using this information, the impact of the revised charges on those development consents approved under the former DSPs has been estimated at \$3.943 million as shown in **Table 4**. The loss of revenue shown in **Table 4** is considered a worst case scenario and assumes

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that all outstanding consents will pay the relevant developer charges prior to close of business (4.30 pm) 21 June 2018.

Revenue Difference	Revised Plan	Repealed Plan	Value
Water	\$7,259,360	\$4,483,722	\$2,775,638
Sewer	\$6,171,188	\$5,003,730	\$1,167,458
			\$3,943,095

Table 4 – Potential Projected Revenue Difference

RELATED COUNCIL POLICY

- Wingecarribee Shire Council Assessment Policy for Section 94/94A Developer Contributions and Section 64 Development Servicing Plans
- Wingecarribee Shire Council Development Servicing Plan for Water Supply and Sewerage 2017

OPTIONS

The options available to Council are:

Option 1

Adopt the Amendment to the DSP and provide a three month moratorium period on increased developer charges for development consents and complying development certificates approved prior to 15 September 2017.

Option 2

Not adopt the Amendment to the DSP and continue to apply the new DSP rates to applicable development consents and complying development certificates issued prior to 15 September 2017.

Option 1 is the recommended option to this report.

CONCLUSION

This report recommends that Council adopt the draft Amendment to the Water and Sewerage DSP with the clarifications provided in this report.

In adopting the Amendment to the DSP, it is recommended that Council write to all affected owners / applicants with existing development consents approved between 15 September 2012 and 15 September 2017 to advise them of Council's resolution. This will ensure that all existing consents will have an opportunity to be levied the reduced developer charges and will avoid confusion when the rates within the 2017 DSP are applied after 21 June 2018.

Alternatively, Council can resolve not to adopt the Amendment to the DSP and continue to apply the new DSP rates to all consents (old and new). This option will increase Council's revenue and assist in the funding of essential infrastructure upgrades. However, there is an expectation in the community that the moratorium period will be adopted.

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ATTACHMENTS

There are no attachments to this report.

Mark Pepping
**Deputy General Manager Corporate,
Strategy and Development Services**

Friday 9 March 2018

COUNCIL MATTERS

16 PETITIONS

16.1 Petition 03/2018 - Upgrade and Seal 120 Metres of Ranelagh Road, Burradoo

Reference:	100/8, RD16, 7810/3
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

PURPOSE

The purpose of this report is to table a petition in relation to a request to Upgrade and seal 120 m of Ranelagh Road, Burradoo between Hurlingham Avenue and Riversdale Avenue. The petition has been signed by approximately 75 signatories.

A copy of the Petition has been placed in the Councillors' Room and will be tabled at the Ordinary Meeting of Council.

RECOMMENDATION

THAT Petition 03/2018 – Upgrade and Seal 120 m of Ranelagh Road, Burradoo – be received and the content of this report be noted.

REPORT

A Petition has been received by Council stating the following:

“The unsealed section of Ranelagh Road between Hurlingham Avenue and Riversdale Avenue Burradoo is a significant safety and health risk to residents. This access road has had a substantial increase in traffic due to the growth in population, development and construction within Burradoo.

.....

We are residents of Burradoo who use the road and give our support in favour of the urgent upgrade and sealing of the 120 metres of unsealed gravel on Ranelagh Road between Hurlingham Avenue and Riversdale Avenue Burradoo ...”

ATTACHMENTS

There are no attachments to this report.

18 COMMITTEE REPORTS

18.1 Management and Advisory Committee Reports

Reference:	107/1
Report Author:	Committee Coordinator
Authoriser:	Manager Assets
Link to Community Strategic Plan:	Encourage all members of the community, especially older residents, to share their knowledge and experience with younger members

PURPOSE

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

1. Hampden Park Management Committee held on Wednesday, 21 November 2017.
2. Wingello Mechanics' Institute Hall held on Wednesday, 11 December 2017.
3. Mittagong Memorial Hall Management Committee held on Thursday, 1 February 2018.
4. Loseby Park Community Hall Management Committee held on Friday, 16 February 2018.
5. Moss Vale Senior Citizens and Community Centre Management Committee held on Monday, 19 February 2018.

RECOMMENDATION

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

1. Hampden Park Management Committee held on Wednesday, 21 November 2017.
2. Wingello Mechanics' Institute Hall held on Wednesday, 11 December 2017.
3. Mittagong Memorial Hall Management Committee held on Thursday, 1 February 2018.
4. Loseby Park Community Hall Management Committee held on Friday, 16 February 2018.
5. Moss Vale Senior Citizens and Community Centre Management Committee held on Monday, 19 February 2018.

ATTACHMENTS

There are no attachments to this report.

18.2 Minutes of the Economic Development and Tourism Advisory Committee Meeting held on Monday, 26 February 2018

Reference: 107/24
Report Author: Administration Officer
Authoriser: Group Manager Corporate and Community
Link to Community
Strategic Plan: Promote Southern Highlands' unique brand identity

PURPOSE

This report provides the Minutes of the Economic Development and Tourism Advisory Committee Meeting held on Monday, 26 February 2018.

SUMMARY OF RECOMMENDATIONS AND ACTIONS FOR COUNCILLORS' ATTENTION AND ADOPTION

Passing of Committee Member, Mr Tony Fountain

ED 1/18

THAT the Committee also offers its prayers and condolences to the family and friends of Mr Tony Fountain.

Item 1 Welcome and Apologies

ED 2/18

THAT the apology of Cllr Gordon Markwart, Ms Pi Wei Lim, Mr Terry Oakes-Ash, Mr Liam O'Hara and Mr Bruce Robertson be accepted and leave of absence granted.

Item 3 Adoption of Minutes of Previous Meeting

ED 3/18

THAT the minutes of the Economic Development and Tourism Advisory Committee Meeting held on Monday 27 November 2017 MN 34/17 to MN 36/17 inclusive, copies of which were forwarded to Councillors and Committee Members, be adopted as a correct record of the proceedings of the meeting.

Item 4 General Business

(a) Tourism Award

ED 4/18

THAT the Manager Tourism and Events, Steve Rosa, and his team be congratulated on their success in the Qantas Australian Tourism Awards for the 'Pie Time – Southern Highlands' event held in June 2017.

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 14 March 2018

COMMITTEE REPORTS



(c) Food and Wine Association

ED 5/18

THAT it be noted by the Committee that the Southern Highlands Food and Wine Association recently gave a briefing to Council requesting amendments be made to the current LEP in regard to permissibility of activities in rural locations.

Item 6.1 Representative of the Southern Highlands Chamber of Commerce and Industry

ED 6/18

THAT Dr Graham Bowrey be welcomed to the Committee.

Item 6.2 Economic Development Draft Strategy - Discussion Notes

ED 7/18

1. *THAT the Committee supports the general direction provided in the Discussion Notes as discussed at the Committee meeting for the drafting of the Strategy.*
2. *THAT the Committee acknowledges the Advisory Report has now progressed and gives direction to Council acknowledging the input of the members of the Committee and the wider community over the past three years.*
3. *THAT the combined expertise of this Committee and participating community is recognised in terms of working across the broad picture and arriving at this outcome.*
4. *THAT the Manager Economic Development be thanked for submitting the draft Strategy Discussion Notes.*

RECOMMENDATION

THAT recommendations Nos ED 1/18 to ED 7/18 – as detailed in the Minutes of the Economic Development and Tourism Advisory Committee Meeting held on Monday, 26 February 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 Economic Development and Tourism Advisory Committee Meeting held on Monday, 26 February 2018



ATTACHMENT 1



MINUTES

of the Economic Development and Tourism Advisory Committee Meeting

held in

Nattai Room, Civic Centre, Elizabeth Street, Moss Vale

on

Monday 26 February 2018

The meeting commenced at 5.05pm

File No. 107/24

18.2 Minutes of the Economic Development and Tourism Advisory Committee Meeting held on Monday, 26 February 2018

ATTACHMENT 1 Minutes of the Economic Development and Tourism Advisory Committee Meeting held on Monday, 26 February 2018



MINUTES OF THE ECONOMIC DEVELOPMENT AND TOURISM ADVISORY COMMITTEE MEETING

Monday 26 February 2018



1. WELCOME AND APOLOGIES
2. ACKNOWLEDGEMENT OF COUNTRY
3. ADOPTION OF MINUTES OF PREVIOUS MEETING
4. BUSINESS ARISING FROM THE MINUTES
Economic Development and Tourism Advisory Committee Meeting held on 27 November 2017
5. DECLARATIONS OF INTEREST
6. AGENDA REPORTS 5
 - 6.1 Representative of the Southern Highlands Chamber of Commerce and Industry 5
 - 6.2 Economic Development Draft Strategy - Discussion Notes 6
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18.2 Minutes of the Economic Development and Tourism Advisory Committee Meeting held on Monday, 26 February 2018

ATTACHMENT 1 Minutes of the Economic Development and Tourism Advisory Committee Meeting held on Monday, 26 February 2018



MINUTES OF THE ECONOMIC DEVELOPMENT AND TOURISM ADVISORY COMMITTEE MEETING

Monday 26 February 2018



MINUTES OF THE ECONOMIC DEVELOPMENT AND TOURISM ADVISORY COMMITTEE MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN NATTAI ROOM, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON MONDAY 26 FEBRUARY 2018 COMMENCING AT 5.05 PM.

Present:	Clr Ian Scandrett	<i>Chair</i>
Councillors:	Clr LAC Whipper	
Community Representatives:	Mr Grant Blanchard Mr David Brindley Mr Don Ferguson Mr Angus McKinnon Ms Lynn Watson	
Agency Representatives:	Ms Bronwyn Collin-Mills Dr Graham Bowrey	<i>Moss Vale & Rural Chamber of Commerce Southern Highlands Chamber of Commerce & Industry</i>
In Attendance:	Mr Mark Pepping Mr Noel Ferguson Mr Steve Rosa Ms Helen Stokes	<i>DGM Corporate, Strategy & Development Services Manager Economic Development Manager Tourism & Events Administration Officer</i>

PASSING OF COMMITTEE MEMBER, MR TONY FOUNTAIN

Clr Scandrett formally acknowledged the passing of Tony and read the Mayoral Minute presented to the Ordinary Council Meeting held on 14 February 2018.

ED 1/18

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

THAT the Committee also offers its prayers and condolences to the family and friends of Mr Tony Fountain.

PASSED

18.2 Minutes of the Economic Development and Tourism Advisory Committee Meeting held on Monday, 26 February 2018

ATTACHMENT 1 Minutes of the Economic Development and Tourism Advisory Committee Meeting held on Monday, 26 February 2018



MINUTES OF THE ECONOMIC DEVELOPMENT AND TOURISM ADVISORY COMMITTEE MEETING

Monday 26 February 2018



1. WELCOME AND APOLOGIES

Clr Scandrett welcomed to the meeting Bronwyn Collin-Mills, Vice President, Moss Vale and Rural Chamber of Commerce, representing agency representative Ms Brigid Kennedy.

It was noted that apologies were received from Clr Gordon Markwart, Ms Pi Wei Lim, Mr Terry Oakes-Ash, Mr Liam O'Hara and Mr Bruce Robertson.

ED 2/18

MOTION moved by Clr L A C Whipper and seconded by Mr A McKinnon

THAT the apology of Clr Gordon Markwart, Ms Pi Wei Lim, Mr Terry Oakes-Ash, Mr Liam O'Hara and Mr Bruce Robertson 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.

3. ADOPTION OF MINUTES OF PREVIOUS MEETING

MINUTES OF THE ECONOMIC DEVELOPMENT AND TOURISM ADVISORY COMMITTEE MEETING HELD ON MONDAY 27 NOVEMBER 2017

ED 3/18

MOTION moved by Mr A McKinnon and seconded by Clr L A C Whipper

THAT the minutes of the Economic Development and Tourism Advisory Committee Meeting held on Monday 27 November 2017 MN 34/17 to MN 36/17 inclusive, copies of which were forwarded to Councillors and Committee Members, be adopted as a correct record of the proceedings of the meeting.

PASSED

18.2 Minutes of the Economic Development and Tourism Advisory Committee Meeting held on Monday, 26 February 2018

ATTACHMENT 1 Minutes of the Economic Development and Tourism Advisory Committee Meeting held on Monday, 26 February 2018



MINUTES OF THE ECONOMIC DEVELOPMENT AND TOURISM ADVISORY COMMITTEE MEETING

Monday 26 February 2018



4. GENERAL BUSINESS

The Chair, Cllr Scandrett, raised the following matters:

a) Tourism Award

Cllr Scandrett announced the Award won by Destination Southern Highlands.

Mr Steve Rosa informed the meeting of recent success in receiving a Silver Award for the 'Pie Time - Southern Highlands' campaign at the Qantas Australian Tourism Awards and advised following the success of this campaign in 2017, 'Pie Time' will be held again in June 2018.

ED 4/18

MOTION moved by Dr J Bowrey and seconded by Mr G Blanchard

THAT the Manager Tourism and Events, Steve Rosa, and his team be congratulated on their success in the Qantas Australian Tourism Awards for the 'Pie Time - Southern Highlands' event held in June 2017.

PASSED

b) 2017 Tulip Time Festival Outcomes

Mr Angus McKinnon referred to the 2017 Tulip Time Festival Outcomes Report considered by Council at the Ordinary Council Meeting held on 14 February 2018 and asked what were the factors which contributed to the deficit the 2017 Tulip Time Festival incurred.

Mr Steve Rosa advised the Festival succumbed to the weather resulting in the tulips not flowering until eight days after the Festival began causing Council to provide free entry to Corbett Gardens and a large drop in visitor numbers.

c) Food and Wine Association

Cllr Scandrett advised the Committee that the Southern Highlands Food and Wine Association made a presentation recently to a Councillor briefing session. The Association's presentation was seeking Council support to allow a number of uses including function centres, restaurants, retailing and accommodation to be permissible in the E3 Environmental Management Zone and the Rural Zones with development consent as these activities are prohibited at this point in time.

ED 5/18

MOTION moved by Ms L Watson and seconded by Mr G Blanchard

THAT it be noted by the Committee that the Southern Highlands Food and Wine Association recently gave a briefing to Council requesting amendments be made to the current LEP in regard to permissibility of activities in rural locations.

PASSED

18.2 Minutes of the Economic Development and Tourism Advisory Committee Meeting held on Monday, 26 February 2018

ATTACHMENT 1 Minutes of the Economic Development and Tourism Advisory Committee Meeting held on Monday, 26 February 2018



MINUTES OF THE ECONOMIC DEVELOPMENT AND TOURISM ADVISORY COMMITTEE MEETING

Monday 26 February 2018



d) Notice of Motion

The Chair circulated, for the Committee's information, a copy of the Notice of Motion which will be considered at the Ordinary Council Meeting to be held on Wednesday, 28 February 2018, requesting the dissolution of this Committee.

Committee members will be advised of the outcome of Council's decision.

e) Canberra Joint Organisation

Clr Scandrett advised the Committee that Council at its meeting held on 14 February 2018 resolved to join the Canberra Joint Organisation.

5. DECLARATIONS OF INTEREST

Nil

18.2 Minutes of the Economic Development and Tourism Advisory Committee Meeting held on Monday, 26 February 2018

ATTACHMENT 1 Minutes of the Economic Development and Tourism Advisory Committee Meeting held on Monday, 26 February 2018



MINUTES OF THE ECONOMIC DEVELOPMENT AND TOURISM ADVISORY COMMITTEE MEETING

Monday 26 February 2018



6. AGENDA REPORTS

6.1 Representative of the Southern Highlands Chamber of Commerce and Industry

Reference: 107/24
Report Author: Deputy General Manager Corporate, Strategy and Development Services

PURPOSE

The purpose of the report is to inform the Committee that the new representative for the Southern Highlands Chamber of Commerce and Industry (SHCCI) to the Economic Development and Tourism Advisory Committee is the vice chair of SHCCI Dr Graham Bowrey.

ED 6/18

MOTION moved by Mr A McKinnon and seconded by Ms Lynn Watson

THAT Dr Graham Bowrey be welcomed to the Committee.

PASSED

18.2 Minutes of the Economic Development and Tourism Advisory Committee Meeting held on Monday, 26 February 2018

ATTACHMENT 1 Minutes of the Economic Development and Tourism Advisory Committee Meeting held on Monday, 26 February 2018



MINUTES OF THE ECONOMIC DEVELOPMENT AND TOURISM
ADVISORY COMMITTEE MEETING
Monday 26 February 2018



6.2 Economic Development Draft Strategy - Discussion Notes

Reference: 107/24
Report Author: Manager Economic Development

PURPOSE

To provide to the Committee members discussion notes in relation to the Economic Development Strategy due for completion on 31 March 2018.

ED 7/18

MOTION moved by Mr D Ferguson and seconded by Mr A McKinnon

1. *THAT the Committee supports the general direction provided in the Discussion Notes as discussed at the Committee meeting for the drafting of the Strategy.*
2. *THAT the Committee acknowledges the Advisory Report has now progressed and gives direction to Council acknowledging the input of the members of the Committee and the wider community over the past three years.*
3. *THAT the combined expertise of this Committee and participating community is recognised in terms of working across the broad picture and arriving at this outcome.*
4. *THAT the Manager Economic Development be thanked for submitting the draft Strategy Discussion Notes.*

PASSED

18.2 Minutes of the Economic Development and Tourism Advisory Committee Meeting held on Monday, 26 February 2018

ATTACHMENT 1 Minutes of the Economic Development and Tourism Advisory Committee Meeting held on Monday, 26 February 2018



MINUTES OF THE ECONOMIC DEVELOPMENT AND TOURISM ADVISORY COMMITTEE MEETING

Monday 26 February 2018



7. DATE OF NEXT MEETING

An Extraordinary meeting will be held on Monday, 26 March 2018 commencing at 5pm in the Nattai Room so that the final draft Strategy Report can be determined.

8. MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 7.13 PM

18.3 Minutes of the Arts and Culture Advisory Committee Meeting held on Tuesday, 6 March 2018

Reference:	1660/1.1
Report Author:	PA for Mayor
Authoriser:	Group Manager Corporate and Community
Link to Community Strategic Plan:	Actively foster a spirit of participation and volunteering by addressing key barriers

PURPOSE

This report provides the Minutes of the Arts and Culture Advisory Committee Meeting held on Tuesday, 6 March 2018

SUMMARY OF RECOMMENDATIONS AND ACTIONS FOR COUNCILLORS' ATTENTION AND ADOPTION

Item 1 Welcome and Apologies

ACC 1/18

THAT the apology of Mr P Campbell be accepted and leave of absence granted.

Item 3 Adoption of Minutes of Previous Meeting

ACC 2/18

THAT the minutes of the Arts and Culture Advisory Committee Meeting held on Tuesday 05 December 2017 MN ACC24/17 to MN ACC30/17 inclusive, copies of which were forwarded to Councillors, be adopted as a correct record of the proceedings of the meeting.

Item 6.1 Welcome to New Community Representative on the Arts and Culture Advisory Committee

ACC 3/18

THAT the Committee welcome Ms Kristie Phelan as the newly appointed community representative on the Arts and Culture Advisory Committee.

Item 6.2 Visitor Item – Presentation by Creative Space Southern Highlands

ACC 4/18

- THAT the Committee thank the representatives of St Vincent de Paul Society for the overview and update on Ability Links and Creative Space Southern Highlands.*
- THAT Felicity Oswald, Community Development Coordinator St Vincent de Paul Society NSW be invited to present the presentation to the Community Development Advisory Committee and a future Interagency Meeting.*

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 14 March 2018

COMMITTEE REPORTS



Item 6.3 Regional Art Gallery

ACC 5/18

THAT the report on the Regional Art Gallery be deferred to a future meeting of the Arts and Culture Advisory Committee

Item 6.4 Wingecarribee Community Assistance Scheme

ACC 6/18

THAT the report regarding the upcoming Wingecarribee Community Assistance Scheme be noted AND THAT the Arts and Culture Advisory Committee hold an Extraordinary Meeting on 17 April 2018 to assess the Assistance Scheme Applications.

Item 6.5 NSW Government Cultural Infrastructure Plan – Update from STARTS (Southern Tablelands Arts)

ACC 7/18

THAT the information report provided by Ms Susan Conroy, Regional Arts Development Officer be noted.

Item 6.6 Update on Arts and Culture Project

ACC 8/18

THAT the information report provided by Ms Jenny Kena be noted.

RECOMMENDATION

THAT recommendations Nos ACC 1/18 to ACC 8/18 – as detailed in the Minutes of the Arts and Culture Advisory Committee Meeting held on Tuesday, 6 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 Arts and Culture Advisory Committee Meeting held on Tuesday, 6 March 2018

**18.3 Minutes of the Arts and Culture Advisory Committee Meeting held
on Tuesday, 6 March 2018**

**ATTACHMENT 1 Minutes of the Arts and Culture Advisory
Committee Meeting held on Tuesday, 6 March 2018**



ATTACHMENT 1



MINUTES

of the Arts and Culture Advisory Committee Meeting

held in

Nattai Room

Civic Centre, Elizabeth Street, Moss Vale

on

Tuesday 6 March 2018

The meeting commenced at 5:00pm

File No. 1660/1.1

**18.3 Minutes of the Arts and Culture Advisory Committee Meeting held
on Tuesday, 6 March 2018**

**ATTACHMENT 1 Minutes of the Arts and Culture Advisory
Committee Meeting held on Tuesday, 6 March 2018**



**MINUTES OF THE ARTS AND CULTURE ADVISORY COMMITTEE
MEETING**

Tuesday 6 March 2018



1. **WELCOME AND APOLOGIES**
2. **ACKNOWLEDGEMENT OF COUNTRY**
3. **ADOPTION OF MINUTES OF PREVIOUS MEETING**
4. **BUSINESS ARISING FROM THE MINUTES**
Arts and Culture Advisory Committee Meeting held on 5 December 2017
5. **DECLARATIONS OF INTEREST**

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6.4 Wingecarribee Community Assistance Scheme.....	6
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18.3 Minutes of the Arts and Culture Advisory Committee Meeting held on Tuesday, 6 March 2018

ATTACHMENT 1 Minutes of the Arts and Culture Advisory Committee Meeting held on Tuesday, 6 March 2018



MINUTES OF THE ARTS AND CULTURE ADVISORY COMMITTEE MEETING

Tuesday 6 March 2018



MINUTES OF THE ARTS AND CULTURE ADVISORY COMMITTEE MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN NATTAI ROOM, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON TUESDAY 6 MARCH 2018 COMMENCING AT 5:00PM.

Present:

Councillors: Clr L A C Whipper *Chair*
 Clr G J Andrews *Alternate Chair*
 Clr P W Nelson

Community

Representatives: Mr Harlan Hall
 Mrs Maisy Stapleton
 Dr Allan Stiles
 Ms Kristie Phelan
 Mr Michael Turczynski
 Mr Mark Viner
 Ms Susan Conroy *STARTS*

In Attendance: Mr Mark Pepping *Deputy General Manager Corporate, Strategy & Services*
 Ms Jenny Kena *Cultural Development Officer*
 Ms Leesa Stratford *Mayor's PA*

1. WELCOME AND APOLOGIES

It was noted that apologies were received from Mr Peter Campbell

ACC 1/18

MOTION moved by Mr M Viner and seconded by Clr G J Andrews

THAT the apology of Mr Peter Campbell 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.

18.3 Minutes of the Arts and Culture Advisory Committee Meeting held on Tuesday, 6 March 2018

ATTACHMENT 1 Minutes of the Arts and Culture Advisory Committee Meeting held on Tuesday, 6 March 2018



MINUTES OF THE ARTS AND CULTURE ADVISORY COMMITTEE MEETING

Tuesday 6 March 2018



3. ADOPTION OF MINUTES OF PREVIOUS MEETING

MINUTES OF THE ARTS AND CULTURE ADVISORY COMMITTEE MEETING HELD ON TUESDAY 5 DECEMBER 2017

ACC 2/18

MOTION moved by Cllr P W Nelson and seconded by Cllr G J Andrews

THAT the minutes of the Arts and Culture Advisory Committee Meeting held on Tuesday 05 December 2017 MN **ACC24/17** to MN **ACC30/17** inclusive, copies of which were forwarded to Councillors, be adopted as a correct record of the proceedings of the meeting.

PASSED

4. BUSINESS ARISING

There was no Business Arising at this meeting

5. DECLARATIONS OF INTEREST

Mrs M Stapleton declared a less than significant non-pecuniary interest in Item 6.5 – NSW Government Cultural Infrastructure Plan – Update from STARTS (Southern Tablelands Arts) - as she is on the board of STARTS. She stated that she would remain in the meeting when this matter was discussed and take part in voting thereon.

18.3 Minutes of the Arts and Culture Advisory Committee Meeting held on Tuesday, 6 March 2018

ATTACHMENT 1 Minutes of the Arts and Culture Advisory Committee Meeting held on Tuesday, 6 March 2018



MINUTES OF THE ARTS AND CULTURE ADVISORY COMMITTEE MEETING

Tuesday 6 March 2018



6. AGENDA REPORTS

6.1 Welcome to New Community Representative on the Arts and Culture Advisory Committee

Reference: 1660/1.1
Report Author: Cultural Development Officer

PURPOSE

To welcome Ms Kristie Phelan as a new community representative on the Committee.

ACC 3/18

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

THAT the Committee welcome Ms Kristie Phelan as the newly appointed community representative on the Arts and Culture Advisory Committee.

PASSED

18.3 Minutes of the Arts and Culture Advisory Committee Meeting held on Tuesday, 6 March 2018

ATTACHMENT 1 Minutes of the Arts and Culture Advisory Committee Meeting held on Tuesday, 6 March 2018



MINUTES OF THE ARTS AND CULTURE ADVISORY COMMITTEE MEETING

Tuesday 6 March 2018



6.2 Visitor Item - Presentation by Creative Space Southern Highlands

Reference: 1660/1.1
Report Author: Cultural Development Officer

PURPOSE

To receive an update on Creative Space Southern Highlands. The update will be presented by Felicity Oswell, Community Development Coordinator St Vincent de Paul Society NSW.

ACC 4/18

MOTION moved by Dr A Stiles and seconded by Mr M Turczynski

1. **THAT** the Committee thank the representatives of St Vincent de Paul Society for the overview and update on Ability Links and Creative Space Southern Highlands.
2. **THAT** Felicity Oswell, Community Development Coordinator St Vincent de Paul Society NSW be invited to present the presentation to the Community Development Advisory Committee and a future Interagency Meeting.

PASSED

18.3 Minutes of the Arts and Culture Advisory Committee Meeting held on Tuesday, 6 March 2018

ATTACHMENT 1 Minutes of the Arts and Culture Advisory Committee Meeting held on Tuesday, 6 March 2018



MINUTES OF THE ARTS AND CULTURE ADVISORY COMMITTEE MEETING

Tuesday 6 March 2018



6.3 Regional Art Gallery

Reference: 1660/1.1
Report Author: Cultural Development Officer

PURPOSE

To further defer discussion of the Regional Art Gallery matter pending a further report to be presented at a future Committee meeting.

ACC 5/18

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

THAT the report on the Regional Art Gallery be deferred to a future meeting of the Arts and Culture Advisory Committee

PASSED

18.3 Minutes of the Arts and Culture Advisory Committee Meeting held on Tuesday, 6 March 2018

ATTACHMENT 1 Minutes of the Arts and Culture Advisory Committee Meeting held on Tuesday, 6 March 2018



MINUTES OF THE ARTS AND CULTURE ADVISORY COMMITTEE MEETING

Tuesday 6 March 2018



6.4 Wingecarribee Community Assistance Scheme

Reference: 1870/2018
Report Author: Cultural Development Officer

PURPOSE

To provide some background information on the Wingecarribee Community Assistance Scheme including the Committee's role in the assessment of applications and to confirm the date of the Extraordinary Meeting on 17 April 2018 at 5pm to assess the arts and culture related applications.

ACC 6/18

MOTION moved by Ms S Conroy and seconded by Mr M Turczynski

THAT the report regarding the upcoming Wingecarribee Community Assistance Scheme be noted **AND THAT** the Arts and Culture Advisory Committee hold an extraordinary Meeting on 17 April 2018 to assess the Assistance Scheme Applications.

PASSED

18.3 Minutes of the Arts and Culture Advisory Committee Meeting held on Tuesday, 6 March 2018

ATTACHMENT 1 Minutes of the Arts and Culture Advisory Committee Meeting held on Tuesday, 6 March 2018



MINUTES OF THE ARTS AND CULTURE ADVISORY COMMITTEE MEETING

Tuesday 6 March 2018



6.5 NSW Government Cultural Infrastructure Plan - Update from STARTS (Southern Tablelands Arts)

Reference: 1660/1.1
Report Author: Cultural Development Officer

PURPOSE

To receive an update on STARTS activities from the Regional Arts Development Officer, Ms Susan Conroy.

ACC 7/18

MOTION moved by Mr H Hall and seconded by Cllr P W Nelson

THAT the information report provided by Ms Susan Conroy, Regional Arts Development Officer be noted.

PASSED

18.3 Minutes of the Arts and Culture Advisory Committee Meeting held on Tuesday, 6 March 2018

ATTACHMENT 1 Minutes of the Arts and Culture Advisory Committee Meeting held on Tuesday, 6 March 2018



MINUTES OF THE ARTS AND CULTURE ADVISORY COMMITTEE MEETING

Tuesday 6 March 2018



6.6 Update on Arts and Culture Projects

Reference: 1660/1.1
Report Author: Cultural Development Officer

PURPOSE

To provide an update on Council related arts and culture projects and activities including:

- Bowral Memorial Hall refurbishment –
-Stage 2 funding submission closes 3 April
-Currently developing an Operational Plan
- Vessels of Change Earth Hour Celebration –
24 March 2018 6pm – 9.30pm at the Southern Highlands Botanic Gardens
- Arts opportunities at Tulip Time –
Arts spaces have been allocated at the 2018 Tulip Time Festival
- Music NSW Workshop –
- Grant applications for Art Trail/Arts Festival –
Applications have been submitted for both State and Federal funding grants
- Southern Highland Arts Fund –
Deferred to a future Arts and Culture Meeting

ACC 8/18

MOTION moved by Mr M Viner and seconded by Ms S Conroy

THAT the information report provided by Ms Jenny Kena be noted.

PASSED

18.3 Minutes of the Arts and Culture Advisory Committee Meeting held on Tuesday, 6 March 2018

ATTACHMENT 1 Minutes of the Arts and Culture Advisory Committee Meeting held on Tuesday, 6 March 2018



MINUTES OF THE ARTS AND CULTURE ADVISORY COMMITTEE MEETING

Tuesday 6 March 2018



7. DATE OF NEXT MEETING

The next meeting will be held on Tuesday 17 April in Nattai Room
Civic Centre, Elizabeth Street, Moss Vale commencing at 5:00pm.

8. MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 6.40 PM

19 QUESTIONS WITH NOTICE

19.1 Question with Notice 01/2018 - Ranelagh Road - Unsealed Road

Reference: 100/5, RD16, 7810/3
Report Author: Administration Officer
Authoriser: Group Manager Corporate and Community
Link to Community Strategic Plan: Work in partnership to ensure a safe road network

To: General Manager
From: Cllr Garry Turland
Received: 7 February 2018

Subject: Ranelagh Road – Unsealed Road

Question:

The developer from “Kerever Park” subdivision has not sealed the road as per the development conditions and when will this work be undertaken by Council or the developer?

Response:

Development consent was issued for Kerever Park subdivision under DA 11/0705.01 which enabled the release of stage 1 of the subdivision in order to create Lots 1, 2 and 5 of the original subdivision layout under DA11/0705 with Lots 3 and 4 being the residual lots which were to be released under stage 2. The sealing of Ranelagh Road has been conditioned to be undertaken as part of the stage 2 works.

As the developer has physically commenced the consent through the completion of stage 1, the timing of the sealing of the road under stage 2 is within the control of the developer, however, will need to be completed prior to the issue of a stage 2 subdivision certificate.

RECOMMENDATION

THAT the information in relation to Question with Notice 01/2018 – Ranelagh Road – Unsealed Road - be noted.

20 NOTICES OF MOTION

20.1 Notice of Motion 7/2018 - Delegations of Authority - General Manager

Reference:	100/4, 800/10
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

PURPOSE

Councillor Duncan Gair has given notice that it is his intention to move the following motion at the Ordinary Meeting of Council on 14 March 2018:

THAT Council reinstate, pursuant to s377 of the *Local Government Act 1993*, the authority to the General Manager to undertake the functions of Council via the powers, authorities and duties contained in applicable legislation and specifically those set out in Schedule 1, subject to the limitations set out in Schedule 2 of the Instrument of Delegations to General Manager (Attachment 1).

RECOMMENDATION

Submitted for determination.

Preamble

In relation to Item 14.2 – Delegations of Authority – General Manager, which was dealt with at the Ordinary Meeting of Council held on Wednesday, 27 September 2017, it was resolved as follows (MN 439/17):

THAT pursuant to s.377 of the Local Government Act 1993, Council delegates the authority to the General Manager to undertake the functions of Council, via the powers, authorities and duties contained in applicable legislation and specifically those set out in Schedule 1, subject to the limitations set out in Schedule 2 of the Instrument of Delegation detailed in Attachment 1, with the exception of Item 3 in Attachment 1 to the report.

The purpose of the above motion is to reinstate the delegations previously approved for the General Manager, as set out in Schedule 1, subject to the limitations set out in Schedule 2 of the Instrument of Delegation to the General Manager, with no exceptions.

ATTACHMENT 1

INSTRUMENT OF DELEGATIONS TO GENERAL MANAGER

WINGECARRIBEE SHIRE COUNCIL

Schedule 1 – Functions Delegated to the General Manager

1. The functions of the Council under the *Local Government Act 1993* or any other Act, except for the functions set out in **Schedule 2**.
2. Any decisions to grant financial assistance in relation to specified programs that meet the criteria of s.377(1A) of the *Local Government Act 1993*, and which Council delegates by resolution to the General Manager from time to time.
3. Acceptance of tenders, in accordance with Cl.178 of the Local Government (General) Regulation 2005, where the tenders do not exceed the adopted budget estimate.
4. The functions of the Council under s.59 of the Environmental Planning and Assessment Act 1979 for the making of Local Environmental Plans.
5. Such functions delegated to Council by the Chief Executive of the Department of Planning and Environment as the Council delegates by resolution to the General Manager from time to time.

Schedule 2 – Functions Not Delegated to the General Manager

- (a) the appointment of a general manager,
- (b) the making of a rate,
- (c) a determination under section 549 of the Local Government Act as to the levying of a rate,
- (d) the making of a charge,
- (e) the fixing of a fee,
- (f) the borrowing of money,
- (g) the voting of money for expenditure on Council's works, services or operations,
- (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (**except for** the sale of items of plant or equipment),
- (i) the acceptance of tenders to provide services currently provided by members of staff of the council,
- (j) the adoption of an operational plan under section 405 of the Local Government Act,
- (k) the adoption of a financial statement included in an annual financial report,
- (l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6 of the Local Government Act,
- (m) the fixing of an amount or rate for the carrying out by the council of work on private land,
- (n) the decision to carry out work on private land for an amount that is less than [*the amount or rate fixed by the council for the carrying out of any such work*], or such other amount or rate as the Council determines by resolution from time to time,

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 14 March 2018

NOTICES OF MOTION



- (o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under s. 82A of the *Environmental Planning and Assessment Act 1979*,
- (p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under s. 194 of the Local Government Act,
- (q) a decision under s.356 of the Local Government Act to contribute money or otherwise grant financial assistance to persons, *except for the matter set out in item 2 of Schedule 1 of this Schedule of Delegations*,
- (r) a decision under s.234 of the Local Government Act to grant leave of absence to the holder of a civic office,
- (s) the making of an application, or the giving of a notice, to the Governor or Minister,
- (u) any function under this or any other Act that is expressly required to be exercised by resolution of the council, including any power of delegation that must be exercised by resolution of the council.

Interpretation

In this Schedule of Delegations, **function** has the same meaning as it has in the *Local Government Act 1993*, and includes a power, authority and duty.

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 Report for the Bundanoon Aeration Project - Procurement and Installation of Diffusers, Hoses, Manifold and Accessories

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 Bundanoon Aeration Project – Procurement and Installation of Diffusers, Hoses, Manifold and Accessories.

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 9 March 2018