
REPLIES TO GENERAL BUSINESS QUESTIONS – COUNCIL MEETING WEDNESDAY, 28 NOVEMBER 2018

ILLAWARRA ACADEMY OF SPORT

Deputy Mayor Clr G M Turland referred to Item 19.2 – Notice of Motion – Illawarra Academy of Sport of 22 August 2018 seeking approval for local IAS athletes to use the Moss Vale War Memorial Aquatic Centre gym.

Clr G M Turland requested an update on whether the athletes from the Shire can use the MVWMAC next year (2019).

REPLY FROM DEPUTY GENERAL MANAGER OPERATIONS, FINANCE AND RISK

Council staff will look at alternatives and have discussions with the IAS to provide an interim solution to this issue. It is suggested however that council will need to make a “policy” decision as part of the 2019/20 Operational Plan/Budget with a view to making provision in the 2019/20 Revenue Policy for an agreed concession for IAS athletes to utilise the MVWMAC.

MOUNT GIBRALTAR

Deputy Mayor Clr G M Turland referred to Item 20.1 – Notice of Motion 25/2018 Mount Gibraltar Walking Track of 22 August 2018 and asked that Council staff, in consultation with the Mount Gibraltar Land Care group, provide an answer on extending the walking track from the reservoir to the lookout to stop people walking on the road.

REPLY FROM DEPUTY GENERAL MANAGER OPERATIONS, FINANCE AND RISK

Council’s Recreational Walking Tracks Strategy is a project that will be undertaken in the 2018/19 financial year to help Council better manage walking tracks within Council bushland reserves. This strategy will identify existing trails, determine the need for any additional walking trails to be developed, as well as addressing the unauthorised mountain bike tracks that have been constructed.

Council understands that the Mt Gibraltar Landcare & Bushcare Volunteers have submitted a grant application to assist in funding Stage 1 of the restoration of the Heritage Stone Stairway and have also raised their own funds for this project. Works are scheduled commence in early February 2019.

Council has an allocated funding of \$97k for the Mt Gibraltar Heritage Stairway Restoration project in the 2019/20 capital works program which will complete Stages 2 and 3 restoring the remainder of the stairway and adding drainage to assist with mitigating erosion. The existing stairway provides a connection between the reservoir and the lookout without walking on Oxley Drive. However, it is apparent that many people choose to do the circular loop rather than going up and down the stairway as it is rather steep. Community

consultation will be undertaken as part of the Strategy development and if this issue is raised as a concern, the Strategy will seek to address it where possible.

DEVELOPMENT APPLICATION

Deputy Mayor Clr G M Turland asked if Council will approve the building certificate to allow the private certifier to approve the residents to move into Gibraltar Park before Christmas, and whether Council staff have requested NSW Water to allow a pump out sewer to be used until the sewer main is completed.

REPLY FROM GROUP MANAGER PLANNING, DEVELOPMENT AND REGULATORY SERVICES

Council's current position with respect to the issue of the Gibraltar Park Building Information Certificate is:

- Council has passed on the details of the temporary sewer pump out facility and arrangements provided by the developer to Water NSW for their review. Once Water NSW has responded back to Council with a satisfactory response, Council will consider the issue of a conditional approval to operate the pump out facility for an interim period.

If Water NSW concurrence is not provided the existing development will be required to be connected to Council's reticulated sewer system in accordance with the approved section 68 and section 138 applications.

The sewer infrastructure works shall be required to be constructed in accordance with the approved plans and to Council's standards and shall be certified by Council including both existing (Lyell Street / Old Bowral Road) and new augmented works (Old Bowral Road) prior to the issue of a Building Information Certificate.

- Council's Senior Development Engineer has provided further direction to the developer's storm water consultant regarding Council's requirements for the certification of the storm water infrastructure which remains outstanding, and a precondition for the BIC to be issued.

Once these matters are finalized to Council's satisfaction, Council may issue a building information certificate on the prescribed buildings. Council will continue with the assessment of the section 4.55 application with a view to having the matter reported to full Council for determination in 2019.

TREE REMOVAL APPLICATION

Clr I M Scandrett requested Council staff review application 19/0318.01 - Tree Removal, where multiple applications, including s8.2 review of a tree, have taken place. Clr I M Scandrett referred to an unnamed case where there were significant risks noted.

REPLY FROM GROUP MANAGER PLANNING, DEVELOPMENT AND REGULATORY SERVICES

A Vegetation Control Permit had been issued on the subject property for remedial pruning of one (1) tree. A section 8.2 application had subsequently been lodged with Council to review the decision and instead seek to have the tree removed in its entirety.

Council staff have advised that a Vegetation Control Permit under the State Environmental Planning Policy (Vegetation in non rural areas) 2017 cannot be reviewed utilising a section 8.2 application and accordingly rejected the application with a full refund of the fees paid.

A new VCP application has now been lodged with further supporting material in the form of 2 arborist reports which is currently being assessed. Council staff have been assisting the applicant with the approval pathways required to have the tree in question assessed and if warranted removed.

DEVELOPMENT APPLICATION

Clr I M Scandrett requested Deputy Mayor Clr G M Turland advise Council why he added an inspection of Clr I M Scandrett and Mrs Scandrett's property on 13 November 2018 for inspection on 14 November 2018; and why Clr G M Turland sought a deferral of the original minor s4.55 modification on 26 October 2018. Clr Scandrett asked what the legal reasons were for this.