

File No. 100/07
Our Ref: RAP

19 September 2007

Dear Councillor

You are kindly requested to attend an **ORDINARY COUNCIL MEETING** of Wingecarribee Shire Council to be held in the Council Chambers, Elizabeth Street, Moss Vale on **Wednesday, 26 September 2007** commencing at **3.00 pm**.

Yours faithfully

M J Brearley
Acting General Manager

3.00pm	Council meeting Open Council (Mayor vacates Chair) Nominated Councillor to Chair Open Committee
4.30pm	Mayor resumes Chair
5.30pm	Questions from the Public
7.15pm	Closed Council

BUSINESS

1. OPENING OF THE MEETING
2. PRAYER – *Reverend Stephen Fifer of Bowral Anglican Church*
3. PUBLIC FORUM
4. APOLOGIES
5. ADOPTION OF MINUTES OF ORDINARY MEETING *Wednesday, 12 September 2007*
6. BUSINESS ARISING FROM THE MINUTES
7. DECLARATIONS OF INTEREST
8. MAYORAL MINUTE *(if any)*
9. OPEN COUNCIL *chaired by Cllr Paul Tuddenham*
 - Visitor Matters
 - Environment and Planning
 - Corporate Services
 - Technical Services
10. MAYOR TO RESUME CHAIR AT 4.30PM
11. COUNCIL MATTERS
 - General Manager
 - Corporate Services
12. NOTICES OF MOTION
13. DELEGATES REPORTS
14. PETITIONS
15. QUESTIONS FROM THE PUBLIC
16. CORRESPONDENCE FOR ATTENTION
17. QUESTIONS WITH NOTICE
18. COMMITTEE REPORTS *(Tabled)*
19. COMMITTEE REPORTS *(Attached)*
20. GENERAL BUSINESS
21. CLOSED COUNCIL

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Our Values

EQUITY, JUSTICE and CONSULTATION in our obligations;

PRIDE in our lifestyle and environment;

EXCELLENCE in the provision of services;

TEAMWORK, INNOVATION and CO-OPERATION in our business;

INTEGRITY, skill and DEDICATION in the achievement of our objectives;

LEADERSHIP in the growth and prosperity of our community.



ORDINARY MEETING OF COUNCIL
held in the Council Chamber, Civic Centre, Elizabeth St,
Moss Vale on Wednesday, 26 September 2007

DECLARATIONS OF INTEREST



DECLARATION OF INTEREST

101/3

Councillors are requested to declare any Pecuniary or Non Pecuniary Interests for items on the agenda.



MAYORAL MINUTE

c-MM1 Council Achievements and Challenges

REF. MAYOR

103/3 (CC 102/5)

Reflecting on the three and a half years in office of the current Council as it enters the last stage of this term.

REPORT

As we enter the final year for the Council that was elected back in March 2004, I think it is important to place on record some of the achievements and challenges faced, as well as recognise the contribution made by Councillors, Council staff and citizens in our community during this time.

I have attempted to list some of the highs and some of the low points. This isn't an exhaustive list, but more a snapshot of our term on Council, with twelve months left to serve.

I probably don't have to remind my colleagues that as Councillors we have attended a lot of meetings since we came together in 2004. I thank you all for your commitment in attending numerous meetings, information sessions and functions.

If I could take you back to March 2004 you will recall Wingecarribee Shire had a skin shed, but it didn't have a synthetic hockey pitch, a close tie with China, a tourism brand, an entrepreneurial fund, an economic development officer, an inland port, a social plan, a reservoir at East Bowral, a Big W store or a leisure centre. We still don't have a leisure centre, but we do have a site and planning is well under way to commence building one in July 2008.

Yes, a lot can happen in three and a half years, despite some significant challenges we had to overcome and some difficult hurdles to jump, along the way.

There were some challenges

During our term on Council we have prepared rate submissions each year, as well as replacing two directors and a general manager.

We have completed many major projects, absorbed new legislation, often with cost shifting implications, coped with extra planning impositions, more risk management requirements, less government funding, aging infrastructure, an aging population, high expectations and a very low rate base.

On top of that there was local flooding, a prolonged drought, a bushfire and a significant windstorm that hammered the shire for several days, causing a lot of damage.

We had issues with a proposal for a possible gaol at Robertson, the sale of the War Memorial Hall at Hill Top and an aquifer at Kangaloon. Even high hedges gave us quite a bit of grief.

One of the hardest issues for this Council has been taking a decision to make some staff redundant. This decision wasn't taken lightly, with Councillors very aware of the personal anxiety and uncertainty it created among our very loyal workforce. Sadly over the past three and a half years we have lost some outstanding and long serving staff members, but fortunately we have also gained a lot of talented replacements. The high cost of staff turnover should not be underestimated.

Perhaps the most frustrating issue hanging over us has been the unreasonable delay in getting a new shire plan in place, for reasons beyond the control of council. This has been frustrating for staff, for Councillors and for the Wingecarribee community.

The other project that seems to have been going on forever is the Robertson Sewerage Scheme, where the project has been bogged down with problems, escalating costs, more impositions and reduced financial support from the government.

We have worked closely with police and the local area command, neighbouring councils, as well as business and community representatives, on the disturbing issue of vandalism and anti social behaviour.

And many highlights

In 2004 we opened the new synthetic hockey pitch at Welby, providing a wonderful all weather facility for one of the biggest group of sporting participants in the shire.

As mentioned earlier, our plans are well underway for a leisure centre, with the anticipated starting date scheduled for July 2008.

On the roads we rehabilitated Station Street in Bowral, built a new Bowral Street bridge and another across Brookers Creek. Colo Street is getting a major makeover and there were many other significant sealing and resealing jobs across the shire.

Our Infrastructure Recovery program allowed significant works to be completed on our roads and roadsides, as well as in our parks, sporting fields and public facilities.

New public toilets worth \$700,000 were constructed in Bowral, Robertson, East Bowral and Mittagong.

We built recreational pathways at Colo Vale, Burradoo, Bundanoon, East Bowral and upgraded others.

The \$16.1m upgrade of the Bowral Sewage Treatment Plant was completed and extensive works were done in the water and sewerage area, including construction of the East Bowral reservoir.



The environment levy continued to make terrific progress right across the shire, with work extending into private properties in agreements made with local landholders to conserve significant remnant vegetation and do good work along waterways. The environment levy attracted a large amount of external grant funding and that money, coupled with a huge contribution by local landcare and bushcare volunteers, has value added enormously to the rates contributed by Wingecarribee landowners.

In 2006 we joined other councils in New South Wales to impose a stormwater drainage levy to address a \$14.5m backlog of stormwater works.

We signed a memorandum of understanding with the Port Kembla Port Authority relating to our inland port proposal in our enterprise zone and we have worked closely with Wollondilly Shire Council on a resource sharing agreement. Our payroll services were contracted to Shellharbour Council and we supported Goulburn Mulwaree Shire Council in its plans to pipe water from Wingecarribee Dam to secure a solution to their serious water shortages. We also signed a \$150m waste contract with Camden, Campbelltown and Wollondilly Councils. Early in our term we joined the Regional Illegal Dumping program with adjoining councils and since then our RID squad has been doing good work patrolling for illegal rubbish dumping and illegal landfilling.

Administratively we began accepting phone and internet payments of accounts and completed ongoing computing and telephone upgrades as well as remodelling of the customer service area and Moss Vale library. A rural addressing project is almost complete, providing a unique address for every rural property in the shire, which will have great benefits for both emergency services and normal day to day living for rural residents. An organisational review was conducted by Mr Bob Howe and many of the recommendations have already been implemented. We appointed an asset management coordinator to pull together all of councils asset management processes.

From a management perspective, we worked hard to make Council's financial position more sustainable by examining procedures and cutting expenditure in many areas, as well as establishing a \$2.2m fund to place us in a position to utilise entrepreneurial and emerging opportunities to reduce our reliance on rates and more traditional income sources.

We won several awards for our Resource Recovery Centre including Southern Highlands Business of the Year among others. We were awarded for the Bong Bong Track, our risk management work, the East Bowral drainage and environmental initiatives. We also implemented an outstanding staff award scheme to recognise the terrific work done by our employees.

The Renwick proposal has moved to the development control plan phase and we can look forward to seeing this new residential project progress in the not too distant future. We also conducted public consultation on a residential growth strategy for the Shire.

During the life of this Council we have established a close link with Kaifeng City, having supported delegations to China and received visiting delegations to our Shire. We anticipate significant benefits to flow to Wingecarribee Shire, economically, culturally and socially and I look forward to some of the proposed initiatives like student and teacher exchanges between the two regions, as well of course in positive economic impacts for our shire.

This Council has encouraged suitable development projects, with the Woolworths Big W Mittagong Marketplace one of many new developments to have come to our shire in the past three and a half years. A feature of this development has been the uncovering, then preservation of remnants of the Fitz Roy Ironworks, for the public to enjoy.

At Lake Alexandra, a \$700,455 project is presently upgrading this popular community facility.

We have hosted many regular events from Australia Day, Youth Week, Seniors Week, Local Government Week, citizenship ceremonies, Mayoral receptions and more. We celebrated 25 years of the amalgamated council in 2006, welcoming many former Councillors back at a function held during local government week.

Our tourism team has done much good promotional work including a new brand, new entrance signage, a destination brochure and a whole lot more to place the Southern Highlands on the tourist map. In this regard the past three and a half years has seen more wineries and cellar doors emerge to create a local wine trail across Wingecarribee Shire.

The Shire community contributed generously to the Tsunami appeal and the Help a Mate drought appeal, when around \$50,000 in cash and around the same amount in goods was handed over to the Condobolin community last Christmas. That same community rallied together in the Cancer Council's Relay for Life event last year, contributing a massive \$235,000 in what was a wonderful 24 hours in the life of Wingecarribee Shire. On top of that we have a veritable army of volunteers that every week, freely and unconditionally give their time to serve on community committees to do so much work for the common good. I thank the people of Wingecarribee Shire for their community spirit. Their generosity and unselfishness restores your faith in humankind.

The next 12 months

There are many projects in the pipeline and much to be done as our Infrastructure Recovery Strategy continues. All of this work will put a lot of strain on our staff, who will somehow have to absorb the additional workload to deliver projects.

I am genuinely concerned about our staff turnover and the demands placed upon them. I trust that as a Council we will support our valuable, experienced and professional workforce as they do their best to meet expectations.

I am also concerned about the pressure being brought to bear on local government to maintain infrastructure and provide services with limited resources. This difficult balance is being made even more precarious as the State government continues to move responsibilities onto local government without supporting it with resources.

I again urge my Councillor colleagues to not let the upcoming elections become a distraction. As elected members we all have a responsibility to the residents and ratepayers of Wingecarribee Shire to keep our eye on the ball right up until the end of our term. There is much Council business to be done between now and September of next year and it will require the full attention of us all right up until the end.

I thank the Deputy Mayor, Councillor Nick Campbell-Jones, for his loyalty and commitment to the job as well as my Councillor colleagues, Council staff and the wider community for their support during my term as Mayor since March 2004 and I look forward to us all working together in whatever capacity we hold until the next local government elections provide us with a new Council of just nine elected members in September 2008.

ATTACHMENTS

There are no attachments to this report.

RECOMMENDATION

1. THAT Council's achievements during the past three and a half years be acknowledged, and
2. THAT Councillors continue to commit to working hard for the residents and ratepayers of Wingecarribee Shire right up until the end of the present term in September 2008.

c-MM2 2008 Cancer Council's Relay for Life

REF: PPM

1850/5, 6530/3 (CC 102/5)

The purpose of this report is for Council to give support and sponsorship to the 2008 Cancer Council Relay for Life.

REPORT

HISTORY

In May 2006 the Southern Highlands hosted the inaugural Relay for Life at Eridge Park. This event raised a record amount of money for relay events in excess of \$241,000.

Council was a major sponsor of this event through the provision of a venue, assistance in setting up and the provision of waste services and lighting.

CURRENT STATUS

The Southern Highland's Relay for Life Committee will be holding the second fundraising event at Eridge Park on the weekend of the 1st and 2nd March 2008. The Cancer Council and Committee again seek Council's support for the event.

BUDGET IMPLICATIONS

The support provided by Council has minimal impact on operating budgets. The Parks and Property Branch and Resource Recovery Centre are able to provide the service within current budgets.

CONCLUSION

The Southern Highlands Relay for Life attracted huge community support. The money raised is used for the support of people affected by cancer in a number of ways including research for a cure.

Since the last Relay for Life in 2006, several programs have been initiated for the Southern Highlands.

RECOMMENDATIONS

THAT Council supports and sponsors the 2008 Cancer Council Relay for Life in the Southern Highlands.



Gordon Lewis
Mayor

20 September 2007

COUNCIL MATTERS

GENERAL MANAGER'S REPORTS

c-GM1 Election of Mayor for 2007/2008 Term (12 month term)

REF.	GM	102/4
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Nomination papers for the election of Mayor for 2007/2008 (12 month term) have been circulated to all Councillors.

In accordance with *Local Government (General) Regulation 2005 Schedule 7, Part 1 Preliminary 1*, the General Manager is the Returning Officer.

Nominations will be accepted by the Returning Officer, until the time the matter is before the Ordinary Council Meeting on Wednesday evening and the Returning Officer declares nominations to have closed.

The election is to be conducted in accordance with *the Local Government (General) Regulation 2005 (Schedule 7, Part 1 Preliminary 1, 2, 3)* as reproduced below:

Schedule 7 Part 1 Preliminary

1 Returning officer

The general manager (or a person appointed by the general manager) is the returning officer.

2 Nomination

- (1) *A councillor may be nominated without notice for election as mayor or deputy mayor.*
- (2) *The nomination is to be made in writing by 2 or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.*
- (3) *The nomination is to be delivered or sent to the returning officer.*
- (4) *The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.*

3 Election

- (1) *If only one councillor is nominated, that councillor is elected.*
- (2) *If more than one councillor is nominated, the council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.*
- (3) *The election is to be held at the council meeting at which the council resolves on the method of voting.*
- (4) *In this clause:
"ballot" has its normal meaning of secret ballot.
"open voting" means voting by a show of hands or similar means.*

It should be noted that Council has traditionally adopted the Open Voting method.

RECOMMENDATION

1. THAT Council determines the method of electing the Mayor, it being noted that in accordance with Schedule 7, Part 1 Preliminary 3 of Local Government (General) Regulation 2005, the method must be either:

 Preferential Ballot, or
 Ordinary Ballot, or
 Open Voting
 2. THAT should there be a change in the office holder of this position, the Delegations Manual be amended accordingly.
-

c-GM2 Election of Deputy Mayor for the 2007/2008 Term (12 month term)

REF. GM 102/1,102/4

Section 231 of the *Local Government Act, 1993*, provides that Councillors may elect a person from among their number to be the Deputy Mayor. The Councillor may be elected as Deputy Mayor for the Mayoral term or a shorter term. It is the practice of the Council to elect a Deputy Mayor for the Mayoral term.

The Deputy Mayor may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the officer of Mayor.

Section 249(5) of the Act allows a Council to pay the Deputy Mayor a fee for such time in which the Deputy Mayor acts in the position of Mayor. The amount paid to the Deputy Mayor must be subtracted from the Mayor's annual fee.

The provisions of *Local Government (General) Regulation 2005 Schedule 7, Part 1 Preliminary 1, 2, 3* apply to the election of the Deputy Mayor in the same manner as they apply to the election of the Mayor.

Nomination papers for the election of Deputy Mayor for 2007/2008 (12 month term) have been circulated to all Councillors.

In accordance with *Schedule 7, Part 1 Preliminary 1 of Local Government (General) Regulation 2005*, the General Manager is the Returning Officer.

Nominations will be accepted by the Returning Officer, until the time the matter is before the Ordinary Council Meeting on Wednesday evening and the Returning Officer declares nominations to have closed.

It should be noted that Council has traditionally adopted the Open Voting method.

RECOMMENDATION

1. **THAT** Council determines the method of electing the Deputy Mayor, it being noted that in accordance with *Schedule 7, Part 1 Preliminary 3 of Local Government (General) Regulation 2005*, the method must be either;

Preferential Ballot, or
Ordinary Ballot, or
Open Voting

2. **THAT** should there be a change in the office holder of this position, the Delegations Manual be amended accordingly.

REPORT OF THE GENERAL MANAGER

c-GM3 Council Committees

REF. GM 107

As Councillors are aware, a review of its committee structure is currently being undertaken and a report is being prepared for consideration at a future Ordinary Meeting of Council.

At this time the committees and the committee membership will remain as is until Council has had an opportunity to review its structure.

RECOMMENDATION

THAT the information be noted.

c-GM4 Weekly Circulars

REF. GM 100/8, 203/2007

Confirming receipt of weekly circulars from the Local Government Association and Council weekly circulars.

REPORT

Weekly circulars from the Local Government Association and Council weekly circulars have been received and circulated to all Councillors.

ATTACHMENTS

There are no attachments to this report.

RECOMMENDATION

THAT the information relating to Local Government Weekly Circulars Nos 37/07 and 38/07 and Council Weekly Circulars Nos 37/07 and 38/07 be noted.

Michael Brearley
Acting General Manager

20 September 2007

VISITOR ITEMS

REPORT OF THE DIRECTOR ENVIRONMENT & PLANNING

v-EP1 Proposed Montessori School, 5 Elizabeth Street, Burradoo

REF: PMAL

LUA07/0723

LUA07/0723 seeks approval to convert an existing dwelling house at Lot 205 DP 617682, No 5 Elizabeth Street, Burradoo, into a Montessori School educational establishment, to accommodate 35 children and 3 full time / 1 part time staff.

The applicant and a representative of the objectors have been invited to address Council.

REPORT

1. DESCRIPTION OF PROPOSED DEVELOPMENT

- The site is 6,225 square metres in area, is located on the southern side of Elizabeth street between Eridge Park Road and Wirreanda Road, and adjoins Eridge Park Road velodrome at the rear (see **Attachment 1** – location plan). The site has a 50 metre frontage to Elizabeth Street.
- The site contains a single storey, split level dwelling house, setback 20 metres from the Elizabeth Street boundary, 23 metres to the eastern boundary, and 4 metres to the western boundary. The site has one existing entry driveway, an internal loop driveway, and an existing exit driveway.
- The proposed development comprises conversion of the existing 3 bedroom dwelling into an educational establishment containing
 - 3-6 years room;
 - 6-9 years room;
 - 3-6 years library / sleeping room
 - 6-9 years sleeping room,
 - office / sick bay room
 - activity room;
 - indoor play room and storeroom.
- Use of existing swimming pool as a sand pit
- New access ramp at front of building, and disabled persons toilet.
- Conversion of existing bathroom to two separate WC facilities.
- Conversion of lower level garage to indoor play room, with child proof fencing and latched gate to the north of the building.
- Extension of existing gravel driveway to accommodate 10 cars.

- Rear outdoor 3,825 square metre grassed play area.

The proposed parking area, building footprint and outdoor play area are shown in **Attachment 2**.

2. STATUTORY CONSIDERATIONS

- ***Wingecarribee Local Environmental Plan 1989***

The site is zoned Residential 2(a1) under *Wingecarribee Local Environmental Plan 1989*, and educational establishments are permissible, subject to the consent of Council. An educational establishment is defined as:

'a building used as a school, college, technical college, academy, lecture hall, gallery or museum, but does not include a building used wholly or principally as an institution or child care centre.'

While the school does cater for children aged 3-9 years, it is not a child care centre, which is prohibited in the Residential 2(a1) zone, and which is defined as:

'a building or place which is used (whether or not for profit) for the purpose of educating, minding or caring for children (whether or not any of the children are related to the owner or operator), but only if the following conditions are satisfied:

- (a) *the children number 6 or more, are under 6 years of age, and do not attend a government school, or a registered non-government school, within the meaning of the Education Reform Act 1990, and*
- (b) *the building or place does not provide residential care for any of the children (other than those related to the owner or operator).'*

- **REP No 1 – Drinking Water Catchments**

The proposed development has no identifiable potential impact upon water quality, and therefore satisfies the requirements of REP No 1 – Drinking Water Catchments.

- **Part 3(a) Permit – Rivers and Foreshores Improvement Act.**

The proposed gravel parking area extension to the existing driveway is within 40 metres of a defined watercourse, however, as discussed with the Department of Water & Energy, this is exempt development and does not require a Part 3(a) Permit.

If approval is granted, an engineering condition of consent will require the sealing of the driveway and parking area with asphaltic concrete. As a result of this, a further condition is necessary, requiring the applicant to either obtain a letter from the Department of Water & Energy confirming exemption or obtaining a Part 3(a) permit for the sealed asphaltic concrete area.

3. COMPLIANCE TABLE

Performance Criteria	Relevant LEP/DCP	LEP/DCP Standard	Development Proposes	Compliance with LEP/DCP
Carparking	DCP 12	1 space per 2 staff therefore 2 spaces required	10 spaces	Yes
	RTA guidelines	1 space per 4 children therefore 9 spaces required	10 spaces	Yes

4. REFERRALS TO STATE GOVERNMENT AUTHORITIES

N/A

5. REFERRALS TO COUNCIL COMMITTEES

N/A

6. PUBLIC CONSULTATION

The proposed development was advertised and surrounding properties notified of the proposed development.

16 letters of objection, and a petition containing 118 signatures have been received, raising the following issues:

- Increased noise (proposed sand pit and swimming pool only metres from adjoining property). Not consistent with objectives of the 2(a) zone under *Wingecarribee Local Environmental Plan 1989*. Noise will interfere with lifestyle of neighbours.
- Decreased property values.
- New boundary fencing will destroy rural view of adjoining property. Parking area will affect attractive view of landscaped area.
- Not in character with existing residential street (One dwelling per acre). School unacceptable in residential neighbourhood.
- Portion of site is flood affected, and nest of termites on site – unsafe for children. Flooding extends into the grounds of 5 Elizabeth Street.
- Increased traffic, increased dust problem, pot holes.
- Staffing at Montessori is one teacher / assistant for 4 students. Therefore 9 teachers / assistants with 36 students, would result in carparking problems.
- Driveway on site is short – vehicles will queue into Elizabeth Street.

- Elizabeth Street already busy on weekends and training afternoons due to sport. Widening and upgrading of Elizabeth Street needed if school is approved. Existing width is dangerous at 8.00am – 9.00am and 3.30pm – 5.30pm. Emergency vehicles access issues. Even more hazardous with Eridge Park Leisure Centre.
- If approval granted, request sealed road shoulders, concreted vehicular crossovers to stop vehicles on nature strip. Increased number of vehicles on nature strip. No space for roadside parking.
- Twice daily traffic congestion with drop-off and collection of children. 40kph speed limit will worsen traffic problems. Dangerous situations. Accumulation of cars at opening and closing times.
- Extra traffic volume at Elizabeth street / Moss Vale Road intersection. Extra features needed to deal with traffic volume.
- Inadequate separation of 19 metres between adjoining residence and 5 Elizabeth Street. School building 4 metres from boundary. Play area 2 metres from boundary.
- Child care centres prohibited in Residential 2(a1) zone. Is Montessori a registered school – if not, it is a child care centre.
- Further DAs will be lodged to enlarge the school.
- Use existing school zoned land (eg OLSH Bowral). This site is too small for future growth.
- Proposed parking area is within 40 metres of defined watercourse.

7. INTERNAL STAFF COMMENTS

Building Assessor

Council is not nominated as the Principal Certifying Authority. All work is to comply with the requirements of the Building Code of Australia.

Engineering

The proposed 10 space carpark contains design inadequacies (refer to Section 8(e) and road upgrading works are required to Elizabeth street (refer to Section 8(f)).

8. DISCUSSION OF MAJOR ISSUES ARISING

(a) Site Selection

- Educational establishments are permissible within the Residential 2(a1) zone under *Wingecarribee Local Environmental Plan 1989* subject to the consent of Council.



- Uses such as educational establishments and places of public worship, while permissible in Residential zones, are often contentious, and raise concerns including noise impacts, traffic impacts and general neighbourhood character issues.
- Sites in Residential areas which are large (where adverse impacts upon residents amenity such as noise can be reduced) and which do not border residential land on all its boundaries (eg corner sites, sites adjoining non Residential zones) have a greater ability to accommodate uses such as educational establishments and places of public worship in Residential zones while minimising impacts upon residential amenity.
- No 5 Elizabeth Street is a large site (6,225 square metres), in a zone where a 4,000 square metre minimum applies, and borders Eridge Park at the rear, which satisfies the above preferred site selection criteria.

(b) Flooding

- The site adjoins a defined watercourse to the east. While a small portion of the site, adjoining the eastern boundary is known to flood, the safety of children can be addressed by the management / operation of the school.
- A condition of consent requiring lodgement of a Management Plan (including child safety during storm events) prepared to the satisfaction of the Director, Environment & Planning can be imposed.

(c) Noise

- The proposed educational establishment for 3-9 year olds will increase noise levels / noise impacts for adjoining residential properties.
- An Acoustic Report was not submitted with the application.
- For a school with a maximum number of 35 children, noise impacts can be addressed by the operators of the school, by way of a Plan of Management, prepared to the satisfaction of the Director, Environment & Planning.
- Aggravating noises, such as school bells, may not be needed for 35 children, and other measures to remind the children of their responsibilities to neighbouring properties could be included within a Management Plan for the operation of the school. The Management Plan can be required by condition of consent, and must be to the satisfaction of the Director, Environment & Planning.

(d) Traffic

- If approval is granted for the Montessori school, a condition of consent can be imposed limiting student numbers to no more than 35, and staff numbers to 3 full time and 1 part time, as stated in the development application.



- Traffic generation for an educational establishment containing 35 children is greater than that generated by the existing dwelling. Using RTA Guidelines, a 35 place primary school would generate approximately 49 traffic movements in the morning at drop-off time, and 28 traffic movements in the afternoon at collection time. However, it is considered that a refusal of the application due to increased traffic would not be a defensible position in any Land & Environment Court appeal.

(e) Internal Carpark design

- The proposed internal 10 space gravel carpark contains some design inadequacies. The 3 proposed car spaces adjacent to the northern wall of the building should be removed, and the carpark re-designed to accommodate 9 car spaces sealed with asphaltic concrete, and a pedestrian path provided with bollards to ensure pedestrian / student safety. There is sufficient area to achieve this. This is included within draft conditions of consent.

(f) Road upgrading – Elizabeth Street

- To accommodate the additional traffic volumes, and provide sufficient room for passing vehicles, the Elizabeth Street pavement should be widened to 6 meters for the frontage of the site (50 metres) and 5 metres to the east and west. This is included within draft conditions of consent.

9. CONCLUSION

The proposed development is considered acceptable, subject to conditions, including a condition requiring submission of a Management Plan addressing the general operation of the school so as to minimise noise impacts, and provide safety for students in storm events, to the satisfaction of the Director, Environment & Planning.

ATTACHMENTS

There are three attachments to this report;

1. Location plan.
2. Proposed parking area, building footprint and outdoor play area.
3. Draft Conditions of Consent.

RECOMMENDATION

1. THAT authority be delegated to the Director, Environment & Planning to determine the development application, with any consent to include conditions requiring the submission of a Management Statement detailing measures to minimise noise impacts upon surrounding residential properties.
 2. THAT those who made a submission be advised of Council's decision.
-



Scott Lee
Director, Environment & Planning

19 September 2007

TECHNICAL SERVICES DIVISION

v-TS1 Centenary of Federation Tree Planting

REF: PPM

1671/10

The purpose of the report is for Council to consider the current status of the Centenary of Federation Tree Planting and adopt the proposed works program.

REPORT

HISTORY

Council received Federal Government funding for the project in 2001. A Council report was tabled at the Council meeting of the 9 August 2006 (attached).

The Council resolution recommended the following:

THAT a detailed review be undertaken of the Centenary of Federation trees including detailed site maps, photographs, condition of trees, Management Plan for sites and budget for required works and maintenance AND THAT the Chair of the Finance Committee confer with the General Manager and the Director Technical Services regarding possible sources of funding for the review.

CURRENT STATUS

As a result of the Council resolution and concerns over the maintenance of the Centenary of Federation Tree Planting, an allocation of \$10,000 was made in the 2007/08 IRS Budget. Parks & Property staff conducted a full audit of all thirteen Centenary of Federation Tree Planting sites and as a result of this audit have now prepared a works program to improve the sites.

BUDGET IMPLICATIONS

There is currently a \$10,000 allocation in the IRS budget. The cost of the audit has been absorbed into operational budgets to leave the \$10,000 budget available for physical works.

CONCLUSION

While many of the sites are doing well with the support of the community, several sites have failed.

The sites that have failed or aren't performing well are a result of the following:

- Inappropriate site selection
- Incorrect plant selection for area
- Lack of maintenance
- Ongoing drought conditions.

REPORT OF DIRECTOR TECHNICAL SERVICES

The proposed works program is aimed to restore the sites to a point where the original intent of the program can be achieved with the exception of Canyonleigh, Medway and Penrose where poor site selection has contributed significantly to the trees failing.

ATTACHMENTS

1. Report to Council on Centenary of Federation Tree Planting August 2006.
2. Summary of the Centenary of Federation Tree Planting Audit 2007 (**attachment under separate cover**)
3. A complete coloured copy of the Centenary of Federation Tree Planting Audit 2007 is available in the Councillors room.

RECOMMENDATIONS

1. THAT Council adopts the following works program for 2007/08.

Site	Works	Allocation 2007/08
Alpine	Maintenance	\$ 500
Avoca	Maintenance by local residents	\$ 500
Balmoral Village	Maintenance	\$ 500
Berrima	Maintenance by School	-
Bong Bong	Maintenance & replanting	\$ 1,720
Bundanoon	Maintenance	\$ 500
Burradoo	Maintenance	\$ 400
Burrawang	Maintenance & pruning	\$ 1,000
Exeter	Maintenance	\$ 500
Glenquarry	Maintenance	\$ 400
Hill Top	Maintenance & replanting	\$ 900
Kangaloon	Maintenance, replanting, canopy trees	\$ 1,500
Robertson	Maintenance	\$ 500
Sutton Forest	Maintenance in accordance with Parks Program	-
Wingello	Support school with bush regeneration team	\$ 500
Yerrinbool	Maintenance as part of roadside program	\$ 500
TOTAL		\$ 9,920

2. THAT consideration be given to include \$10,000 funding in futures budgets for continued maintenance and replacement of Centenary of Federation Tree Planting.

M J Brearley
Acting General Manager

20 September 2007

ATTACHMENT 1

Extract from Council Meeting of 9 August 2006

O-TS3 CENTENARY OF FEDERATION TREE PLANTING

REF: PPM

1671/10

The purpose of the report is to provide Council with the current status of the Centenary of Federation Tree Planting and required actions.

REPORT

1. History

In 2001 Council received a grant for \$80,000 to commence a Centenary of Federation Tree Planting project. Council formed a Centenary of Federation Committee and each committee member would liaise with the respective resident(s) to create a tree planting in a designated area. The Mayor of the day did an official opening at each site where trees were planted. Council in agreeing with the terms and conditions of the grant funding was to maintain the trees in perpetuity.

Alpine – Old Hume Highway

Avoca – Cnr Sheepwash Rd and Bresnahans Lane (in the vicinity of the hall)

Balmoral Village – Between Wilson Drive and Railway Parade

Berrima – Cnr Oxley Street and Old Hume Highway

Bong Bong – Bong Bong Common

Bundanoon – Exeter – Bundanoon Road (near Tourist Information Bay)

Burradoo – Cnr Eridge Park Road and Moss Vale Road

Canyonleigh

Colo Vale

Exeter – Werai Road (near intersection with Badgery's Way)

Glenquarry – Tourist Road (near intersection with Range Road)

Hill Top – West Parade (opposite Post Office)

Kangaloon – Kangaloon Road in the vicinity of the Public School

Medway

New Berrima – Taylor's Avenue (between Howard Street & Old Hume Highway)

Penrose – Penrose Road (opposite Public School)

Robertson – Illawarra Highway (in the vicinity of the Wood Works)

Wingello – Murimba Road (between Public School and Davy's Lane)

Yerrinbool

2. Current Status

Clr Yeo requested a report to review the Centenary of Federation project.

A brief review has been conducted however; a more detailed review may be appropriate which would include detailed site maps, photographs, condition of trees, Management Plan for sites and budget for required works and maintenance.

A total of 19 sites were planted both on Council land and other public lands including railway property. The success of the planting program is varied and with some sites the trees are growing well including:

- Corner of Eridge Park Road
- Bong Bong Common upper area near the Briars
- Exeter
- Bundanoon

The success of these sites is due to maintenance from E.V.A, Bundanoon Community Development Association and Council.

Other sites that have not been as successful may be a result of drought conditions, poor plant material, incorrect plant selection and lack of resources for maintenance.

3. Budget Implications

Council has no funding for the ongoing maintenance of this project and has no agreements in place for the maintenance of trees on railway land. Current funding for roadside trees is currently all allocated for pruning, removal and clearance pruning.

4. Conclusion

This project was managed by Council's Administration Branch and a total of \$80,674 was spent with a further contribution of \$52,000 for works in kind. While some of the tree planting has been successful, several sites have failed and in some cases, such as Canyonleigh, there is no evidence of tree planting remaining. Additionally, some sites require maintenance and replanting.

Unfortunately, this project was conducted in a drought with no long-term planning of budget consideration resulting in an ongoing maintenance issues. The following actions are required to ensure the tree planting is here in another 100 years as per the grant submission.

1. Formalised agreement with land holders
2. Condition report of planting
3. Develop asset register of plantings
4. Develop Plan of Management and Budget for Centenary of Federation Planting

Council currently does not have the resources to undertake this work in the current financial year. Consideration could be given to engage a consultant to complete a detailed report provided funding was available. The cost of this would be approximately \$6,000 and ongoing maintenance would be up to \$10,000 per year. Once this report was complete, future budgets could be developed for the maintenance of these sites.

RECOMMENDATION

THAT funding to manage the Centenary of Federation Tree Project be considered in conjunction with competing priorities in the 2007/08 budget.



OPEN COUNCIL

ENVIRONMENT & PLANNING DIVISION

o-EP1 Development Consents under Delegated Authority

REF: DCM 5302

Submitting a list of development consents executed under delegated authority of the Director of Environment and Planning between 4/9/07 and 18/9/07.

RECOMMENDATION

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

**Development Applications (DAs) Determined – 04/09/07 and 18/09/07
(Excluding Small Lot Subdivisions and Domestic Applications)**

1	LUA07/0834	Lot 12 DP 7488370 – Chevalier College, Moss Vale Road, Burradoo	New office / Administration complex
2	LUA07/0952	Lot 13 Sec 38 DP 1374 19 Lyell Street, Mittagong	12 lot Strata Subdivision
3	LUA07/0340	Lot 1 DP 730320 Douglas Road, Moss Vale	Change of use – occupation to manufacture / warehouse / install roller door

o-EP2 List of Development Applications Received by Council

REF: DCM

5302

Submitting a list of development applications which have been received between 4/9/07 and 18/9/07, some of which will be dealt with under delegated authority of the Director of Environment & Planning.

RECOMMENDATION

THAT the information regarding the List of Land Use Applications Nos 1-14 received by Council be received and noted.

SEE ATTACHED

H – Heritage
T – Traffic
M – Master Plan
E – Economic Devt
En - Environment

**Development Applications (DAs) Received –04/09/07 to 18/09/07
(Excluding Small Lot Subdivisions and Domestic Applications)**

	Date Lodged	LUA No	Legal Description	Property Address	Description	Works	Delegation	Committee
1	4/09/2007	LUA07/0946	Lots 2, 3, 4 Sec 2 DP1847	RENWICK, BONG BONG ROAD, MITTAGONG	79 x Lot Subdivision		✓	
2	4/09/2007	LUA07/0940	Lot 3 DP 806934	'GREENACRES' HUME HIGHWAY, BERRIMA (next to Eling Forest Winery)	Windmill for Domestic Power		✓	
3	4/09/2007	LUA07/0942	Lot 1 DP 1033814	OXLEY HILL ROAD, BOWRAL (adjacent railway)	Office Building & External Display Centre		✓	
4	4/09/2007	LUA07/0943	Lot 50 DP 880942	'WALDEN', 91 BENDOOLEY STREET, BOWRAL (near Martha Street)	Double Garage WC & Glasshouse		✓	
5	4/09/2007	LUA07/0945	Lot 7004 DP 1056761	HUME HIGHWAY, MITTAGONG	10 ML Water Supply Reservoir & access road to supply East Bowral & Willow Vale	✓		
6	6/09/2007	LUA07/0952	Lot 13 Sec 38 DP 1374	19 LYELL STREET, MITTAGONG (opposite Cook Street)	12 x Industrial Unit Strata Subdivision (LUA05/1530)		✓	
7	7/09/2007	LUA07/0958	Lot 2 Sec 12 DP758882, Lots 10 & 11 DP546726	ROBERTSON INN, 87-89 THE ILLAWARRA HIGHWAY, ROBERTSON	Stage 1 - Demolition of Part Exist Building & Subdivision Stage 2 - Erection of 2 Shops with Flats Over		✓	
8	11/09/2007	LUA07/0973	Lot 3 DP 1114582	STATION STREET, BOWRAL (opposite Boolwey Street)	New Terrace, Toilets, Store, Mezzanine & External Access		✓	
9	12/09/2007	LUA07/0981	Lot 2 DP 1039769	MEDWAY ROAD, MEDWAY (south side)	Construction of 20m x 60m Indoor Riding Arena & attached covered link to existing stable. Private use only.		✓	

**Development Applications (DAs) Received –04/09/07 to 18/09/07
(Excluding Small Lot Subdivisions and Domestic Applications)**

(Continued)

	Date Lodged	LUA No	Legal Description	Property Address	Description	Works	Delegation	Committee
10	12/09/2007	LUA07/0984	Lot 1 DP 68288	294 BONG BONG STREET, BOWRAL (cnr Wingecarribee Street)	Change of Use to Deli / Grocer / Restaurant		✓	
11	17/09/2007	LUA07/0994	Lot 21 DP 827462	120-126 THE ILLAWARRA HIGHWAY, ROBERTSON (opposite Pie shop)	Change of Use Bed & Breakfast		✓	
12	17/09/2007	LUA07/0998	Lot 10 DP 773978	329-339 BONG BONG STREET, BOWRAL (cnr Boolwey Street)	Retail Tenancy Fitout & Signage (Taking Shape 14+) – Retail Clothing		✓	
13	17/09/2007	LUA07/1001	Lot 5 DP 603221	46-52 BERRIMA ROAD, MOSS VALE (cnr Old Dairy Close)	10 x Lot Industrial Subdivision		✓	
14	12/9/07	LUA07/0941	Lot 5 DP 790895	Central Hotel, 439 Argyle Street, Moss Vale	Internal refurbishment		✓	

o-EP3 Rezoning of South West Yerrinbool as a Proposed Rural Smallholdings Area

REF: SPM

5602/6.1

The purpose of this report is to seek a resolution of Council to formally proceed with the preparation of the draft LEP to rezone the area known as South West Yerrinbool from rural to rural smallholdings.

REPORT

BACKGROUND

The site is located to the south west of Yerrinbool on the western side of the Hume Highway comprising an area of 47.2 hectares. A map showing the context of South West Yerrinbool relative to the village is included as **Attachment 1**. It is geographically separated from the village proper by the Freeway to the east, Yerrinbool Park (owned by Council) to the north and west, Bargo River to the west and Government Road to the south.

Access is via a gravel road which traverses a watercourse. The centre of the site is located at the top of the ridge which is relatively level and predominantly cleared of native vegetation. The site enjoys extensive views of native bushland to the north, west and south. As you move towards the northern and western portions of the site it starts to fall away into a watercourse and the Bargo River and then falls steeply into the Bargo River gorge. The lots on the fringe tend to have native vegetation on them, with “fingers” of native vegetation roughly following the location of the gorge that traverses the precinct. The site has the look and feel of an urban fringe or rural residential area (but without the houses) due to the amount of human activity in the area. The character of the site has changed and is likely to continue to change due to the various owners making “improvements” to the site, including some established gardens that contribute to the general appeal of the area. A couple of the properties have been cleared recently.

Most of the roads are formed and some of these have a single bitumen coat that is in a deteriorating condition. There is minimal stormwater control from the existing roads. Telephone service has been provided. There is no electricity, water, sewerage or gas services provided (noting that sewerage or gas services are not available anywhere in the village). The original farmhouse in the south-eastern corner of the precinct has electricity provided from across the F5 Freeway.

The land is a “paper subdivision”. It was created by the Colonial Government in the early 1900s as part of the greater village of Yerrinbool. In 1963 when the former Mittagong Shire Council introduced town planning controls the land was zoned rural. The land was farmed as a low intensity grazing property until 1991 when the farmer died. The farm was then auctioned in parcels representing the original subdivision pattern to many different persons, many of whom have indicated that they are hopeful of “being allowed to build on their block one day”.



The Council has over the years made several attempts to consider the future development and zoning potential of the site however such attempts have not eventuated to anything substantial.

The current Council through the LEP Steering Committee has also considered the development potential of the subject land and resolved on 27 September 2006 in adopting the minutes of the LEP Steering Committee held on 20 September 2006 as follows:

1. THAT Council agree to the preparation of an environmental study to assess the development potential for the area known as South West Yerrinbool on the basis of the following:-
 - a) the agreement of the majority landowners has been achieved (“majority rules”);
 - b) that those landowners in agreement, contribute to the cost of the environmental study calculated as a proportion of their land holding area within the precinct in addition to an equal proportion to cover the landowners who do not wish to contribute to the environmental study;
 - c) on the clear understanding that Council is under no obligation at any time to proceed with the rezoning of the land, irrespective of the findings of the environmental study.
2. THAT a brief for the preparation of the environmental study be prepared and circulated to various planning consultancies to ascertain the likely costs for the preparation of the environmental study and the preferred consultant to undertake the study and THAT a further report be presented to Council’s LEP Steering Committee to advise on the outcome of this process.
3. THAT an interim letter be sent to the landowners advising of Council’s resolution and outlining the next step in the planning process.

In late 2006 Council consulted the current land owners to seek their support towards funding of an environmental study over the subject area to establish the development potential. At the time, the majority of current land owners submitted in writing their in principal support to such investigations proceeding.

As yet no action has been undertaken in relation to this rezoning investigation due to an extended period of staff shortages in the Strategic Planning Branch and other higher priorities particularly in relation to addressing issues related to the Shire Wide LEP. Also it is noted that the Department of Planning in late 2006 issued a new direction to Councils outlining the process of undertaking a draft local environmental plan. Details are outlined below.

As a result of full staffing compliments and action on the Draft Shirewide LEP pending, staff have again recommenced working on the subject matter. On 7 September 2007, Council Officers met with the staff from the Department of Planning Southern Region Office to discuss the merits of the subject rezoning. In principal support was indicated.



NOTIFICATION OF DRAFT LEP TO DEPARTMENT OF PLANNING

In accordance with procedures set down by the Department of Planning, Council is required to formally notify the Department under Section 54 of the Environmental Planning and Assessment of its decision to proceed with rezoning land prior to preparing a draft Local Environmental Plan and supporting Local Environmental Study. The matter will then be referred to the LEP Review Panel which determines whether the rezoning can proceed to a Draft LEP or not. If the Panel rejects the request, there is no further course of action to take and the matter is finalised.

If the Panel grants approval to proceed with a Draft LEP, written directions will be received as to the nature and content of the Local Environmental Study. Already, it is envisaged that the major issues will be bushfire protection, flora and fauna, aboriginal heritage, access, services and on site effluent disposal.

A decision to proceed with a draft local environmental plan at this stage does not commit Council to rezoning the land. Council can at any stage pass a resolution to discontinue the process.

MANAGEMENT PLAN ISSUES OR IMPLICATIONS

No management plan issues are applicable at this stage of the process.

POLICY IMPLICATIONS

There are no policy implications in relation to this matter.

BUDGET IMPLICATIONS

Should the rezoning of the site proceed, the preparation of a Planning Agreement with Council and the land owners will address many of the budget implications of this development site particularly in relation to road construction and bushfire management.

ECOLOGICAL SUSTAINABLE DEVELOPMENT ISSUES

- (i) **Environmental Factors**
The LES will address those environmental issues which potentially affect the development of the site.
- (ii) **Social Factors**
The development of this land for authorised housing will provide opportunities into the future for a greater choice of housing for a changing demographics as well as provide local employment opportunities in the form of construction jobs.
- (iii) **Economic Factors**
Not applicable.



CONCLUSION

At this stage in the process, Council is being asked to resolve to prepare a local environmental plan over the subject land to rezone the area from rural to rural residential and notify the DoP in accordance with Section 54 of the Act and await their instructions as to whether Council can proceed with the LEP or not.

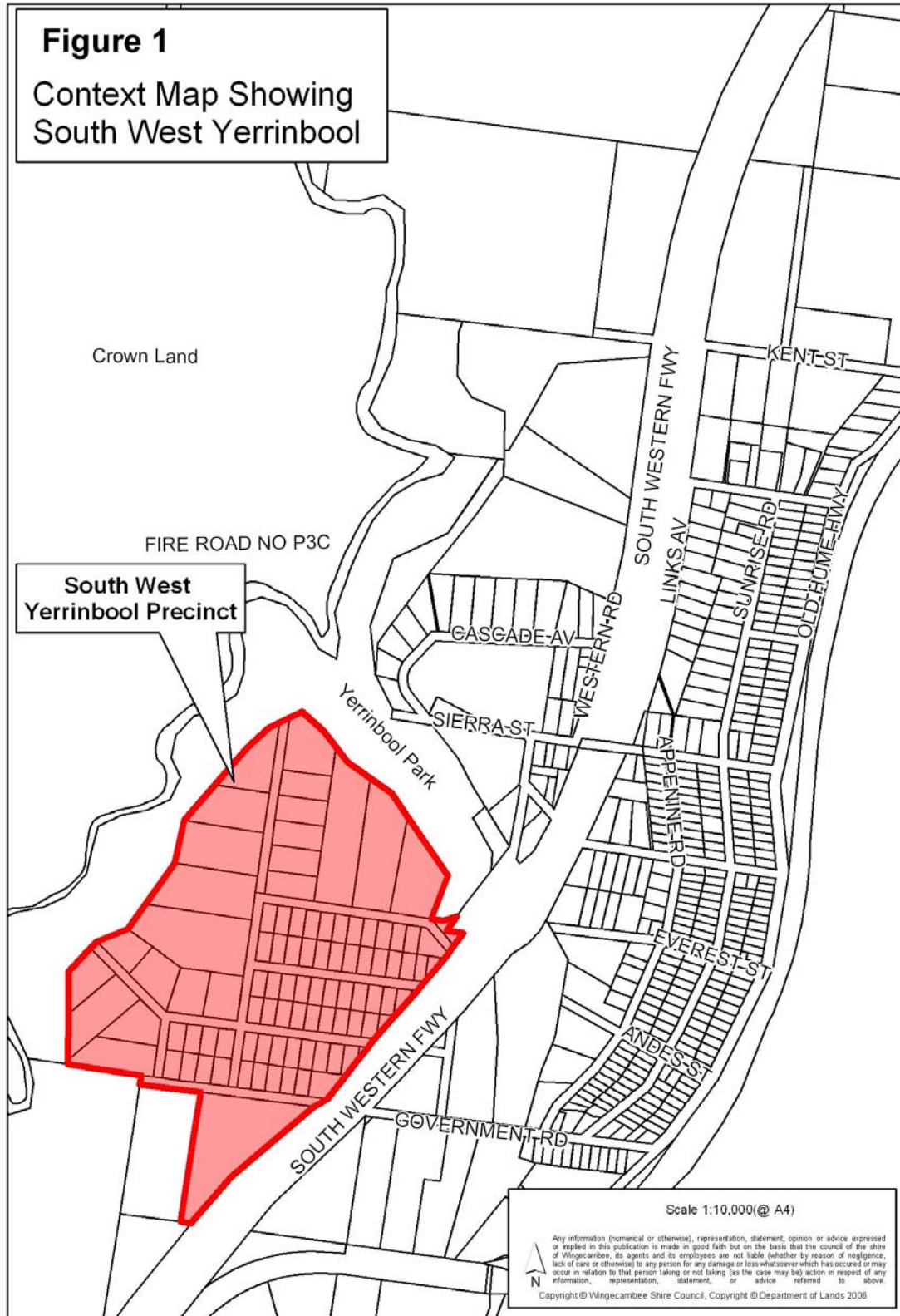
ATTACHMENTS

There is one attachment to this report (map showing the context of South West Yerrinbool relative to the village).

RECOMMENDATION

THAT Council resolves to proceed with the rezoning of the land shown in Attachment 1 from Rural to Rural Residential and notify the Department of Planning in accordance with Section 54 of the EP&A Act of its decision to rezone the land accordingly.

ATTACHMENT 1



o-EP4 Draft LEP (126) – Moss Vale South West Residential Release Areas

REF: SPM

PN 267400, PN1678200; 5818/12

Reporting on the exhibition of draft LEP 126, and the progress made on infrastructure provision and funding through proposed voluntary planning agreements.

REPORT

BACKGROUND

The Department of Planning issued Council with a Section 65 Certificate on 27 April 2007. The draft LEP was placed on public exhibition from Wednesday 30 May to Friday 29 June 2007.

Details of the exhibition were made available at Council's Customer Services Centre, the Moss Vale Library and on Council's web page and included notifying adjoining and relevant nearby land owners of its exhibition. In addition to the LEP exhibition material, concepts plans of the likely subdivision scenario prepared by the applicants were available.

EXHIBITION SUBMISSIONS

Government Department submissions were received from NSW Department of Primary Industries, Sydney Catchment Authority and Department of Environment and Conservation (now known as Department of Environment and Climate Change) under the provisions of s.62 of the EPA Act.

1. Department of Primary Industries – No further comments in addition their August 2005 comments on the Hassell LES. These comments included buffers to separate land uses and reduce land use conflict with existing agricultural activities

Comment – The current agricultural activity on adjoining sites appears to be grazing of beef cattle with little impacts, thus Council staff have not identified any buffer areas for these sites as necessary.

2. Sydney Catchment Authority (SCA) – Suggest amending one of the aims of the draft LEP in relation to water quality to include the improvement of the drinking water catchment.

“(g) to ensure that the subdivision and development on that land maintains or improves water quality within the Wingecarribee sub-catchment of the water hydrological catchment.”

Comment – Agree. The draft LEP will be amended as stated above.



3. SCA – Suggest strengthening the stormwater and water quality management aspect of the LEP in line with the Drinking Water REP (NorBE test) The SCA suggest 38Q (d) be amended to “

“(d) a Water Cycle Management Study incorporating stormwater and water quality management controls and associated infrastructure to satisfy that the proposed development will have a neutral or beneficial effect on water quality.

Comment – Agree. The draft LEP will be amended as stated above. However, it should be noted that given the Department of Planning’s approach to the new LEP template, these suggested clause amendments may not be accepted.

4. Department of Environment and Conservation (DEC) – provided previous correspondence that recommended that all areas of medium constraint be retained as recommended in the Flora and Fauna study. They note the recent LEP map shows only two (2) areas of conservation on the Broughton Street site, not four (4) as recommended. Requests Council reconsider the conservation of these areas.

Comment – It should be noted that there were no areas of high constraint identified in the Flora & Fauna study, the attached aerial photo extract from the Flora & Fauna Study identifies the four areas in question, being medium constraint, numbered 1–4 (**Attachment 1**).

- Site 1 has been identified as open space on the draft LEP map. It incorporates areas of Aboriginal Heritage conservation, potentially Endangered ecological communities and forms part of the streetscape character along Broughton Street.
- Site 2 incorporates the majority of the medium constraint area, noting the shape has been chosen to fit in with the cultural landscape and utilization of existing tree lines for the main access routes through the site. Site 2 now includes areas of Aboriginal Heritage significance. It is proposed that these parks (sites 1 & 2) be used for passive recreation purposes.
- Site 3. The existing pattern of trees like others on the site, are located generally in a linear pattern. The site has only two practical access points off Broughton St due to crests and site distance constraints, one being a proposed Caber Street extension, the other opposite the Janice Crescent intersection.

Having limited access points offers less options for the road network pattern and how it relates to existing contours, drainage lines, land forms and cultural elements such as existing trees lines for example. The proposed road network was going to incorporate as much of the linear tree cultural elements as possible, including part of site 3 in the road reserve.

Site 3 is not been identified for conservation, however the retention of trees within the road reserve is proposed, albeit with driveway crossings impacts on the ground level flora and fauna. Staff are also aware of the existing vegetation west of Caber Street in terms of the holistic flora and fauna conservation for this part of Moss Vale.

- Site 4, like site 3 has not been identified for conservation for similar reasons. This area has more flexibility than site 3 as buffers to the railway line for noise and vibration must be provided along with a drainage channel parallel to the line. Again, the establishment of a practical road network that offers connectivity and represents the cultural elements of Moss vale is a constraint.

Implications – Council may insist on the retention of sites 3 and 4 as conservation areas (open space). There will be a reduction in lot yield estimated at 8-10 and 10-15 lots respectfully (total 18 – 25 lots), with further street pattern and access connectivity, infrastructure funding and VPA implications with such a decision.

5. DEC - the conservation of Aboriginal Heritage areas on private land is not supported.

Comment – Agree with DEC. The Aboriginal Heritage Conservation Area has been included in the open space zoned area. The LEP has been amended to reflect this additional area.

Patuna Avenue - No submissions were received from the local community directly in relation to this site. The Flora and Fauna study identified the existing dam on this site as having low constraint. It was proposed to retain this dam as the site is devoid of any significant cultural or landscaping elements. However, given the longer term access patterns in this part of Moss Vale, its retention does not appear feasible.

Broughton Street - Four (4) submissions were received from the local community in relation to this site. The issues raised include:

- Future streetscape proposals along Broughton Street

Comment – Whilst it is proposed to keep as much of the trees fronting the site as possible, the proposed intersections with Caber Street and Janice Crescent will require major upgrades, earth works and the loss of some vegetation. It should be noted that the section of passive parkland will have a frontage of around 120 metres and will include some additional planting.

In addition, there will be footpath works and residential lots gaining access off Broughton Street. There will be major streetscape impacts in the short term that will be lessened over time as newly planted street trees mature.

- Water pressure and water conservation methods

Comment – Council's water and sewer branch have not identified any water pressure issues. Water conservation measures will be mandatory under the BASIX legislation.

- Electricity sub-stations locations –

Comment – It is too early in the development process to know the location of the substations with any certainty. These location will be a matter for the subdivision application.

- Concern for impact on existing access conditions to properties in Broughton Street, in that they don't wish any median strips to deny access to their properties.

Comment – There are no proposals to impose medians along Broughton Street and unlikely to be any that will deny residents direct access.

- Request that Council ensure that the draft LEP and any DCP not unduly restrict or prohibit the consideration of the adjoining land to the south being considered for future urban purposes. Especially in relation to road design and linkages and infrastructure provision (water, sewer electricity etc)

Comment – council staff are aware of the likely future growth of the town and have had due regard to this issue.

- Ensure the protection of the existing high levels of amenity enjoyed by surrounding landowners.

Comment – With any development of land that adjoins a less intensive land use, there will always be amenity impacts. The case of this residential rezoning and the impact on the adjoining rural residential land is no different. The residential controls in the DCP and Council's longer term planning for this area goes some way to protecting the rural residential amenity, however there is no doubt that the amenity of the area will be impacted.

- Why are housing sites needed when plenty of land already available.

Comment – Whilst there are many vacant housing sites in Moss Vale and other surrounding areas, not all sites are 'available' (i.e. for sale). Council as a local government authority must ensure that there is enough land to cater for future growth. The State Governments and Council's growth projections identify a need for future land.

- Frogs and ducks in the existing natural billabong on the site.

Comment – The Flora and Fauna study identifies a man made dam on the Broughton St site that 'has been heavily eroded by cattle'. The flora and fauna consultants identified duck species occupying the dam, however no recommendations were made in regard to any endangered duck, frog or associated habitat.

- Concern for the size of the lots and suggest 1acre (4,000 sq/m) lots.

Comment – The development is generally catering for moderate sized residential blocks with some larger lots near Caber Street and small lots near the Broughton Street recreation reserve. The lots sizes fronting Broughton Street are similar in size to those on the northern side of the street.

- Concern that the southern highland is being spoilt by development for the gain of a few.

Comment – comments are noted.

DEVELOPMENT CONTROL PLAN (DCP)

There are two options in introducing a DCP over this site. Firstly, Council could create a whole new DCP for the site like the DCP proposed for Renwick. Secondly, Council could introduce some site specific controls through the draft Moss Vale DCP currently being prepared under the new Department of Planning guidelines.

The Broughton Street Masterplan and the Patuna Avenue Development Concept do not propose any major variations to the existing Residential DCP or the draft Moss Vale DCP, hence there is little need or value in preparing a new site specific plan.

There will be a need to amend the DCP to apply site specific controls in relation to medium density housing surrounding the public open spaces areas, minimum lot sizes, minimum boundary setbacks and integrated housing matters.



These requirements will form part of another report to Council where a resolution to exhibit the proposed amendments will be sought.

VOLUNTARY PLANNING AGREEMENT (VPA)

The preparation of concepts and costs for on-site and off-site infrastructure is well advanced. Rather than a typical s.94 plan, all parties have agreed to enter into voluntary planning agreements (VPA) to provide for infrastructure and other planning benefits.

Broughton Street – Costs estimates for the identified infrastructure have been provided by the applicants. Council staff will now seek to have these costs assessed by a Quantity Surveyor to ensure they are realistic costs. The results of this process will enable the VPA to be finalised and reported to Council for in principal support.

Patuna Avenue – A similar process is required for this site. The applicant is not as advanced as the Broughton Street applicants. However, having said this, there are less works associated with this site and progress is being made.

Staff believe that Council has a hold point at the section 68 stage to ensure that the necessary infrastructure funding arrangements are in place. Should Council resolve to send the plan off the Department of Planning to have it signed by the Minister, then the actual report to the Minister can be deferred until the estimated costs have returned with satisfactory results from Council's consultant Quantity Surveyor.

MAINTENANCE

An analysis of the likely infrastructure and maintenance costs has been undertaken and the existing rate levels do not warrant any additional special or differential rates for these sites.

DEVELOPMENT PROCESS

The process from here involves the following steps:

- Report the proposed inclusions into the draft Moss Vale DCP so that it can be endorsed and exhibited.
- The draft VPAs considered by the General Manager
- Submit the s.68 report to DoP requesting the plan be made.
- Infrastructure Planning and Funding proposals reported to Council.
- Report the results of the amended DCP exhibition to Council and request adoption.
- First LUA for subdivision is lodged with the VPA.
- Minister makes the plan.

MANAGEMENT PLAN ISSUES OR IMPLICATIONS

Not Applicable.



POLICY IMPLICATIONS

The rezoning proposal is in accordance with Council's adopted Strategic Plan Wingecarribee Our Future 2002.

BUDGET IMPLICATIONS

The preparation of a proposed Voluntary Planning Agreement and funding arrangements with Council and the owner/developer will address many of the budget implications of these development sites.

ATTACHMENTS

There are three (3) attachments to this report being, which have been circulated separately:

1. the extract from the Flora and Fauna report; (a colour map will be presented at the meeting);
2. the submissions received; and,
3. the amended LEP document and map.

RECOMMENDATION

1. THAT Council adopts the draft LEP 126 included in Attachment 3 to the report, subject to any amendments required by Parliamentary Counsel.
2. THAT subject to the General Manager being satisfied that the Draft Voluntary Planning Agreement addresses each site's Infrastructure and planning requirements, the LEP be implemented in accordance with the procedures under the Environmental Planning and Assessment Act and Regulations.
3. THAT the applicants be advised of Council's decision.
4. THAT all persons/organisations that made a submission be advised of Council's decision.

o-EP5 S.96 Amendment to approved Dan Murphy store, Mittagong

REF: DEP

LUA07/0609

Reporting on a s96 amendment to the approved Dan Murphy store, Mittagong (LUA07/0609).

REPORT

BACKGROUND

- Council at its meeting of 8 August 2007 approved the establishment of a Dan Murphy Liquor store at the site of the old Woolworths Supermarket in Mittagong
- A series of conditions relating to traffic and parking were imposed. The relevant condition, Condition 25 (b) is **Attachment 1**
- The RTA has not agreed to the proposed plans put forward by the applicant. The RTA letter of 6 September 2007 is **Attachment 2**

PROPOSED AMENDMENT

- The applicant has put forward a proposal to amend Condition 25(b). This involves utilisation of the existing driveway access to Bowral Rd in the short term. When Council has finalised its Mittagong Traffic Management Plan and determined the Development Application for the redevelopment of the Home Hardware site, the long term solution can be implemented with RTA approval. The applicant's submission is **Attachment 3** which includes a revised wording for Condition 25(b).

ASSESSMENT OF APPLICATION

- The application can be supported both in terms of the short and long term solutions
- The change of use from a supermarket to a liquor store will result immediately in a significant reduction in the volume of delivery vehicles and customers accessing the site via the existing Bowral Rd driveway.
- The delivery vehicles used to service the liquor store are smaller than that used for the supermarket and more suited to the available manoeuvring space on site, thus avoiding the past problems of trucks blocking Bowral Rd as they attempted to negotiate the loading dock.
- The improved operation of the loading dock, as set out in the submitted Management Plan that was required as part of the original approval, will result immediately in a more efficient and safer operation

CONCLUSION

- The original application for a change of use from a supermarket to a liquor store will immediately reduce traffic movements and conflicts at this site
- The existing driveway access is capable of accommodating the movements in the short term



- The applicant has committed to establishing a revised access and loading scenario once the Council has finalised its longer term traffic management plans for this area in consultation with the RTA

ATTACHMENTS

There are 3 attachments to this report which have been circulated separately:

1. Condition 25(b) from LUA 07/0609.
2. Letter from the RTA dated 6 September 2007.
3. Applicant's submission including revised wording.

RECOMMENDATION

THAT the Director Environment and Planning be authorised to issue an amended development consent for LUA07/0609, amending Condition 25(b) in accordance with the submission made by the applicant attached to this report.

o-EP6 Request for modification at 'The Intersection,' Bowral & Station Sts, Bowral

REF: DCM

LUA07/0243

Reporting on request for modification at 'The Intersection.'

REPORT

DESCRIPTION OF DEVELOPMENT

- Council at its meeting of 10 May 2006 approved a combined retail / bulky goods development known as 'The Intersection' development on the north east and south eastern sides of Bowral & Station Streets intersection, Bowral. This report discusses a proposed modification to connect approved Buildings 1 and 2 on southern site A with a 15 square metre glazed area.
- The proposed glazed area connects approved Building 1 and approved Building 2. However, due to the lightweight appearance of the glazed connection, the western elevation of the development will still read as segmented buildings.
- The approved western elevation as amended by full Council in September 2006 forms **Attachment 1** to this report.
- The proposed glass 15 square metre connection is shown in **Attachment 2** to this report.
- The proposed glazed connection is considered acceptable in terms of urban design / streetscape, and pedestrian access through the centre of the development from Station Street is still preferred to the north of approved Building 2.

CONCLUSION

The proposed modified plan is considered acceptable, and Development Consent LUA05/0732 should be modified under S.96(2) of the *Environmental Planning & Assessment Act 1979*.

ATTACHMENTS

There are two attachments to this report, which have been circulated separately:

1. Approved western elevation.
2. Proposed glass connection.

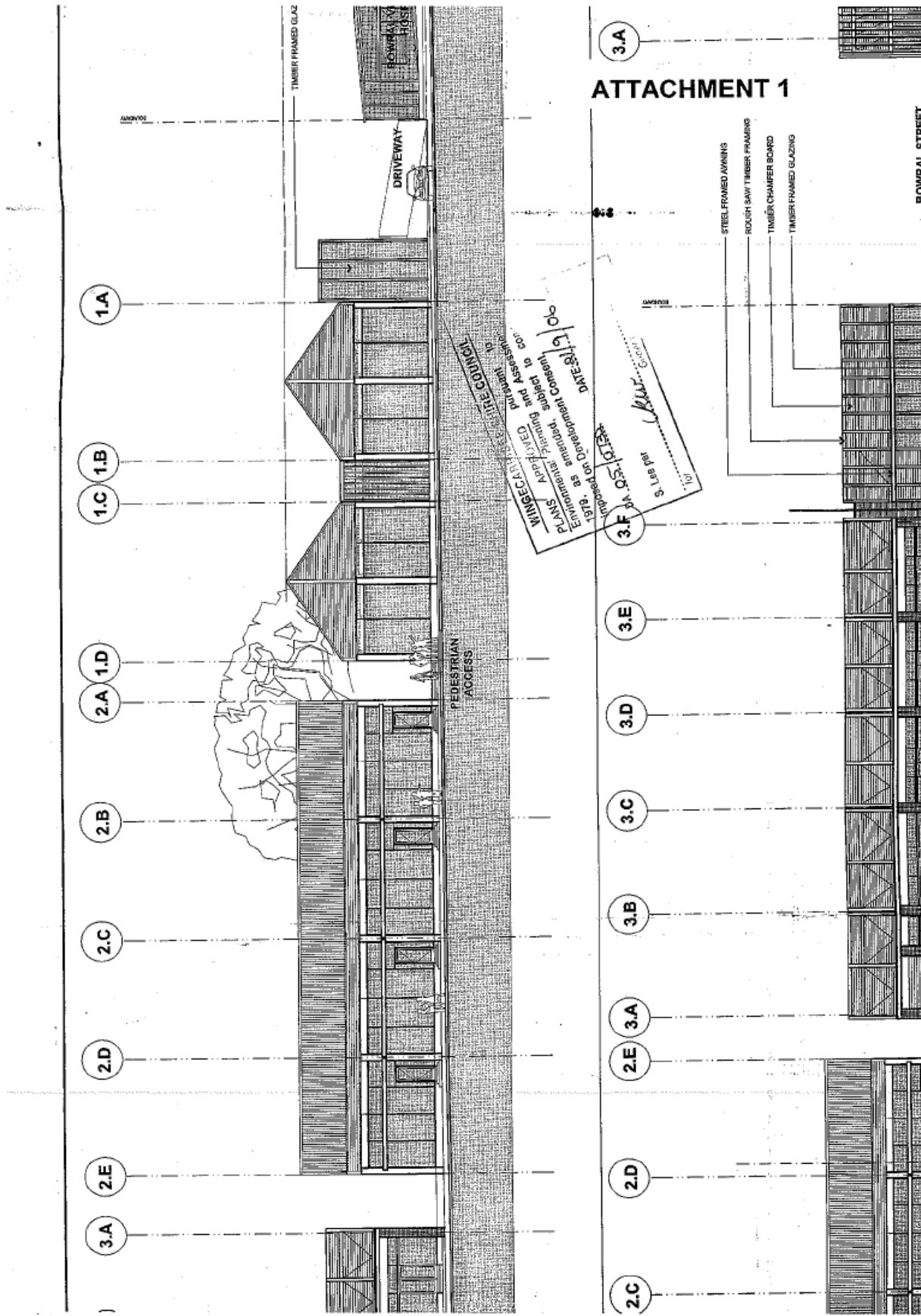
RECOMMENDATION

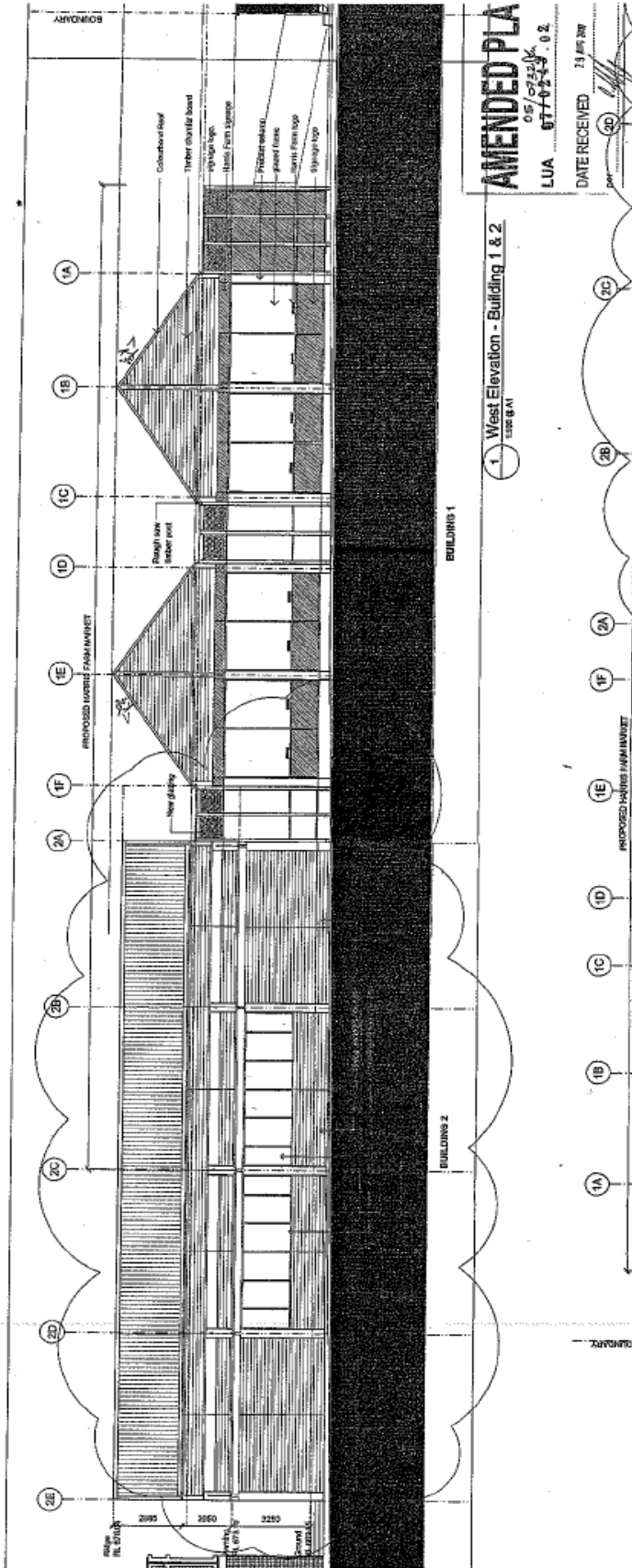
THAT Development Consent LUA05/0732 be modified under S.96 of the *Environmental Planning & Assessment Act 1979*



Scott Lee
Director, Environment & Planning

19 September 2007





ATTACHMENT 2

CORPORATE SERVICES DIVISION

o-CS1	Proposed Acquisition of Lots 26, 28, 30 & 32, DP 729184 - Wombeyan Caves Road, Bullio
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REF.	PO	PN1744440, PN1743510
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Reporting on a request by Bullio Pastoral Co Pty Ltd, the registered proprietor of Lots 26, 28, 30 and 32 DP 729184, to transfer those Titles to Council.

REPORT

Bullio Pastoral Co Pty Ltd is the registered proprietor of the following portions of land:

1. Lot 26 DP 729184 – 122.4 m²
2. Lot 28 DP 729184 – 113.6 m²
3. Lot 30 DP 729184 – 1013 m²
4. Lot 32 DP 729184 – 31.121 m²

The land is zoned Special Uses 5(c) under the current LEP.

There are current unpaid charges exceeding \$2,758.67.

By letter received 3 July 2007 from Bullio Pastoral Co Pty Ltd, Council has been requested to consider waiving the outstanding rates in lieu of the subject properties being transferred to Council.

Bullio Pastoral Company has determined that there was a series of odd sized allotments, some as small as 1 metre by 4 metres that have been allocated to them following the redrawing and realignment of the Wombeyan Caves Road and Pleasant Gully Road. The owners have not been able to use any of the lots because their holdings do not border the parcels and, therefore, cannot be incorporated into their holdings. Further, the parcels are too small a size in practical terms to be used by any landholder and not of any value.

The owner received advice that the subject lots were “owned” by them when they received their 2004/2005 rate notice. In the meantime, the owners have expended time and money obtaining searches and legal advice to investigate the issues.

Bullio Pastoral Company is seeking the transfer of the parcels of land to Council for incorporation into their own land in exchange for the rates outstanding being waived.

BACKGROUND

Wombeyan Caves and Pheasant Gully Roads were constructed out of alignment and a road closure was undertaken to rectify the situation. This was approximately 20 years ago. Small sections of land were taken for road reserve and sections of road were closed and transferred to the adjoining landowners as compensation.

It appears, however, that the subject lots were simply transferred into the owner's name.

CONCLUSION

In exchange for the unpaid rates, and in consideration of the size of the surplus lots left registered in the name of Bullio Pastoral Company Pty Ltd, it is recommended that Council acquire the subject lots from the owner and incorporating those lots into the existing road reserves.

This recommendation is also supported by the Roads and Traffic Manager.

ATTACHMENTS

1. Letter to Council from Bullio Pastoral Co Pty Ltd, dated 3 July 2007.
2. Land Parcel Map showing subject lots.
3. Regional Map

RECOMMENDATION

1. THAT the Titles for Lots 26, 28 30 and 32, DP 729184, Wombeyan Caves Road, Bullio be transferred from Bullio Pastoral Company Pty Ltd to Council.
 2. THAT subject to 1 above, the consideration to be paid is "nil".
 3. THAT Council will waive the outstanding rates in respect of Lots 26, 28, 30 and 32, DP 79184, Wombeyan Caves Road, Bullio.
 4. THAT the Deed of Agreement and Transfer document be executed under the Common Seal of Council.
-

o-CS2 Acquisition Of Lot 2 DP 500705 Joadja Road, Joadja

REF. PO

PN750700

Reporting on a request by the registered proprietor of Lot 2 Deposited Plan 500705 for Council to acquire the subject property.

REPORT

BACKGROUND

Council has received correspondence from Haille Paine Solicitors on behalf of Mrs Eleanor Lee who was the owner of Lot 22 and 23 DP1023493. Mrs Lee sold her property Lot 22 and 23 in DP1023493 and subsequently, discovered that she and an adjoining property owner, Glenara Pty Ltd (a company which was not associated in any way with Mrs Lee, but which was associated with a family by the name of Stirling) were rated on a property known as Lot 2 DP 500705.

Lot 2 covers land on either side of the road reserve, providing the entrance road to the properties.

Advice to Council indicates that Mrs Lee was under the impression Council had wished to take title to Lot 2 as part of the entrance way to Joadja properties.

In August 2006, Council was approached by Haille Paine, solicitors for the then registered proprietor, Eleanor Patricia Lee, for Council to acquire the title to Lot 2. Haille Paine requested that Council take steps to formally acquire Lot 2 and to waive any rate payments levied.

Mrs Lee died and, following her death, Haille Paine Solicitors contacted Council again on behalf of the executor of the estate, to pursue the transfer from the Estate of Eleanor Lee to Council of Lot 2 DP 500705.

REPORT

The now registered proprietor of Lot 2 Deposited Plan 500705, Maude Davis, through her solicitors Haille Paine, wishes to transfer the subject property to Council in exchange for the payment of any outstanding rates.

Maude Davis is the Executor of the Estate of Eleanor Patricia Lee.

Mrs Davis is in very ill health and, for this reason, her solicitors have requested that this acquisition proceed on an urgent basis.

STAFF COMMENTS

The Roads and Traffic Manager, has confirmed that Council should acquire the land that the road is constructed on.

CONCLUSION

It is recommended that Council proceed with the acquisition of Lot 2 DP 500705 as a matter of urgency.

ATTACHMENTS

There are three attachments to this report:

1. Land Parcel Map showing Lot 2 DP 500705.
2. Title Search, Folio Identifier 2/500705
3. Letter from Haille Paine Solicitors dated 28 August 2007 requesting urgent attention.

RECOMMENDATION

1. THAT Council acquire the property known as Lot 2 DP 500705 from Maude Matilda Davis as the Executor of the late Eleanor Patricia Lee AND THAT this acquisition proceed as a matter of urgency.
 2. THAT the property be transferred to Council from the registered proprietor for "nil" consideration in exchange for Council paying the costs of the transfer on behalf of the Estate of the late Eleanor Patricia Lee and waiving any outstanding rates.
 3. THAT the Deed of Agreement and the Transfer document be executed under the Common Seal of the Council.
-

o-CS3 Pensioner Rate Rebate Claim Number 136

REF: FSM

2211/2007

Submitting a report on the details of amounts written off and amounts to be claimed from the Department of Local Government for pensioner rates rebates granted on general rates, garbage accounts, water and sewerage accounts from 1 May 2007 to 31 August 2007.

REPORT

Please note that the amount of rebate granted to an individual property is stipulated in the Local Government Act 1993.

The rebate amounts per annum are as follows:

General Rates	50% of levy up to a maximum of \$250
Water Rates	\$ 87.50
Sewer Rates	\$ 87.50

Council is then able to claim fifty five (55) per cent of all rebates granted for a financial year from the State Government. The claims are made progressively throughout the financial year.

Details of the claim are as follows :-

Particulars	Abandoned	Claim
Balance brought forward (Previously abandoned/claim:)	0.00	0.00
Rates	559,839.29	307,911.61
Domestic Waste Charges	213,782.23	117,580.23
Water	83,945.80	46,170.19
Sewerage	72,043.34	39,623.83
Sub Total – First Claim	929,610.66	511,285.86
Totals	929,610.66	511,285.86

ATTACHMENTS

There are no attachments to this report.

RECOMMENDATION

1. THAT Council authorise the abandonment of \$929,610.66 for the Pensioner Rebate Claim Number 136.
2. THAT \$511,285.86 be claimed from the State Government.

o-CS4 2006/7 Financial Year Results

REF: FSM

2105/2007

Submitting a report on the audit of the 2006/07 Financial Year Results.

REPORT

The 2006/07 Financial year Reports have been completed and audited with a copy of the Income Statement, Balance Sheet on **Attachments 1, 2** and the Summary of Results to be advertised included on **Attachment 3**).

The purpose of this report is:

1. To provide Council with the audited financial reports for the 2006/07 Financial Year;
2. To provide the Statement of Opinion (**Attachment 4**) on the Financial Reports and confirm signing by the Mayor, Deputy Mayor and General Manager;
3. To seek resolutions required to:
 - Adopt the Financial Statements.
 - Advertise and receive submissions from the community; and,
 - Set a meeting date to present the reports to the public.

It is proposed that the following timetable be followed:

1 October 2007	Advertise in local newspapers
8 October 2007	Close of submissions from the community
24 October 2007	Audited Financial Statements be presented to Council.

NOTE:

In regards to comments by the community on the financial reports, Section 420(2) of the Local Government Act states that all submissions to Council must be in writing and submitted within 7 days after the reports were presented to the public. Submissions received from the public are to be considered by Council at its meeting on 24 October 2007.

A further report will also be submitted to Council's Finance Committee on the budget results for the year. This report will include an overview of the various activities within Council's management plan and their budget performance for the 2006/07 year.

Financial Position of Council as at 30 June 2007

The Annual Financial Reports for 2006/07 show that Council has achieved:

- A Net Operating Result (before Grants & Contributions provided for Capital Purposes) of \$2,746K, reflecting:
 - Revenues from Ordinary Activities (rates, fees, interest, grants & Contributions) \$66.31m

- Expenses from Ordinary Activities (wages, depreciation, materials) \$57.75m.

The Net operating result before grants & contributions provided for capital purposes of \$2,746 is a key indicator of financial performance and is used by the Department of Local Government and other rating agencies to determine the financial strength of a Council. The workings capital result referred to below can be a more meaningful indicator of Council's performance for the year. This indicator refers to Councils net current assets which are adjusted by eliminating both external and internal restrictions held for future purposes.

- An improvement in Net Assets resulting from Operations of \$9.32m, reflecting:

- Current Assets (cash, receivables, inventories)	\$69.18m
- Non-Current Assets (receivables, property etc)	\$691.76m
- Total Assets	\$760.94m
- Current Liabilities (payables, loans, provisions)	\$11.38m
- Non-Current Liabilities (longer term loans, provisions)	\$17.59m
- Total Liabilities	\$28.97m
- The Unrestricted Current Ratio is 2.53. This ratio is used to assess the adequacy of working capital for the unrestricted activities of Council and its ability to satisfy financial obligations in the short term.
- The Debt Service Ratio for the year ended 30 June 2007 is 4.20%. This figure is an improvement on last year's 6.53% and is continuing to decrease against the Department of Local Governments benchmark of 10%. The majority of Councils debt service cost and outstanding loans now relate to Sewerage Fund.
- The Rates Coverage Ratio is 47.43%. This percentage indicates the amount of Rates and Annual Charges that make up total revenues. This increase in this figure reflects the additional rate revenue received from the special rate variation approved by the Minister. The 2005/06 ratio was 44.82%.
- The Rates & Annual Charges Outstanding Percentage as at 30 June 2007 was 6.98% being an increase of .44% on last years figures which is well below the industry benchmark of 10%.
- The financial implications of these reports as presented, indicates that Council continues to remain in a sound financial position with adequate reserves to meet current commitments.

REPORT OF DIRECTOR CORPORATE SERVICES

SUMMARY OF RESULTS

The accumulated working capital for each fund resulted in a surplus and is as follows:

	ORIGINAL BUDGET RESULT	ACTUAL RESULT 30/6/07	WORKING FUNDS 30/6/07	WORKING FUNDS 30/6/06
General Fund	Balanced	68,942.17	3,463,796.47	3,394,854.30
Water Fund	Balanced	6,231.65	2,854,124.36	2,847,892.71
Sewer Fund	Balanced	41,313.92	2,423,003.51	2,381,689.59

ATTACHMENTS

There are 4 attachments to this report.

Attachments 1, 2 - Income Statement, Balance Sheet on

Attachment 3 - Summary of Results to be advertised included on

Attachment 4 - Statement of Opinion

RECOMMENDATION

1. THAT Council adopts the 2006/07 Financial Reports.
2. THAT the Annual Financial Reports be put on public exhibition.
3. THAT the Annual Financial Reports be presented to the public at the Council meeting on 24 October 2007.
4. THAT Council's auditor be invited to a meeting of the Finance Committee on 17 October 2007 to discuss the 2006/07 Financial Reports.

Barry W Paull
Director Corporate Services

20 September 2007

ATTACHMENT 1

Wingecarribee Shire Council				
INCOME STATEMENT				
for the year ended 30th June 2007				
Original Budget 2007		Notes	Actual 2007	Actual 2006
	INCOME FROM CONTINUING OPERATIONS			
	Revenue:			
38,920,466.00	Rates & Annual Charges	3a	31,455,391.68	29,309,111.47
10,727,468.00	User Charges & Fees	3b	14,904,385.00	12,044,920.80
1,640,880.00	Investment Revenues	3c	3,943,805.90	3,036,743.40
7,893,724.00	Grants & Contributions - Operating	3e,f	8,616,387.87	8,343,112.66
5,877,245.00	Grants & Contributions - Capital	3e,f	5,818,107.92	11,134,241.38
803,985.00	Other Revenues	3d	1,577,243.13	1,171,108.68
	Other Income:			
	Net gain from the disposal of assets	5	-	349,392.75
	Share of interests in joint ventures	19	-	-
65,863,768.00	Total Income from Continuing Operations		66,315,321.50	65,388,631.14
	EXPENSES FROM CONTINUING OPERATIONS			
19,144,741.00	Employee Benefits and on-costs	4a	18,247,956.77	18,383,229.82
1,199,602.00	Borrowing Costs	4b	1,177,398.29	1,216,590.71
13,967,792.00	Materials & Contracts	4c	15,583,683.15	14,612,104.23
12,521,479.00	Depreciation & Amortisation	4d	13,084,330.41	12,472,104.61
	Impairment	4d		
8,448,147.00	Other Expenses	4e	9,429,943.41	8,475,803.49
	Net Loss from Disposal of Assets	5	227,893.14	33,363.65
	Share of interests in joint ventures	19	-	-
55,281,761.00	Total Expenses from Continuing Operations		57,751,205.17	55,193,196.51
10,582,007.00	OPERATING RESULT FROM CONTINUING OPERATIONS		8,564,116.33	10,195,434.63
	Operating Result from Discontinued Operations	24		
10,582,007.00	NET OPERATING RESULT FOR YEAR		\$ 8,564,116.33	\$ 10,195,434.63
	Attributable to:			
10,582,007.00	- Council		8,564,116.33	10,195,434.63
	- Minority Interests			
4,704,762.00	Net operating result for the year before grants and contributions provided for capital purposes		2,746,008.41	(938,806.75)
	This Statement is to be read in conjunction with the attached Notes.			

ATTACHMENT 2

Wingecarribee Shire Council				
BALANCE SHEET				
for the year ended 30th June 2007				
	Notes	Actual 2007	Actual 2006	
CURRENT ASSETS				
Cash and Cash Equivalents	6a	5,876,907.26	42,558,679.60	
Investment Securities	6b	58,049,068.50	10,000,000.00	
Receivables	7	4,003,395.37	4,282,023.49	
Inventories	8	449,330.95	377,897.13	
Other	8	711,719.29	94,061.68	
Non-current Assets Classified as Held for Sale	22	94,238.51	93,925.45	
TOTAL CURRENT ASSETS		69,184,659.88	57,406,587.35	
NON-CURRENT ASSETS				
Cash Assets	6			
Investments	6b		-	
Receivables	7	446,796.08	471,251.92	
Inventories	8	-	-	
Other	8	-	-	
Infrastructure, Property, Plant & Equipment	9	691,316,488.06	693,183,708.78	
Investment Property	14			
Intangible assets	26			
Investments accounted for using the equity method	19	-	-	
TOTAL NON-CURRENT ASSETS		691,763,284.14	693,654,960.70	
TOTAL ASSETS		760,947,944.02	751,061,548.05	
CURRENT LIABILITIES				
Payables	10	5,523,815.45	4,366,006.69	
Interest Bearing Liabilities	10	1,223,430.37	1,195,959.93	
Provisions	10	4,642,000.48	4,288,738.63	
TOTAL CURRENT LIABILITIES		11,389,246.30	9,850,705.25	
NON-CURRENT LIABILITIES				
Payables	10	-	-	
Interest Bearing Liabilities	10	17,388,333.14	18,348,574.38	
Provisions - Payable in less than 12 months	10	197,656.00	211,130.00	
- Payable after 12 months	10			
TOTAL NON CURRENT LIABILITIES		17,585,989.14	18,559,704.38	
TOTAL LIABILITIES		28,975,235.44	28,410,409.63	
NET ASSETS		\$ 731,972,708.58	722,651,138.42	
EQUITY				
Retained Earnings	20	504,981,933.42	496,416,517.09	
Revaluation Reserves	20	226,990,775.16	226,234,621.33	
Council Equity Interest		731,972,708.58	722,651,138.42	
Outside Interest in Equity	19	-	-	
TOTAL EQUITY		\$ 731,972,708.58	722,651,138.42	
This Statement is to be read in conjunction with the attached Notes				
		-		

ATTACHMENT 3

WINGACARRIBEE SHIRE COUNCIL		
Summary of Financial Results for the Year Ended 30 June 2007		
	Current Year	Previous Year
	2006/07	2005/06
	\$'000	\$'000
Income statement		
Total income from continuing operations	66,315	65,388
Total expenses from continuing operations	57,751	55,193
Operating result from continuing operations	8,564	10,195
Net operating result for the year	8,564	10,195
Net operating result before grants and contributions provided for capital purposes surplus/(deficit)	2,746	(939)
Balance sheet		
Total current assets	69,184	57,406
Total current liabilities	11,389	9,850
Total non-current assets	691,763	693,655
Total non-current liabilities	17,586	18,560
Total equity	731,972	722,651
Other Financial Information		
Unrestricted Current Ratio (ratio)	2.53	2.32
Debt Service Ratio (%)	4.20%	6.53%
Rate Coverage Ratio (%)	47.43%	44.82%
Rates & Annual Charges Outstanding Percentage (%)	6.98%	6.54%

ATTACHMENT 4

WINGECARRIBEE SHIRE COUNCIL

GENERAL PURPOSE FINANCIAL REPORTS

**STATEMENT BY COUNCILLORS AND MANAGEMENT
MADE PURSUANT TO S413(2)(C) OF THE LOCAL GOVERNMENT ACT
FOR THE YEAR ENDED 30 JUNE 2007**

The Council and Management of the Wingecarribee Shire hereby declares that:

- ◆ Council's Financial Reports have been drawn up in accordance with the Local Government Act 1993 and associated Regulations, the Statements of Accounting Concepts, the Local Government Code of Accounting Practice and Financial Reporting and the Australian Accounting Standards;

To the best of our knowledge and belief these reports

- ◆ Present fairly the Council's financial position and operating results for the year, and
- ◆ Accord with the Council's accounting and other records; and
- ◆ The signatories to this statement know of nothing that would make those reports false or misleading in any way.

Subscribed and declared this 19th day of September 2007 at Civic the Centre Elizabeth Street, Moss Vale.

Clr G Lewis
MAYOR

Clr N. Campbell Jones
DEPUTY MAYOR

Mike Hyde
GENERAL MANAGER

D Neville
PRINCIPAL ACCOUNTING OFFICER

TECHNICAL SERVICES DIVISION

o-TS1 Outdoor Stage at Lake Alexandra

REF: PPM

6545/5

The purpose of this report is for Council to give, in principal, support for the Mittagong Lions Club to build an outdoor stage at Lake Alexandra for community events.

REPORT

HISTORY

Council was approached by the Mittagong Lions Club for purposes of a project that would enhance the re-development of Lake Alexandra. The Mayor and Council Officers met members of the Lions Club to discuss various options for projects. At this site meeting, the proposal for an outdoor stage/amphitheatre was considered for the eastern side of the lake. This proposal was considered feasible with the Lions Club to undertake the project.

CURRENT STATUS

Council Officers have assisted in the development of a concept drawing (attached) for the proposed stage for consideration and to allow the Lions Club to seek sponsorship for the project.

The concept drawings were developed at no cost to Council by Micris Management Services. The drawing was a donation to the community. Micris Management Services provided the documentation for the Lake Alexandra upgrade.

CONCLUSION

The addition of a stage/amphitheatre at Lake Alexandra for community events would be of great benefit. This would enhance the overall area and increase the scope for possible uses.

The Lions Club are proposing to seek sponsorship from businesses in the community to assist in the construction of the stage. Once Council has endorsed the project the Lions Club will also be conducting fundraising for the project.

The cost estimate for the project is \$45,000 for the main stage structure and necessary safety railing with an additional \$10,000 required at a later stage for overhead sail shelter.

ATTACHMENTS

1. Concept drawing;
2. Letter of Support – Lions Club of Mittagong Inc.

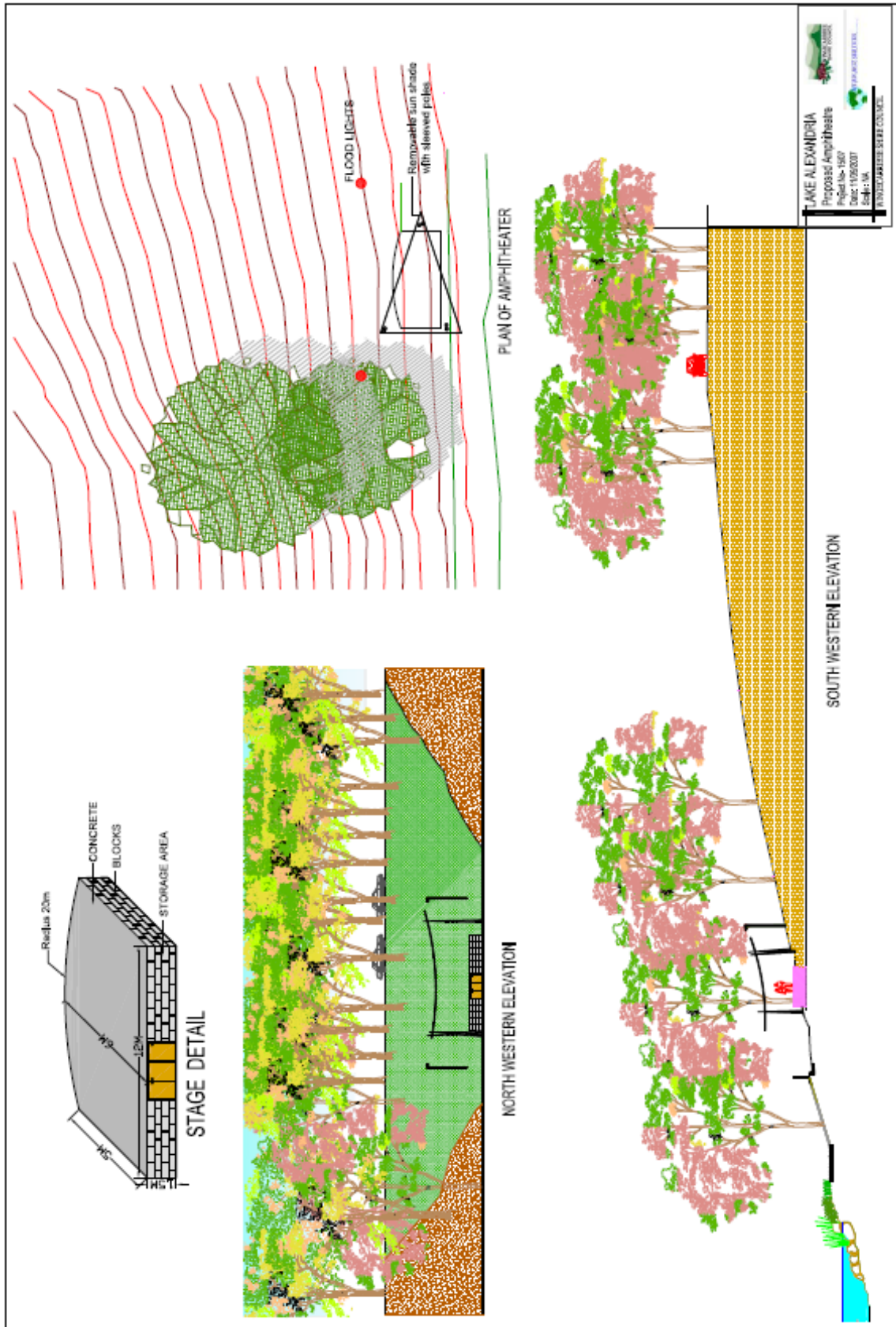
RECOMMENDATIONS

1. THAT Council supports in principal the Mittagong Lions Club's proposal for a stage/amphitheatre at Lake Alexandra on the eastern side.
 2. THAT Council donate the value of the LUA fees associated with the project for the Mittagong Lions Club from the Donations Budget.
-

M J Brearley
Acting General Manager

20 September 2007

ATTACHMENT 1



ATTACHMENT 2

Lions Club of



Mittagong Inc.

LIBERTY - INTELLIGENCE - OUR NATIONS SAFETY

ABN 28 449 820 496 NSW AUSTRALIA

PO Box 244, MITTAGONG. NSW 2575

Email: mittagonglionsclub@hotmail.com

President: Jennifer Handley

General Manager
Wingecarribee Shire Council
PO Box 141
MOSS VALE NSW 2577
30th May, 2007

WINGECARRIBEE SHIRE COUNCIL	
Classification:	Secretary, Christine MacDonald
Doc. No.	
File No.	6545/5 1865/8
31 MAY 2007	
OFFICER	
P Bowmer	✓
m Brearley	✓
G M.	✓

Dear Sir,

I am writing this letter on behalf of the Lions Club of Mittagong Inc.

A delegation of Mittagong Lions met with Mayor Gordon Lewis and Peter Bowmer at Lake Alexandria to explore the possibility of the Lions Club of Mittagong providing a stage/amphitheatre at Lake Alexandria.

We were all in agreement that the most appropriate place for this structure will be on the northern side of the Lake. Peter Bowmer stated that if it was to go ahead the conduits for the electricity could be installed during the upgrading of the Lake.

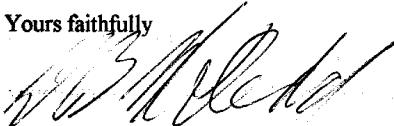
The club was wondering if it was possible for the Council to provide engineer's drawings for the stage? With these in hand we will have something tangible to show prospective sponsors.

We see the usage for the stage at this location not only for the annual "Carols by the Lake" we host, but School Presentations, Weddings etc., a useful community asset.

The Lions Club of Mittagong is prepared to make this a major project and not only acquire sponsors but raise money ourselves to build the edifice.

If the project is successful and built we ask that the naming of the structure to include the Lions Club of Mittagong.

Yours faithfully



W. B. M. Dodd

c-NMR2 24/2007 – Notice of Motion of Rescission –Results of Community Feedback on Draft Residential Release Strategy and Rezoning of Wensleydale as a Proposed Residential Release Area

REF: MAS

100/4, PN 1624100

Reference: – Ordinary meeting of Council Wednesday 12 September 2007 o-EP6 (MN 283/07).

Council has received the following Notice of Motion of Rescission.

"We hereby give notice of our intention to move at the next meeting of the Council that the following motion passed at the Ordinary Meeting of Council held on 12 September 2007 **be rescinded**:

1. ***THAT Council notes the summary of the submissions received from the Community in relation to the Draft Residential Release Strategy as detailed in the Report and as Attached.***
2. ***THAT Council determines whether to proceed with Option 1 or Option 2 in relation to the rezoning of Wensleydale as detailed in the maps contained within the report.***
3. ***THAT Council notifies the Department of Planning in accordance with Section 54 of the EP&A Act of its intention to rezone that part of Wensleydale as determined in 2 above.***

Dated: 21 December 2006

Signed: Clr M Murray, Clr P George, Clr P J Yeo

RECOMMENDATION

SUBMITTED FOR DETERMINATION.

c-NM3 25/2007 – Notice of Motion of Rescission –Results of Community Feedback on Draft Residential Release Strategy and Rezoning of Wensleydale as a Proposed Residential Release Area

REF: MAS

100/4, PN 1624100

Reference: – Ordinary meeting of Council Wednesday 12 September 2007 o-EP6
(MN 283/07)

Clr LAC Whipper has given notice that should the above Notice of Motion of Rescission be passed it is his intention to move the following Notice of Motion

THAT Council proceeds with Option 2 in relation to the rezoning of Wensleydale as detailed in the maps contained within the report.

RECOMMENDATION

SUBMITTED FOR DETERMINATION

COMMITTEE REPORTS

COMMITTEE REPORTS TABLED

c-CR1 Management and Advisory Committee Reports

REF.	DCS	107/1
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Submitting minutes of five (5) Committee meetings that will be tabled for information.

REPORT

1. Community Assistance Committee meeting Wednesday, 29 August 2007
2. Companion Animals Advisory Committee meeting Tuesday, 12 July 2007
3. Robertson Community Centre Management Committee meeting Wednesday, 8 August 2007
4. East Bowral Community Centre Management Committee Tuesday, 28 August 2007
5. Heritage Advisory Committee Friday, 7 September 2007

ATTACHMENTS

There are no attachments to this report.

RECOMMENDATION

THAT the information contained in the five (5) Committee Reports be noted.

COMMITTEE REPORTS

COMMITTEE REPORTS ATTACHED

c-CR2 Economic Development Committee (*Refer Minutes page 69*)

REF EDO 107/24

Submitting minutes of the Economic Development Committee meeting held Wednesday, 22 August 2007.

RECOMMENDATION

THAT the recommendations as detailed in the minutes of the Economic Development Committee meeting held Wednesday, 22 August 2007 be adopted.

c-CR3 Wingecarribee Sport & Recreation Committee (*Refer Minutes page 76*)

REF PPM 6600/6

Submitting minutes of the Wingecarribee Sport & Recreation Committee meeting held Tuesday, 19 September 2006.

RECOMMENDATION

THAT the recommendations as detailed in the minutes of the Wingecarribee Sport & Recreation Committee meeting held Tuesday, 18 September 2006 be adopted.

c-CR4 Wingecarribee Sport & Recreation Committee (*Refer Minutes page 78*)

REF PPM 6600/6

Submitting minutes of the Wingecarribee Sport & Recreation Committee meeting held Tuesday, 21 November 2006.

RECOMMENDATION

THAT the recommendations as detailed in the minutes of the Wingecarribee Sport & Recreation Committee meeting held Tuesday, 21 November 2006 be adopted.

COMMITTEE REPORTS

c-CR5 Wingecarribee Sport & Recreation Committee (*Refer Minutes page 80*)

REF PPM 6600/6

Submitting minutes of the Wingecarribee Sport & Recreation Committee meeting held Tuesday, 20 February 2007.

RECOMMENDATION

THAT the recommendations as detailed in the minutes of the Wingecarribee Sport & Recreation Committee meeting held Tuesday, 20 February 2007 be adopted.

c-CR6 Wingecarribee Sport & Recreation Committee (*Refer Minutes page 82*)

REF PPM 6600/6

Submitting minutes of the Wingecarribee Sport & Recreation Committee meeting held Tuesday, 17 April 2007.

RECOMMENDATION

THAT the recommendations as detailed in the minutes of the Wingecarribee Sport & Recreation Committee meeting held Tuesday, 17 April 2007 be adopted.

c-CR7 LEP Steering Committee Minutes (*Refer Minutes page 84*)

REF DEP 5900

Submitting minutes of the LEP Steering Committee meeting held Wednesday, 19 September 2007.

RECOMMENDATION

THAT the recommendations as detailed in the minutes of the LEP Steering Committee meeting held Wednesday, 19 September 2007 be adopted.

**MINUTES OF THE ECONOMIC DEVELOPMENT COMMITTEE
HELD ON 22 AUGUST 2007**

File No. 107/24

PRESENT: Clr Malcolm Murray (Chairperson)
Clr May King
Mike Hyde, General Manager
Terry Oakes-Ash, Community representative
Alan Spence, Community representative

IN ATTENDANCE: David Drysdale, Moss Vale Chamber of Commerce
Carl Pemberton, Economic Development Officer (EDO)
Helen Stokes, Administration Officer

APOLOGIES: Desmond Kennard

The meeting commenced at 10.35 am

At this junction a quorum was not present. The EDO showed a presentation on a significant international cultural resort established in China.

Clrs Murray and King, and Mike Hyde arrived at 10.50 am.

A quorum was present.

1. **APOLOGIES**

RECOMMENDATION

THAT the apology of Desmond Kennard be received and noted.

Moved Clr M Murray seconded Clr M King

2. **MINUTES OF THE PREVIOUS MEETING HELD ON WEDNESDAY, 23 MAY 2007**

RECOMMENDATION

THAT the Minutes of the Economic Development Committee held on Wednesday, 23 May 2007, be accepted as a true and accurate record.

Moved Terry Oakes-Ash and seconded Clr May King

MATTERS ARISING FROM THE MINUTES OF THE MEETING HELD ON WEDNESDAY, 23 MAY 2007.

Item 4.4 - Establishment of a Tourist Park

Disappointment was expressed in relation to Council's decision that the Centennial Road, Suttor Road and Seymour Park sites were not considered suitable for tourist parks.

David Drysdale advised the Moss Vale Chamber of Commerce will write to Council requesting this matter be revisited, especially the Suttor Road site.

EDO advised another site in Berrima had been identified as suitable and this will be referred to Council for discussion, as well as the Suttor Road site.

3. DEVELOPMENT APPLICATIONS CURRENTLY BEFORE COUNCIL

A list of the current Land Use Applications (DA's) received was tabled. Only Shire Significant projects will be discussed by the Committee at future meetings.

4. UPDATE FROM CARL PEMBERTON (EDO)

4.1 Shire Significant Projects update

The newly formed Shire Significant Projects Environment and Planning team consists of Peter Malloy, Warren Hodder and Geoff Wood.

Current projects the team is analysing are:

1. Renwick - Part 1
2. The Abbey Nursing Home
3. Motel, Yarrowa Road, Moss Vale
4. Pauline Fathers, Penrose
5. Victoria Street, Bowral
6. Capernwray
7. Links Road, Bowral
8. Station Street, Bowral
9. Sutton Forest Hotel

4.2 Enterprise Zone Update

The General Manager and Economic Development Officer met with investment groups in early August where Council's infrastructure plan was presented, with very positive feedback. It was suggested a rail Project Group be formed to progress with ARTC the issue of greater rail access to the intermodal.

The EDO circulated an extract from the 2007 Federal Government publication by the Standing Committee on Transport and Regional Services titled *The Great Freight Task – Is Australia's transport network up to the challenge?* (copy of Southern Highlands section pp196-197 attached). This article will be beneficial for Wingecarribee Shire.

Members of the Parliamentary Standing Committee are:

- Mr Paul Neville MP (Chair)
- Mr Steve Gibbons MP (Deputy Chair)
- Ms Sharon Bird MP
- Mr Barry Haase MP
- Ms Jill Hall MP
- Mr Dennis Jensen MP
- Mr Stewart McArthur MP

Mr Kym Richardson MP
Mr Bernie Ripoil MP
Mr Alby Schultz MP

EDO advised the proposed Inner Harbour development at Port Kembla has been brought forward 15 years and with the call for tenders having been made.

The EDO advised the Graduate School of Business at the University of Wollongong is undertaking the *Southern Highlands Enterprise Zone and Logistics City Project Brief* to determine the logistical and economic viability of the Southern Highlands Economic Enterprise Zone (EEZ) as a logistics distribution centre – a “Logistics City” in comparison to the Sydney metropolitan area.

RECOMMENDATION

THAT the Economic Development Officer invite the Labour and Liberal candidates, for the 2007 Federal election, to the opening of the Intermodal and to address Council at a future Ordinary meeting.

Alan Spence left the meeting at 11.05 am

4.3 China Delegation Update

A local trade delegation consisting of twelve members will visit China on 13 – 26 October 2007.

4.4 China Investment Project

The EDO outlined a proposed tourism investment project for the Shire by the Youlong Group from Beijing, China. The Youlong Group will be hosting the delegation during the visit in October 2007 to discuss further the project as well as other wine industry initiatives.

4.5 White Paper by UOW on Economic Enterprise Zone

The EDO tabled the brief for the proposed ‘White Paper’ to be carried out by the University of Wollongong on the commercial competitiveness of the Enterprise Zone. Contributions to the cost of the study has been requested from the major investors. Copy of the study brief is attached. (*Attachment 1*)

4.6 Small Business Network

This network will be continued as part of the Illawarra project by the Economic Development Officer’s Personal Assistant.

Clr May King suggested that the EDO’s Personal Assistant become a member of the Wingecarribee Business Women’s Network at which a presentation could be made.

COMMITTEE REPORTS

4.7 SEGRA

The EDO advised he will be presenting a paper at the National Conference of SEGRA on 17 - 19 September 2007 at Wollongong on the subject of "*Strategic Thinking in Economic Development*" and will be outlining Wingecarribee Shire Council's current projects.

5. OUTSTANDING ACTIONS OVERDUE FOR THE ECONOMIC DEVELOPMENT COMMITTEE

Subject	Due Date	Company
Meeting is to be convened between Clr May King, other Wingecarribee Shire Chambers and Manufacturing Clusters and the EDO, to determine the best method of local business promotion and report findings back to the EDC	December 2007	Terry Oakes-Ash

6 UPDATE ON TOPIC AREAS FROM CO-ORDINATORS

6.1 Education Nil – Alan Spence left the meeting earlier.

6.2 Housing Strategy Group Nil – Desmond Kennard was an apology.

6.3 Networking

Terry Oakes-Ash reported the following:

- a) Meeting with Senior Management at Blue Circle
- b) Illawarra Business Chamber Board Meeting - now operating under the new name of NSW Chamber, replacing Australian Business Limited
- c) Regional Board of TAFE
- d) Meetings with potential new business in Shire and Macquarie Bank executives
- e) Board Meeting of GROW
- f) Meeting with David Campbell MP Tuesday, 28 August.
- g) "*Back a Bushie*" Campaign still running (updated report for September meeting)

7. PRESENTATIONS

There were no presentations made.

COMMITTEE REPORTS

8. GENERAL BUSINESS

- a) EDC requested support of the Committee for the nomination of Wingecarribee Shire Council in the 2007 Illawarra Business Awards.

RECOMMENDATION

THAT the Committee support the nomination of Wingecarribee Shire Council for the Illawarra Business Awards.

9. ITEMS FOR FUTURE MEETINGS

- a) Steven Paine was an apology for today's meeting and will attend the September meeting to present *Infrastructure Bonds*.
- b) A presentation on the Small Business Network will be made.
- c) Gas powered generation – K Generator in the Enterprise Zone.

10. NEXT MEETING

The next meeting is scheduled for **Wednesday, 26 September 2007** commencing at 10.30 am in the Nattai Room.

Southern Highlands Enterprise Zone and Logistics City Project Brief Ver 2.0

<p>TITLE <i>(Action & desired End Result)</i></p>	<p>Determining the logistical and economic viability of the Southern Highlands Economic Enterprise Zone (EEZ) as a logistics distribution centre - a 'Logistics City'.</p>
<p>PURPOSE</p> <ul style="list-style-type: none"> • <i>Why is the Task being done?</i> • <i>What are the Desired Outcomes? (Must be Quantifiable)</i> 	<ul style="list-style-type: none"> • Shipping congestion in Sydney Harbour and Botany Bay flagged a search for additional port capacity to service the Sydney region. • Port Kembla was thus considered as a possible supplement to help alleviate the logistical bottlenecks around Sydney's ports. • The NSW State Govt. decided to extend the utilisation of the sea-port of Port Kembla via the development of container and car handling capabilities. • A complication with the use of Port Kembla is congestion on the Wollongong to Sydney coastal railway line for product destined for the Sydney region. • Also, the Dombarton to Maldon rail line is incomplete having stopped at a major gorge crossing. • This project therefore is aimed at determining the logistical and commercial viability of developing the EEZ including a logistics distribution centre in the Southern Highlands region of NSW utilising the rail line from Port Kembla through Robertson to Moss Vale. • The basic idea is to take incoming product from Port Kembla to the EEZ' where it can be de-containerised, cross-docked and redistributed along the major supply routes comprising the North/South (Syd to Melb) rail line and the Hume Highway.
<p>OBJECTIVE</p> <ul style="list-style-type: none"> • <i>What is to be done?</i> • <i>The Overall measure that will be achieved.</i> 	<ul style="list-style-type: none"> • A detailed study of the prospect of transporting commercial goods (containers, cars) from the sea-port of Port Kembla NSW to the EEZ and logistics distribution centre located in the Southern Highlands area of NSW. • The study will cover the logistical challenges involved and aim to identify an economically attractive and logistically sound solution. • A comparative case study against a Western Sydney company using Port Botany will be included. • The overall measure is that of a thorough and professional study considering all of the relevant aspects and delivered on-time • The study will also describe suggested next steps.

<p>SCOPE <i>(Define the boundaries of the Task or areas of applicability)</i></p>	<ul style="list-style-type: none"> The transportation of commercial goods via rail from the sea port of Port Kembla NSW to the EEZ located between Moss Vale and Berrima NSW adjacent to the Sydney to Melbourne rail line and the Hume Highway. The scope includes all of the associated logistical and economic factors involved.
<p>APPRAISAL CRITERIA (Deliverables) <i>Tangible products / conditions that will exist upon completion of the Task. May be qualitative or quantitative in nature.</i></p>	<ul style="list-style-type: none"> Situation appraisal completed by: 30th Nov 2007 Model building completed by: 7th Dec 2007 Generation of alternatives by: 21st Dec 2007 Selection of preferred alternative by: 18th Jan 2008 Adverse consequence analysis by: 25th Jan 2008 Publication of the Final Report by: 1st Feb 2008
<p>ISSUES <i>Define things that could prevent you achieving the Objectives - what could go wrong? What are critical considerations?</i></p>	<ul style="list-style-type: none"> Access to necessary data Uncooperative attitude on behalf of Sydney Ports and other competitive logistics centre providers Uncooperative attitude on behalf of potential customers Logistical constraints in the transport network are too numerous and/or too complex to model All possible solutions are infeasible logistically Feasible logistical solutions are commercially infeasible Availability of suitable people resources to do the work
<p>BUDGET</p>	<ul style="list-style-type: none"> Situation Appraisal A\$11,250 Model Building & Analysis A\$9,086 Alternative Generation & Selection A\$6,841 Adverse Consequence Analysis A\$2,029 Final Report Write-Up A\$5,544 UOW Contribution <u>A\$15,000</u> Total <u>A\$49,750</u>

PROJECT TEAM & CUSTOMERS

Project Customer	Carl Pemberton (Wingecarribee Shire Council)	
Project Sponsors	Carl Pemberton, John Glynn	
Project Champions	Peter Robertson, Joshua Fan	
Project Leader	Peter Robertson	
Resources (i.e. Working Team)	Albert Munoz TBA Joshua Fan Peter Robertson	- Modeller - 1 x Research Asst., 1 x Gofer - Consultant - Consultant
Steering Committee	Carl Pemberton, (+ 1), John Glynn	

**MINUTES OF THE SPORT & RECREATION COMMITTEE
HELD ON TUESDAY 19 SEPTEMBER 2006**

File No. 6600/6

COMMENCED: 5.35 pm

PRESENT: Clr Nick Campbell-Jones (Chairman)
Gordon Munro
Ian Campbell
Keith Williams
Greg Burke
Ken Adcock

ALSO PRESENT: Mr Peter Byrne – Civic Services Co-ordinator – Parks & Property
Ms Bernice McDonagh – Parks & Facilities Officer – Parks & Property

APOLOGIES: Clr Paul Tuddenham
Clr Penny George

Clr Campbell-Jones opened the meeting at 5.35pm

Apologies

Were received and noted.

Minutes of the Previous Meeting

Minutes of Meetings 11 July 2006 were accepted as a true and accurate record.

Moved: Greg Burke

Seconded: Gordon Munro

Business Arising

Sporting Facilities Fees

Committee discussed various issues regarding the approved fees.

All committee members agreed that consultation to the user groups was not adequate.

Discussion was held regarding the difficulty that volunteer members of the club face collecting the increased fees on behalf of Council. Comparisons of other Councils services and quality of facilities were discussed.

THAT a letter be forwarded to sporting organisations regarding the Committee concern that the consultation process for the sporting facility fees could have been more comprehensive.

Velodrome

Peter Byrne updated the committee on the safety concerns raised at the previous meeting. Peter Byrne and Bernice McDonagh met with Peter Tomlinson from the cycling club to inspect the velodrome. Peter Tomlinson will be forwarding a report to Council outlining the condition of the facility. Currently the facility is safe to use for club events and complies with the international cycling guidelines.

Other Business

Committee Constitution

Members of the committee raised questions as to the committee constitution. Committee agreed that representatives of sporting organisations and clubs were welcome to attend provided they gave adequate notice.

THAT Council staff investigate the committee's constitution and report back at the next meeting.

Hockey Association

Peter Byrne informed the committee that Southern Highland Hockey Association has applied to Council to extend the man proof fence at Welby Heights. These improvements are to be completed by the club at an approximate cost of \$11,000. The club will also be undertaking a letter box drop to inform the neighbouring residents of the proposed work. The work is in line with the Welby Heights Plan of Management.

Risk Assessments

Ken Adcock informed the committee that some club representatives were concerned that they are not qualified to complete risk assessments. Bernice McDonagh informed the committee that risk assessment workshops are conducted by Council to assist clubs with their requirements. In addition, risk assessments are completed to ensure that clubs are aware of their responsibilities and to assist them with managing any possible risks. Bernice also made note that any club needing assistance with any of the paperwork can contact her.

Confirmed meetings bi monthly, third Tuesday, 5.30pm Civic Centre, Moss Vale.

The next meeting will be: 5.30pm, 21 November 2006, Nattai Room

Meeting Closed at 7.15pm

Clr Nick Campbell-Jones
Chairman

COMMITTEE REPORTS

**MINUTES OF THE SPORT & RECREATION COMMITTEE
HELD ON TUESDAY 21 NOVEMBER 2006**

File No. 6600/6

- COMMENCED:** 5.35 pm
- PRESENT:** Cllr Paul Tuddenham (Chairman)
Mr Ian Campbell
Mr Keith Williams
Mr Greg Burke
Mr Ken Adcock
- ALSO PRESENT:** Mr Peter Byrne – Civic Services Co-ordinator – Parks & Property
Mr Steve Granger – President Southern Highlands Cricket Association
- APOLOGIES:** Cllr Nick Campbell- Jones
Cllr Penny George
Mr Gordon Munro
-

Cllr Tuddenham opened the meeting at 5.35pm

Apologies

Were received and noted.

Minutes of the Previous Meeting

Minutes of Meetings 19 September 2006 were accepted as a true and accurate record.

Moved: Ian Campbell

Seconded: Ken Adcock

Business Arising

Sporting Facilities Fees

The committee requested that a copy of the letter forwarded to sporting organisations regarding facility fees be distributed to committee members (Refer attached).

Ken Adcock expressed concern with the increase in fees for touch football team ie from \$80 to \$160. He advised that touch football and summer soccer are similar sports however; touch football is \$80 more than summer soccer. Ken requested that the scale of the fees be revised and further information be provided.

Other Business

Committee Constitution

Council staff distributed copies of Minutes of the Ordinary Meeting of Council 14 July 2004. Item TS2 "Structure & Terms of Reference – Wingecarribee Sport & Recreation Committee" (Refer attached).

Cllr Tuddenham recommended that the committee review its function and membership at the next committee meeting.

General Business

Steve Granger (President – Southern Highlands Cricket Association) addressed the meeting and addressed the following:

- The Shire has lost approximately 10 wickets over the last 10 years. The number of players is increasing especially the juniors. In short there are insufficient wickets to accommodate the numbers of the people playing cricket. Private schools and Chater Oval are being used to manage the current numbers.
- The requirement for a synthetic grass wicket in Mittagong is paramount. Steve suggested that the turf wicket at Welby Oval be changed to a synthetic wicket to facilitate juniors in the Northern end of the Shire. He also proposed that Exeter be changed to a natural turf wicket to facilitate the seniors. Discussed the possible use of an unused wicket in Berrima and the provision of a synthetic wicket at Ferndale Oval between the 2 soccer fields.
- The sports fields are generally in poor condition due to the drought and number of practice nets need repairs.

Recommendations

- **THAT** due to the lack of wickets suitable for junior cricket on the northern side of the Shire. A new synthetic grass wicket be provided at Welby Oval. Funding from existing budgets to be reviewed.
- **THAT** provision of a natural turf wicket at Exeter Oval be supported and the cost be considered for the future budget.

Moved: Greg Burke

Seconded: Keith Williams

Condition of Sports Fields

Council Officers advised that due to poor seasonal conditions the renovation of sports fields has been postponed from Spring to Autumn.

David Wood Sporting Fields

Ian Campbell discussed the requirements for a permanent canteen and referees room. Council staff to review available funding from Section 94 contributions.

Mittagong Pool Car park/Entry

Greg Burke advised that the sandstone entry that was removed by Council as part of the car park upgrade was to be re-established.

Council Officers to review status for next meeting. (See attached weekly circular – attached).

The next meeting will be: 5.30pm, 20 February 2007, Nattai Room

Meeting Closed at 7.10pm

Clr Paul Tuddenham
Chairman

COMMITTEE REPORTS

**MINUTES OF THE SPORT & RECREATION COMMITTEE
HELD ON TUESDAY 20 FEBRUARY 2007**

File No. 6600/6

COMMENCED: 5.35 pm

PRESENT: Clr Nick Campbell- Jones (Chairman)
Clr Penny George
Mr Ian Campbell
Mr Keith Williams
Mr Gordon Munro
Mr Ken Adcock

ALSO PRESENT: Mr Peter Bowmer Parks and Property Manager
Ms Bernice McDonagh – Parks and Facilities Officer

APOLOGIES: Clr Paul Tuddenham
Mr Greg Burke

Clr Tuddenham opened the meeting at 5.40pm

Apologies

Were received and noted.

Minutes of the Previous Meeting

Minutes of Meetings 21 November 2006 were accepted as a true and accurate record.

Moved: Ken Adcock

Seconded: Ian Campbell

Business Arising

Sporting Facilities Fees

Ken Adcock expressed concern with the increase in fees for touch football team ie from \$80 to \$160. He advised that touch football and summer soccer are similar sports however; touch football is \$80 more than summer soccer. Peter Bowmer advised the Committee of the scale of fees and noted that summer soccer should have been a similar price the touch foot ball. Peter Bowmer will amend in budget allocations.

Other Business

David Wood Playing Fields

Ian Campbell made note of the current condition of the playing fields. The playing fields, canteen and referees amenities are not currently at the level required by Soccer NSW for high level competition.

Recommendations:

THAT the committee recommend money be allocated to upgrading the facility to meet Soccer NSW requirements.

THAT a submission from Highlands Soccer Association be presented to the next finance committee outlining the requirements for the facilities to make them comply with Soccer NSW standard. That the letter outlines both monetary and in kind contributions from the H.S.A. towards the program.

Moved: Keith Williams

Seconded: Ian Campbell

General Business

Exeter Oval

A submission from Exeter Soccer Club was tabled. The submission outlined toilet amenities at Exeter Oval and the possibility of grant applications for the project.

Recommendations:

THAT Construction of the amenities block be suspended until other funding sources be investigated and applied for if appropriate.

THAT The amenities block be reviewed and a report forwarded to Works and Planning Committee.

Renovation of Sports Fields

Moss Vale Soccer Club requested Council to lay turf in the goal mouths prior to the cooler weather. The club have offered to water the area until turf is established.

Yerrinbool Soccer Club tabled a letter outlining a request to extend Government Road Oval to cater for additional roo ball fields. The club requested that Council provide 50% of the funding for the project.

Advertising Moss Vale Community Oval

Moss Vale Rebels requested approval to erect advertising signage at the Moss Vale Community Oval as a fund raising initiative of the club.

Recommendations

THAT Council address the clubs request to allow day only signage on the club house facility.

THAT Council conduct a review of the current sports advertising signage policy.

The next meeting will be: 5.30pm, 17 April 2007, Nattai Room

Meeting Closed at 7.25pm

Clr Nick Campbell- Jones
Chairman

COMMITTEE REPORTS

**MINUTES OF THE SPORT & RECREATION COMMITTEE
HELD ON TUESDAY 17 APRIL 2007**

File No. 6600/6

COMMENCED: 5.35 pm

PRESENT: Clr Nick Campbell- Jones (Chairman)
Clr Penny George
Mr Ian Campbell
Mr Keith Williams
Mr Gordon Munro
Mr Ken Adcock

ALSO PRESENT: Mr Peter Bowmer Parks and Property Manager
Mr Peter Byrne Civic Services Coordinator
Ms Bernice McDonagh – Parks and Facilities Officer
Ms Jenny Kena – Community and Cultural Development Officer

APOLOGIES: Clr Paul Tuddenham

Clr Campbell-Jones opened the meeting at 5.40pm

Apologies

Were received and noted.

Minutes of the Previous Meeting

Minutes of Meetings 20 February 2007 were accepted as a true and accurate record.

Moved: Penny George

Seconded: Ian Campbell

Business Arising

David Wood Playing Fields

Ian Campbell informed the committee that a submission from the HSA for finance committee and budget consideration has been forwarded to Council (Copy attached).

Sporting Facilities Signage

The committee discussed the issue of signage at Council sporting facilities for match day.

Recommendations:

THAT Council staff develop a Sporting Facility Signage Policy that may allow clubs to erect signage at Council sporting facilities.

THAT the Policy consider the pros and cons of signage for the community and clubs, and develop guidelines for clubs to follow regarding size, type, content, and sponsors that may appear on signage.

THAT all signage at a Council sporting facility must be approved by Council prior to use.

Moved: Ian Campbell / Seconded: Gordon Munro



General Business

Community Grants, Submission Review

Jenny Kena — Community and Cultural Development Officer - Strategic Planning outlined submissions. Discussed the merit of the various submissions.

David Wood Playing Fields

Peter Bowmer presented the recreation slab plans to the committee. The committee discussed the slab details. The committee unanimously voted the following recommendations:

Recommendation

THAT Council review the funding allocation for the recreation slab and utilise the funds to complete the canteen facility at the playing field.

Meeting Schedule

The committee discussed the need to meet bi monthly. The committee will now meet as needed.

The next meeting will be: TBA

Meeting Closed at 7.25pm

Clr Nick Campbell- Jones
Chairman

MINUTES OF THE LEP STEERING COMMITTEE MEETING
HELD ON WEDNESDAY 19 SEPTEMBER, 2007

File No. 5900

ATTENDANCE:

Councillors Nick Campbell-Jones (Chairman), Gordon Lewis, Phil Yeo, Jim Clark, Penny George, Malcolm Murray, Jim Mauger and Larry Whipper

APOLOGIES:

Councillors Sara Murray, Paul Tuddenham, May King, Duncan Gair

STAFF:

Scott Lee, Mark Pepping, Susan Stannard and Bennett Kennedy

REPORTS:

1. **PRESENTATION BY GRAHAM PASCOE AND MURRAY SOWTER ON THE
REZONING OF "COOMUNGIE"**

Recommendation:

THAT the owner of Coomungie provide density outcomes associated with the various options presented at the Committee Meeting to the next LEP Steering Committee scheduled for October 2007.

2. **FEEDBACK FROM COUNCILLORS ON RURAL LANDS DCP, PARTS A AND B**

Recommendation:

THAT the comments from Councillors be incorporated within the revised version of the DCP.

3. **UPDATE ON DISCUSSIONS WITH DEPARTMENT OF PLANNING ON SOUTH
WEST YERRINBOOL**

Recommendation:

THAT the update be noted.

4. **COUNCIL DECISION ON WENSLEYDALE**

Recommendation

THAT the matter be resubmitted to Council.

After debate the Motion was put to the Committee and was defeated 5 to 3.

COMMITTEE REPORTS

5. **VERBAL UPDATE ON DRAFT LEP 2007**

Recommendation:

THAT the update be noted.

Meeting closed approximately 11.25am

The next LEP Steering Committee meeting is scheduled to be held
on **Wednesday 17 October, 2007**