

File No. 100/07  
Our Ref: RAP

18 October 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, 24 October 2007** commencing at **3.00 pm**.

Yours faithfully

Mike Hyde  
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 Richard Mills of Mittagong Anglican Church.*
3. PUBLIC FORUM
4. APOLOGIES
5. ADOPTION OF MINUTES OF ORDINARY MEETING *held Wednesday, 10 October 2007*
6. BUSINESS ARISING FROM THE MINUTES
7. DECLARATIONS OF INTEREST
8. MAYORAL MINUTE (*if any*)
9. OPEN COUNCIL *chaired by Clr Larry Whipper*
  - 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, 24 October 2007



**DECLARATIONS OF INTEREST**

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**DECLARATION OF INTEREST**

*101/3*

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

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## VISITOR ITEMS

### ENVIRONMENT & PLANNING DIVISION

#### v-EP1 Proposed Telstra Tower, Bong Bong Picnic Race Club, Glenquarry

REF: DCM

LUA07/0569

Reporting on proposed mobile phone base station facility, comprising a 31.31 metre pole and 6 square metre equipment shelter, at Lot 22 DP 792646, Kangaloon Road, Glenquarry.

The applicant and one representative of the objectors have been invited to address the meeting.

## REPORT

### 1. DESCRIPTION OF PROPOSED DEVELOPMENT

LUA07/0569 has been received, seeking approval for a 31.31 metre high Telstra Tower and 6 square metre equipment shelter at Lot 22 DP 792646, Bong Bong Picnic Race Club, Kangaloon Road, Bowral.

- The originally submitted plans located the proposed tower 9 metres south of the Kangaloon Road boundary and 80 meters east of the main entrance (see **Attachment 1**).
- The amended plans submitted 19 September 2007 locate the proposed tower 50 metres south of the Kangaloon Road boundary and 300 metres east of the main entrance (see **Attachment 2**).

### 2. STATUTORY CONSIDERATIONS

- 7(b) Environment Protection (Landscape Conservation) zone *Wingecarribee Local Environmental Plan 1989*.
- Proposal permissible subject to consent of Council.
- DCP 53 – Siting, Design and Landscaping of Rural Developments.

### 3. PUBLIC CONSULTATION

The original plans were notified to surrounding properties.

47 submissions were received (45 letters of objection and two letters of support). Concerns were raised regarding:

- Visual impact,
- Health risks from Radiofrequency Electromagnetic Energy exposure,
- Decreased property values;
- Location on a tourist road;
- Lack of community consultation.

The amended plan, submitted 19 September 2007, showing the proposed tower setback 50 metres south of the Kangaloon Road boundary and 300 metres east of the main entrance, was re-notified to surrounding properties and those who made a previous submission.

28 submissions were received (26 letters of objection and 2 letters of support) raising the concerns regarding :

- Visual impact
- Impact upon tourism;
- Health impacts of exposure to Radiofrequency Electromagnetic Energy;
- Not consistent with the objectives of DCP 53 – ‘Siting, Design and Landscaping of Rural Developments’
- Concerns that the plans showing the amended location should be a new development application and notified under a new DA number
- Inadequate details submitted with amended plan including no Statement of Environmental Effects,
- Not satisfied that the crane erected at alternate site on 3 September was correctly located and not at the correct height.

A copy of the most comprehensive letter of objection (deleting personal details) forms **Attachment 3** to this report.

#### 4. DISCUSSION OF MAJOR ISSUES ARISING

##### **(a) *Radiofrequency Electromagnetic Energy (EME) – Health Impacts***

The Australian Communications and Media Authority (ACMA) is the Australian Government’s regulator for broadcasting, the Internet, radio communications and telecommunications.

ACMA sets standards for maximum radiofrequency electromagnetic energy (EME) emitted from a mobile phone base station.

All transmitter installations / mobile phone base stations are required to comply with the radiofrequency EME exposure limits in the ACMA standard. This can be reinforced by a condition of consent.

**(b) Visual Impact**

The amended tower location (being 50 metres south of Kangaloon Road, and 300 metres east of the main entrance) is considered to be an improvement upon the originally submitted plans. The visual impact of the tower is best appreciated by the photographs / PowerPoint presentation to be shown at the Council meeting. Photos of the cherry picker erected at the original location (dated 18 August 2007) and at the amended location (dated 3 September 2007) will be shown.

Due to bogging problems, the cherry picker erected 3 September 2007 was not parked on the proposed tower location, however, the passenger platform of the picker projected out over the proposed location, and as a result, the picker was approximately one metre short of the 31.31 metre proposed tower height. This needs to be taken into consideration when viewing the photos dated 3 September 2007.

**5. CONCLUSION**

The proposed amended location of the Telstra Tower is considered acceptable, and the proposal is recommended for approval.

**ATTACHMENTS**

There are three attachments to this report:

1. Original plans.
2. Amended plans.
3. Copy of comprehensive letter of objection.

**RECOMMENDATION**

THAT authority be delegated to the Director, Environment & Planning to approve the development application.

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Scott Lee  
**Director, Environment & Planning**

17 October 2007

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**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 2/10/07 and 16/10/07.

**RECOMMENDATION**

THAT the information relating to Development Consent Nos 1-6 under Delegated Authority be received and noted.

**Development Applications (DAs) Determined – 02/10/07 and 16/10/07  
(Excluding Small Lot Subdivisions and Domestic Applications)**

1	LUA07/0804	Lots 1 & 2 DP 251401 and Lot 14 DP 632946 Wombeyan Caves Road, Wollondilly	2 lot subdivision
2	LUA07/0209	Lot 4 DP 262907 Old Hume Highway, Berrima (opposite Berkelouws)	Earth dam (fenced) and access road
3	LUA07/0851	Lot 1 DP 738075, 250a Bong Bong Street, Bowral (cnr Merrigang Street)	Signage, Landscaping Ramp & rear carparking for restaurant
4	LUA07/1020	Lot A DP 330415 Bundanoon Hall, Railway Avenue, Bundanoon	Wall of Remembrance, floodlighting, flagpoles & fencing
5	LUA07/1028	Lots 13 & 14 Sec 18 DP 758882, No 52-54 Illawarra Hwy, Robertson (next to Council Park)	Occupation of vacant premises - Jim's Fruit Barn
6	LUA07/0805	Lot 5 DP 262433 Kells Creek Road, High Range (Winery)	Addition to existing prefabricated metal building for storage and office

**o-EP2 List of Development Applications Received By Council**

REF: DCM 5302

Submitting a list of development applications which have been received between 2/10/07 and 16/10/07, 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 1-9 received by Council be received and noted.

**Development Applications (DAs) Received – 02/10/07 to 16/10/07  
(Excluding Small Lot Subdivisions and Domestic Applications)**

	Date Lodged	LUA Number	Legal Description	Property Address	Description	SIC	Delegation
1	12/10/2007	LUA07/1106	Lot 1 DP 1036670 (between Highlands & Maloney's Roads)	'KILDRUMMIE', TOURIST ROAD, KANGALOON	2 x Lot Subdivision		✓
2	4/10/2007	LUA07/1072	Lot 243 DP 447554	65 MAIN STREET, MITTAGONG	Change of Use to Laundromat		✓
3	5/10/2007	LUA07/1074	Lot 50 DP 880942	91 BENDOOLEY STREET, BOWRAL	Brick Fence		✓
4	5/10/2007	LUA07/1080	Lot 5 DP 240187	69 MAIN STREET, MITTAGONG	CDC Change of Use to 'Food Lovers' – wholesale/retail food products (no food preparation)		✓
5	5/10/2007	LUA07/1083	S/P 41585 Lot 34 DP 747894	'HIGH STREET', 310- 318 BONG BONG STREET, BOWRAL	Occupation of Shop 23 as a Beauty Salon		✓
6	9/10/2007	LUA07/1094	Lot 3 S/P 58139	3/380 BONG BONG STREET, BOWRAL	Change of Use from Travel Agency to Medical Imaging / Fitout		✓
7	10/10/2007	LUA07/1100	Lot 61 DP 777704	BUSH FIRE SHED, AYLMERTON ROAD, AYLMERTON	Additions to Rural Fire Station & Storage Garage		✓
8	12/10/2007	LUA07/1108	Lot 2 DP 1014065	61-63 MAIN STREET, MITTAGONG	Change of Use to Convenience Store (was Video shop)		✓
9	12/10/2007	LUA07/1118	Lot 1 DP 64663	1-54578 ROYAL HOTEL, THE ILLAWARRA HIGHWAY, SUTTON FOREST	Alts & Adds to Existing Hotel & Restaurant New Conference Facility 100 Room Motel Parking & Recreation Facilities	✓	

**o-EP3 Rezoning of Gibbergunyah as a Proposed Residential Release Area**

REF: SPM

PN960100

The purpose of this report is to seek a resolution of Council to formally proceed with the preparation of the draft LEP to rezone part of the property known as Hiramdene located between Mittagong and Bowral adjoining Gibbergunyah Reserve and the Main Southern Railway Line. It is noted that the subject property is referred to in the Wingecarribee Our Future Strategic Plan as 'Gibbergunyah'.

REPORT

INTRODUCTION

This report provides Council with relevant information which has been captured in order for Council to be satisfied that the part of the property known as Hiramdene and referred to as Gibbergunyah located between Mittagong and Bowral can be rezoned to allow residential development. The next stage is to forward the matter to the Department of Planning for formal endorsement to proceed with a LEP.

For background information this report also contains the results from the Community feedback received earlier this year on the draft Residential Release Strategy and which was reported to Council on 12 September 2007.

BACKGROUND

Council on 19 May 2006 engaged Hassell Pty Ltd to undertake an Environmental Study (ES) at the expense of the land owner over the subject property to determine its capabilities as a future urban residential release area. The study was completed in late 2006 and the outcomes and the ES outcomes and recommendations reported to Council on 13 December 2006 where it was resolved as follows:

1. THAT the Environmental Studies for Chelsea Gardens, Wensleydale and Gibbergunyah be received and noted by Council.
2. THAT the Environmental Studies mentioned in Item 1 be made publicly available at the Council's Customer Service Centre, Public Libraries and on the Council's Web site as soon as practicable.
3. THAT three Public Information Sessions be held in Colo Vale, Mittagong and Moss Vale in February 2007 to allow the community to obtain information and provide feedback on the possible future release areas.
4. THAT a further report be submitted to Council on the outcomes of the Community Consultations.

5. *THAT the first edition of Wingecarribee Today 2007 be devoted to the proposed Residential Growth Strategy 2007-2020 with provision for a response from the ratepayers.*
6. *THAT a report be presented to the Ordinary Meeting of Council to be held on Wednesday, 14 February 2007 as to other potential land release areas.*

Council as part of the Wingecarribee Our Future Strategic Plan adopted in 2002 resolved to include 'Gibbergunyah' as an urban release area capable of accommodating approximately 200 dwellings. The release area identified was namely Lot 1, DP 595018 known as 'Hiramdene'.

### COMMUNITY FEEDBACK ON DRAFT RESIDENTIAL RELEASE STRATEGY

The main details associated with the community feedback from the consultations on the Draft Residential Release Strategy were provided to Council in report number EP6 of 12 September 2007. Only those responses relevant to the subject site have been included within this report.

As a result of the consultations, 51% of responses supported the Gibbergunyah site for future residential development and 49% were opposed.

The following dot points represent specific comments which were offered in the responses.

#### Gibbergunyah

- LES by Hassell flawed – stormwater and water issues, heritage items not identified, lack of consultation with neighbours
- Green space retention and impact on important rural vista.
- Against Council's own Strategy on defined boundaries between towns.
- Road reserves through the old Rail line are Southern Highland Shale Woodland
- Local flooding issues in storms exacerbated
- Existing street pattern in John Street area and conditions of roads not suitable for more development. Area is already constrained by limited access in and out.
- Existing road conditions unsuitable for more vehicles regardless of proposed upgrades.
- Re-open Spring Street to Old Hume Highway
- Poor levels and standards of infrastructure now – only get worse.
- Existing stormwater issues
- Impact on Gibbergunyah Reserve.
- Additional traffic to the Big W and other development demands
- The LES overlooked some significant historical and heritage facts
- Need to bypass Mittagong from Bowral to the Welby area.

#### GIBBERGUNYAH ENVIRONMENTAL STUDY

In 2006, Council formally resolved to proceed with an Environmental Study for the Gibbergunyah site to ascertain the development opportunities for the site.

This Environmental Study determined that the Gibbergunyah site was capable of being rezoned to permit development for residential purposes. The creation of a residential community at Gibbergunyah is an appropriate extension of the Mittagong Township that builds on the residential fabric of the south-west area of Mittagong. The development of a residential community at Gibbergunyah addresses the need to house an increasing population, creates opportunities to provide a wide range of housing types, better utilises existing infrastructure (such as schools and public transport) and provides opportunities to better service existing residents with opportunities that arise from additional residents (such as formalising road network, creating pedestrian links, etc).

The Gibbergunyah site can accommodate a range of allotment sizes to provide a variety of housing types and enable a broader housing choice within Mittagong. Future development of Gibbergunyah can proceed in a manner that will not detract from the existing character of the surrounding area, Mittagong or the Southern Highlands. The Gibbergunyah site contains significant environmental and heritage characteristics that influence the developable area within the site. An indicative layout of the residential community proposes to incorporate these key environmental and heritage characteristics within the site planning and create an environmentally and socially sustainable community.

The study process also raised several matters of significant policy importance, which should be resolved by Council as it concludes its preliminary planning deliberations. Upon favourable feasibility analysis, the findings of the subject studies equip Council with the ability to proceed to resolve to prepare a Draft Local Environmental Plan and 'upgrade' the subject environmental investigations as a Local Environmental Study. Council is importantly now in a position to consider the merits of rezoning the subject lands as part of its broader review of potential new urban lands in the Shire.

The Environmental Study suggests the location exhibits a unique element in an existing environment context. A brief portrait of the existing environment and emergent issues with implications for urban development are summarised below:

### **Opportunities and Constraints**

The landscape, local character, environmental and social assessments have identified a range of opportunities and constraints influencing the site. The following summarises the identified opportunities:

- Existing established residential areas to the north.
- New residential development could be sited to maintain and enhance the natural site features and be in keeping with existing residential settlements by ensuring setbacks from ecologically and visually sensitive areas.
- Potential for vehicular access from John Street opposite Spring Street, at the end of Richard Street and opposite the unformed road at the location of the existing gate to the site.
- Potential for improved accessibility and formalisation of current roads and pedestrian network arising from new development.
- Potential access from Old Bowral Road on the south.
- Flatter land is available for development on the Northern portion of the site.
- Pleasant outlook and favourable northern orientation are available for most of the site.
- Existing Gibbergunyah Reserve to the west provides character and amenity and contains the Mittagong Township.



- Mount Gibraltar provides an impressive backdrop to the south.
- Gibbergunyah Creek offers amenity and the opportunity to provide a recreational use and pedestrian/cyclist connection.
- Opportunity may exist for some recreational and pedestrian connections to Gibbergunyah Reserve across the Creek.
- Potential for new development to enhance utilisation of existing services, such as, bus routes and public schools.
- Potential to create a range of housing styles, size and choice for existing and future residents.

The following summarises the identified constraints:

- Limited connections from John Street back to Lyell Street. The topography would make a direct connection from John Street to Lyell Street difficult.
- A steep gully runs along the northern site boundary, parallel to John Street, making potential connections more environmentally sensitive and costly.
- Road network to the north of the site remains incomplete and unformed in part, requiring upgrades to surrounding road network to accommodate future development.
- The Southern portion of the site is exposed to noise from rail line and in particular from Bowral Road. Additional acoustic treatments such as noise barriers could be considered, however, this should be through a detailed acoustic assessment.
- Portions of the site are unsuitable for development due to steep gradient, ecological sensitivity, flood prone and bushfire prone land and exposure to noise sources.
- Access is limited to two sides (north and south). Little connection is available to the school site on the east.
- Development for residential on the outskirts of the Mittagong township raises issues on access to services for existing and future residents.
- The site is constrained by a range of environmental, ecological and cultural heritage factors which limit development within the site.
- Future investigations are required to determine the degree to which some areas are high constraint.
- The final infrastructure requirements and location on the subject site is reliant on the ultimate detailed design and density of development proposed in the final design. The location of site infrastructure should be designed to minimise impacts on the archaeological and ecological values within the site.

Structure planning principles have been informed by the opportunities and constraints identified above. These constraints reduce the total developable area of the site to about 15.2 hectares. A hypothetical layout provides flexibility in lot size allowing for approximately 150 lots on the site, and allows for an asset protection zone on the north, west and east boundaries of the site in order to cater for the archaeologically sensitive areas, the areas of slope greater than 15%, the riparian corridor and the areas of potential bushfire risk. A Rail Noise Buffer Zone has been identified on the southern side of the site to minimise potential noise impacts, in accordance with noise assessment.

The provision of riparian and asset protection corridors, infrastructure and noise attenuation measures will be determined more fully at the detailed design stage of any future development on the site.

A copy of the Executive Summary of the ES is attached (**Attachment 1**) with a full copy of the ES provided in the Councillors Room.

### OPTIONS FOR REZONING GIBBERGUNYAH

At the Council's LEP Steering Committee held on 15 August 2007, it was resolved as follows:

***THAT** a report be submitted to Council in November 2007 recommending that Council resolve to prepare a draft LEP to rezone all the land identified as suitable for urban development under the Environmental Study and notify the Department of Planning under Section 54 of the EP&A Act of its decision.*

The following map depicts the location of the land considered by Council.

### **OPTION FOR REZONING AS SHOWN SHADED**



### 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. 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, the Council can still discontinue the process itself at any stage prior to submitting the Draft LEP to the Minister for gazettal.

#### MANAGEMENT PLAN ISSUES OR IMPLICATIONS

The main management plan implication will relate to the longer term maintenance of public infrastructure on the site as well as amplification of other major infrastructure off site to cater for the increased population and service demands. Council will generally require the developer to undertake the necessary works associated with the development of the land on and off-site, hence no works programming implications are anticipated.

#### POLICY IMPLICATIONS

The draft LEP is consistent with Council's housing policy contained in the Wingecarribee Our Future Strategic Plan to make available additional housing opportunities in the shire.

The draft LEP and associated draft DCP over the site will form Council's policy for the development of the land.

#### BUDGET IMPLICATIONS

Should the rezoning of the site proceed, the preparation of a Planning Agreement with Council and the owner/developer will address many of the budget implications of this development site.

#### ECOLOGICAL SUSTAINABLE DEVELOPMENT ISSUES

(i) **Environmental Factors**

The ES is the document that has assessed the possible environmental and social impacts. If the DOP gives Council permission to proceed with the preparation of Local Environmental Plan, further work will be required to address those environmental and social issues raised as part of the Environmental Study work completed to date.

(ii) **Social Factors**

The development of this site for housing will provide opportunities into the future for a greater choice of housing for changing demographics as well as provide local employment opportunities in the form of construction jobs over a number of years.

(iii) **Economic Factors**

The draft LEP creates a significant housing development opportunity that will increase the level of supply of available developable land for the shire market. This is anticipated to have flow on economic impacts on the local community.

#### CONCLUSION

The ES concludes that the subject site is suitable to be rezoned to permit development for urban purposes.



There are no significant issues associated with the rezoning of this site that cannot be readily dealt with as part of the preparation of a draft Development Control Plan (DCP) for the site or as part of the subdivision designs for the site should the rezoning proceed.

Following confirmation from the Department of Planning that the plan can be prepared, work can commence preparing the Draft LEP immediately as well as beginning with the preparation of the draft DCP, along with discussions on a possible Planning Agreement and maintenance of infrastructure and rating.

#### ATTACHMENTS

There is one (1) attachment to this report which has been circulated separately. A full copy of the Environmental Study is available for perusal in the Councillors Room.

1. Executive summary of Environmental Study for Gibbergunyah.

#### RECOMMENDATION

THAT Council resolves to proceed with the rezoning of the land as identified in the map within the report and notify the Department of Planning in accordance with Section 54 of the EP&A Act of its decision to rezone the land accordingly.

**o-EP4 Rezoning of Chelsea Gardens / Coomungie as a Proposed Residential Release Area**

REF: SPM

PN1705662; PN1682700

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 two properties known as Chelsea Gardens and Coomungie on the south eastern outskirts of Moss Vale for future urban development.

REPORT

INTRODUCTION

This report provides Council with relevant information which has been captured in order for Council to be satisfied that the two properties known as Chelsea Gardens and Coomungie located on the south eastern fringe of Moss Vale can be rezoned to allow residential development. The next stage is to forward the matter to the Department of Planning for formal endorsement to proceed with a LEP.

For background information this report also contains the results from the Community feedback received earlier this year on the draft Residential Release Strategy and which was reported to Council on 12 September 2007.

BACKGROUND

Council resolved on 26 April 2006 to engage Michael Brown Planning Strategies to undertake an Environmental Study (ES) at the expense of the land owners over the subject properties to determine their combined capability as a future urban residential release area. The study was completed in late 2006 and the outcomes and the ES outcomes and recommendations reported to Council on 13 December 2006 where it was resolved as follows:

1. *THAT the Environmental Studies for Chelsea Gardens, Wensleydale and Gibbergunyah be received and noted by Council.*
2. *THAT the Environmental Studies mentioned in Item 1 be made publicly available at the Council's Customer Service Centre, Public Libraries and on the Council's Web site as soon as practicable.*
3. *THAT three Public Information Sessions be held in Colo Vale, Mittagong and Moss Vale in February 2007 to allow the community to obtain information and provide feedback on the possible future release areas.*
4. *THAT a further report be submitted to Council on the outcomes of the Community Consultations.*
5. *THAT the first edition of Wingecarribee Today 2007 be devoted to the proposed Residential Growth Strategy 2007-2020 with provision for a response from the ratepayers.*
6. *THAT a report be presented to the Ordinary Meeting of Council to be held on Wednesday, 14 February 2007 as to other potential land release areas.'*

Council on 25 October 2006 adopted various amendments to the Wingecarribee Our Future Strategic Plan adopted in 2002 which amongst other things included Lot 12 DP 866036 Lovelle Street known as 'Chelsea Gardens' and Lot 3 DP 706194 Yarrowa Road known as 'Coomungie' as a potential future urban land release area.

### COMMUNITY FEEDBACK ON DRAFT RESIDENTIAL RELEASE STRATEGY

The main details associated with the community feedback from the consultations on the Draft Residential Release Strategy were provided to Council in report number EP6 of 12 September 2007. Only those responses relevant to the subject site have been included within this report.

As a result of the consultations, 57% responses supported the Chelsea Gardens/Coomungie option for future residential development and 43% were opposed.

The follow represent specific comments which were offered in the responses

#### Chelsea Gardens & Coomungie

- Urbis JHD made a submission on behalf of Buildev supporting the development of the site.
- Existing infill development of 625 sites, 400 sites at Broughton St & 1000 at Chelsea Gardens Coomungie – 2025 additional dwellings or 5000 more people being a 60% increase in the town total population.
- Car parking shortfalls now
- Traffic impacts on Moss Vale
- Visual extension of town boundaries
- Lack of core infrastructure in town by both State and Council in Moss Vale
- LES flawed and not consider rural vista issues
- Over development – say 500 lots more appropriate
- Suggest land west of Harper Collins is more suitable (within visual catchment)

#### CHELSEA GARDENS/COOMUNGIE ENVIRONMENTAL STUDY

In 2006, Council formally resolved to proceed with an Environmental Study for the Chelsea Gardens/Coomungie properties to ascertain the development opportunities for the site. The Environmental Study carried out over the properties concluded that the area does have urban development capability. It does, however, bring with it certain development challenges. These challenges however are considered to be manageable as has been concluded in the preliminary formulation of development principles and management frameworks.

The study process also raised several matters of significant policy importance, which should be resolved by Council as it concludes its preliminary planning deliberations. Upon favourable feasibility analysis, the findings of the subject studies equip Council with the ability to proceed to resolve to prepare a Draft Local Environmental Plan and 'upgrade' the subject environmental investigations as a Local Environmental Study. Council is importantly now in a position to consider the merits of rezoning the subject lands as part of its broader review of potential new urban lands in the Shire.

The Environmental Study suggests the combined properties exhibit a unique element in an existing environment context. A brief portrait of the existing environment and emergent issues with implications for urban development are summarised below:

- The properties do not rank highly in terms of agricultural capability; as such it is not prized, 'must retain' rural lands;
- Land contamination is potentially restricted to discrete areas (associated with existing buildings, stock handling facilities etc) and possible diffuse agrochemical contamination. Assessment and remediation are considered to be potentially easy and not a constraint to rezoning and urban development;
- Resources exist principally in a subsurface environment and are not considered to represent significant constraints to urban development. Planning and development merely needs to have regard to them and generally not sterilise their 'winning';
- The sites are located in areas of general 'low' groundwater vulnerability and are underlain by reasonable quality groundwater resources. These do not represent constraints to urban development. Groundwater management strategies should, however, be prepared at a latter stage;
- The geology, soils and topography and geotechnical composition of the sites generally do not present major impediments to development. Management strategies need to be applied in certain instances as noted in respect of the individual sites. The steeper components need to be potentially excluded from development and/or have particular sensitive design outcomes;
- The cleared areas are not rich in biodiversity and do not contain any threatened species;
- The site is exposed to bushfire hazards. Lower order threats exist in respect of the site. Appropriate bushfire management plans can however, be developed;
- The site has reasonable rural land water discharges exiting the property. The existing water cycle regime is capable of being adapted to an urban context. The site is, however, in a catchment currently experiencing significant downstream drainage inadequacies;
- Existing service infrastructure is available within relatively close proximity, but generally does not have the immediate capacity to service a new urban release;
- The site exhibits positive rural landscape imagery, with urban/village backdrops. These images will potentially be altered significantly should urbanisation occur;
- The cleared/disturbed areas has been assessed to have generally low indigenous (heritage sensitivity);
- There exist European heritage issues. The issues are, however, not of a nature which would preclude urban development. They do however, require further investigation and a management strategy;
- The social infrastructure supporting the existing community was considered to be generally adequate, subject to an upgrade in quality in certain instances. Chelsea Gardens can capitalise on existing under-utilised infrastructure;
- Road traffic noise is generally of acceptable levels and likely to be capable of being addressed in terms of residential design;
- The site is, however, part of a broader generally underperforming local traffic environment and will need to contribute to the rectification of same in addition to local works.



Subject to Council's consideration of an appropriate density and resolution of key site constraints and detailed design, the site has the potential to accommodate between 900 and 1000 lots of a variety of sizes ranging from 250m<sup>2</sup> to 4000m<sup>2</sup> depending on the mix of allotment sizes.

A copy of the Executive Summary of the ES is attached (**Attachment 1**) with a full copy of the ES provided in the Councillors Room.

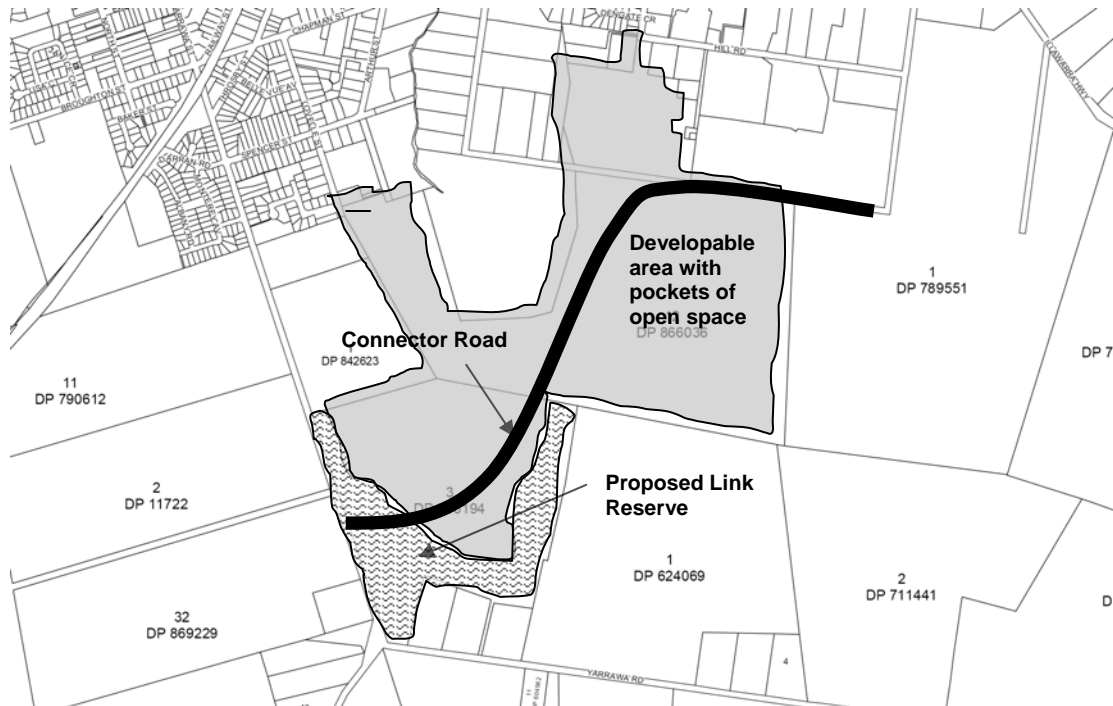
#### OPTIONS FOR REZONING CHELSEA GARDENS/COOMUNGIE SITE

At the Council's LEP Steering Committee held on 15 August 2007, it was resolved as follows:

*THAT a report be submitted to Council in September 2007 recommending that Council resolve to prepare a draft LEP to rezone all the land identified in Option B outlined in the report as suitable for urban development under the Environmental Study and notify the Department of Planning under Section 54 of the EP&A Act of its decision.*

The following map depicts the option discussed at the LEP Steering Committee on 17 October 2007 for consideration by Council. A document containing the 5 Options presented at the Committee Meeting is available within the Councillors Room for perusal.

## OPTION FOR REZONING AS SHOWN SHADED



It is noted that the Environmental Study was prepared covering the whole of the property known as Lot 3, DP706194 'Coomungie'. From a traffic point of view, it is desirable to have the main access to the site from Yarrawa Road. The Coomungie property has considerable road frontage to Yarrawa Road whereas the Chelsea Gardens property has none. If a decision is made to exclude Coomungie from the subject rezoning, the viability of proceeding with just Chelsea Gardens would be questionable on town planning and traffic grounds.

### 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. 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, the Council can still discontinue the process itself at any stage prior to submitting the Draft LEP to the Minister for gazettal.

#### MANAGEMENT PLAN ISSUES OR IMPLICATIONS

The main management plan implication will relate to the longer term maintenance of public infrastructure on the site as well as amplification of other major infrastructure off site to cater for the increased population and service demands. Council will generally require the developer to undertake the necessary works associated with the development of the land on and off-site, hence no works programming implications are anticipated.

#### POLICY IMPLICATIONS

The draft LEP is consistent with Council's housing policy contained in the Wingecarribee Our Future Strategic Plan to make available additional housing opportunities in the shire.

The draft LEP and associated draft DCP over the site will form Council's policy for the development of the land.

#### BUDGET IMPLICATIONS

Should the rezoning of the site proceed, the preparation of a Planning Agreement with Council and the owner/developer will address many of the budget implications of this development site.

#### ECOLOGICAL SUSTAINABLE DEVELOPMENT ISSUES

(i) **Environmental Factors**

The ES is the document that has assessed the possible environmental and social impacts. If the DOP gives Council permission to proceed with the preparation of Local Environmental Plan, further work will be required to address those environmental and social issues raised as part of the Environmental Study work completed to date.

(ii) **Social Factors**

The development of this site for housing will provide opportunities into the future for a greater choice of housing for changing demographics as well as provide local employment opportunities in the form of constructions jobs over a number of years.

(iii) **Economic Factors**

The draft LEP creates a significant housing development opportunity that will increase the level of supply of available developable land for the shire market. This is anticipated to have flow on economic impacts on the local community.

#### CONCLUSION

The ES concludes that the subject site is suitable to be rezoned to permit development for urban purposes.

There are no significant issues associated with the rezoning of this site that cannot be readily dealt with as part of the preparation of a draft Development Control Plan (DCP) for the site or as part of the subdivision designs for the site should the rezoning proceed.



Following confirmation from the Department of Planning that the plan can be prepared, work can commence preparing the Draft LEP immediately as well as beginning with the preparation of the draft DCP, along with discussions on a possible Planning Agreement and maintenance of infrastructure and rating.

#### ATTACHMENTS

There is one (1) attachment to this report which has been circulated separately. A full copy of the Environmental Study is available for perusal in the Councillors Room.

1. Executive summary of Environmental Study for Chelsea Gardens/Coomungie.

#### RECOMMENDATION

THAT Council resolves to proceed with the rezoning of the land as identified in the map within the report and notify the Department of Planning in accordance with Section 54 of the EP&A Act of its decision to rezone the land accordingly.

**o-EP5 Wingecarribee Retail Study**

REF: SPM

5307

Reporting on the Wingecarribee Retail Study to support the exhibition of the Shire-wide LEP.

**REPORT**

**BACKGROUND**

Council in 2006 engaged consultants SGS Economics and Planning to assess the supply and demand for commercial land in the Shire's main centres against the proposed business areas identified in the Shire Plan.

In addition to this supply and demand analysis, Council also requested further details on criteria for the siting of Bulky Goods areas and a more detailed assessment of Bowral and likely consequences of expansion of the CBD given its existing traffic constraints.

**Supply and Demand**

Attachment 1 provides details of the supply demand analysis for Bowral, Mittagong, Moss Vale, Berrima, Bundanoon and Robertson. Figure 44 of the study reproduced below provides a summary of the findings for the future floor space projections:

**Figure 44. Summary of Available Land Against Projected Floorspace Demand**

	Available Supply		Future Floorspace Demand*		Notes
	sqm	%	Commercial	Retail Only	
Bowral	8,816	3.1	1,582	603	Inadequate supply to demand forecast. There are very low levels of vacant supply and high forecast demand.
Mittagong	124,092	40.4	657	335	Very large volume of supply to meet demand forecast.
Moss Vale	35,659	17.7	727	337	Ample supply to meet demand forecast. However, the development potential of much of the available supply (especially land to the west of the railway line) is constrained.
Berrima	12,241	15.3	120	70	Ample supply to meet demand forecast.
Bundanoon	6,243	10.9	129	54	Ample supply to meet demand forecast.
Robertson	10,416	11.8	44	22	Ample supply to meet demand forecast

\*25 year average

Bowral's supply and demand figures are not surprising, as evidenced by recent applications for redevelopment of existing sites into more economically efficient retail and commercial uses. The figures available for each of the centres indicate that they have ample supply of available commercial land to meet forecast demands.

It should be noted that further analysis of the commercial areas of each of the town centres will be undertaken as part of the next Strategic Planning Strategy for the Shire.

### Bulky Goods

At the time of writing the brief for the study, bulky goods retailing was a 'hot' topic with Council with details being sought on the factors that influence the siting on bulky goods. The information in the attachment to the full report in the Councillor Room adds to what Council now knows about bulky goods areas and their specific locational criteria.

The main findings of the consultant include:

- *Bulky goods can displace commercial activities with a much higher public transport mode share in locations with good access.*
- *Established commercial centres often do not provide a sympathetic subdivision pattern necessary to accommodate the floor plates and parking/service delivery areas necessary for a viable bulky goods outlet.*
- *The format and presentation of bulky goods outlets often result in poor urban design outcomes for town centres, particularly in terms of massing, scale, signage and maintaining active street frontages.*
- *The alternative of locating bulky goods in established industrial areas has the potential to erode the effectiveness of industrial lands to provide the services and employment to support the local population. It is often difficult for Councils to increase the supply of industrial lands. An alternative to locating bulky goods in industrial zones would be the creation of a 'service centre' zone which allows for a mix of industrial/service activities.*

*In either instance the size, location and range of permitted land uses is critical to ensure that established town centres do not suffer.*

In concluding on the issue of Bulky goods, the consultants noted:

*Given the identified supply and forecast demands for commercial floor space in centres other than Bowral, opportunity exists to encourage bulky goods outlets in locations such as Moss Vale or Mittagong. This would stimulate further growth in those centres and protect the supply of existing industrial lands. It may be appropriate however to locate bulky goods within existing or future, industrial areas, provides sufficient land remains available to accommodate the traditional industrial activities and functions necessary to service the area.*

*Due regard would need to be given to ensure that the urban design aspects of the bulky goods outlets would be compatible with the prevailing built form of those localities. Strong design criteria would need to be included in any relevant development control plan.*

The Department's LEP Template has prescribed certain permissible uses that make some of the findings above obsolete.

### Bowral Traffic

A traffic impact assessment was proposed to be undertaken as part of the consultant brief. However, due to delays in finalising Council's traffic model (TRACKS), this could not be finalised. Part of the assessment included a planning report on the consequences of further expansion of the CBD both in density and laterally (area). A summary of the findings on options for commercial land expansion are produced under.

Raising building densities

*Enabling an increase in floor space via increased building heights within the town centre would likely:*

- *Introduce tensions with urban design and heritage considerations.*
- *Alter the streetscape and visual qualities of the town centre.*
- *Diminish the quality of the public domain, through impacts such as overshadowing, wind tunnelling and loss of views.*
- *Alter the pedestrian scale of the centre.*

*Enabling an increase in floor space by increased site cover would:*

- *Reduce land available for at grade car parking*
- *Reduce land available for landscaping*
- *Limit or prevent opportunities for pedestrian linkages*

*Any increase in floor space would generate more demand for car parking. Options for meeting such demand would include basement car parking, or a consolidated facility that could be funded by developer contributions, such as a multi deck car park.*

*Basement car parking would present the following issues:*

- *Lot sizes and dimensions may prevent basement levels.*
- *Visual impacts within the streetscape.*
- *Pedestrian amenity and safety impacts.*

*A multi deck car park would present the following issues:*

- *Possible lack of suitable sites.*
- *Adverse built form/urban design impacts.*
- *Amenity impacts such as noise and crime prevention issues.*

Rezoning additional land

*This process would need to be managed to ensure that matters such as change in existing character, built form and likely tensions between interfaces were properly addressed.*

The findings appear to have implications for Council's long term Car Parking Strategy for Bowral and strengthen the need for a multi-deck structure. The next Planning Strategic Plan will need to address the expansion of the commercial areas within the town.

Shire-wide LEP

The proposed changes to Business zone boundaries can be shown to have been assessed in terms of their impact on supply and demand. The study supports Council's decisions and should be endorsed for the purpose of being a supplementary document to the exhibition of the Shire-wide LEP.

Special mention should be made of the physical constraints in expanding the Bowral CBD area, such as rail, traffic and heritage to meet demand. The other town centres of Mittagong and Moss Vale have adequate capacity (supply) to take additional demand from Bowral.

MANAGEMENT PLAN IMPLICATIONS

None known.

ECOLOGICAL SUSTAINABLE DEVELOPMENT ISSUES

**(i) Environmental Factors**

None known

**(ii) Social Factors**

The proposed business zones under the shire plan have been assessed to ensure the supply of land is adequate for the community into the future.

**(iii) Economic Factors**

As above.

ATTACHMENTS

Attachment 1 provides a copy of summary findings of the Retail Analysis report. The full report has been placed in the Councillors room and is confidential as it contains maps of the proposed business zones.

RECOMMENDATION

THAT Council endorses the Wingecarribee Retail Analysis report to be a supporting document for the exhibition of Shire-wide LEP.

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Figure 45. Summary of outputs for key centres

	Total Vacant Supply		Other Potential (sqm)	Retail Modelling	Floorspace Demand		Key Issues
	sqm	%			Commercial	Retail	
Bowral	6,816	3.1	54,850	1,582	603	Bowral is the Shire's principal retail centre. The centre has very low levels of vacant land to accommodate projected floorspace demand. The total vacant supply (vacant floorspace in existing buildings land plus vacant land) accounts for just 3.2% of the total commercial land area. Demand projections show that available supply will be exhausted in just a few years. Of course, a higher FSR will raise supply capacity to accommodate future floorspace demand. However, the commercial core of the centre has limited development capacity and is constrained by the areas heritage character. Some land exists alongside the railway line at Station St.	
Mittagong	124,092	40.4	27,945	657	335	Mittagong shows healthy levels of vacant supply at around 13% of total land area. The town has recently witnessed the development of a Big W store which is projected to significantly boost trade figures. The impact of this development on the surrounding centres is discussed in later sections of this report.	

In the immediately surrounding area, the bulk of Bowral's turnover is sourced from Bowral residents. This amounts to around 25% of the total turnover at the centre. A significant percentage is also sourced from Burradoo (11%) and Mittagong (5%). In total, around 68% of turnover comes from TZs within the Shire with 33% from outside the Shire.

Mittagong Centre captures 54% of retail expenditure of Mittagong travel zone residents and 75% the residents from the surrounding area of Welby. The centre also captures 43% of the expenditure of residents of Willow Vale.

In the local area, the sources of retail turnover for Mittagong centre are relatively self contained with 16% from Mittagong and 17% from Welby travel zone. Around 8% of turnover is sourced from Willow Vale with 6% from Colo Vale and 4% from Hilltop. In total 69% of turnover is sourced from the Shire's TZs with

Moss Vale	35,659	17.7	35,445	the remaining 32% from outside the Shire.	727	337	Moss Vale is the Shire's administrative centre. Of the Shire's main centres, it records the highest levels of vacant supply at over 16% of total land area. However, much of this supply capacity is positioned on the southern edge of the town. Some of the vacant floor space in existing buildings in this area is in poor condition and redevelopment is constrained by heritage issues. The main opportunity area likely to be in Elizabeth and Clarence Streets where large parcels of land are currently used for car parking.
Berrima	12,241	15.3	20,092	Berrima centre captures around 12% of Berrima residents retail expenditure. Capture of residents expenditure from other surrounding area is very low.  In terms of the sources of Berrima's retail turnover, the centre is quite clearly highly dependant on tourists/visitor trade. Local turnover sources are concentrated on Berrima TZ but this accounts for just 11% of the total turnover of the centre. Other significant turnover sources from Berrima are: Hilltop (5%), Burradoo (5%), and Bowral (4%). In total around 50% of turnover is sourced from the Shire's residents with the remainder sourced from elsewhere.	120	70	Berrima has a small commercial centre which is heavily focussed on tourist trade. Levels of supply are healthy at around 15%
Bundanoon	6,243	10.9	13,166	Bundanoon captures around 40% of the expenditure of Bundanoon TZ residents. 7% of the expenditure of Moreton National Park is captured by the centre. The centre does not capture a significant percentage	129	54	Bundanoon has a small commercial centre. Vacant supply is adequate at around 11%. The main street in the centre has heritage value and so development opportunities are limited. At the west of the town and adjoining the railway line there are a number of vacant

**REPORT OF DIRECTOR ENVIRONMENT & PLANNING**

Wingecarribee Retail Study  
Final Report

				of any other of the Shires TZs retail expenditure.			buildings and vacant lots.
Robertson	10,416	11.8	29,803	The sources of turnover for Burdanoon Centre are highly concentrated on Burdanoon TZ itself - 82% of total turnover. The only other significant local source of turnover is Moreton National Park with 4%. In total around 91% of turnover is sourced from the Shire's residents with the remaining 9% sourced from elsewhere.  Robertson centre captures a very low percentage of the TZ's residents' retail expenditure (around 5%). It does not attract a significant percentage from any other TZ in the Shire.  Around 33% of the turnover for Robertson is sourced from Robertson TZ. The surrounding TZs do not contribute significantly to the centres turnover. In total, around 50% of turnover is sourced from the Shire's residents with the remaining 50% sourced from elsewhere.	44	22	Robertson has a small commercial centre which is dependent on the attraction of passing trade from the Highway. Levels of vacant supply are adequate at around 12%. The town has a large amount of its commercial land currently in use for residential purposes.

\*Vacant land = total vacant land parcels plus the area of land parcels hosting a vacant building

\*\*Other potential land = land currently used for car parking or for residential purposes. There may be opportunity for some of this to be taken up by commercial uses.

**o-EP6 Moss Vale Community Services Building - Funding**

REF. SPM 5701/2

Reporting on the funding status and loan arrangements for the Community Services building in Queen Street Moss Vale.

**REPORT**

**BACKGROUND**

The construction of the Community Services building has commenced with the first sod being turned by Mayor Lewis on 9 October. The building is a joint proposal between the Federal Government Department of Transport and Regional Services (DOTARS), Wingecarribee Food Services, Wingecarribee Adult Day Care Centre Inc, Alzheimer's Australia, Moss Vale Rotary and Wingecarribee Shire Council. For the purpose of the DOTARS grant submission, funding for building was split between the following sources and based on estimated costs at that time:

Organisation	Amount
Department of Transport and Regional Services	\$ 722,672.50
Wingecarribee Community Services Centre Inc.	\$ 496,045.00
Council	\$ 187,500.00
<b>TOTAL</b>	<b>\$1,406,217.50</b>

Councillor Gair raised a Question with Notice on 10 October 2007 as shown under:

1. ***THAT** a report be brought back to the next Ordinary Meeting of Council on Wednesday, 24 October 2007 that investigates other means of allowing the Community Services building in Queen Street, Moss Vale to be built.*
2. ***THAT** Council continues to explore other ways for Wingecarribee Community Services to repay the interest free loans.'*

The Manager of Administration Services advised Councillors on 11 October 2007 of the following ways to minimise the repayment of the \$100,000 interest free loan is:-

- i) *Extended Term of the Loan i.e. 20 or more years.*
- ii) *Frequency of repayments i.e. Annual repayments instead of quarterly or Bi-annual instead of Annual. Council would normally request quarterly repayments of loans.*

This report looks at other options regarding the payment of the \$100,000 loan.

**Council's Funding Commitment**

Council committed \$100,000 to Wingecarribee Food Services as an interest free loan toward the project on 9 June 2004 with a commitment to pursue funding assistance from State and Federal Government.

An additional amount of \$87,500 was committed to the project by Council on 24 May 2006 from the Land Rental Charge Reserve subject to reduction of this loan by any NSW grant funds received. To date Council has not received any funding from the State toward this project. This amount was to be paid back through a future s.94 plan. It should be noted that the Land Rental Charge Reserve is used by Council to match s.94 funds where Council has an apportioned cost to the facility on behalf of the existing community. There may be some form of apportionment in a new s.94 plan that requires funds from the Land Rental Charge Reserve. DOTARS advised Council of both its own, and Council's financial obligations under the Payment Schedule which is produced under:

**TABLE 1**

**Department of Transport and Regional Services Payment Schedule**

Payment	Payment Purpose/Conditions	Payment Amount Due (GST Inclusive)	Proposed Payment Due Date
1	Upfront payment for Building tender assessment	\$2,200.00	30 June 2007 (received)
2	Interim Payment 1 for site preparation and slab construction costs	\$223,000.00	30 November 2007
3	Interim Payment 2 for frame, roof and external construction	\$180,400.00	31 January 2008
4	Interim Payment 3 for internal construction, fit-out and landscaping	\$243,100.00	30 April 2008
5	Final payment (in Arrears) for project completion	\$73,672.50	31 December 2008
Total Funds		\$722,672.50	

**Wingecarribee Shire Council Payment Schedule**

Payment	Payment Purpose/Conditions	Payment Amount Due (GST Inclusive)	Proposed Payment Due Date
1	Upfront payment for Building tender assessment	nil	
2	Interim Payment 1 for site preparation and slab construction costs	\$62,500	30 November 2007
3	Interim Payment 2 for frame, roof and external construction	\$62,500	31 January 2008
4	Interim Payment 3 for internal construction, fit-out and landscaping	\$62,500	30 April 2008
Total Funds		\$187,500	

As can be seen, the total amount of the \$187,500 will be expended towards the construction of the building by 30 April 2008. Council's Finance Department is aware of this schedule and is seeking to finalise the loan payment details. .

The building of the centre is and has been subject to market fluctuations on prices of materials, labour and contractor availability. The total cost of the project is unlikely to be known until the 08/09 financial year where it is proposed to make the necessary funding and loan repayment arrangements.

#### Funding Options

The most appropriate funding mechanism for the project is through s.94 developer contributions as both existing and new development will benefit from this project. The legislation clearly sets out how this should be done, including the separation of grants from the contribution calculations. To this extent, the issue of apportionment will be applied to the amount of \$187,000 and may include the value of the land given to the project by Council, depending on its tenure.

At the same time, staff will be undertaking a review of the existing community facilities s.94 plan, the future needs of community and cultural facilities such as local community halls and more Shire-wide needs of community centre 'hubs', youth venues and programs, libraries, family day care and cultural activities.

The timing of this review will give Councillors a more holistic view of the Shire's community and cultural needs, rather than a one off Section 94 plan for this centre.

Please note, that the projected commitments from the Land Rental Charge Reserve over the next ten (10) years was reported to the Finance Committee in 2006 and included an indicative amount of \$60,000 per annum commencing this financial year toward Community Facilities. This aligns well with the construction of the new centre and a proposed s.94 plan.

#### Land Tenure

At present, the project site is included in one large lot covering the Queen Street Car Park, playground and Road. The building site is around 850 square metres in area and is proposed to be owned by Council and leased to Wingecarribee Community Services Centre Inc. at peppercorn rate over a long period. However these arrangements have not been finalised.

In addition, for a s.94 plan to be prepared, the treatment of the land ownership and subdivision may determine the extent to which the value of this land can be taken as part of Council's contributions on behalf of the existing community. Hence there is some urgency on finalising this matter to enable the s.94 plan to be prepared.

#### STATUTORY IMPLICATIONS

Recent amendments to Section 94 of the Environmental Planning and Assessment Act and Regulations requires more stringent controls in relation to the certainty within s.94 plans and cash flow analysis of when the works program will be completed and payback periods.

A more holistic (Shire-wide) approach to planning for community needs is preferred by the Department of Planning. A draft s.94 plan for Community and Cultural Facilities is proposed to be reported to Council for public exhibition this financial year.

## FINANCIAL IMPLICATIONS

This report discusses the options for the repayment of \$187,500 committed by Council towards the project. The report recommends holding off any decisions on the repayment of these amounts until the project has been completed and final costs determined. At this time a draft s.94 plan should be prepared, hence the financial implications can be discussed with more certainty.

Table 1 in this report identifies the payment schedule of Council towards the project. It is proposed that Council commit to this schedule and recognise that the loan repayment arrangements will be made after completion of the project. This arrangement is made in good faith with Wingecarribee Community Services Centre Inc.

## CONCLUSION

Without the construction and fitout costs of the building and the tenure and value of the land finalised, the full implications of recouping funds through a s.94 plan is unknown. The s.94 calculations may result in all, or the majority of the \$187,500 being able to be funded from future s.94 contributions, with Wingecarribee Community Services Centre Inc. having to pay back very little, or nothing.

Because of the uncertainty in the amount that should be paid back by Wingecarribee Community Services Centre Inc, it is unreasonable to suggest that they enter into any loan repayment arrangements now. The recommendations reflect this situation and suggest that deferring the payments until the building is completed is appropriate in the circumstances.

## ECOLOGICAL SUSTAINABLE DEVELOPMENT ISSUES

### (i) Environmental Factors

Not applicable.

### (ii) Social Factors

Many of the various Committee members involved with this project were of the opinion that the original \$100,000 was a donation from Council. This report clarifies that this amount was a loan and is expected to be paid back to Council over an agreed timeframe.

### (iii) Economic Factors

The various Committee's involved with this project have advised of their concern in their ability to raise further funds to repay a loan after the building has been built. The ability to raise funds once a 'vision' has been realised is often more difficult.

## ATTACHMENTS

There are no attachments to this report.

**RECOMMENDATION**

1. THAT a Draft S94 plan be reported to Council this financial year for the purpose of collecting funds for Community and Cultural Facilities including the Moss Vale Community Services Building currently being constructed in Queen Street.
  2. THAT Council arranges for three equal payments of \$62,500 each prior to 30 November 2007, 31 January 2008 and 30 April 2008, or later as requested by the Department of Transport and Regional Services (DOTARS).
  3. THAT Council defers the need for a loan repayment schedule with Wingecarribee Community Services Centre Inc for the \$100,000 loan until the project has been completed and final costs determined, subject to a letter from Wingecarribee Community Services Centre Inc confirming their intention to repay the loan.
  4. THAT the Mayor and General Manager be granted authority to execute the Plan relocating the right of Carriageway over Lot B DP 159169, Lot 613114 and Lot 15 DP 596832 under the Common Seal of Council.
-

**o-EP7 Montessori School**

REF: PMAL

LUA07/0723

Reporting further on LUA07/00723 Montessori School, 5 Elizabeth Street, Burradoo.

REPORT

Council at its meeting of 26 September considered an application to convert an existing dwelling house at Lot 205 JDP 617682, No 5 Elizabeth Street, Burradoo, into a Montessori School education establishment, to accommodate 35 children and 3 full time / 1 part time staff (see report **Attachment 1**).

Council resolved:

- '1. *THAT this matter be deferred to allow the following additional information to be provided:*
  - i) *Acoustic Report;*
  - ii) *Traffic Report;*
  - iii) *Comment from the Traffic Committee;*
  - iv) *Plan of Management;*
  - v) *Details on the type of fencing;*
  - vi) *Further comment on flooding issues.*
2. *THAT Councillors attend a site inspection of the proposed development.'*

In response to the above resolution, on 17 October 2007 the applicant provided a Traffic Report, Plan of Management, details of fencing. An Acoustic Report was provided on 18 October 2007.

**i) Acoustic Report**

The submitted Acoustic Report advises that

*'Without mitigation measures, the resulting noise level has been calculated to be 63 dBA outside the west residence and 59 dB(A) outside the east residence. This value exceeds the Background + 10 dBA criterion set for the outdoor play activities, therefore mitigation measures are required to reduce the noise to an acceptable level.*

*The following recommendations are designed to reduce the predicted noise level to no more than 49 dB(A) (background + 10dB(A)).*

- *2.4 metre high lapped and capped timber fencing (35mm thick) will be required along the east and west boundaries. The acoustic fence should extend from the carpark on the east boundary to a location 3 metres past the total length of land nominated for outdoor play. The fence on the west boundary should extend from the sand pit, also to a location 3 metres past the outdoor play area (see figure 4).*

- *An additional fence / barrier is required on the western side of the sand pit and should be 2.1 metres high. The acoustic barrier can be constructed of timber, colorbond, or aerated concrete panels without gaps or openings.*
- *The remaining area of land could be used for structured / controlled activities where the children are not inclined to generate high speech levels.*
- *The outdoor play noise can be further reduced by 3-5 dBA by using controlled supervision, staggered play and using a suitable management plan. An effective management plan plays an important role to control / reduce the children noise.*

**ii) Traffic Report**

The submitted Traffic Report concludes that:

*'Based on a traffic generation of 0.7 to 0.8 vehicles per hour per child during peak hours, the proposed development would generate some 25 to 30 vehicles per hour two-way (in plus out) at peak times. This is a low generation, equivalent to an average of one vehicle every two to 2½ minutes during peak times.*

*With traffic able to approach and depart the site from a number of directions (north or south on either Moss Vale Road and Eridge Park Road), and from the east or west on Elizabeth Street, the increases in any one location would be small at some 10 to 20 vehicles per hour two-way on Elizabeth Street and some 5 to 10 vehicles per hour two-way on Eridge Park Road and Moss Vale Road.*

*Such a low additional traffic generation would not have significant effects on the operation or amenity of the surrounding road network. The intersections of Elizabeth Street with Eridge Park Road and Moss Vale Road would continue to operate at their existing good levels of service during peak periods. Traffic flows in Elizabeth street would remain below the RTA's environmental goal for a local road.'*

A fully copy of the Traffic Report forms **Attachment 2** to this report.

**iii) Comment from the Traffic Committee**

The submitted Traffic Report will be presented to the Traffic Committee on Monday 22 October. A summary of the comments of the Traffic Committee will be provided to Council at its meeting of 24 October by the Director, Environment & Planning.

**iv) and v) Plan of Management and Type of Fencing**

The submitted Plan of Management forms **Attachment 3** to this report, and details the following:

•	Hours: The school will be open from 8.15am until 5.00pm each day. Pupils attend from 8.30am. They will be encouraged to arrive in a staggered fashion, thus: (6-9 year olds) 8.30am (since these are always fewer in number) (3-6 year olds) 8.45am (parents must sign in for 3-5 year olds – DOCS requirement).
•	No parking on the roadside / nature strip. A notice at the front office will also reiterate these rules.
•	As a privately owned school there would be no regular parent working bees. It is intended to incorporate parent education into the pick-up time in the afternoon with supervised care of the children. Parents would not be required to come out again at night, and there would be fewer traffic movements in general.
•	There would be one or two open-days in the academic year, during school hours, on school days.
•	No school bells / buzzers will be used to determine student movements.
•	There will be an alarm system in case of fire or emergency.
•	Fencing; High grade mesh, suitable for use in Primary Schools will be used. The 3-6 year olds will enjoy their outside recreation inside the fenced swimming pool area, and on the grassed area to the east of the pool area. This conforms to DOCS requirements for this age group. No more than 12 x 3-6 year olds will play in these areas at any one time. Should necessity require it, the lunch time for 3-6 year olds will be staggered. Fencing will also be subject to any recommendations made by the acoustic impact assessment.
•	Flooding: Areas will be monitored at all times to manage waterlogged grounds. We will take steps to ensure that any areas inclined to become waterlogged will be either properly drained or altered so that flooding does not occur, since it does not advantage the school to have this problem. The easements external to the eastern boundary will also be monitored.

**vi) Further comment on Flooding issues**

An easement to drain water 10 metres wide to the east of the subject site accommodates stormwater from usual events. The lower eastern portion of the subject site will be inundated in extreme events, but the majority of the site containing buildings and playground area, is not affected by flooding.

**CONCLUSION**

The attached reports are submitted for the information of Councillors and do not give rise to a recommendation different from that originally put forward by staff. The recommendations of the Acoustic Report can be included within conditions of consent if Councillor's wish.

## ATTACHMENTS

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

1. Previous report to Council of 24 October 2007 and attachments.
2. Traffic Report.
3. Plan of Management.
4. Acoustic Report.

## RECOMMENDATION

THAT authority be delegated to the Director Environment & Planning to determine the development application with any conditions of consent to be generally in accordance with Attachment 1.

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**Scott Lee**  
**Director, Environment & Planning**

**18 October 2007**

## CORPORATE SERVICES DIVISION

<b>o-CS1</b>	<b>Request for Donation from Southern Highlands International Piano Competition Inc</b>
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REF.	MAS	7101/1
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Reporting on request from the Southern Highlands International Piano Competition Inc requesting a one off donation of \$5,000 towards staging costs for the inaugural Southern Highlands International Piano Competition.

### REPORT

Council has received correspondence from Mr Malcolm Yell, Chairperson of the Southern Highlands International Piano Competition advising that while the SHIPC Board has raised over \$80,000 it is still \$20,000 short, although the overall sales results are yet to be finalized.

The board has a number of options available to it, including further significant personal contributions and future fund-raisers. However, the board need to settle the charges of the Wollongong Symphony Orchestra, whose fee including score hire is \$27,500.

Mr Yell would like councillors to recognise the following information in respect of what he considers is arguably the most important cultural event in the history of the Shire:-

- (a) As this was the inaugural event, whilst we may have made some errors, these will be taken to account in the planning of our next event in 2 years time.
- (b) The Southern Highlands has been elevated internationally to cultural level probably otherwise unobtainable.
- (c) The locally designed and produced promotional material and the competition program will be used as templates for specific European musical events and competitions – including one at the Vatican.
- (d) In the attached program you will note the objectives of SHIPC, which we believe have been achieved at this inaugural event.

### BUDGET IMPLICATIONS

Council would need to provide a supplementary vote of \$6,500 in its 2007/2008 budget, to fund the request and costs to-date of \$1,405.

**ECOLOGICAL SUSTAINABLE DEVELOPMENT ISSUES**

(i) **Environmental Factors**

Nil

(ii) **Social Factors**

A contribution of this type would assist the local Southern Highlands International Piano competition meet its shortfall in staging the inaugural piano competition in the Southern Highlands.

(iii) **Economic Factors**

The holding of an international piano competition brought a number of international competitor and visitor to the shire.

**CONCLUSION**

The matter is submitted to Council for its consideration and determination including confirming the funding source.

**ATTACHMENTS**

Copy of the Southern Highlands International Piano competition 2007 Souvenir edition circulated under separate cover to all Councillors.

**RECOMMENDATION**

THAT Council determines the matter and if approved, confirms the source of funding.

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**o-CS2 Councillors' Payment of Expenses and Provision of Facilities to the Mayor and Councillors Review**

REF. MAS 101/5

Submitting Councillors' payment of expenses and provision of facilities to the Mayor and councillors policy for review in accordance with the Department of Local Government Guidelines.

REPORT

BACKGROUND

Council at its meeting held on Wednesday 14 February 2007 considered a report in relation to Councillors payment of Expenses and provision of Facilities to the Mayor and Councillors and resolved as follows:-

1. ***THAT Council reviews the draft policy for "The Payment of Expenses and Provision of Facilities to the Mayor and Councillors" and confirms the policy reinstating the words in Item 2.2.2 (c) "with a monthly call limit not exceeding \$200 for the Mayor and \$100 for other Councillors made in the conduct of their civic duties. All costs incurred in excess of these limits will be met by the affected Councillor" and reinstating the words in item 2.2.4(c) "Monthly call costs will be limited to \$50.00 per Councillor and all costs in excess of these limits will be met by the affected Councillor. The costs of such private use shall be reimbursed to the Council".***
2. ***THAT Item 2.2.9 "Reimbursement of Expenses on Private Phones" be added to the Policy which states "Alternatively, should a Councillor not utilise a Council provided mobile telephone and obtain a cap agreement on their private mobile telephones then they can claim up to the amount of \$80 per month towards the capping expense and be reimbursed that amount. In the event that Councillors do not obtain a capping agreement they will be reimbursed up to \$80 per month for telephone calls made on their private mobile phone (documentary evidence to be provided)".***
3. ***THAT in accordance with the Local Government Act 1993 and the Department of Local Government Guidelines issued by the Department of Local Government dated September 2006, that a copy of the adopted Policy be forwarded to the Department of Local Government prior to Wednesday 28 February 2007.***

The Department of Local Government requires Council to review the policy each year and forward a copy of its policy to the Department by 30 November each year.

## REVIEW OF POLICY

Since the policy was adopted it has become apparent that amendments are required to item 2.2 Specific Provisions for Councillors and in this regard the following amendments are suggested to be included in the policy:-

New provision under item 2.2 Specific Provisions being

2.2.10 Corporate Clothing

That each Councillor is to be provided with a council tie or scarf.

2.2.11 Council equipment

That each Councillor is to be provided with appropriate equipment at their residence to ensure the workings of Council - ie pens, paper, filing cabinet and contents etc.

## MANAGEMENT PLAN ISSUES OR IMPLICATIONS

Nil

## POLICY IMPLICATIONS

The Policy was adopted on 14 February 2007 and is again put forwarded to Council for review and adoption prior to be forwarded to the Department of Local Government for its information.

## BUDGET IMPLICATIONS

The changes to the policy do not increase the level of benefits provided to Councillors and there will be minimal impact on Councillors budget provision in the 2007/2008 Budget.

## CONCLUSION

The proposed amendments to the policy are not considered significant and therefore in accordance with the Department of Local Government guidelines it is suggested that the policy not be put to the community for public consultation.

## ATTACHMENTS

There is one attachment to this report (Council's policy for the Payment of Expenses and Provision of Facilities to the Mayor that Councillors adopted on 14 February 2007 – circulated under separate cover)



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**RECOMMENDATION**

1. THAT Council adopts the Policy for the Payment of Expenses and Provision of Facilities to the Mayor and Councillors with the inclusion of additional items 2.2.10 and 2.2.11 as follows:-

2.2.10 Corporate Clothing

That each Councillor is to be provided with a Council tie or Scarf.

2.2.11 Council Equipment

That each Councillor is to be provided with appropriate equipment at their residence to ensure the workings of Council - ie pens, paper, filing cabinet and contents etc.

2. THAT in accordance with the Local Government Act 1993 and the Department of Local Government Guidelines issued by the Department of Local Government dated September 2006, a copy of the adopted Policy be forwarded to the Department of Local Government by 30 November 2007.
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**o-CS3 Investments as at 31 January 2007**

REF	FSM	2104
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Submitting details of Council's Investments as at 30 September 2007

**REPORT**

Submitting details of Council's Investments as at 30 September 2007. (See **Attachment 1**) and also a list of commitments for which these investments are held (See **Attachment 2**)

**ATTACHMENTS**

1. Investment Reconciliation as at 30 September 2007
2. List of commitments

**RECOMMENDATION**

THAT the information on Council's Investments as at 30 September 2007 be received and noted.

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<u>INVESTMENT RECONCILIATION AS AT 30 September 2007</u>							
Bank	Certificates	Rate	Days	Due Date	Value	Consideration	Total
<b><u>Grange Securities</u></b>							
<b><u>Individual Managed Portfolio</u></b>							
	Adelaide Bank FR Sub Debt	bbsw + .50%		9/06/2011	3,500,000.00	3,454,605.00	
	ANZ	8.25%		17/07/2008	750,000.00	707,475.00	
	Bank of Qld Sub Debt	bbsw + .29%		2/12/2010	7,000,000.00	6,957,090.00	
	Elders Rural Bank Sub Debt	bbsw + .85%		13/07/2010	500,000.00	503,510.00	
	Elders Rural Bank Sub Debt	bbsw + .83%		6/09/2010	1,000,000.00	995,530.00	
	Elders Rural Bank Sub Debt	bbsw + .75%		13/10/2010	500,000.00	501,725.00	
	HSBC FRN	bbsw + .28%		22/09/2011	6,500,000.00	6,403,410.00	
	Macquarie Bank Sub Debt	bbsw + .85%		18/02/2008	1,000,000.00	1,010,170.00	
	Macquarie Bank Sub Debt	bbsw + .70%		15/09/2009	500,000.00	501,445.00	
	Royal Bank Scotland	bbsw + .28%		17/02/2012	2,000,000.00	1,989,480.00	
	Elders Rural Bank	bbsw + .60%		6/03/2012	1,000,000.00	979,160.00	
	Westpac	bbsw + .35%		4/02/2010	500,000.00	504,035.00	
	St George	bbsw + 0.31%		26/07/2011	1,000,000.00	1,003,670.00	
					25,750,000.00	25,511,305.00	
<b><u>Liquid Securities</u></b>							
	Aphex (Glenelg)	bbsw + 1.25%		22/06/2009	2,250,000.00	2,099,340.00	
	Corsair Kakadu	bbsw + 1.00%		20/12/2009	1,500,000.00	1,216,575.00	
	Corsair Torquay	bbsw + 1.20%		20/06/2009	2,500,000.00	2,232,000.00	
	Helium Esperance	bbsw + 1.10%		20/03/2008	2,000,000.00	1,852,960.00	
	Helium Scarborough	bbsw + 1.30%		23/06/2009	2,700,000.00	2,437,668.00	
	Magnolia Flinders	bbsw + 1.50%		20/03/2009	5,100,000.00	4,397,679.00	
	Omega Henley	bbsw + .80%		22/06/2012	2,000,000.00	1,845,120.00	
	Starts Blue Gum	bbsw + 1.40%		22/12/2010	1,050,000.00	983,808.00	
	Cypress Tree Lawson	bbsw + 1.30%		30/12/2010	1,000,000.00	1,006,250.00	
	MAS6-7 Parkes	bbsw + 2.00%		20/12/2009	2,000,000.00	1,816,040.00	
	Bishopgate Wentworth	bbsw + 1.50%		30/09/2010	500,000.00	505,330.00	
	Zircon Coolangatta	bbsw + 1.30%		20/03/2011	2,000,000.00	1,647,860.00	
	Saphir Endeavour	bbsw + 1.30%		4/08/2011	140,000.00	142,646.00	
	Beryl	bbsw + 0.60%		20/03/2010	4,000,000.00	3,795,360.00	
	SPRC Federation	bbsw + 1.00%		9/05/2010	3,000,000.00	1,082,760.00	
	Zircon Merimbula	bbsw + 1.05%		20/06/2013	500,000.00	427,630.00	
	Lehman	bbsw + 0.00%		15/06/2009	560,000.00	528,080.00	
					32,800,000.00	28,017,106.00	
							53,528,411.00
<b><u>Bank Accepted Commercial Bills</u></b>							
	NAB	Various	7.08	32	15/10/2007	3,000,000.00	2,981,493.50
	NAB	Various	6.85	60	27/11/2007	1,500,000.00	1,483,297.66
							4,464,791.16
	Macquarie Cash Management Trust				79,711.49		
							79,711.49
<b><u>Short Term</u></b>							
	NAB				4,600,000.00		
							4,600,000.00
	September bbsw average	6.95					62,672,913.65

"I certify that the investments detailed in the above table have been made in accordance with the Local Government Act 1993, the Local Government (Financial Management) Regulation 1999 and Council's Investment Policies".

Doug Neville  
Financial Services Manager

**REPORT OF DIRECTOR CORPORATE SERVICES**

**ATTACHMENT 2**

<b>COUNCIL INVESTMENT HOLDINGS - PURPOSE)</b>		
<b>Investments Held</b>		<b>Est 30/09/2007</b>
Developer Contributions	Unexpended funds paid by developers for Section 94 and 64 works	8,158,217
RTA Unexpended Grants	Unexpended grant funds received from Roads & Traffic Authority to be expended in 2007/08	1,168,809
Other Unexpended Grants	Unexpended grant funds received from other government departments to be expended in 2007/08	901,985
Loan Repayment Sinking Fund	Sinking funds held for repayment of sewer loan in 2016	179,863
General Fund Accumulated Cash	Represents all General Funds accumulated cash and cash equivalents held at report date	2,665,880
		<b>13,074,754</b>
<b>General Fund Reserves</b>		
Employee Leave Entitlements	Used to fund Long Service, Annual leave and Council commitments to staff entitlements.	1,155,719
Entrepreneurial Development	Used to provide internal loans that can be repaid into the Reserve. Funded by internal loan repayments, lease income and sale of surplus land.	3,864,651
Entrepreneurial Investment Fund	Funds to be used to develop strategies for new entrepreneurial activities to reduce Council's reliance on rate revenue	2,099,393
Works In Progress	Uncompleted or works in progress at year end, carried forward for completion in following year..	2,104,116
Cemeteries	Funded by additional burial fees and used to fund specific works in Council cemeteries.	30,121
Plant	Used to fund replacement of Council Plant and Equipment. This is a self funding activity.	1,031,783
Performance Appraisal System	Funded by salary savings across all budgets from staff resignations identified at year end. Used to fund staff maternity leave and replacement of staff on significant periods of sick leave.	144,940
Waste	DWM is required to be a self funding activity. Part of this reserve is allocated to DWM, the remainder to RRC and the rehabilitation of the old Welby Tip site.	535,464
Computer Reserve	Used to fund implementation of Dataworks, NAMS licensing, PABX upgrade and replacement of IT hardware.	328,320
Capital Projects	Contributions and EOY surplus transferred to this Reserve. Used to fund specific projects.	2,596,581
Family Day Care	FDC is a self funding activity. EOY results are transferred to or from this Reserve to ensure it remains self funding.	92,401
Effluent Disposal	Funded by a levy as part of septic tank applications and pump outs. Used to fund cleanout of sludge lagoons and updating of land affectation register.	50,317
Land Rental Reserve	Contributions from Water & Sewer for infrastructure on General Fund land. Used to fund Councils matching developer contributions.	3,049,432
Depreciation	Used to cash fund depreciation. Only one year funded to date for Animal Shelter.	4,000
Saleyards	Surplus operating funds to be used to fund OH & S upgrades at the saleyards.	41,604
Emergency Assistance Fund	Emergency Assistance Fund	5,000
Bonds, Deposits Etc..	Represents all bonds and deposits held by Council as restricted cash at reporting date. Includes Bonds, Damage, Contractors deposits, Sundry Deposits and Quarry Royalties.	2,748,105
		<b>19,881,947</b>
<b>Water Fund</b>		
Accumulated Cash	Represents all Water Funds accumulated cash and cash equivalents held at report date	1,999,410
Developer Contributions	Unexpended funds paid by developers for Section 94 and 64 works	5,587,617
Works in Progress Reserve	Uncompleted or works in progress at year end, carried forward for completion in following year..	1,938,484
Plant Reserve	Used to fund replacement of Water Fund Plant and Equipment. This is a self funding activity.	599,168
Pump Replacement Reserve	Used to fund replacement of specific pumps at Council water pumping stations.	45,000
Augmentation Reserve	Used to fund major capital works and subsidised schemes expenditure.	3,207,522
Sales Fluctuation Reserve	Used to fund variations in income from Water Access and User charges.	5,796,339
		<b>19,173,540</b>
<b>Sewer Fund</b>		
Accumulated Cash	Represents all Sewer Funds accumulated cash and cash equivalents held at report date	461,402
Developer Contributions	Unexpended funds paid by developers for Section 94 and 64 works	4,216,410
Works in Progress Reserve	Uncompleted or works in progress at year end, carried forward for completion in following year..	1,155,202
Plant Reserve	Used to fund replacement of Sewer Fund Plant and Equipment. This is a self funding activity.	356,049
Pump Replacement Reserve	Used to fund replacement of specific pumps at Council pumping sewer stations.	50,818
Augmentation Reserve	Used to fund major capital works and subsidised schemes expenditure.	2,876,340
Sales Fluctuation Reserve	Used to fund variations in income from Sewer Access and User charges.	1,426,452
		<b>10,542,673</b>
<b>Totals - Estimated as at 30 September 2007</b>		<b>62,672,914</b>

**o-CS4 Council Committee Appointments**

REF. MAS 107, 800/1.1

Reporting on the appointment of Councillors to Council Committees as a result of the review of Council's Committee Structure and advising on community input for future meetings.

**REPORT**

Council at its meeting held on Wednesday 10 October 2007 adopted a new committee structure and it is now appropriate to appoint Councillors to each of the new Committees as follows:-

It should be noted that Council appointed Councillor P B Tuddenham Chair and Councillor N N Campbell-Jones as Alternate Chair of the Strategy & Finance Committee (SFC) and appointed Councillor N N Campbell-Jones as Chair and Councillor P Yeo as Alternate Chair of the Services and Infrastructure Committee (SIC).

It is further noted that the current Community Representatives and Agency Representatives remain on the respective Committees.

**COMMITTEES**

(a) **Legal committee**

Appointment of six (6) Councillors

*Note: Councillors M Murray (Chair) Lewis, Gair, Mauger, Tuddenham and Yeo are the current appointed Councillors.*

Council also has appointed on the committee the General Manager and Director Environment and Planning with Council's legal advisors to be in attendance as required.

(b) **Environment and Sustainability Committee**

Appointment of two (2) Councillors

*Note: Council previously had five (5) Councillors appointed to this committee, namely; Mayor of the Day (Councillor Lewis), and Clrs Mauger, Whipper, Clark and Gair.*

(c) **Finance and Audit Committee**

Appointment of six (6) Councillors.

*Note: Councillors Tuddenham (Chair), Lewis, M Murray, Yeo, Mauger and George are the current appointed Councillors.*

## ADVISORY COMMITTEES

Council is required to determine the composition of each of the Advisory Committees

(d) Traffic Committee

*Note: Councillor Gair is the current Chair and Clr Nick Campbell-Jones is the Alternate Delegate*

(e) Water & Sewer Advisory committee

*Note: Councillors Yeo (Chair), Tuddenham (Alternate chair) Mayor of the Day, (Clr Lewis) and Clrs S. H. Murray and M. J. Murray were appointed on the committee with Clr L A C Whipper as Alternate delegate*

(f) Moss Vale Livestock Selling Centre Board

*Note: Councillors Gair (Chair) and Clr Mauger with Alternate Delegate Clr Nick Campbell-Jones being represented on the committee.*

(g) Wingecarribee Aboriginal Advisory committee

Appoint one (1) Councillor Delegate and one (1) Alternate Delegate.

*Note: Councillor Whipper (Chair) and Clr J Mauger (Alternate delegate) are currently on the committee.*

(h) Wingecarribee Youth Council

Appoint one (1) Councillor Delegate, One (1) representative from Loseby Park youth Centre and Up to ten (10) youth representing high schools within the shire

*Note: Councillors George (Chair) and King being represented on the previous committee with Clr Whipper as Alternate Delegate.*

## WORKING GROUPS

(a) Tulip Time Working Group

Appoint one (1) Councillor Delegate

*Note: Clr M King current appointed Councillor*

(b) Companion Animals Working Group

Appoint two (2) Councillor Delegates

*Note: Councillors L A C Whipper and Clr M L King are the current appointed Councillors.*

(c) Heritage Working Group

Appoints three (3) Councillor Delegates

*Note: Councillors M King (Chair) Clr N N Campbell-Jones and J Clark are the current appointed Councillors.*

(d) Access Working Group

Appoint two (2) Councillor Delegates

*Note: Councillors T D Gair (Chair) and Clr M King are the current appointed Councillors.*

(e) Community Services Working Group

Appoint three (3) Councillor Delegates

*Note: Councillors P Yeo (chairperson), and Clrs J Clark and P A George are the current appointed Councillors.*

(f) Arts & Culture Board (Working Group)

Appoints three (3) Councillor Delegates

*Note: Councillors M L King (Chairperson) and Clrs P Yeo and P A George are the current appointed Councillors.*

(g) Seniors Working Group

Appoints three (3) Councillor Delegates

*Note: Councillors G Lewis (chairperson) and Clr N N Campbell-Jones are the current appointed Councillors.*

(h) Community Grants (Assistance) Working Group.

Appoints five (5) Councillor Delegates including the Chairpersons of the Wingecarribee Sports & Recreation working Group.

Arts & Culture Board (Working Group).

Community services Working Group.

*Note: Mayor of the Day, Clr G Lewis and Clr TD Gair (Independent) together with Clr M King (Arts and Culture Board (Working Group), Clr P Yeo (Community Services Working Group and Clr N N Campbell-Jones are the current Councillors on the Committee.*

(i) Wingecarribee Housing Strategy Working Group

*Note: the number of Councillors and Guidelines for the Working Group were not determined at the Ordinary meeting held on Wed 10 October 2007.*

Council had previously appointed two (2) Councillors, namely Clr J Clark and Clr J Mauger

Also refer Attachment 1 for the Guidelines for the Working Group to be adopted by Council.

(j) Wingecarribee Sport & Recreation Working Group

Appoint four (4) Councillor Delegates.

*Note: Councillor N N Campbell-Jones, Clrs P Tuddenham and P George are the current appointed Councillors.*

(k) Tourism / Economic Development Working Group

Appoint four (4) Councillor Delegates.

Staff: General Manager, Economic Development Officer and Executive manager Tourism.

Appoint four (4) Industry representatives from Tourism, Manufacturing, Development and Local business.

**COMMUNITY INPUT FOR FUTURE MEETINGS**

Council at its meeting held on Wednesday 10 October 2007 in relation to the Committee Structure resolved as follows:-

“THAT the degree of community input at future meetings be brought back for consideration to the next Ordinary Meeting of Council.”

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In this regard Council currently has two types of Community input at its meetings, firstly at the Ordinary Council meeting and secondly at the former Works and Planning Committee.

#### Ordinary Council Meeting

At this meeting there is the Public Forum, Visitor Representation and Questions from the Public.

As Ordinary Council meetings are continuing it is recommended that the Public Forum, Visitor Representation and Questions from the Public continue in their present state.

Public Forum and Public Questions are detailed in Councils Code of Conduct as items 10.13 and 12.2

#### Former Works and Planning Committee

As the Works and Planning Committee has been wound up and replaced by the Services and Infrastructure Committee (SIC) and that Development Control matters are being considered at this meeting, it is therefore proposed that visitor items be held at this Committee meeting and that the rules and regulations that previously applied to the works and Planning Committee be implemented for the Services and Infrastructure Committee (SIC).

##### i.e. Order of proceedings

- i) Matters will first be introduced by staff, followed by the spokesperson for the applicant and finally the objectors who each have five (5) minutes to present their case
- ii) Questions to staff to be as required at any time. Staff applicants and objectors may also be permitted a very short opportunity, at the discretion of the Chairperson, to correct or clarify any issues raised in any of the presentations in the interests of presenting an accurate description for the benefit of the Committee members.

#### Procedure for Applicants and Objectors

- i) The applicant's representative and the person nominated as the representative of the objectors who wish to address the committee must make an appointment to do so by telephoning council and written submissions must be faxed or emailed to council prior to 12.00 noon on the Monday prior to the committee meeting. (no written submissions will be considered if they are received after this time).
- ii) Copies of submissions must be forwarded to all councillors, the General Manager and relevant director and manager.

#### Code of Meeting Practice

The Meetings must comply with Council's code of Meeting Practice.

It is recommended that this practice be implemented for the Services & Infrastructure Committee (SIC) when dealing with Applications before the committee.



#### ATTACHMENTS

There is one Attachment to the report being the Role and Structure of the Wingecarribee Housing Strategy Working Group.

#### RECOMMENDATION

1. THAT the Existing Councillor delegates positions be endorsed for those committees as detailed in the report with the exception of the Environment and Sustainability Committee in that two Council Delegates are to be appointed and the Tourism/Economic Development Working Group.
2. THAT two (2) Councillor Delegates be appointed to the Environment and Sustainability Committee.
3. THAT four (4) Councillors be appointed the Tourism / Economic Development working Group.
4. THAT the General Manager, Economic Development Officer and Executive Manager Tourism be appointed to the Tourism / Economic Development Working Group.
5. THAT Council seeks nominations from four (4) industry representatives from the community in the areas of tourism, manufacturing, development and local business.
6. THAT the role and structure for the Wingecarribee Housing Strategy Working Group, as per Attachment 1 of the report, be adopted.
7. THAT Council endorses the community input at its Ordinary Council meetings and continue with the existing practice of Public Forum, Visitor Items and Questions from the Public as detailed in the report.
8. THAT Council endorses the practice for Visitor items at its Services & Infrastructure Committee that previously applied to the Works and Planning Committee as detailed in the report.

**ATTACHMENT 1**

WORKING GROUP GUIDELINES  
WINGECARRIBEE SHIRE COUNCIL  
WINGECARRIBEE HOUSING STRATEGY WORKING GROUP  
File No: 5600/8

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BACKGROUND

Following a review of Council's committee structure, Council resolved to form a series of "Working Groups" to provide a forum for community input on a range of areas of Council operation.

Working Groups will be activated at the call of council and will provide input on matters tasked to them by Council.

Working Groups may operate within a limited timeframe with a "sunset provision" included in the Guidelines and / or may "Lie Dormant" when not working on issues TASKED by Council.

Matters tasked by Council are to be considered and reviewed and where appropriate their deliberations will be carried forward via a report by a council officer.

Staff resources will be provided to assist with deliberation of matters tasked by Council and for quarterly meetings where tasked by Council.

Working Groups will not be resourced for meetings or discussions which are not initiated by Council.

OBJECTIVES

To act as an avenue for communication between relevant agencies and Council in relation to affordable and Social housing options in Wingecarribee Shire.

ROLE OF THE COMMITTEE

To identify and implement strategies as endorsed by Council to further provision of affordable and social housing options appropriate to diverse community needs within the Wingecarribee Shire.

SCOPE

The Working Groups role is to provide advice and an opinion on those matters specifically identified in the Guidelines, or on any other matter tasked to them by Council.

THE WORKING GROUPS – DO NOT direct staff, Vote or Control Funds or Set Policy and has no delegated authority or role beyond those defined in the Guidelines

WORKING GROUP STRUCTURE

The Working Group will consist of the following members: (2) Councillors (2) representatives from Argyle Housing (1) representative from Centre for Affordable Housing, (1) representative from Greater Western Sydney NSW Housing, Economic Development Officer, Manager Strategic Planning, and Social Planner.

MEETINGS

The Working Group will meet four (4) times per year as well as whenever required to do so by Council or by the Councillor Chair of the Committee.

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**o-CS5 Council & Committee Meeting Dates 2007/2008**

REF. MAS 100/1, 107

Reporting on proposed changes to Council meeting dates for December 2007 and January 2008.

**REPORT**

Council, at its meeting held on 25 October 2006 considered a report in relation to Council and committee meeting dates for 2006 and 2007 and resolved as follows:-

1. *THAT the Ordinary meeting of Council scheduled for Wednesday 27 December 2006 and 10 January 2007 be cancelled.*
2. *THAT the ordinary meeting of Council scheduled for Wednesday 24 January 2007 be transferred to Wednesday 31 January 2007.*
3. *THAT the Ordinary meeting of Council scheduled for Wednesday 26 December 2007 and 9 January 2008 be cancelled.*
4. *THAT the Ordinary meeting of Council scheduled for Wednesday 23 January 2008 be transferred to Wednesday 30 January 2008.*

Following Council's decision to restructure its committees it is necessary to review the December 2007 and January 2008 meeting dates.

In this regard it is proposed that the following meetings be held, having regard to Public Holidays and staff Annual Leave.

**DECEMBER 2007**

During December 2007 the Ordinary Council meeting and the Strategy & Finance Committee (SFC) meetings are scheduled to be held on Wednesday, 26 December and it is proposed that these meetings be transferred to Wednesday, 12 December 2007 being the last meetings of the year.

The meetings scheduled to be held on Wednesday, 12 December are Legal Committee followed by an Information Session and it is proposed that both these meetings be cancelled to allow the Strategy & Finance (SFC) and Ordinary Council Meeting to be held on this day.

The meeting proposed to be held on Wednesday, 21 December is an Information Session (if required) and it is proposed that this meeting not be held.

**JANUARY 2008**

During January 2008 the Ordinary Council meeting and the Strategy & Finance Committee (SFC) meetings are proposed to be held on Wednesday, 23 January 2008 and as the Administration team is involved in organising Australia Day on Saturday, 26<sup>th</sup> January it is suggested that these meetings be transferred to Wednesday, 30 January 2008.

The meeting proposed to be held on Wednesday, 2 January 2008 is the Services & Infrastructure Committee (SIC) and it is proposed that this meeting be cancelled.

The meeting proposed to be held on Wednesday, 9 January 2008 is Legal Committee and Information Session and it is proposed that these two meetings be cancelled.

The meeting proposed to be held on Wednesday 16 January 2008 is the Information Session (if required) and it is proposed that that this meeting be cancelled.

#### REVIEW OF COMMITTEE STRUCTURE

Council was to review its committee structure in February 2008 and once the review has taken place council can amend its Code of Meeting Practice.

#### ATTACHMENTS

There are no attachments to this report.

#### RECOMMENDATION

1. THAT the Strategy & Finance Committee (SFC) and Ordinary Council meetings scheduled to be held on Wednesday, 26 December 2007 be transferred to Wednesday, 12 December 2007.
2. THAT the Legal Committee and Information Session scheduled to be held on Wednesday, 12 December 2007 be cancelled.
3. THAT the Information Session (if required) scheduled to be held on Wednesday, 21 December 2007 be cancelled.
4. THAT the Strategy & Finance Committee (SFC) and Ordinary Council meetings scheduled to be held on Wednesday, 23 January 2008 be transferred to Wednesday, 30 January 2008.
5. THAT the Services & Infrastructure Committee (SIC) meeting scheduled to be held on Wednesday, 2 January 2008 be cancelled.
6. THAT the Legal Committee and Information Session scheduled to be held on Wednesday, 9 January 2008 be cancelled.
7. THAT the Information Session (if required) scheduled to be held on Wednesday, 16 January 2008 be cancelled.

Barry W Paull  
**Director Corporate Services**

19 October 2007

**REPORT OF THE GENERAL MANAGER**

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**COUNCIL MATTERS**

**GENERAL MANAGER'S REPORTS**

**c-GM1 Weekly Circulars**

REF.	GM	100/8, 203/2007
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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 41/07 and 42/07 and Council Weekly Circulars Nos 41/07 and 42/07 be noted.

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Mike Hyde  
**General Manager**

18 October 2007

**NOTICES OF MOTION**

**OTHER MATTERS**

**c-NMR1 26/2007 – Notice of Motion of Rescission – Proposed Underground Restaurant at Mittagong Central**

REF: DEP

LUA07/0902

Reference: – Ordinary meeting of Council Wednesday 10 October 2007 c-CR3  
(MN 285/07)

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 10 October 2007 **be rescinded**:

1. ***THAT authority be delegated to the Director Environment & Planning to determine the development application for the proposed underground restaurant in the basement of "Mittagong Central", with any conditions of consent to be generally in accordance with Attachment 2 of the report.***
2. ***THAT the applicant be required to provide a further four (4) carparking spaces (in addition to the existing 41) in Regent Street.***

*Signed* Dated 21 December 2006  
Clr N J Campbell-Jones  
Clr P George  
Clr M Murray"

**RECOMMENDATION**

SUBMITTED FOR DETERMINATION.

**COMMITTEE REPORTS TABLED**

**c-CR1 Management and Advisory Committee Reports**

REF. DCS

107/1

Submitting minutes of nineteen (19) Committee meetings that will be tabled for information.

**REPORT**

1. Companion Animals Advisory committee meeting Tuesday 14 August 2007
2. Companion Animals Advisory committee meeting Tuesday 9 October 2007
3. East Bowral Community Centre Management Committee meeting Tuesday 25 September 2007
4. Exeter Park Management Committee meeting Monday 6 August 2007
5. East Bowral Community Centre Management Committee meeting Tuesday 28 August 2007
6. East Bowral Community Centre Management Committee meeting Tuesday 24 July 2007
7. East Bowral Community Centre Management Committee Annual General meeting Tuesday 24 July 2007
8. Mittagong Memorial Hall Management Committee meeting Thursday 6 September 2007
9. Lake Alexandra Reserve Management Committee meeting Tuesday 24 July 2007
10. Loseby Park Youth Centre / Hall 355 Management Committee Annual General Meeting Thursday 23 August 2007
11. Loseby Park Youth Centre / Hall 355 Management Committee Meeting Thursday 23 August 2007
12. Mittagong Memorial Hall Management Committee meeting Thursday 2 August 2007
13. Moss Vale Senior Citizens & Community Centre Management Committee Annual General Meeting Monday 13 August 2007
14. Penrose Hall & Recreation Reserve Management Committee Meeting Monday 25 July 2007
15. Penrose Hall & Recreation Reserve Management Committee Annual General Meeting Monday 7 August 2007
16. Robertson Community Centre Management Committee meeting Wednesday 8 August 2007.
17. Welby Hall Management Committee Annual General Meeting Thursday 19 June 2007.
18. Welby Hall Management Committee Annual General Meeting Thursday 12 April 2007.
19. Water & Sewerage Steering Committee Wednesday, 29 August 2007



**COMMITTEE REPORTS**

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**ATTACHMENTS**

There are no attachments to this report.

**RECOMMENDATION**

THAT the information contained in the nineteen (19) Committee Reports be noted.

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**COMMITTEE REPORTS**

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**COMMITTEE REPORTS ATTACHED**

**c-CR2 Economic Development Committee** (*Refer minutes page 62*)

REF	EDO	107/24
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Submitting minutes of the Economic Development Committee meeting held Wednesday, 26 September 2007.

**RECOMMENDATION**

THAT recommendations as detailed in the minutes of the Economic Development Committee meeting held Wednesday, 26 September 2007 be adopted.

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**c-CR3 Arts & Culture Board** (*Refer minutes page 67*)

REF	SPM	1660/1
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Submitting minutes of the Arts & Culture Board meeting held Monday, 24 September 2007.

**RECOMMENDATION**

THAT the recommendations as detailed in the minutes of the Arts & Culture Board meeting held Monday, 24 September 2007 be adopted.

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**c-CR4 Finance Committee** (*Refer minutes page 74*)

REF	DCS	107/21
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Submitting minutes of the Finance Committee meeting held Wednesday, 17 October 2007.

**RECOMMENDATION**

THAT the recommendations FM12/07 to FM16/07 in the minutes of the Finance Committee meeting held Wednesday, 17 October 2007 be adopted.

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**COMMITTEE REPORTS**

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**c-CR5 Moss Vale Master Plan Committee** *(Refer minutes page 77)*

REF	DEP	
		1603/28

Submitting minutes of the Moss Vale Master Plan Committee meeting held Monday, 8 October 2007.

**RECOMMENDATION**

THAT the recommendations detailed in the minutes of the Moss Vale Master Plan Committee meeting held Monday, 8 October 2007 be adopted.

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**COMMITTEE REPORTS**

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**MINUTES OF THE ECONOMIC DEVELOPMENT COMMITTEE  
HELD ON 26 SEPTEMBER 2007**

File No. 107/24

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- PRESENT:** Clr May King  
Mike Hyde, General Manager (GM)  
Terry Oakes-Ash, Community representative (CR)  
Alan Spence, Community representative (CR)  
Desmond Kennard Community representative (CR)
- IN ATTENDANCE:** Douglas Drysdale, (Moss Vale Chamber of Commerce)  
Carl Pemberton, Economic Development Officer (EDO) (Chairperson)  
Dawn Taylor, Personal Assistant to the EDO
- APOLOGIES:** Clr Malcolm Murray  
Jim Becke (Bowral Chamber of Commerce)

The meeting commenced at 10.30 am

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At this junction a quorum was not present.

Clr King arrived at 11:00am and Mike Hyde arrived at 11.50 am.

A quorum was present.

**1. APOLOGIES**

**RECOMMENDATION**

**THAT the apologies of Clr Malcolm Murray & Jim Becke be received and noted.**

Moved Alan Spence and seconded Terry Oakes Ash

**2. MINUTES OF THE PREVIOUS MEETING HELD ON WEDNESDAY, 22 AUGUST 2007**

**RECOMMENDATION**

**THAT the Minutes of the Economic Development Committee held on Wednesday, 22 August 2007, be accepted as a true and accurate record.**

Moved Terry Oakes-Ash and seconded Alan Spence

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**MATTERS ARISING FROM THE MINUTES OF THE MEETING HELD ON  
WEDNESDAY, 22 AUGUST 2007.**

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 and a request made to include this topic back on the agenda again for discussion.

The EDO advised that the topic was listed for discussion today under item number 3.8.

**3. UPDATE FROM EDO**

**3.1 Shire Significant Projects Update**

- 1) Shire Significant project updates discussed, included the progress of:
- 2) Sutton Forest Hotel – Development Approval (DA) is imminent
- 3) Links Road Seniors Living – the proposal has been rejected by Council in its current form, and a request has been made for resubmission which includes requested modifications.
- 4) The Abbey Nursing Home, Range Road – DA has recently been lodged.
- 5) Aldi store at Mittagong – on public exhibition
- 6) Victoria Street – DA has been approved
- 7) Renwick (phase 1, 79 lots) DA is pending
- 8) Capernway (seniors living) – submission is imminent
- 9) Water Reservoir at Hume Highway, (North) Mittagong
- 10) Pauline Fathers – the DA has just been received.
- 11) Hill Top Rifle Range – the EDO advised that the project will be Shire Significant but no submission has yet been received.

The EDO further made mention of an imminent project estimated to be valued around \$200M slated for development within the Shire, thereby highlighting the fact that investment within the Shire is continuing to grow.

**3.2 Enterprise Zone Update**

AMP and Fortius are receiving presentations from various project management consultants. Integral Energy have offered to site a mobile power sub station which will provide 10Megawatts within the Employment Enterprise Zone (EEZ) to overcome short term power shortage.

Rail access is being discussed as a joint venture by ARTC, Boral, AMP Capital & Fortius Funds Management Group.

Clr May King arrived at 11.00 am

**3.3 China Delegation Update**

A detailed itinerary is being sought from Kaifeng and Beijing.  
Next Thursday October 4, 2007 a delegation will be received from Kaifeng and hosted by Council.



### **3.4 Website Advertising**

The EDO advised that although a significant amount of interest in advertising on southernhighlandsbusiness.com website had been indicated through numerous telephone calls received following advertising in the newspapers, no written submissions had been received. Offers to utilise the available space will now be considered on an individual basis. Final approval will still be sought from the Advertising Committee.

### **3.5 White Paper by UOW on Economic Enterprise Zone**

The EDO advised that a number of EEZ landholders have indicated they would contribute financially to the study.

### **3.6 Small Business Training**

A Retail Skills Workshop and E-Business workshop was hosted by the Wingecarribee Shire Council in conjunction with Department of State and Regional Development (DSRD).

### **3.7 Funding Submission**

A funding submission has been submitted to GROW Sydney Area Consultative Committee (GROW), requesting additional funds for infrastructure within the EEZ.

### **3.8 Tourist Park**

The EDO advised that there is now private sector interest to build a tourist park / housing for construction workers on land close to sewerage works, Hume highway and EEZ. The project is now back on the agenda for the EDO.

### **ACTION**

**THAT the EDO will arrange an information session with Council in regard to the chronic shortage of lower cost housing for workers, around early to mid November.**

**COMMITTEE REPORTS**

**3.9 SEGRA**

A well received Paper was delivered by the EDO entitled 'How Strategic is Economic Development Strategy?' This resulted in extensive coverage being given to the Southern Highlands by the ABC Television and Radio stations. A CD of all sessions will be reviewed by the EDO and any relevant material will be passed onto the EDC.

**4. OUTSTANDING ACTIONS OVERDUE FOR THE ECONOMIC DEVELOPMENT COMMITTEE**

Subject	Due Date	Organiser
Meeting is to be convened between Cllr 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
EDO to invite the 2007 Federal Labour and Liberal candidates to the opening of the Intermodal and to address Council at a future Ordinary meeting.	TBA	EDO

**5 UPDATE ON TOPIC AREAS FROM CO-ORDINATORS**

**5.1 Education**

- a) A Schools breakfast has been arranged tentatively for October 24, 2007. Following discussion with the EDC, the date for the meeting was changed to October 31, 2007 in anticipation that some members of Council and EDC will be present at the meeting.

**ACTION**

**THAT Alan Spence will advise the venue for the annual Schools meeting.**

- b) The EDO advised that a meeting had been arranged with the University of Wollongong (UOW) to be held at Council on October 5, 2007 to progress 'A greater presence of the UOW within the Southern Highlands'.

**5.2 Housing Strategy Group**

Desmond Kennard advised that there was no quorum present at the last meeting of the Housing Strategy Group. Discussions during the previous meeting highlighted the fact that there was no strong policy for affordable housing.

**5.3 Networking**

Terry Oakes-Ash reported that Macquarie Bank, GROW ACT joined Southern Highlands Business Chamber.

**6. PRESENTATIONS**

Stephen Payne, Chief Financial Officer, Wollongong City Council gave a presentation on a discussion paper entitled 'Local Government Infrastructure Bonds'. The paper is intended to foster discussion in relation to advancement of inter-governmental acceptance of Local Government Infrastructure funding through the use of Municipal, Community or Infrastructure Bonds to fund future social infrastructure and other major capital works. Stephen cited the successes of some Northern American and Canadian Council equivalents as an example of what may be achieved through the use of this method.

Virginia Wren, Business Development Manager, Illawarra ITEC presented an update on the Southern Highlands Small Business Club. Registered interest is encouraging with over 30 seats already reserved. The inaugural meeting is set for October 10, 2007, to be held at the Mittagong RSL and will be attended by Dawn Taylor, Economic Development.

**7. GENERAL BUSINESS**

Discussions were held regarding the annual festival proposed by the Moss Vale Chamber. The EDO advised that he had strong connections with various international musical bands who had indicated that they would be interested in offering support to the venture.

**ACTION**

**THAT the EDO will meet with the Moss Vale Chamber of Commerce to discuss the proposal.**

**8. ITEMS FOR FUTURE MEETINGS**

**10. NEXT MEETING**

The date of the next meeting will be held in the Nattai room on **Wednesday, October 24<sup>th</sup> 2007** commencing at 10:30am.

*The meeting closed at 12:50pm*

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**MINUTES OF THE ARTS & CULTURE BOARD MEETING  
HELD ON MONDAY, 24 SEPTEMBER 2007**

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*File No. 1660/1*

The Arts and Culture Board meeting commenced at the 5:00pm.

1.

**PRESENT:** Cr May King (Chairperson) arrived at 5.30 pm, Cr Phil Yeo, May Howlett, Lyn Hall and Josina Metcalfe (Community Representatives)

**ALSO**

**IN ATTENDANCE:** Jenny Kena (Council's Community & Cultural Development Officer) and Helen Stokes (Administration Assistant)

**APOLOGIES:** That the apologies from Cr Penny George, Desmond Kennard (Community Representative - resigned) and Elizabeth Brown (STARTS Regional Arts Development Officer) be noted and accepted.

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Sharon Makin arrived at 5.00 pm to discuss the following topic.

6.1 Quadruple Bottom Line and Sustainability

Sharon Makin, Environmental Review Officer, addressed the meeting and outlined the following lifestyle and community components of the Quadruple Bottom Line Self Assessment Tool (QBL Tool) "A look at how sustainable we are". Topics outlined were:

3.1 *Community Wellbeing and Social Justice (including Community Development).*

3.2 *Community Services*

Sharon advised a Workshop, including community representatives, will be conducted on 8 November 2007 to assist in the assessment of Council's performance, the results of which will be reported to the Executive.

**Action: Board members will receive invitations to attend the QBL self assessment workshop on 8<sup>th</sup> November.**

**COMMITTEE REPORTS**

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Sharon Making left the meeting at 5.25 pm

Clr May King arrived at the meeting at 5.30 pm

**2. ADOPTION OF PREVIOUS MINUTES OF MEETING HELD MONDAY 27 AUGUST 2007:**

**RECOMMENDATION:**

**THAT the minutes of the meeting held on Monday 27 August 2007 be accepted as a true and accurate record.**

**Moved: M Howlett**

**Seconded: L Hall**

**Carried**

**3. BUSINESS ARISING FROM PREVIOUS MEETING:**

- 3.1 Model of Fitzroy Iron Works (Update) – Clr May King will present this item at the next meeting and apologised for not having the information available for today's meeting.

Clr Yeo suggested the model be located near the Fitzroy Iron Works site, the area be lit and enclosed in vandal proof material.

- 3.2 Draft Criteria for Project Funding –This item was deferred from a previous meeting.

A revised draft of the criteria had been distributed prior to the meeting. This draft had been developed by Jenny in consultation with Desmond. A number of further amendments were agreed to.

***Action: Jenny to incorporate amendments and distribute revised version with minutes.***

- 3.3 Submission from CTC@Robertson for support for environmental arts project. – [Jenny Kena declared a non pecuniary interest in this item as she is a member of the CTC@Robertson Management Committee at the previous meeting when this was discussed]

Seeking financial support in the sum of \$1,500 from the Board towards a project involving environmental education through the arts.

COMMITTEE REPORTS

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**RECOMMENDATION:**

**THAT** the Board support the submission of CTC@Robertson towards the environmental arts project to the sum of \$1,500, subject to the availability of further funds applied for.

Moved: Cllr M King  
Seconded: J Metcalfe  
Carried

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4. **UPDATE ON ARTS AND CULTURE BOARD PROGRAMME ITEMS:**

4.1 Composition Workshop, 4<sup>th</sup> November at Oxley College

Workshop is to be conducted by Andrew Ford and will be held 11.00 am – 5.00 pm. Approximately 60 students from local high schools will attend.

***Action: Jenny to notify all local schools of the forthcoming International Piano Recital Competition.***

4.2 Colo Vale pathway project opening 28<sup>th</sup> September

Opening is scheduled to commence at 12.30 pm.

***Action: Jenny to advise details of the project opening to the local press.***

4.3 Bundanoon and Robertson Round Tables

Jenny advised invitations have been issued for these meetings and an advertisement will be placed in the local press.

It was agreed that the Robertson Round Table meeting be re-scheduled to 19 November 2007.

A Round Table meeting to be scheduled for Bowral in March 2008.

***Action: Jenny to re-schedule Robertson meeting to 19 November 2007 and schedule meeting for Bowral in March 2008.***

4.4 Nature Photography Competition

Josina provided information about *One Earth Our Stories* – a photography competition being run in the Macarthur Region.

***Action: Jenny to contact the organisers of this competition to discuss whether Wingecarribee could be included next year***

5. **CORRESPONDENCE:**

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- 5.1 Letter from GM to Mr Hugo Leschen, Director Arts Development Arts NSW re City of Arts Program discontinuation
- 5.2 Southern Tablelands Arts Inc - *Annual Report 2006/2007*
- 5.3 Southern Tablelands Arts Inc – *Funding Handbook 2006/2007*
- 5.4 Letter from Musica Viva advising that Musica Viva Twilight Series will not be staged in Mittagong in 2007 as they are unable to resource it.

**Action: Jenny to correspond with Musica Viva advising of the availability of the Mittagong Playhouse as a suitable and economical venue, and encouraging the group to return to the Shire at a future date.**

- 5.5 The MAG Issue Three 2007 – Museums and Galleries NSW
- 5.6 Resignation of Mr Desmond Kennard, Deputy Chair, from the Arts & Culture Board.

Members acknowledged the significant input by Desmond to the Board and expressed regret at his resignation.

**RECOMMENDATION:**

**THAT a letter expressing the Board's thanks and appreciation for his significant contribution to the Board and also his assistance in drafting the Criteria for Project Funding, be drafted by Jenny and forwarded to Mr Desmond Kennard under the Mayor's signature.**

**Moved: Cllr M King**

**Seconded: J Metcalfe**

**Carried**

- 5.7 Invitation to Arts and Culture Board "*Travelling Round Table to Bundanoon, 29 October 2007*
- 5.8 Media Release – The Hon Frank Sartor MP, 13 September 2007 – *NSW Cultural Grants Program Review Announced*
- 5.9 Department of Planning, Heritage Office – *Funding Now Available for Heritage Projects* – NSW Heritage Grants 2008-9 program launch, 22 September 2007
- 5.10 NAVA QUARTERLY – September 2007

**COMMITTEE REPORTS**

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**RECOMMENDATION:**

**THAT the correspondence listed and discussed be received and noted.**

**Moved: Cllr M King**

**Seconded: M Howlett**

**Carried**

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**6. GENERAL BUSINESS:**

6.1 Quadruple Bottom Line and Sustainability

*This item was discussed at the commencement of the meeting at 5.00 pm.*

6.2 Nomination of new Board member I

Lyn Hall nominated Harlan Hall.

Jan Jones and Leoni Ganivet were also nominated.

***Action: Jenny to forward Nomination Forms to the above nominees, once their details have been received.***

7. Future Meeting Dates

**NEXT MEETING:**

The next meeting of the Arts and Culture Board will be held on Monday 29<sup>th</sup> October in the Bundanoon Memorial Hall Supper Room commencing at 4:00pm with the Round Table and following by the Board meeting at 5.30pm

**FUTURE MEETING DATES:**

Monday, Monday, 19 November (Robertson) at 4.00 pm (Round Table), 5.30 pm (Board meeting)

**MEETING CLOSURE:**

The Arts and Culture Board meeting was declared closed at 7.00 pm.

\_\_\_\_\_  
Chairperson

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**ATTACHMENT 1**

**CHECKLIST FOR ASSESSMENT OF PROJECT PROPOSALS SEEKING FUNDING  
ASSISTANCE SUBMITTED TO THE ARTS AND CULTURE BOARD**

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**Preamble**

Council funding for Arts and Culture projects includes –

- Annual Wingecarribee Community Assistance Scheme which provides donations of up to \$500 and grants of variable amounts
- Allocations to arts organisations – Friends of SH Regional Gallery, BDAS for Wingecarribee Prize
- Support for arts and culture venues
- Foyer Gallery exhibition space
- Support from Community & Cultural Development Officer
- Arts and Culture Board – small amounts of funding available according to an annual program based on cultural plan

This document relates to allocation of Arts and Culture Board funds. Funding requests recommended by the Arts and Culture Board are submitted to full Council for approval (via approval of ACB minutes).

The annual program of the Arts and Culture Board is planned taking into account –

- Cultural plan
- Community consultation via round table meetings, suggestions made by individuals and organisations via submissions to the Board or the CCDO and Board members acting as community representatives.
- The objective of including a range of categories of arts and culture as well as a range of age groups in the annual program.

The annual program should identify categories of projects to be funded and recommended budget allocations for these project categories.

A small amount of the annual program funds will be left unallocated to specific program categories. These funds will be used for projects that arise during the year that may not fit the program categories.

Projects funded from the Arts and Culture Board budget will be required to be acknowledged by the applicant with the words “this project is assisted by funding from the Wingecarribee Shire Council, Arts and Culture Board”.

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### Checklist for assessing submissions to the Board for funding

The following checklist is to be used to assist the Board with the assessment of all submissions for funding it receives from individuals or organisations.

- [ ] Does the project encourage cultural endeavour in local arts and culture?
- [ ] Does the project provide benefits and access to a wide cross-section of the Shire
- [ ] Does the project fit within the categories of the current ACB program?
- [ ] Have other projects in that category already been funded?
- [ ] Is the project local - undertaken by a local organisation, a local artist, a student attending a local school?
- [ ] Does the project benefit a range of age groups or one of the target groups identified in the annual program?
- [ ] Does the project involve one individual or a partnership or group?
- [ ] What steps have been taken to ensure respect for Indigenous and other cultures where relevant?
- [ ] Does the project demonstrate good management?
- [ ] Has funding been sought from any others sources e.g. sponsorship, fundraising, other grants?
- [ ] Does the submission include a curriculum vitae of the artists involved?

#### In regard to prizes and competitions only –

- [ ] If a prize, is it sufficient to attract a reasonable number of applicants?
- [ ] Will all participants receive a certificate of participation?
- [ ] How are judges selected? Will they be local, NSW or from elsewhere? What guidelines will they be given?
- [ ] What guidelines in terms of quality will judges be given?
- [ ] Are advisors available to mentor young applicants?
- [ ] Do application procedures take into account copyright, proof of own work, royalties – where applicable?

**MINUTES OF THE FINANCE COMMITTEE MEETING  
HELD ON WEDNESDAY, 17 OCTOBER 2007**

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*File No. 107/21*

**Present:**

Clr M Murray (Acting Chair), Clr P Yeo, Clr J Mauger  
Mr Alistair MacLennan (Community Representative).  
Mrs Jan Edwards (Community Representative) arrived at 2.20pm

**In attendance:**

General Manager,  
Director Corporate Services,  
Financial Services Manager,  
Management Accountant,  
Sue Caine – Minute Taker

**Apologies:**

Clr P B Tuddenham  
Mr Peter Bray (Community Representative)  
Clr G Lewis  
Clr TD Gair

The Chair, Clr PB Tuddenham to contact Mr Bob Murray to determine if he wishes to remain on the Committee.

The meeting commenced at 2.00pm

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**CONFIRMATION OF MINUTES**

**MINUTES OF PREVIOUS MEETING HELD 16 MAY**

***FM 12/07***

***RECOMMENDATION moved by Mr A MacLennan and seconded by Clr P Yeo***

***THAT the Minutes of the Finance Committee meeting held on 16 May 2007 be accepted as a true and accurate record.***

**PASSED**

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**MATTER ARISING FROM MINUTES 16 MAY 2007**

Nil

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**COMMITTEE REPORTS**

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**CORPORATE SERVICES DIVISION**

**F-CS1 2006/2007 AUDITORS REPORT**

REF: FSM	2120/04
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Council's external auditor, Mr Phillip Webster, was in attendance at the meeting to present his financial year end audit report.

At this point Mrs Jan Edwards (Community Representative) arrived at 2.20pm

***FM 13/07***

***RECOMMENDATION moved by Clr P Yeo and seconded by Clr J Mauger***

***THAT the Auditor's report be received and noted and the excellent performance of the Finance Team promptly completing the statements also be noted.***

***PASSED***

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**F-CS1 FINANCIAL HEALTH CHECKS**

REF: FSM	107/21
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Submitting a report on Councils financial performance indicators.

***FM 14/07***

***RECOMMENDATION moved by Clr J Mauger and seconded by Mr A MacLennan***

***THAT the information be received and noted.***

***PASSED***

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**COMMITTEE REPORTS**

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**F-CS2 2006/07 FINANCIAL YEAR BUDGET RESULTS**

REF: FSM	2120/07
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Submitting a report on the results of the 2006/07 financial year budget.

**FM 15/07**

**RECOMMENDATION** moved by Cllr P Yeo and seconded by Cllr J Mauger

1. **THAT** the information be received and noted.
2. **THAT** Council confirm the transfers to and from Reserves in General Fund, Water Fund and Sewer Fund.

**PASSED**

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**SUPPLEMENTARY REPORT**

**F-CS3 INDEPENDENT REVIEW OF COUNCIL'S INVESTMENT PORTFOLIO**

REF: DCS	2104
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Report on the Independent Review of Council's Investment Portfolio

**FM 16/07**

**RECOMMENDATION** moved by Cllr P Yeo and seconded by Mr J Mauger

**THAT** the report be received and noted.

**PASSED**

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**GENERAL BUSINESS**

Nil

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THE ACTING CHAIRMAN made a statement on behalf of the Committee, Council & Councillors, thanking the community representatives on the Finance Committee, Mr Alistair MacLennan, Mrs Jan Edwards, Mr Bob Murray and Mr Peter Bray, for their involvement on the Committee. He stated that Council were extremely grateful for their input and expertise.

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The meeting concluded at 3.40pm

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**MINUTES OF THE MOSS VALE MASTER PLAN COMMITTEE MEETING  
HELD ON MONDAY 8 OCTOBER 2007**

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*File No 1603/28*

**PRESENT:** Clr D Gair (Chairman)  
Bob Conyers (Community rep)  
Bob Murray (Chamber of Commerce)  
Denis Cribbin (Rotary)  
David Luckie (Community rep)  
Steve Newton (Community rep)  
Graeme Smith (Community rep)  
Kathy Barnsley (Community rep)  
Scott Lee (Director, E&P)  
Dominic Lucas (Design & Projects Manager)  
James Shelton (S.94 Planner)  
Frank Perger (Traffic Engineer)

**APOLOGY:** Frank Iacono (Design Engineer)

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The Meeting commenced at 4.00pm.

**MINUTES OF THE PREVIOUS MEETING HELD 20 August 2007**

**RECOMMENDATION** (Moved Bob Conyers / Seconded Bob Murray.)

THAT the Minutes of the Moss Vale Master Plan Meeting held on 20 August 2007 be noted as a true and accurate record.

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**BUSINESS ARISING FROM THE MINUTES**

**(a) *Carparking Clarence Street* 7472/1**

Dominic Lucas gave a presentation on short, medium and long-term car parking in Clarence Street. (See details of presentation and Traffic Minute TC 29/07, with comments attached.)

James Shelton also gave a presentation on the aims of the Car Parking Strategy (see details of presentation attached). The aim is to better manage what we have got, and provide spaces applicable to development. The strategy looked at a 20 year planning horizon and suggested there will not be a parking deficiency during that period. Parking just needs to be better managed.

Comments from Committee members:-

- The carpark in Donkin Avenue is an ideal spot for multi-level stack parking.
  - Although the Police have resisted overtures to move near the Court House, suggest this be pursued further. Also Police land, corner Valetta Street.
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**COMMITTEE REPORTS**

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- Having a Ranger in Moss Vale and improving signage and time limits is not enough within a 20 year strategy. More sites need to be identified. Current spaces could be better managed, signage improved, or make Clarence Street two-way;
- Suggest Police could go next to Courthouse, but they would have to agree. A multi-carpark in the town centre would need to be in the medium term plan for strategy.
- An artist's impression should be provided to the Police for the Station site, showing 'HQ for Emergencies,' 'Ambulance,' etc, and location of holding cells.
- Survey of the needs of people who use the carpark.
- Widen Clarence Street and link to a S.94 contribution for long term strategy.

**RECOMMENDATION**

THAT as part of the Long Term Strategy, Council re-visit the possibility of purchasing the Police premises in Elizabeth Street during its review of car parking in the Moss Vale CBD.

THAT a report be provided back to the Traffic Committee on parking issues at the appropriate time.

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**(b) *Diamond Jubilee Park* 6546/28**

Projected completion date is after Christmas 2007. Require physical permit before work can start, even though agreement for lease has been signed. Tender has not gone out as yet. Copy of last correspondence from the ARTC attached. Need to keep pushing further correspondence and advise the Committee.

**(c) *Substation, Argyle Street* 1603/28**

Noted Cornelis Duba's recent advice that the substation would be painted in blue/grey tonings, using boarded-up glazed timber windows instead of glass. The building cannot be used for any other purpose due to overhead wires going across.

**(d) *DCP Moss Vale Town Centre* 1603/28**

After review by staff, completed draft DCP will come back to the Committee.

**(e) *DA Matters for Moss Vale* 5302**

- Anticipating a development application for a supermarket in Lackey Road.
- Inland port: No DAs as yet.

**GENERAL BUSINESS**

***Draft Whites Creek Flood Study* 8100/6**

Steve Newton updated the Committee on the progress of this Study.

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**COMMITTEE REPORTS**

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***Continuation of Master Plan Committees***

**1603/28**

The Chairman advised that unless there is a change at the next Council meeting, all Master Plan Committees would be disbanded as from 1 November 2007. However, the Moss Vale Committee could still exist independently, but without secretarial or staff support.

Kathy Barnsley tabled a letter (attached) expressing disappointment with Council's decision to disband the Master Plan Committees. Scott Lee advised that projects already in place will go ahead.

**RECOMMENDATION**

**THAT** the letter tabled by Kathy Barnsley be endorsed by all the Committee members.

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**NEXT MEETING**

The next meeting of the Moss Vale Master Plan Committee will be held at 4.00pm on **Monday 3 December 2007 in the Nattai Room.**

The Agenda will consist of reviewing and clarifying better answers from Integral, Leighton Gardens, and to finalise all outstanding matters and reconsider the future.  
Noted that Denis Cribbin will be an apology for this meeting.

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There being no further business, the meeting closed at 6.10pm

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## CORPORATE SERVICES DIVISION

<b>c-CS1</b>	<b>Closed Council</b>
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REF.	DCS	107/9
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To consider moving into Closed Council

REPORT
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1. BACKGROUND

The following confidential reports have been distributed separately:

GM-1 ACQUISITION FROM ROADS AND TRAFFIC AUTHORITY, LOT 31  
DRAPERS ROAD MITTAGONG PN452102

2. STATUTORY

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

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

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

Section 10B

- (1) *[Time spent closed to be minimised] A meeting is not to remain closed during the discussion of anything referred to in section 10A(2):*
- (b) *Except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and*
  - (c) *If the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret-unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.*



- (2) *[Qualification of 10A(2)(g)] A meeting is not to be closed during the receipt and consideration of information or advice referred to in section 10A(2)(g) unless the advice concerns legal matters that:*
- (a) *are substantial issues relating to a matter in which the council or committee is involved, and*
  - (b) *are clearly identified in the advice, and*
  - (d) *are fully discussed in that advice.*
- (3) *[Qualification of 10A(3)] If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in section 10A(3)), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting (other than consideration of whether the matter concerned is a matter referred to in section 10A(2)).*
- (4) *[Irrelevant matters] For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:*
- (a) *a person may misinterpret or misunderstand the discussion, or*
  - (b) *the discussion of the matter may:*
    - (i) *cause embarrassment to the council or committee concerned, or to Councillors or to employees of the council, or*
    - (ii) *cause a loss of confidence in the council or committee.*

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

### 3. DIRECTOR GENERAL'S GUIDELINES

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

#### **RECOMMENDATION**

1. THAT Council move into Closed Council in accordance with the requirements of Section 10 of the Local Government Act 1993 as addressed below to consider the following reports:

GM-1 ACQUISITION FROM ROADS AND TRAFFIC AUTHORITY, LOT 31  
DRAPERS ROAD MITTAGONG

PN452102

Relevant Legal Provision

This report is placed in Closed Committee as it contains commercial information of a confidential nature, under Clause 10A(2)(d) of the Local Government Act.

Brief Description

Reporting on the outcome of the valuation undertaken by the Roads and Traffic Authority. The purpose of the valuation was to establish the consideration for the acquisition of lands surplus to the needs of the Roads and Traffic Authority.

Public Interest

It would on balance be contrary to the public interest to consider this information in Open Council because it contains commercial information of a confidential nature.

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Barry W Paull  
**Director Corporate Services**

19 October 2007