

File No. 100/07
Our Ref: RAP

21 August 2008

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, 27 August 2008** commencing at **3.30pm**.

Yours faithfully

Mike Hyde
General Manager

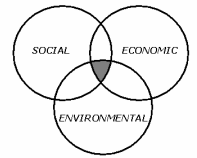
3.30pm	Council Meeting begins
5.30pm	Questions from the Public
6.30pm	Closed Council

BUSINESS

1. OPENING OF THE MEETING
2. PRAYER – *PASTOR JOSHUA MILLER OF THE CHRISTIAN CENTRE*
3. PUBLIC FORUM
4. APOLOGIES
5. ADOPTION OF MINUTES OF ORDINARY MEETING HELD ON *WEDNESDAY, 13 AUGUST 2008*
6. BUSINESS ARISING FROM THE MINUTES
7. DECLARATIONS OF INTEREST
8. MAYORAL MINUTE (*if any*)
9. OPEN COUNCIL CHAIRED BY *CLR G LEWIS*
 - Visitor Matters
 - Environment and Planning
 - Corporate Services
 - Technical Services
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;

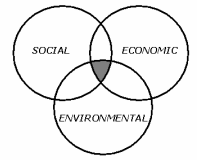
TEAMWORK, INNOVATION and CO-OPERATION in our business;

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, 27 August 2008



DECLARATIONS OF INTEREST

DECLARATION OF INTEREST

101/3

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

MAYORAL MINUTE

c-MM1 Achievements and Challenges

REF. MAYOR 103/3 (CC102/5)

Reflecting on the four and a half years in office of the Council elected in March 2004.

REPORT

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

I have attempted to list some of the highlights and some of the challenges. This isn't an exhaustive list, but more a snapshot of our last term on Council.

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

If I could take you back to March 2004 you will recall Wingecarribee Shire didn't have a synthetic hockey pitch, a close tie with China, a tourism brand, a \$6m entrepreneurial fund, an economic development officer, an inland port, a social plan, a reservoir at East Bowral, or a leisure centre. We still don't have a leisure centre, but we do have a site and a design, with the future of the project now in the hands of the people, who will express their sentiments at a poll to be held in conjunction with the local government elections on 13 September 2008.

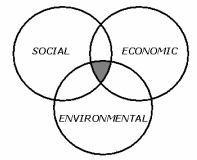
Yes, a lot can happen in four and a half years, despite some significant challenges we had to overcome and some difficult hurdles to jump, along the way.

THERE WERE SOME CHALLENGES....

Perhaps the two biggest challenges we have had to tackle have been the leisure centre proposal and potential losses on some of our invested funds incurred as a result of the downturn in world financial markets, coupled with what we believe to be negligence and breach of contract by our investment advisors.

During our term on Council we have prepared rate submissions each year, as well as welcoming two new Directors (Scott Lee and Michael Brearley) and a new General Manager, Mike Hyde, who replaced David McGowan at the beginning of 2006.

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



On top of that there was local flooding, a prolonged drought, a bushfire and a significant windstorm that hammered the Shire for several days, causing a lot of damage. We also opened the Emergency Operations Centre to help manage the outbreak of Equine Influenza in the area.

We had issues with a proposal for a possible gaol at Robertson, the sale of the War Memorial Hall at Hill Top, the lease of the public golf course in Bowral, use of the old Mittagong Bowling Club at Alexandra Square and an aquifer at Kangaloon. Even high hedges gave us quite a bit of grief.

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

Perhaps the most frustrating unfinished business hanging over us has been the unreasonable delay in getting a **new Shire plan** in place, for reasons beyond the control of Council. This has been frustrating for staff, for Councillors and for the Wingecarribee community. By their very nature, local environment plans take time. People have to be consulted, compromises made and directions agreed upon. Our Council commenced the process of reviewing and replacing the current Wingecarribee LEP 1989 as far back as 1999.

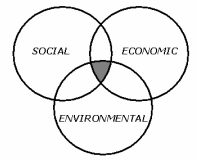
The first phase was the completion and adoption of the Wingecarribee Our Future Strategic Plan in October 2002. Following on from the Strategic Plan, work commenced on the preparation of a new comprehensive LEP based on the PlanFirst model which was favoured by the Department of Planning at that time. Council adopted the draft 2004 LEP in early 2004 and it was then submitted to the DOP for endorsement. We told the community then they could expect a new Wingecarribee LEP in the not too distant future. But alas, through no fault of Wingecarribee Shire Council, the wait was much longer than anticipated.

Being one of the first Councils in NSW to produce a draft template style LEP meant that there was considerable time taken by the Department of Planning to review the draft Plan and issue the final authorisation. This finally came with the issuing of the Section 65 Certificate on 16 November 2007 to enable the formal public exhibition of Draft Wingecarribee LEP 2007 to proceed.

But the wheels turn slowly and by the time we eventually get a new Wingecarribee Local Environmental Plan approved by the State Government, it will have taken a decade and now three Councils from the time the old plan review began in 1999 to having a new document gazetted sometime perhaps in early 2009.

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

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



AND MANY HIGHLIGHTS.....

The 2004/05 operating expenditure was \$53,791,000. In 2008/09 we have a budgeted operating expenditure of \$72,560,319 which gives an indication of how much more money we are now allocating to address the service level required across the range of functions managed by the Council.

Our **Infrastructure Recovery** program allowed significant works to be completed on our roads and roadsides, as well as in our parks, sporting fields and public facilities. A detailed schedule of those works is in the management plan, which is available on Council's website. But in a nutshell, the IRS program raised \$2,353,606 in 2004/05. Now in 2008/09 we will raise \$4,649,251 to partially address the gap between what we need to spend to satisfy community expectations and the income we were raising without the IRS funds.

This infrastructure recovery program ties in closely with the increased emphasis we have placed on **asset management** as we focus more resources on this vital facet of our operations right across all parts of the organisation.

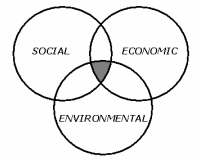
Some of our **larger road projects** in the Auslink program included Meryla Road Meryla (\$341,788), Ellsmore Road Exeter (\$98,666), Wingecarribee Street Bowral (\$278,760), Old South Road Mittagong (\$277,504), Quarry Road Bundanoon (\$78,326), Belmore Falls Road Robertson (\$138,470), Bendooley Street Bowral (\$193,617), Banyette Street Bowral (\$117,449), Tugalong Road Canyonleigh (\$251,113), Nowra Road Moss vale (\$246,031), Carrington Falls Road Robertson (215,163), Ellsmore Road Bundanoon (\$290,237), Oxley Drive Mittagong (\$200,000), Belmore Falls Road Robertson (\$90,944), Cavendish Street Mittagong (\$352,508), Colo Street Mittagong (\$324,332), Old South Road (\$150,000) and Tugalong Road Canyonleigh (218,495).

On top of that we rehabilitated Station Street in Bowral, built a new Bowral Street bridge and another across Brookers Creek. There were many other significant sealing and resealing jobs across the Shire. A major roundabout has been constructed at the intersection of Old South Road and Range Road, with a few additional sets of traffic signals installed to manage our increasing vehicle movements. These recent projects were completely managed and constructed using Council's staff with project costs that are very competitive with the private sector.

Our popular **Seal of Approval** program continued to allow us to seal gravel roads in our towns and villages. In 2004 we spent \$420,598 sealing in Swan Street Robertson, Badgery Street Willow Vale, Dalton Street Mittagong, Railway Parade Balmoral, High Street Robertson, Ligar Street Hill Top, Acacia Street Colo Vale, Harman Street Burrawang, Willow Street Willow Vale.

In 2005 road work worth \$376,864 was completed doing sealing in Links Avenue Yerrinbool, Cumbertine Street Hill Top, Banksia Street Colo Vale, Charlotte Street Robertson, Pirillie Street Hill Top and Park Street Wingello.

The 2006 program allowed us to do sealing work worth \$112,737 in Australia Avenue, New Berrima, Rosina Street Hill Top and Region Street Burrawang.



In 2007 \$187,491 was spend on sealing work in Ash Street in Colo Vale, Sydney Street Wingello, Wyong Street Hill Top, King Street Hill Top, Ligar Street Hill Top and Government Road in Hill Top. The 2008 program has seen sealing done in Wallagunda Street Robertson, Namoi Street Hill Top, South Street Robertson, Adelaide Street New Berrima, Railway Parade Medway, Stockade Street Berrima and Short Street Medway.

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

As mentioned earlier, design work has been done for a **leisure centre** at Eridge Park, with the future of the project hanging on a poll in September.

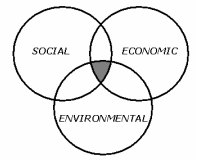
New **public amenities** worth \$700,000 were constructed in Bowral, Robertson, East Bowral and Mittagong.

We built **recreational pathways** at Colo Vale, Mittagong, Burradoo, Bundanoon, East Bowral and upgraded others, including a further extension of the popular Bong Bong Track. A bicycle strategy has been developed for Mittagong, Bowral and Moss Vale to increase the network of cycling and recreational walking opportunities in our Shire.

The \$16.1m upgrade of the **Bowral Sewage Treatment Plant** was completed and extensive works were done in the water and sewerage area, including construction of the East Bowral reservoir to secure the water supply for East Bowral. The **Bundanoon Sewerage** upgrade began, upgrading the capacity from the existing 2000 equivalent persons to 5,400 equivalent persons. Sewerage pumping stations have been upgraded and the **Robertson Sewerage Scheme** EIS has been on public exhibition as this project moves steadily towards reality.

In 2006 we joined other Councils in New South Wales to impose a **stormwater drainage levy** to address a \$14.5m backlog of stormwater works. Several significant projects have been completed with these funds, including a \$380,000 job to increase the capacity of the pipe network and reduce the potential for overland flow from the Stephens Park, Park Road, Purcell Street sub catchment, eliminating flooding problems considerably. We have been able to undertake many minor stormwater improvements in the towns and villages to relieve flooding problems, which would not have been possible without the levy.

The **environment levy** continued to make terrific progress right across the Shire, with work extending into private properties in agreements made with local landholders to conserve significant remnant vegetation and do good work along waterways. The environment levy attracted a large amount of external grant funding and that money, coupled with a huge contribution by local landcare and bushcare volunteers, has value added enormously to the rates contributed by Wingecarribee landowners. This year the Minister for Local Government recognised the success of the environment levy program and approved its extension into the immediate future, ensuring the solid foundation created will continue to build into some very significant environmental improvements in Wingecarribee Shire.



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

Administratively we began accepting phone and internet payments of accounts and completed ongoing computing and telephone upgrades as well as remodelling of the customer service area and Moss Vale library. An organisational review was conducted by Mr Bob Howe and many of the recommendations have already been implemented. We appointed an asset management coordinator to pull together all of Councils asset management processes.

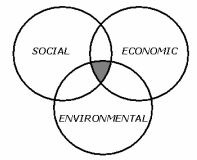
From a management perspective, we worked hard to make Council's financial position more sustainable by examining procedures and cutting expenditure in many areas, as well as establishing a \$6m fund to place us in a position to utilise **entrepreneurial and emerging opportunities** to reduce our reliance on rates and more traditional income sources.

Wingecarribee Shire Council has recently produced a detailed **Ten Year Financial Model** which provides a financial blueprint to ensure that the Council is financially sustainable into the future.

We won several **awards** for our Resource Recovery Centre including Southern Highlands Business of the Year and a national award from the Waste Management Association of Australia. We were awarded for the Bong Bong Track, our risk management work, the East Bowral drainage and environmental initiatives. We also implemented an outstanding staff award scheme to recognise the terrific work done by our employees. Our Tourism team won the Southern Highlands Business Award of Excellence in 2007 and in 2008 at the Illawarra Business Awards collected two regional awards, including the overall tourism award, winning ahead of some of the big and well recognised tourism businesses in the Illawarra. A fine achievement indeed.

Apart from collecting some prestigious awards, our **tourism team** has done much good promotional work including a new brand, new entrance signage, a destination brochure and a whole lot more to place the Southern Highlands on the tourist map. They have implemented an Ambassador Passport program, as well as a new Holiday Planner and map. The past four and a half years has seen more wineries and cellar doors emerge to create a local wine trail across Wingecarribee Shire, a reinvigorated Tulip Time is booming and many emerging tourism businesses are making the Shire an even better place to visit. Tourism currently creates 2000 jobs in Wingecarribee Shire, with 1.4 million visitors spending \$170m each year, making it our biggest local business.

Our saleyards – **the Moss Vale Livestock Selling Centre** - has continued to operate successfully, despite a run of dry weather and downturns at other selling centres. This business has a \$30m annual turnover with 60,000 cattle coming through the selling ring each year. Our \$4m asset not only returns a handy profit and raises funds for infrastructure improvements at the saleyards, but also returns \$100,000 a year to our general fund for use on other projects in the Shire.



Waste Management moved into a new era when we began taking material to the newly developed state of the art Macarthur Resource Recovery Park in July – a move that will further increase our already impressive recycling rates. The regional waste contract has revolutionised the way our waste is collected and processed into valuable resources, demonstrating Council's commitment to reducing our carbon footprint. We have continued to reduce landfill whilst experiencing unprecedented growth in materials receipts, the Reviva has been a great success, setting a terrific sustainability example by reusing goods back into the local economy as well as working closely with the Men's Shed and expanding into a mezzanine floor. We took over operation of the Vertical Composting Unit and are undertaking a Quality Assurance Program for operations at the RRC. Council sweeps the streets and empties litter bins, we have contained prices, with no increase in Domestic Waste charges this year and gate prices only reflecting CPI and government levy increases. The new contract for transport has been a big improvement in our operations.

We signed a memorandum of understanding with the Port Kembla Port Authority relating to our **inland port proposal** in our enterprise zone.

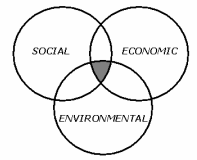
This Council has **encouraged suitable development projects**, with the Woolworths Big W Mittagong Marketplace and Bunnings, just two of many new developments to have come to our Shire in the past four and a half years, like the \$20m Garven Institute's "mouse house," where biological research projects will employ many people in Moss Vale. A feature of the Mittagong Marketplace development has been the uncovering, then subsequent preservation, of remnants of the Fitz Roy Ironworks for the public to enjoy. More of those historical relics were later recovered near the Ironmines Oval.

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

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

A **rural addressing project** was completed, providing a unique address for every rural property in the Shire based on the distance along the road. Around 4000 properties now have a rural address, which will have great benefits for both emergency services and normal day to day living for rural residents. This project was achieved through some great work by staff and the Rural Fire Service, leaving a life saving legacy for Wingecarribee residents which is as significant as a bridge, road or public facility.

At **Lake Alexandra**, an \$800,000 project has created a stunning improvement to this much used attraction that has been enjoyed by both visitors and local residents for over one hundred years. The previous Council created the popular Bong Bong Track as an outstanding recreational space used by people of all ages and I am pretty sure history will judge this project to be possibly the finest legacy left to the community by the current Council – another lifestyle facility allowing local residents and visitors to use, free of charge at any time they wish. The idea for a project to upgrade Lake Alexandra began many years ago.



In fact the former Mittagong Council and local residents tossed around concept plans as far back as the 1970s. But last year Wingecarribee Shire Council bit the bullet and embarked on the project. The works involved removal of some old pine trees, bank stabilisation, a recreational pathway, landscaping, a new playground and park furniture. It is a terrific job and will make, "going down to the Lake," a really pleasant experience for families, both local and visitors.

Corbett Plaza has recently had a facelift. Built in 1986, the Plaza was showing some signs of wear and tear, presenting some serious risk management hazards. The plaza has received new pavers, street trees and street furniture.

The long awaited **Diamond Jubilee Park** upgrade has begun in Moss Vale and when completed will see a terrific enhancement to the Leighton Garden precinct and overall streetscape of Moss Vale.

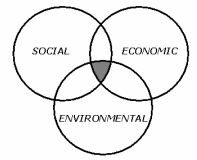
We have hosted many regular **events** from Australia Day, Youth Week, Seniors Week, Local Government Week, citizenship ceremonies, Mayoral receptions and more. We celebrated 25 years of the amalgamated Council in 2006, welcoming many former Councillors back at a function held during local government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

The Shire community contributed generously to the Tsunami appeal and the Help a Mate drought appeal, when around \$50,000 in cash and around the same amount in goods was handed over to the Condobolin community last Christmas. That same community rallied together in the Cancer Council's Relay for Life event in 2006, contributing a massive \$235,000 in what was a wonderful 24 hours in the life of Wingecarribee Shire. Then in 2008 the community again got behind this event to raise over \$277,000. On top of that we have a veritable army of volunteers that every week, freely and unconditionally give their time to serve on community committees to do so much work for the common good. I thank the people of Wingecarribee Shire for their community spirit. Their generosity and unselfishness restores your faith in humankind.

One really significant community project worth noting is the completion this year of the **Wingecarribee Community Centre**. This project began back in 2004, when it was decided to establish a new building in Moss Vale to house cater for a range of services, including a Dementia Adult Day Care Centre, a kitchen for Wingecarribee Food Services, offices for a Dementia Advisory Service, headquarters for Volunteering Wingecarribee and more. The project partners were Moss Vale Rotary Club, Wingecarribee Adult Day Care Centres, Wingecarribee Food Services, Wingecarribee Shire Council, Alzheimers Australia and Volunteering Wingecarribee.

Council, provided the land near the Moss Vale Senior Citizens Centre behind the old Bowling Club and also assisted financially. This new centre will provide valuable services and support for more than 2000 dementia sufferers and their carers in Wingecarribee Shire, as well as provide a base for the 'wheels on meals' service.

Finally I am proud of two very significant decisions made by this Council to effectively preserve two local icons for future generations – **Mount Gibraltar and the Bong Bong Common**. Both of these public spaces are very important parts of the fabric of Wingecarribee Shire and I am delighted their future as public recreational spaces is now assured.



THE FUTURE....

Several months ago, the Minister for Local Government endorsed Wingecarribee Shire Council's Infrastructure Recovery Strategy program of works, as well as extending the environmental levy, by approving a 13.24% general rate increase in 2008/09 and 9.5% for the years 2009 through to 2012. The increase recognised Council's need to provide funds to partially meet a \$102 million shortfall in the investment it requires to make in public infrastructure, as well as allowing the successful and well accepted environmental levy to continue until 2012. Last year Council applied for a five year rate increase of 9.5% (including rate pegging). The Minister approved the first years increase for 2007/08 and after thoroughly examining Council's submission including a detailed 10 Year Financial Model, has now ratified the increase for the remaining four years. This will culminate in Council having an additional \$11.1million each year from 2011/12 onwards to fund a ten year Infrastructure Recovery Strategy (IRS) program of works on our roads and roadsides, as well as in our parks, sporting fields and on public property.

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

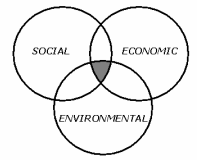
I am genuinely concerned about our staff and the demands placed upon them. I trust that the incoming Council will support our valuable, experienced and professional workforce as they do their best to meet expectations, often in the face of unjustified and harsh criticism from some members of our community. In this regard ethics, good manners and respect are some virtues I believe are sadly lacking in a small, but often pushy element in our local community.

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

One particular area of concern is the possible loss of our water and sewerage operations following an Inquiry into the institutional and regulatory arrangements by which water supply and sewerage services are provided in New South Wales.

We have engaged a corporate planner to help us with our organisational planning and already we have made some significant advances. I believe the 2008-2010 Management Plan has taken us to a new level. It is a working document providing a clear framework in which to operate and importantly, it sets out specific details to help us chart our course for the next three years and beyond.

Often management plans get bogged down in long winded corporate terminology, sometimes making them fairly meaningless working documents. But this management plan is different. It is a very useful tool that has been carefully developed over the past twelve months to look at what we have to achieve to systematically move forward in a sustainable way, with the limited resources at our disposal.



I commend it to the Wingecarribee community and urge the current Councillors, as well as the nine elected members we will have in September, to treat the 2008-2010 management plan as the framework within which we base all of our decision making in the years ahead.

I again thank the Deputy Mayor, Councillor Paul Tuddenham and before him for the first three terms, Councillor Nick Campbell-Jones for his loyalty and commitment to the job as well as my Councillor colleagues, Council staff and the wider community for their support during my term as Mayor since March 2004.

I wish the incoming Council well and trust the Councillors have as much fun as I have had in my past 34 years, first as an Alderman on the Bowral Municipal Council and then a Councillor on the amalgamated Wingecarribee Shire Council.

ATTACHMENTS

There are no attachments to this report.

RECOMMENDATION

1. THAT Council's achievements during the past four and a half years be acknowledged, and
 2. THAT Councillors wish the incoming Council the very best.
-

c-MM2 Vandalism

REF. MAYOR

1440/2

Reporting on the suggestion to install CCTV cameras in the Bowral CBD and providing an update on the proposed Vandalism Reward Scheme.

REPORT

1. CCTV CAMERAS

Following a series incidents of anti-social behaviour and vandalism in the Bowral this year, the Southern Highlands Business Chamber's Vandalism Network Committee has been working closely with Police, the Bowral Chamber of Commerce, the Liquor Accord and Council to install CCTV cameras in Bowral.

The first four cameras are to be installed on the ANZ bank building and will cover an area north and south along Bong Bong Street, the taxi rank and Corbett Plaza at a cost of \$5,252.50.

The price includes four day/night dome colour cameras with 3 to 8mm lenses, brackets, power supply equipment, cable, fittings and labour to install the system. The DVR monitoring system has been donated by local business Bing Lee. The ANZ bank will donate the power to operate the system. Bowral Police will look after the system and it will be monitored 24 hours a day via a broadband system by Southern Highlands Taxis.

These are the first of 8 to 10 cameras to be installed over a period of time if required. Southern Highlands Taxis and the Bowral Chamber of Commerce are contributing \$1,315 each, leaving the balance of \$2,630 to be found for the four initial cameras.

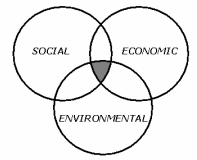
As these cameras cover Corbett Plaza as well as other public spaces in Bong Bong Street, Council has been asked to consider contributing the balance of \$2630.

The Committee believes that the installation of these cameras, coupled with media coverage of their existence may assist deterring anti social behaviour in the Bowral CBD.

2. VANDALISM REWARD SCHEME

Council recently resolved that a policy and process be drawn up by Council's solicitor based on protocols available through the Attorney General's Department for administering a reward scheme leading to the conviction of any person or persons committing wilful damage (including graffiti) to, or theft of, Council property, equipment, shrubs, trees and plants in parks and gardens, public recreation areas, streets and other public places in the Wingecarribee Shire.

Instructions were issued to Marsdens Solicitors to prepare a draft policy on 25 July 2008.



As soon as we receive this draft policy from Marsdens it will be submitted with a report back to Council. This will include information on trends, issues, costs and any other relevant information relating to vandalism on Council property in Wingecarribee Shire. A communication strategy for a vandalism reward program will be prepared and incorporated as part of that report.

ATTACHMENTS

There are no attachments to this report.

RECOMMENDATION

THAT Council provides \$2,630 from the contingency fund as a contribution towards installation of CCTV cameras in the Bowral CBD.



Gordon Lewis
Mayor

21 August 2008

OPEN COUNCIL

ENVIRONMENT & PLANNING DIVISION

o-EP1 Development Consents under Delegated Authority

REF: DCM 5302

Submitting a list of development consents executed under delegated authority of the Director of Environment and Planning between 4/8/08 and 18/8/08.

RECOMMENDATION

THAT the information relating to Development Consent Nos 1-11 under Delegated Authority be received and noted.

**Development Applications (DAs) Determined – 04/08/2008 to 18/08/2008
(Excluding Small Lot Subdivisions and Domestic Applications)**

	Appl/Proc ID	Property Address	Description
1	LUA08/0099	Lot 2 DP 156737 - Highland Bakery, 332 Argyle Street Moss Vale	Renovation of Existing 2 Storey building no 332 to Argyle Street & replacement of single storey retail space to Clarence Street
2	LUA08/0438	Lot 100 DP 806088 216 Argyle Street, Moss Vale	Sign
3	LUA06/1032	Lots 96-97 DP751289 & Lot 1 DP119188 & EP43355 Llanglothan, Ferndale Road Bundanoon	3 x Lot Subdivision
4	LUA08/0727	Lot 11 DP 596658 - Wythe Cottage 23 Hopewood Road, Bowral	Drainage Works
5	LUA08/0668	Lot 350 DP 737777 Berrima Lodge - 22 Wilkinson Street, Berrima	Garage & Alterations & Additions To An Existing House
6	LUA07/1325	Lot 166 DP 751271 - Monaro Wilson Drive, Balmoral	3 x Lot Subdivision
7	LUA08/0754	Lot 50 DP 841886 - McDonalds 25-29 Bowral Rd, Mittagong	Minor Upgrade of Drive Thru Booth
8	LUA08/0779	Lot 11 DP 1091676 197 Old Hume Hwy, Mittagong	CDC - Shop Fitout for Rockmans
9	LUA08/0590	Lots 12 & 13 DP 1056065 Caalong Street, Robertson	Studio Powder Room & Store & 3 Car Carport
10	LUA08/0694	Lot 2 DP 1104268 – Scottish Arms Boardman Road, Bowral	Private Dining & Function Area & POPE Extension
11	LUA07/0675	Lot 2 DP 549710, -The Abbey' Range Road, Mittagong	Nursing Home

o-EP2 List of Development Applications Received by Council

REF: DCM 5302

Submitting a list of development applications which have been received between 4/8/08 and 18/8/08, 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 1-6 received by Council be received and noted.

**Development Applications (DAs) Received – 04/08/2008 to 18/08/2008
(Excluding Small Lot Subdivisions and Domestic Applications)**

	Date Created	Appl/Proc ID	Property Address	Description	Council	Delegations
1	4/08/08	LUA08/0776	Lot 1 DP 789200 226 Argyle St, Moss Vale	New Car Dealership / Minor Alterations & Demolition		✓
2	5/08/08	LUA08/0786	Lot 2 - 6 Sec 1 DP 1289 82 Main Street, Mittagong	Retail Development (supermarket and specialty shops)	✓	
3	13/08/08	LUA08/0814	Lots 63-65 Sec 72 DP 17174 , No 4 Jane Street, Hill Top	Demolition of Existing dwelling & Construction of 3 S/S dwelling cluster houses & Strata Subdivision		✓
4	14/08/08	LUA08/0819	Lots 4-5 DP 6103 & Lot 33 DP 736050 & Lot 1 DP 738800 Moss Vale Showground The Illawarra Highway Moss Vale	POPE – Lennon Bros - Circus Tent & Seating Capacity 634– Dept Ag permits in place		✓
5	14/08/08	LUA08/0817	Lot 42 DP 775025 'Luberon', Greenhills Road, Berrima	Establish Olive Grove of 220 Trees Covering 0.95HA		✓
6	11/08/08	LUA08/0804	Lot 8 DP 434928 Part Lot 253 DP 751262 Foxton Park Belmore Falls Road Robertson	Demolition of existing barn & stables, new stables/barn & Tennis Court		✓

o-EP3 S94 Previous Plans Funds Bundanoon

REF: SPM

5701/16

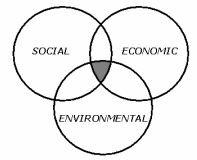
Report on the reallocation of remaining Section 94 funds held under previous plans for the renovation of the Bundanoon Soldiers Memorial Hall.

REPORT

Bundanoon Community Development Association Inc. (BCDA) has requested if Council could help fund renovations for the Bundanoon Soldiers Memorial Hall from Section 94 Development Contributions Funds. The BCDA would like all renovations to be completed for the Hall's 75th Anniversary in March 2009.

BCDA FINANCIAL POSITION

- BCDA currently owe Council a balance of \$6,500 on a loan obtained to upgrade the kitchen.
- Require \$25,000 to enable the necessary work to be completed for the upgrade of the Hall. The proposed works they wish to finance are itemized as follows:
 - i. Main Hall
 - a) Provide window curtains and fixings
 - b) Construct a cupboard to screen table storage racks
 - c) Supply and fix board for internal notices
 - d) Provide acoustic treatment to rear walls
 - e) Assessment of floor and repair if required
 - f) Provide Data Projector
 - g) Upgrade sound system
 - h) Provide new seating and chair storage area
 - i) Provide Catwalk in ceiling cavity
 - j) Insulate heating ductwork
 - ii. Supper Room
 - a) Fit out electrical work and provide suitable lighting
 - b) Provide and fit new curtains
 - c) Install data projector
 - d) Complete make-up areas
 - e) Sand and polish floor
 - f) Install vinyl flooring to foyer
 - g) Purchase new chairs
 - iii. Stage
 - a) Upgrade lighting
 - b) Complete electrical work and duct
 - c) Purchase and install new stage curtains
 - d) Repair suspension system and curtain box
 - e) Insulate ceiling over stage



iv. Kitchens

- a) Provide stainless steel benches
- b) Provide fridge in downstairs area
- c) Repair and paint exhaust hood
- d) Install micro wave shelf
- e) Re-hang downstairs door to open in opposite direction

v. Fire passage

- a) Fix water heater cage

vi. Front Foyer

- a) Replace stair hand rails
- b) Replace public notice board and additional board for BCA notices
- c) Upgrade foyer area to match new doors being provided by Council

The BCDA is requesting that Council write off the remaining \$6,500 to allow this amount to be spent on the Hall renovations. According to the President of the BCDA, they have apparently spent in excess of \$50,000 on the Hall in recent years, raised through community donations.

COUNCIL'S FINANCIAL POSITION

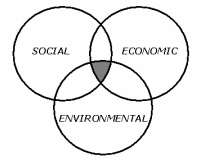
- Currently Council holds \$28,799.17 in previous Old Section 94 Plan accounts for Bundanoon. This amount is the sum of two separate funds as follows:
 - (a) Local multi purpose facility - \$14,249.30
 - (b) Upgrading community facilities - \$14,350.49

At its previous meeting of 27th February 2008, the Strategy & Finance Committee recommended that Council commit these funds with another \$16,186 from other precincts, towards a community facilities review for the purposes of reviewing Councils Section 94 Plans. This is a total commitment of \$44,985 for the purpose of reviewing the contributions plans for community facilities. An alternative use of the funds would be to commit those monies to the upgrading of current facilities in Bundanoon, which was the original purpose of collecting the majority of those funds.

The cost of reviewing Council's Community Facilities can be recovered through any Section 94 Contributions Plan resulting from the review.

CURRENT BUNDANOON CONTRIBUTIONS PLAN

Council's current Bundanoon Section 94 Contributions Plan has a levy component for the eventual construction of a new community facility within Bundanoon. Funds raised through this plan therefore cannot be used for the upgrading of the current facility in Bundanoon. To reallocate these funds, a review of the plan would be required and would take some time to complete, taking account of community consultation and advertising periods. Further, the methodology of the current plan is considered flawed as it only compares floor space of a centre to the number of dwellings within the locality, i.e. X amount of dwellings require X amount of square metres within a community centre. Other considerations such as vacancy rates (when the existing hall is not occupied) are ignored. The Plan compares the number of



dwelling serviced by the East Bowral Community Centre to the number of dwellings in Bundanoon and assumes the same ratio of dwellings to floor space should be applied. No examination of the capacity of the existing Bundanoon facility is evident, except for the fact that it lacks 47sqm to meet the demands of the existing Bundanoon population, based on the East Bowral dwellings to community facility floor space ratio.

According to the Landcom Community Centre Guidelines (2008) a community centre should provide use of general community space for meetings, activities of events; the delivery of local community services and programs; space for hire for private functions; specialist facilities providing a particular focus on recreation, arts, cultural activities, learning or social support; and particular services, programs and activities for specific target groups, such as young people or older people. The demand for these types of facilities in Bundanoon and the capacity of the existing facility to meet these demands needs to be examined before Council should determine, whether a new facility is required or not, and if so how large that facility needs to be and what sites in Bundanoon would be most appropriate.

The Plan currently estimates a cost of construction of \$498,000 for a facility of approximately 150sqm and \$200,000 for land acquisition. These figures may no longer be realistic.

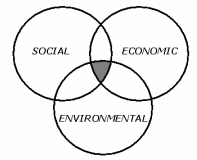
With the impending changes to Section 94 of the Environmental Planning and Assessment Act 1979, it is recommended that such a review would need to take place within a review of all of Council's Section 94 Plans for Community Facilities with the aim of amalgamating them into one document. Such a review would require an audit of all of Council's existing community facilities, their existing capacity and future capacity and ability to provide the services and facilities outlined by the Landcom Guidelines (2008) discussed above.

CONCLUSION

In summary, this report proposes to reallocate old Section 94 funds (\$28,799.17) previously earmarked for a review of Council's community facilities, for actual expenditure on the Bundanoon Soldiers Memorial Hall, which is the only community facility currently in Bundanoon. The use of these funds for this purpose is considered more appropriate as it supports the reason why these funds were collected originally. Improvements to the Soldiers Memorial Hall from these funds will then be able to be completed for the Hall's 75th Anniversary in March 2009.

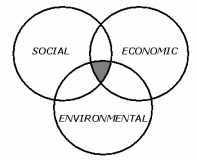
ATTACHMENTS

There are no attachments to this report.



RECOMMENDATION

1. THAT Council allow up to \$22,299 of the \$28,799 Pre 1993 Contributions Plans Funds for Bundanoon Community Facilities to be used to finance upgrades to the Bundanoon Memorial Soldiers Hall.
 2. THAT the remaining \$6,500 of the \$28,799 Pre 1993 Contributions Plans Funds for Bundanoon Community Facilities go towards paying off the \$6,500 owed by the BCDA to Council for works already undertaken on upgrading the hall.
 3. THAT the Bundanoon Community Development Association Inc be advised of Council's decision.
-



o-EP4 Rezoning of South West Yerrinbool to a Proposed Rural Smallholdings Area

REF: SPM

5602/6.1

The purpose of this report is to seek a resolution of Council to proceed to Part 2 of Council's resolution of 27 September 2006 based on support for the preparation of a draft LEP to rezone the area known as South West Yerrinbool from rural to rural residential to permit dwelling construction.

The recommendation of this report is to resolve to distribute the brief prepared for consultants to address the issues of Threatened Species, Heritage and Bushfire Threat identified by the Department of Planning and other state government agencies.

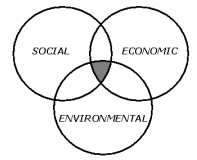
REPORT

BACKGROUND

The site is located to the south west of Yerrinbool on the western side of the Hume Highway comprising a total area of 47.2 hectares. It is geographically separated from the village proper by the Freeway to the east, Yerrinbool Park (owned by Council) to the north and west, Bargo River State Conservation Area to the west and Government Road to the south.

Council, through the LEP Steering Committee, has considered the development potential of the subject land and resolved on 27 September 2006 (the 2006 resolution) as follows:

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



At Council's meeting on the 26 September 2007 (the 2007 resolution) Council resolved as follows:

1. *THAT Council resolves to initiate the rezoning process for the land shown in Attachment 1 of the report from Rural to Rural Residential and notify the Department of Planning in accordance with Section 54 of the EP&A Act of its decision to rezone the land accordingly.*
2. *THAT it be reiterated that Council is under no obligation at any time to rezone the land despite the findings of the environmental study.*

NOTIFICATION OF DRAFT LEP TO DEPARTMENT OF PLANNING

In accordance with Part 1 of the 2007 resolution, Council formally notified the Department of Planning (DoP) under Section 54 of the *Environmental Planning and Assessment Act, 1979* (EP&A Act, 1979) of its decision to proceed with rezoning land prior to preparing a draft Local Environmental Plan and supporting Local Environmental Study. On 7 February 2008 Council received notification from the DoP pursuant to Section 57(2) of the EP&A Act, 1979 that it can proceed to prepare studies to support an LEP Amendment.

Specifically, the DoP advised that *'while an environmental study is not required on this occasion, Council should address any outstanding issues such as heritage, threatened species and bushfire hazard and exhibit the resultant studies, and any existing supporting studies with the draft LEP.... A clause relating to the provision of State Infrastructure for this land will be required in the LEP'*.

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

RESPONSE TO REQUESTS FOR SUPPORT

In accordance with Part 1(a) of the 2006 resolution *'the agreement of the majority of landowners has been achieved'*. On 24 April 2008 Council consulted the current land owners to confirm their support towards funding the above three (3) environmental studies requested. Due to insufficient respondents (60%) a follow-up letter was sent out on the 14 July 2008. The final number of responses is summarised as follows:

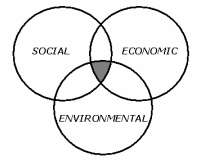
There are 45 parcels of land with 42 owners

31 (75%) support 4 (9%) not support 7 (16%) no response

N.B 2 respondents indicated costs were a concern and 2 have indicated they are not in a financial position to provide funds.

PREPARATION OF THE BRIEF and PAYMENT OF CONSULTANTS

In response to Part 2 of the 2006 resolution, the brief for distribution to consultants has been prepared and is ready to be forwarded, subject to determining the staging of payments for each study. The delay in preparing the brief was due in part to changes to the LEP Amendment process.



As the DoP and other state agencies have identified three outstanding issues to be addressed, Heritage, Threatened Species and Bushfire Threat, for the purpose of this report the following two funding scenarios are of key importance. It is worth noting that the three studies identified by the state government agencies have strong inter-relationships and a close liaison between the identified issues is highly desirable.

The first funding scenario involves distribution of the brief to larger consultancies with skills that could undertake all three identified issues within their organisation.

The second scenario involves distribution of the brief to separate consultancies with expertise in the areas of the identified issues. In this scenario Council will have an initial role in coordinating these reports and contact between the consultancies, however once the studies were underway, Council's role in liaison between the consultancies will be minimal.

As the briefs have not been sent out, or consultant responses received, the cost of the studies remains unknown. Cost variability between consultancies can be substantial, furthermore engagement is dependent upon other criteria, for example competency and a demonstrated ability to meet timeframes.

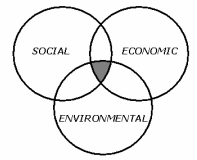
Due to consideration of the two scenarios, the depth of detail required by each study and the variability of consultant costs, it is difficult to give accurate costings. In the absence of actual costs from Consultants the following refined example may provide indicative costs to assist for the purpose of this report and as a guide.

When Council previously considered costs of the project in 2006 it was estimated that the total cost of studies would be between \$60-70,000.00. Currently, the total cost may be estimated to be \$75,000 (\$25,000 per study) and there is approximately 42 hectares of land under private ownership. As per 1(b) of the 2006 resolution, the cost to all landowners would be approximately \$0.17/ sqm. Most allotments are approximately 4,000 sqm in area so a figure of \$700/ 4000m² would be a very approximate estimate based on this funding model.

Those landowners who have agreed to pay for the consultants own approximately 24 hectares of the subject land. If the costs are to be borne only by those owners who have agreed to pay, then the cost per square metre of land owned would increase to approximately \$0.31/sqm, or \$1240 for each 4000sqm allotment.

Alternatively, the cost could be split simply by the number of individual properties regardless of their size. So far 31 individual properties have agreed to contribute to the cost. If the estimated \$75,000 is distributed evenly across these owners, each would pay approximately \$2,420.

Attachment 2 demonstrates those properties who have indicated in writing or by not responding that they do not wish to support the required studies. It should be noted that some of these are the larger properties in the locality. The map in Attachment 2, circulated separately, indicates those property owners who have advised they are unwilling to contribute or have not responded



It should also be considered that, subject to the identification of works, there will be additional costs to landowners for infrastructure to support an LEP Amendment. This may be by way of, for example possible Bushfire Protection Works (Fire Trails, Radiant Heat Shields etc), Threatened Species or Heritage protection works. These works, their location and cost will not be known until completion of the studies. This aspect is address in 'Budget Implications' below.

MANAGEMENT PLAN ISSUES OR IMPLICATIONS

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

POLICY IMPLICATIONS

There are no policy implications in relation to this matter.

BUDGET IMPLICATIONS

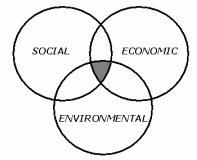
1. Funding shortfall if Council wishes to proceed with the consultant reports despite the predicted shortfall, it will need to identify where the money is to come from.
2. Should the rezoning of the site proceed, the preparation of a Planning Agreement with Council and the land owners will address many of the budget implications of this development site particularly in relation to road construction and bushfire management.

ECOLOGICAL SUSTAINABLE DEVELOPMENT ISSUES

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

CONCLUSION

At this stage in the process, Council is requested to resolve whether it wishes to proceed with the preparation of the consultant reports despite the predicted shortfall.



ATTACHMENTS

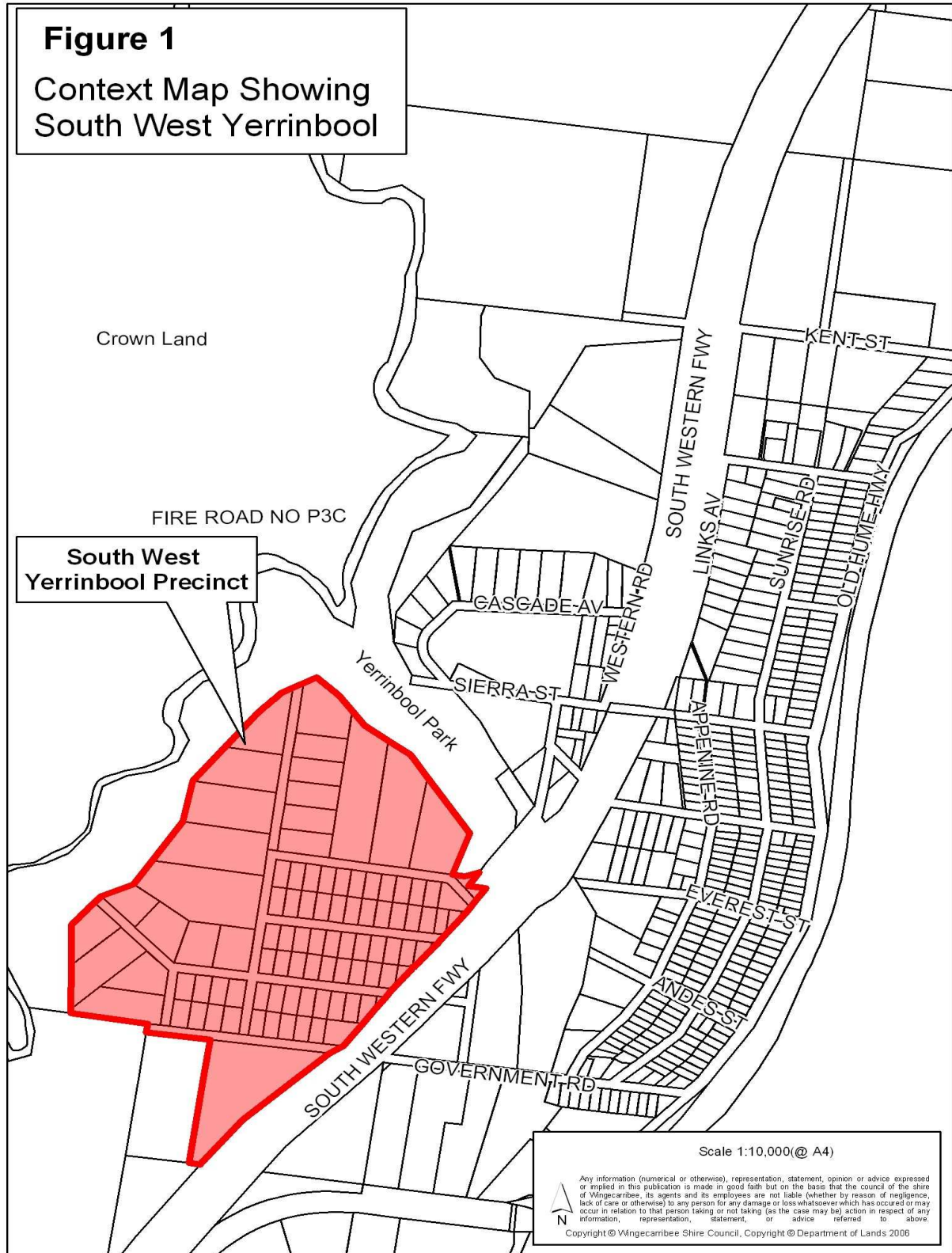
There are two attachments to this report

- Attachment 1 - showing the context of South West Yerrinbool relative to the Yerrinbool village.
- Attachment 2 - showing property owners who are not supporting the proposal (in writing or no response) – **circulated separately under Confidential cover.**

RECOMMENDATION

1. THAT Council proceeds to obtain Expressions of Interest from appropriate planning consultants to carry out the necessary reports for Threatened Species, Heritage and Bushfire Threat for the land at South West Yerrinbool.
2. THAT Council only proceeds to appoint an appropriate consultant once the full costs of the studies have been collected from the landowners.
3. THAT all landowners be notified of Council's resolution including the preferred payment model of 31 cents per square metre of land owned for those owners who have agreed to fund the necessary studies with the possibility of a reduced rate if more landowners decide to contribute.

ATTACHMENT 1



o-EP5 Proposed S96(2) Modification to consent for approved Hall, Museum, Library, Monastery Accommodation and Car Park at Penrose Park, Sutton Forest

REF: DCM

LUA06/1037

Reporting on a S96(2) Application for modification to Council's approval for a hall, Museum, Library, Monastery Accommodation and Car Park at Lot 9 DP 241054 Hume Highway, Sutton Forest

REPORT

1. DESCRIPTION OF PROPOSED MODIFICATIONS

- The applicant is seeking modification to a number of conditions of consent imposed in regards to planning and engineering matters. The applicant has also sought to delete a condition imposed by the Sydney Catchment Authority (Refer to **Attachment 1** accompanying this report).
- By letter dated 19 August 2008, the applicant has requested that the matter be deferred. (Refer to **Attachment 2**)

2. REFERRALS TO STATE GOVERNMENT AUTHORITIES

Sydney Catchment Authority:

Condition 24 (vii)

- The SCA granted their concurrence to the development under SEPP 58. The applicant has sought the deletion of Condition 24 (vii) originally imposed by the SCA. The S96(2) application was forwarded by Council to the SCA for consideration and the SCA has declined to remove the condition for the following reasons:

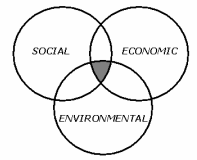
'The applicant has requested the removal of a condition relating to the potential for future changes in wastewater loading and has referred to a wastewater report prepared by Envirotech Pty Ltd as a justification for its removal. The report prepared by Envirotech Pty Ltd considered only the existing use of the property and did not address the impact of the new facility....The Authority objects to the proposed removal of Condition 24 (vii) as it is considered necessary to address the potential for future increased use of the facility.'

3. STAFF COMMENTS

PLANNING ISSUES

Condition 5

Condition 5 requires the submission of amended plans to demonstrate the enclosure of two courtyard areas nominated within the approved plans for the hall building. The applicant now proposes the deletion of the two courtyard areas. It is recommended that this be approved and that Condition 5 be modified to require amended plans indicating the deletion of the courtyard areas from the plans.



Condition 22

Condition 22 requires that a restriction to the property title be imposed limiting use of the accommodation buildings to weekend use only for non-paying guests including temporary accommodation for priests and pilgrims with the building not to be converted for usage as a commercial enterprise. The applicant seeks the deletion of this condition arguing that the restriction is unreasonable, unnecessary and without lawful basis. The applicant states that whilst the use of the accommodation buildings is intended primarily for weekend use, the Church does not wish to be hamstrung by such a restriction and wishes the accommodation to be available as and when required by the Church.

Council imposed condition 22 as a Restriction to Title for two primary reasons, these being 1) that the design of effluent disposal provided by the applicant assumes weekend use only and 2) the application as submitted was for non-paying guests and pilgrims and not for commercial usage (ie: a motel). The application was not assessed as a motel and accordingly Council has worded Condition 22 to reflect a non-commercial use of the buildings.

As Condition 24 (vii) dealing with effluent management, (imposed by the SCA) is to remain, Council may reconsider the restriction to weekend use only for the accommodation building. It is proposed that Conditions be reworded as a condition of consent and not as a Restriction on the Title and read as follows:

22. Building Usage

'The monastery accommodation building is approved for use by non-paying guests only including temporary accommodation for priests and pilgrims'.

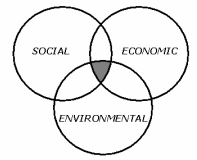
The above wording reflects the use that was sought by the applicant within the Statement of Environmental Effects accompanying the original development application.

Conditions 35

Condition 35 has been imposed by Council to enable monitoring of operational noise at the property boundary so as to maintain acoustic privacy for the resident(s) of adjoining Lot 10 DP 241054. The applicant seeks clarification that Condition 35 (erroneously referred to as Condition 36 within the submission accompanying the S96 application) does not apply to sound levels resultant prior to 10pm. In order to clarify this condition, it is proposed to amend condition 35 to read as follows:

35. Noise Levels

'The applicant must ensure operational noise levels (LA_{equ}) for the development must not exceed rating background noise level by more than 5dB(A) when measured at the boundary of the nearest affected residence between the hours of 10pm – 12 midnight with the exception being for religious festivities (eg: Fatima Day) and special events on the Church calendar. Such special events must cease amplified noise by 12 midnight. Without limiting the above, operational noise levels must also fall within the requirements of the acceptable noise level amenity of the area as specified by the Department of Environment and Climate Change Industrial Noise Policy. In the event that operational noise is identified as exceeding the requirements of this condition, the Applicant will be required to undertake such works as is necessary to remedy such exceedance within a period determined by Council.



Conditions 36

Conditions 34, 35 and 36 have been imposed to limit potential noise impacts upon adjoining property. The applicant seeks modification of Condition 36 (erroneously referred to as Condition 37 within the S96 Application) which requires a reduction in the volume of amplified noise from 10pm until cessation of all amplified noise at 12 midnight. The applicant desires to have the ability to operate amplified sound equipment up until 12 midnight with no reduction in volume from 10pm up until 12 midnight. The reason provided is that although Church services routinely finish by 10pm, certain festivities and events on the Church calendar from time to time will continue beyond 10pm. In the interests of securing acoustic privacy for the residence adjoining the development site on adjacent lot 10 DP 241054 it is proposed that Condition 36 be amended to read as follows:

36. Amplified Noise

'Amplified noise, including amplified music and public address, is to be reduced in volume at 10.00pm so as not to exceed 5dB(A) when measured at the property boundary of the adjoining lot 10 DP 241054. Religious festivities (eg: Fatima Day) and special events on the Church calendar are not subject to a reduction in volume after 10.00pm provided that the resident(s) of adjoining lot 10 DP 241054 are informed in writing of such special events at least 7 days prior to the event being held. All amplified noise is to cease entirely by 12 midnight.'

ENGINEERING ISSUES:

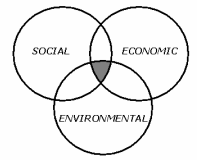
Condition 46(b) (v)

The applicant seeks deletion of Condition 46(b) (v) which requires that a Plan of Management for Traffic Control be prepared for Fatima Day events. Council is not in a position to vary condition 46(b)(v) for the following reasons.

The applicant appears to have misunderstood the reason for requiring condition 46(b)(v). Hanging Rock Road is rated at 100 K/hour which requires a "Safe Intersection Sight Distance" of 225 metres in either direction from the driveway. This can be improved in a southerly direction with some pruning of the roadside vegetation as required by condition 46(b)(iv) but to the north, sight distance is limited by a crest in the road. Reducing the speed limit on Hanging Rock Road is not an option, as the RTA do not alter speed zonings to cater for individual developments. The only viable alternative is to control the speed of the traffic on all Fatima days by implementing 'Traffic Control' to reduce the speed to 80 K/hour and therefore meeting the requirements for "Safe Intersection Sight Distance".

Contrary to the comments from the applicant, the Fatima day events do come under the classification of Class 2, as the speed reduction will :-

- impact on local traffic but not on major traffic and transport systems
- disrupt the non-event community in the area around the event but not over a wide area
- require the involvement of Police and Local Council
- require a detailed Transport Management Plan
- require advertising the events traffic aspects to the local community



Additional Information will be provided to the applicant, which essentially outlines that –

- An application can be made annually to the Traffic Committee.
- A Traffic Management Plan is to be prepared and submitted.
- Submit a copy of a Certificate of Currency for the applicants Public Risk Liability Insurance cover, noting Council as an interested party.
- The applicant to keep records to verify the traffic control devices are placed in accordance with the TCP.
- Submit a Speed Restriction form to Traffic Operations Section of Southern Region of Roads and Traffic Authority.
- Complete the Special Events Transport Management Plan Template and the Notification of Intention to hold a Public Assembly and submit to the Traffic Committee as part of the TMP.

Council has a duty of care for the safety of everyone using Hanging Rock Road, especially as Fatima Day events involve up to 3,000 people. The implementation of Traffic Control to reduce the speed to 80 K/hour in this vicinity should be welcomed by the Pauline Fathers for the increased safety of their visitors, as well as alerting other road users who are accustomed to the 100 K/hour speed limit that there is a change in traffic conditions.

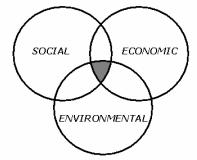
4. CONCLUSION

- The applicant has sought a number of modifications to the existing conditions of consent. Upon assessment in accordance with S96 (2) of the *NSW Environmental Planning and Assessment Act 1979* it is recommended to Council that Conditions 5, 22, 35 & 36 be amended as proposed within the body of this report. Condition 46 (b) (v) is recommended to remain unaltered as per the Development Engineers assessment, with additional information to be provided to the applicant to clarify any uncertainties as to what is required in order to satisfy the condition. Council does not have the legal ability to delete or amend conditions imposed by the SCA under SEPP 58 and accordingly Condition 24 (b) (vii) is to remain unaltered as per correspondence received from the SCA.

ATTACHMENTS

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

1. S96(2) Modification Application provided by David Harvie of Deacliff Developments dated 11 March 2008;
2. Letter dated 19 August 2008 from Deacliff Developments requesting deferral of Council's consideration of the application.



RECOMMENDATION

1. THAT Council approves the S96(2) application to amend LUA06/1037 in relation to conditions 5, 22, 35 and 36 consistent with the changes recommended by Council staff within this report.
 2. THAT Council not support the amendment to conditions 24(vii) and 46(b)(v).
-

o-EP6 Renwick

REF: DEP

LUA07/0946; 2605-11; PF1517

Reporting on previous resolution of Council in relation to Renwick.

REPORT

At its meeting of 9 July 2008, Council resolved as follows:

1. *THAT Council approves the development application LUA07/0946 for a 79 lot subdivision, subject to standard conditions of consent, including the requirements of the RFS and SCA.*
2. *THAT those people who made submissions be advised of Council's decision.*
3. *THAT the exhibited Voluntary Planning Agreement be accepted and that Council enter into the agreement with Landcom.*
4. *THAT a further report be brought forward on the possibility of extending the protection of the woodland over the whole site as per the suggestion by DECC, a cross section detail of the road and comparisons with the main spine roads in Bowral.'*

This report deals with point 4 of that resolution.

Both matters covered by Point 4 of the resolution were extensively discussed during the course of the local environmental plan process for the Renwick site and then through the formulation of the Renwick Development Control Plan.

Landcom have provided the following comments:

1. The issue of the area of the woodland was considered extensively during the rezoning of the Renwick site. A decision was made with respect to the boundary of the woodland following extensive consultant research and expert opinion, field monitoring and feedback from both the community and DECC. It should be noted that the responses given to issues raised by DECC during the rezoning phase of the project were endorsed by Council in sending the Section 68 report to the Department of Planning requesting that the LEP Amendment be approved by the Minister. The current zone boundary is the one endorsed by Council and Approved by the Minister. For Council to reconsider extending the woodland boundary across the residentially zoned lands at this juncture would only add to what is already a significantly delayed project and as such would be unacceptable to Landcom.
2. The cross-section of the proposed north-south Renwick collector road is similar to that of the main spine roads in East Bowral in that the road reservations are the same at 22 metres whilst the Renwick pavement is just 250mm narrower at 12.75 metres. This is the same pavement width as Council has already approved for the upgrading of Inkerman Rd and for reasons of consistency it was agreed to maintain this width through to Bong Bong Road.

REPORT OF DIRECTOR ENVIRONMENT & PLANNING

With respect to the protection of woodland on the Renwick site, the most valuable intact remnant was identified and zoned appropriately as part of the LEP process. (**Attachment 1**). The DA assessment process is now available to assess whether or not any other vegetation existing upon the site is worthy of protection. It is not considered appropriate to seek to alter the zoning of the site to extend the 7a Environment Protection zoning.

With respect to the main spine road through the Renwick site, the cross section at **Attachment 2** has been provided to show the elements that make up the full 22 metre width of the road reservation which is considered appropriate.

ATTACHMENTS

There are 2 attachments to this report:

1. Gazetted Local Environmental Plan for the Renwick site;
2. A cross section of the main spine road through the Renwick site.

RECOMMENDATION

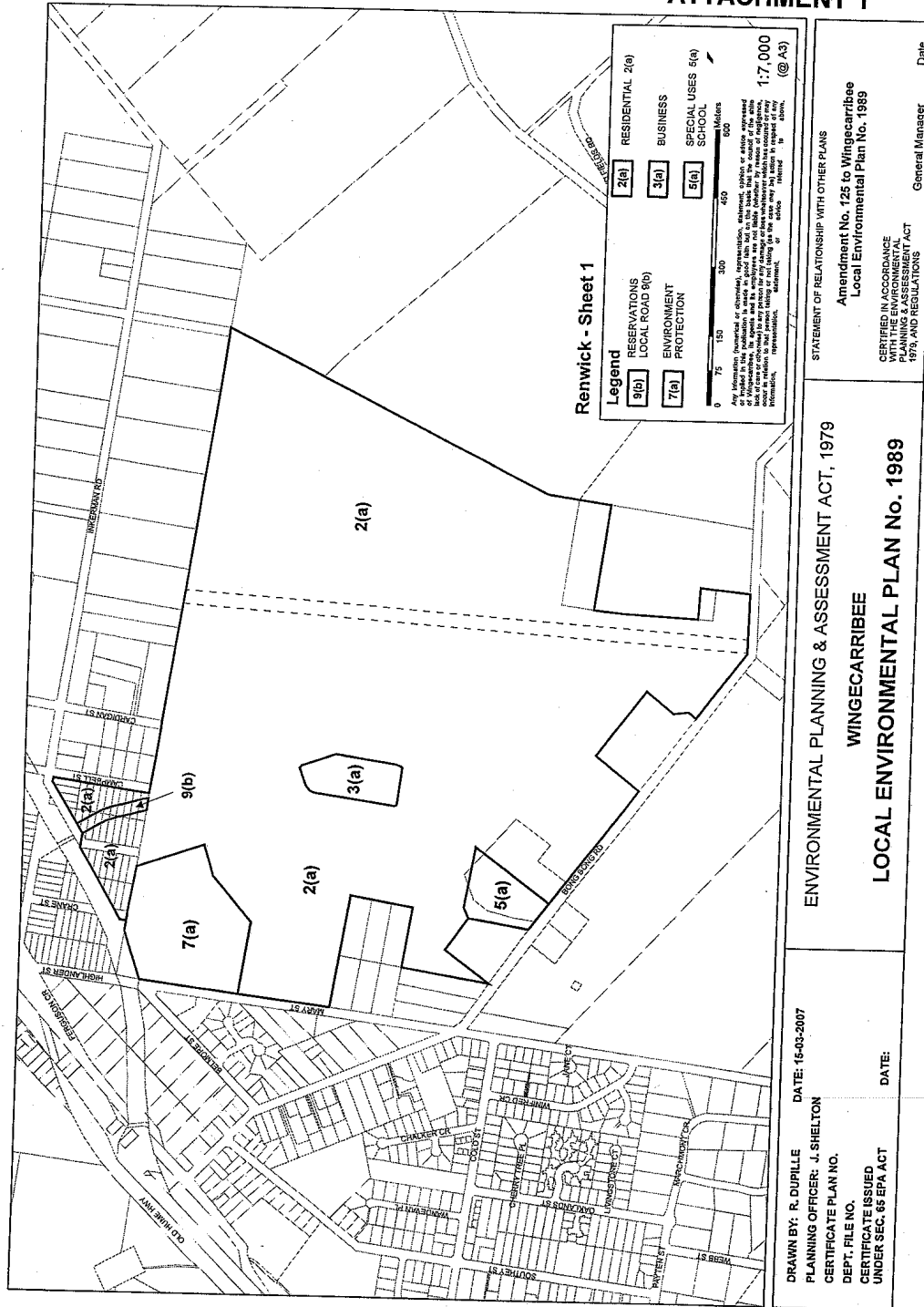
THAT no further action be taken in regard to extending protection of the woodland or altering the agreed width of the reservation of the main spine road through the Renwick site.



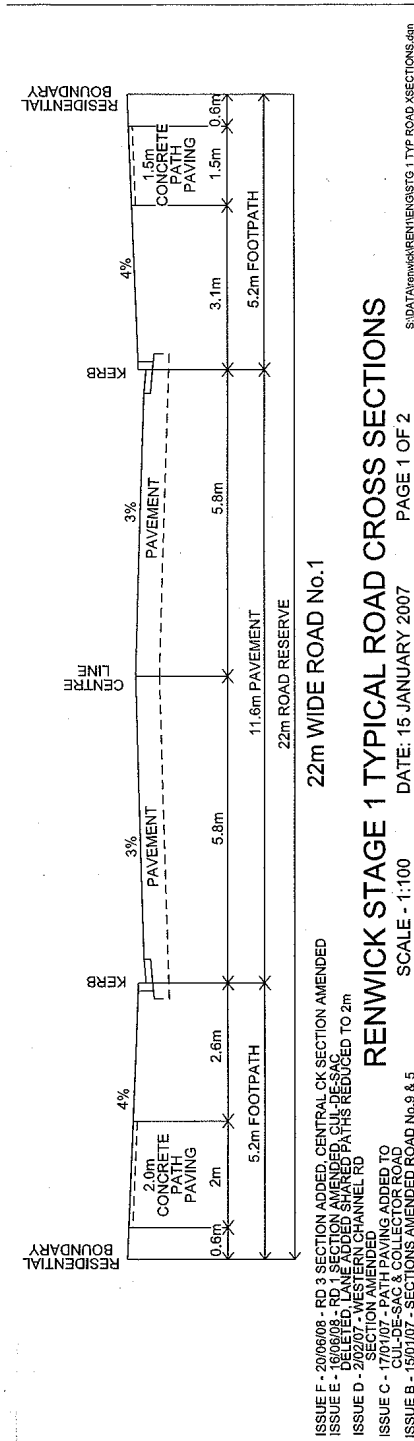
Scott Lee
Director, Environment & Planning

20 August 2008

ATTACHMENT 1



ATTACHMENT 2



CORPORATE SERVICES DIVISION

o-CS1 Bundanoon Highland Gathering

REF.	FSM	2125/2, 1671/3
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Reporting on a request by the Bundanoon Highland Gathering to waive fees for hire of Bundanoon Oval.

REPORT

Council's Mayor has requested that a letter received from the Bundanoon Highland Gathering Committee be submitted to Council for consideration.

The Committee has requested that Council give consideration to waiving the fee for use of the oval in consideration of the direct and in kind contributions the Committee has provided to Council over the past 30 years.

Council currently applies user pays principles to the use of community assets such as ovals and as such the current policy is not to waive fees. Should Council wish to give consideration to this request it would be possible to do so by way of a donation to the Committee for the value of the charges being \$555.00, with the funds to come from the Contingency vote.

ATTACHMENTS

There is one attachment to this report (Correspondence from the Bundanoon Highland Gathering dated 24 April 2008)

RECOMMENDATION

Submitted for Council's consideration and determination.

ATTACHMENT 1

24th April 2008

The Mayor
Clr G Lewis
Wingecarribee Shire Council
Elizabeth Street
Moss Vale NSW 2577

Dear Clr Lewis,

RE: **Bundanoon Highland Gathering, 5th April 2008**

We have just celebrated our annual Bundanoon is Brigadoon and in amongst the accounts to be paid was an account from the Wingecarribee Shire Council for \$555.00 being user hire of the Bundanoon Oval.

The BHG (Bundanoon Highland Gathering Committee) has never received an account before for the use of the Oval for our festivities from WSC and we were a little bit perturbed as to why we now need to start paying for the use of the oval?

Over the years the BHG has invested many tens of thousands of dollars into the beautification and improvements of Bundanoon Oval including the concrete stairs and terracing of the embankments, dish drainage around the circumference of the oval, subsurface drainage and new water services to the eastern area along the boundary area to the new development. a 50/50 cost split with WSC for the seating under the trees on the eastern side of the oval and a 50/50 split on the perimeter fence of the oval as well as annual maintenance as needed to the oval or areas surrounding it.

This year in consultation with the Parks & Gardens section of WSC the BHG spent a considerable sum of money by having truck loads of road base delivered and spread to the internal road from the cricket nets to Jordans Crossing Park as this road was impassable to pedestrians and most 2 wheel drive vehicles as well as spreading the road base paid for by WSC to the front section of this road.

We understand the WSC view of user pays for the use of its facilities but as we, the BHG, spend far more than is required directly on the facility we use as well as the large amounts of money we donate back to the community and its charities we feel it a bit unfair to be charged for the use of the Bundanoon Oval.

I would be pleased if you would champion our cause and try and get the powers that be to allow us to use the Bundanoon Oval free of charge for our annual Highland Gathering as has been the tradition for over thirty years.

I look forward to hearing from you,

Yours faithfully,

Peter Rocca

Vice President.

o-CS2	Proposed Lease of Former Bundanoon Works Depot, Burgess Street, Bundanoon
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REF.	PO	7106; PN 279500
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Reporting on outcome of negotiations with interested parties relating to a proposed lease of the former Bundanoon Works Depot

REPORT

BACKGROUND

It was resolved by Council on Wednesday 30 January 2008 as follows:

1. THAT the site known as Bundanoon Works Depot being Part Lot 2 Deposited Plan 777479 Burgess Street Bundanoon be offered for lease via Expressions of Interest.
2. THAT Council offer an initial lease of 3-5 years and the terms and conditions of the proposed lease of the Bundanoon Works Depot referred to in 1 above be confirmed by Council following the closure of Expressions of Interest.

Expressions of Interest were subsequently called for and, as previously reported, submissions were made by the following:

- a. Bundanoon Community Association
- b. Bundanoon Highland Gathering
- c. Bundanoon Men's Shed Committee

The submissions made by Bundanoon Community Association Inc and Bundanoon Highland Gathering related primarily to storage for community groups. The submission made by the Bundanoon Men's Shed Committee should provide a tangible benefit to the community as a whole: improving the social isolation, mental health and community involvement of men by the establishment and operation of the Bundanoon Men's Shed.

On Wednesday 28 May 2008 it was resolved by Council as follows (MN 195/08)

THAT this matter be deferred for consideration to the Ordinary Meeting of Council to be held on Wednesday, 11 June 2008.

On Wednesday 11 June 2008 it was further resolved by Council as follows (OC 93/08).

THAT this matter be deferred for consideration to a future Ordinary meeting of Council.

An on site meeting was organized and was attended by the following:

- a. Bert Den Hertog and Hans Radowitz from the Mens Shed Group
- b. Mat Harden from Anglicare
- c. Peter Rocca from the Brigadoon (Highlands Gathering) committee,
- d. Ralph Clark, Bob Smith & Ray Wheatley from the Bundanoon Community Association
- e. Councillor Jim Clark.

A representative of each group was asked to speak regarding their requirements of the site and the possibility of co-operation between the other potential users. All speakers said they were willing to work together with the other groups and gave a run down of the initial space they would require as follows-

Mens Shed Group

Existing main shed & some car parking spaces.

Bundanoon Community Association

A small area of land to the North of the existing shed for storage containers and occasional car parking

Highland Gathering committee

A small area of land to the South of the existing shed including existing container they currently use and occasional car parking.

It was noted that it may be necessary to move the fence toward RFS shed to provide additional space for additional shed for storage (would also require relocation of services).

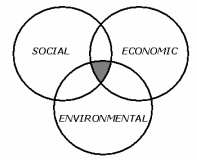
Anglicare are willing to co-ordinate the overall lease and include each group as users. All groups stated they would accept Anglicare as the overall leaseholder but requested that they be named on the lease to provide certainty of tenure.

CONCLUSION

In consideration of the applications received it is proposed that Council offer a Licence Agreement with respect to the former works depot to Anglicare – Bundanoon Men's Shed Committee, Bundanoon Community Association and Bundanoon Highland Gathering.

ATTACHMENTS

There are no attachments to this report



RECOMMENDATION

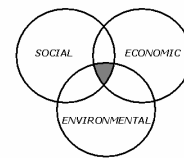
1. THAT the offer of a joint Licence Agreement be made in writing to Anglicare, Bundanoon Highland Gathering and Bundanoon Men's Shed Committee.
 2. THAT the term of the licence be for an initial period of three (3) years with an option of a further two (2) years.
 3. THAT the rental be \$1.00 per annum, if demanded.
 4. THAT all outgoings for the property during the term of the licence be paid by the Licensees in equal shares.
 5. THAT the licensees have and maintain as current public liability insurance in the sum of Ten Million Dollars (\$10,000,000.00) noting the interest of Wingecarribee Shire Council in respect of the shed.
 6. THAT the offer of the Licence Agreement only formally be made following the lodgment of a Land Use Application and Development Consent being given by Council AND THAT should the application be successful a Licence Agreement be executed under the Common Seal of Council.
-



ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street,
Moss Vale on Wednesday, 27 August 2008

REPORT OF DIRECTOR CORPORATE SERVICES



o-CS3 Request for Closure of Bodycott Lane, Fitzroy Falls and Relocation of Lane

REF. PO PN1750800; PN 1750810

Reporting on request to relocate Boycott Lane, Fitzroy Falls, by owners of property adjacent (being Lot 1 Deposited Plan 829931).

REPORT

Early in 2008, a submission was made by the registered proprietors of Lot 1 Deposited Plan 829931 Bodycott Lane Fitzroy Falls, for Council to consider the re-location of that lane.

The matter was considered by the relevant Managers and officers and, after some investigation of different aspects, approval, in principle, was given for the matter to be considered before Council.

Primarily this is a road closure application and a road opening. Some of the conditions that need to be imposed, if Council resolves to proceed, are as follows:

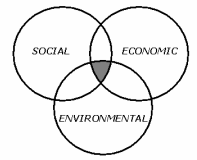
1. Should the relocation proceed, the original access point will need to be fenced.
2. All signage will need to be relocated and approval for a Give Way sign and markings shall be sought through the Traffic Committee.
3. As Sheepwash Road (MR261) is a classified road, Roads & Traffic Authority approval will be needed for the relocation and the construction work at the proposed junction.
4. There is no objection to the relocation provided that the boundary adjustment does not result in any additional dwelling entitlement accruing to your property.
5. The road must go through the road closure process and the area between that and the new road is consolidated into a single lot with Lot 1 DP 829931.

CONCLUSION

Based on submissions received and consideration given to this matter, it is recommended that Council resolve to approve the road closure in principle, subject to certain conditions being met.

ATTACHMENTS

There is one attachment to this report. Submission of applicants regarding relocation of Bodycott Lane, Fitzroy Falls.

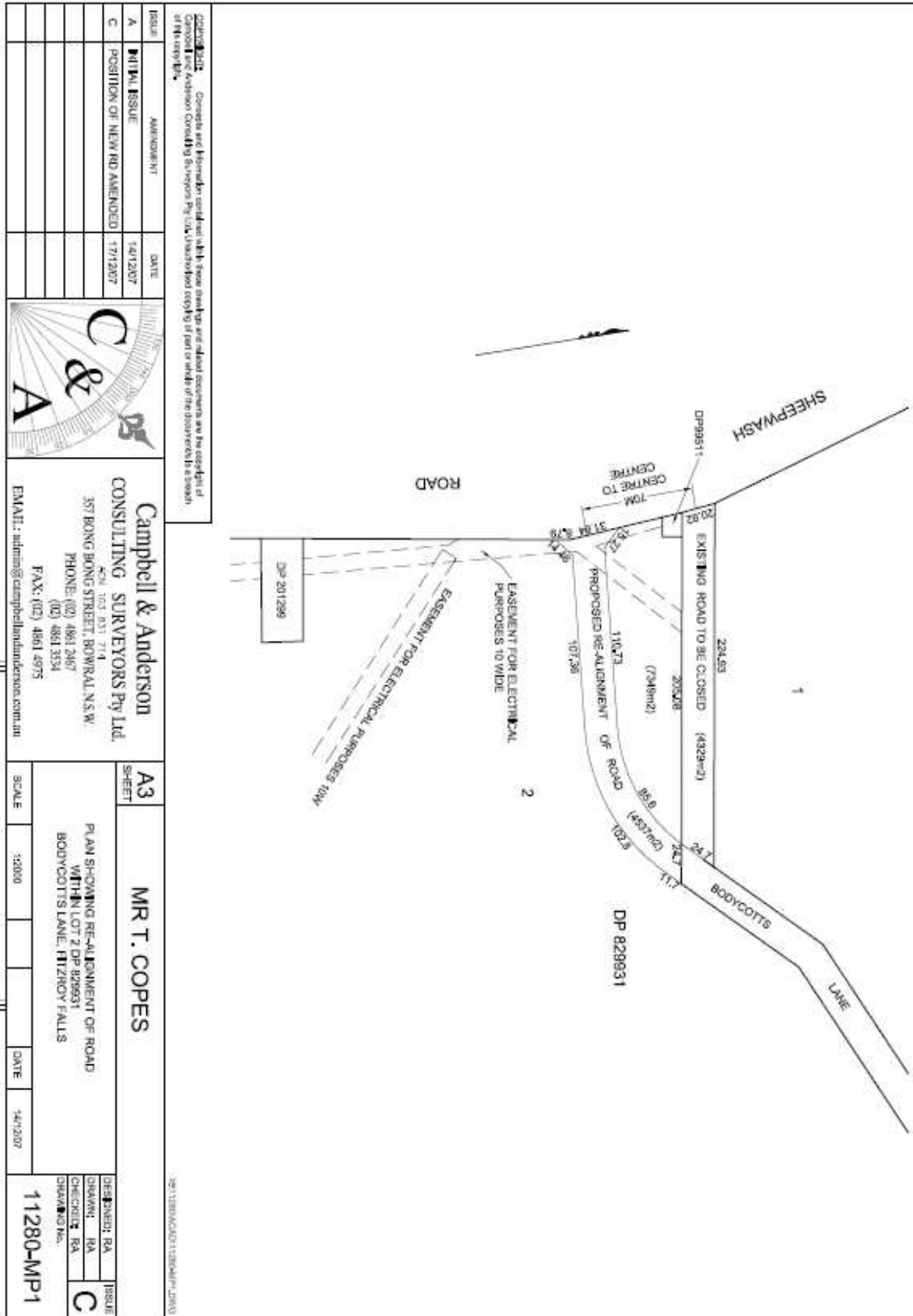


RECOMMENDATION

1. THAT Council approves, in principle, the closure of Bodycott Lane, Fitzroy Falls, adjacent to Lot 1 Deposited Plan 829931, subject to the following:
 - a. the applicant agreeing to meet all costs associated with such road closure and relocation;
 - b. the approval of the Roads and Traffic Authority is required;
 - c. the original access point will need to be fenced by the applicant at their cost and expense;
 - d. all signage will need to be relocated and approval for a Give Way sign and markings shall be sought through the Traffic Committee.
 - e. the relocation of the road and subsequent boundary adjustment does not result in any additional dwelling entitlement accruing to the applicant's property.
 - f. once the original road is closed, the area between that and the new road is consolidated into a single lot with Lot 1 DP 829931.

 2. THAT this matter be reported back to an ordinary future meeting of Council following receipt of Roads and Traffic Authority approval.
-

ATTACHMENT 1



<p>GENERAL NOTE: Concepts and boundaries contained within these drawings and related documents are the responsibility of Campbell and Anderson Consulting Surveyors Pty Ltd. Unauthorised copying of part or whole of the documents is a breach of the copyright.</p>		
ISSUE	AMENDMENT	DATE
A	INITIAL ISSUE	14/12/07
C	POSITION OF NEW RD AMENDED	17/12/07

Campbell & Anderson
CONSULTING SURVEYORS Pty Ltd.
237 BONG BONG STREET, BOWRAL N.S.W.
PHONE: (02) 4861 2467
(02) 4861 3334
FAX: (02) 4861 4975
EMAIL: admin@campbellanderson.com.au

A3 SHEET	MR T. COPES
<p>PLAN SHOWING REALIGNMENT OF ROAD WITHIN LOT 2 DP 829931 BODYCOTTS LANE, FITZROY FALLS</p>	
SCALE	1:2000
DATE	14/12/07
DRAWN: RA	CHECKED: RA
ISSUE	C
11280-MP1	

o-CS4 Proposed Lease of Public Golf Course, Centennial Road, Bowral

REF. PO 6612/1.1, PN 215900

Reporting on the outcome of the public exhibition of the draft Lease of the Public Golf Course, Centennial Road, Bowral, to Bowral Country Living Pty Ltd.

REPORT

In a Closed Committee of Council on Wednesday 16 July 2008, it was resolved as follows:

1. *THAT Council formally offers a Lease of the Public Golf Course, Centennial Road, Bowral, to Bowral Country Living Pty Ltd for a term of twenty one (21) years AND THAT the terms and conditions of the lease reflect the agreement made by the Lessee with the committee.*
2. *THAT Council instructs its solicitors to prepare a Lease for the Bowral Golf Course on the terms and conditions agreed.*
3. *THAT, pursuant to Section 47 of the Local Government Act 1993, the course plan and the draft Lease be exhibited to the public and, subject to submissions received, the matter be reported back to a future meeting of Council.*

Following that resolution, a Public Notice was advertised in the Southern Highland News and on Council's website advising of the public exhibition of the draft Lease from Monday 21 July to 5pm on Monday 18 August 2008.

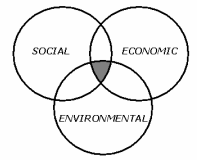
170 submissions were received in favour of the proposed lease of the golf course to Bowral Country Living Pty Ltd.

One (1) objection was received against the proposed lease of the golf course to Bowral Country Living Pty Ltd.

Pursuant to Section 47 of the *Local Government Act 1993* if a person makes a submission by way of objection to the proposal, the council must not grant the lease, licence or other estate except with the Minister's consent.

Council is required to now apply for the Minister's consent and must forward with its application:

- a copy of the adopted plan of management for the land;
- details of all objections received and a statement setting out, for each objection, the council's decision and the reasons for its decision
- a statement setting out all the facts concerning the proposal to grant the lease, licence or other estate
- a copy of the newspaper notice of the proposal
- a statement setting out the terms, conditions, restrictions and covenants proposed to be included in the lease, licence or other estate



- a statement setting out the manner in which and the extent to which the public interest would, in the council's opinion, be affected by the granting of the proposed lease, licence or other estate, including the manner in which and the extent to which the needs of the area with respect to community land would, in the council's opinion, be adversely affected by the granting of the proposed lease, licence or other estate.

The Minister for Local Government, upon receipt of Council's application, must then request the Director of Planning to furnish a report concerning the application within such period as the Minister specifies.

After considering the application and any report of the Director of Planning, the Minister, if satisfied that, in all the circumstances, it is desirable to grant consent, the Minister may consent to the granting of the lease in respect of the whole or part of the land to which the application relates, subject to such terms and conditions as the Minister specifies.

On request by any person, the Minister must provide that person, within 14 days of that request, with a written statement of reasons for consenting to, or refusing to consent to, the granting of the lease.

CONCLUSION

Given that a formal objection has been made to the proposed lease of the public golf course, it is necessary that the Lease be referred to the Minister for Local Government for deliberation.

ATTACHMENTS

There are no attachments to this report

RECOMMENDATION

1. THAT it be noted that 170 submissions were received from the public in favour of the Lease of the Public Golf Course, Centennial Road, Bowral to Bowral Country Living Pty Ltd for a term of twenty one (21) years on the terms and conditions set out in the draft Lease.
2. THAT it be noted that one (1) formal objection was received opposing the lease of the Public Golf Course, Centennial Road Bowral to Bowral Country Living Pty Ltd.
3. THAT, as a result of the objection received, the draft Lease and all submissions will be forwarded to the Minister for Local Government for consideration, pursuant to Section 47 of the *Local Government Act 1993*.

o-CS5 Committee Appointments & Resignations

REF: MAS 107/1 6534/2.2 7215/1 6536/1.1 6550/2.1 7217/1 7205/1 7226/4 6542/1.1

Reporting on Management Committee Appointments and Resignations.

REPORT

1. Jurd Park Management Committee File No: 6534/2.2

Jurd Park Management Committee held its Annual General Meeting on Tuesday 12 August 2008. Gary Robertson, Naomi Guy, Robyn Sandor, John Georgantas, Jenny Quist and Karen Revitt-Hannan were nominated to the Committee. The resignation of Chris Karykides was received with regret.

Committee Recommendations

THAT Council accepts with regret the resignation of Chris Karykides and appoints Gary Robertson, Naomi Guy, Robyn Sandor, John Georgantas, Jenny Quist and Karen Revitt-Hannan to the Jurd Park Management Committee.

2. Mittagong Community Centre Management Committee File No: 7215/1

Mittagong Community Centre Management Committee held its Annual General Meeting on Thursday 14 August 2008. Shonagh Moore, Linda Falls, Annette Hinde, John Kirkby, Nancy Huffadine and Wendy Selman were nominated to the Committee. The resignation of Pastor Eric Coulter was received with regret.

Committee Recommendation

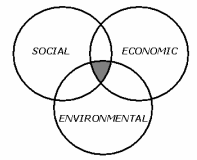
THAT Council accepts with regret the resignation of Pastor Eric Coulter and appoints Shonagh Moore, Linda Falls, Annette Hinde, John Kirkby, Nancy Huffadine and Wendy Selman to the Mittagong Community Centre Management Committee.

3. Exeter Park Management Committee File No: 6536/1.1

Exeter Park Management Committee held its Annual General Meeting on Monday 4 August 2008. Syd Smith, Lloyd Bruce, Jane Callander, Melanie McGrane, Pam Cooper, John Marks, Tas Smethurst, Lucia Bainat, Murray Loane and Margaret Smith were nominated to the Committee. The resignation of Fred Darling was received with regret.

Committee Recommendation

THAT Council accepts with regret the resignation of Fred Darling and appoints Syd Smith, Lloyd Bruce, Jane Callander, Melanie McGrane, Pam Cooper, John Marks, Tas Smethurst, Lucia Bainat, Murray Loane and Margaret Smith to the Exeter Park Management Committee.



4. Hampden Park Management Committee

File No: 6550/2.1

Hampden Park Management Committee held its Annual General Meeting on Wednesday 6 August 2008. Robert Handley, Pip Hammond, Jill Keft, Cheryl Pearse, Helen Tranter, Denis Wilson and Anna Keft were nominated to the Committee. The resignation of Julia Gilroy was received with regret.

Committee Recommendation

THAT Council accepts with regret the resignation of Julia Gilroy and appoints Robert Handley, Pip Hammond, Jill Keft, Cheryl Pearse, Helen Tranter, Denis Wilson and Anna Keft to the Hampden Park Management Committee.

5. New Berrima Community Centre Management Committee

File No: 7217/1

New Berrima Community Centre Management Committee held its Annual General Meeting on Monday 4 August 2008. Terry Manning, James Baldwin, Eric Woods, Alison Baldwin, Geoff Hanratty, Margo Carlon, Natalie Woods and Trish Manning were nominated to the Committee. The resignation of Russell Leith, Michele Ward, Elizabeth Leith, Sue McGrath and Bryan Leith was received with regret.

Committee Recommendations

THAT Council accepts with regret the resignation of Russell Leith, Michele Ward, Elizabeth Leith, Sue McGrath and Bryan Leith and appoints Terry Manning, James Baldwin, Eric Woods, Alison Baldwin, Geoff Hanratty, Margo Carlon, Natalie Woods and Trish Manning to the New Berrima Community Centre Management Committee.

6. Robertson Community Centre Management Committee

File No: 7219/1

Robertson Community Centre Management Committee held its Annual General Meeting on Wednesday 13 August 2008. Robert Payne, Joan Compagnoni, Jill Keft, Pamela Payne, Heather Alcorn, Avril Goldsack, Paul Lewis, Fran Parrot, Ian Roxby, Helen Tranter and Jane Wilson were nominated to the Committees. The resignation of Tanya Springall was received with regret.

Committee Recommendations

THAT Council accepts with regret the resignation of Tanya Springall and appoints Robert Payne, Joan Compagnoni, Jill Keft, Pamela Payne, Heather Alcorn, Avril Goldsack, Paul Lewis, Fran Parrot, Ian Roxby, Helen Tranter and Jane Wilson to the Robertson Community Centre Management Committee.

7. Canyonleigh Community Hall Management Committee

File No: 7205/1

Canyonleigh Community Hall Management Committee held its Annual General Meeting on Tuesday 5 August 2008. Jennifer Stewart, Gwen Attreed, Wendy Quigg, Lynda Rough, Hayley Defina and Noelene Ryan were nominated to the Committee.

Committee Recommendations

THAT Council appoints Jennifer Stewart, Gwen Attreed, Wendy Quigg, Lynda Rough, Hayley Defina and Noelene Ryan to the Canyonleigh Community Hall Management Committee.

8. Mittagong Memorial Hall Management Committee

File No: 7226/4

Mittagong Memorial Hall Management Committee held its Annual General Meeting on Thursday 7 August 2008. Roma Dix, Dennis Purcell, Penny Josephson, Leonie Knapman, Anne Thomson, Robyn Miller and John D'Arcy were nominated to the Committee.

Committee Recommendations

THAT Council appoints Roma Dix, Dennis Purcell, Penny Josephson, Leonie Knapman, Anne Thomson, Robyn Miller and John D'Arcy to the Mittagong Memorial Hall Management Committee.

9. Tourist Road Oval Management Committee

File No: 6542/1.1

Tourist Road Oval Management Committee held its Annual General Meeting on Wednesday 6 August 2008. Margaret Whatman, Boyd Thurgate, Tony Donnelley, Brita Benjamin, Phillip Eccleston, David Thompson, Lin Keft, Geoff Menzies, Cedric Schofield, Ashley Stoyles, Brad Stoyles, Peter Whatman and Ray Whatman were nominated to the Committee. The resignation of Geoff Good, Craig Whatman and Steven Whatman was received with regret.

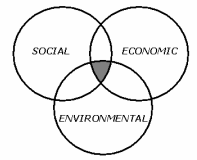
Committee Recommendations

THAT Council accepts with regret the resignation of Geoff Good, Craig Whatman and Steven Whatman and appoints Margaret Whatman, Boyd Thurgate, Tony Donnelley, Brita Benjamin, Phillip Eccleston, David Thompson, Lin Keft, Geoff Menzies, Cedric Schofield, Ashley Stoyles, Brad Stoyles, Peter Whatman and Ray Whatman to the Tourist Road Oval Management Committee.

ATTACHMENTS

There are no attachments to this report.

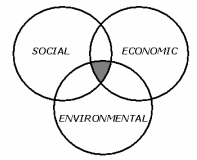
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RECOMMENDATION

1. THAT Council accepts with regret the resignation of Chris Karykides and appoints Gary Robertson, Naomi Guy, Robyn Sandor, John Georgantas, Jenny Quist and Karen Revitt-Hannan to the Jurd Park Management Committee and that Chris Karykides, Gary Robertson, Naomi Guy, Robyn Sandor, John Georgantas, Jenny Quist and Karen Revitt-Hannan be notified of Council's determination.
2. THAT Council accepts with regret the resignation of Pastor Eric Coulter and appoints Shonagh Moore, Linda Falls, Annette Hinde, John Kirkby, Nancy Huffadine and Wendy Selman to the Mittagong Community Centre Management Committee and that Pastor Eric Coulter, Nancy Huffadine, Shonagh Moore, Linda Falls, Annette Hinde, John Kirkby and Wendy Selman be notified of Council's determination.
3. THAT Council accepts with regret the resignation of Fred Darling and appoints Syd Smith, Lloyd Bruce, Jane Callander, Melanie McGrane, Pam Cooper, John Marks, Tas Smethurst, Lucia Bainat, Murray Loane and Margaret Smith to the Exeter Park Management Committee and that Fred Darling, Syd Smith, Lloyd Bruce, Jane Callander, Melanie McGrane, Pam Cooper, John Marks, Lucia Bainat, Tas Smethurst, Murray Loane and Margaret Smith be notified of Council's determination.
4. THAT Council accepts with regret the resignation of Julia Gilroy and appoints Robert Handley, Pip Hammond, Jill Keft, Cheryl Pearse, Helen Tranter, Denis Wilson and Anna Keft to the Hampden Park Management Committee and that Julia Gilroy, Robert Handley, Pip Hammond, Jill Keft, Cheryl Pearse, Helen Tranter, Denis Wilson and Anna Keft be notified of Council's determination.
5. THAT Council accepts with regret the resignation of Russell Leith, Michele Ward, Elizabeth Leith, Sue McGrath and Bryan Leith and appoints Terry Manning, James Baldwin, Eric Woods, Alison Baldwin, Geoff Hanratty, Margo Carlon, Natalie Woods and Trish Manning to the New Berrima Community Centre Management Committee and that Russell Leith, Michele Ward, Elizabeth Leith, Sue McGrath, Bryan Leith, Terry Manning, James Baldwin, Eric Woods, Alison Baldwin, Geoff Hanratty, Margo Carlon, Natalie Woods and Trish Manning be notified of Council's determination.
6. THAT Council accepts with regret the resignation of Tanya Springall and appoints Robert Payne, Joan Compagnoni, Jill Keft, Pamela Payne, Heather Alcorn, Avril Goldsack, Paul Lewis, Fran Parrot, Ian Roxby, Helen Trantor and Jane Wilson to the Robertson Community Centre Management Committee and that Tanya Springall, Robert Payne, Joan Compagnoni, Jill Keft, Pamela Payne, Heather Alcorn, Avril Goldsack, Paul Lewis, Fran Parrot, Ian Roxby, Helen Trantor and Jane Wilson be notified of Council's determination.
7. THAT Council appoints Jennifer Stewart, Gwen Attreed, Wendy Quigg, Lynda Rough, Hayley Defina and Noelene Ryan to the Canyonleigh Community Hall Management Committee and that Jennifer Stewart, Gwen Attreed, Wendy Quigg, Lynda Rough, Hayley Defina and Noelene Ryan be notified of Council's determination.

....Cont'd



Cont'd.....

8. THAT Council appoints Roma Dix, Dennis Purcell, Penny Josephson, Leonie Knapman, Anne Thomson, Robyn Miller and John D'Arcy to the Mittagong Memorial Hall Management Committee and that Roma Dix, Dennis Purcell, Penny Josephson, Leonie Knapman, Anne Thomson, Robyn Miller and John D'Arcy be notified of Council's determination.

9. THAT Council accepts with regret the resignation of Geoff Good, Craig Whatman and Steven Whatman and appoints Margaret Whatman, Boyd Thurgate, Tony Donnelley, Brita Benjamin, David Thompson, Phillip Eccleston, Lin Keft, Geoff Menzies, Cedric Schofield, Ashley Stoyles, Brad Stoyles, Peter Whatman and Ray Whatman to the Tourist Road Oval Management Committee and that Geoff Good, David Thompson, Craig Whatman, Steven Whatman, Margaret Whatman, Boyd Thurgate, Tony Donnelley, Brita Benjamin, Phillip Eccleston, Lin Keft, Geoff Menzies, Cedric Schofield, Ashley Stoyles, Brad Stoyles, Peter Whatman and Ray Whatman be notified of Council's determination.

10. THAT Jurd Park Management Committee, Mittagong Community Centre Management Committee, Exeter Park Management Committee, Hampden Park Management Committee, New Berrima Community Centre Management Committee, Robertson Community Centre Management Committee, Canyonleigh Community Hall Management Committee, Mittagong Memorial Hall Management Committee and Tourist Road Oval Management Committee be notified of Council's determination.

o-CS6 Proposed Reclassification of Land Dedicated under Section 94 of the Environmental Planning and Assessment Act 1979

REF. PO 7122

Reporting on outcome of public notice of proposal to reclassify Lot 20 DP272491 Stanley Terrace Moss Vale and Lot 2 DP263656 Cherry Tree Close, Moss Vale, both public reserves, from "Community Land" to "Operational Land"

REPORT

For a period of four (4) consecutive weeks, Public Notice was advertised in the Southern Highland News of the proposed reclassification of Lot 20 DP272491 Stanley Terrace Moss Vale and Lot 2 DP263656 Cherry Tree Close, Moss Vale, both public reserves, from "Community Land" to "Operational Land".

In accordance with Section 32(4) of the *Local Government Act 1919* Council received submissions from the public up until 9 July 2008.

During this period, two (2) submissions were received:

1. One submission objected to both of the proposed reclassifications;
2. The other submission objected to only the reclassification of Lot 20 DP272491 Stanley Terrace, Moss Vale.

LEGISLATION

Section 32 of the *Local Government Act 1919* clearly states:

(1) A council may resolve that land dedicated in accordance with a condition imposed under section 94 of the *Environmental Planning and Assessment Act 1979* is to be reclassified as operational land.

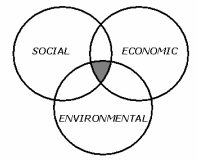
(2) A council may make such a resolution only if it is satisfied that the land has been found to be unsuitable for the provision, extension or augmentation of public amenities and public services because of any one or more of the following:

- the size of the land
- the shape of the land
- the topography of the land
- the location of the land
- the difficulty of providing public access to the land.

(3) The council must specify in the resolution the grounds on which it is satisfied the land is unsuitable.

(4) Before making the resolution, the council must give public notice of the resolution. The public notice must specify a period of not less than 28 days during which submissions may be made to the council.

(5) The net proceeds of sale by a council of any land dedicated in accordance with a condition imposed under section 94 of the *Environmental Planning and Assessment Act 1979* must be dealt with under that section as if those net proceeds were a monetary contribution paid instead of the dedication



ATTACHMENTS

There is one attachment to this report (Copy of Public Notice advertised in Southern Highland News)

RECOMMENDATION

SUBMITTED FOR CONSIDERATION

ATTACHMENT 1



**Notice of Proposed Reclassification of Land Dedicated
Under Section 94 of the Environmental Planning Assessment Act 1979
File: 7122**

Public notice is hereby given of the proposal to present a report to the Ordinary Meeting of Council on Wednesday 23 July 2008 submitting the following recommendations for Council's consideration:

- (i) THAT Council reclassify Lot 20 DP 272491 Stanley Terrace, Moss Vale (Public Reserve) from "Community Land" to "Operational Land" on the basis that the land is unsuitable for the purpose proposed under Section 94 of the EPA Act 1979 with the land being unsuitable for public amenities or services due to issues of "Location and Access".
- (ii) THAT Council reclassify Lot 2 DP263656, Cherry Tree Close, Moss Vale (Public Reserve) from "Community Land" to "Operational Land" on the basis that the land is unsuitable for the purpose proposed under section 94 of the EPA Act, 1979 with the land being unsuitable for public amenities or services due to issues of "size and shape".

In accordance with Section 32(4) of the Local Government Act, Council will receive submissions from the public on the above proposals for a period of 28 days, concluding on 9 July 2008.

Submissions from the public are invited and should be submitted either in writing (addressed to the General Manager) or via E-mail wscmail@wsc.nsw.gov.au by close of business on 9 July 2008.

Council Page 11 June 2008
 18 June 2008
 25 June 2008
 2 July 2008

o-CS7 Technology One Conference

REF. ISM

1790/1

Reporting on a request for a staff member to attend an interstate conference.

REPORT

Council uses Technology One software to provide Land Information Management, Development Assessment, Records Management and Financials.

Technology One have an annual conference in Brisbane to assist customers maximise their use of the products. The conference is to be held 24-27 February 2009 and it would be beneficial to Council for the Information Services Team Leader to attend.

The cost of the conference is covered within the operational training fund of the Information Services Branch. Provided registration occurs prior to 30 August 2008 an early discount is applied.

As the conference is interstate, Council approval is required for attendance.

ATTACHMENTS

There are no attachments to this report

RECOMMENDATION

THAT Council approves the attendance of the Information Services Team Leader at the 2009 Technology One Conference in Brisbane 24-27 February 2009

Barry W Paull
Director Corporate Services

22 August 2008

TECHNICAL SERVICES DIVISION

o-TS1 "Veg Futures" Conference – Toowoomba

REF: PPM

6800, 5453/1

Request for Council's Natural Resources Supervisor and Bushland Project Officer to attend the "Veg Futures 2008" Conference to be held in Toowoomba from 20 to 23rd October 2008.

REPORT

This report details a request for attendance at a "Veg Futures" conference that is being held outside of NSW, hence approval is required from Council.

Veg Futures 2008 is the most significant national vegetation management conference in Australia. It will deliver comprehensive, practical papers and ideas about the nation's most pressing challenges for vegetation management in regional and peri-urban landscapes.

The conference is very valuable as it offers a diverse range of workshops and sessions in the field. This offers participants the opportunity to attend sessions which are most related to their area of expertise.

Key topics of the conference

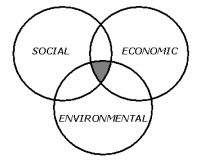
- Landscape and regional scale restoration and management
- Integrating biodiversity and production
- Native seed and revegetation
- Climate change and biodiversity
- Carbon markets and Market Based Instruments.

The conference offers a choice of 14 workshops and 5 paddock sessions. Two Council officers are proposed to attend the conference as they will be participating in separate workshops and sessions, most relevant to their positions on Council.

Workshops:

Revegetation at the scale Australia requires – This workshop explores the needs for management of vegetation and how we can best achieve this. The workshop will provide case studies which will provide a valuable insight towards the management of vegetation links like the Alps to Atherton vegetation corridor, which runs through the Wingecarribee Shire .

Landscape Restoration : Principles to Practice – This workshop delivers scientific case studies on how to restore a fragmented landscape for delivering improved native vegetation and biodiversity outcomes. It will provide principles that can guide us in identifying our management options for vegetation management.



Seed and Revegetation – This workshop focuses on the plants being established today in revegetation programs and the need to adapt to climate change, get the genetic and physical quality out of native seed and how this affects native seed harvest and how it should be regulated. This workshop would assist our management practices of the Wingecarribee Community Nursery and native seed bank.

Farming not harming – This workshop will showcase case studies of how productive agriculture and biodiversity conservation can be managed hand in hand to produce mutual benefits, it will provide a valuable insight into cutting edge research related directly to Council's vegetation incentives program.

Paddock Sessions :

Making a living: Managing for multiple values in production landscapes –

This paddock session sets about answering what the role of incentives is and how to integrate production and conservation values at a landscape level. The key message of this session is how the various industry sectors are achieving vegetation management outcomes as part of their enterprise – at a property and industry level. This paddock session will tour the cropping and grazing areas of the Darling Downs; and look at various agricultural operations which have incorporated vegetation management into their property management planning process. The agricultural operations visited will provide an opportunity for Council to look at the success and failures of other vegetation incentive programs similar to the current Council Vegetation Incentives Program.

Conflicting Landscapes –

This paddock session explores how peri-urbanism affects vegetation and what resources are required for adequate management.

The Audience

Veg Futures 08 is geared towards Natural Resource Management (NRM) organisations, NRM practitioners, farmers, regional planners, policy makers, and researchers. The conference is supported by the Partners in Vegetation Management which includes CSIRO Sustainable Ecosystems, the Bureau of Rural Sciences, the Department of Agriculture, Fisheries and Forestry, the Department of the Environment, Water, Heritage and Arts, Australian MasterTree Growers and the National Land & Water Resources Audit.

The cost per person is \$790 for the conference, approximately \$300 for air travel and \$480 for accommodation. Funds are available from the 2008/09 Bushcare budget. Alternatively the two Officers are happy to car pool and drive to Toowoomba to reduce travel costs.

ATTACHMENTS

There are no attachments to this report.

RECOMMENDATION

1. THAT approval be given for Council's Natural Resources Supervisor and Council's Bushland Project Officer to attend the "Veg Futures" Conference to be held in Toowoomba from 20 to 23 October 2008;
 2. THAT the attendance at the Conference be funded from the 2008/09 Bushcare Budget.
-

o-TS2 Moss Vale Livestock Selling Centre

REF: PPM

7170

The purpose of the report is to submit the Moss Vale Livestock Selling Centre 2007/08 Annual Report to Council.

REPORT

1. HISTORY

In 2003, Council resolved to operate the Moss Vale Livestock Selling Centre as a business unit of Council. As at the financial year 2007/08, the Moss Vale Livestock Selling Centre has operated under the guidance of the Moss Vale Livestock Selling Centre Advisory Board. The Board reports the status of the Moss Vale Livestock Selling Centre on an annual basis.

2. CURRENT STATUS

The strong vealer/local trade market lead the way with consistently good prices for quality cattle throughout the year.

Ring/Fat Sales	Throughput	42,309 head
Store Sales	Throughput	14,364 head
Private	Throughput	<u>706 head</u>
TOTAL		57,379 head

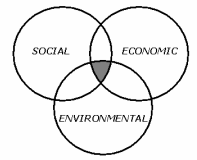
The easing of drought conditions in the district saw a better spring than previous years. Additional pasture growth resulted in an increase in cattle activity in both Wingecarribee and the wider area. Cattle numbers came in 10,000 above budget and increased throughput has resulted in additional costs and work to maintain the yards.

The most significant issue the Centre faced in the last financial year was the risk of closure due to OH&S compliance. As a result of an incident and subsequent work cover investigation, it became clear that despite previously spending significant funds on improving infrastructure, more was needed.

3. CONCLUSION

Expenditure was carefully monitored to ensure the Moss Vale Livestock Selling Centre was financially viable.

The Moss Vale Livestock Selling Centre has made a return of \$100,000 to Council's General Fund and completed Capital works to the value of \$44,486 in addition to making a small profit of \$19,479.



4. BUDGET IMPLICATIONS

The Moss Vale Livestock Selling Centre is a self funding unit of Council which endeavours to make a return to Council on its \$4 million assets. The Centre is subject to market forces beyond its control that impacts on the number of livestock sold and the associated return to Council. These forces include weather conditions and the impact of overseas exports.

ATTACHMENTS

1. Moss Vale Livestock Selling Centre Annual Report for 2007/08 (**attachment under separate cover**).

RECOMMENDATIONS

1. THAT Council notes the contents of the Annual Report;
 2. THAT Council thanks the members of the Moss Vale Livestock Selling Centre Advisory Board for their contribution in 2007/08.
-

o-TS3 Swimming Pools – Staffing Requirements for 2008/09 Season

REF: PPM

6700, 6701/3

Reporting on concerns regarding the operation of the Swimming Centres in 2008/09.

REPORT

This report details concerns regarding the ability to recruit adequate staffing levels to meet Occupational Health & Safety and operational requirements at Council's four swimming centres, and presents options to manage the situation.

1. Background

Council resolved on 11 June 2008 to operate the Swimming Centres as follows:

Mittagong: 11 Oct to 8 March

Monday	6am – 9am 1pm – 9pm
Tuesday	6am – 9am 1pm – 9:30pm
Wednesday	6am – 9am 1pm – 6pm
Thursday	6am – 9am 1pm – 6pm
Friday	6am – 9am 1pm – 8pm
Saturday	9am – 6pm
Sunday	10am – 6pm

Bowral: 1 Nov to 22 March

Monday	6am – 6pm
Tuesday	6am – 6pm
Wednesday	6am – 6pm
Thursday	6am – 6pm
Friday	6am – 6pm
Saturday	9am – 6pm
Sunday	10am – 6pm

Moss Vale: 8 Nov to 22 March

Monday	6am – 9am 1pm – 6pm
Tuesday	6am – 9am 1pm – 6pm
Wednesday	6am – 9am 1pm – 6pm
Thursday	6am – 9am 1pm – 6pm
Friday	6am – 9am 1pm – 8pm
Saturday	9am – 6pm
Sunday	10am – 6pm

Bundanoon: 8 Nov to 15 March

Monday	6 am – 10am 2pm – 6pm
Tuesday	10am – 6pm
Wednesday	6am – 10am 2pm – 8pm
Thursday	10am – 6pm
Friday	10am – 6pm
Saturday	9am – 6pm
Sunday	10am – 6pm

A review of the applications for Swimming Centre staff for 2008-09 has identified that the number of experienced and competent applicants are inadequate to cover the current operational requirements of the four Swimming Centres.

2. Current Situation

Council Swimming Centre's are open for approximately 320 hours plus an estimated 26 hours to cover mandatory breaks during school terms. These hours are extended during school holidays to approximately 357 hours plus an estimated 94 hours to cover mandatory breaks. These estimates have allowed for staff to set up and pack up the facility.

With the current operational requirements the Swimming Centres minimum staffing level to meet regulatory requirements are:

- 3 Supervisors available for 38hrs per week that are suitably qualified and experienced
- 6 Pool attendants available for 38hrs per week that are suitably qualified and experienced
- 4 Pool attendants available on call for casual hours that are suitably qualified and experienced
- 2 Lifeguard/pool attendants on call for casual hours with drivers licence and vehicle to perform mandatory breaks throughout the season that are suitably qualified
- 8 Lifeguards available on call for casual hours that are suitably qualified

Applications reviewed in August 2008 are as follows:

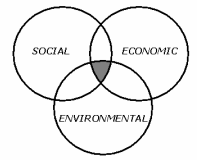
Positions	Hours Required	Required	Applications
Supervisors	38hrs per week	3	1
Pool Attendants	38hrs per week	6	1
Pool Attendants	Casual	4	12
Lifeguards	Mandatory Breaks	2	1
Lifeguards	Casual	8	5

The number of experienced applicants is very small with concerns that the applicants for pool attendants do not satisfy the criteria required and have very limited availability; i.e. university students are available only during holiday periods.

Historically Council has encountered difficulties recruiting staff that have Swimming Centre and supervisory experience. A major reason being the limited season (approx 20 weeks) and career path in the industry. To manage this problem in previous years Council has advertised extensively and has provided training for unqualified candidates. This has provided Council with a minimal workforce in numbers and experience.

Subsequent to applications closing in August Council staff have;

- **Undertaken Additional advertising** – Council has re-advertised all pool positions offering lifeguard training to selected candidates. This may encourage local people to gain experience and be available for future seasons.
- **Contacted Wingecarribee Swim Clubs and Water Polo**
Council staff have contacted the local swim clubs and water polo representatives to source alternative staff for the Swimming Centres. Council will offer training to selected applicants.



– **Contacted Royal Life Saving Society of Australia (RLSSA) to provide appropriate staff**

Council staff have contacted RLSSA requesting their assistance with the provisions of suitably experienced and qualified staff for the 2008-09 Swimming Season. RLSSA have advised that they are unable to assist with this issue.

– **Contacted other Councils and private organisations to assist with provision of experienced and qualified staff**

Other Councils and private organisations have been contacted to provide assistance with possible candidates for pool positions. Unfortunately they have been unable to assist with this request.

Additionally, plant room operations and the associated compliance with Department of Health regulatory requirements for water quality is a specialised area, where pool supervisors have been utilised. Councils Maintenance Officer undertakes these duties with minimal backup from pool staff. It is proposed to recruit a temporary Technical Officer to assist with this aspect of the pool operations.

3. Conclusion

Council staff believe that the current applicants are insufficient in number and experience to service the pools for the operational hours approved.

The following proposals are options for consideration that may facilitate the operations requirements for the Swimming Centres.

Overtime

To allow all pools to operate with the current limited applicants, significant overtime will need to be worked by willing staff.

When offering staff overtime Council must also be aware of RLSSA guidelines SU8 pertaining to lifeguard duty periods.

SU8 states "Role of management:

- a) The length and nature of duty periods is very much dependant on the environment that the lifeguard is working in. It is incumbent on the facility operators to ensure that duty periods are organised in a way which provides adequate supervision of facility users.
- b) Management should be conscious of the safety implications of complacency, fatigue and lack of concentration that results from but is not limited to:
 - Shift length
 - Time / duration between shifts
 - Time of day
 - Workload
 - Weather
 - Noise
- c) Regular rotations, changes in duty or supervision area, along with regular breaks all assist in avoiding lapses in concentration".

Significant overtime was paid during the 2007-08 season to meet regulatory requirements. Should Council approve overtime as a method to address the staffing shortage there will be an impact on the budget.

Reduce Operating Hours of Swimming Centres

Council has the option to reduce the operational hours of one or more of the swimming centres. This will facilitate the need for less staff.

Option 1

- Bowral pool to open split shifts all season.
 - o Monday to Friday 6am – 9am,
1pm – 6pm
 - o Saturday and Sunday 10am -6pm
- Mittagong, Moss Vale and Bundanoon to open from 2pm - 6pm every day during school terms, this will ensure that additional staff are not required to provide lunch breaks for shifts less than 5 hours in length.
- Mittagong, Moss Vale and Bundanoon to open from 10am - 6pm every day during school holidays with additional staff in attendance.

This equates to a reduction in pool operating hours from 345.5hrs to 265 hrs during school terms and 450.5hrs to 305hrs during school holidays.

Option 2

Reduce swimming season for Moss Vale pool and Bundanoon pool to 6 weeks for school holidays period only.

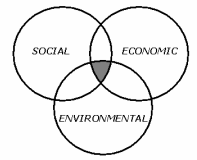
Restructure Lifeguard Duties

In an attempt to alleviate the risk involved with employing young, inexperienced staff in roles of additional responsibility, Council has the option to employ additional lifeguards, whose duties would be to move amongst the Swimming Centres depending on patronage and RLSSA requirements. This would provide additional resources for overall supervision and guidance to staff.

Council could seek to employ two qualified and experienced pool supervisors to monitor the four Swimming Centres and provide training and guidance to staff. This would have an impact in the operating budget.

Technical Officer

The objective of this position is to ensure testing of water quality and plant operation to meet Councils regulatory obligations for the Department of Health. This position is proposed to be trialled for the coming pool season as a temporary position of approximately four months and then reviewed prior to the following season.



Contractors

Council engage the services of a contractor to staff the Swimming Centres during the pool season. This option may be difficult give the available time frame and would come at a premium cost.

Cease Operation of One or more Swimming Centres

To cease operation of one or more Swimming Centres, which would reduce the amount of pool operational hours required. Council would then have sufficient staff available to meet the remaining opening hours.

4. Budget Implications

The following are estimate costs only. Council has already incurred additional costs to budget with extended advertising.

Overtime	\$ 45,000
Reduce Operating hours of swimming centres	\$ nil
Restructure Lifeguard Duties	\$ 45,000
Technical Officer (temporary position) up to	\$ 40,000
Contractors (consideration for 2009/10 pool season)	\$ 200,000
Cease operation of one or more swimming centres	\$ Savings

ATTACHMENTS

The following attachments have been circulated to Councillors under separate cover:-

1. General Managers Practice Note – Bather Supervision
2. RLSSA LP1
3. RLSSA SU1
4. DLG Practice Note 15

.....Cont'd

Cont'd.....

RECOMMENDATIONS

1. THAT staffing levels be reviewed following the new advertising campaign;
 2. THAT subject to recommendation 1, Council be aware that there may be additional budgetary impacts for the following activities :
 - a) Allow for extensive overtime (\$45,000)
 - b) Additional training (\$40,000)
 - c) Additional advertising (\$5,000)
 - d) Employment costs – Technical Officer – up to \$40,000
 3. THAT Council notes the budget implication and the possibility of pool closures during the season should suitable and competent staff not be available;
 4. THAT Council employs a temporary Technical officer to assist with water quality and plant operation for the duration of the 2008/09 swimming season;
 5. THAT on the availability of statistics at the end of the 2008/09 swimming season Council investigates the feasibility of contracting out pool staffing for 2009/10 swimming season;
 6. THAT funding options for these additional costs be considered at quarterly reviews.
-



M J Brearley
Director Technical Services

22 August 2008

REPORT OF THE GENERAL MANAGER

COUNCIL MATTERS

GENERAL MANAGER'S REPORTS

c-GM1 General Manager's Quarterly Report

REF.	GM	506/1
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Submitting the General Manager's Quarterly Report to 30 June 2008.

REPORT

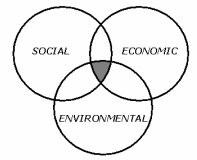
The General Manager's Quarterly Report has been circulated under separate cover.

ATTACHMENTS

The General Manager's Quarterly Report has been circulated under separate cover.

RECOMMENDATION

THAT the information in respect of the General Manager's Quarterly Report to 30 June 2008 be received and noted.



REPORT OF THE GENERAL MANAGER

c-GM21 Weekly Circulars

REF.	GM	100/8, 203/2008
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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 31/08 - 32/08 and Council Weekly Circulars Nos 33/08 - 34/08 be noted.

Mike Hyde
General Manager

21 August 2008

OTHER MATTERS

QUESTIONS WITH NOTICE

c-QWN1 QWN 02/08 – Substantiation of Accusations against Councillors and Staff

REF.	GM	101/2,
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To: General Manager
From: Clr N N Campbell-Jones
Received: 21 August 2008

Subject: **Substantiation of accusations against Councillors and Staff**

- Question:**
1. Will Councillor Jim Mauger substantiate his accusations against Councillors and staff made to ICAC of over a year ago and the current accusations being made to ICAC.
 2. Would Councillor Mauger please give his opinion on how the current specific accusations were the subject of conversation at the sale yards when the only people who should know the details are himself, the General Manager, the Director Corporate Services and ICAC.

Answer:

COMMITTEE REPORTS

COMMITTEE REPORTS ATTACHED

c-CR1 Legal Committee (*Refer minutes page 71*)

REF	DEP	107/22
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Submitting minutes of the Legal Committee meeting held on Wednesday, 13 August 2008.

RECOMMENDATION

THAT the recommendations as detailed in the minutes of the Legal Committee meeting held Wednesday, 13 August 2008 be adopted.

c-CR2 Traffic Committee (*Refer minutes page 80*)

REF	TE	107/6
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Submitting minutes of the Traffic Committee meeting held on Monday, 18 August 2008.

RECOMMENDATION

THAT recommendation Nos TC 111/08 to TC 130/08 as detailed in the minutes of the Traffic Committee meeting held Monday, 18 August 2008 be adopted.

c-CR2 Moss Vale Livestock Selling Centre Strategic Advisory Committee (*Refer minutes page 89*)

REF	PPM	7170/01
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Submitting minutes of the Moss Vale Livestock Selling Centre Strategic Advisory Committee meeting held on Monday, 18 August 2008.

RECOMMENDATION

THAT recommendation Nos 1 to 5 as detailed in the minutes of the Moss Vale Livestock Selling Centre Strategic Advisory Committee meeting held Monday, 18 August 2008 be adopted.

**MINUTES OF THE LEGAL COMMITTEE MEETING
HELD ON WEDNESDAY 13 AUGUST 2008**

File No. 107/22

PRESENT:	Clr M Murray (Chairman) Mayor Clr G Lewis (left 1.50pm) Clr P Yeo Clr D Gair
IN ATTENDANCE:	Clr N Campbell-Jones Mr M Hyde GM (from 2.00pm) Mr S Lee DEP Mr L Pawlak DCM
APOLOGIES:	Mr B Bilinsky

The Meeting Commenced at 1.30pm.

REPORTS FROM ENVIRONMENT & PLANNING

(A) NEW MATTERS

1. DRAFT COMPLIANCE AND ENFORCEMENT GUIDELINES 5605

In 2006 a draft Enforcement and Compliance guideline was adopted by the Legal Committee. The guideline has been revisited and updated with additional background information to be considered in the decision making process.

The guideline is based upon the NSW Ombudsman's Enforcement guidelines for Councils released in June 2002. The guideline is intended to provide a framework for Council to investigate, report, assess and deliberate on actions pertaining to compliance matters.

RECOMMENDATION

THAT an Information Session be held after the Local Government election, regarding the draft Compliance and Enforcement Guidelines with a view to adoption of the guidelines as soon as possible.

2. COMPLAINTS CONCERNING PRIVATE CERTIFIER – ANTHONY HANS 5302; 5302/10, A Hans

The Legal Committee has previously received reports relating to the actions of Anthony Hans, the principal of Advanced Building Certifiers.

RECOMMENDATION

THAT the matter be received and noted

3. UNAUTHORISED LANDFILL AT LOT 4 DP 129067 OLD SOUTH ROAD, MITTAGONG PN1079000

Council and RID squad staff became aware of an unauthorised land filling incident at Lot 4 Old South Road Mittagong. The site was inspected on the 2nd July 2008. The material being dumped was waste from an unknown source and was being transported to the site by a Sydney based company.

RECOMMENDATION

THAT a full report be provided on the incident to a future Legal Committee Meeting, and also a report on the success or otherwise of the RID Squad regarding case results.

4. MRS BODOR – COMPLIANCE WITH RFS REQUIREMENTS 502/67; PN393700; LUA02/0995

Appeal against development application refusal for a dwelling. The application was refused due to inadequate information being received for determination. A Section 82A review application has also been lodged with Council. Council is liaising with the NSW Rural Fire Service to resolve the outstanding items. For callover on 1 September 2008.

RECOMMENDATION

THAT the matter be determined by Council having regard to bushfire risk being addressed.

(B) ONGOING MATTERS

5. ANNESLEY – USAGE OF NON-RESIDENTIAL FACILITIES PN1753570; PN3200; LUA03/1979; 99/0976

Council has received a number of written objections since 2003 relating to the usage of facilities provided at Annesley SEPP 5 development. The concerns relate to

RECOMMENDATION

THAT the matter be deferred to the next Legal Committee Meeting on 10 September 2008 AND THAT the Committee be provided with copy of the Statement of Environmental Effects, consent conditions and approved plans.

6. AUSTRALIAN LIFESTYLE CORPORATION PTY LTD 'CAPERNWRAY,' MOSS VALE ROAD, BURRADOO - 502/63; LUA06/1457;

The matter was heard 23-26 June 2008 before the Chief Judge of the Court. Judgement was reserved.

RECOMMENDATION

THAT the information be received and noted.

7. BOEN BOE PIGGERY (ZAMMIT) 502/8

Richard Smyth has been progressing the matter. For further teleconference with the court on 20 October 2008.

RECOMMENDATION

THAT the information be received and noted.

8. WSC ATS LARRY TUIE (NORLEX) - BUNDANOON WATER EXTRACTION PN1105400; 502/54; LUA07/1170

A decision was handed down by Commissioner Moore on 1 August 2008. He dismissed the application and found in Council's favour. A Summary of Issues from his judgement follows:

'In summary, those impacts which I have found to be unacceptable are:

- *The removal of vegetation from Governors Street*
- *The passage of articulated heavy tanker vehicles along Governors Street*
- *The risks to children at school;*
- *The impact of the development potential of the Millers' property;*
- *The risk of damage to trees on properties adjacent to Governors Street being caused by the proposed construction of Governors Street.*

I have concluded that there is only a single reason which is determinative and requires refusal of the application. That impact is that which would flow from the change in nature of Governors Street (as described at (54)). Further, I am satisfied that the range of other impacts which are unacceptable, when taken in combination, separately lead to the application being unacceptable. However, I have concluded that it is not necessary for all of these impacts to be present for the proposal to be rendered unacceptable.'

RECOMMENDATION

THAT Council's Solicitor and Council staff involved in the appeal be congratulated for their efforts on behalf of Council and the community.

9. COMPLIANCE ISSUES

5210/1

Current active Compliance Register is attached. Committee members should note that it is intended to remove some of the long running issues where actions have been taken and no reasonable expectation of future improvement to the situation exists.

RECOMMENDATION

THAT the information be received and noted.

GENERAL BUSINESS

10. LEGAL EXPENSES

502

A running total of costs be provided to the Committee.

RECOMMENDATION

THAT estimated costs to date be attached where possible to each individual item on the Legal Agenda with an explanation against each item in the first section (Land & Environment Court).

11. ENFORCEMENT OF COMPANION ANIMALS' REGISTRATION

5500/4

During the first half of 2006 the Environment and Health Branch introduced administrative procedures designed to proactively enforce the registration of companion animals in accordance with Council's statutory duty as a Registration Agent under the Companion Animals Act 1998. As a result of these procedures the Branch has consistently issued notices pursuant to section 10B of the Act to people who have failed to register their dogs and cats.

RECOMMENDATION

THAT the matter be noted and kept under review.

REPORTS FROM CORPORATE SERVICES

12. OUTSTANDING DEBT

2104

Reporting on outstanding debts that are in dispute.

RECOMMENDATION

1. THAT (Item 1) an amount of \$7,000 be sought, otherwise a debt will be placed on the property.
2. THAT a Policy be implemented to the effect that when dealing with small companies, a personal guarantee on leases be obtained.

REPORTS FROM TECHNICAL SERVICES

No reports.

There being no further business, the meeting closed at 2.30pm.

LEGAL COSTS FOR 2007/2008

LAND & ENVIRONMENT COURT	
33,429.47	WSC v Norlex Holdings Pty Ltd – LUA 07/1170 - water extraction Bundanoon
118,204.82	WSC ats Larry Tuite (Norlex) water extraction Bundanoon
25,421.08	WSC v Ghassibe – 502/48 Greyhound breeding – modification of consent, Nandi Rd, Canyonleigh 07/0146
551.00	WSC v Ghassibe – 502/48 Greyhound breeding, Nandi Rd, Canyonleigh
39,167.81	WSC v Ostron – ‘Karinya’ 55 self care units under the Seniors Living state policy, Church Rd, Moss Vale 502/39
1,325.14	WSC ats Halstead & Fong – LUA06/1071 – Biggera St, Braemar new dwelling
12,462.50	WSC ats Zammit – Boen Boe Piggery LUA03/0783
17,204.13	WSC ats Martin & Spork – LUA06/0879 – Victoria St/Mittagong Rd retail/commercial development
21,123.80	Victoria Place, Bowral, LUA06/0879, retail/commercial development
704.10	Advice on S82A Review – LUA06/0175 Yeola Rd, Robertson
2,020.78	WSC v Hans – 5302/10 complaint against Certifier
21,312.97	WSC ats Nappa – LUA05/1345 – Sproules Lane, Glenquarry – plant nursery, third party appeal against administrative process
15,271.54	Conceal Pty Ltd 13 lots at Loftus St, Burradoo – cluster housing
1,444.14	WSC v Tashanmike Pty Ltd – LUA07/0938 – Victor St, Robertson - alterations
4,444.42	WSC ats Humphrey & Edwards, The Intersection, corner Bowral St and Station St, conditions of consent
1,631.65	WSC ats SH Lifestyle Properties – LUA04/0817 multiple occupancy
86,263.50	WSC ats Terrigal Grosvenor Lodge (Karrara/Ivy Tudor) – LUA06/1428 – 58 self care units under the Seniors Living state policy, corner Links Rd and Moss Vale Rd, Burradoo
1,979.02	WSC ats Tobbagi – LUA06/0547 - 3 cluster houses, Lytton Rd, Moss Vale
3,513.00	WSC ats Drummond Parmenter (mediation on site) ‘Ben Braghie’ LUA04/1961
4,202.55	WSC ats Orfali (mediation on site) – new garage & pool, Bibby’s Lane, Werai
104,122.33	Aust Lifestyle Corp (Capernwray) 79 self care units under the Seniors Living state policy, Moss Vale Rd opposite The Briars, LUA06/1457
\$515,799.55	
OTHER	
2,504.72	Legal Committee Meetings
3,328.43	RRC Transport Contract
6,284.45	WSC v Catts (prohibited burning)
646.26	Leisure Centre Management Contract – Thinc Projects Aust. Pty Ltd
3,424.40	Bowral Country Golf Club lease
190.00	Contract for proposed sale Lot 6 Hansen St, Bowral
1,946.71	Bowral Floodplain Risk Management Study
418.89	WSC v Alves – Enforcement of Order for illegal use of land
257.25	WSC v Alexander – Enforcement of Order for illegal use of land
449.71	WSC v Crowe – Enforcement of Order for illegal use of land
9,261.00	WSC v Genner Constructions – illegal clearing of trees
655.00	WSC v Kirkby – prosecution under Companion Animals Act 1998
1,230.00	Plan of Delimitation, Moss Vale Community Centre
3,500.00	Kattlegear – MV Saleyards – walkway & loading ramp compensation
1,442.10	Frevcourt hearing 27/9/07 – District Court Hearing fee700.00
700.00	Court fees – 10 attendances for prosecution under Companion Animals Act
1,060.00	Survey of pump site & easements, Linen plan, re Evans Lane, Bowral
1,120.00	Dept of Lands Registration fee – road widening plan
1,190.00	Survey & boundaries, Linen plan, Cnr Bowral & Station Sts, Bowral

357.11	50% PN1756000 bin/waste dispute Vikella Pty Ltd
620.68	WSC v Duggan – Failure to comply with Order
435.50	Deed of Agreement – Australia Day
550.00	Information on Council's website
4,672.00	WSC from RDM Environmental Pty Ltd organics processing business MV
500.00	WSC v Denise Alders – failure to register dogs
1,875.00	Illegal removal of vegetation – Briarwood, Wingello Rd, Penrose
29,863.32	B Bilinsky – conflict of interest & costs (by Marsdens) Hancock proceeding
1,500.00	Preparation of plan for Carrington Falls Road
147.00	Restriction of future subdivision, 68 Station St, Bowral
473.00	WSC v Larney – Companion Animals
147.00	Motel units, Cnr Dixon & Yarrawa Sts, Moss Vale
1,710.00	Groundwater extraction, Bundanoon – vibration impacts on heritage structure
250.00	WSC v Iannella – Companion Animals
156.00	WSC v Cheaib – Companion Animals
120.00	Aliprandi – water A/c Sallys Corner Rd, Exeter
580.00	WSC v Jeremy Stirton Prevos Kinross
484.20	Encroachment on road reserve Meryla Road, Meryla
163.07	Extn of public road, intersection Wombeyan Caves Rd, High Range
2,576.00	WSC v Tashanwok re development without consent PN1701748 W Wainberg
679.00	Hunter-Taylor lease 73 Station St, Bowral
244.90	Rifle Range development – application to modify consent LUA07/1364
1,198.00	Renwick Planning Agreement
980.00	Keeping of dogs Stratford Way, Burradoo – Wheeler
558.00	Gialouris – Lot 11 Belmore Falls Rd, Robertson
263.00	Urban Land & Housing Group – advice on W&S contributions
830.00	WSC v Kinross – disobeying stop sign
2,708.00	Angus Property – intersection Bowral & Station Sts, Bowral
100.00	WSC v Tarakson – prosecution under Companion Animals Act 1998
428.00	Additions to Medical Centre, St Jude St, Bowral
1,006.00	WSC v Karah Jay prosecution under Companion Animals Act 1998
1,121.50	Lease to Hucker
524.50	Colo Vale Community Hall
310.00	Lease to Bradman Foundation
93.00	WSC to Talbot - Pathway adjoining Lot 52 Alexandra Place, Mittagong
1,361.50	WSC and Gotting – Lot 1 Alfred Street, Mittagong
99,194.30	
ADVICE	
4,000.00	Legal advice from Mark Leeming
1,221.29	Advice on mobile advertising structures
1,057.61	Grant of Licence to Farmcare, vacant land, Bowral St, Bowral
765.39	Advice on lapsing of development consents
1,116.46	Advice on S88K rights of carriageway
660.00	Advice on S88B restriction
730.48	Advice on Charitable Trust, Alexandra Square, Mittagong
480.20	Advice on Public Recreation Reserve, Alexandra Square, Mittagong
1,185.33	Advice on Planning Certificates
1,105.85	Advice on Car Parking Strategy
678.88	Advice on Water & Sewer development servicing plans
230.00	Advice on developments under Part 3A of EP&A Act 1979
448.00	Possessory Title application Sec 5-8 DP2660 Range St, Burrawang
220.00	Advice on stormwater drainage obstructions
350.00	Advice on Integrated Developments
165.00	Advice on deed of release Lot 2 Alfred St, Mittagong
7,471.00	Advice re privacy hedge screen provisions

552.00	Advice re Bradman Museum, Glebe Park
545.00	Advice re Bundaroo St, Bowral pedestrian crossing and refuge
53.00	Advice on demolition applications
285.00	Advice on Suer Agreement for Council facilities
125.00	Advice on Small Debt Recoveries
275.00	Advice on conditions of consent – developer contribution for W&S
306.13	Advice on meaning 'adjoining' and 'adjacent' land
1,023.00	Broughton – advice on voluntary planning agreement
536.00	Advice on Section 149(2) Certificate
377.00	Advice on commencement of consent subdivision St Clair St, Bowral
930.00	Advice on reclassification of community land
101.84	Advice on disclaimer RRC
26,994.47	
EASEMENTS	
381.37	Advice on easement in Gross, 3 Yuill Ave, Bundanoon
2,882.66	Easement MJ & AM Smith, 2 Youngingbill Close, Bowral
1,403.00	Acquisition of easement & site for water pumping station from Dr P Hines
3,258.50	Acquisition of easement for pipeline from Eleanor Lucy Harrison
182.00	WSC from Bailey Lots 70 & 71 Sec 66 DP 1717 Hill Top
243.00	Acquisition Lots 1 & 2 DP 1091708 Argyle Land Bowral, Integral Energy
490.00	Proposed easement for drainage & reserve land adjacent Exeter Park
8,840.53	
SALE OF LAND	
1,370.05	RTA land Lot 31 DP 831268 Drapers Road, Mittagong
567.50	WSC to Lyons, Lot 12 DP788983 Drapers Rd, Colo Vale PN452600
481.00	Sale Lot 45 Bulwer Road, Moss Vale
2,418.55	
653,247.40	

**MINUTES OF THE TRAFFIC COMMITTEE MEETING
HELD ON MONDAY, 18 AUGUST 2008**

File No 107/6

COMMENCING AT: 10.40am

PRESENT: Clr Duncan Gair (Chairperson)
Mr Danny Benedetti, Roads & Traffic Authority
Snr Constable Phil Pollard, Goulburn LAC
Mr John Brew (Representing Member for Goulburn, Ms Pru Goward MP)
Mr Frank Perger, Traffic Engineer
Ms Charmaine Cooper, Road Safety Officer
Ms Tracey Greenacre, Secretary
Mr Frank Iacono, Design Engineer
Mr Mark Roebuck, Roads & Traffic Manager (part of meeting)
Mr Les Pawlak, Development Control Manager (part of meeting)

ALSO

PRESENT: Mr Angus McDonald-Hayes (Work Experience Student – RTA)

APOLOGIES: Nil

1 REPORT OF THE TRAFFIC COMMITTEE MEETING HELD 30 JUNE 2008

REF	TE	107/6
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Reporting on the Traffic Committee meeting held on 30 June 2008.

REPORT

Submitting the report of the Traffic Committee meeting held on Monday 30 June 2008, items TC 76/08 to TC 110/08 inclusive which were considered and adopted by Council on 23 July 2008, with the exception of items:

- *TC 89/08 Parking Restrictions in the Cinema Car Park, Bowral, and*
- *TC 98/08 Street Lighting on the Old Hume Highway*

TC 111/08

RECOMMENDATION

THAT the information be received and noted.

2 ROAD SAFETY OFFICER PROGRESS REPORT

REF.	RSO	7410/5
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Reporting on promotions and activities of the Road Safety Officer.

TC 112/08

RECOMMENDATION

THAT the projects/campaigns currently coordinated by Council's Road Safety Officer be noted, particularly the public exhibition of the draft Bicycle Strategy, U-turn the Wheel Program and Safe Seniors workshop.

3 STREET LIGHTING ON OLD HUME HIGHWAY AND SOLAR POWERED LIGHTING

REF.	te	7330/2
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Requesting an investigation of lighting on the Old Hume Highway to Mittagong and solar powered lighting.

Note: In 2007-08, the cost of electricity to power approximately 4000 street lights in Wingecarribee Shire was \$67,400 (about \$17 per light). The annual cost to Council for street lighting including electricity was \$400,000 (about \$100 per light).

Note: At present the cost to supply and install a solar light (equivalent to a standard residential light), is approximately \$7000 each with annual maintenance costs estimated to exceed \$150 per year for the battery and cleaning of the solar panel.

Note: Due to the cost, solar lighting has so far only been used in remote areas away from power such as mines, farms, boat ramps etc.

Note: The proposed developments for Renwick and the Old Pot Factory on the Old Hume Highway will be conditioned to satisfy the Australian Standard for lighting.

Note: Integral Energy will be requested to investigate lighting levels on the Old Hume Highway in the vicinity of Bessemer Street.

TC 113/08

RECOMMENDATION

THAT the information be received and noted.

COMMITTEE REPORTS

4 ACCESSIBLE PARKING SPACE IN BENDOOLEY STREET, BOWRAL

REF.	TE	7455
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Requesting an accessible parking space in Bendooley Street outside Bowral Public School.

TC 114/08

RECOMMENDATION

THAT an accessible parking space be marked in Bendooley Street outside Bowral Public School just north of Banyette Street.

5 TULIP TIME TRAFFIC AND PARKING ARRANGEMENTS

REF.	TE	1671/8
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Reporting on traffic and parking arrangements for Tulip Time.

TC 115/08

RECOMMENDATION

THAT Council endorses the traffic, parking and signage arrangements submitted for Tulip Time.

6 BOWRAL TULIP TIME PARADE

REF.	TE	1671/8, 7420/3
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Reporting on traffic arrangements for the Bowral Tulip Time Parade.

TC 116/08

RECOMMENDATION

THAT permission be granted for the Bowral Tulip Time Street Parade to be held on Saturday 27 September 2008 from 2pm to 2.40pm along Argyle Lane, Bowral Street, Bong Bong Street and Merrigang Street subject to the satisfactory completion of all requirements of the Guide to Traffic and Transport for Special Events for a Class 2 Event.

7 RELOCATION OF TAXI RANK IN MOSS VALE

REF.	TE	7458
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Reporting on the relocation of the taxi rank in Moss Vale.

TC 117/08

RECOMMENDATION

1. THAT the Moss Vale taxi rank be relocated to the northern side of Leighton Gardens and the existing taxi rank be signposted as one hour parking;
 2. THAT adequate lighting for the area be investigated.
-

8 CLARENCE STREET PARKING PRECINCT

REF:	DPM	7472/1
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Reporting on carpark, loading and traffic flow improvements to the Clarence St parking precinct.

Note: Design Section proposes to investigate the number of car spaces that have become available since the introduction of three hour parking in the Elizabeth Street carpark and report back to the next Traffic Committee meeting.

TC 118/08

RECOMMENDATION

1. THAT Option 3 of Plan No. 2031 be adopted in principal as the preferred carparking layout;
 2. THAT the length of the proposed loading zones in Clarence Street be reviewed;
 3. THAT the proposed kerb ramp and crossing location for pedestrians be further investigated;
 4. THAT the roundabout and associated works be considered for funding in the 2009/2010 financial year;
 5. THAT pedestrian amenity be investigated in the final design, especially near the proposed roundabout;
 6. THAT the proposed concrete paving between kerbs for the loading zones be reviewed to minimise loss of existing trees.
-

9 40 KM/H SCHOOL SPEED ZONES FOR RUDOLF STEINER SCHOOL, BOWRAL

REF.	TE	7411
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Reporting on the 40 km/h school speed zones for the Bowral Rudolf Steiner School.

TC 119/08

RECOMMENDATION

THAT the signs and markings for the 40 km/h school speed zone on Kirkham Road and Centennial Road for the Bowral Rudolf Steiner School be removed as the school has closed.

10 KERB EXTENSIONS AT COLO VALE PUBLIC SCHOOL

REF.	TE	7460/15, 7415/2
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Reporting on the need for kerb extensions at Colo Vale Public School.

TC 120/08

RECOMMENDATION

1. THAT funding be sought under the Roads and Traffic Authority's Safer Routes to School Program for kerb extensions at the Colo Vale school crossing;
 2. THAT the construction of a concrete footpath from the main entrance of Colo Vale School along Wattle Street and Acacia Street to Jurd Park be added to Council's Priority Schedules.
-

11 DATE OF THE NEXT TRAFFIC COMMITTEE MEETING

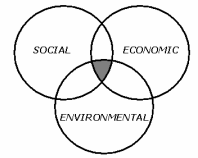
REF.	TE	107/6
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Reporting on the date for the next Traffic Committee meeting.

TC 121/08

RECOMMENDATION

THAT the next Traffic Committee meeting be held in the Joadja Room at 9.30am on Monday 29 September 2008.



ADDITIONAL ITEMS

ADDITIONAL ITEM 1
SPEEDING ON MIDDLE ROAD, EXETER

REF.	TE	RD2308
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Request for traffic calming devices on Middle Road at Exeter.

TC 122/08

RECOMMENDATION

THAT a Speed Busters program be carried out on Middle Road, Exeter including use of the speed display trailer, followed with surveillance by the Police Service.

ADDITIONAL ITEM 2
MOTORBIKE PARKING IN BONG BONG STREET, BOWRAL

REF.	TE	7460/8
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Requesting motorcycle parking on Bong Bong Street, Bowral.

Note: The Roads & Traffic Authority has no objection subject to the proposal meeting the requirements of RTA Technical Direction 2002/10.

TC 123/08

RECOMMENDATION

THAT dedicated motor cycle parking be signposted on both sides of Bong Bong Street, Bowral in the short No Stopping zones on each approach to the pedestrian crossing.

ADDITIONAL ITEM 3
MOTORBIKE PARKING IN COUNCIL CARPARKS

REF.	TE	7472/3
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Requesting motorbike parking be provided in Council carparks.

TC 124/08

RECOMMENDATION

1. THAT dedicated motorbike parking be signposted in the Kirkham Street Carpark in Moss Vale and the Woolworths Carpark in Bowral;
2. THAT Council monitor the bicycle racks recently installed in Corbett Plaza to determine whether further racks are required.

ADDITIONAL ITEM 4
PAVEMENT MARKERS ON CLASSIFIED ROADS

REF.	TE	7405
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Reporting on pavement markers on classified roads.

TC 125/08

RECOMMENDATION

THAT pavement markers and edgelines be installed on MR372 and MR569.

ADDITIONAL ITEM 5
PROPOSED TRAFFIC SIGNALS AT THE JUNCTION OF PRINCESS STREET & BOWRAL ROAD, MITTAGONG

REF.	TE	7456
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Reporting on the proposed traffic signals at the junction of Princess Street and Bowral Road, Mittagong

Note: The Home Hardware developer has offered to contribute to the installation of traffic signals at the junction of Princess Street and Bowral Road, Mittagong.

TC 126/08

RECOMMENDATION

1. THAT Council consider funding of the traffic signals at the junction of Princess Street and Bowral Road, Mittagong in the 2009/2010 Budget.
 2. THAT Council seek funding for the signals from the Roads & Traffic.
-

ADDITIONAL ITEM 6
SPEEDING AT ROBINIA DRIVE AND KING RANCH DRIVE, BOWRAL

REF.	TE	rD4518, RD4510
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Requesting action on speeding motorists at the junction of Robinia Drive and King Ranch Drive, Bowral

TC 127/08

RECOMMENDATION

1. THAT barrier lines be marked for a distance of 30 metres on Robinia Drive and King Ranch Drive, Bowral at the junction of the two streets.
 2. THAT the Police carry out surveillance in Robinia Drive and King Ranch Drive;
 3. THAT the Police advise that instances of speeding should be reported to the local police station.
-

ADDITIONAL ITEM 7
CAR "HOON" PROBLEMS IN EXETER

REF.	TE	7980, RD 2313
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Requesting action on car "hoon" problems in Exeter.

TC 128/08

RECOMMENDATION

THAT Council's Road Safety Officer run the proposed 'Dob in a Hoon' campaign in the local area of Exeter, including a letterbox drop to residents.

ADDITIONAL ITEM 8
VOTE OF THANKS TO CHAIRPERSON

REF.	TE	107/6
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Vote of thanks to the Chairperson of the Traffic Committee.

TC 129/08

RECOMMENDATION

THAT the Traffic Committee moved a vote of thanks to Clr Duncan Gair for his contribution as chairperson of the Traffic Committee since 2004.

ADDITIONAL ITEM 9
REQUEST FOR PEDESTRIAN FACILITY OVER THE RANGE ROAD BRIDGE

REF.	TE	7430/26
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Requesting a pedestrian facility on the Range Road bridge in Mittagong.

Note: The Roads & Traffic Authority intends to approach the Australian Rail Track Corporation (ARTC) regarding the need for a pedestrian facility on the Range Road bridge in Mittagong.

TC 130/08

RECOMMENDATION

THAT the information be received and noted.

**MINUTES OF THE MOSS VALE LIVESTOCK SELLING CENTRE
STRATEGIC ADVISORY BOARD
HELD ON MONDAY 18 AUGUST 2008**

File: 7170/01

- COMMENCED: 3:05pm
- PRESENT: Clr Duncan Gair (Chairman)
Clr Jim Mauger
Peter Bray
Anthony Guinness
- ALSO PRESENT: Peter Bowmer – Parks & Property Manager
Andrew Murdoch – Saleyard Manager (part)
Tannia Andrews – Administration Officer
Jim Hindmarsh – Jim Hindmarsh & Co Pty Ltd (part)
- APOLOGIES: Clr Nick Campbell-Jones
Geoffrey James
Mike Hyde – General Manager
Pat Cleary - Elders

Clr Gair opened the meeting at 3:05pm

CHANGES TO SALE DAY OPERATIONS

For the past month a trial has been undertaken with outside selling and post weighing of cattle. Jim Hindmarsh was in attendance and discussion was held regarding the changes to sale day operations.

A survey was distributed to users of the Centre to obtain feedback on various aspects of operation including the trialled outside selling. Survey results were distributed to Board Members.

Agents would like to think along the lines of becoming a regional centre. To get run of sale, eventually an export sale would have to operate separate to a trade sale. The larger companies aren't going to come to Moss Vale where they must watch one after another being sold through the ring. To keep viable, Moss Vale should move toward holding an export sale on a Wednesday and trade sale on a Tuesday.

Jim Hindmarsh reported that the trial at Moss Vale had a few teething problems, though it worked well with the smaller sale. He also advised the board that eight out of ten saleyards have outside selling and buyers know to be prepared and suitably dressed for weather conditions.

In order to accommodate outside selling, several additions will be needed to the yards including the upgrade of ramp 2, maintenance to the outside scales to have them operational including swing gates, safe entry, fixed readers and a computer system all at a cost of around \$35,00.

The results from the survey held at the Moss Vale Livestock Selling Centre indicated that the majority of people are not in favour of outside selling. Jim Hindmarsh believes this is due to a lack of understanding of the benefits and a rejection of change and believes that outside selling will attract more buyers to the Centre. There were no false weighs during the trial period.

The Board thanked Jim Hindmarsh for his attendance and contribution and advised they would give him feedback on the Boards decision regarding outside selling as soon as possible.

Jim Hindmarsh left the meeting at 3:35pm

MINUTES OF THE PREVIOUS MEETING

Alteration on page two of the previous minutes from *Financial Report for May 2008 Quarter* to *Financial Report for March 2008 Quarter*.

Alteration on page 2 of the previous minutes from *Peter Bray requested finance one report on loan "from" Council* rather than *loan "to" Council*.

Recommendation 1:

THAT the minutes of the previous meeting held on the 30 May 2008 be accepted as a true and accurate record with the above alterations.

BUSINESS ARISING

Correspondence Received

- Nil

Correspondence Outgoing (tabled and copies provided to Board members)

- Correspondence to Livestock and Bulk Carriers Association regarding OH&S issues.
- Submission into the Occupational Health and Safety Excellence Awards.

STATUS REPORT

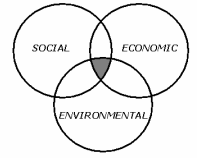
Throughput Update

The Parks & Property Manager advised that throughput figures for the 2007/08 Financial Year were 57,886, 10,886 head above budget with strong throughput numbers for the 2008/09 financial year so far.

Works Update

The following was discussed and noted:

- Program Maintenance have cleaned and painted the roof and building.
- Doors installed in the centre to allow after hours toilet access to transporters.
- Substantial amount of signage erected at the Centre.
- Still a substantial area to be planted at the Selling Centre. Planting will need to be undertaken as soon as possible for Spring growth.
- Sheds have been ordered.



- Signage still to be erected to advise operators that hats and vests are available in the Transporter's shed.
- Railings at the Centre have been painted blue to indicate safety areas.
- There is currently no budget for Ramp 2 works.
- New drafting area almost complete.
- Letter sent to WorkCover NSW advising that Improvement Plan is complete.

OH&S AND INFRASTRUCTURE IMPROVEMENTS

WorkCover NSW are pleased with the improvements at the Selling Centre and have no further issues. A letter to be sent confirming adherence to Improvement Notice. The Parks & Property Manager reported that there has been several productive Stakeholder meetings and the OH&S Consultant will have the new induction program in place by the end of August. In addition, the Working from Heights documentation has been requested from Livestock and Bulk Carriers Association but yet to be received.

END OF YEAR FINANCIAL REPORT

The end of financial year report was distributed to Board members and thanks were given to Geoffrey James and Peter Bray for their contribution in reviewing the financial reports. It was noted that Geoffrey James and Peter Bray do not audit the Moss Vale Livestock Selling Centre's financial reports.

Internally putting back to Council \$146,000 and it was reported that there are some minor problems with allocations in the report. For example, wages have several different classifications and the coding is possibly incorrect.

The Parks and Property Manager advised that the expenditure for the Centre is above budget however, hay cutting was \$40,000 over budget but subsequently, income from hay sales was higher than budgeted.

It was also reported that expenditure for OH&S improvements are one off and not a recurring expense. The yards are in the best condition they have been in for a long time.

The Strategic Advisory Board is to review the budget position at the next meeting.

Recommendation 2

THAT the financial reports for the 2007/08 Financial Year be adopted and thanks given to community representatives for their contribution.

Moved Jim Mauger

Seconded by Duncan Gair

CHANGE OF SALE DAY OPERATIONS

The Saleyard Coordinator reported that Toledo has assessed the weigh bridge and given a quote on repairs and maintenance.

Duncan Gair declared an interest as his son works as a buyer for Swifts and has been lobbying the agents to change to overhead selling.

The Board agreed that outside selling would be beneficial in attracting buyers to the Centre and if the operation can be done efficiently then there will be a better reaction form users of the Centre.

The Strategic Advisory Board will need to review advantages, disadvantages and costs and require financial justification prior to supporting outside selling. Design, costs and a strategy to be brought to the next meeting for discussion.

Recommendation 3

THAT the outside selling of export cattle on sale days at the Moss Vale Livestock Selling Centre be approved in principal subject to a business plan being presented at the next Board meeting which is to include a review of the Centre's financial position, advantages and disadvantages of outside selling and the cost to refurbish the existing scales.

Board Members

Duncan Gair formally thanked Anthony Guinness, Geoffrey James and Peter Bray for their contribution and dedication to the Moss Vale Livestock Selling Centre Strategic Advisory Board and presented thank you gifts to those present. He also expressed his thanks to the Councillors and staff on the Strategic Advisory Board, in particular Nick Campbell Jones who is retiring form service this year.

Andrew Murdoch left the meeting at 4:35pm.

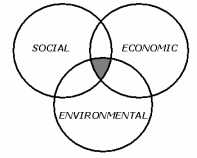
ANNUAL REPORT

The Draft Annual Report was distributed to members of the Board and the Parks & Property Manager requested that members review the document and forward changes/comments to him by the end of the week.

GENERAL BUSINESS

Staff at the Moss Vale Livestock Selling Centre

Discussion was held on the benefits of the additional staff member and any issues outstanding at the Selling Centre. It was reported that the staffing arrangements were improving efficiency. Budget implications were reviewed and it was noted that cleaning costs had not occurred in the 2008/09 budget. The Parks & Property Manager advised that this matter was under review and there were sufficient funds to meet cleaning costs. It was decided to retain to services of a specialist cleaner at the Centre to allow saleyard staff to focus on saleyard operations, maintenance, OH&S and infrastructure improvements. This is fully funded and meets the need for improved efficiency at the Centre by reducing the need for contractors for operational issues.



Recommendation 4

THAT the services of a specialist cleaner at the Moss Vale Livestock Selling Centre be retained for four hours, one day per week rather than utilising one of the Selling Centre's staff for cleaning duties. Moved unopposed.

Discussion was also held on the relationship between the Saleyard staff and stakeholders. The Parks & Property Manager reported that the working relationship was good, as reflected in the survey results. It was noted that the Saleyard Coordinator's position had previously been filled by a Business Manager and the current arrangement was to be reviewed at a later date.

Recommendation 5

THAT the Saleyard Manager's position and salary be reviewed to reflect his duties at the yards. Moved unopposed.

Next meeting to be held 3 October 2008 at 9am.

Meeting Closed at 5:00pm.

Moss Vale Livestock Selling Centre Survey Results - August 2008

34 Survey Responses

Section One

Agent: 2
Employee of Agent: 7
Buyer: 17
Vendor: 23
Transport Operator: 6

Attend Wednesday Sale

Weekly: 21
Regularly: 7
Occasionally: 5

Attend Store Sale

Every sale: 10
Regularly: 6
Occasionally: 6

Section Two

Type of cattle

Store:	16	Trade:	27
Export:	22	Local:	19

Section Three

Why do you use the MVLSC

Live in the Shire:	19	Quality of cattle:	3
Facilities available:	9	Preferred agent:	16
Price paid per head:	11	Live outside the Shire:	8

Section Four

Cattle well presented

Yes – 28 No – 1

Number of cattle suit requirements

Yes – 23 No – 0

Sale running time

Too slow – 9 Too fast – 0 Just right – 19

Section Five

Interaction with saleyard staff

Weekly – 13 Regularly – 8 Occasionally - 10

Satisfied with service

Yes – 29 No – 1

Dealings with saleyard staff

Friendly/Co-operative: 25
Knowledgeable: 4
Unfriendly/Unhelpful: 1

Section 6

Signage adequate

Yes – 28 No – 3

Safe environment

Yes – 26 No – 2

Building and Selling Ring

Clean: Yes – 28 No – 0
Canteen facilities good: Yes – 29 No – 0
Audio sound clear: Yes – 25 No – 1
Access to seating good: Yes – 25 No – 1
Canteen quality & pricing good: Yes – 29 No – 4

Soft Flooring

Good: Yes – 20 No – 3
Could be improved: Yes – 18 No – 0

Section 7

Fees and charges at the MVLSC are

In line with industry: 11
Too expensive: 15
Too cheap: 0

Prefer ring selling as previously conducted?

Yes – 26 No – 4

Overhead outside selling with post weighing cattle?

Yes – 1 No – 21

If overhead selling continued outside the ring, prefer

Pre-weighed cattle – 17 Post-weighed cattle – 2

Comments:

- Several survey responses expressed strong opposition to new sale day operations advising they would go elsewhere if it continued.
 - Several survey responses expressed concern for the possible spread of disease through soft flooring and concerns regarding the quality of the mulch.
 - One comment advising that outside selling should not occur in wet weather.
 - One comment advising that bulls should not be sold through the ring.
 - One comment that MVLSC is the best saleyard in the state.
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CORPORATE SERVICES DIVISION

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

REPORT

BACKGROUND

The following confidential reports have been distributed separately:

c-GM1	<u>STAFF MATTER</u>	PERS, PERS, PERS
c-CS1	<u>TENDER – PROVISION OF INTERNAL AUDI SERVICES</u>	107/9, 6330/08.9
c-CS2	<u>BRIEFING ON CURRENT STATUS OF LEGAL MATTER WSC V LEHMAN BROTHERS AUSTRALIA</u>	107/9, 2104

2. STATUTORY

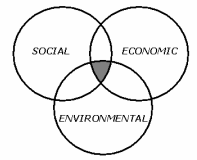
Section 10A of the Local Government Act 1993, empowers Council and Committees of which all the members are Councillors to close a part of a meeting in certain circumstances in accordance with the requirements of the Act, and relevant Regulations and Guidelines.

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.*

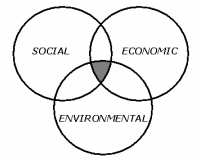


- (2) *[Qualification of 10A(2)(g)] A meeting is not to be closed during the receipt and consideration of information or advice referred to in section 10A(2)(g) unless the advice concerns legal matters that:*
- (a) *are substantial issues relating to a matter in which the council or committee is involved, 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 moves 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:

c-GM1 STAFF MATTER

PERS, PERS, PERS

Relevant Legal Provisions

This matter has been placed in Closed Council as it deals with personnel matters concerning particular individuals, under Section 10A(2)(a) of the Local Government Act.

Brief Description

This report deals with personnel matters.

Public Interest

It would on balance be contrary to the public interest to consider this information in Open Council because of privacy considerations.

c-CS1 TENDER – PROVISION OF INTERNAL AUDIT SERVICES

107/9, 6330/08.9

Relevant Legal Provision

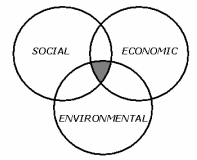
This report is placed in Closed Committee as it contains commercial information of a confidential nature, under Clause 10A(2)(d) of the Local Government Act.

Brief Description

Reporting on tenders received for the provision of Internal Audit Services.

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.



c-CS2 BRIEFING ON CURRENT STATUS OF LEGAL MATTER WSC V LEHMAN
BROTHERS AUSTRALIA 107/9, 2104

Relevant Legal Provisions

This report is placed in Closed Committee under Clause 10A2(g) of the Local Government Act, as it contains information that references advice that may be subject of legal professional privilege.

Brief Description

Considering an update on the current status of legal matters. WSC V Lehman Brothers Australia.

Public Interest

It would on balance be contrary to the public interest to consider this information in Open Council because it contains information that may be subject of legal professional privilege.

2. THAT the minutes of the Closed Council part of the meeting (being the Council's resolution) be made public.
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Barry W Paull
Director Corporate Services

21 August 2008



ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street,
Moss Vale on Wednesday, 27 August 2008

CLOSED COUNCIL

