

*Ref: File No. 107/32
Contact: Barry Paull*

24 January 2008

Dear Councillor,

STRATEGY & FINANCE COMMITTEE

You are kindly requested to attend a meeting of the above Principal Committee of Council to be held in the Council Chambers, Elizabeth Street, Moss Vale on **Wednesday, 30 January 2008** commencing at **3.00 pm**.

Yours sincerely

Mike Hyde
General Manager

CONTENTS

OPEN REPORTS 5

ENVIRONMENT & PLANNING DIVISION..... 5

SF-EP1	Submission on the Department of Planning's Discussion Paper on Improving the NSW Planning System	5
SF-EP2	International Women's Day Celebration 8 th March 2008	6
SF-EP3	Bundanoon Development Moratorium Review	9
SF-EP4	Clarence Street, Moss Vale - Pathway	14

CORPORATE SERVICES DIVISION 17

SF-CS1	Proposed Lease of Bundanoon Works Depot	17
--------	---	----



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.



DECLARATION OF INTEREST

101/3

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

OPEN REPORTS

ENVIRONMENT & PLANNING DIVISION

SF-EP1 Submission on the Department of Planning's Discussion Paper on Improving the NSW Planning System

REF: SPM

5606

Seeking Council's endorsement of the submission to the Department of Planning's Discussion Paper on Improving the NSW Planning System.

REPORT

BACKGROUND

The Discussion Paper was released on 27 November 2007 and is open to comments until 8 February 2008.

There are approximately 90 recommendations contained within the Discussion Paper which are aimed at reforming a broad cross section of the Environmental Planning and Assessment Act including the Plan Making Process for LEPs and DCPs, Development Assessment, Exempt and Complying Development, Electronic Planning or ePlanning, Building and Subdivision Certification, Strata Management, Existing Paper Subdivisions and other Miscellaneous amendments including some relating to the procedure for Template LEPs.

The intent of the Minister is to table a Draft Legislation Bill in Parliament by early March 2008 and have the legislation enacted by July 2008.

Councillors were invited to a Councillor Information Session on 23 January 2008 to discuss the draft submission and establish what the reforms meant in relation to Council's business. Following the Information Session, the final submission is attached for Council endorsement.

ATTACHMENTS

There is one attachment to this report being the Submission, which has been circulated separately.

RECOMMENDATION

1. THAT Council endorse the Improving the NSW Planning System Discussion Paper submission attached to this report and that it be forwarded to the NSW Department of Planning before the closing date of 8 February 2008.
2. THAT a copy of Council's submission be sent to the Local Government and Shires Association, Pru Goward, MP Member for Goulburn and Brad Hazzard MP, NSW Shadow Minister for Planning.

SF-EP2 International Women's Day Celebration 8th March 2008

REF: SPM

1606/1

Seeking approval for expenditure of funds to cover public liability insurance for the International Women's Day celebration event on Saturday 8th March 2008. The event is being jointly coordinated by community organisations and Council.

REPORT

International Women's Day (IWD) will be celebrated on Saturday 8th March 2008. A local IWD organising group has been formed made up of representatives of local women's community, youth and arts organisations. In previous years IWD has been celebrated by each group organising their own event in isolation from others. Last year Council received a grant of \$1000 from the NSW Office of Women which went towards supporting four of these separate events.

Feedback from the community indicated a preference for a more coordinated approach for 2008 with resources and energy being put into one main event. The organising group was formed and has been facilitated by the Community & Cultural Development Officer. A grant of \$1000 has again been received from NSW Office of Women for 2008 to be used for coordination of this year's event. The theme for 2008 is "100 years of active women in paid and unpaid work" and Volunteering Wingecarribee have been contracted to provide project coordination from the grant funds.

The celebration event will consist of a day of activities centred around Bendooley Place in Bowral. There will be a concert, speeches and information tables in the Bowral Memorial Hall, health information and activities in the Henrietta Rose Room, an art exhibition in the Old Town Hall and other stalls in Bendooley Place. The groups represented in organising the day include Bowral Community Health, Volunteering Wingecarribee, SH Older Women's Network, SH Birth Support Group, Girl Guides, WSC Youth Liaison Facilitator, WSC Aboriginal Liaison Officer and WSC Community & Cultural Development Officer. Many other local groups, businesses, schools and individuals are being invited to participate by providing either speakers, performers or sponsorship. Women from different age groups and backgrounds will be represented.

Mittagong RSL has agreed to assist with printing and publicity as well as banner and poster printing and other small businesses have already offered raffle prizes.

As the event involves many different organisations and individuals – incorporated and unincorporated – Council's public liability insurance would not cover everyone involved. Local Community Insurance Services provides one-off Festival and Fair Public Liability insurance for Community Fairs and Festivals which would cover the whole event. A quote of \$454.83 has been received from them for this.

The event includes both cultural aspects and activities for young women – art exhibition, young concert performers, health information, Girl Guide demonstrations. Funds are

available within the Youth Council budget and the Arts and Culture Board Working Group budget to cover the cost of this insurance.

Approval is being sought for expenditure of up to \$500 for public liability insurance for the event.

MANAGEMENT PLAN ISSUES OR IMPLICATIONS

The event supports a number of performance indicators and focuses of the Lifestyle and Community section of the Management Plan -

- Funds secured from external sources - External funds of \$1000 in cash and approximately \$1200 in sponsorship have already been secured for the event.
- Increased use of Council facilities - The event will involve the use of a number of Council facilities including the Bowral Memorial Hall, Bendooley Place, the Old Town Hall and the Henrietta Rose Room. It will promote Bendooley Place as the cultural precinct
- Youth opportunities - There will be opportunities for youth to participate as guest speakers, concert performers and in seeking information from health and community service providers
- Access for Aboriginal persons - The Aboriginal Liaison Officer is facilitating the participation of the Aboriginal community in the event
- Capacity building for arts community - The event will provide an opportunity for audience development for the arts community
- Demands on voluntary sector - It will provide an opportunity to promote and support volunteering in the community
- Building social fabric - By bringing a number of groups and organisations together in this celebration it assists to build the social fabric of the community

POLICY IMPLICATIONS

NIL

BUDGET IMPLICATIONS

A total amount of \$500 to be funded from the Youth Council and Arts and Culture Board Working Group budget for the 2008 event.

ECOLOGICAL SUSTAINABLE DEVELOPMENT ISSUES

(i) Environmental Factors

Not applicable.

(ii) Social Factors

Supports the Lifestyle and Community objectives of the Management Plan.

(iii) Economic Factors

Not applicable.

ATTACHMENTS

There are no attachments to this report.

RECOMMENDATION

THAT a total amount of \$500 be expended from the Youth Council budget and Arts and Culture Board Working Group budget towards the cost of public liability insurance for the 2008 International Women's Day celebration

SF-EP3 Bundanoon Development Moratorium Review

DEP (SPM)

5700/52, 7614

Reporting on the development moratorium in Bundanoon and proposed amendment to the DCP to remove the moratorium.

REPORT

BACKGROUND

Council resolved in October 2004 to amend the Bundanoon DCP 52 by advising of capacity constraints with the existing sewerage scheme. Council resolved to undertake the following actions to address the capacity issues (a full copy of the report is Attachment 1):

- Existing subdivisions and medium density applications (including cluster housing) held by Council will be assessed. The construction of single dwelling houses on these approved areas and existing vacant residential lots will be permitted.
- Existing approvals and/or applications held by Council for all other development (eg. commercial) will be assessed and where approved permitted to be connected to the sewer system.
- No new subdivision and/or medium density (including cluster housing) applications after the date of the Council resolution will be approved until the sewer system is upgraded.
- No other connections to the existing sewer system will be permitted until the sewer system is upgraded.

COMMENTS OF THE WATER AND SEWERAGE PROJECTS COORDINATOR

The planning and implementation of the Bundanoon Sewerage Augmentation has made significant progress and it is anticipated that tenders will be called in early 2008. Now that environmental approvals have been obtained, detailed design is nearing completion and the Minister for Water Utilities has approved funding for the project, the potential for extensive delays is substantially reduced. It is currently anticipated the upgrading of this sewerage system will be practically complete in May 2009.

As it will take several months to lift the development moratorium, followed by lead time in the order of 12 months before any consequent new development would contribute flow into the system, Council could now consider when it would be appropriate to commence action to lift the moratorium. It is suggested that this could occur at one of the following milestones:

1. *Calling of Tenders (anticipated in February 2008).*
2. *Stage 3 Funding Approval / Award of Main Contract (May 2008).*
3. *Commissioning of Works (May 2009).*

DEVELOPMENT CONTROL PLAN

The Bundanoon DCP was amended to introduce the specific clauses (see attachment 1) relating to the constraints on development as a result of the sewerage capacity

issues. The Environmental Planning and Assessment Regulations require that even a minor amendment to a DCP requires a public exhibition period of 28 days.

A draft DCP is being prepared to replace this current DCP and is proposed to be introduced in association with the Wingecarribee LEP 2007.

ECOLOGICAL SUSTAINABLE DEVELOPMENT ISSUES

(i) Environmental Factors

The upgrading of the treatment plant and adoption of an improved effluent management system will enhance downstream water quality.

(ii) Social Factors

The release of the moratorium will enable the development of land that has been delayed because of the STP capacity issues and environmental implications.

(iii) Economic Factors

The release of the moratorium should be a positive impact in the town.

CONCLUSION

It is proposed that DCP No. 52 be amended to remove the provisions in regard to the anticipated delays to certain further development in Bundanoon until the sewerage system is upgraded. It is recommended that the most appropriate time for the formal lifting of the moratorium would be May 2009, the anticipated date for commissioning of the new plant. This is a conservative approach which allows for any delay in the works and would avoid the potential problem of development coming on line before the increased capacity of the STP was in place. See Attachment 1 for proposed provisions to be removed.

ATTACHMENTS

There is one attachment to this report - the proposed amendments to DCP No. 52 – ATTACHMENT 1.

RECOMMENDATION

1. THAT Council endorse the proposed amendments to Bundanoon Development Control Plan No. 52 by removing provisions relating to the sewerage constraints as shown generally in accordance with Attachment 1.
2. THAT Council place the amended DCP for Bundanoon on public exhibition for a period of 28 days and inform the relevant local community associations.
3. THAT a report be presented to Council following exhibition to consider any submissions received and consider the adoption of the amendments, noting that the changes are not to come into effect before May 2009.

ATTACHMENT 1

Existing Amendments to the DCP

Removal of the following clauses:

1.3 Aim/Purpose of the Plan

remove:

- *To advise the community of the likely delays to future development (residential, commercial and other) due to sewerage disposal constraints.*

1.7 Aims and objectives of the Plan

remove:

This plan also aims to advise and provide details on the likely delays in gaining development approval due to the constraints associated with the capacity of the sewerage system.

5.2, 5.3, 5.4, 5.5 and 5.6 Constraints:

Remove:

A major constraint to development is the provision of adequate sewerage services as detailed in Part 6 of this DCP.

Remove:

PART SIX SPECIFIC REQUIREMENTS REGARDING SEWERAGE CONSTRAINTS

3.1 Background

Bundanoon's rate of residential development since early 2003 has exceeded Council's expectations. Whilst initial infrastructure planning has been able to cope with these levels, the capacity of the existing sewerage scheme has raised concerns with council staff and overseeing state government agencies (eg. Sydney Water Catchment Authority, Department of Infrastructure Planning and Natural resources, the Department of Energy Utilities and Sustainability and the Environment Protection Authority).

Councils adopted Sewerage Business Plan and Works Program identified a major upgrade of the Bundanoon sewerage treatment plant and associated works in 2006. These works follow on from the recently completed \$20M Northern Villages sewerage scheme, the upgrade of the Bowral sewerage treatment plant (\$8M) and the introduction of a new sewerage system for Robertson (\$5M) which is currently under way.

Each of these major upgrades and the new plant at Robertson involves substantial funding from both Council and the state government. It is therefore difficult to 'leap frog' the timing identified in the works schedule to bring forward major works as funding is committed to other projects. In addition, the lead times can be years for the design, land acquisitions, project scoping, liaison with government authorities, and writing and securing contracts etc.

Council began the Bundanoon upgrade planning process in early 2003 and reported to Council in October 2003 the outcomes of the scoping study (options development and consideration).

3.2 Action proposed by council

Council resolved on 26th May 2004 to proceed with the preferred option of effluent re-use and undertake an Environmental Impact Statement to assess the impacts. They also resolved to investigate other options of introducing flows back to Reedy Creek.

The next steps and projected completion dates for stages to upgrade the system to address capacity constraints are:

<i>Present</i>	<i>Government consultation on design standards</i>
<i>October 2004</i>	<i>Complete Environmental Assessment</i>
<i>December 2004</i>	<i>Commence Detailed Design</i>
<i>October 2005</i>	<i>Complete design & specifications</i>
<u><i>January 2006</i></u>	<u><i>Tenders for construction</i></u>
<i>January 2007</i>	<i>Completion</i>

3.3 Likely impacts should no action be taken

The likely impacts should Council not undertake the proposed actions, would include sewerage overflows on the riverine system and the Sydney Drinking Water Catchment, as well as the likelihood of substantial fines from government agencies and long term risks to future project funding.

The environmental impacts could vary from major to minor but could most likely include:

- Sewage overflows with water pollution, odour and health implications.*
- Poorer quality of effluent water discharged from the treatment plant into receiving waters resulting in a decline in water quality, potential algal blooms and associated issues.*

3.4 Delays in assessing development applications

New subdivision and/or medium density (including cluster housing) applications and received after 14th July 2004 will be delayed until such time as the upgrading of the sewerage system has been completed.

Existing subdivisions and medium density applications (including cluster housing) held by Council will be assessed. The construction of single dwelling houses on these approved areas and existing vacant residential lots will be permitted. In

addition, existing approvals and/or applications held by Council for all other development (eg. commercial) will be assessed and where approved permitted to be connected to the sewer system.

All other connections to the existing sewer system will be delayed until the sewer system is upgraded.

*The programmed works to upgrade the capacity of the system is expected to be completed **by January 2007**. **Therefore delays will likely cease around the end of 2006**. As the project continues this date will be monitored.*

3.5 Exemption from delays - criteria

Development Applications received or approved prior to the date of the resolution of Council (14th July 2004) will be exempt from delays to connecting to the sewerage system where applicable.

However, Council may consider an exemption where the proposed development does not connect to the sewerage system. Exemptions can not be granted on the grounds of financial hardship or compassion, or by the temporary use of pump out sewer systems.

SF-EP4 Clarence Street, Moss Vale - Pathway

DEP ,SPM

PN 479100

Reporting on the outstanding issue of acquisition of land for the new pathway along Clarence Street behind the Moss Vale Police Station.

REPORT

BACKGROUND

Council had been committed to providing the subject pathway for many years as it was identified as a high need in the Moss Vale PAMP study and the subject of many resident requests.

In 2003, negotiations began with the NSW Police Department for the acquisition of land and construction of the pathway. 'In Principle' approval was received subject to various conditions, including construction of new shed, fencing and acquisition of land, being \$18,000.

A Land Use application was lodged in 2005 for the construction of the pathway, fencing and new garage. The assessment process found evidence of former fuel tanks on site, therefore a contamination report was completed to ensure no environmental impacts would result from the construction.

The Department of Commerce, acting on behalf of the NSW Police, permitted the construction of the works prior to formal acquisition of the land.

A formal request to finalise the acquisition was received last year. A subdivision plan has been prepared to formally excise this piece of land.

Land Acquisition

A valuation was undertaken in 2003 and valued the land at \$18,000. The Department of Commerce has agreed to accept this value even though the valuation is now dated.

The funding for the acquisition of this land in 2005 was to be part of the Moss Vale Masterplan priority funding projects. However since this time, the priority for spending has been focused on the Diamond Jubilee and Leighton Gardens Extension.

This acquisition is now unfunded.

Funding Options

Council's Finance Branch suggested the following options to consider funding this request:

- Capital Projects
- Property Development Reserve
- Land Acquisition Fund
- December Budget review.

It is recommended that the Capital Projects Reserve is the most appropriate source to fund this request.

ECOLOGICAL SUSTAINABLE DEVELOPMENT ISSUES

(i) Environmental Factors

Not applicable.

(ii) Social Factors

Not applicable.

(iii) Economic Factors

Not applicable

ATTACHMENTS

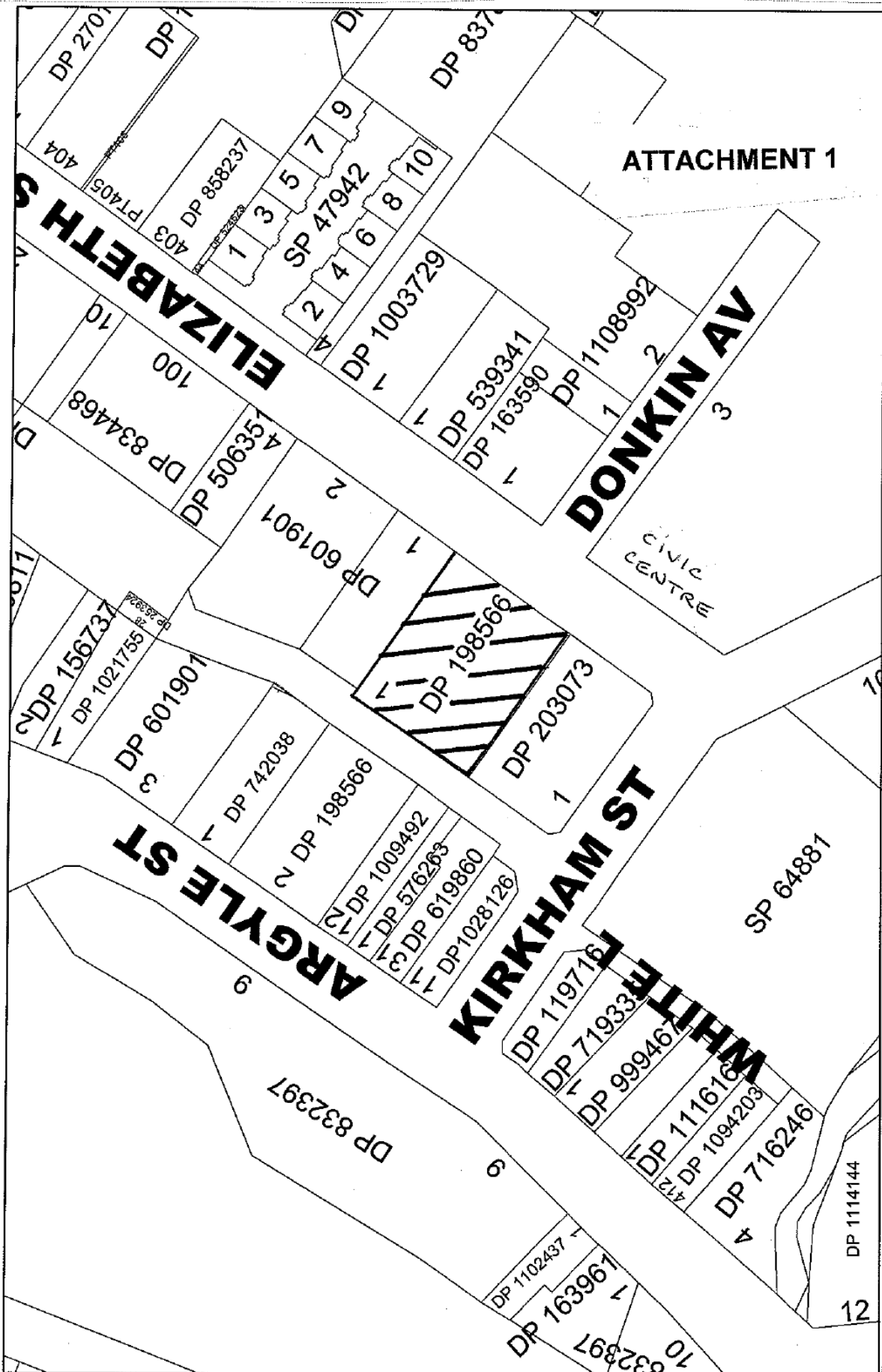
Attachment 1 shows the location of the land.

RECOMMENDATION

THAT Council allocates \$18,000 from the Capital Projects Reserve for the acquisition of the police land fronting Clarence Street Moss Vale for the purpose of providing a public footpath.

Scott Lee
Director Environment & Planning

24 January 2008



CORPORATE SERVICES DIVISION

SF-CS1 Proposed Lease of Bundanoon Works Depot

REF. PO

7106; PN279500

Submitting proposal for consideration of the lease of Bundanoon Works Depot via Expressions of Interest.

REPORT

HISTORY

On 27 July 2006, Council resolved that the Bundanoon Works Depot site (among others) be made available for storage by interested and suitable user groups:

MN 284/05

1. ***THAT Council liaises with both community groups to ensure that the options are acceptable to them.***
2. ***THAT Council offers the existing shed and compound at the Bundanoon Works Depot as storage for the 2WKT FM caravan subject to the signing of a lease agreement.***
3. ***THAT Council allocates the existing shed at Mittagong Bowling club as storage for Veterans Volunteer Lawn Mowing Service subject to the signing of a lease agreement.***
4. ***THAT repairs totalling \$5,000 to the shed at Mittagong Bowling Club, caused by vandalism, be funded from Council's contingency vote.***
5. ***THAT when appropriate the Works & Planning Committee and the Director Technical Services inspect both depot sites to ensure the best option for storage of the 2WKT FM caravan and the Veterans' Volunteer Lawn Mowing plant.***

Subsequently an offer was made by Council to 2wktFM to store their caravan however this offer was not taken up due to the remoteness of the depot from their studio at Mittagong.

The site has been recently inspected by Council's Technical Services Division who have advised that the depot has not been used for Council purposes for some time.

It could be that this site may be considered for disposal however there may be contamination issues that would need to be addressed.

In the meantime Bundanoon Highland Gathering group has approached Council requesting to lease the site for storage purposes.

CONCLUSION

It is recommended that the site be considered for lease (subject to a suitable lease agreement including maintenance). However expressions of interest should be invited to determine if there are any other interested parties who may wish to lease the site.

ATTACHMENTS

There are no attachments to this report

RECOMMENDATION

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 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.

Barry W Paul
Director Corporate Services

24 January 2008