

3 March 2017

Dear Councillor,

You are kindly requested to attend the **Ordinary Meeting** of Wingecarribee Shire Council to be held in **Council Chambers, Civic Centre, Elizabeth Street, Moss Vale** on **Wednesday 8 March 2017** commencing at **3.30 pm**.

Yours faithfully

Ann Prendergast
General Manager

SCHEDULE

3.30pm	Council Meeting begins
5.30pm	Questions from the Public to be read out
7.40pm	Closed Council

RUNNING SHEET

ORDINARY MEETING OF COUNCIL

held in the Council Chambers, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 8 March 2017 at 3.30 pm.

Time	Item
3.30pm	Opening of meeting – please remind all present that mobile phones must be switched off before the meeting and that the meeting is tape recorded and the Council Chamber now has 24 Hour Video Surveillance.
	Acknowledgement of Country - Clr L A C Whipper <i>I would like to acknowledge the Traditional Custodians of this land and pay my respect to Elders both past and present. I would also like to extend that respect to all Aboriginal and Torres Strait Islanders present here today.</i>
3.32pm	Opening Prayer – Reverend Richard Mills, Anglican Church, Mittagong
3.35pm	<ul style="list-style-type: none">• Apologies - Clr P W Nelson• Adoption of Previous Minutes – Wednesday, 22 February 2017• Business Arising (if any)• Declarations of Interest (if any)• Mayoral Minute (if any)• Public Forum (if any)• Motion to move into Committee of the Whole - Clr T D Gair• Visitor Item - Nil• Council Reports
5.30pm	Motion to move into Council and the Mayor resumes the Chair
5.30pm	Questions from the Public - to be read Continuation of Council Reports General Business Questions Questions with Notice Notices of Motion
7.40pm	Closed Council
8.00pm	Meeting Closed

Ann Prendergast
General Manager



Business

1. **OPENING OF THE MEETING**
2. **ACKNOWLEDGEMENT OF COUNTRY**
3. **PRAYER**
4. **APOLOGIES**
Clr P W Nelson
5. **ADOPTION OF MINUTES OF PREVIOUS MEETING**
Ordinary Meeting of Council held on 22 February 2017
6. **BUSINESS ARISING FROM THE MINUTES**
7. **DECLARATIONS OF INTEREST** 1
8. **MAYORAL MINUTES**
9. **PUBLIC FORUM**

COMMITTEE OF THE WHOLE

10. VISITOR MATTERS

OPERATIONS, FINANCE & RISK

Nil

CORPORATE, STRATEGY & DEVELOPMENT SERVICES

Nil

11. EN BLOC MOTION

12. OPERATIONS FINANCE & RISK

- 12.1 Compulsory Acquisition of Land, off Railway Parade Mittagong..... 2
- 12.2 Proposed Easement for Electricity Supply - 40 Charles Street Hill
Top 10
- 12.3 Proposed Lease - KU Childrens Services, Mann Crescent Moss Vale. 15
- 12.4 Application for Transfer of Unmade Crown Road to Council - Part Mt
Jellore Lane Woodlands 20
- 12.5 Application for Transfer of Unmade Crown Road to Council - Part
Walkers Lane, Avoca 24
- 12.6 Road Closure - Part of Park Road Bowral..... 29

13. CORPORATE STRATEGY & DEVELOPMENT SERVICES

- 13.1 Development Applications Determined from 25 November 2016 to
22 January 2017 and from 23 January 2017 to 20 February 2017 43
- 13.2 Development Applications Received from 25 November 2016 to 22
January 2017 and from 23 January 2017 to 20 February 2017 58



13.3 Council Submission to the Draft Environmental Planning and Assessment Amendment Bill	79
13.4 ANZAC Day 2017	90
13.5 Rural Fire Service Request for Construction Certificate Fees for Proposed Colo Vale Station	94

Mayor to resume chair at 5.30 pm

COUNCIL MATTERS

14. GENERAL MANAGER

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14.2 Question with Notice 02/2017 - Lots 11 and 12 Range Road, Mittagong.....	100

15. DELEGATE REPORTS

16. PETITIONS

16.1 Petition 03/2017 - Drainage and Road Repairs - Colo-Hill Top Road, Hill Top	101
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17. CORRESPONDENCE FOR ATTENTION

Nil

18. COMMITTEE REPORTS

Nil

19. QUESTIONS WITH NOTICE

Nil

20. NOTICES OF MOTION

20.1 Notice of Motion 03/17 - Bowral Rugby Club - Long-term Tenure of the Clubhouse Facility.....	110
20.2 Notice of Motion 04/17 - Illawarra Academy of Sport Representatives - Subsidy of Membership Fees for the MVWMAC	111
20.3 Notice of Motion 05/17 - Legal Affairs Report.....	112
20.4 Notice of Motion 06/2017 - Chelsea Gardens/Coomungie Urban Release Area	113

21. GENERAL BUSINESS

Nil

22. CLOSED COUNCIL

Moving into Closed Session.....	115
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22.1 Question with Notice 02/2017 - Lots 11 and 12 Range Road, Mittagong	
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This report is referred to Closed Committee in accordance with s10A(2) of the Local Government Act, 1993, under clause 10A(2)(e) as it contains information that would, if disclosed, prejudice the maintenance of law and the Council considers that it would be on balance contrary to the public interest to consider this information in Open Council.

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 8 March 2017



23. RESUMPTION OF OPEN COUNCIL

Resumption of Open Council

Adoption of Closed Session

24. ADOPTION OF COMMITTEE OF THE WHOLE

25. MEETING CLOSURE

Our Mission, Our Vision, Our Values

OUR MISSION

To create and nurture a vibrant and diverse community growing and working in harmony with our urban, agricultural and natural environments

OUR VISION

Environment: *'A community that values and protects the natural environment enhancing its health and diversity'*

Economy: *'A strong local economy that encourages and provides employment, business opportunities and tourism'*

Leadership: *'An innovative and effective organisation with strong leadership'*

People: *'A vibrant and diverse community living harmoniously, supported by innovative services and effective communication with Council'*

Places: *'Places that are safe, maintained, accessible, sympathetic to the built and natural environment, that supports the needs of the community'*

OUR VALUES

Integrity, trust and respect

Responsibility and accountability

Communication and teamwork

Service quality

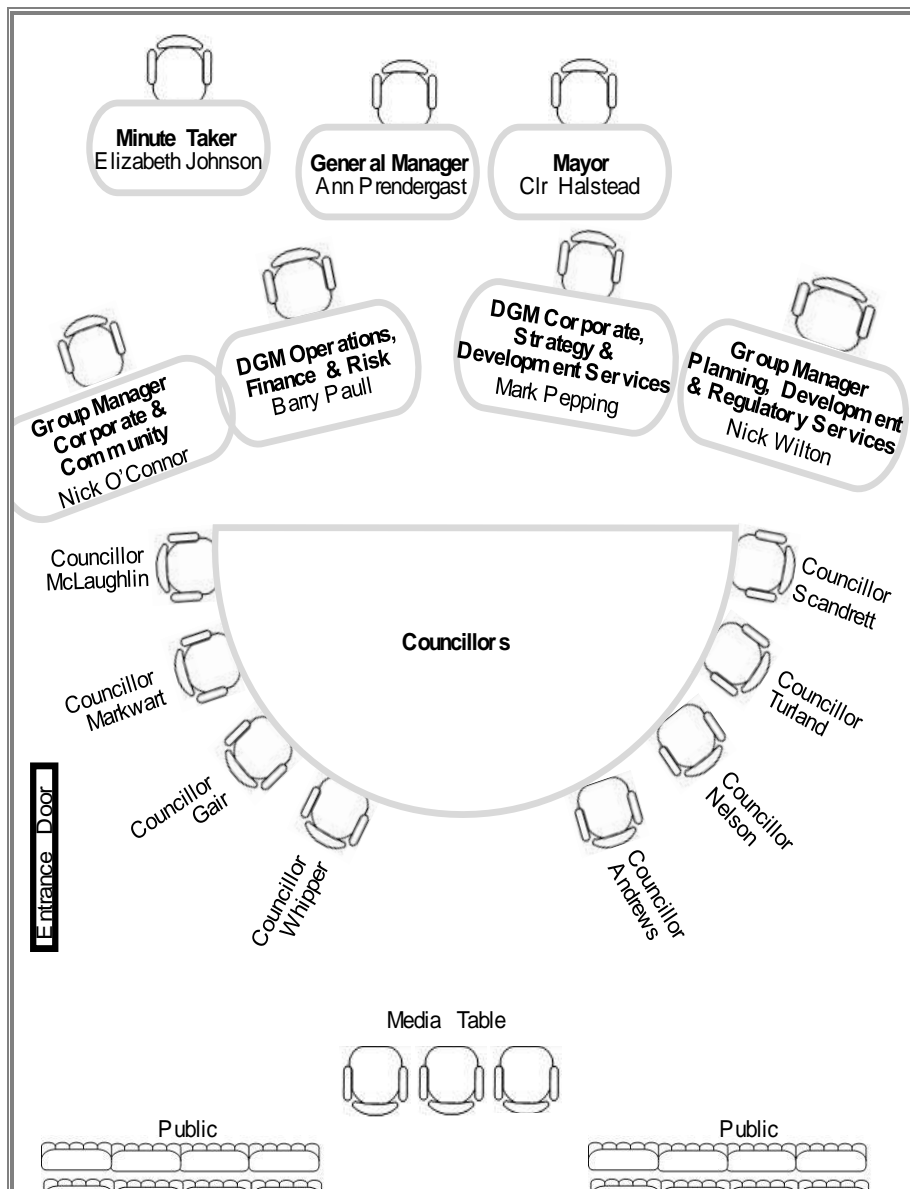
Council Chambers

Recording of Ordinary and Extraordinary Meetings of Council

As authorised by the *Local Government Act 1993*, Wingecarribee Shire Council records the proceedings of the Ordinary and Extraordinary Meetings of Council to ensure accurate transcription of resolutions.

Recording of meetings by members of the media is permitted only for the purpose of verifying the accuracy of any report concerning such meeting. Broadcasting of any sound recording is not permitted. Video recording is also not permitted. No member of the public is to use any electronic, visual or vocal recording device or instrument to record the proceedings of Council without prior permission of the Council.

The Council Chamber now has 24 Hour Video Surveillance.





DECLARATIONS OF INTEREST

101/3, 101/3.1

The provisions of Chapter 14 of the *Local Government Act, 1993* regulate the way in which Councillors and nominated staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public trust.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest and the reasons for declaring such interest must be disclosed as soon as practicable after the start of the meeting.

As members are aware, the provisions of the Local Government Act restrict any member who has declared a pecuniary interest in any matter from participating in the discussions or voting on that matter and further require that the member vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code also provides for a number of ways in which a member may manage non pecuniary conflicts of interest.



COMMITTEE OF THE WHOLE

12 OPERATIONS FINANCE & RISK

12.1 Compulsory Acquisition of Land, off Railway Parade Mittagong

Reference: PN1757680

Report Author: Coordinator Property Services

Authoriser: Chief Financial Officer

Link to Delivery Program: Ensure systems and processes are in place to achieve mutual trust and collaboration

PURPOSE

The purpose of this report is to obtain Council approval to negotiate the compulsory acquisition of land off Railway Parade Mittagong (Lot 19 Deposited Plan 1108714) for the purpose of road, being fire trail and future shared pathway. The subject property is in the ownership of State Rail Authority, managed by John Holland Rail Group.



RECOMMENDATION

1. **THAT** the General Manager be delegated authority to negotiate with the owner of Lot 19 Deposited Plan 1108714 at Mittagong for the acquisition of part of the Land known as Lot 19 DP 1108714 (being part railway land, off Railway Parade Mittagong) for the purpose of road.
2. **THAT** if the acquisition referred to in Resolution 1 cannot be negotiated by agreement within six (6) months, Council resolves to:
 - (a) acquire the Land by compulsory acquisition under Sections 186 and 187 of the *Local Government Act 1993 (NSW)* and in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*;
 - (b) approve the making of an application to the Minister of Local Government for the issue of a proposed Acquisition Notice under the *Land Acquisition (Just Terms Compensation) Act 1993 (NSW)* with respect to the Land;
 - (c) approve the making of an application to the Governor for the publication of an Acquisition Notice in the NSW Government Gazette under the *Land Acquisition (Just Terms Compensation) Act 1993 (NSW)* with respect to the Land.
3. **THAT** Council affix the Common Seal of Council to any documents required to be sealed for the Land referred to in Resolution 1 above **AND THAT** authority be delegated to the Mayor and General Manager to execute those documents.
4. **THAT** authority be delegated to the General Manager to execute on behalf of Council any documents associated with the compulsory acquisition of the Land referred to in Resolution 1 above that does not require the Common Seal of Council.

REPORT

BACKGROUND

The State Rail Authority is the registered proprietor of the whole of the land comprised in Lot 19 Deposited Plan 1108714 at Mittagong. The total area of the land is approximately 11,985.65 square metres. The segment of land to be acquired by Council is approximately 250 square metres in area and is zoned R2 – Low Density Residential. As can be seen in the aerial map (**Attachment 1**) the railway land is one lot divided in 2. The zoning applicable to the whole of the property is shown in **Attachment 2**.

REPORT

The southern segment of the railway land (off Railway Parade Mittagong) directly adjoins the most northern section of the Mt Gibraltar Reserve. A fire trail exists through the Mt Gibraltar Reserve, which is accessed informally over the railway land from Railway Parade.

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REPORT DEPUTY GENERAL MANAGER OPERATIONS, FINANCE & RISK



The railway land is proposed to be marketed for sale by John Holland Rail Group ('JHRG') on behalf of State Rail Authority. Now is the opportune time for Council to initiate negotiations for the compulsory acquisition of part of the railway land for the purpose of fire trail (road). Correspondence has been exchanged with JHRG confirming the intention of Council to compulsorily acquire the part of the railway land.

The acquisition of part of the railway land will legalise the existing use of the segment of fire trail by Council, the Rural Fire Service, residents and visitors who use this for access to the northern section of Mt Gibraltar Reserve. The area of the railway land proposed to be acquired is shown in the sketch attached to this report (**Attachment 3**) – the extent of land required is anticipated to be not more than approximately 250 square metres in area.

In addition, this acquisition will secure ownership of the land used for fire trail which has been identified as a key component in the future shared pathway proposed to be constructed from Railway Parade Mittagong to Cliff Street Bowral. In Council's adopted Section 94 Developer Contribution Plan, there is \$600,000.00 to be levied through developer contributions for the future construction of a shared pathway from Railway Parade Mittagong to Cliff Street Bowral via the Mt Gibraltar Reserve and Soma Avenue Bowral.

Land Acquisition Process

Council has power to acquire land for public purposes, such as road widening and the development of new infrastructure. While these powers are contained in various pieces of legislation, such as the *Roads Act 1993*, the process and rules for acquisition are set out in the *Land Acquisition (Just Terms) Compensation Act 1991*.

In late 2016, the NSW Government announced that it had reviewed its approach to land acquisition and delivered some major improvements to make the process fairer, more transparent and customer friendly for land owners. The changes focus on improving communication with landowners, reducing disputation, and increasing accountability and scrutiny for government agencies who acquire land.

Under the new processes, Council must formally notify the landowner of its intention to acquire all or part of their land and allow a fixed period of six (6) months for negotiation before taking any action to compulsorily acquire land.

This enables the landowner and Council to seek independent land valuations and to negotiate the compensation and terms of the agreement. If agreement is reached, compensation is paid by Council and the land is transferred.

If agreement has not been reached within six (6) months, an application can then be made by Council to the Minister of Local Government and Governor of New South Wales for the land to be compulsorily acquired.

If approval is issued by the Minister and Governor for the compulsory acquisition of land, Council then issues a Proposed Acquisition Notice ('PAN') to the landowner. The PAN indicates that the land will be compulsorily acquired and this will occur between 90 and 120 days from the date of the PAN.

Recommendations

Council's panel solicitors have drafted 'model resolutions' for when resolutions are presented to Council for the compulsory acquisition of land. These are put forward as the

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REPORT DEPUTY GENERAL MANAGER OPERATIONS, FINANCE & RISK



Recommendations in this report for Council adoption. The acquisition of land for "road" covers all road purposes including road widening, road reserve, footpaths and fire trails.

IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

None identified.

CONSULTATION

Community Engagement

This proposal pertains to land owned by a private landowner and Council as acquiring authority. Engagement with the wider community is not required to endorse the acquisition of land.

Internal Consultation

Deputy General Manager Operations Finance & Risk

Acting Coordinator Strategic Planning

External Consultation

John Holland Rail Group for landowner

SUSTAINABILITY ASSESSMENT

- **Environment**

There are no environmental issues in relation to this report.

- **Social**

The proposed compulsory acquisition of this land will formalise the existing use of part of the fire trail over the railway land. This will have a number of positive social impacts on community well-being by securing the ongoing use of the part of the land for a fire trail (and proposed future shared pathway) and managing future bushfire risk.

- **Broader Economic Implications**

There are no broader economic implications in relation to this report.

- **Culture**

There are no cultural issues in relation to this report.

- **Governance**

There are no governance issues in relation to this report.

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REPORT DEPUTY GENERAL MANAGER OPERATIONS, FINANCE & RISK



COUNCIL BUDGET IMPLICATIONS

The proposed acquisition of this land will be funded from the Property Development Reserve, with the amount of compensation payable to be determined by formal valuation and by negotiation with the affected landowner.

In addition to the compensation payable by Council, if agreement is reached with the landowner, there will be approximately \$5,000 in associated costs including surveying and registration costs. If agreement cannot be reached, those costs will be increased by a further estimated \$3,300 being legal costs in respect of the compulsory acquisition.

RELATED COUNCIL POLICY

None identified.

CONCLUSION

This report recommends that Council delegate authority to the General Manager to negotiate the compulsory acquisition of land, allowing the requisite six (6) month period for negotiations. If agreement cannot be reached with the landowner, this report further recommends that Council make application to the Minister and Governor for approval to compulsorily acquire part of the railway land for road purposes.

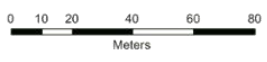
ATTACHMENTS

1. Aerial Map
2. Zoning Map
3. Sketch of approximate area of land to be acquired

12.1 Compulsory Acquisition of Land, off Railway Parade Mittagong
ATTACHMENT 1 Aerial Map



ATTACHMENT 1

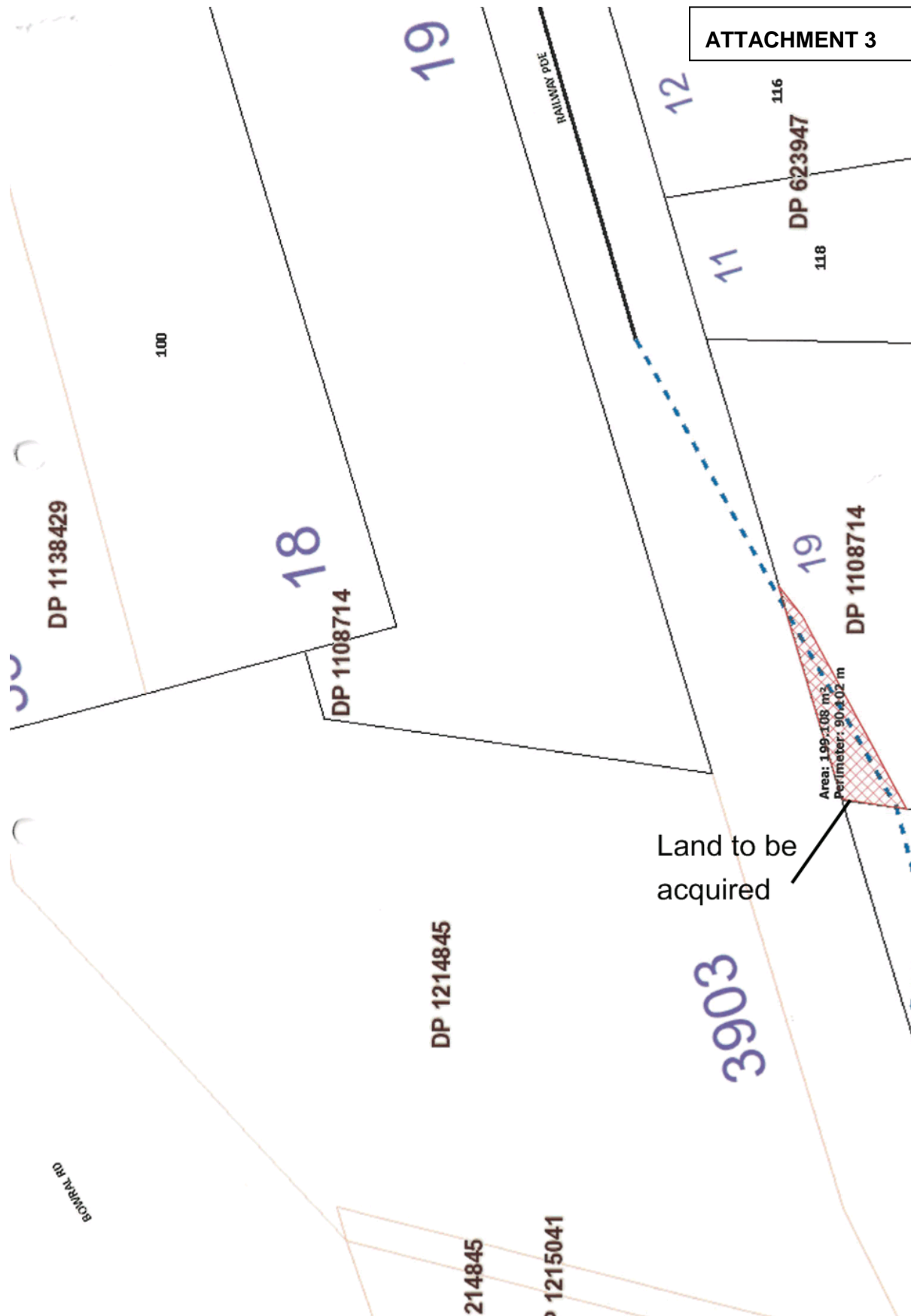


Wingecarribee Shire Council
Railway property Mittagong

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12.1 Compulsory Acquisition of Land, off Railway Parade Mittagong
ATTACHMENT 3 Sketch of approximate area of land to be acquired





12.2 Proposed Easement for Electricity Supply - 40 Charles Street Hill Top

Reference: PN1296400
Report Author: Coordinator Property Services
Authoriser: Chief Financial Officer
Link to Delivery Program: Ensure systems and processes are in place to achieve mutual trust and collaboration

PURPOSE

The purpose of this report is to seek Council approval for the granting of an Easement for electrical supply in respect of a Council property. The Council property is situated at 40 Charles Street Hill Top.

RECOMMENDATION

1. **THAT** the General Manager be delegated authority to negotiate with New South Wales Telco Authority for the granting of a private service easement for electrical supply (1m wide) over Council property, 40 Charles Street Hill Top being Lot 187 Deposited Plan 704669, within 10% range of the formal valuation.
2. **THAT** the Common Seal of Council be affixed to any documents required to be sealed to grant the easements referred to in Resolution 1 above **AND THAT** authority be delegated to the Mayor and General Manager to execute those documents.
3. **THAT** authority be delegated to the General Manager to execute on behalf of Council any documents associated with the grant of easements referred to in Resolution 1 above that do not require the Common Seal of Council.

REPORT

BACKGROUND

Council is the property owner of 40 Charles Street Hill Top being Lot 187 Deposited Plan 704669 ("the property"). The property is zoned SP2 – Water Supply System and is classified as Operational Land pursuant to the *Local Government Act 1993*. The aerial map attached to this report (**Attachment 1**) shows the location of the property and the approximate location of the proposed easement.

The property comprises of a water reservoir and associated infrastructure. Also constructed on the property are mobile telecommunications towers operated by Telstra Corporation Limited and Optus Mobile Pty Ltd. Leases from Council to both Telstra and Optus are registered on the title to the property.



REPORT

Council has been approached by Daly International, as agents for the New South Wales Telco Authority requesting the granting of a private service easement for the purpose of supplying electricity. NSW Telco Authority has a private arrangement with the owner of the adjacent property, being The State of New South Wales, for the construction of a telecommunications tower, compound and fencing. **Attachment 2** shows the overall site plan.

On behalf of the NSW Telco Authority, Daly International has requested Council consider the grant of a private service easement 1m wide for electricity purposes across the Council property, in favour of Lot 188 DP704669 (being the location of NSW Telco Authority Mobile shelter). The easement will run between the section of the fence line where the power comes from the Optus site and into the NSW Telco Authority site, crossing the lot boundaries.

An easement is defined by the Registrar General as:

"...A right annexed to land to utilise other land of different ownership in a particular manner not involving the taking of its produce or soil, nor preventing the owner of the other land from utilising that land in a particular manner."

A valuation will be obtained by Council to assess the compensation that may be payable for the grant of the easement in favour of NSW Telco Authority. This report recommends that the General Manager be delegated authority to negotiate the grant of the easement within a 10% range of the formal valuation. Further it is recommended that authority be delegated to the General Manager and Mayor to sign the necessary documents and to affix the Common Seal of the Council if required.

IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

None identified.

CONSULTATION

Community Engagement

This is an administrative matter between Council as property owner and NSW Telco Authority.

Internal Consultation

Manager Water & Sewer.

External Consultation

Daly International (acting on behalf of the NSW Telco Authority).

SUSTAINABILITY ASSESSMENT

- **Environment**

There are no environmental issues in relation to this report.

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REPORT DEPUTY GENERAL MANAGER OPERATIONS, FINANCE & RISK



- **Social**

There are no social issues in relation to this report.

- **Broader Economic Implications**

There are no broader economic implications in relation to this report.

- **Culture**

There are no cultural issues in relation to this report.

- **Governance**

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

A valuation will be obtained to assess the likely value of compensation payable to Council (if any) for the grant of the easement. The applicant will also be required to pay all costs of granting the easement, including surveying, legal and registration fees.

RELATED COUNCIL POLICY

None identified.

CONCLUSION

It is recommended that Council delegate authority to the General Manager to negotiate the grant of the easement in favour of New South Wales Telco Authority for electricity purposes, subject to assessment of compensation payable for the grant of the easement. The compensation will be assessed by formal valuation.

ATTACHMENTS

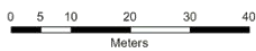
1. Aerial Map
2. Overall Site Plan

12.2 Proposed Easement for Electricity Supply - 40 Charles Street Hill Top

ATTACHMENT 1 Aerial Map



ATTACHMENT 1



Wingecarribee Shire Council
40 Charles St Hill Top

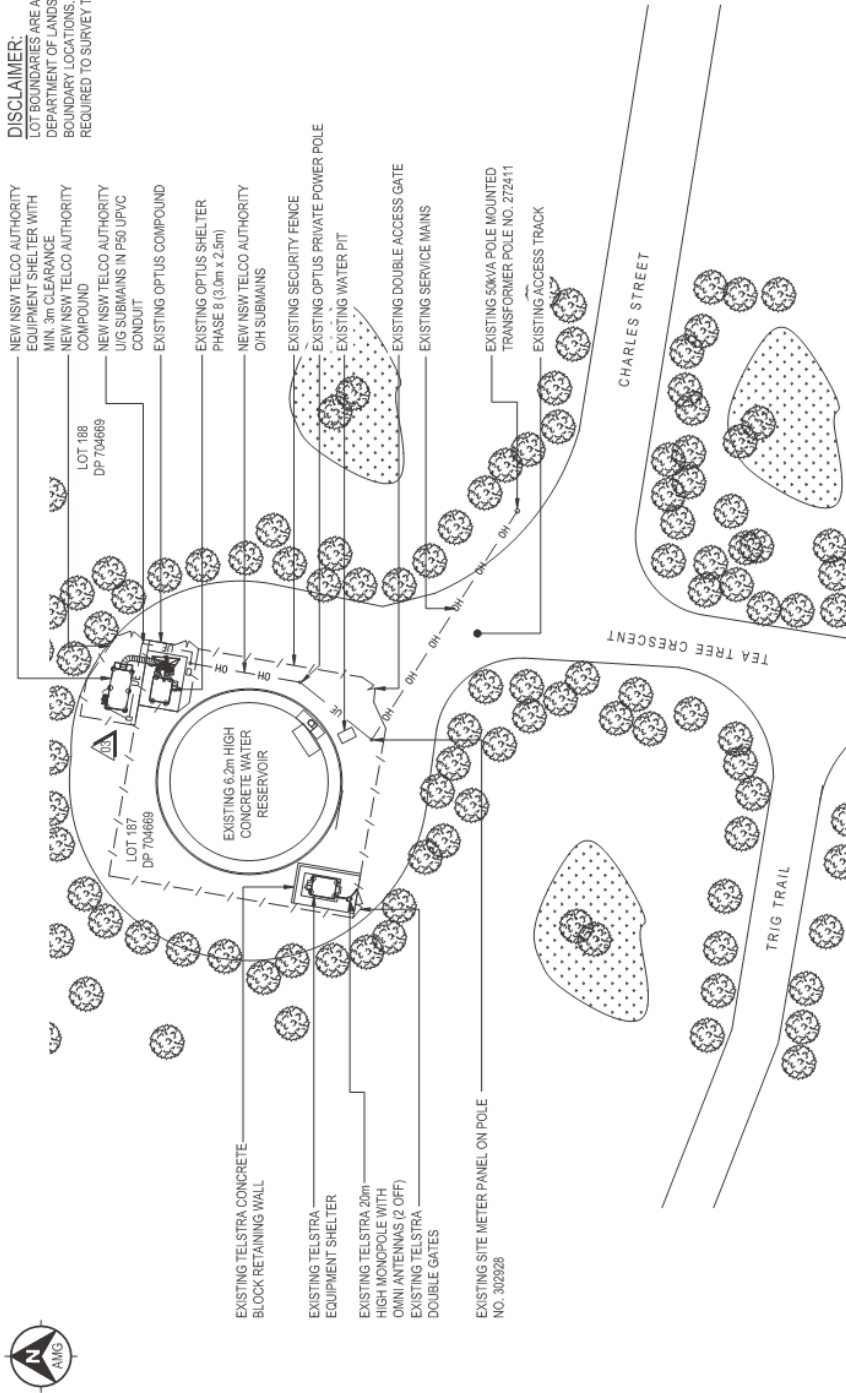
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12.2 Proposed Easement for Electricity Supply - 40 Charles Street Hill Top
 ATTACHMENT 2 Overall Site Plan



DISCLAIMER:
 LOT BOUNDARIES ARE APPROXIMATE BASED ON DEPARTMENT OF LANDS INFORMATION. FOR CONFIRMED BOUNDARY LOCATIONS, A CERTIFIED SURVEYOR IS REQUIRED TO SURVEY THE AREA.



ATTACHMENT 2

OVERALL SITE PLAN
 SCALE 1:500

		Project No: 9014877 Hill Top 40 CHARLES STREET	
Project Name: OVERALL SITE PLAN		Project No: 9014877-A2	
Project: NSW TELCO AUTHORITY		Project: FOR CONSTRUCTION	
Level 1, Sullaire 12 Help Street, Chalmerswood NSW 2007 Australia +61 2 8241 9800 www.dalyinternational.com		Project Consultant: DALY INTERNATIONAL	
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12.3 Proposed Lease - KU Childrens Services, Mann Crescent Moss Vale

Reference: PN1610302
Report Author: Property & Project Officer
Authoriser: Coordinator Property Services
Link to Delivery Program: Ensure systems and processes are in place to achieve mutual trust and collaboration

PURPOSE

The purpose of this report is to seek Council approval to enter into a further Lease with K.U Children's Services for occupation of the premises, known as Moss Vale Long Day Care, Mann Crescent, Moss Vale.

RECOMMENDATION

1. **THAT** the General Manager be delegated authority to negotiate a new lease with KU Childrens Services for a maximum term of twenty one (21) years, on similar terms and conditions to the current lease for the property known as Moss Vale Long Day Care, Mann Crescent, Moss Vale.
2. **THAT** the proposed lease between Council and KU Children's Services is to be publicly exhibited for a period of a minimum of twenty eight (28) days **AND** **THAT** a further Report is to be forwarded to a future Ordinary Meeting of Council to advise the outcome of that public exhibition.

REPORT

BACKGROUND

Moss Vale Long Day Care ("MVLDC") is owned by KU Children's Services, a not-for-profit organisation, providing community-based long day care catering for children from the ages of 6 weeks to 6 years. Established in 1895 as the Kindergarten Union of New South Wales, KU Children's Services is one of the oldest child care providers in Australia.

The children's services premises operate on Council land within Broulee Park, Mann Crescent, Moss Vale. The Council land is classified as Community Land pursuant to the *Local Government Act 1993*.

The current lease is due to expire on 31 March 2017. The Lessee wishes to enter into a further lease once the current Lease expires. The current lease will be held over to enable the new lease to be publicly exhibited.

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 08 March 2017

REPORT DEPUTY GENERAL MANAGER OPERATIONS, FINANCE & RISK



REPORT

As the current lease of the MVLDC expires on 31 March 2017, it is necessary for Council to formally consider its position as Lessor. It is recommended that Council continue the existing arrangement with the Lessee and enter in to a new twenty one (21) year Lease for the premises.

It is proposed that the terms and conditions of the new lease will remain essentially "as is" (other than term, which will be up to a maximum of twenty one (21) years). The new lease will be in full compliance with Council's *Lease & Licence of Council Property (Not-For-Profit Organisations)* Policy.

Plan of Management

Pursuant to Section 35 of *Local Government Act 1993*, community land is required to be used and managed in accordance with the following:

- The Plan of Management applying to the land,
- Any law permitting the use of the land for a specified purpose or otherwise regulating the use of the land, and the
- Local Government Act 1993.

On 13 October 2010, Council adopted a Plan of Management incorporating the site of the MVLDC, which is set within Broulee Park, Moss Vale. The use of the land for MVLDC is authorised in the Plan of Management.

The adopted Children's Services and Community Halls Plan of Management anticipates that Council will "promote and provide and plan for the needs of children". Clause 4.1.2 of the Plan of Management provides as follows:

"Moss Vale Long Day Care, Part Broulee Park"

This Plan of Management provides for and authorises the following current and permitted uses for the land identified as Moss Vale Long Day Care in this Plan:

- Child Care
- Occasional Care
- Long Day Care
- Family Day Care
- Extended Hours Preschools
- Preschools/Kindergarten
- Before and after school care
- Children's recreational and leisure activities
- Landscaping within the children's services context.

Requirement to Publicly Exhibit

As the proposed new lease is for a term greater than five (5) years, Section 47A of the *Local Government Act 1993* requires Council to publicly exhibit the proposed Lease for a minimum period of twenty eight (28) days.

Before granting the lease, Council must consider all submissions made. Council must not enter into the lease, except with the Minister's consent, if a person makes a submission by way of objection to the proposed lease.



FIT FOR THE FUTURE IMPROVEMENT PLAN

CONSULTATION

Community Engagement

The proposed Lease will be publicly exhibited for a minimum period of twenty eight (28) days. This will enable the community to consider the lease and make a written submission if required.

External Consultation

KU Children Services (Lessee).

SUSTAINABILITY ASSESSMENT

- **Environment**

There are no environmental issues in relation to this report.

- **Social**

The approval of this lease will enable the ongoing operation of MVLDC which provides children's services to families within the Shire. MVLDC has a positive impact on the local community, providing families with a safe and caring learning environment for young children.

- **Broader Economic Implications**

There are no broader economic implications in relation to this report.

- **Culture**

There are no cultural issues in relation to this report.

- **Governance**

It is necessary that the proposed lease comply with the requirements of the Plan of Management and the *Local Government Act 1993*.

COUNCIL BUDGET IMPLICATIONS

There are no additional budget implications arising from the granting of a new lease. Council will continue to be liable for land rates for the property which is consistent with the current Lease and aligns with Council's Policy for *Lease & Licence of Council Property (Not-For-Profit Organisations)*.

RELATED COUNCIL POLICY

Lease & Licences of Council Property: Not-for-Profit Organisations – adopted 26 November 2014 (MN 326/14)

Asset Management Policy – adopted 28 July 2011 (MN 316/10)

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 08 March 2017

REPORT DEPUTY GENERAL MANAGER OPERATIONS, FINANCE & RISK



CONCLUSION

This matter is submitted to Council recommending that authority be delegated to the General Manager to negotiate the new Lease on similar terms and conditions as the existing Lease and, to ensure compliance with legislative requirements, for the proposed new Lease to be publicly exhibited for a minimum of twenty eight (28) days.

A further report will then be submitted to a future Ordinary Meeting of Council advising the outcome of the public exhibition of the proposed new lease.

ATTACHMENTS

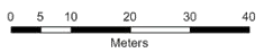
1. Aerial Map

12.3 Proposed Lease - KU Childrens Services, Mann Crescent Moss Vale

ATTACHMENT 1 Aerial Map



ATTACHMENT 1



Wingecarribee Shire Council
Moss Vale Long Day Care

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12.4 Application for Transfer of Unmade Crown Road to Council - Part Mt Jellore Lane Woodlands

Reference: RD6000 0086
Report Author: Property & Projects Officer
Authoriser: Coordinator Property Services
Link to Delivery Program: Ensure systems and processes are in place to achieve mutual trust and collaboration

PURPOSE

The purpose of this report is to seek Council approval to make an application to Crown Lands to transfer a segment of unmade Crown Road, known as Mt Jellore Lane Woodlands, to Council.

RECOMMENDATION

THAT Council make application to Crown Lands for the transfer of the unmade Crown segment of unmade road known as Mt Jellore Lane Woodlands from the Crown to the Council.

REPORT

REPORT

Council has been approached by a resident requesting that Council take control of the Crown Road section of Mt Jellore Lane Woodlands.

The Crown segment of Mt Jellore Lane to which this report refers is a 980m stretch of road that is currently included in Council's Road Register and has historically been maintained by Council. As Council has taken responsibility to provide physical access to properties along and beyond this Crown Road, it is recommended that Council apply for the transfer from the Crown so that the road vests in Council.

In order for the road to be transferred, Council must make application to the Crown Lands Office. As previously reported to Council, the Crown is not a construction authority and will not consent to the formation or maintenance of roads for access to private properties.

LEGISLATION

Section 151 Roads Act 1993.

Pursuant to this legislation, the Minister may, by order published in the Government Gazette, transfer a specified Crown Road to another road authority, i.e. Council. Upon publication of the order, the road ceases to be a Crown road and becomes a Council public road.

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 08 March 2017

REPORT DEPUTY GENERAL MANAGER OPERATIONS, FINANCE & RISK



IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

None identified

CONSULTATION

Community Engagement

No general community engagement is required for the purposes of submitting an application to the Crown. If Council resolves to proceed with the application to transfer the road from the Crown to Council, it should be noted that the procedures for the transfer are set out in the *Roads Act 1993* and accompanying Regulation.

Internal Consultation

Assets Branch.

External Consultation

Adjoining owner.

SUSTAINABILITY ASSESSMENT

- **Environment**

There are no environmental issues in relation to this report.

- **Social**

There are no social issues in relation to this report.

- **Broader Economic Implications**

There are no broader economic implications in relation to this report.

- **Culture**

There are no cultural issues in relation to this report.

- **Governance**

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

This section of Mt Jellore Lane is currently included in Council's Road Register and has historically been maintained by Council. There is no expected increase in maintenance expenses as a result of this transfer.

RELATED COUNCIL POLICY

Nil

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

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**REPORT DEPUTY GENERAL MANAGER OPERATIONS, FINANCE &
RISK**



CONCLUSION

It is recommended that Council make an application for the transfer of the Crown segment of Mt Jellore Lane Woodlands pursuant to Section 151 of the *Roads Act 1993*.

ATTACHMENTS

1. Aerial Map

12.4 Application for Transfer of Unmade Crown Road to Council - Part
Mt Jellore Lane Woodlands

ATTACHMENT 1 Aerial Map



ATTACHMENT 1



Wingecarrabee Shire Council

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12.5 Application for Transfer of Unmade Crown Road to Council - Part Walkers Lane, Avoca

Reference: RD1004
Report Author: Property & Projects Officer
Authoriser: Coordinator Property Services
Link to Delivery Program: Ensure systems and processes are in place to achieve mutual trust and collaboration

PURPOSE

The purpose of this report is to seek Council approval to make an application to Crown Lands to transfer a segment of unmade Crown Road, known as Part Walkers Lane, Avoca, to Council.

RECOMMENDATION

THAT Council make application to Crown Lands for the transfer of the unmade Crown segment of unmade road known as Part Walkers Lane Avoca from the Crown to the Council.

REPORT

REPORT

Council has been approached by a resident requesting that Council take control of the Crown Road section of Walkers Lane, Avoca.

In most cases, lightly trafficked sections of roads that service only a few properties are usually only used by people accessing their properties. Council does not upgrade and maintain what is, in effect, little more than private access, which would place additional strain on its limited road budget. However, this section of Walkers Lane to which this report refers is in comparable condition to the existing Council controlled section of Walkers Lane and thus would require little in the way of upgrading. Council Officers have considered the request and, in this case, accept the proposal to request a transfer to Council of the Crown Section of Walkers Lane.

In order for the road to be transferred, Council must make application to the Crown Lands Office. As previously reported to Council, the Crown is not a construction authority and will not consent to the formation or maintenance of roads for access to private properties.

LEGISLATION

Section 151 Roads Act 1993.

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 08 March 2017

REPORT DEPUTY GENERAL MANAGER OPERATIONS, FINANCE & RISK



Pursuant to this legislation, the Minister may, by order published in the Government Gazette, transfer a specified Crown Road to another road authority, i.e., Council. Upon publication of the order, the road ceases to be a Crown Road and becomes a Council public road.

CONSULTATION

Community Engagement

No general community engagement is required for the purposes of this Report. If Council resolves to proceed with the application to transfer the road from the Crown to Council, it should be noted that the procedures for the transfer are set out in the *Roads Act 1993* and accompanying Regulation.

Internal Consultation

Assets Branch

External Consultation

Residents

SUSTAINABILITY ASSESSMENT

- **Environment**

There are no environmental issues in relation to this report.

- **Social**

There are no social issues in relation to this report.

- **Broader Economic Implications**

There are no broader economic implications in relation to this report.

- **Culture**

There are no cultural issues in relation to this report.

- **Governance**

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

As the section of Walkers Lane which this report refers to is in comparable condition to the existing Council controlled section of Walkers Lane, there will be no additional initial outlay of maintenance costs for this section of road. The continued maintenance of this segment of road will have minimal impact on Council's maintenance budget.

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 08 March 2017

**REPORT DEPUTY GENERAL MANAGER OPERATIONS, FINANCE &
RISK**



RELATED COUNCIL POLICY

Nil.

CONCLUSION

It is recommended that Council make an application for the transfer of the Crown segment of Walkers Lane Avoca pursuant to Section 151 of the *Roads Act 1993*.

ATTACHMENTS

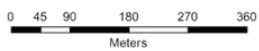
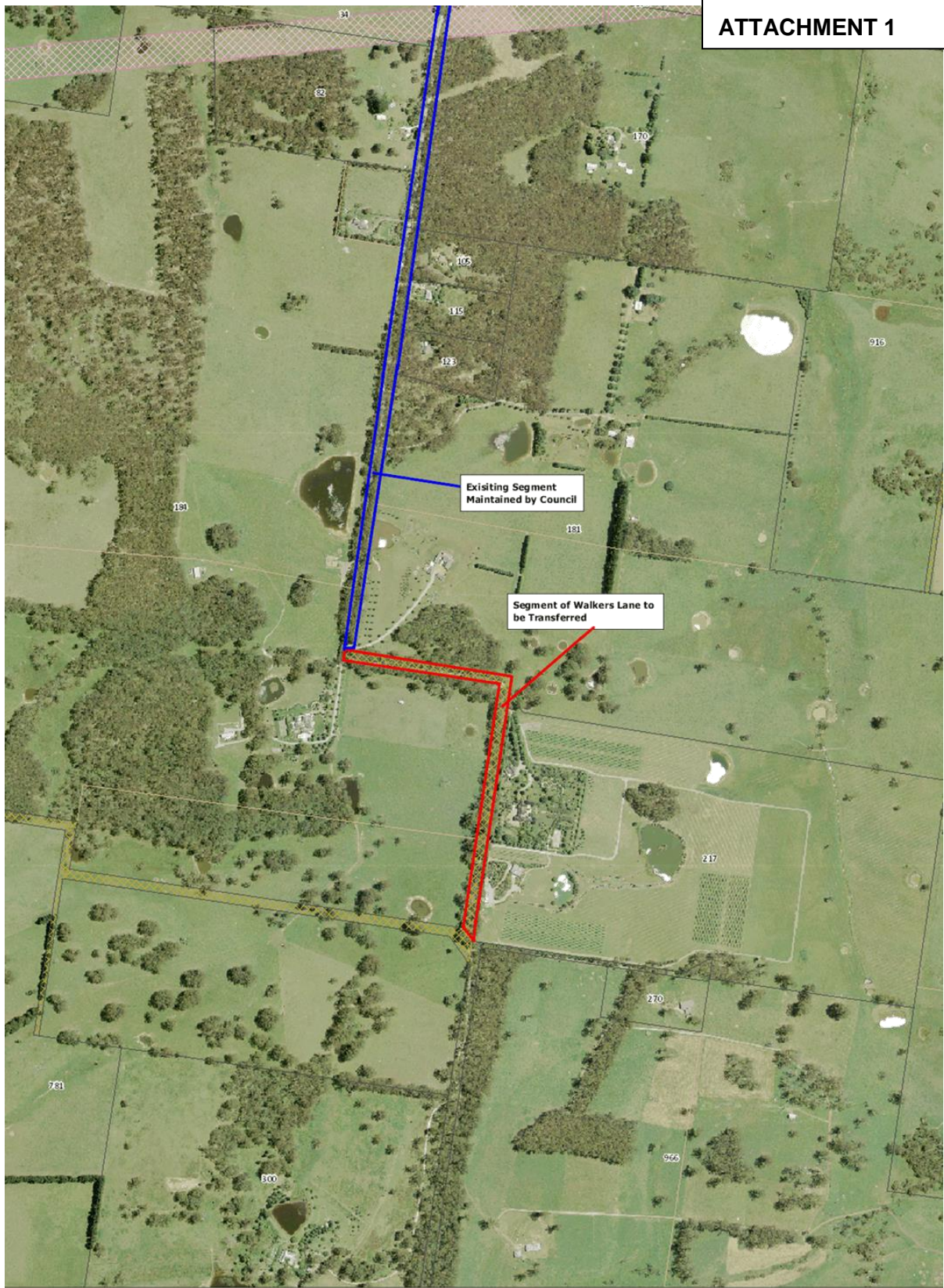
1. Aerial Map
2. Aerial of Road Ownership

12.5 Application for Transfer of Unmade Crown Road to Council - Part Walkers Lane, Avoca

ATTACHMENT 1 Aerial Map



ATTACHMENT 1



Wingecarribee Shire Council

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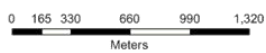
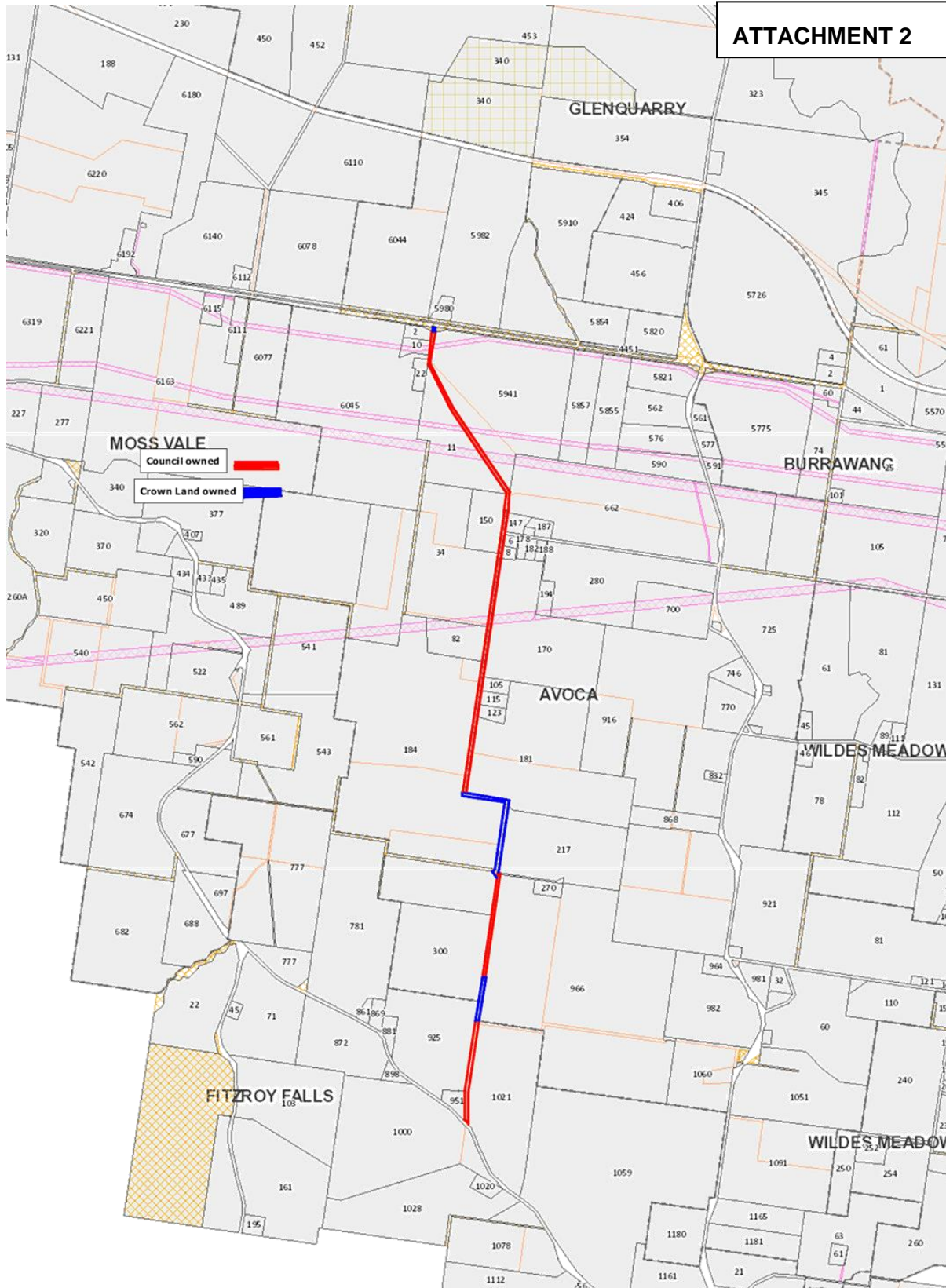


12.5 Application for Transfer of Unmade Crown Road to Council - Part Walkers Lane, Avoca

ATTACHMENT 2 Aerial of Road Ownership



ATTACHMENT 2



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12.6 Road Closure - Part of Park Road Bowral

Reference: RD1591
Report Author: Property & Projects Officer
Authoriser: Coordinator Property Services
Link to Delivery Program: Ensure systems and processes are in place to achieve mutual trust and collaboration

PURPOSE

The purpose of this report is to seek Council's formal endorsement for the road closure of part of Park Road, Bowral. This road closure was approved "in-principle" by Council when considering outstanding property matters relating to land adjacent to the development known as Anthem Care, Bowral.

This report deals exclusively with the issue of road closure of part of Park Road Bowral (being the segment of road that located off Hansen Street, Bowral and adjoining the Anthem Care property at 25 Retford Road Bowral).

RECOMMENDATION

THAT Council formally endorses the application for partial road closure of the unformed segment of Park Road, Bowral adjoining the property known as Anthem Care 25 Retford Road Bowral AND THAT upon closure, the newly created lot will be classified as Operational Land pursuant to the *Local Government Act 1993*.

REPORT

BACKGROUND

At its meeting 24 September 2014, Council was presented with a report which outlined a range of outstanding property matters relating to land adjacent to the development known as Anthem Care. A copy of the report is provided as **Attachment 2**.

It was resolved by Council (CW249/14):

1. *THAT Council proceed with a Planning Proposal to reclassify (from "community" to "operational") and rezone (from [sic RE1] to R2 Low Density Residential) Lot 4 Deposited Plan 550860.*
2. *THAT Council proceed with a Planning Proposal to reclassify (from "community" to "operational") [and rezone from RE1 to R2 Low Density Residential] Lot 3 Deposited Plan 550860.*

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 08 March 2017

REPORT DEPUTY GENERAL MANAGER OPERATIONS, FINANCE & RISK



3. *THAT Council's General Manager be delegated authority to negotiate the sale of the Council Land referred to in resolution 1 above including the section of closed road being Lot 1 Deposited Plan 1124628 within 10% of the value assessed by formal valuation.*
4. *THAT Council's General Manager and Mayor be delegated authority to negotiate any Agreement, Transfer or Real Property Dealing required to give effect to resolution 3 above.*
5. *THAT the Purchaser be required as a condition of sale to form the unmade section of Park Road that provides access to Anthem to comply with Council's standard specification for public roads.*

REPORT

The Planning Proposal to reclassify and rezone Lots 3 and 4 has now been completed. With the subject land reclassified to Operational Land, negotiations have resulted in the sale being negotiated with the applicant (being the owner of Anthem Care).

In the report of 24 September 2014, it was indicated that an application for the closure of part of Park Road, Bowral would be required to be submitted to the Crown for consideration. This is for the segment of road which adjoins the rear of Anthem Care 25 Retford Road Bowral. This is shown in the aerial map attached to this report - **Attachment 1**.

The Council resolution referred to above does not specifically provide evidence of Council approval for the full extent of the proposed road closure. Therefore it is necessary for this matter to be considered by Council in its own right, in order that requisite recommendations are adopted to enable the application for road closure to be finalised by the Crown.

Following completion of the road closure process, the newly created lot will vest in the Crown for purchase by the applicant. This will enable the applicant to form the unmade section of Park Road, which is the missing link between Hansen Street and Anthem Care.

A driveway and formal entrance to the facility will be constructed including off street parking spaces. This will enable the applicant to fully comply with the imposed conditions of consent relating to the Anthem development.

IMPACT ON FIT FOR THE FUTURE PROPOSAL OUTCOME

None identified.

CONSULTATION

Community Engagement

A minimum 28 day period of public notice of the proposed road closure was given when the notice was advertised in the Southern Highland News, Council's website, at the Civic Centre and the three libraries from 7 December 2016 to 6 February 2017. No objections or other written submissions were received.

Internal Consultation

Nil



External Consultation

Department of Industry – Lands.

The Applicant.

SUSTAINABILITY ASSESSMENT

- **Environment**

There are no environmental issues in relation to this report.

- **Social**

There are no social issues in relation to this report.

- **Broader Economic Implications**

There are no broader economic implications in relation to this report.

- **Culture**

There are no cultural issues in relation to this report.

- **Governance**

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

There are no budget implications.

RELATED COUNCIL POLICY

None identified.

CONCLUSION

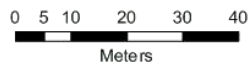
In order to complete the road closure process, it is recommended that Council adopt the recommendation made in this report in order that the Department of Industry – Lands can process the application for the partial closure of Park Road Bowral.

ATTACHMENTS

1. Aerial Map
2. Previous Council Report



ATTACHMENT 1



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12.6 Road Closure - Part of Park Road Bowral
ATTACHMENT 2 Previous Council Report



held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 24 September 2014

REPORT – ACTING DEPUTY GENERAL MANAGER OPERATIONS, FINANCE &
CORPORATE



**cw-OP4 Anthem Care, Retford Road, Bowral and Adjacent
Council Land**

Reference: PN1141900, PN1744650, PN1271400
Responsible Officer: Acting Deputy General Manager Operations, Finance &
Corporate

PURPOSE

The intention of this Report is to obtain Council approval in relation to an outstanding property matter relating to land adjacent to the development known as Anthem Care, Bowral.

REPORT

BACKGROUND

On Wednesday, 9 October 2013, Council considered a Report relating to processes necessary to resolve outstanding property matters relating to land adjacent to the development known as Anthem Care, Bowral. Council resolved to defer the matter pending a briefing session and site inspection (CW 380/13):

*THAT this item be deferred pending a briefing session and a site inspection AND
THAT staff then look at the valuation issue.*

On Wednesday, 26 February 2014, Council considered a report relating to this matter. It was resolved as follows (CW 25/14):

1. *THAT a formal valuation be obtained with respect to the Council land known as Lot 3 DP550860 AND THAT a formal valuation be obtained to assess the value of the portion of land to be gifted to Council as a detention basin for areas upstream of the Anthem Retirement Village, with both valuations at the expense of the applicant.*
2. *THAT upon receipt of the formal valuations referred to in resolution 1 above, a further Report be brought back to a Closed Committee of Council to determine whether a Planning Proposal to reclassify (to "operational") and rezone (to R2 Low Density Residential) Lot 3 DP550860 proceeds and to determine the terms and conditions of any future sale of Lot 3 DP550860 to the applicant. (Minute No.*

REPORT

Following the Council resolution of 26 February 2014, meetings were held with the owner of Anthem Care, Bowral, in relation to two (2) associated matters, being:

1. The Council resolutions made 26 February 2014; and
2. The need to rectify incorrect zoning of part of Anthem Care Bowral from RE1- Public Recreation to R2 – Low Density Residential.

**12.6 Road Closure - Part of Park Road Bowral
ATTACHMENT 2 Previous Council Report**

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 24 September 2014

REPORT – ACTING DEPUTY GENERAL MANAGER OPERATIONS, FINANCE &
CORPORATE



These two (2) matters will now be considered separately:

Council Resolutions – Planning Proposal & Proposed Sale of Land

As part of the development of the Anthem Care site, it had previously been determined that a detention basin would be required for areas upstream of the development. This formed part of the case put forward in the Council Report of 26 February 2014 for a 'land swap'.

Following the developer carrying out hydrological studies with respect to its development, it was found that a detention basin was no longer required for areas upstream of Anthem Care. As the proposal for a 'land swap' was superceded, the applicant, being the owner of Anthem Care, has now requested Council approval to simply purchase the Council Land adjacent to its property.

The vacant land has previously been considered by Council and is highlighted in the attached cadastral map (Attachment 3). The Council Land comprises a total of approximately 451 square metres being:

- i. Lot 3 Deposited Plan 550860 (404 square metres)
- ii. Lot 4 Deposited Plan 550860 (18.97 square metres)
- iii. A segment of closed road being Lot 1 Deposited Plan 1124628 (28.58 square metres).

The land above is referred to as the 'Council Land'.

The location of the Council Land the subject of this report was viewed by Councillors on Wednesday 13 November 2013 during a site inspection.

As the Council Land adjoins the drainage line adjacent to Stephens Park, the land has no potential use for Council. It is also not practical for recreational use for the community as it is separated from Stephens Park by an open drain. It is reasonable to see that the land could be far more effectively utilised by the applicant, following reclassification, rezoning and sale.

The Council Land proposed to be purchased by Anthem Care would enable the owner to:

- Form the unmade section of Park Road, which is the missing link between Hansen Street and the aged care facility.
- Construct a driveway and formal entrance to the aged facility carpark.
- Significantly enhance the street appeal off Hansen Street for neighbours and visitors to the facility and to the adjacent Stephens Park.
- Reduce possible traffic congestion on local streets by providing off-street car parking.
- Initiate a change of street name for the unmade section of Park Road (north) to assist emergency vehicles in locating the aged care facility.
- Contribute to trunk and sub-surface drainage upgrades including forming drainage from Hansen Street (currently an open drain).

This Report recommends that Council resolve to reclassify the Council Land from "community" to "operational" land and, following reclassification, to sell the land to Anthem Care Bowral at a price to be negotiated by Council's General Manager within 10% of the assessed value.

**12.6 Road Closure - Part of Park Road Bowral
ATTACHMENT 2 Previous Council Report**



held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 24 September 2014

REPORT – ACTING DEPUTY GENERAL MANAGER OPERATIONS, FINANCE &
CORPORATE



Rezoning of Privately Owned Land from RE1 – Public Recreation

On 12 February 2014 Council resolved to prepare a Planning Proposal to rezone the incorrectly zoned section of Anthem from RE1 Public Recreation to R2 Low Density Residential.

Should Council resolve to support the rezoning and reclassification of land dealt with in this report, the previous matter and current zoning/reclassification matter will be dealt with under a combined Planning Proposal to the Department of Planning & Environment.

LEGISLATION

Local Government Act 1993
Environmental Planning and Assessment Act 1979
Environmental Planning and Assessment Amendment Act 2008

CONSULTATION

COMMUNITY ENGAGEMENT

If Council resolves to sell the Council Land to the applicant, it will be necessary to reclassify the Council Land from “community” to “operational” land. The Planning Proposal will also rezone the land to “R2 Low Density Residential” (being the zoning of adjacent properties). There will be extensive consultation with the community through the public exhibition of the Planning Proposal, a public meeting and opportunities for the general public to make submissions to Council regarding the reclassification and rezoning of the land.

INTERNAL CONSULTATION

This matter has been considered by Council’s Parks Assets Coordinator, Contributions/Land Use Planner, Team Leader Development Engineer and Property Officer.

EXTERNAL CONSULTATION

Registered Valuer.

SUSTAINABILITY ASSESSMENT

- **Environment**
There are no environmental issues in relation to this report.
- **Social**
There are no social impacts in relation to this report.
- **Broader Economic Implications**
There are no broader economic implications in relation to this report.
- **Culture**
There are no cultural issues in relation to this report.

**12.6 Road Closure - Part of Park Road Bowral
ATTACHMENT 2 Previous Council Report**



held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale on Wednesday, 24 September 2014

REPORT – ACTING DEPUTY GENERAL MANAGER OPERATIONS, FINANCE & CORPORATE



• **Governance**

To ensure proper governance of Council's property portfolio, thorough reporting and following due administrative process is essential.

RELATIONSHIP TO CORPORATE PLANS

In the 2013-2014 Operational Plan adopted by Council on 26 June 2013, the following aligns with the subject of this report:

Vision "A community that values and protects the natural environment enhancing its held and diversity"

Leadership "An innovative and effective organisation with strong leadership"

2013-2017 Delivery Program Objectives

Two of our Visions align with this report, being *Integrity, Trust and Respect* and *Responsibility and Accountability*.

These specific objectives of the Delivery Program align with the subject of this report

1. Our leadership is based on open, transparent and ethical governance
2. Ensure timely, accurate and open communication
3. Administer and manage Council owned land and operational property

Council Functions

The Places principal activities Council will undertake during 2013/14 include Asset Management:

Ensure assets are maintained at a safe and functional standard and manage the utilisation of Council's assets to maximise provision of Council's services and facilities (within budget whilst aiming towards W2031+)

Position Statements

The Position Statements included in the Delivery Plan makes the position of Council clear on the following critical issues:

Finance

Council is committed to providing services and facilities to the community in a fiscally responsible manner and will continue to improve financial transparency and accountability.

Environment

Our local environment is unique, with rich biodiversity, complex ecosystem, intricate waterways, variety of landforms, soils and generous living conditions, which form the cornerstone of our habitation, heritage, and economic strength. It is a valuable resource, both for current and future generations. Council is committed to protection of our local environment, the prevention of pollution and degradation and improving the sustainability of our operations and services.

**12.6 Road Closure - Part of Park Road Bowral
ATTACHMENT 2 Previous Council Report**



held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale on Wednesday, 24 September 2014

REPORT – ACTING DEPUTY GENERAL MANAGER OPERATIONS, FINANCE & CORPORATE



COUNCIL BUDGET IMPLICATIONS

If it is resolved by Council to proceed with the Planning Proposal and the subsequent sale of the Council Land to Anthem Care, the proceeds of sale of the subject Council Land will be credited to Council's Property Development Reserve.

The sale price will be determined based on the formal valuations obtained from a registered valuer. It is recommended that the General Manager be delegated authority to negotiate within 10% of the assessed value. .

RELATED COUNCIL POLICY

Asset Management Policy adopted by Council on 28 July 2011 (MN316/10):

Asset Management is a key functional part of the Integrated Planning & Reporting process and needs to be integrated across Council. This policy aims to provide the platform for this endeavour.

Statement of Business Ethics adopted by Council 25 March 2009 (MN 88/09) and amended 11 May 2011 (MN165/11):

The Statement of Business Ethics is a means of providing guidance regarding the standards of ethical behaviour that external service providers can expect from Councillors and members of staff. Similarly, the Statement articulates the standards of ethical behaviour expected of external service providers in their dealings with Council. This Statement will apply to any registered valuers or other professionals, including panel solicitors, engaged with respect the recommendations made in this Report.

OPTIONS

The options available to Council are:

Option 1

This Option recommends that Council prepare and exhibit a Planning Proposal to reclassify the Council Land from "community" to "operational" land and to rezone the land to R2 Low Density Residential.

This Option is recommended so that Council can dispose of the Council Land (including the closed section of road) which is impractically located for incorporation into Stephens Park and community recreational use.

Option 2

This Option suggests that Council declines the request of the applicant to purchase the Council Land.

This Option is not recommended as Council will be left with the remnant titles of the Council Land and closed road that cannot be practically utilised by the community (sitting between the Hansen Street, the section of Park Road to be formed and the Anthem Care development) and which cannot be incorporated into Stephens Park.

**12.6 Road Closure - Part of Park Road Bowral
ATTACHMENT 2 Previous Council Report**

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 24 September 2014

REPORT – ACTING DEPUTY GENERAL MANAGER OPERATIONS, FINANCE &
CORPORATE



Option 1 is the recommended option to this report.

CONCLUSION

The Council Land comprises three (3) small segments of unmaintained and unutilised land including a section of closed road, off Hansen Street Bowral. As the Council Land adjoins the drainage line adjacent to the northern boundary of Stephens Park, the land is of no potential use for Council nor can it be accessed or utilised for community recreational use.

It is logical that the land could be utilised by the applicant, following reclassification, rezoning and sale, to construct a driveway and entrance to the retirement village which would significantly enhance the street appeal from Hansen Street for neighbours and visitors to the Retirement Village and Stephens Park.

This Report recommends that Council proceed with a Planning Proposal to reclassify the Council Land from “community” to “operational” land and rezone to R2 Low Density Residential. Following reclassification the Council Land and the section of closed road can then be sold to Anthem Care Bowral within 10% of the assessed value.

ATTACHMENTS

There are three (3) attachments to this report, as follows:

1. Overview Map showing zoning of Council Land and land owned by Anthem Care Bowral.
2. Cadastral Map showing the Council Land including the closed section road.
3. Aerial Map.

RECOMMENDATION

1. **THAT** Council proceed with a Planning Proposal to reclassify (from “community” to “operational”) and rezone (from to R2 Low Density Residential) Lot 4 Deposited Plan 550860.
2. **THAT** Council proceed with a Planning Proposal to reclassify (from “community” to “operational”) Lot 3 Deposited Plan 550860.
3. **THAT** Council’s Acting General Manager be delegated authority to negotiate the sale of the Council Land referred to in resolution 1 above including the section of closed road being Lot 1 Deposited Plan 1124628 within 10% of the value assessed by formal valuation.
4. **THAT** Council’s Acting General Manager and Mayor be delegated authority to negotiate any Agreement, Transfer or Real Property Dealing required to give effect to resolution 3 above.

12.6 Road Closure - Part of Park Road Bowral
ATTACHMENT 2 Previous Council Report

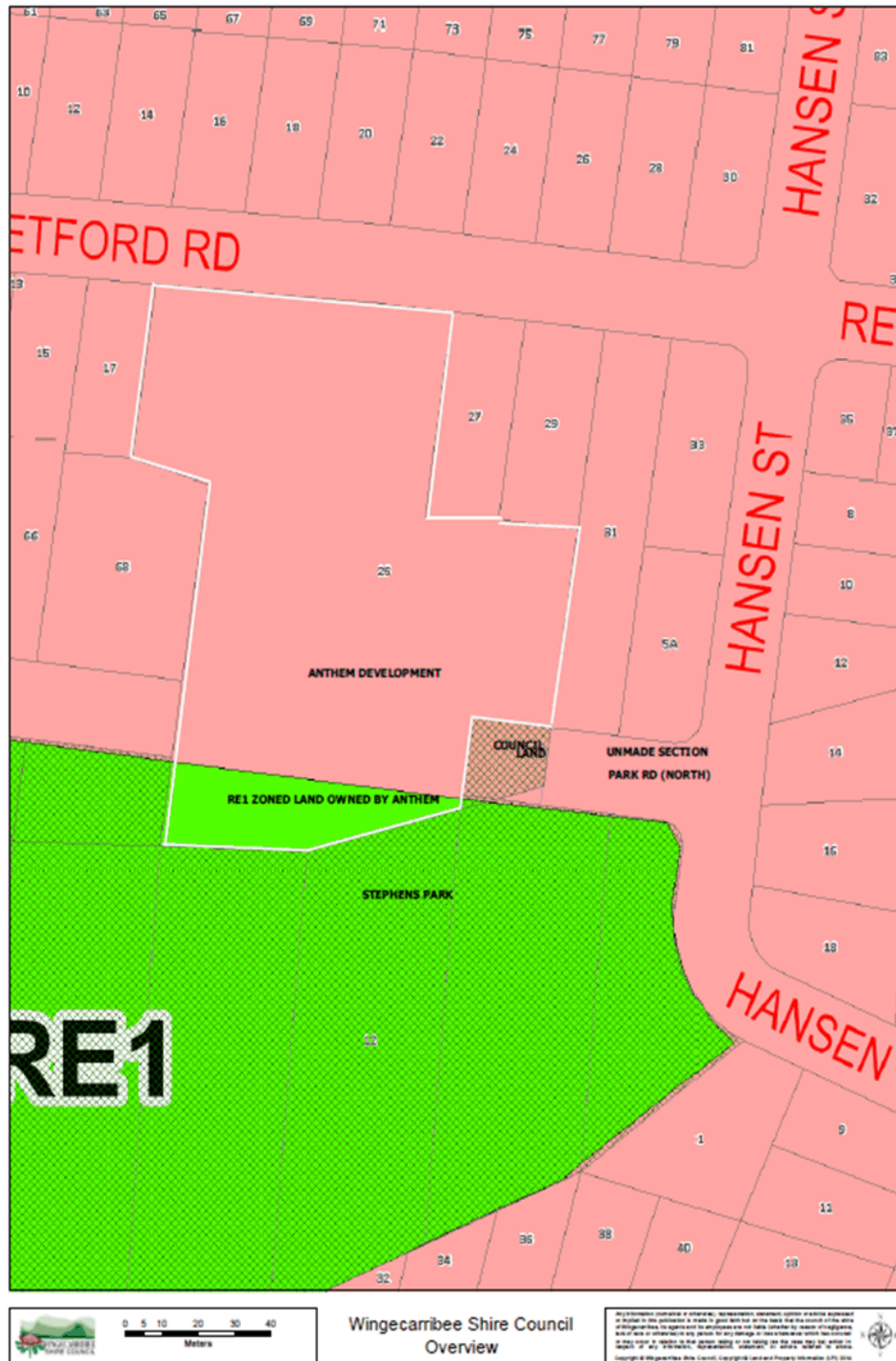


held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale on Wednesday, 24 September 2014

REPORT – ACTING DEPUTY GENERAL MANAGER OPERATIONS, FINANCE & CORPORATE



ATTACHMENT 1



12.6 Road Closure - Part of Park Road Bowral
ATTACHMENT 2 Previous Council Report

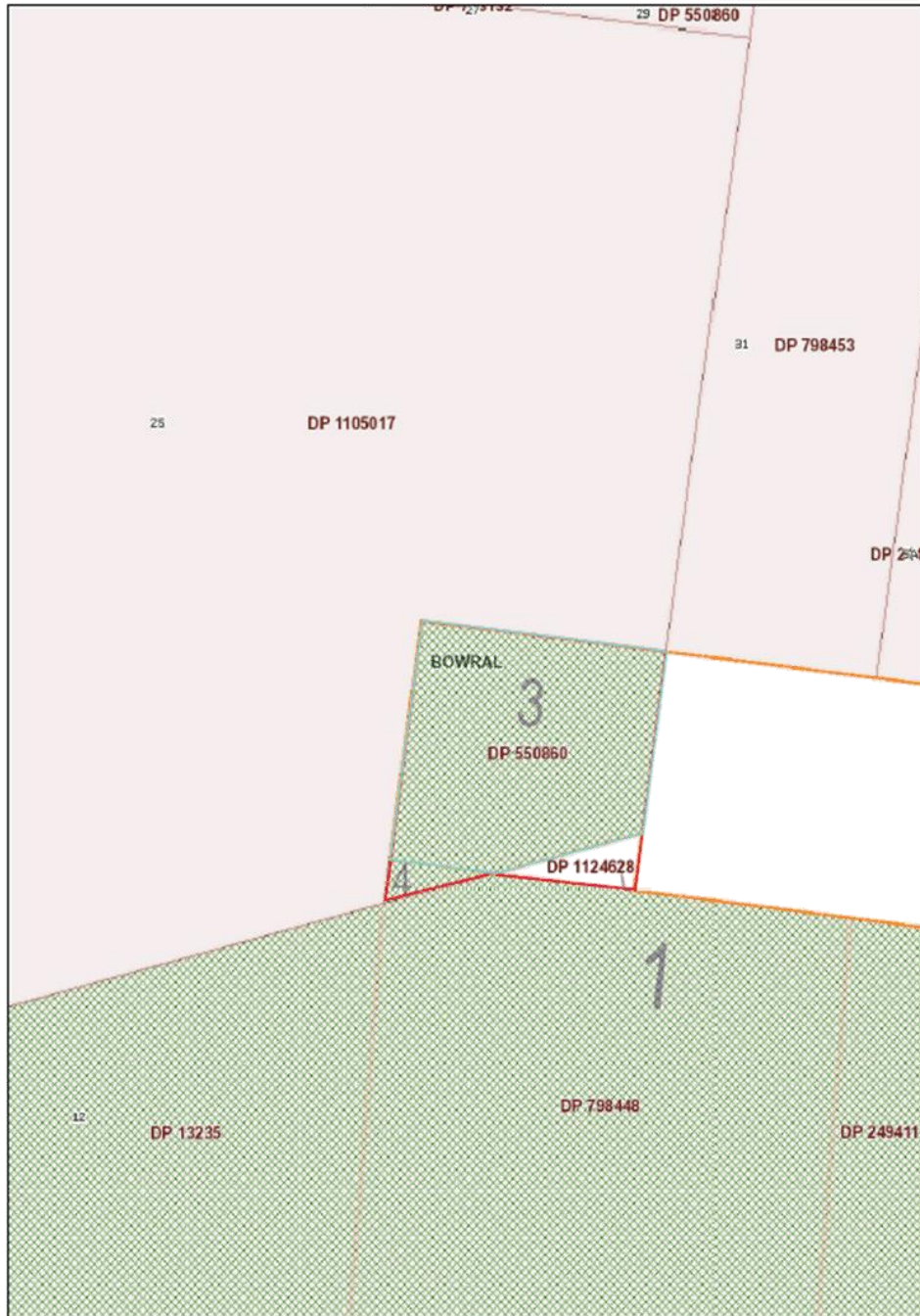


held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 24 September 2014

REPORT - ACTING DEPUTY GENERAL MANAGER OPERATIONS, FINANCE &
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ATTACHMENT 2



Wingecarribee Shire Council
Council land off Hansen Street



12.6 Road Closure - Part of Park Road Bowral
ATTACHMENT 2 Previous Council Report



held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 24 September 2014

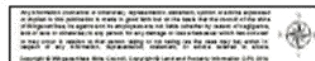
REPORT - ACTING DEPUTY GENERAL MANAGER OPERATIONS, FINANCE &
CORPORATE



ATTACHMENT 3



Wingecarribee Shire Council
Council Land



AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 08 March 2017

REPORT DEPUTY GENERAL MANAGER OPERATIONS, FINANCE & RISK



Barry W Paul

Deputy General Manager Operations, Finance & Risk

Friday 3 March 2017



13 CORPORATE STRATEGY & DEVELOPMENT SERVICES

13.1 Development Applications Determined from 25 November 2016 to 22 January 2017 and from 23 January 2017 to 20 February 2017

Reference: 5302
 Report Author: Team Leader Business Support (Development)
 Authoriser: Group Manager Planning, Development & Regulatory Services

Link to Delivery Program: Retain and make more distinctive the special qualities that make each town or village unique

PURPOSE

The purpose of this report is to update Councillors on Development Applications Determined in the following periods:

- 25 November 2016 to 22 January 2017.
- 23 January 2017 to 20 February 2017.

Note: Due to a computer error with the changeover of the calendar year, a number of Determined/Received DAs were inadvertently omitted from the report to Council of 8 February 2017. To reconcile the omissions, this report lists the applications which were previously omitted.

RECOMMENDATION

THAT the information relating to the lists of Development Applications Determined from 25 November 2016 to 22 January 2017 and from 23 January 2017 to 20 February 2017 be received and noted.

DETERMINED APPLICATIONS BY DATE RANGE Date range: 25 November 2016 to 22 January 2017

	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
1	06/0152.02	22 Price Street Bowral NSW 2576 Lot 66 DP 24267	LO Wahlin, EL Crebert	Section 96 Modification (modification to garage)	21/12/2016	0	2	2	23/12/2016
2	13/0876.01	580 Sallys Corner Road Exeter NSW 2579 Lot 2 DP 1184296	M Carloni, NC Radinger, DN Radinger	Section 96 Modification (reduce reciprocal right of carriageway from 10m to 6m)	29/11/2016	0	44	44	13/01/2017

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REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY & DEVELOPMENT SERVICES



	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
3	14/0411.04	68 Southey Street Mittagong NSW 2575 Lot E DP 23958	JE Vainsaar	Section 96 Modification (add pergola)	07/12/2016	0	7	7	14/12/2016 REFUSED
4	14/1060.04	354 Wilson Drive Balmoral NSW 2571 Lot 2 DP 631805	SG Barber, RA Barber	Section 96 Modification (shed relocation)	10/01/2017	0	1	1	11/01/2017
5	14/1239.03	11 Merilbah Road Bowral NSW 2576 Lot 21 DP 20804	JO Miller, JE Miller	Section 96 Modification (addition of internal wall, glass door & sky window)	30/11/2016	0	4	4	05/12/2016
6	15/0762.02	1 Rossgoll Road Robertson NSW 2577 Lot 1 DP 739898	Z Waters, JR Waters	Section 96 Modification (floor plan reduced)	07/12/2016	0	5	5	12/12/2016
7	15/1002.08	390 Oxleys Hill Road Bowral NSW 2576 LOT 1 DP 589986 & PL E'ment DP 605103	MA Greig, ALG Greig	Section 96 Modification (fireplace removal and internal layout changes)	08/12/2016	0	6	6	15/12/2016
8	15/1278.01	179 Range Road Mittagong NSW 2575 Lot 3 DP 1208169	S Green, HJ Green	Section 96 Modification (lot configuration, vehicle access, building envelopes)	25/11/2016	51	4	55	19/01/2017
9	16/0157.03	59 West Parade Hill Top NSW 2575 Lot 6 DP 1191760	GI Weeks, JM Weeks	Section 96 Modification (waste water site assessment)	04/01/2017	0	7	7	11/01/2017
10	16/0460.02	1102 Kangaloon Road Kangaloon NSW 2576 Lot 7 DP 242002	RA Griffin	Section 96 Modification (replace with new shed)	12/12/2016	0	22	22	04/01/2017
11	16/0495.01	10-12 Villiers Road Moss Vale NSW 2577 Lot 3 DP 243279	RS Pyle, R Pyle	Section 96 Modification (remove construction of accessway)	13/01/2017	0	6	6	19/01/2017
12	16/0623.04	506 Medway Road Medway NSW 2577 Lot 15 Sec 1 DP 758665	Jl Suro	Section 96 Modification (reduction in ceiling height)	06/12/2016	0	5	5	12/12/2016
13	16/0806.03	Nova Scotia 2 Yuille Avenue Bundanoon NSW 2578 Lot 14 DP 1151833	Westblake T2 Pty Ltd	Section 96 Modification (retaining wall detail)	09/01/2017	0	1	1	10/01/2017
14	16/1074.02	10 Henrietta Street Braemar NSW 2575 Lot 218 DP 1223682	AG Pillai, LG Menon	Dwelling House	29/11/2016	0	21	21	21/12/2016

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REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY & DEVELOPMENT SERVICES



	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
15	16/1075.02	6 Henrietta Street Braemar NSW 2575 Lot 216 DP 1223682	AG Pillai, LG Menon	Dwelling House	29/11/2016	0	22	22	22/12/2016
16	16/1116.02	16 Thornbill Crescent Braemar NSW 2575 Lot 226 DP1223682	SN Barot, RS Barot	Dwelling House	16/12/2016	0	25	25	10/01/2017
17	16/1117.02	20 Kamilaroi Crescent Braemar NSW 2575 Lot 213 DP 1223682	H Javed	Dwelling House	16/12/2016	0	25	25	11/01/2017
18	16/1124	6 Oxley Drive Bowral NSW 2576 Lot 4 DP 606988	El Di Francesco	Demolition, Dual Occupancy	14/11/2016	0	29	29	13/12/2016
19	16/1127	300 Kirkland Road East Kangaloon NSW 2576 Lot 2 DP 791235	MR Yabsley, SM Yabsley	Residential Alterations and Additions	14/11/2016	0	16	16	25/11/2016
20	16/1129	32 Ligar Street Hill Top NSW 2575 Lot 651 DP 775086	R Stove	Residential Alterations and Additions	15/11/2016	0	27	27	12/12/2016
21	16/1134	688 Nowra Road Moss Vale NSW 2577 Lot 101 DP 1004970	SC McKenzie, BR McKenzie	Residential Alterations and Additions	15/11/2016	0	30	30	16/12/2016
22	16/1137	8B Marchmont Drive Mittagong NSW 2575 Lot 33 DP 875592	WL Gerial, BM Gerial	Swimming Pool	15/11/2016	5	9	14	29/11/2016
23	16/1139	4 Thornbill Crescent Braemar NSW 2575 Lot 247 DP 1223682	SW Millbank, DA Karykides	Dwelling House	15/11/2016	0	57	57	11/01/2017
24	16/1143	16 Beech Street Colo Vale NSW 2575 Lot 9 Sec 23 DP 2944	KS McGrade, ND Littleton	Swimming Pool	15/11/2016	0	22	22	08/12/2016
25	16/1144	24 Edward Street Mittagong NSW 2575 Lot 171 DP 650812	PA McKendry, EBV McKendry	Residential Alterations and Additions	15/11/2016	0	57	57	12/01/2017
26	16/1152	11 Lodge Lane Bundanoon NSW 2578 Lot 8 DP 1104146	RD Sears, EL Sears	Dwelling House	17/11/2016	0	60	60	17/01/2017
27	16/1154.02	32 Kamilaroi Crescent Braemar NSW 2575 Lot 243 DP 1223682	JV Urquhart	Dwelling House	06/12/2016	0	9	9	14/12/2016

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REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY & DEVELOPMENT SERVICES



	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
28	16/1157	Ambervale 87-89 Railway Parade Wingello NSW 2579 Lot 5 Sec 9 DP 759097 Lot 6 Sec 9 DP 759097	B Ilievski, K Ilievski	Residential Alterations and Additions	18/11/2016	0	53	53	11/01/2017
29	16/1158	37A Links Road Burradoo NSW 2576 Lot 2 DP 526203	JF Hanrahan	Residential Alterations and Additions	21/11/2016	0	45	45	06/01/2017
30	16/1160	55 Boardman Road Bowral NSW 2576 Lot 3 DP 882935	LR Alford	Residential Alterations and Additions	21/11/2016	0	50	50	11/01/2017
31	16/1164	162 Erith Street Bundanoon NSW 2578 Lot 3 DP 404803	EB Fleming, EJ Fleming	Residential Single Dwelling House	22/11/2016	6	23	29	22/12/2016
32	16/1166	8 Wattle Street Colo Vale NSW 2575 Lot 6 DP 1222394	EL Owen, BM Owen	Residential Alterations and Additions	22/11/2016	0	22	22	15/12/2016
33	16/1167	8 Old Oak Place Moss Vale NSW 2577 Lot 84 DP 1211808	NR Tamme, DJ Tamme	Dwelling House	22/11/2016	0	23	23	16/12/2016
34	16/1168	26-28 Watson Road Moss Vale NSW 2577 Lot 2 DP 628032	SR Cunningham, GB Cunningham	Residential Alterations and Additions	22/11/2016	0	43	43	05/01/2017
35	16/1172	4 Nerang Street Burradoo NSW 2576 Lot 11 DP 544851	HH Johnson, L Kings-Lynn	Residential Alterations and Additions	23/11/2016	0	20	20	14/12/2016
36	16/1174	106 Main Street Mittagong NSW 2575 Lot 1 DP 78607	Anglican Church Property Trust Diocese of Sydney	Addition to Education Centre attached to Church	24/11/2016	0	28	28	22/12/2016
37	16/1177	69 Sunninghill Avenue Burradoo NSW 2576 Lot 5 DP227660	SJ Jang, YJ Jang	Demolition, Residential Alterations and Additions	25/11/2016	0	19	19	14/12/2016
38	16/1184	80 Westgrove Road Exeter NSW 2579 Lot 1 DP 1194368	AC Warren, MA Murrau	Dwelling House	25/11/2016	0	11	11	07/12/2016
39	16/1185	14C Leopold Street Mittagong NSW 2575 Lot 27 DP 861292	KA Ramage, HM Ramage	Residential Alterations and Additions	28/11/2016	0	52	52	20/01/2017
40	16/1188	25A Links Road Burradoo NSW 2576 Lot 262 DP 1004482	AW Dean	Residential Alterations and Additions	28/11/2016	0	17	17	16/12/2016

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REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY & DEVELOPMENT SERVICES

	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
41	16/1191	31 Rowland Road Bowral NSW 2576 Lot 63 DP 884015	CA Tucker, KT Tucker	Swimming Pool	29/11/2016	0	22	22	21/12/2016
42	16/1192	2 Darraby Drive Moss Vale NSW 2577 Lot 29 DP 1191876	J Thomas, S Jose	Dwelling House	29/11/2016	0	14	14	14/12/2016
43	16/1195	30 Sunninghill Avenue Burradoo NSW 2576 Lot 82 DP 583509	RP Spence	Residential Alterations and Additions	29/11/2016	0	43	43	11/01/2017
44	16/1199	3 Wattle Ridge Road Hill Top NSW 2575 Lot 6 DP 807117	Y Larkin, TJ Larkin	Residential Alterations and Additions	29/11/2016	0	16	16	15/12/2016
45	16/1201	27 Lytton Road Moss Vale NSW 2577 Lot 4 DP 22327	Dugar Management Service Pty Limited	2 Lot Subdivision	29/11/2016	23	24	47	16/01/2017
46	16/1205	4A Lytton Road Moss Vale NSW 2577 Lot 5 DP 1072990	KE Skuse, RA Sinclair	Residential Alterations and Additions	29/11/2016	0	36	36	05/01/2017
47	16/1208	6 Watkins Drive Moss Vale NSW 2577 Lot 14 DP263854	CJ Day	Residential Alterations and Additions	29/11/2016	0	36	36	05/01/2017
48	16/1212	29 Carisbrooke Row Bowral NSW 2576 Lot 318 DP 858390	SE Comeau-Hall	Dwelling House	30/11/2016	0	50	50	18/01/2017
49	16/1213	17 Throsby Street Moss Vale NSW 2577 Lot 11 Sec 1 DP 975495	LS Peacock, JW Peacock	Residential Alterations and Additions	30/11/2016	0	49	49	19/01/2017
50	16/1217	Kanangra Park 181 Drapers Road Colo Vale NSW 2575 Lot 2 DP 700350	EA Torr, DG Torr	Dwelling House	01/12/2016	0	49	49	18/01/2017
51	16/1220	Elizabeth Cottage 16 Charlotte Street Burradoo NSW 2576 Lot 172 DP 516754	VJ Puchert, GC Puchert	Residential Alterations and Additions	01/12/2016	0	20	20	21/12/2016
52	16/1221	13 Caber Street Moss Vale NSW 2577 Lot 1 DP 572528	CA Paterson	Residential Alterations and Additions	01/12/2016	0	45	45	16/01/2017
53	16/1230	12 Emily Circuit Bowral NSW 2576 Lot 33 DP 1002881	DJ Rowan, RG Rowan	Residential Alterations and Additions	02/12/2016	0	34	34	06/01/2017

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	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
54	16/1233	72 Hoddle Street Robertson NSW 2577 Lot B DP 418522	D Srbinovski, R Srbinovski	Residential Alterations and Additions (Shed)	02/12/2016	0	33	33	05/01/2017
55	16/1234	55A Wattle Street Colo Vale NSW 2575 Lot 43 DP 1212653	RD Brown-Hill, NO Brown-Hill	Dwelling House	02/12/2016	0	12	12	15/12/2016
56	16/1235	10 Tulloona Avenue Bowral NSW 2576 Lot 1 DP 861375	MJ Feld, JA Feld	Demolition of addition to dwelling	05/12/2016	0	10	10	15/12/2016
57	16/1250	136D Merrigang Street Bowral NSW 2576 Lot 4 DP 1211397	ST Henning, CM Henning	Dwelling House	06/12/2016	0	14	14	21/12/2016
58	16/1267	3 Clarke Street Bowral NSW 2576 Lot 7 DP702375 (akas 7 Cliff Street)	PG Nash, AM Healey	Dwelling House	09/12/2016	0	40	40	13/01/2017
59	16/1269	8 Red Gum Drive Braemar NSW 2575 Lot 210 DP 1223682	BS Ryan	Dwelling House	09/12/2016	0	12	12	20/12/2016
60	16/1275	17A Young Road Moss Vale NSW 2577 Lot 3 DP 1222061	MJ Elphick, MA Elphick	Dwelling House	12/12/2016	0	37	37	23/12/2016
61	16/1283	37 Boardman Road South Bowral NSW 2576 Lot 104 DP 1085033 Lot 105 DP 1085033	Matite Pty Ltd, Clewer Nominees Pty Ltd, KRB Property Holdings Pty Ltd	Removal of Dwelling	12/12/2016	0	6	6	19/12/2016
62	16/1319	506 Greenhills Road Werai NSW 2577 Lot 106 DP 625826	JL Stock	Residential Alterations and Additions	19/12/2016	0	29	29	17/01/2017
63	16/1320	987 Belmore Falls Road Wildes Meadow NSW 2577 Lot 7 DP 1049006	PA Robertson	Residential Alterations and Additions	20/12/2016	0	23	23	12/01/2017
64	16/1340	10 Merilbah Road Bowral NSW 2576 Lot 11 DP 20804	VG McGuinness	Residential Alterations and Additions	21/12/2016	0	1	1	22/12/2016
65	16/1347	379 Woodlands Road Woodlands NSW 2575 Lot 10 DP 609284	J K H Pty Ltd	Residential Alterations and Additions	22/12/2016	0	21	21	13/01/2017
66	17/0022	208 Argyle Street Moss Vale NSW 2577 Lot 101 DP 1142408	NGP Investments (No 2) Pty Limited	Business Identification Sign	06/01/2017	0	11	11	17/01/2017

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	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
67	17/0046	29 Caber Street Moss Vale NSW 2577 Lot 1 DP 1055436	BG Ingate, LM Ingate	Residential Alterations and Additions	16/01/2017	0	2	2	18/01/2017

Total Applications Determined for the period 25 November 2016 to 22 January 2017: 67

DETERMINED APPLICATIONS BY DATE RANGE
Date range: 23 January 2017 to 20 February 2017

	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
1	05/0564.03	35 Ascot Road Bowral NSW 2576 Lot 41 DP 1028030	T Sandeman, AH Sandeman	Section 96 Modification (stage construction of garages)	19/12/2016	0	43	43	01/02/2017
2	09/1157.02	144 Mt Broughton Road Werai NSW 2577 Lot 1 DP 804846	IM Scandrett, JA Scandrett	Section 96 Modification (enclosed swimspa instead of pool, internal layout changes)	23/11/2016	0	68	68	08/02/2017
3	10/0312.03	112 Sproules Lane Glenquarry NSW 2576 Lot 202 DP 1109916	CG Bourke	Section 96 Modification (reduction in size)	18/01/2017	0	6	6	24/01/2017
4	11/0724.05	96 Erith Street Bundanoon NSW 2578 Lot 1 DP 1071067	R.G. Capital (Australia) Pty Limited	Section 96 Modification (modification to road shoulder and footpath conditions)	29/07/2016	0	187	187	07/02/2017
5	13/0201.02	7 Bamburgh Place Bundanoon NSW 2578 Lot 4 DP 1102297	LJ Matthews, KP Matthews	Section 96 Modification (re- design)	07/02/2017	0	2	2	10/02/2017
6	13/1112.03	13-14 McCourt Road Moss Vale NSW 2577 Pt Lot 4 DP 873240	JR Dunlop, CR Dunlop	Section 96 Modification (Change to the proposed staging of the development and adjustment of factory unit widths, minor revision of site layout and parking area to allow for the revised layout)	23/12/2016	0	59	59	20/02/2017

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REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY & DEVELOPMENT SERVICES



	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
7	14/0716.08	2-6 Old Hume Highway Braemar NSW 2575 Lot 6 DP 774604	McDonald Jones Homes Pty Ltd	Section 96 Modification (extend existing on-site carpark from 8 to 16 spaces)	25/10/2016	0	50	50	15/12/2016
8	14/1245.03	2179 Kangaloon Road East Kangaloon NSW 2576 LOT 2 DP 1077400 & EP 43445	Wildwood Hill Holdings Pty Ltd	Section 96 Modification (pool, roof & internal changes)	09/12/2016	0	69	69	17/02/2017
9	15/0508.01	Wombeyan Caves Road Woodlands NSW 2575 Lot 10 DP 874713	GC Evans, AJ Evans	Dwelling House	20/01/2017	0	19	19	08/02/2017
10	15/0622	9 Werrington Street Burradoo NSW 2576 Lot 111 DP 559455	J Bridges	Secondary Dwelling	08/07/2015	383	188	571	30/01/2017 REFUSED
11	15/0735.04	58 Woodbine Street Bowral NSW 2576 Lot 61 DP 1142632	LA Moule, DR Moule	Section 96 Modification (Roof & Carport)	31/01/2017	0	1	1	01/02/2017
12	15/0885	28 Panorama Avenue Bundanoon NSW 2578 Lot 44 DP 264269	PC Julian	Residential home with a secondary dwelling, carport & tree removal	08/09/2015	174	328	502	23/01/2017
13	15/0988.02	14-16 Parkes Road Moss Vale NSW 2577 Lot 1 DP 1210160	SY O'Dwyer	Section 96 Modification (addition of security fence, relocation of service lift, internal layout)	10/11/2016	0	91	91	09/02/2017
14	16/0379	39-45 Beaconsfield Road Moss Vale NSW 2577 Lot 6 DP 749390	Joer Pty Limited	21 Lot Subdivision	05/05/2016	172	97	269	30/01/2017
15	16/0454.03	110 Oxleys Hill Road Bowral NSW 2576 Part Lot 1 DP 358488	SM Clutton	Section 96 Modification (alterations and additions and Dwelling House)	03/02/2017	0	4	4	08/02/2017
16	16/0491	Miranda Park 254 Centennial Road Bowral NSW 2576 Lot 1 DP 435373 & Lot 5A DP 16192 & Lot 1 DP 126196	Windbelt Pty Ltd	Temporary use of Land (Outdoor Concerts)	15/06/2016	162	77	239	10/02/2017
17	16/0587.02.02	25 Darraby Drive Moss Vale NSW 2577 Lot 101 DP 1218966	MA Lynch, JF Lynch	Section 96 Modification (Increasing ceiling height)	01/02/2017	0	1	1	02/02/2017

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

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REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY & DEVELOPMENT SERVICES



	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
18	16/0694	5 Rockleigh Road Exeter NSW 2579 Lot 3 DP 1180426	ME Golowenko, W Golowenko	Dwelling House and Detached Secondary Dwelling	08/08/2016	0	186	186	10/02/2017
19	16/0707	25 Kiama Street Bowral NSW 2576 Lot 303 DP 1171973	A Abdul-Rahman	Earthworks consisting of 3000 cubic metres of Virgin Excavated Natural Material	10/08/2016	143	22	165	23/01/2017 REFUSED
20	16/0719	106 Devon Road Exeter NSW 2579 Lot 59 DP 243731	EA Quirico	4 Lot Subdivision	12/08/2016	0	180	180	09/02/2017
21	16/0737	13 Elm Street Colo Vale NSW 2575 Lot 6 Sec 17 DP 2944	C Canaan	Alterations and Additions to Dwelling (Partial conversion of existing home business building to a secondary dwelling)	18/08/2016	113	61	174	08/02/2017
22	16/0780	1 Yarrawa Street Moss Vale NSW 2577 Lot 1 DP 1204411	A Lalic	Dwelling House	26/08/2016	110	50	160	02/02/2017
23	16/0804.03	61 Wattle Street Colo Vale NSW 2575 Lot 2 DP 1212335	P Nicholson, LM Nicholson	Section 96 Modification (Change roof material)	24/01/2017	0	6	6	30/01/2017
24	16/0861	27 Charles Street Hill Top NSW 2575 Lot 3 DP 1217552	Dickinson Property Group	Civil Works Earthworks Drainage	12/09/2016	0	150	150	10/02/2017
25	16/0895	12 Gibraltar Road Bowral NSW 2576 Lot 115 DP 15496	TA Jones, AB Jones	Alterations and Additions to Dwelling (and new waste water system)	22/09/2016	73	64	137	06/02/2017
26	16/0951	540 Joadja Road Mandemar NSW 2575 Lots 3-4 DP 808296 & Lot 1 DP879474 & Lot 1 DP1177037 (Lot 1 DP 879474 Coal Rights)	IM Carter	3 Lot Subdivision	05/10/2016	0	133	133	16/02/2017 REFUSED
27	16/0969	Sylvermysts 656 Range Road Mittagong NSW 2575 Lot 1 DP 787900 Lot 2 DP 787900	MA Smith	Boundary Adjustment	10/10/2016	6	115	121	10/02/2017

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	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
28	16/0979	162 Oxley Drive Mittagong NSW 2575 Lot 40 DP 866469	SR Nowak	Attached dual occupancy	12/10/2016	20	85	105	26/01/2017
29	16/1001	30 Indigo Lane Exeter NSW 2579 Lot 8 DP 1180426	MB Magill, KR Magill	Secondary Dwelling	17/10/2016	59	49	108	03/02/2017
30	16/1003	6 Drapers Road Willow Vale NSW 2575 Lot 3 DP 10008	P Gordon, MA Gordon	5 Lot Subdivision	17/10/2016	112	9	121	17/02/2017
31	16/1014	12A Bellevue Avenue Moss Vale NSW 2577 Lot 2 DP 1220383	J Vella, J Vella	Dual Occupancy	19/10/2016	61	57	118	15/02/2017
32	16/1034.03	39 Boolwey Street Bowral NSW 2576 Lot 4 Sec B DP 11838	M Rose-Innes	Section 96 Modification (window changes)	23/01/2017	0	8	8	01/02/2017
33	16/1037	Respite House - Quest For Life 13-33 Ellsmore Road Bundanoon NSW 2578 Lot 8 DP 833392	Quest for Life Foundation	Offices (administration, therapy rooms, caretakers cottage and carpark)	27/10/2016	0	96	96	02/02/2017
34	16/1055	74 Burradoo Road Burradoo NSW 2576 Lot 7 DP 617598	JL McKinlay	2 Lot Subdivision	31/10/2016	0	105	105	14/02/2017
35	16/1061	518 Ellsmore Road Exeter NSW 2579 Lot 2 DP 874306	RJ Holt	Residential Alterations and Additions	01/11/2016	68	31	99	09/02/2017
36	16/1078	3 Railway Parade Wingello NSW 2579 Lot 3 DP 1212578	RJ Walsh, DM Tabares	Dwelling House	07/11/2016	23	70	93	09/02/2017
37	16/1098	7 Henrietta Street Braemar NSW 2575 Lot 204 DP 1223682	YS Baker	Dwelling House	09/11/2016	80	14	94	13/02/2017
38	16/1099	10 Thornbill Crescent Braemar NSW 2575 Lot 250 DP 1223682	JM Dayball, DA Dayball	Dwelling House	09/11/2016	60	14	74	24/01/2017
39	16/1122	28 Oldbury Street Berrima NSW 2577 Lot 3 Sec 8 DP 758098	CP Boyd, JA Boyd	Residential Alterations and Additions	14/11/2016	0	71	71	25/01/2017
40	16/1142	4 Martha Street Bowral NSW 2576 Lot 22 DP 1102109	SL Partridge, ML Partridge	Residential Alterations and Additions	15/11/2016	0	93	93	17/02/2017
41	16/1181	40 Ascot Road Bowral NSW 2576 Lot 1 DP 23766	CJ Arboit, JA Arboit	Residential Alterations and Additions	25/11/2016	0	66	66	31/01/2017

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	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
42	16/1201.01	27 Lytton Road Moss Vale NSW 2577 Lot 4 DP 22327	Dugar Management Service Pty Limited	Section 96 Modification (minor wording amendments to Conditions 4, 6 & 7, Deletion of Condition 8 Construction Management Plan, Condition 12 Performance Bond, Condition 13 Telecommunications/Gas, Condition 16 Notice of Commencement, Condition 45 Permanent Road Survey Marks, title of Condition 47 reworded and Condition 52 added for internal certification of civil works)	07/02/2017	0	6	6	13/02/2017
43	16/1215	42 Old Hume Highway Braemar NSW 2575 Lot 14 Sec 1 DP 792	PY Lee, GMS Lee	Residential Alterations and Additions	01/12/2016	0	80	80	20/02/2017
44	16/1218	School 51-55 Alfred Street Mittagong NSW 2575 Lot 1 DP 814098	Roman Catholic Church	School Sign	01/12/2016	0	69	69	08/02/2017
45	16/1227	7 Darraby Drive Moss Vale NSW 2577 Lot 25 DP 1191876	NJ Carter, JB Carter	Dwelling House	02/12/2016	0	59	59	30/01/2017
46	16/1229	386 Argyle Street Moss Vale NSW 2577 Lot 1 DP 119716	Efstathiou Investments Pty Ltd	Change of Use (Small Bar)	02/12/2016	0	62	62	02/02/2017
47	16/1240	18 Hoddle Street Burrawang NSW 2577 Lot 10 DP 1187535	AM Stirling	Dual Occupancy	05/12/2016	0	58	58	02/02/2017
48	16/1253	182 Tugalong Road Canyonleigh NSW 2577 Lot 7 DP 242957	BJ Hough	Residential Alterations and Additions	07/12/2016	0	57	57	03/02/2017

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	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
49	16/1254	103 Lackey Road Moss Vale NSW 2577 Lot 1 DP 819560 Lot 21 DP 1224014	IA Larkin, CC Cole	2 Lot Subdivision	07/12/2016	0	61	61	06/02/2017
50	16/1260	9 Lisa Court Moss Vale NSW 2577 Lot 15 DP 259783	JT Longhurst	Residential Alterations and Additions	08/12/2016	0	48	48	25/01/2017
51	16/1268	Penrose Park - Monastery 120 Hanging Rock Road Sutton Forest NSW 2577 Lot 9 DP 241054	Trustees Of The Pauline Fathers & Brothers	Place of Public Worship (additional chapel)	09/12/2016	0	53	53	01/02/2017
52	16/1294	38 Queen Street Bowral NSW 2576 Lot E DP 38383	CM Bradley, ER Bradley	Residential Alterations and Additions	13/12/2016	0	56	56	07/02/2017
53	16/1295	18 Beresford Street Balaclava NSW 2575 Lot 9 DP 1220081	SJ Wall, KM Baines	Dwelling House	14/12/2016	0	50	50	03/02/2017
54	16/1298	2208 Jamberoo Mountain Road Robertson NSW 2577 Lot 4 DP 719731	CM Parrish	Residential Alterations and Additions	14/12/2016	0	57	57	09/02/2017
55	16/1301	68 Burrawang Street Robertson NSW 2577 Lot A DP 413230	DR Kirkpatrick	Residential Alterations and Additions	14/12/2016	0	49	49	01/02/2017
56	16/1302	19A Young Road Moss Vale NSW 2577 Lot 5 DP 1222061	T Collins	Dwelling House	15/12/2016	0	55	55	08/02/2017
57	16/1306	58 Yean Street Burradoo NSW 2576 Lot 6 DP 1195139	DA Coleman	Residential Alterations and Additions	15/12/2016	0	61	61	15/02/2017
58	16/1307	23 Charlton Close Bowral NSW 2576 Lot 23 DP 714938	J Greenane	Residential Alterations and Additions	15/12/2016	0	50	50	03/02/2017
59	16/1311	3 Arthur Street Mittagong NSW 2575 Lot 56 Sec E DP 1289	SA Wilson, LW Wilson	Residential Alterations and Additions	16/12/2016	0	55	55	09/02/2017
60	16/1313	618-620 Argyle Street Moss Vale NSW 2577 Lot 1 DP 217785	PB Lilley, CJ Lilley	Residential Alterations and Additions	19/12/2016	0	37	37	25/01/2017

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	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
61	16/1316	31 Darraby Drive Moss Vale NSW 2577 Lot 113 DP 1218966	MR Tiebosch	Dwelling House	19/12/2016	0	45	45	02/02/2017
62	16/1318	25 Eridge Park Road Burradoo NSW 2576 Lot 1 DP 258453	Daughters of Our Lady of Sacred Heart	Residential Alterations and Additions	19/12/2016	0	49	49	07/02/2017
63	16/1321	39 Mary Street Renwick NSW 2575 Lot 2 DP 1221320	CL Carroll, BR Carroll	Dwelling House	20/12/2016	0	36	36	24/01/2017
64	16/1324	86 Kangaloon Road Bowral NSW 2576 Lot 2 DP 1215051	WD Eddowes, RR Eddowes	Dwelling House	20/12/2016	0	42	42	31/01/2017
65	16/1325	12 Greasons Road Bundanoon NSW 2578 Lot 39 DP 1102297	MJ Rowett, BM Rowett	Residential Alterations and Additions	20/12/2016	0	50	50	08/02/2017
66	16/1326	2401 Canyonleigh Road Canyonleigh NSW 2577 Lot 3 DP 1215869	H Nasser	Residential Alterations and Additions	20/12/2016	0	40	40	30/01/2017
67	16/1333	42 Watkins Drive Moss Vale NSW 2577 Lot 153 DP 1206624	SH Norman, CE Norman	Dwelling House	21/12/2016	0	35	35	23/01/2017
68	16/1336.01	1 Black Wattle Close Moss Vale NSW 2577 Lot 3 DP 1214975	BG Slade, BF Slade	Residential Alterations and Additions	27/01/2017	0	5	5	31/01/2017
69	16/1349	74 Tyndall Street Mittagong NSW 2575 Lot 901 DP 615174	LE Peters	Demolition of garages	22/12/2016	0	40	40	31/01/2017
70	16/1354	5 Eridge Park Road Burradoo NSW 2576 Lot 1 DP 1214696	Castlereagh Developments Pty Limited, Castlereagh Constructions Pty Ltd	Dwelling House	22/12/2016	0	33	33	24/01/2017
71	16/1365	5161 Illawarra Highway Robertson NSW 2577 Lot 2 DP 1019037	TR Gardner, MJ Robinson	Residential Alterations and Additions	23/12/2016	0	38	38	30/01/2017
72	17/0005	70B Lytton Road Moss Vale NSW 2577 Lot 3 DP 1223984	NJ Stafford, J Konrad	Dwelling House	03/01/2017	0	29	29	02/02/2017
73	17/0007	19 Emily Circuit Bowral NSW 2576 Lot 320 DP 1001691	PC Cunich, KA Cunich	Swimming Pool	03/01/2017	0	21	21	24/01/2017

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	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
74	17/0016	22 Gladstone Road Bowral NSW 2576 Lot 2 DP 1095312	Z Pereira, E Pereira	Residential Alterations and Additions	04/01/2017	0	33	33	07/02/2017
75	17/0044	Tangara School 68 Bong Bong Road Renwick NSW 2575 Lot 2 DP 1131771	Minister for Education and Training	Alterations and Additions to classroom building	13/01/2017	0	31	31	14/02/2017
76	17/0049	8 Melbourne Street New Berrima NSW 2577 Lot 278 DP 15995	TL Skinner	Residential Alterations and Additions	16/01/2017	0	13	13	30/01/2017
77	17/0050	70C Lytton Road Moss Vale NSW 2577 Lot 4 DP 1223984	ZL Dubokovich- Lucic, PJ Dubokovich- Lucic	Dwelling House	16/01/2017	0	21	21	07/02/2017
78	17/0057	Ramadene 52 Carribee Road Moss Vale NSW 2577 Lot 2 DP 702629	M Senior	Change of Use (continued use of existing shed)	18/01/2017	0	13	13	27/01/2017
79	17/0060	506 Greenhills Road Werai NSW 2577 Lot 106 DP 625826	JL Stock	Residential Alterations and Additions (Construction of indoor riding arena)	18/01/2017	0	11	11	30/01/2017
80	17/0061	18-20 Percy Street Hill Top NSW 2575 Lot 100 DP 825915	L Richardson- Deane	Residential Alterations and Additions	18/01/2017	0	29	29	17/02/2017
81	17/0066	4A Drapers Road Willow Vale NSW 2575 Lot 2 DP 1221560	PA Higson, GF Higson	Dwelling House	19/01/2017	0	20	20	08/02/2017
82	17/0085	70D Lytton Road Moss Vale NSW 2577 Lot 5 DP 1223984	TE Abbott, AT Abbott	Dwelling House	31/01/2017	0	6	6	07/02/2017
83	17/0086	30 Indigo Lane Exeter NSW 2579 Lot 8 DP 1180426	MB Magill, KR Magill	Residential Alterations and Additions	31/01/2017	0	9	9	09/02/2017
84	17/0087	4 Southwood Place Mittagong NSW 2575 Lot 16 DP 252479	BJ Boyan, SM Boyan	Residential Alterations and Additions	31/01/2017	0	7	7	07/02/2017
85	17/0088	2 Charlotte Street Burradoo NSW 2576 Lot 811 DP 1176908	Harbison Memorial Retirement Village	Demolition of buildings and construction of storage/maintena nce shed	31/01/2017	0	6	6	07/02/2017

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	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
86	17/0095	Windermere 30 Toongoon Road Burradoo NSW 2576 Lot 62 DP 734673	DS Ellis	Residential Alterations and Additions	02/02/2017	0	12	12	15/02/2017
87	17/0099	25 Holly Road Burradoo NSW 2576 Lot 2 DP 1226746	TF Gordon, LJ Gordon	Dwelling House	03/02/2017	0	5	5	09/02/2017

Total Applications Determined for the period 23 January 2017 to 20 February 2017: 87

ATTACHMENTS

There are no attachments to this report.



13.2 Development Applications Received from 25 November 2016 to 22 January 2017 and from 23 January 2017 to 20 February 2017

Reference: 5302
Report Author: Team Leader Business Support (Development)
Authoriser: Group Manager Planning, Development & Regulatory Services

Link to Delivery Program: Retain and make more distinctive the special qualities that make each town or village unique

PURPOSE

The purpose of this report is to update Councillors on Development Applications Received in the following periods:

1. 25 November 2016 to 22 January 2017.
2. 23 January 2017 to 20 February 2017.

Note: Due to a computer error with the changeover of the calendar year, a number of Determined/Received DAs were inadvertently omitted from the report to Council of 8 February 2017. To reconcile the omissions, this report lists the applications which were previously omitted.

RECOMMENDATION

THAT the information relating to Development Applications Received from 25 November 2016 to 22 January 2017 and from 23 January 2017 to 20 February 2017 be received and noted.

RECEIVED APPLICATIONS BY DATE RANGE Date range: 25 November 2016 to 22 January 2017

	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
1	16/1074.02	10 Henrietta Street Braemar NSW 2575 Lot 218 DP 1223682	AG Pillai, LG Menon	Dwelling House	29/11/2016		#APPROVED	21/12/2016	
2	16/1075.02	6 Henrietta Street Braemar NSW 2575 Lot 216 DP 1223682	AG Pillai, LG Menon	Dwelling House	29/11/2016		#APPROVED	22/12/2016	
3	16/1116.02	16 Thornbill Crescent Braemar NSW 2575 Lot 226 DP 1223682	SN Barot, RS Barot	Dwelling House	16/12/2016		#APPROVED	10/01/2017	

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
4	16/1117.02	20 Kamilaroi Crescent Braemar NSW 2575 Lot 213 DP 1223682	H Javed	Dwelling House	16/12/2016		#APPROVED	11/01/2017	
5	16/1154.02	32 Kamilaroi Crescent Braemar NSW 2575 Lot 243 DP 1223682	JV Urquhart	Dwelling House	06/12/2016		#APPROVED	14/12/2016	
6	16/1176	84 Mittagong Road Bowral NSW 2576 Lot 2 DP 739142	RI Wilkie, MI Wilkie	Residential Alterations and Additions	25/11/2016		#PENDING		
7	16/1177	69 Sunninghill Avenue Burradoo NSW 2576 Lot 5 DP 227660	SJ Jang, YJ Jang	Demolition, Residential Alterations and Additions	25/11/2016		#APPROVED	14/12/2016	
9	16/1178	65 Farnborough Drive Moss Vale NSW 2577 Lot 164 DP 1095417	GC Wellington, MM Wellington	Secondary Dwelling	25/11/2016		#PENDING		
10	16/1179	35A Park Road Bowral NSW 2576 Lot 11 DP 1007223	T Proud, JR Proud	Residential Alterations and Additions	25/11/2016		#PENDING		
11	16/1180	2 Lawn Avenue Robertson NSW 2577 Lot 3 DP 1165081	KE Silburn, AR Silburn	Dwelling House	25/11/2016		#PENDING		
12	16/1181	40 Ascot Road Bowral NSW 2576 Lot 1 DP 23766	CJ Arboit, JA Arboit	Residential Alterations and Additions	25/11/2016		#APPROVED	31/01/2017	
13	16/1184	80 Westgrove Road Exeter NSW 2579 Lot 1 DP 1194368	AC Warren, MA Murrau	Dwelling House	25/11/2016		#APPROVED	07/12/2016	
14	16/1185	14C Leopold Street Mittagong NSW 2575 Lot 27 DP 861292	KA Ramage, HM Ramage	Residential Alterations and Additions	28/11/2016		#APPROVED	20/01/2017	
15	16/1188	25A Links Road Burradoo NSW 2576 Lot 262 DP 1004482	AW Dean	Residential Alterations and Additions	28/11/2016		#APPROVED	16/12/2016	
16	16/1191	31 Rowland Road Bowral NSW 2576 Lot 63 DP 884015	CA Tucker, KT Tucker	Swimming Pool	29/11/2016		#APPROVED	21/12/2016	
17	16/1192	2 Darraby Drive Moss Vale NSW 2577 Lot 29 DP 1191876	J Thomas, S Jose	Dwelling House	29/11/2016		#APPROVED	14/12/2016	

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
18	16/1195	30 Sunninghill Avenue Burradoo NSW 2576 Lot 82 DP 583509 Vol 13062 Fol 00165	RP Spence	Residential Alterations and Additions	29/11/2016		#APPROVED	11/01/2017	
19	16/1199	3 Wattle Ridge Road Hill Top NSW 2575 Lot 6 DP 807117	Y Larkin, TJ Larkin	Residential Alterations and Additions	29/11/2016		#APPROVED	15/12/2016	
20	16/1200	580 Sallys Corner Road Exeter NSW 2579 Lot 2 DP 1184296	M Carloni, NC Radinger, DN Radinger	Residential Alterations and Additions	29/11/2016		#PENDING		
21	16/1203	103 Black Spring Road High Range NSW 2575 Lot 21 DP 1025957	PJ Mooney	Tourist and Visitor Accommodation	29/11/2016		#PENDING		✓
22	16/1204	7028 Illawarra Highway Moss Vale NSW 2577 Lot 4 DP 560060	IS Napier, BE Napier	Residential Alterations and Additions	29/11/2016		#PENDING		
23	16/1205	4A Lytton Road Moss Vale NSW 2577 Lot 5 DP 1072990	KE Skuse, RA Sinclair	Residential Alterations and Additions	29/11/2016		#APPROVED	05/01/2017	
24	16/1208	6 Watkins Drive Moss Vale NSW 2577 Lot 14 DP 263854	CJ Day	Residential Alterations and Additions	29/11/2016		#APPROVED	05/01/2017	
25	16/1210	1 Manor Rise Bowral NSW 2576 Lot 7 DP 746488	AM Davies	Bed and Breakfast Accommodation	29/11/2016		#WITHDRAWN	13/01/2017	
26	16/1212	29 Carisbrooke Row Bowral NSW 2576 Lot 318 DP 858390	SE Comeau-Hall	Dwelling House	30/11/2016		#APPROVED	18/01/2017	
27	16/1213	17 Throsby Street Moss Vale NSW 2577 Lot 11 Sec 1 DP 975495	LS Peacock, JW Peacock	Residential Alterations and Additions	30/11/2016		#APPROVED	19/01/2017	
28	16/1215	42 Old Hume Highway Braemar NSW 2575 Lot 14 Sec 1 DP 792	PY Lee, GMS Lee	Residential Alterations and Additions	01/12/2016		#APPROVED	20/02/2017	
29	16/1217	Kanangra Park 181 Drapers Road Colo Vale NSW 2575 Lot 2 DP 700350	EA Torr, DG Torr	Dwelling House	01/12/2016		#APPROVED	18/01/2017	

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
30	16/1220	Elizabeth Cottage 16 Charlotte Street Burradoo NSW 2576 Lot 172 DP 516754	VJ Puchert, GC Puchert	Residential Alterations and Additions	01/12/2016		#APPROVED	21/12/2016	
31	16/1221	13 Caber Street Moss Vale NSW 2577 Lot 1 DP 572528	CA Paterson	Residential Alterations and Additions	01/12/2016		#APPROVED	16/01/2017	
32	16/1227	7 Darraby Drive Moss Vale NSW 2577 Lot 25 DP 1191876	NJ Carter, JB Carter	Dwelling House	02/12/2016		#APPROVED	30/01/2017	
33	16/1229	386 Argyle Street Moss Vale NSW 2577 Lot 1 DP 119716	Efstathiou Investments Pty Ltd	Change of Use (Small Bar)	02/12/2016		#APPROVED	02/02/2017	
34	16/1230	12 Emily Circuit Bowral NSW 2576 Lot 33 DP 1002881	DJ Rowan, RG Rowan	Residential Alterations and Additions	02/12/2016		#APPROVED	06/01/2017	
35	16/1233	72 Hoddle Street Robertson NSW 2577 Lot B DP 418522	D Srbinovski, R Srbinovski	Residential Alterations and Additions	02/12/2016		#APPROVED	05/01/2017	
36	16/1234	55A Wattle Street Colo Vale NSW 2575 Lot 43 DP 1212653	RD Brown-Hill, NO Brown-Hill	Dwelling House	02/12/2016		#APPROVED	15/12/2016	
37	16/1236	20A Hoddle Street Burrawang NSW 2577 Lot 12 DP 1187535	TJ Wild	Dwelling House	05/12/2016		#PENDING		
38	16/1237	20 Hoddle Street Burrawang NSW 2577 Lot 11 DP 1187535	MW Obbard	Dwelling House	05/12/2016		#PENDING		
39	16/1239	Road Reserve Adjacent to Lot 4 DP 873240, McCourt Road Moss Vale	Wingecarribee Shire Council	Commercial Alterations and Additions (road works and portable lunchroom)	05/12/2016		#PENDING		✓
40	16/1240	18 Hoddle Street Burrawang NSW 2577 Lot 10 DP 1187535	AM Stirling	Dual Occupancy (detached)	05/12/2016		#APPROVED	02/02/2017	
41	16/1246	360 Tourist Road Glenquarry NSW 2576 Lot 2 DP 630220	V Smith	Residential Alterations and Additions	06/12/2016		#PENDING		

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
42	16/1247	4 Sierra Street Yerrinbool NSW 2575 Lot 71 DP 11780	CJ Manning, SA Manning	Residential Alterations and Additions	06/12/2016		#PENDING		
43	16/1250	136D Merrigang Street Bowral NSW 2576 Lot 4 DP 1211397	ST Henning, CM Henning	Dwelling House	06/12/2016		#APPROVED	21/12/2016	
44	16/1253	182 Tugalong Road Canyonleigh NSW 2577 Lot 7 DP 242957	BJ Hough	Residential Alterations and Additions	07/12/2016		#APPROVED	03/02/2017	
45	16/1258	1-3 Elm Street Colo Vale NSW 2575 Lot 1 Sec 17 DP 2944	R Kanaan	Commercial / Retail / Office - Alterations and Additions	07/12/2016		#PENDING		✓
46	16/1260	9 Lisa Court Moss Vale NSW 2577 Lot 15 DP 259783	JT Longhurst	Residential Alterations and Additions	08/12/2016		#APPROVED	25/01/2017	
47	16/1267	3 Clarke Street Bowral NSW 2576 Lot 7 DP702375 (akas 7 Cliff Street)	PG Nash, AM Healey	Dwelling House	09/12/2016		#APPROVED	13/01/2017	
48	16/1268	Penrose Park - Monastery 120 Hanging Rock Road Sutton Forest NSW 2577 Lot 9 DP 241054	Trustees Of The Pauline Fathers & Brothers	Place of Public Worship (additional chapel)	09/12/2016		#APPROVED	01/02/2017	✓
49	16/1269	8 Red Gum Drive Braemar NSW 2575 Lot 210 DP 1223682	BS Ryan	Dwelling House	09/12/2016		#APPROVED	20/12/2016	
50	16/1275	17A Young Road Moss Vale NSW 2577 Lot 3 DP 1222061	MJ Elphick, MA Elphick	Dwelling House	12/12/2016		#APPROVED	23/12/2016	
51	16/1281	Emery Hill 60 George Emery Lane Glenquarry NSW 2576 Lot 8 DP 633513	G Marcolin, AM Marcolin	Residential Alterations and Additions	12/12/2016		#PENDING		
52	16/1283	37 Boardman Road South Bowral NSW 2576 Lot 104 DP 1085033 Lot 105 DP 1085033	Matite Pty Ltd, Clewer Nominees Pty Ltd, KRB Property Holdings Pty Ltd	Removal of Dwelling	12/12/2016		#APPROVED	19/12/2016	
53	16/1284	16 Gordon Road Bowral NSW 2576 Lot 5 DP 21250	Votraint No 1019 Pty Limited	Multi Dwelling Housing (4 dwellings)	12/12/2016		#PENDING		

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REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY & DEVELOPMENT SERVICES



	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
54	16/1285	3 Thornbill Crescent Braemar NSW 2575 Lot 224 DP 1223682	J Kanyasi, J Gyorf	Dwelling House	12/12/2016		#PENDING		
55	16/1287	5 Villiers Road Moss Vale NSW 2577 Lot 3 DP 252203	FJ Vermeesch, EJ Vermeesch	Residential Alterations and Additions	13/12/2016		#PENDING		
56	16/1294	38 Queen Street Bowral NSW 2576 Lot E DP 38383	CM Bradley, ER Bradley	Residential Alterations and Additions	13/12/2016		#APPROVED	07/02/2017	
57	16/1295	18 Beresford Street Balaclava NSW 2575 Lot 9 DP 1220081	SJ Wall, KM Baines	Dwelling House	14/12/2016		#APPROVED	03/02/2017	
58	16/1297	92 Penrose Road Bundanoon NSW 2578 Lot 2 DP 1150584	JC Gale, HR Gale	Dwelling House	14/12/2016		#PENDING		
59	16/1298	2208 Jamberoo Mountain Road Robertson NSW 2577 Lot 4 DP 719731	CM Parrish	Residential Alterations and Additions	14/12/2016		#APPROVED	09/02/2017	
60	16/1300	85 Railway Parade Wingello NSW 2579 Lot 7 Sec 9 DP 759097	SJ Shallis, DJ Shallis	Dwelling House	14/12/2016		#PENDING		
61	16/1301	68 Burrawang Street Robertson NSW 2577 Lot A DP 413230	DR Kirkpatrick	Residential Alterations and Additions	14/12/2016		#APPROVED	01/02/2017	
62	16/1302	19A Young Road Moss Vale NSW 2577 Lot 5 DP 1222061	T Collins	Dwelling House	15/12/2016		#APPROVED	08/02/2017	
63	16/1303	Works Depot 53-57 Berrima Road Moss Vale NSW 2577 Lot 1 DP 522057	Wingecarribee Shire Council	Demolition of Shed and Construction of a New Shed	15/12/2016		#PENDING		
64	16/1304	6 Joseph Hollins Street Moss Vale NSW 2577 Lot 54 DP 1218966	OP Muyt, EM Muyt	Dwelling House	15/12/2016		#PENDING		
65	16/1305	22 Red Gum Drive Braemar NSW 2575 Lot 237 DP 1223682	PD Briggs, DL Briggs	Dwelling House	15/12/2016		#PENDING		

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
66	16/1306	58 Yean Street Burradoo NSW 2576 Lot 6 DP 1195139	DA coleman	Residential Alterations and Additions	15/12/2016		#APPROVED	15/02/2017	
67	16/1307	23 Charlton Close Bowral NSW 2576 Lot 23 DP 714938	J Greenane	Residential Alterations and Additions	15/12/2016		#APPROVED	03/02/2017	
68	16/1308	1681 Kangaloon Road Kangaloon NSW 2576 Lot 281 DP 1094896	ICG Hordern	Dwelling House	15/12/2016		#PENDING		
69	16/1311	3 Arthur Street Mittagong NSW 2575 Lot 56 Sec E DP 1289	SA Wilson, LW Wilson	Residential Alterations and Additions	16/12/2016		#APPROVED	09/02/2017	
70	16/1312	6180 Illawarra Highway Moss Vale NSW 2577 Lot 318 DP 1226539	RL Morrison, TM Bowman	Dwelling House	16/12/2016		#PENDING		
71	16/1313	618-620 Argyle Street Moss Vale NSW 2577 Lot 1 DP 217785	PB Lilley, CJ Lilley	Residential Alterations and Additions	19/12/2016		#APPROVED	25/01/2017	
72	16/1314	3051 Old Hume Highway Berrima NSW 2577 Lot 4 DP 262907	VMC Corp Pty Ltd	Residential Alterations and Additions	19/12/2016		#PENDING		
73	16/1316	31 Darraby Drive Moss Vale NSW 2577 Lot 113 DP 1218966	MR Tiebosch	New Dwelling	19/12/2016		#APPROVED	02/02/2017	
74	16/1318	25 Eridge Park Road Burradoo NSW 2576 Lot 1 DP 258453	Daughters of Our Lady of Sacred Heart	Residential Alterations and Additions - Addition of Lift	19/12/2016		#APPROVED	07/02/2017	
75	16/1319	506 Greenhills Road Werai NSW 2577 Lot 106 DP 625826	JL Stock	Residential Alterations and Additions	19/12/2016		#APPROVED	17/01/2017	
76	16/1320	987 Belmore Falls Road Wildes Meadow NSW 2577 Lot 7 DP 1049006	PA Robertson	Residential Alterations and Additions	20/12/2016		#APPROVED	12/01/2017	
77	16/1321	39 Mary Street Renwick NSW 2575 Lot 2 DP 1221320	CL Carroll, BR Carroll	Dwelling House	20/12/2016		#APPROVED	24/01/2017	
78	16/1324	86 Kangaloon Road Bowral NSW 2576 Lot 2 DP 1215051	WD Eddowes, RR Eddowes	Dwelling House	20/12/2016		#APPROVED	31/01/2017	

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
79	16/1325	12 Greasons Road Bundanoon NSW 2578 Lot 39 DP 1102297	MJ Rowett, BM Rowett	Residential Alterations and Additions	20/12/2016		#APPROVED	08/02/2017	
80	16/1326	2401 Canyonleigh Road Canyonleigh NSW 2577 Lot 3 DP 1215869	H Nasser	Residential Alterations and Additions	20/12/2016		#APPROVED	30/01/2017	
81	16/1327	64 Shepherd Street Bowral NSW 2576 Lot 5 DP 38185	DW Graham, JM Peterson	Residential Alterations and Additions	20/12/2016		#PENDING		
82	16/1328	27 Oxford Street Mittagong NSW 2575 Lot 5 DP 246126	JB Stokes, SEJ stokes	Dwelling House	20/12/2016		#WITHDRAWN	06/01/2017	
83	16/1331	51 Middle Road Exeter NSW 2579 Lot 4 DP 1084219	PJ Henderson, K Henderson	Dwelling House	21/12/2016		#PENDING		
84	16/1333	42 Watkins Drive Moss Vale NSW 2577 Lot 153 DP 1206624	SH Norman, CE Norman	Dwelling House	21/12/2016		#APPROVED	23/01/2017	
85	16/1335	5 Nari Circuit Moss Vale NSW 2577 Lot 17 DP 263854	RM South	Residential Alterations and Additions	21/12/2016		#PENDING		
86	16/1337	13 Yean Street Burradoo NSW 2576 Lot 222 DP 1216797	RJ Sheedy, M Hodgson	Dual Occupancy (Attached)	21/12/2016		#PENDING		
87	16/1339	22 Drapers Road Braemar NSW 2575 Lot 1 DP 1181633	DH Robertson	Industrial Alterations and Additions (1019sqm storage shed)	21/12/2016		#PENDING		
88	16/1340	10 Merilbah Road Bowral NSW 2576 Lot 11 DP 20804	VG McGuinness	Residential Alterations and Additions	21/12/2016		#APPROVED	22/12/2016	
89	16/1341	28 Bumballa Road Wingello NSW 2579 Lot 2 DP 1222169	JD Flemmer, AL Flemmer	Dwelling House	22/12/2016		#PENDING		
90	16/1345	Bowral Street Bowral NSW 2576 Part Lot 1 DP 111722 Part Lot 1 DP 587971 Part Lot 2 DP 587971	Australasian Conference Assoc Ltd	Alterations and Additions to the Existing Child Care Centre	22/12/2016		#PENDING		✓

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
91	16/1346	134 Mittagong Road Bowral NSW 2576 Lot 1 DP 721671	LM Judd	Residential Alterations and Additions	22/12/2016		#PENDING		
92	16/1347	379 Woodlands Road Woodlands NSW 2575 Lot 10 DP 609284	J K H Pty Ltd	Residential Alterations and Additions	22/12/2016		#APPROVED	13/01/2017	
93	16/1348	29B Oxley Drive Bowral NSW 2576 Lot 4 DP 1197464	CH Ducker, BC Ducker	Dwelling House	22/12/2016		#APPROVED		
94	16/1353	Charity 278 Golden Vale Road Sutton Forest NSW 2577 Lot 1 DP 1118652	The National Trust of Australia (New South Wales)	Function Centre (use of premises as a house museum and the occasional event)	22/12/2016		#PENDING		✓
95	16/1354	5 Eridge Park Road Burradoo NSW 2576 Lot 1 DP 1214696	Castlereagh Developments Pty Limited, Castlereagh Constructions Pty Ltd	Dwelling House	22/12/2016		#APPROVED	24/01/2017	
96	16/1356	27 Main Street Robertson NSW 2577 Lot 107 DP 1037958	AJE Beben, AP Beben	Secondary Dwelling	23/12/2016		#PENDING		
97	16/1357	28 Harold Street Hill Top NSW 2575 Lot 39 Sec 2 DP 10173	BI Palmer, JM Hutcheson	Dwelling House	23/12/2016		#PENDING		
98	16/1358	16 Kennedy Close Moss Vale NSW 2577 Lot 192 DP 258240	PC Roberts, TA Roberts	Residential Alterations and Additions	23/12/2016		#PENDING		
99	16/1362	Beaconsfield 6112 Illawarra Highway Moss Vale NSW 2577 Lot 312 DP 883715	PA England, KM England, MJ Brogan, JJ Brogan	Dual Occupancy (attached)	23/12/2016		#PENDING		
100	16/1365	5161 Illawarra Highway Robertson NSW 2577 Lot 2 DP 1019037	TR Gardner, MJ Robinson	Residential Alterations and Additions	23/12/2016		#APPROVED	30/01/2017	
101	17/0001	14 Marchmont Drive Mittagong NSW 2575 Lot 44 DP1001412	J Kim, MJ Smith	Residential Alterations and Additions	03/01/2017		#PENDING		
102	17/0002	4 Tirrikee Lane Burradoo NSW 2576 Lot 6 DP 1220165	JO Stack, NS Milan	Dwelling House	03/01/2017		#PENDING		

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
103	17/0004	23 Joseph Hollins Street Moss Vale NSW 2577 Lot 81 DP 1218966	LN Beard, EJ Beard	Dwelling House	03/01/2017		#PENDING		
104	17/0005	70B Lytton Road Moss Vale NSW 2577 Lot 3 DP 1223984	NJ Stafford, J Konrad	Dwelling House	03/01/2017		#APPROVED	02/02/2017	
105	17/0006	Vacant Land Ascot Road Bowral NSW 2576 Lot 30 DP 22999 Lot 16 DP 21563 Lot 17 DP 21563 Lot 18 DP 21563 and 18 more	Willow Properties Pty Ltd, Paloma Blanca Pastoral Pty Limited	Dwelling House	03/01/2017		#PENDING		
106	17/0007	19 Emily Circuit Bowral NSW 2576 Lot 320 DP 1001691	PC Cunich, KA Cunich	Swimming Pool	03/01/2017		#APPROVED	24/01/2017	
107	17/0008	Vacant Land Ascot Road Bowral NSW 2576 Lot 30 DP 22999 Lot 16 DP 21563 Lot 17 DP 21563 Lot 18 DP 21563 and 18 more	Willow Properties Pty Ltd, Paloma Blanca Pastoral Pty Limited	Dwelling House	03/01/2017		#PENDING		
108	17/0011	Vacant Land Ascot Road Bowral NSW 2576 Lot 30 DP 22999 Lot 16 DP 21563 Lot 17 DP 21563 Lot 18 DP 21563 and 18 more	Willow Properties Pty Ltd, Paloma Blanca Pastoral Pty Limited	Dwelling House	03/01/2017		#PENDING		
109	17/0014	59 West Parade Hill Top NSW 2575 Lot 6 DP 1191760	GI Weeks, JM Weeks	Residential Alterations and Additions	04/01/2017		#PENDING		
110	17/0016	22 Gladstone Road Bowral NSW 2576 Lot 2 DP 1095312	Z Pereira, E Pereira	Residential Alterations and Additions	04/01/2017		#APPROVED	07/02/2017	
111	17/0017	11 Bong Bong Road Mittagong NSW 2575 Lot A DP 392468	D Ticchio, DM Jones	Residential Alterations and Additions	05/01/2017		#PENDING		
112	17/0020	12 Emily Circuit Bowral NSW 2576 Lot 33 DP 1002881	DJ Rowan, RG Rowan	Change of Use (continued use of cabana)	05/01/2017		#PENDING		

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113	17/0022	208 Argyle Street Moss Vale NSW 2577 Lot 101 DP 1142408	NGP Investments (No 2) Pty Limited	Business Identification Sign	06/01/2017		#APPROVED	17/01/2017	
114	17/0025	76-82 Inkerman Road Balaclava NSW 2575 Lot 3 Sec 17 DP 841 Lot 4 Sec 17 DP 841 Lot 5 Sec 17 DP 841 Lot 6 Sec 17 DP 841	JM Barnett, KC Steelman	Residential Alterations and Additions	06/01/2017		#PENDING		
115	17/0028	9 Hoddle Street Burrawang NSW 2577 Lot D DP 391886 Lot E DP 391886	GM Pemberton	Residential Alterations and Additions	10/01/2017		#PENDING		
116	17/0032	Throsby Cottage - Historic Site 60 Church Road Moss Vale NSW 2577 Lot 4 DP 730956 - State Heritage Register 1008	Throsby Park	Residential Alterations and Additions	11/01/2017		#PENDING		✓
117	17/0033	22 Carlisle Street Bowral NSW 2576 Lot 2 DP 780805	MJC Tigwell	Secondary Dwelling	11/01/2017		#PENDING		
118	17/0039	16 Warby Street Bowral NSW 2576 Lot 252 DP 1014858	KS Bromson	Residential Alterations and Additions	12/01/2017		#PENDING		
119	17/0040	20 Robinson Street Mittagong NSW 2575 Lot 4 DP 1161610	LM Morris	Residential Alterations and Additions	13/01/2017		#PENDING		
120	17/0044	Tangara School 68 Bong Bong Road Renwick NSW 2575 Lot 2 DP 1131771	Minister for Education and Training	Commercial Alterations and Additions	13/01/2017		#APPROVED	14/02/2017	✓
121	17/0046	29 Caber Street Moss Vale NSW 2577 Lot 1 DP 1055436	BG Ingate, LM Ingate	Residential Alterations and Additions	16/01/2017		#APPROVED	18/01/2017	
122	17/0049	8 Melbourne Street New Berrima NSW 2577 Lot 278 DP 15995	TL Skinner	Residential Alterations and Additions	16/01/2017		#APPROVED	30/01/2017	

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
123	17/0050	70C Lytton Road Moss Vale NSW 2577 Lot 4 DP 1223984	ZL Dubokovich- Lucic, PJ Dubokovich- Lucic	Dwelling House	16/01/2017		#APPROVED	07/02/2017	
124	17/0054	Bowral Hotel 408- 412 Bong Bong Street Bowral NSW 2576 Lot 1 DP 826176	M & M D A Investments Pty Limited	Commercial Alterations and Additions (Awning and Keg Room)	17/01/2017		#PENDING		
125	17/0056	5-7 George Street Burrawang NSW 2577 Lot 27 DP 1694 Lot 28 DP 1694	JV Miller, JL Miller	Dwelling House	18/01/2017		#PENDING		
126	17/0060	506 Greenhills Road Werai NSW 2577 Lot 106 DP 625826	JL Stock	Residential Alterations and Additions (Construction of indoor riding arena)	18/01/2017		#APPROVED	30/01/2017	
127	17/0061	18-20 Percy Street Hill Top NSW 2575 Lot 100 DP 825915	L Richardson- Deane	Residential Alterations and Additions	18/01/2017		#APPROVED	17/02/2017	
128	17/0063	12 Joseph Hollins Street Moss Vale NSW 2577 Lot 62 DP 1218966	RA Seager, NJ Cooney	Dwelling House	19/01/2017		#PENDING		
129	17/0066	4A Drapers Road Willow Vale NSW 2575 Lot 2 DP 1221560	PA Higson, GF Higson	Dwelling House	19/01/2017		#APPROVED	08/02/2017	
130	17/0068	166 Argyle Street Moss Vale NSW 2577 Lot A DP 377731 6 Robertson Road Moss Vale NSW 2577 Lot X DP 378400 8 Illawarra Highway Moss Vale NSW 2577 Lot Y DP 378400	Unified Medical and Surgical Centre Pty Ltd Oscena Pty Ltd	Proposed Supermarket & Demolition of Buildings	20/01/2017		#PENDING		✓
131	17/0070	29 Boronia Street Bowral NSW 2576 Lot 9 DP 734392	JA Rowley	Residential Alterations and Additions	20/01/2017		#PENDING		
132	17/0071	Lakehead 61 Wilson Lane Burrawang NSW 2577 Lot 61 DP 733857 Lot 22 DP 746419	SM Crouch	Alterations and Additions to Shed, New Secondary Dwelling and Horse Stables	20/01/2017		#PENDING		

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133	17/0072	8 Tirrikee Lane Burradoo NSW 2576 Lot 8 DP 1220165	MD Biasutti, MM Biasutti	Dwelling House	20/01/2017		#PENDING		

**Total Applications Received for the
period 25 November 2016 to 22
January 2017: 133**

**RECEIVED APPLICATIONS BY DATE RANGE
Date range: 23 January 2017 to 20 February 2017**

	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
1	09/0881.05	412 Ellsmore Road Exeter NSW 2579 Lot 7 DP 1222769	RA Davies	Section 96 Modification (Building Envelope)	30/01/2017		#PENDING		
2	13/0201.02	7 Bamburg Place Bundanoon NSW 2578 Lot 4 DP 1102297	LJ Matthews, KP Matthews	Section 96 Modification (re- design of roof over deck)	07/02/2017		#APPROVED	10/02/2017	
3	13/0976.01	Bundanoon Hall 1- 3 Railway Avenue Bundanoon NSW 2578 Lot A DP 330415	Wingecarribee Shire Council	Section 96 Modification (amend site placements of stalls)	07/02/2017		#PENDING		
4	14/1322.03	100 Cornwall Road Exeter NSW 2579 Lot 22 DP 627877	CA Malouf, NM Chambers	Section 96 Modification (Boundary Adjustment)	13/02/2017		#PENDING		
5	15/0735.04	58 Woodbine Street Bowral NSW 2576 Lot 61 DP 1142632	LA Moule, DR Moule	Section 96 Modification (Roof & Carport)	31/01/2017		#APPROVED	01/02/2017	
6	15/1099.03	2331 Canyonleigh Road Canyonleigh NSW 2577 Lot 5 DP 1188556	GR Thurston	Section 96 Modification (relocation of shed and cabin)	31/01/2017		#PENDING		

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
7	15/1250.03	38 Price Street Bowral NSW 2576 Lot 74 DP 24267	PD Reuter, KC Aveyard	Section 96 Modification (Delete Carport structure, amend cladding to extension, delete open shelter, extend existing pergola, alter window sizes to ensuite & bedroom and move bedroom window)	09/02/2017		#PENDING		
8	15/1261.01	14-18 May Street Robertson NSW 2577 Lot 134 DP 751302	WJ Salmond, SL Salmond	Section 96 Modification (Staging of construction work)	14/02/2017		#PENDING		
9	16/0236.03	22 Charles Street Hill Top NSW 2575 Lot 123 DP 834377	BJ Newhouse, EJ Newhouse	Section 96 Modification(Slab Height)	13/02/2017		#PENDING		
10	16/0454.03	110 Oxleys Hill Road Bowral NSW 2576 Part Lot 1 DP 358488	SM Clutton	Section 96 Modification (Residential Alterations and Additions and new dwelling)	03/02/2017		#APPROVED	08/02/2017	
11	16/0698.01	1-9 Pikkat Drive Braemar NSW 2575 Lot 91 DP 1187747	Willow Properties Pty Ltd	Section 96 Modification (Extend use of VMS for additional 12 months)	06/02/2017		#PENDING		
12	16/0720.03	Tarcoola Park Douglas Road Moss Vale NSW 2577 Lot 40 DP 1189246	Fortius Funds Management Pty Ltd	Section 96 Modification (11 lot Subdivision)	03/02/2017		#PENDING		✓
13	16/0804.03	61 Wattle Street Colo Vale NSW 2575 Lot 2 DP 1212335	P Nicholson, LM Nicholson	Section 96 Modification(Change roof material from concrete to colourbond)	24/01/2017		#APPROVED	30/01/2017	
14	16/0961.03	41 Colo-Hilltop Road Hill Top NSW 2575 Lot 4 DP 1189861	JL Gauci, MD Cunich	Section 96 Modification (dwelling location)	01/02/2017		#PENDING		
15	16/1034.03	39 Boolwey Street Bowral NSW 2576 Lot 4 Sec B DP 11838	M Rose-Innes	Section 96 Modification (window changes)	23/01/2017		#APPROVED	01/02/2017	
16	16/1150.02	Kangaloon Road Kangaloon NSW 2576 Lot 33 DP 607482	GA Kolovos	Section 96 Modification (Ensuite)	13/02/2017		#PENDING		

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
17	16/1201.01	27 Lytton Road Moss Vale NSW 2577 Lot 4 DP 22327	Dugar Management Service Pty Limited	Section 96 Modification (minor wording amendments to Conditions 4, 6 & 7, Deletion of Condition 8 Construction Management Plan, Condition 12 Performance Bond, Condition 13 9Telecommunicatio ns/Gas, Condition 16 Notice of Commencement, Condition 45 Permanent Road Survey Marks, title of Condition 47 reworded and Condition 52 added for internal certification of civil works).	07/02/2017		#APPROVED	13/02/2017	
18	16/1205.03	4A Lytton Road Moss Vale NSW 2577 Lot 5 DP 1072990	KE Skuse, RA Sinclair	Section 96 Modification (shed relocation)	10/02/2017		#APPROVED	21/02/2017	
19	16/1336.01	1 Black Wattle Close Moss Vale NSW 2577 Lot 3 DP 1214975	BG Slade, BF Slade	Residential Alterations and Additions	27/01/2017		#APPROVED	31/01/2017	
20	17/0074	136 Sugarloaf Lane Kangaloon NSW 2576 Lot 41 DP 751277	KE Menzies	Road and Building Envelope	23/01/2017		#PENDING		✓
21	17/0076	2764 Wombeyan Caves Road Bullio NSW 2575 Lot 75 DP 751256 Lot 13 DP 751256	Cassim Pastoral Co Pty Ltd	Boundary Adjustment	25/01/2017		#PENDING		
22	17/0077	Cricklewood 36 Suttor Road Moss Vale NSW 2577 Lot 5 DP 873240	CM Fisher	4 Lot Subdivision	25/01/2017		#PENDING		
23	17/0080	12 Tirrikee Lane Burradoo NSW 2576 Lot 10 DP 1220165	HL Dunlop	Dwelling House	30/01/2017		#PENDING		
24	17/0082	4 Willow Road Bowral NSW 2576 Lot 1 DP 628145	Bonlore Pty Ltd	Change of Use (vehicle repair premises)	31/01/2017		#PENDING		

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
25	17/0085	70D Lytton Road Moss Vale NSW 2577 Lot 5 DP 1223984	TE Abbott, AT Abbott	Dwelling House	31/01/2017		#APPROVED	07/02/2017	
26	17/0086	30 Indigo Lane Exeter NSW 2579 Lot 8 DP 1180426	MB Magill, KR Magill	Residential Alterations and Additions	31/01/2017		#APPROVED	09/02/2017	
27	17/0087	4 Southwood Place Mittagong NSW 2575 Lot 16 DP 252479	BJ Boyan, SM Boyan	Residential Alterations and Additions	31/01/2017		#APPROVED	07/02/2017	
28	17/0088	2 Charlotte Street Burradoo NSW 2576 Lot 811 DP 1176908	Harbison Memorial Retirement Village	Demolition of buildings and construction of storage/maintenanc e shed	31/01/2017		#APPROVED	07/02/2017	✓
29	17/0092	13/20 Clarke Street Bowral NSW 2576 Lot 20 S/P 32671	Hurrica Trading Pty Limited	Change of Use (continued use of existing garage)	01/02/2017		#PENDING		
30	17/0094	12 Valetta Street Moss Vale NSW 2577 Lot 6 DP 999151	KL Baguley, IJ Baguley	Residential Alterations and Additions	02/02/2017		#PENDING		
31	17/0095	Windermere 30 Toongoon Road Burradoo NSW 2576 Lot 62 DP 734673	DS Ellis	Residential Alterations and Additions	02/02/2017		#APPROVED	15/02/2017	
32	17/0097	14 Emily Circuit Bowral NSW 2576 Lot 34 DP 1002881	DR Loury	Residential Alterations and Additions	03/02/2017		#PENDING		
33	17/0099	25 Holly Road Burradoo NSW 2576 Lot 2 DP 1226746	TF Gordon, LJ Gordon	Dwelling House	03/02/2017		#APPROVED	09/02/2017	
34	17/0102.01	46 Koolilabah Lane Penrose NSW 2579 Lot 42 DP 1058534	GR Cretney, P Cretney	2 Lot Subdivision	14/02/2017		#PENDING		
35	17/0104	40 Hoddle Street Burrawang NSW 2577 Lot 2 28DP 805964	BR Waters, M Waters	Residential Alterations and Additions	03/02/2017		#PENDING	03/02/2017	
36	17/0105	42 Burrawang Street Robertson NSW 2577 Lot 12 DP 1215655	Village Lane Holdings Pty Ltd	Seniors Housing (8 Dwelling Infill Self Care Housing) and Community Title Subdivision	03/02/2017		#PENDING		✓

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 08 March 2017

REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY & DEVELOPMENT SERVICES



	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
37	17/0107	Historic Museum 1a Market Place Berrima NSW 2577 Lot 1 DP 854821 & Reserve No 89886	Wingecarribee Shire Council	Commercial Residential Alterations and Additions (installation of solar panels)	03/02/2017		#PENDING		✓
38	17/0109	2C Clearview Street Bowral NSW 2576 Lot 4 DP 1031919	ER Wilson, KA Krause	Dwelling House	06/02/2017		#PENDING		
39	17/0116	13 Kiandra Crescent Yerrinbool NSW 2575 Lot 4 DP 249889	KA Maher, MGJ Enslow	Residential Alterations and Additions	07/02/2017		#PENDING		
40	17/0117	2 Rose Street Bowral NSW 2576 Lot A DP 158240	AM Moore, JM Moore	Residential Alterations and Additions	07/02/2017		#PENDING		
41	17/0118	11 Gascoigne Street Willow Vale NSW 2575 Lot 25 DP 702004	S Parasher, N Parasher	Residential Alterations and Additions	07/02/2017		#PENDING		
42	17/0119	22 Gantry Place Braemar NSW 2575 Lot 5 DP 818473	Chiesta Pty Ltd	Commercial Residential Alterations and Additions (shed)	07/02/2017		#PENDING		
43	17/0120	43 Sydney Street New Berrima NSW 2577 Lot 290 DP 15995	JA Skamperle, D Purchase	Residential Alterations and Additions	07/02/2017		#PENDING		
44	17/0121	41 Balaclava Street Balaclava NSW 2575 Lot 13 DP 1220081	LW Holdsworth, JL Hicks	Residential Alterations and Additions	07/02/2017		#PENDING		
45	17/0125	32-34 Berrima Road Moss Vale NSW 2577 Lot 9 DP 1138934	Ian Stapleton Pty Limited	Residential Alterations and Additions	07/02/2017		#PENDING		
46	17/0126	7 Region Street Burrawang NSW 2577 Lot 356 DP 1067935	D Iaccarino, AG Iaccarino	Residential Alterations and Additions	08/02/2017		#PENDING		
47	17/0129	268 Yarrowa Road Moss Vale NSW 2577 Lot 4 DP 32502	PC Arkins, MA Arkins	Residential Alterations and Additions (Dual Occupancy)	08/02/2017		#PENDING		
48	17/0130	8-10 Watson Road Moss Vale NSW 2577 Lot 312 DP 548349	CJ Herde Pty Ltd	2 Lot Subdivision	08/02/2017		#PENDING		

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
49	17/0131	Throsby Park Historic Site 3 Throsby Park Road Moss Vale NSW 2577 Lot K DP 109154 & Lot 1 DP 580481 - State Heritage Register 1008	Throsby Park	Residential Alterations and Additions	08/02/2017		#PENDING		✓
50	17/0132	4-6 Wingello Street Wingello NSW 2579 Lot 9 Sec 6 DP 759097 Lot 10 Sec 6 DP 759097	MA Anlezark, MT O'Connor	Residential Alterations and Additions	08/02/2017		#PENDING		
51	17/0133	2680 Old Hume Highway Woodlands NSW 2575 Lot 10 DP 776861	VJ Scanlan, DD Scanlan	Residential Alterations and Additions	08/02/2017		#PENDING		
52	17/0134	620 Redhills Road Fitzroy Falls NSW 2577 Lots 91/225/278- 279/313/396 DP751303	Tyro Industries Pty Ltd	Residential Alterations and Additions	08/02/2017		#PENDING		
53	17/0136	1/4 Vera Street Hill Top NSW 2575 Lot 1 S/P 75970	CNH Cawthorne, MEJ Cawthorne	Continued Use (Doctors surgery)	09/02/2017		#PENDING		
54	17/0137	80 Bong Bong Road Renwick NSW 2575 Lot 53 DP 1040663	JC Brown, RK Marshall	3 Lot Subdivision	09/02/2017		#PENDING		✓
55	17/0140	Bandali 64 Moresby Hill Road East Kangaloon NSW 2576 Lot 1 DP 733478	EJ Newbury	Residential Alterations and Additions	09/02/2017		#PENDING		
56	17/0142	13601 Hume Highway Paddys River NSW 2577 Lots 1-5 DP 253462	Adelaide Brighton Limited	Industrial Alterations and Additions (Workshop Shed)	09/02/2017		#PENDING		
57	17/0143	Cherry Bank 158 Bundanoon Road Exeter NSW 2579 Lot 7A DP3371 & Lots 8-9 Sec 7 DP3373	RC Hannan, ME Hannan	Boundary Adjustment	09/02/2017		#PENDING		
58	17/0145	14 Mackellar Circuit Renwick NSW 2575 Lot 6129 DP 1195222	CL Jansen, MA Jansen	Dwelling House	10/02/2017		#PENDING		

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REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY & DEVELOPMENT SERVICES



	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
59	17/0146	37 South Street Robertson NSW 2577 Lot 64 DP 12886	RJ Middleton	Residential Alterations and Additions	10/02/2017		#PENDING		
60	17/0151	13-15 Hopewood Road Bowral NSW 2576 Lot 8 DP 877542	PG Van Blommestein, MAJ Van Blommestein	Residential Alterations and Additions	13/02/2017		#PENDING		
61	17/0152	166 Wilson Drive Hill Top NSW 2575 Lot 23 Sec 1 DP 6221	Roundel Pty Limited	Dual Occupancy (detached), Residential Alterations and Additions, Proposed 2 Lot Subdivision	13/02/2017		#PENDING		
62	17/0153	27A Centennial Road Bowral NSW 2576 Lot 2 DP 1029289	JH Griffiths, PJ Griffiths	Residential Alterations and Additions	13/02/2017		#PENDING		
63	17/0154	56 Cumberteen Street Hill Top NSW 2575 Lot 1 DP 803903	JJ Sharpe	Residential Alterations and Additions	13/02/2017		#PENDING		
64	17/0156	5 Thornbill Crescent Braemar NSW 2575 Lot 223 DP 1223682	BL Termytelen	Dwelling House	13/02/2017		#PENDING		
65	17/0159	14 Cumberteen Street Hill Top NSW 2575 Lots 35- 38 Sec 65 DP 1717	ZP Szablan, AE Szablan	Dwelling House	14/02/2017		#PENDING		
66	17/0161	3 Tudor Close Moss Vale NSW 2577 Lot 168 DP 1095417	PA Sartori, L Sartori	Dual Occupancy (detached)	14/02/2017		#PENDING		
67	17/0163	372 Soapy Flat Road High Range NSW 2575 Lot 121 DP 751275	HJ Berry, WG Incoll	Dwelling House	14/02/2017		#PENDING		
68	17/0164	156 High Range Lane High Range NSW 2575 Lot 13 DP 1009913	JA Dreverman, GA Dreverman	Dwelling House	14/02/2017		#PENDING		
69	17/0165	7 Gascoigne Street Willow Vale NSW 2575 Lot 27 DP 702004	A Brenning	Continued Use (carport)	14/02/2017		#PENDING		
70	17/0170	101-103 Hoddle Street Robertson NSW 2577 Lot 1 DP 1066771	LJ Kerwand, RA Kerwand	Change of Use (food and drink premises)	16/02/2017		#PENDING		✓

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
71	17/0171	10 Janice Crescent Moss Vale NSW 2577 Lot 43 DP 259783	MC Mountford, MA Mountford	Residential Alterations and Additions	16/02/2017		#PENDING		
72	17/0172	55 Wattle Street Colo Vale NSW 2575 Lot 42 DP 1212653	RJ Brazel, MA Brazel	Residential Alterations and Additions	16/02/2017		#PENDING		
73	17/0173	9 Station Street Mittagong NSW 2575 Lot 2 DP 1151022	LG O'connor- Henderson, M Henderson	Secondary Dwelling	16/02/2017		#PENDING		
74	17/0174	56 Old Hume Highway Braemar NSW 2575 Lot 1 DP 778717	AJ Healy, CM Healy	Dual Occupancy (detached), 2 Lot Subdivision	17/02/2017		#PENDING		
75	17/0175	2-8 Vale Road Moss Vale NSW 2577 Lot 121 DP 865483	R E Springett Pty Ltd	2 Lot Subdivision	17/02/2017		#PENDING		
76	17/0176	22 Kamilaroi Crescent Braemar NSW 2575 Lot 212 DP 1223682	JA Tamhankar, AP Tamhankar	Dwelling House	17/02/2017		#PENDING		
77	17/0180	13 Orchid Street Colo Vale NSW 2575 Lot 13 Sec 8 DP 2389	CR Isbester	Residential Alterations and Additions	17/02/2017		#PENDING		
78	17/0181	45 Garland Road Bundanoon NSW 2578 Lot 56 DP 263668	JL Kershaw	Residential Alterations and Additions	17/02/2017		#PENDING		
79	17/0182	17 Holly Street Bowral NSW 2576 Lot 151 DP 998296	PM Barbuto	Residential Alterations and Additions	20/02/2017		#PENDING		
80	17/0183	1268 Joadja Road Joadja NSW 2575 Lot 5 DP 1131465	BN Harlor, ML Harlor	Dwelling House	20/02/2017		#PENDING		
81	17/0184	Quarryvale 92 Stonequarry Creek Road Werai NSW 2577 Lot 12 Sec 13 DP 1002 Lot 13 Sec 13 DP 1002	AM Mackay	Residential Alterations and Additions and new secondary dwelling	20/02/2017		#PENDING		

**Total Applications Received for the
period 23 January 2017 to 20
February 2017:**

81

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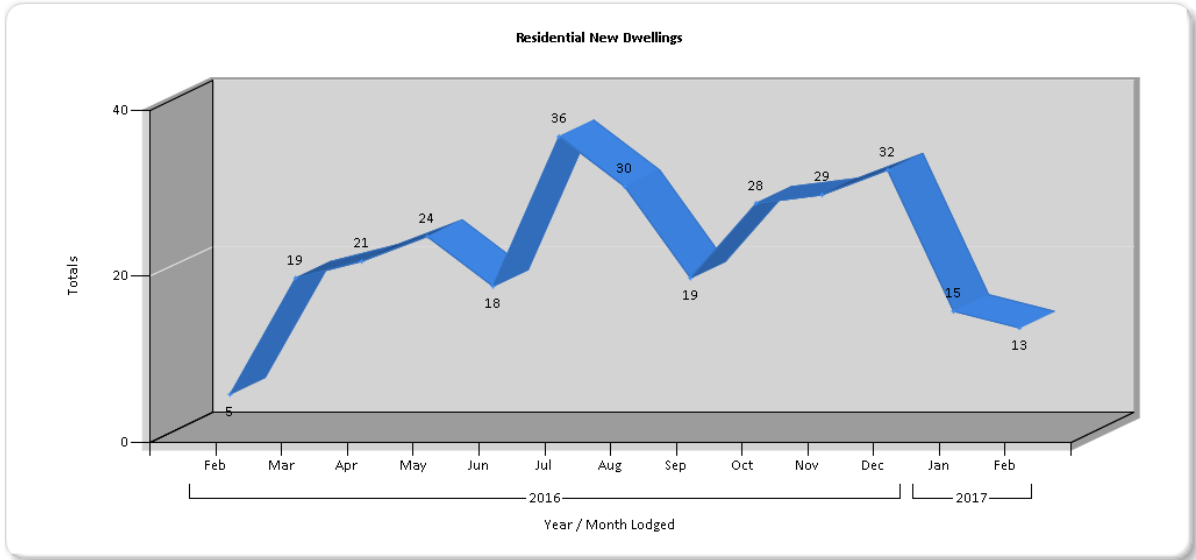
Wednesday 08 March 2017

REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY & DEVELOPMENT SERVICES



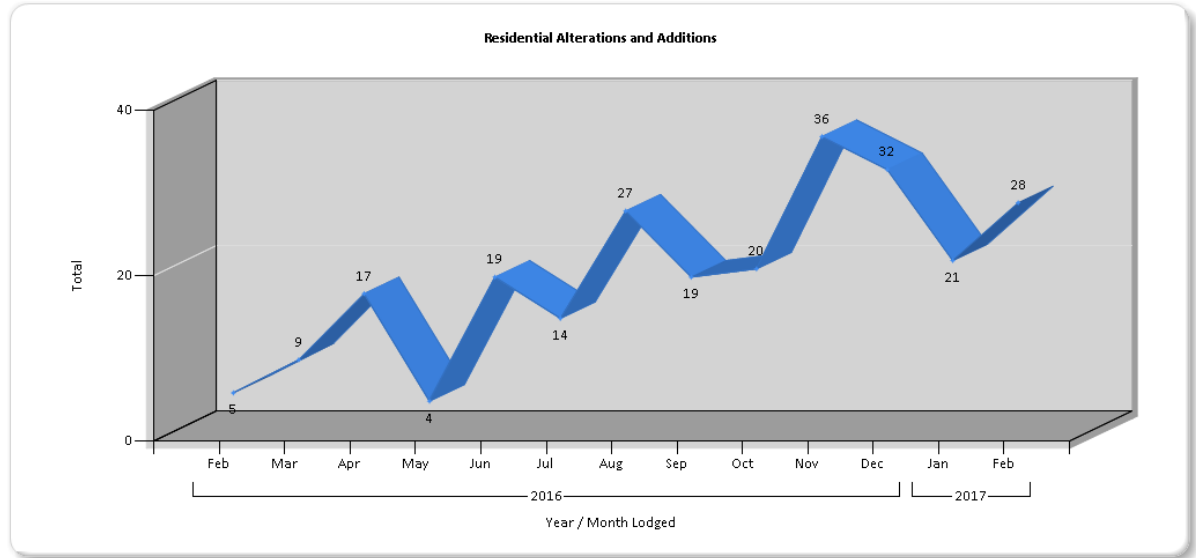
Applications Received New Residential Dwellings

Date To: 21/02/2017



Applications Received Residential Alterations and Additions

Date To: 21/02/2017



ATTACHMENTS

There are no attachments to this report.



13.3 Council Submission to the Draft Environmental Planning and Assessment Amendment Bill

Reference: 5609
Report Author: Acting Strategic Planning Team Leader/Coordinator
Authoriser: Group Manager Planning, Development & Regulatory Services

Link to Delivery Program: Ensure systems and processes are in place to achieve mutual trust and collaboration

PURPOSE

The purpose of this report is to present Council's draft submission in response to the public exhibition of the Draft Environmental Planning and Assessment Bill.

RECOMMENDATION

THAT Council endorses the submission in Attachment 1 to this report to the State Government's Draft Environmental Planning & Assessment Amendment Bill 2017.

REPORT

BACKGROUND

In 2013 the NSW government released a White Paper titled A New Planning System for NSW for public consultation. Council prepared and submitted a response to that Paper but the proposed new legislation did not proceed. On 9 January 2017 new proposed legislation in the form of a Draft Environmental Planning and Assessment Bill and associated Guide were released for public comment. Submissions close on 10 March 2017. Council's draft submission forms Attachment 1 to this report. If adopted by Council the submission will be lodged before the end of the exhibition period.

REPORT

The updated objectives of the new legislation are:

- to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources;
- to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment;
- to promote the timely delivery of business, employment and housing opportunities (including for housing choice and affordable housing);

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- to protect the environment, including the conservation of threatened and other species of native animals and plants;
- to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage);
- to promote good design in the built environment;
- to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State; and
- to provide increased opportunity for community participation in environmental planning and assessment.

The following key proposed amendments are noted and discussed.

- 1) Council would be required to prepare a Community Participation Plan based on the following community participation principles:
 - a) The community has a right to be informed about planning matters that affect it.
 - b) Planning authorities should encourage effective and on-going partnerships with the community to provide meaningful opportunities for community participation in planning.
 - c) Planning information should be in plain language, easily accessible and in a form that facilitates community participation in planning.
 - d) The community should be given opportunities to participate in strategic planning as early as possible to enable community views to be genuinely considered.
 - e) Community participation should be inclusive and planning authorities should actively seek views that are representative of the community.
 - f) Members of the community who are affected by proposed major development should be consulted by the proponent before an application for planning approval is made.
 - g) Planning decisions should be made in an open and transparent way and the community should be provided with reasons for those decisions (including how community views have been taken into account).
 - h) Community participation methods (and the reasons given for planning decisions) should be appropriate having regard to the significance and likely impact of the proposed development.

Several of the proposed amendments further address the implementation of these principles.

Council's submission notes that significant resources would be required in order to develop this Plan and that Council would welcome an indication as to what resources may be available from the State Government to assist. It is further noted that additional work may be required in reporting on these Plans through Annual Reports and other reporting obligations of Council.

- 2) Developers would be required to consult with their neighbours and take into account their responses, prior to lodging a Development Application with Council.
- 3) Council would be required to prepare a Local Strategic Planning Statement and review it at least every five years. The Statement must include or identify the following:

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- a) the basis for strategic planning in the area, having regard to economic, social and environmental matters,
- b) the planning priorities for the area that are consistent with any strategic plan (in Wingecarribee's case, the Regional Plan) applying to the area and any applicable community strategic plan under s402 of the *Local Government Act 1993* (Wingecarribee 2031+),
- c) the actions required for achieving those planning priorities,
- d) the basis on which the council is to monitor and report on the implementation of those actions.

Council's recently completed Wingecarribee Local Planning Strategy 2015-2031 would form the basis for the preparation of the Local Strategic Planning Statement.

- 4) Development Control Plans would be required to comply with a standard format although content will be left to the discretion of Council.
- 5) A benchmark of 40 days for 90% of housing approvals and improved state government referral requirements to assist Councils to meet that benchmark.
- 6) Tighter controls to ensure that unauthorised works can be required to be removed, and that already completed works cannot be approved by a s96 modification application.
- 7) Limitations on the types of development which may be determined by a private certifier.
- 8) A comprehensive review of Planning Agreements.

With regard to these proposed amendments, Council's submission advises that Council generally supports the proposed amendments, especially the proposed emphasis on strategic planning with genuine community engagement in the preparation of local strategic planning statements and associated plans and controls.

The submission makes three specific recommendations:

- that the minimum 14 day exhibition requirement for local development be amended to make provision for any public holidays which may fall during the exhibition period, extending the time frame accordingly.
- that an approved s96 modification should be notified in the same context as the original application and that reasons be provided especially if the modification results in the removal of any condition of the original consent.
- that a private certifier not be able to assess certain types of development within heritage conservation areas or involving items of heritage, or the newer forms of complying development such as medium density housing.

Council also expressed the need for further detail with regard to 'good design guidelines'.

Council expressed caution with regard to one additional proposed amendment, regarding Local Planning Panels. Local Planning Panels are not mandated, however the Minister for Planning or Planning Secretary will have the power to direct a council to appoint a Panel in certain circumstances.

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Council's submission expresses concern that this could result in certain local decisions being removed from council and determined instead by state authority. The submission notes that while Council supports efficiency and timely decision making, this should not be at the expense of appropriate planning outcomes supported by the local community.

IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

None.

CONSULTATION

Community Engagement

Council has not sought any submissions with regard to the proposed amendments. Community members may have made their own submissions directly to the state government. Council staff held a forum on Wednesday 15 February 2017 to which the Local Development Industry and Real Estate Agents were invited.

Internal Consultation

Comment was provided by Coordinator Community Engagement with regard to the Community Participation Plans. Councillors were also briefed at an Information Session and their comments incorporated into this response.

External Consultation

Coordinator Strategic Planning attended a workshop on amending the EP&A Act convened by the NSW Department of Planning and was able to discuss the proposed amendments.

SUSTAINABILITY ASSESSMENT

- **Environment**

The draft objectives of the Environmental Planning & Assessment Act include "to protect the environment, including the conservation of threatened and other species of native animals and plants".

- **Social**

The draft objectives of the Environmental Planning & Assessment Act include "to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources", and "to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment".

- **Broader Economic Implications**

There are additional no broader economic implications in relation to this report other than those objectives noted above.



- **Culture**

The draft objectives of the Environmental Planning & Assessment Act include “to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage)”.

- **Governance**

The draft objectives of the Environmental Planning & Assessment Act include “to promote the timely delivery of business, employment and housing opportunities (including for housing choice and affordable housing)” and “to provide increased opportunity for community participation in environmental planning and assessment.”

COUNCIL BUDGET IMPLICATIONS

Additional resourcing may be required to meet new Council obligations under the proposed amendments, the extent of which is unknown at this time.

RELATED COUNCIL POLICY

There are no other related Council policies with regard to this report.

OPTIONS

The options available to Council are:

Option 1

Make no submission to the public consultation of the draft Environmental Planning & Assessment Bill.

Option 2

Make a submission to the public consultation of the draft Environmental Planning & Assessment Bill. The draft submission attached to this report forms the basis of Council’s response and may be amended following consideration at the Council meeting. Any such amendments would be incorporated into the final submission.

Option 2 is the recommended option to this report.

CONCLUSION

It is concluded that, generally, the proposed amendments to the *Environmental Planning and Assessment Act* are positive in assisting Council to better manage its Strategic and Assessment Planning obligations and providing a framework within which community participation can occur at the strategic level. It is noted that additional studies and plans will be required which may place additional demands on Council resources.

ATTACHMENTS

1. Submission to draft EP&A Act Bill



ATTACHMENT 1

Submission

to the

Public Consultation Draft of the Environmental Planning and Assessment Amendment Bill 2017



Civic Centre, Elizabeth St, Moss Vale, NSW 2577.

PO Box 141, Moss Vale. ABN 49 546 344 354

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13.3 Council Submission to the Draft Environmental Planning and Assessment Amendment Bill
ATTACHMENT 1 Submission to draft EP&A Act Bill



SUBMISSION TO THE PUBLIC CONSULTATION DRAFT OF THE ENVIRONMENTAL PLANNING & ASSESSMENT AMENDMENT BILL 2017



WINGECARRIBEE SHIRE

Wingecarribee Shire is located on the NSW Southern Highlands and covers an area of some 2,700 square kilometres. It forms part of the Sydney Catchment Area with 97% of the total area of the Shire being within the Catchment Area.

Over 75% of the Shire is environmentally sensitive land, being zoned E1 National Parks and Nature Reserves, E2 Environmental Conservation or E3 Environmental Management under Wingecarribee Local Environmental Plan 2010. The Shire also contains extensive agricultural land with 12% of the Shire zoned RU1 Primary Production or RU2 Rural Landscape.

The Shire is of high conservation value with some 16 Heritage Conservation Areas covering an area of 1,600 ha. Schedule 5 (Part 1) of WLEP 2010 contains 328 Items of Heritage, 41 of which are of State significance. A further 81 properties are the subject of a Planning Proposal for inclusion in Schedule 5 of Wingecarribee Local Environmental Plan (WLEP) 2010.

Council's Community Strategic Plan 2031+, completed in 2010, confirms that the Wingecarribee community values these qualities for the contribution they make to the residential amenity of the Shire and to its tourist-based economic potential. The Community Strategic Plan is currently being reviewed and updated.

Therefore, by several measures, Wingecarribee is unique and it is from this perspective that the draft Amendments to *the Environmental Planning and Assessment Act* have been reviewed and this submission prepared.

SUMMARY OF COUNCIL RESPONSES & RECOMMENDATIONS

Council is generally supportive of the proposed amendments. Council is mindful however of the resources needed to develop and implement these Plans and would welcome state government assistance to achieve these outcomes.

In addition to general comments on several aspects of the Draft Bill contained in this submission, the following specific recommendations are made:

- that the minimum 14 day exhibition requirement for local development be amended to make provision for any public holidays which may fall during the exhibition period, extending the time frame accordingly.
- that an approved s96 modification should be notified in the same context as the original application and that reasons be provided especially if the modification results in the removal of any condition of the original consent.
- that a private certifier not be able to assess certain types of development within heritage conservation areas or involving items of heritage, or the newer forms of complying development such as medium density housing.

13.3 Council Submission to the Draft Environmental Planning and Assessment Amendment Bill**ATTACHMENT 1 Submission to draft EP&A Act Bill**

SUBMISSION TO THE PUBLIC CONSULTATION DRAFT OF THE
ENVIRONMENTAL PLANNING & ASSESSMENT AMENDMENT BILL 2017

**REVIEW OF PROPOSED AMENDMENTS****Objects of the Act**

The updated Objects of the Act are noted and supported by Council.

With regard to the promotion of 'good design', Council would hope to see some conversation and guidelines around what constitutes 'good' design, particularly with regard to infill development within localities of high heritage value. The 2015 release of the Department of Planning and Environment's 'Apartment Design Guide' and the current 'Draft Medium Density Design Guide' are noted and are being considered by Council in the context of reviewing its Development Control Plans.

Enhancing Community Participation

Council places a high value on community engagement and supports the introduction of a Community Participation Plan. Council does have a Community Engagement Strategy, developed initially for the Wingecarribee 2031+ Community Strategic Plan and will need to determine to what extent this Plan could be amended to meet the new proposal, or whether a new Plan will be needed. Council is aware of the significant resources which will be required to develop such a Plan and would welcome an indication as to whether the state government will be providing assistance in this regard and in what form.

Council is also mindful of the difficulties of effectively engaging with the community at the strategic level alone. Council's experience is that, despite the obvious advantages of engaging the community at the strategic level, it is particularly difficult for the community to do so. Council is particularly concerned that it is difficult for younger people to conceptualise at a strategic level. Also, in communities experiencing high growth through in-migration, newer populations may not have the same opportunity for strategic engagement unless this is undertaken on a more frequent basis than traditionally occurs.

Council supports an "evidence-based" approach to decision-making. Council believes that such 'evidence' would need to be in the form of regional and sub-regional datasets, preferably delivered through state government authorities. The Strategic Land and Water Capability Assessments (SLWCA) undertaken by the Sydney Catchment Authority are one example of such data delivery which is of assistance to Council. Further data of this type would reduce the time delays and expense to developers which the preparation of independent studies currently requires for such issues as flood and bushfire risk, traffic implications and heritage impacts. Council could then focus its limited resources on improved strategic community participation.

Council would welcome state government funding support to develop and implement electronic based systems whereby property owners can access on-line an integrated database providing details on zoning, development standards, development guidelines and infrastructure costs. Council especially hopes that any new system is a huge improvement on the presentation of the current LEP maps on the NSW Legislation website which causes considerable confusion within the community as well as among council staff.

13.3 Council Submission to the Draft Environmental Planning and Assessment Amendment Bill**ATTACHMENT 1 Submission to draft EP&A Act Bill**

SUBMISSION TO THE PUBLIC CONSULTATION DRAFT OF THE ENVIRONMENTAL PLANNING & ASSESSMENT AMENDMENT BILL 2017



Council sees considerable opportunity for use of the internet in engaging those sections of the community which are often not well represented in traditional community consultation efforts. Young people and people unable to attend public information sessions due to work or family commitments or accessibility limitations could all take part in on-line debates and consultation forums. This may well provide those residents with the confidence and interest to attend future consultation opportunities in person.

Council is also currently reviewing its Notification Policy. With regard to the minimum exhibition period, it is recommended that the minimum 14 day exhibition requirement for local development be amended to make provision for any public holidays which may fall during the exhibition period, extending the time frame accordingly.

Early Consultation

Council supports the proposal to require that consultation with neighbours occur before an application or modification of a current approval is lodged with Council.

Local Strategic Planning Statements

Council supports the preparation of local strategic planning statements.

Council's recently completed Wingecarribee Local Planning Strategy 2015-2031 adopts a 'narrative' approach which reflects the proposed legislative framework of the local strategic planning statements telling the story of the local government area. Council's Local Planning Strategy also sets out the strategic context within which the LEP has been developed, including the rationale behind the application of zones and development controls, as required under the proposed legislation. It also incorporates both the Regional Plan and the Wingecarribee Community Strategic Plan, both of which are currently being updated.

Development Control Plans

Council does not object to a standard DCP format and agrees that the content should remain a matter for Councils to determine. Council is currently undertaking an extensive review of its DCPs which will provide a relevant framework for the incorporation of a new format.

Development Application Determinations

Council notes the 40 day housing approval benchmark and supports the intention to update state government referral requirements and processes to facilitate meeting this expectation.

Such improvements in the referral process will be essential to enabling local government areas such as Wingecarribee to meet determination times. Referrals are frequently needed to Rural Fire Service, Water NSW, Roads and Maritime Services and Department of Primary Industries.

**13.3 Council Submission to the Draft Environmental Planning and
Assessment Amendment Bill
ATTACHMENT 1 Submission to draft EP&A Act Bill**



SUBMISSION TO THE PUBLIC CONSULTATION DRAFT OF THE
ENVIRONMENTAL PLANNING & ASSESSMENT AMENDMENT BILL 2017



Misuse of Modifications & Enhanced Enforcement Provisions

Council is particularly supportive of proposed amendments to prevent planning authorities including the court from seeking retrospective approval for, or s96 modifications to, works already completed. Council also supports the proposal that planning authorities will be required to provide reasons to justify a decision to modify a consent, especially where that modification involves the removal of conditions.

- Council recommends that an approved s96 modification should be notified in the same context as the original application and that reasons be provided especially if the modification results in the removal of any condition of the original consent.

Council also supports 'enforceable undertakings' to improve compliance outcomes, particularly rectifying any harm which unauthorised activity has caused.

Complying Development

Council is particularly supportive of the proposal to limit the types of development which may be assessed by a private certifier. These would at least include certain types of development within heritage conservation areas or involving items of heritage, or newer forms of complying development such as medium density housing developments.

Council also supports the proposal that Councils will be able to issue a temporary stop work order for up to 7 days on a project against which "genuine complaints" have been made. Council is interested to know the criteria by which a 'genuine' complaint would be identified.

Planning Agreements

Council supports a separate review of the current policy framework for the role and use of planning agreements in the planning system.

Local Planning Panels

Council notes that Local Planning Panels are not mandated, however it is also noted that the Minister for Planning or Planning Secretary will have the power to direct a council to appoint a Panel in certain circumstances. Council would be concerned if this meant that local decisions were removed from council and determined instead by state authority.

Council supports efficiency and timely decision making, but not at the expense of appropriate planning outcomes supported by the local community. It is anticipated that the development of a Community participation Plan and its active application would remove the need for a Local Planning Panel.

Concluding Comments

Council remains fully committed to undertaking the community participation required to ensure the successful implementation of the updated planning legislation. To this end, a collaborative approach is required, between the Council, the applicant and the community,

13.3 Council Submission to the Draft Environmental Planning and Assessment Amendment Bill

ATTACHMENT 1 Submission to draft EP&A Act Bill



SUBMISSION TO THE PUBLIC CONSULTATION DRAFT OF THE ENVIRONMENTAL PLANNING & ASSESSMENT AMENDMENT BILL 2017



and between the state and local levels of government, preferably collaboration which is matched with the resources required to implement it.

Council fully supports the proposed emphasis on strategic planning with genuine community engagement in the preparation of local strategic planning statements and associated Plans and Controls. Council is mindful however of the resources needed to develop and implement these Plans and would welcome state government assistance to achieve these outcomes.

Council appreciates the opportunity to comment on the proposed amendments to the Environmental Planning & Assessment Act.



13.4 ANZAC Day 2017

Reference: 1671/1
Report Author: PA for Mayor
Authoriser: Group Manager Corporate & Community
Link to Corporate Plan: Encourage and implement activities that strengthen community spirit

PURPOSE

Reporting on the Wreath Laying Ceremonies for ANZAC Day 2017.

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 08 March 2017

REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY & DEVELOPMENT SERVICES



RECOMMENDATION

1. **THAT** subject to Councillor availability, Council be represented at the following services:

	SERVICE	2017 ATTENDANCE
BERRIMA	<i>Dawn Service 5.30 am</i>	
	<i>Main Service 10.30 am</i>	
BOWRAL	<i>Dawn Service – March 5.45 am Service 6.00 am</i>	
	<i>Main Service – March 10.35 am Service 11.00 am</i>	
BUNDANOON	<i>March 10.30 am – Service 11.00 am</i>	
ROBERTSON/ KANGALOO	<i>Wreath Laying 10.15 am</i>	
BURRAWANG	<i>Wreath Laying and Service - 11.00 am</i>	
COLO VALE	<i>Service – 8.00am</i>	
EXETER	<i>Service - 9.00 am</i>	
HILLTOP	<i>Dawn Service 6.00 am</i>	
MITTAGONG	<i>Dawn Service – March 5.15 am Service 5.30 am</i>	
	<i>Main Service – March 10.30 am Service 10.45 am</i>	
MOSS VALE	<i>March 10.30 am - Service 11.00 am</i>	
SUTTON FOREST	<i>March 7.50 am – Service 8.00 am</i>	

2. **THAT** the respective Sub-Branche s be advised of Council representation as detailed in 1 above.
3. **THAT** Council purchase appropriate books for the Bowral, Bundanoon, Moss Vale and Berrima Memorial Services **AND THAT** wreaths be purchased for the remaining locations.

REPORT

BACKGROUND

Council has in the past been represented at ceremonies conducted on ANZAC Day which this year falls on Tuesday, 25 April 2017. These services are traditionally held in Berrima, Bowral, Bundanoon, Burrawang, Colo Vale, Exeter, Hill Top, Mittagong, Moss Vale, Robertson/Kangaloon and Sutton Forest

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

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REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY & DEVELOPMENT SERVICES



REPORT

Council is requested to determine who will be its representatives at the various ceremonies so that the appropriate RSL Sub-Branch can be notified.

The following 2017 ANZAC Day Services have requested Councillor Attendance (***with the attendances for 2016 beside each service***):

	SERVICE	2016 ATTENDANCE	2017 ATTENDANCE
BERRIMA	<i>Dawn Service 5.30 am</i>	<i>Clr I M Scandrett</i>	
	<i>Main Service 10.30 am</i>	<i>Clr G McLaughlin</i>	
BOWRAL	<i>Dawn Service – March 5.45 am Service 6.00 am</i>	<i>Clr G McLaughlin</i>	
	<i>Main Service – March 10.35 am Service 11.00 am</i>	<i>Clr J Uliana</i>	
BUNDANOON	<i>March 10.30 am – Service 11.00 am</i>	<i>Clr I M Scandrett</i>	
ROBERTSON/ KANGALOO	<i>Wreath Laying and Service- 11.00 am</i>	<i>Clr L A C Whipper</i>	
BURRAWANG	<i>Wreath Laying 10.15 am</i>	<i>Clr L A C Whipper</i>	
COLO VALE	<i>Service 8.00am</i>	<i>Clr I M Scandrett</i>	
EXETER	<i>Service 9.00 am</i>	<i>Clr I M Scandrett</i>	
HILLTOP	<i>Dawn Service 6.00 am</i>	<i>Mr Mark Pepping, Deputy General Manager Corporate, Strategy & Development Services</i>	
MITTAGONG	<i>Dawn Service – March 5.15 am Service 5.30 am</i>	<i>Clr G M Turland or Clr J Uliana (Alternate)</i>	
	<i>Main Service – March 10.30 am Service 10.45 am</i>	<i>Clr J G Arkwright</i>	
MOSS VALE	<i>March 10.30 am - Service 11.00 am</i>	<i>Clr T D Gair</i>	
SUTTON FOREST	<i>March 7.50 am – Service 8.00 am</i>	<i>Clr T D Gair</i>	

LAYING A WREATH OR PLACING A BOOK

The Bundanoon and Moss Vale RSL Sub-Branches and the Berrima Residents' Association have previously requested that books to be presented in lieu of the traditional wreaths during their ANZAC Day services. The Bowral RSL Sub-Branch has requested a book in lieu of a wreath for their second service only. In each case, the books are intended to be presented to local schools or the Shire libraries.

The wreaths and books will be delivered to Councillors on Monday, 24 April 2017.

TRAFFIC MANAGEMENT

Council's Assets and Project Delivery, Traffic Engineer has engaged the services of All Areas Traffic Services to manage the traffic for the Anzac Day Parades.



CONSULTATION

Community Engagement

Details of road closures for the ANZAC Day Ceremonies will be advertised in the local press.

Internal Consultation

A report was referred to the Traffic Committee Meeting on Thursday, 2 March 2017.

SUSTAINABILITY ASSESSMENT

- **Social**

ANZAC Day is of great historical significance and an important event attended each year by thousands of Australians.

- **Broader Economic Implications**

The local economy receives a boost as a result of conducting ANZAC Day marches and services throughout the Shire (visitor spending).

- **Culture**

There are no cultural issues in relation to this report.

- **Governance**

Coordination has been undertaken with each association in regard to risk management procedures for ANZAC Day.

COUNCIL BUDGET IMPLICATIONS

Coordination has been undertaken with each association in regard to risk management procedures for ANZAC Day.

RELATED COUNCIL POLICY

There are no policy implications

ATTACHMENTS

There are no attachments to this report.

13.5 Rural Fire Service Request for Construction Certificate Fees for Proposed Colo Vale Station

Reference: 2106, 6433
Report Author: Organisational Support Officer
Authoriser: Chief Financial Officer
Link to Delivery Program: Maintain strong public institutions and facilities in the district to match the evolving needs of the community

PURPOSE

The purpose of this report is to seek Council's financial support of the Construction Certificate Fees for the proposed Colo Vale Rural Fire Service Brigade Station.

RECOMMENDATION

THAT Council determines its position in regard to financial support of Council's construction certificate fees for the proposed Colo Vale Rural Fire Brigade Station.

REPORT

BACKGROUND

The Rural Fire Service (RFS) in 2015 submitted to Council a development application to build a new fire station on the corner of Church and Wilson Drive Colo Vale.

REPORT

After completion of the build, the new fire station will become and remain the property of Wingecarribee Shire Council. As the commencement of construction draws near, the RFS are seeking Council's financial support for Council's construction certificate fees for the proposed building in the amount of \$3,708.50.

IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

There are no 'Fit for the Future' implications for Council

CONSULTATION

Community Engagement

Nil

Internal Consultation

DGM Corporate Strategic and Development Services

Group Manager Development Services



External Consultation

The Rural Fire Service

SUSTAINABILITY ASSESSMENT

- **Environment**

There are no environmental issues in relation to this report.

- **Social**

Council has a duty of care to support and protect its community. Financing the construction certificate fees will allow the Rural Fire Service to apply the savings towards the development project especially as the completed project will become and remain Council's asset.

- **Broader Economic Implications**

There are no broader economic implications in relation to this report.

- **Culture**

There are no cultural issues in relation to this report.

- **Governance**

There are no governance issues in relation to this report.

COUNCIL BUDGET IMPLICATIONS

The Contingency Fund has a current balance of \$17,094.

If Council does not support the request made by the Rural Fire Service, then the construction certificate fees will be paid from the budget for the construction of the new brigade station at Colo Vale.

At its meeting on 22 February 2017, Council approved an increase in this budget allocation of \$75,700, to be funded through the Property Development Reserve.

This is in addition to the funding which has been approved for this project of \$550,000 through the NSW State Government Rural Fire Fighting Fund, of which Council has already contributed 11.7% towards the cost of this project.

RELATED COUNCIL POLICY

Council's Statement of Revenue Policy allows for a 'a reduction of not more than 50% of the applicable Development Application or Construction Certificate fee" where an organisation is a 'not for profit' organisation or a registered charity.

Although the Rural Fire Service does not fit either category, the land on which the proposed building will stand, along with the completed building, will become the property of Wingecarribee Shire Council and the service provided by the RFS is necessary for the protection of our community.

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**REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY &
DEVELOPMENT SERVICES**



OPTIONS

For Council's determination.

CONCLUSION

Council's funding of the Construction Certificate Fees for the Colo Vale Rural Fire Station is requested and submitted for determination by Council.

ATTACHMENTS

There are no attachments to this report.

Mark Pepping
**Deputy General Manager Corporate,
Strategy & Development Services**

Friday 3 March 2017

COUNCIL MATTERS

14 GENERAL MANAGER

14.1 Request for Leave of Absence - Cllr Peter Nelson

Reference: Pers, 101/1
Report Author: PA for Mayor
Authoriser: Group Manager Corporate & Community
Link to Delivery Program: Ensure systems and processes are in place to achieve mutual trust and collaboration

PURPOSE

Reporting on a request from Councillor Peter Nelson for leave of absence

RECOMMENDATION

THAT Councillor Peter Nelson be granted leave of absence from all Council commitments on Wednesday, 8 March and 15 March 2017, including the Ordinary Meeting of Council and Briefing Sessions to be held these days.

REPORT

Councillor Peter Nelson has written to Council on 22 February, 2017 advising that he is seeking leave of absence from all Council commitments on Wednesday, 8 March and Wednesday, 15 March 2017 including the Ordinary Meeting of Council and Briefing Sessions to be held on these days, for personal reasons.

IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

None Identified

CONSULTATION

Community Engagement

Not applicable

Internal Consultation

Not applicable

External Consultation

Not applicable



SUSTAINABILITY ASSESSMENT

- **Environment**

There are no environmental issues in relation to this report.

- **Social**

There are no social issues in relation to this report.

- **Broader Economic Implications**

There are no broader economic implications in relation to this report.

- **Culture**

There are no cultural issues in relation to this report.

- **Governance**

The *Local Government (General) Regulation 2005* – Section 235A Leave of Absence – states as follows:

- (1) A Councillor's application for leave of absence from Council meetings should, if practicable, identify (by date) the meetings from which the Councillor intends to be absent.
- (2) A Councillor who intends to attend a council meeting despite having been granted leave of absence should, if practicable, give the general manager at least 2 days' notice of his or her intention to attend.

COUNCIL BUDGET IMPLICATIONS

There are no Budget implications in relation to this request.

RELATED COUNCIL POLICY

None identified

OPTIONS

The options available to Council are:

Option 1

Grant the leave of absence

Option 2

Do not grant the leave of absence

Option 1 is the recommended option to this report.

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 08 March 2017

REPORT GENERAL MANAGER



CONCLUSION

That Councillor Peter Nelson be granted the requested leave of absence.

ATTACHMENTS

There are no attachments to this report.



14.2 Question with Notice 02/2017 - Lots 11 and 12 Range Road, Mittagong

Reference: 100/5, PN125700, PN125800
Report Author: Administration Officer
Authoriser: Group Manager Corporate & Community
Link to Delivery Program: Ensure systems and processes are in place to achieve mutual trust and collaboration

PURPOSE

To consider a Question with Notice raised by Cllr Garry Turland, dealing with a legal issue related to Lots 11 and 12 Range Road, Mittagong.

Pursuant to Section 10A(2)(g) of the *Local Government Act 1993*, this issue is considered to be most appropriately dealt with in Closed Council.

RECOMMENDATION

1. **THAT** in relation to the Question with Notice submitted by Cllr Garry Turland - 02/2017 – Lots 11 and 12 Range Road, Mittagong – Council adopts the recommendation contained in the Closed Council Report – Item 22.1.

OR

2. **THAT** the Question with Notice submitted by Cllr Garry Turland - 02/2017 – Lots 11 and 12 Range Road, Mittagong – be considered in Closed Council – Item 22.1.

Note In accordance with Council's Code of Meeting Practice, immediately after a motion to close part of a meeting to the public has been moved and seconded, debate on the motion should be suspended to allow the public to make representations to Council as to why the item should not be considered in Closed Council.

ATTACHMENTS

There are no attachments to this report.

Ann Prendergast
General Manager

Friday 3 March 2017



16 PETITIONS

16.1 Petition 03/2017 - Drainage and Road Repairs - Colo-Hill Top Road, Hill Top

Reference:	100/8, RD2209
Report Author:	Administration Officer
Authoriser:	Group Manager Corporate & Community
Link to Corporate Plan:	Ensure systems and processes are in place to achieve mutual trust and collaboration

PURPOSE

The purpose of this report is to table a petition in relation to Drainage and Road Repairs – Colo-Hill Top Road, Hill Top. The petition has been signed by 26 people.

A copy of the Petition has been placed in the Councillors' Room and will be tabled at the Ordinary Meeting of Council.

RECOMMENDATION

THAT Petition 03/2017 – Drainage and Road Repairs – Colo-Hill Top Road, Hill Top - be received and the content of this report be noted.

REPORT

A Petition has been received by Council stating the following:

"We the undersigned, respectfully request that Council fix drainage issues and carry out repairs to Colo-Hill Top Road due to the impact of severe water run-off during heavy rain which causes considerable damage to the road surface in the form of potholes and debris. The lack of proper drainage causes some properties on the northern side of the road to be severely impacted by flooding during rain events.

Council has advised that although Colo-Hill Top Rd was repaired by Council in 2014, this was done "in error" and suggested that we residents fix the road ourselves because it is "not a Council road and therefore not Council's responsibility". We wish to advise Council that this may not be financially possible for the residents considering how often it needs to be repaired.

We residents pay rates to Council but receive no direct services and feel that we should therefore be afforded assistance in the matter of road and drainage repairs.

With regard to the road condition there are concerns that:

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 08 March 2017

PETITIONS



1. *In the case of a medical emergency, where a patient needs to be transported carefully to avoid worsening the impact of an injury or illness, this would not be possible due to the condition of the road. This could also be an issue with Sackville Street, which, although it does receive repairs from time to time, breaks down very quickly resulting in potholes of considerable size to appear in some sections, as well as erosion of the road surface.*
2. *In the case of a fire/bushfire when emergency vehicles need urgent access, the condition of Colo-Hill Top Rd, (and Sackville St between repair jobs) as it worsens, may cost precious seconds which could mean the difference to a resident's safety.*
3. *Due to the increased level of traffic due to new housing development and especially when construction is being carried out, Sackville St because of its narrow width, does not have enough areas for oncoming vehicles, especially trucks, to pass safely, requiring one vehicle to back up or move into the bush. There are some areas where this can be done safely and without possible damage to a vehicle, but more needs to be created, or the road widened."*

ATTACHMENTS

1. Council's Unmaintained Roads Policy



ATTACHMENT 1

POLICY

UNMAINTAINED ROADS POLICY [No 3.51]

POLICY STATEMENT:

DEFINITIONS

Maintained Road:	A road that is included in Council's Road Register and maintained by Council.
Unmaintained Road:	A road that is not included in Council's Road Register and not maintained by Council.
Constructed Road:	A road constructed to Council's standards and generally as per Council's drawing SD121.
Formed Road:	A road that does not have gravel paving, but which is formed using a grader so that stormwater will drain off laterally.
Unformed Road:	A road reserve that has been cleared and open to use by the public.
Unmade Road:	A road reserve that has had no capital improvement including clearing, formation and gravel paving. An unmade road may be trafficable or un-trafficable in all weathers.

Section A: Responsibility for unmaintained roads:

- Council only maintains the roads that are included in Council's Road Segment Ledger (Roads Register). Approximately 1150km of roads have been listed in the Road Register in 2011/12. Maintained Roads have been constructed by Council or by another party to Council standards and formally handed to and accepted by Council.
- The cost of maintenance of the unmaintained roads whether formed, unformed or unmade road reserve are the responsibility of the land owners who use the road for access to private properties.

Section B: Upgrading unmaintained roads by land owners:

- Council will accept written applications to construct a formed road by the applicants. Applications will be assessed and may be granted conditional approval based on conditions outlined in the policy guidelines.
- The formation/construction of a road to Council standards does not automatically imply that Council will maintain the road. Council as a rule will only take over maintenance of the road if it provides a wider community benefit.
- Following construction of the road in accordance with conditional approval and its acceptance by the authorised Council officer, Council may assume responsibility for its maintenance, subjected to conditions stated above.

RELATED LEGISLATION, CIRCULARS OR GUIDELINES:

- *Local Government Act 1993 No. 30 and Regulation*



POLICY

- Roads Act 1993

DOES THIS DOCUMENT REPLACE ANY EXISTING POLICY, PROCEDURE OR PLAN?

Yes, this document replaces Council's:

- Upgrading of Unformed Roads Policy, June 1996

RELATED COUNCIL POLICY OR PROCEDURE:

- Unmaintained Road Policy Guidelines
- Asset Management Strategy

SUSTAINABILITY ASSESSMENT:

• **Environment**

Upgrading Unmaintained Council owned public roads to current standards will have an impact on existing trees, habitat and biodiversity, as most of these roads are in rural areas and have vegetation encroachments along the road reserves. In many cases, these Unmaintained road reserves represent the last remnants of undisturbed natural vegetation in the area.

• **Social**

Road maintenance is an area where Council has to manage limited funds to maintain the entire road network. It is often mentioned by residents living on Council unmaintained sections of road about the rates they pay. It is important to ensure road maintenance expenditure is managed equitably based on the functional hierarchy of the network and to ensure optimal community benefits are achieved.

• **Broader Economic Implications**

The level of funding available to Council to undertake required level of maintenance and rehabilitation/renewal is a major constraint. Taking over the responsibility for upgrading and maintaining more roads currently not maintained by Council will require additional funds and the benefits to affected land owners need to be balanced against wider community benefits, reduction in service levels of the Council maintained roads and reduced financial sustainability.

APPLICATION AND DISTRIBUTION

It is mandatory for all Council officials to comply with this Policy.

This Policy and Guidelines are available on Council's website under Council Policies.

APPROVED BY:

Council: 22 May, 2013 CW87/13
[Meeting date & Resolution No]



POLICY

EFFECTIVE: 22 May, 2013	REVIEW DATE: 22 May, 2017
DISTRIBUTION: All Staff	
RESPONSIBLE COUNCIL DEPARTMENT/OFFICER: Manager Assets	
VERSION HISTORY TABLE: Version 1	

KEY RESPONSIBILITIES

<i>Position</i>	<i>Responsibility</i>
Mayor	To lead Councillors in their understanding of, and compliance with, this Policy and Guidelines.
General Manager	To lead staff (either directly or through delegated authority) in their understanding of, and compliance with, this Policy and Guidelines. To approve resources to develop, implement and review this Policy and Guidelines.
Responsible Officer	Senior Asset Engineer (Roads and Drainage) and Manager Assets to prepare works programs and plans in compliance with this policy.
Deputy General Managers	To communicate, implement and comply with this Policy and related Guidelines.
Deputy General Manager Corporate & Strategic	To ensure (directly or through delegation) the distribution and communication of the Policy and Guidelines to specified persons. To ensure (directly or through delegation) the approved Policy and Guidelines are available in hard copy and electronically on Council's website.
Manager Organisational Development	Facilitate the provision of regular training to all Council officials on their role and responsibilities in relation to this Policy, Guidelines and related procedures.
Executive and Managers	To implement this Policy, Guidelines and related procedures. To lead staff in their understanding of, and compliance with, this Policy and Guidelines
Manager Information Services	To assist with the development of access methods to support public access to this Policy, Guidelines and related information.
All Council officials	To comply with this Policy, Guidelines and related procedures.



UNMAINTAINED ROADS POLICY GUIDELINES

POLICY GUIDELINES

DIVISION: Corporate Services

SECTION: Assets

SUBJECT: Unmaintained Roads

FILE NOS: 7810/3, 7810/7

APPROVAL DATE: 22 May, 2013

MINUTE NO: CW87/13

BACKGROUND – Wingecarribee Shire Council has an estimated 200 km of roads not maintained by Council throughout the Shire. These roads are called 'unmaintained roads'. Approximately 80% of these roads are unformed rural roads and the balance is partially formed to Council standards. In addition to this there are hundreds of kilometres of unmaintained paper roads and Crown roads.

Legal Framework:

The relevant legal framework is contained in the Roads Act 1993.

- Council has no statutory duty to carry out works of construction or repair of public roads or to keep them in repair.
- It is an offence to carry out any work on a public road without the consent of Council (Section 138).
- Council can give this consent subject to conditions (Section 139).

Principles:

The principles behind the policy are:

- Council has an obligation to ensure that legal access is available to all lots.
- Council has no obligation to provide physical access to lots.
- Owners of land on an unformed road who wish to build on the land should be able to do so at a reasonable cost of provision of vehicular access.
- Council needs to minimise its exposure to subsequent complaints and requests for construction and sealing of the formed access road, by ensuring that it is built to an appropriate standard.
- Owners or developers of multiple lots located on an unformed road who intend to develop and resell the lots should be required to provide access to a standard that would apply to subdivisions. In such cases, the developer should be prevented from the sequential extension of the road and sale of the lots one at a time, by 'bending' the policy.

OBJECTIVE:

The objectives of this policy are to specify

- a) The responsibility for maintaining 'unmaintained' roads.
- b) The process for upgrading 'unmaintained' roads by landowners, and



POLICY GUIDELINES

SCOPE – This policy covers

- Responsibility for 'unmaintained' roads.
- Upgrading 'unmaintained' roads by land owners and
- Requests for upgrade and Council takeover of maintenance of 'unmaintained' roads.

POLICY

- a) The cost of Maintenance of the Unmaintained roads whether Formed, Unformed or Unmade are the responsibility of the land owners who use the road for access to private properties.

- b) Council will accept written applications to construct/upgrade an Unmaintained road. Applications will be assessed as per the procedure and conditions outlined in this policy guidelines. The construction of a road to Council standards does not automatically imply that Council will maintain the road. Council as a rule will only take over maintenance of the road, if it provides wider community benefits.

Procedures and Conditions:

Upgrading Unmaintained Road by Land Owners

1. A written application to construct a formal road must be lodged, stating the reasons for the proposal.
2. The application will be assessed and written conditional approval may be granted.
3. Conditions and standard of construction will be as per attached drawing SD121 and relevant development guidelines.
4. Following construction and acceptance by the authorised Council officer, Council may assume responsibilities for its maintenance, if it provides wider community benefits.
5. In the case of access to multiple lots in the same ownership, the access will be conditioned as if the application was a subdivision to create the existing lots.

DEFINITIONS/RELATED INFORMATION:

Maintained Road:	A road that is included in Council's Road Register and maintained by Council.
Unmaintained Road:	A road that is not included in Council's Road Register and not maintained by Council.
Constructed Road:	A road constructed to Council's standards and generally as per Council's drawing SD121.
Formed Road:	A road that does not have gravel paving, but which is formed using a grader so that stormwater will drain off laterally.
Unformed Road:	A road reserve that has been cleared and open to use by the public.
Unmade Road:	A road reserve that has had no capital improvement including clearing, formation and gravel paving. An unmade road may be trafficable or un-trafficable in all weathers.



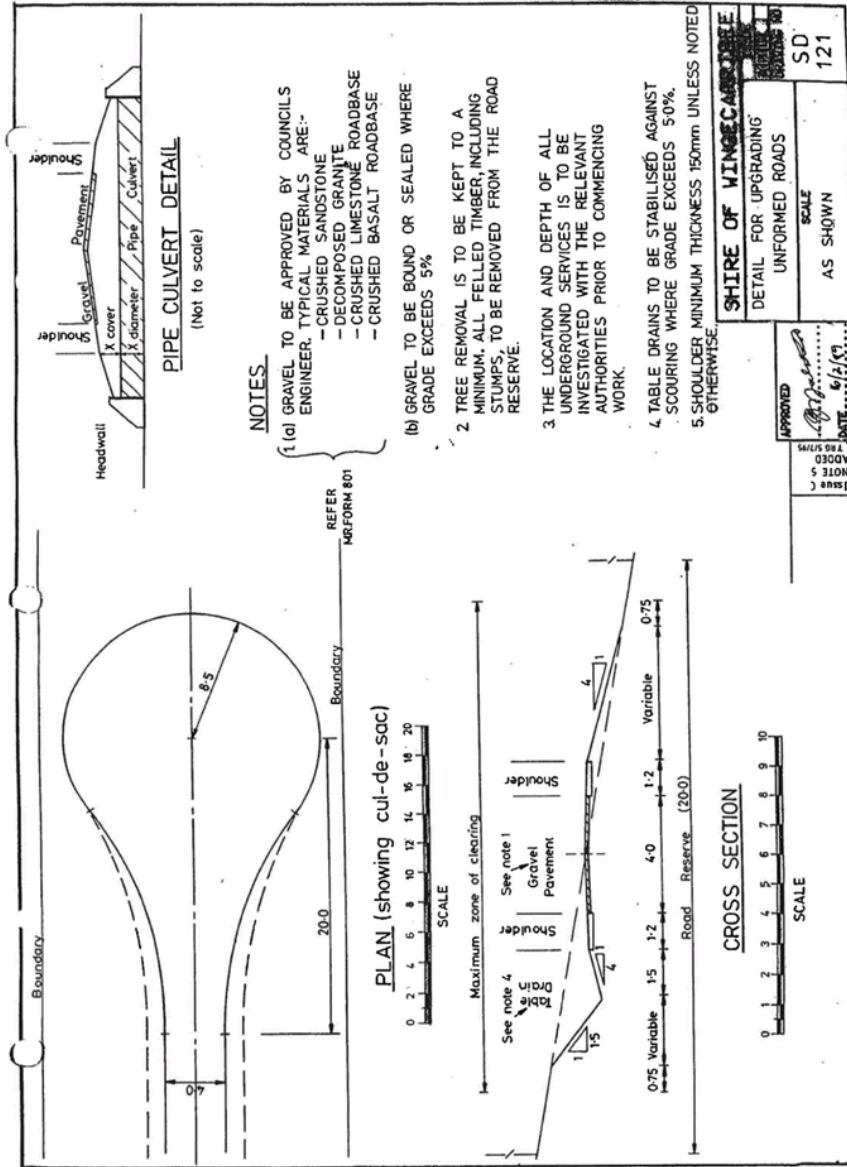
POLICY GUIDELINES

CONTACT – Manager Assets

REVIEW – Every Four Years



POLICY GUIDELINES



20 NOTICES OF MOTION

20.1 Notice of Motion 03/17 - Bowral Rugby Club - Long-term Tenure of the Clubhouse Facility

Reference: 100/4
Report Author: Administration Officer
Authoriser: Group Manager Corporate & Community
Link to Delivery Program: Ensure systems and processes are in place to achieve mutual trust and collaboration

PURPOSE

Councillor Garry Turland has given notice that it is his intention to move the following motion at the Ordinary Meeting of Council on 8 March 2017:

THAT the General Manager investigate options that provide the Bowral Rugby Club with long term tenure of the clubhouse facility located in Eridge Park, Burradoo.

RECOMMENDATION

Submitted for determination.

Preamble

Long term tenure will assist the Club in securing additional funding for improvements to the clubhouse / amenities building.

COMMENT FROM STAFF

Council staff will present a report to Council in April 2017 which considers all options regarding the Bowral Rugby Club and Eridge Park, Burradoo.



20.2 Notice of Motion 04/17 - Illawarra Academy of Sport Representatives - Subsidy of Membership Fees for the MVWMAC

Reference: 100/4, 6600/5
Report Author: Administration Officer
Authoriser: Group Manager Corporate & Community
Link to Delivery Program: Ensure systems and processes are in place to achieve mutual trust and collaboration

PURPOSE

Councillor Garry Turland has given notice that it is his intention to move the following motion at the Ordinary Meeting of Council on 8 March 2017:

THAT Council subsidise fifty percent (50%) of the membership fee for the Moss Vale War Memorial Aquatic Centre to enhance the training needs of the Wingecarribee Shire 2017 Illawarra Academy of Sport representatives AND THAT the balance is contributed by alternate external sources.

RECOMMENDATION

Submitted for determination.

COMMENT FROM STAFF

The following information details the potential cost to Council:

Concession Entry + Joining Fee = \$700.40 + \$99 = \$799.40

Council Contribution = 50% x \$799.40 = \$399.70

Total Contribution = 21 athletes x \$399.70 = \$8,393.70

20.3 Notice of Motion 05/17 - Legal Affairs Report

Reference: 100/4, 107/22
Report Author: Administration Officer
Authoriser: Group Manager Corporate & Community
Link to Delivery Program: Ensure systems and processes are in place to achieve mutual trust and collaboration

PURPOSE

Councillor Garry Turland has given notice that it is his intention to move the following motion at the Ordinary Meeting of Council on 8 March 2017:

THAT the General Manager provide an additional column on the Legal Affairs report, noting the costings for consultants in relations to individual matters.

RECOMMENDATION

Submitted for determination.

Preamble

This will allow a more realistic cost breakdown, showing the community the total costs incurred by Council in relation to legal matters.

COMMENT FROM STAFF

If Council determines it is appropriate to include the cost of consultants which are engaged to provide advice on legal matters, staff will include these costs in future reports.



20.4 Notice of Motion 06/2017 - Chelsea Gardens/Coomungie Urban Release Area

Reference: 100/4, PN1682700, PN1705662
Report Author: Administration Officer
Authoriser: Group Manager Corporate & Community
Link to Delivery Program: Ensure systems and processes are in place to achieve mutual trust and collaboration

PURPOSE

Councillor Ian Scandrett has given notice that it is his intention to move the following motion at the Ordinary Meeting of Council on 8 March 2017:

1. **THAT staff request a meeting, as soon as possible, with the NSW Minister for Planning, the Hon Anthony Roberts, MP, and the Departmental Secretary to discuss the removal of Chelsea Gardens/Coomungie from the:**
 - (a) Future urban release area.
 - (b) Future residential estates sites list.
2. **THAT the Mayor, Deputy Mayor, the Chair of the Demographics and Housing Advisory Committee and staff attend such meeting.**
3. **THAT a briefing paper for the meeting be prepared on the history of the proposal AND THAT such paper also be circulated to the Hon Pru Goward, MP, the Member for Goulburn and for courtesy to Mr Jai Rowell, MP, Member for Wollondilly.**

RECOMMENDATION

Submitted for determination.

Preamble

Council has repeatedly resolved to not support the Chelsea Gardens/Coomungie prime agricultural lands rezoning to residential for some 1,500 potential homes. Main issues have been roads and drainage downstream.

Council has over 30 years-worth of approved residential housing sites which have been "land banked"; our demographics conducted a detailed study into this.

Could the staff report to this motion include a brief summary of the various refusals.

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 08 March 2017

NOTICES OF MOTION



COMMENT FROM STAFF

Council has considered the rezoning of the properties known as Chelsea Gardens and Coomungie along Yarrowa Road Moss Vale on a number of occasions.

Council on three occasions (28 July 2010, 9 December 2015 and 8 June 2016) passed resolutions that the rezoning of the properties not proceed and also that the said properties be removed from Wingecarribee LEP 2010 as a future urban release area.

Following one of the refusals, the owners of the properties took the matter to the Department of Planning for a Gateway Determination via the Joint Regional Planning Panel (JRPP) process. The JRPP approved the proposal to seek a Gateway Determination which was issued the Gateway Determination on 24 March 2014. Following public consultation, Council resolved on 9 December 2015 not to proceed with the LEP.

The Department of Planning has since December 2015 been assessing the rezoning proposal and considering Council's position.

A formal decision on whether the Planning Proposal should proceed or be refused in accordance with Council's adopted position has not been determined by the Minister for Planning to date.



22. CLOSED COUNCIL

MOVING INTO CLOSED SESSION

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):
 - a. *Except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and*
 - b. *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.

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 10A(2) of the *Local Government Act 1993* as addressed below to consider the following reports that are confidential for the reasons specified below:
 - 22.1 **Question with Notice 02/2017 - Lots 11 and 12 Range Road, Mittagong**
Relevant Legal Provisions
This report is referred to Closed Committee in accordance with s10A(2) of the Local Government Act, 1993, under clause 10A(2)(e) as it contains information that would, if disclosed, prejudice the maintenance of law and the Council considers that it would be on balance contrary to the public interest to consider this information in Open Council.
Brief description
Question with Notice submitted by Clr Garry Turland to the General Manager on 1 March 2017.
2. **THAT** the minutes of the Closed Council part of the meeting (being the Council's resolution) be made public.

Ann Prendergast
General Manager

Friday 3 March 2017