

2 May 2019

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 May 2019** 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 May 2019 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 K Halstead
3.32pm	Opening Prayer – Reverend Doug McPherson, Mittagong Presbyterian Church
3.35pm	<ul style="list-style-type: none">• Apologies• Adoption of Previous Minutes - Ordinary Meeting of Council held on 24 April 2019• Business Arising (<i>if any</i>)• Declarations of Interest (<i>if any</i>)• Mayoral Minute (<i>if any</i>)• Public Forum (<i>if any</i>)• Motion to move into Committee of the Whole - Clr K Halstead• Visitor Item (<i>if any</i>)• Council Reports
5.30pm	Motion to move into Council and the Mayor resumes the Chair
5.30pm	Questions from the Public - <i>to be read</i> 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**
Nil
5. **ADOPTION OF MINUTES OF PREVIOUS MEETING**
Ordinary Meeting of Council held on 24 April 2019
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 AND RISK
Nil
CORPORATE, STRATEGY AND DEVELOPMENT SERVICES
Nil
11. **EN BLOC MOTION**
12. **OPERATIONS FINANCE AND RISK**
 - 12.1 Proposed Licence Agreement - Community Garden - Part 9 Cook Street, Mittagong 2
 - 12.2 Proposed Sale of Council Property - Vacant Land - Percy Street Hill Top 9
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Mayor to resume chair at 5.30 pm

COUNCIL MATTERS

14. GENERAL MANAGER

Nil

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16. PETITIONS

Nil

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Nil

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21. GENERAL BUSINESS

Nil

22. CLOSED COUNCIL

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22.1 Proposed Sale - 10 Frankland Street Mittagong

This report is referred to Closed Committee in accordance with s10A(2) of the Local Government Act, 1993, under clause 10A(2)(c) as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and the Council considers that it would be on balance contrary to the public interest to consider this information in Open Council.

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

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'*

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'*

OUR VALUES

Integrity, trust and respect

Responsibility and accountability

Communication and teamwork

Service quality

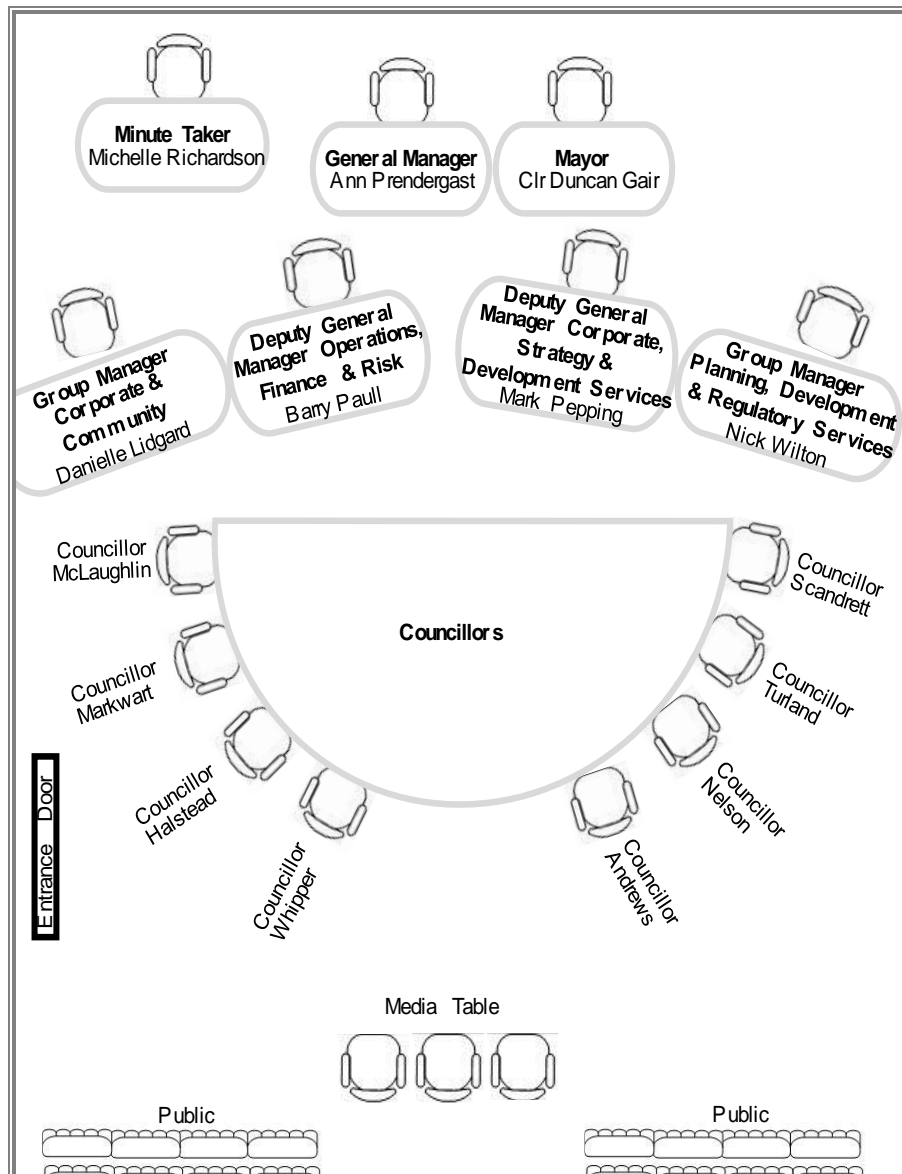
Council Chambers

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.



ACKNOWLEDGEMENT OF COUNTRY

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.

APOLOGIES

Nil at time of print.

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 AND RISK

12.1 Proposed Licence Agreement - Community Garden - Part 9 Cook Street, Mittagong

Reference:	PN 1794790
Report Author:	Property and Projects Officer
Authoriser:	Chief Financial Officer
Link to Community Strategic Plan:	Effective financial and asset management ensure Council's long term sustainability

PURPOSE

The purpose of this report is to seek Council approval to place on public exhibition a proposed Licence Agreement for the use of Council property, being part Public Recreation area at 9 Cook Street, Mittagong (in particular Lot 2 in DP1208463). The proposed licensee is Challenge Southern Highlands Incorporated.

RECOMMENDATION

1. **THAT** Council give a minimum twenty eight (28) days public notice of a proposal to enter into a five (5) year Licence Agreement with Challenge Southern Highlands for a community garden at part 9 Cook Street, Mittagong.
2. **THAT** following exhibition, authority be delegated to the General Manager to negotiate the terms and conditions of a Licence Agreement for a community garden, being part 9 Cook Street, Mittagong to Challenge Southern Highlands.
3. **THAT** if there are no objections received by Council during the period of public notice, the General Manager and Mayor be delegated authority to execute the Licence Agreement referred to in Resolution 1 above under the Common Seal of the Council (if required) **AND THAT** if any objections are received, a further report will be forwarded to a future Ordinary Meeting of Council.

REPORT

BACKGROUND

Challenge Southern Highlands Incorporated ('Challenge SH') is a not-for-profit organisation based in the Southern Highlands that provides training and employment opportunities for people with disabilities. Challenge SH operates the plant nursery at Welby Garden Centre as a supported employment service and also offers additional commercial services to local organisations.

Challenge SH has approached Council with a view to establishing a community garden on Community land at Public Reserve, 9 Cook Street, Mittagong. Challenge SH proposes to establish a community garden and to build a small shed/storage area for garden equipment and to also connect to water supply.

The location of the community garden adjoins Challenge House which has been recently completed and accommodates people with a disability in a shared accommodation and owned by Challenge SH. The land that the house is built on was donated by Council in 2015.

REPORT

Challenge SH proposes to fence the community garden and install gated access. Access will be available during hours of operation only. It is intended that fresh produce from the Community Garden will be sold to fund the ongoing maintenance expenses of the garden centre.

The vision of Challenge SH is for the garden to allow people with disabilities to work within the community garden, with the garden also open to the community within set operating hours when the gates will be unlocked. A five (5) year Licence Agreement is sought.

The area of the land would be approximately 600m² and is shown in **Attachment 1** and a further sketch of the proposal is shown in **Attachment 2**.

Classification of Land

All public land must be classified as either "Community" or "Operational" Land. The Council property is classified pursuant to Section 26 of the *Local Government Act, 1993* as "Community" land. The classification of the land governs the manner in which Council may deal with it.

Plan of Management

Pursuant to Section 35 of the 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;
- *Local Government Act, 1993*.

At present, there is no specific Plan of Management for the public recreation area at 9 Cook Street, Mittagong. As such, until a Plan of Management has been developed and adopted,

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the use of the land should not be changed substantially. However the establishment of a community garden is not considered to be inconsistent with use of the land for public purposes.

It is recommended that authority be delegated to the General Manager to negotiate the terms and conditions of the Licence Agreement. Council will then exhibit the draft Licence Agreement for a minimum of 28 days for public comment.

If any objections are received, a further report will be forwarded to a future Ordinary Meeting of Council for consideration.

IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

None identified.

COMMUNICATION AND CONSULTATION

Community Engagement

As the property is classified as Community Land, Council will place the draft Licence Agreement on public exhibition for a minimum 28 day period.

Internal Communication and Consultation

Executive

External Communication and Consultation

Challenge SH

SUSTAINABILITY ASSESSMENT

- **Environment**

There are no environmental issues in relation to this report.

- **Social**

The establishment of a community garden has the potential to provide opportunities for community social interaction.

- **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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COUNCIL BUDGET IMPLICATIONS

There are no budgetary implications.

RELATED COUNCIL POLICY

Leasing and Licensing of Council Property (Not-for-Profit Organisations)

This policy was adopted by Council on Wednesday 26 November 2014 (MN 326/14). The Policy provides the guidelines for the granting of leases and licences in respect of Council owned property to not-for-profit organisations.

CONCLUSION

This report seeks Council approval to place on public exhibition a draft Licence Agreement for a maximum of five (5) year term to Challenge Southern Highlands Inc. for the establishment of a community garden over part Council property being public recreation area at 9 Cook Street, Mittagong.

ATTACHMENTS

1. Attachment 1 Aerial Map
2. Attachment 2 - Sketch Of Proposal

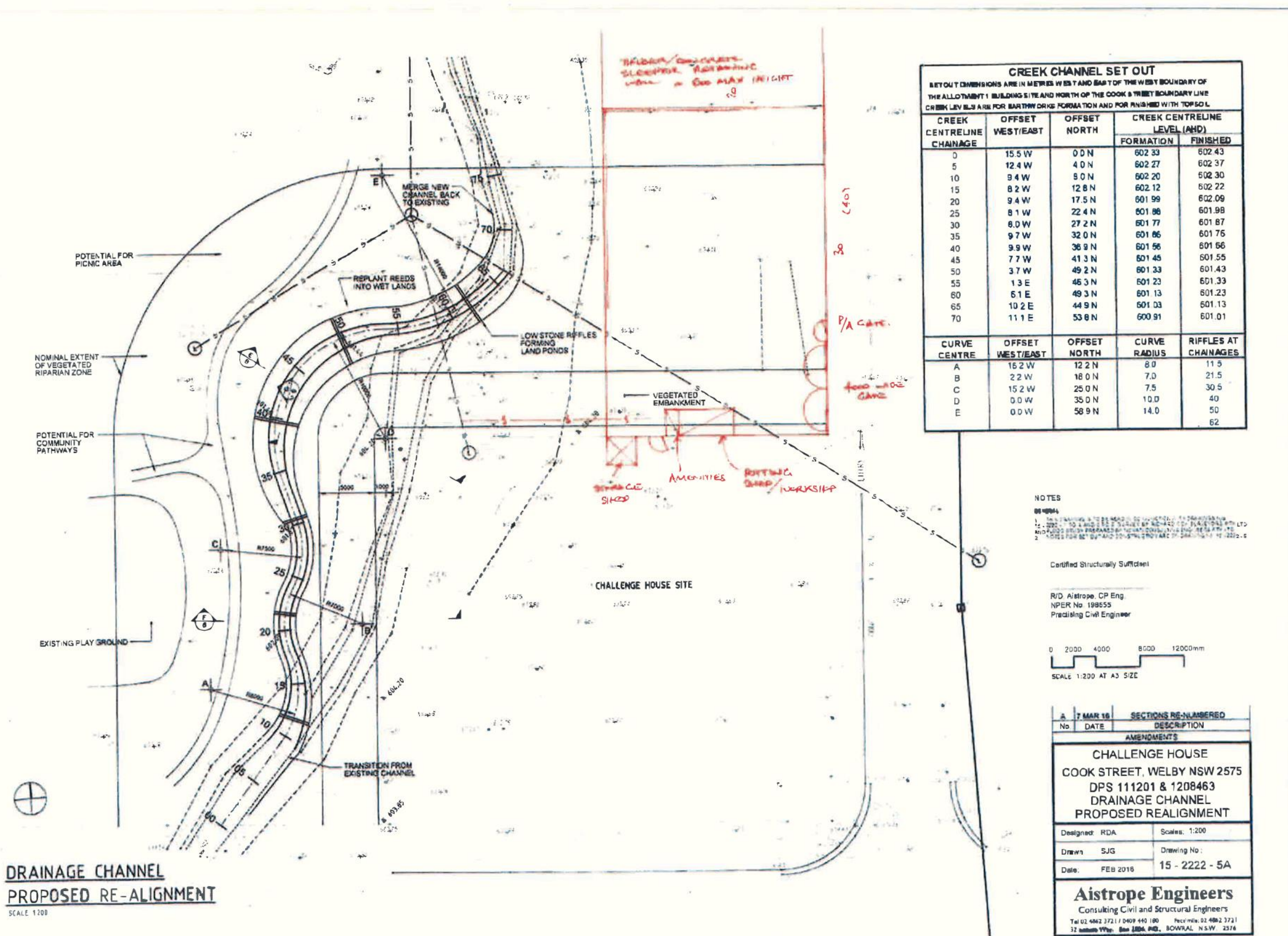


Proposed Community Garden

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20	9.4 W	17.5 N	601.99	602.09
25	8.1 W	22.4 N	601.88	601.98
30	8.0 W	27.2 N	601.77	601.87
35	9.7 W	32.0 N	601.66	601.76
40	9.9 W	36.9 N	601.56	601.66
45	7.7 W	41.3 N	601.45	601.55
50	3.7 W	49.2 N	601.33	601.43
55	1.3 E	45.3 N	601.23	601.33
60	6.1 E	49.3 N	601.13	601.23
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C	15.2 W	25.0 N	7.5	30.5
D	0.0 W	35.0 N	10.0	40
E	0.0 W	58.9 N	14.0	50

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Certified Structurally Sufficient

R/D Aistrop, CP Eng
 NPER No. 198655
 Practising Civil Engineer

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 SCALE 1:200 AT A3 SIZE

No	DATE	DESCRIPTION
AMENDMENTS		
CHALLENGE HOUSE		
COOK STREET, WELBY NSW 2575		
DPS 11201 & 120863		
DRAINAGE CHANNEL		
PROPOSED REALIGNMENT		
Designed	RDA	Scales: 1:200
Drawn	SJG	Drawing No. 15 - 2222 - 5A
Date	FEB 2018	

Aistrop Engineers
 Consulting Civil and Structural Engineers
 Tel 02 4862 3721 / 0409 440 180 Fax 02 4862 3721
 32 South Street, Bathurst NSW, 2781

DRAINAGE CHANNEL
PROPOSED RE-ALIGNMENT
 SCALE 1:200



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12.2 Proposed Sale of Council Property - Vacant Land - Percy Street Hill Top

Reference:	PN1700602
Report Author:	Property and Projects Officer
Authoriser:	Chief Financial Officer
Link to Community Strategic Plan:	Effective financial and asset management ensure Council's long term sustainability

PURPOSE

The purpose of this report is to seek Council approval for the potential sale of the Council property being vacant land at Percy Street, Hill Top being Lots 17-23 and 42-49 Section 40 Deposited Plan 1384 ("the property").

RECOMMENDATION

1. **THAT** a formal valuation report from a registered valuer be obtained to assess current market valuation of Lots 17-23 and 42-49 Section 40 Deposited Plan 1384, at Percy Street, Hill Top.
2. **THAT** the General Manager be delegated authority to negotiate with the adjoining owner at Lot 2 Deposited Plan 1008184, 33 King Street, Hill Top for the sale of the property within ten percent (10%) of the formal valuation obtained from a registered valuer assessing the current market value of, Lots 17-23 and 42-49 Section 40 Deposited Plan 1384, Percy Street, Hill Top.
3. **THAT** in respect of the proposed sale of Lots 17-23 and 42-49 Section 40 Deposited Plan 1384, Percy Street, Hill Top authority be delegated to the General Manager and Mayor to execute the Contract for Sale of Land, Transfer or other associated real property dealing under the Common Seal of Council.

REPORT

BACKGROUND

The subject property is known as Lots 17-23 and 42-49 Section 40 Deposited Plan 1384, Percy Street, Hill Top and is vacant land under Council ownership. The site is predominantly bushland and is unused and unmaintained by Council.

Council has been approached by an adjoining owner who has registered an interest in acquiring the land from Council.

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REPORT

The property is classified as 'operational land' pursuant to the *Local Government Act 1993*. The total combined area of the lots is approximately 3,319m². The property is zoned R5 Large Lot Residential with a minimum allotment size of 4,000m².

As the property is under the minimum allotment size permitted in the R5 zone the land is not benefitted by a dwelling entitlement. Accordingly, the potential sale of the property to an adjoining owner would enable Council to dispose of the land, which would otherwise be unmarketable.

The adjoining owner's property is 4,946m². If the adjoining owner was to purchase and consolidate the Council property with their property, the total area would be approx. 8,265m². Accordingly, the property would have subdivision potential as the minimum allotment size is 4,000m² for R5 zoned land.

Should Council's direction be to proceed with the disposal of the land, Council officers would obtain an independent valuation to assess market value. This will form the basis of potential negotiations. This report recommends that authority be delegated to the General Manager to negotiate the sale of the property within a 10% range of the assessed valuation.

The report also recommends that authority be delegated to the General Manager and Mayor to execute any negotiated Contract of Sale and associated documentation under the Common Seal of Council.

IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

None identified.

COMMUNICATION AND CONSULTATION

Community Engagement

It is not proposed to undertake any community engagement. The Council property is classified as operational land and is not used for any identified material public benefit.

Internal Communication and Consultation

No objection to the proposed sale to the adjoining owner has been raised.

External Communication and Consultation

Adjoining owner/applicant.

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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 will be a minor cost for the formal valuation report to be generated before the sale price of the property can be negotiated. Proceeds from the sale of surplus land are restricted to the Moss Vale War Memorial Aquatic Centre Loan Repayment Reserve.

RELATED COUNCIL POLICY

The proposal to sell the land is in accordance with Council's *Surplus Council Lands Rationalisation Policy* (MN 417/05 adopted 12 October 2005).

CONCLUSION

It is recommended that Council endorse the proposed sale of Lots 17-23 and 42-49 Section 40 Deposited Plan 1384, Percy Street, Hill Top to the adjoining owner at Lot 2 Deposited Plan 1008184, 33 King Street, Hill Top.

It is further recommended that authority be delegated to the General Manager and Mayor to execute the negotiated Contract for Sale of Land and any associated documents under the Common Seal of Council.

ATTACHMENTS

1. Aerial of Council Property



Proposed Sale of Council Vacant Land,
 Percy Street, Hill Top

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12.3 Dedication of Crown Land Reserve 252 known as Welby Hockey Field, 44 Meranie Street, Welby

Reference:	PN 1760520, PN 1786670
Report Author:	Property and Projects Officer
Authoriser:	Chief Financial Officer
Link to Community	
Strategic Plan:	Effective financial and asset management ensure Council's long term sustainability

PURPOSE

The purpose of this report is for Council to endorse an application to the NSW Department of Industry – Land and Water for the dedication of Crown Reserve 252 known as Welby Hockey Fields, 44 Meranie Street, Welby.

RECOMMENDATION

THAT Council formally lodge an application with NSW Department of Industry – Land and Water to be appointed as Reserve Trust Manager of Crown Reserve 252 known as Welby Hockey Field, 44 Meranie Street, Welby (being Lot 1 Section 22 DP 759070 and Lot 7009 DP 1055630).

REPORT

BACKGROUND

Council is currently progressing the pre-construction approvals processes which will enable the construction of a second synthetic hockey field at Welby Heights Fields, Meranie Street, Welby. The works include civil works for the second hockey field, footpaths, stormwater drainage, access, fencing, lighting, dugout shelters and spectator mounds.

The works are consistent with the Welby Heights Fields Plan of Management adopted by Council on the 23 February 2005. A plan of the proposed Hockey Field No. 2 is shown in **Attachment 1**.

REPORT

The proposed works will take place on part Lot 1, Section 22, DP759070, part Lot 7009, DP 1055630 and part Lot 7307, DP1146411 all lots being under the ownership of the Crown. **Attachment 2** shows the approximate location of the proposed works.

Council is already the appointed Reserve Trust Manager for Lot 7307, DP1146411 and is responsible for the care control and management of this Lot.

Lot 1, Section 22, DP759070 and Lot 7009, DP1055630 are currently devolved to Council however Council has not been appointed as Crown Land Manager. Accordingly, while

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Council has responsibility for care and control of the land, Council has not been appointed as the Crown Manager and any works on the Crown land would require the approval of the Minister.

As both Lot 1, Section 22, DP 759070 and Lot 7009, DP 1055630 are currently under the control of the Crown, an application for Land Owners Consent was submitted to the Crown for approval for the proposed works.

At that time, the Crown was advised that a development application would not be required for the proposed works as it was covered under the Infrastructure State Environment Planning Policy (SEPP). The Crown has advised that as a development application is not required, owners consent is not applicable.

Accordingly, in order for the proposed works to proceed, NSW Department of Industry – Lands and Water has advised that Council should be appointed as Crown Land Manager for Reserve 252 (being Lot 1, Section 22, DP 759070 and Lot 7009 DP 1055630).

The proposed development would then satisfy the criteria of Section 2.23 of the *Crown Land Management Act, 2016* and would therefore not require the Minister's Consent.

If approval is given by Council, an application will be made to the NSW Department of Industry – Lands and Water for appointment of Council as the Crown Land Manager. It is anticipated the appointment process will take approximately six (6) weeks, taking into account the requirement for notification and publication of a notice in the Government Gazette.

In conjunction with resolving other pre-construction approval, Council has been in negotiation with the NSW Aboriginal Land Council to have the affected lots excised from Aboriginal Land Claim 42492. Council has received confirmation that Lot 7009, DP 1055630 and Lot 1, Section 22, DP 759070 have now been excised from the claim.

Negotiations are continuing with the NSW Aboriginal Land Council to have the construction area within Lot 7307, DP 114611 also excluded from the Claim.

IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

The appointment of Council as Crown Land Manager for Reserve 252 will ensure Council is able to commence the proposed works for the second hockey field at Welby and will ensure ongoing use for the benefit of the community.

COMMUNICATION AND CONSULTATION

Community Engagement

The application for the dedication of the Crown Reserve will be exhibited by NSW Department of Industry – Lands and Water and is subject to a 28 day period of public exhibition and subsequent notification in the NSW Government Gazette.

Internal Communication and Consultation

Assets and Project Delivery

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Chief Financial Officer

External Communication and Consultation

No external consultation is required as this will be addressed by NSW Department of Industry – Lands and Water as part of their exhibition process.

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 in respect of this report.

RELATED COUNCIL POLICY

There are no policy implications in respect of this report.

OPTIONS

The options available to Council are:

Option 1

Council determine that an application be made to NSW Department of Industry – Lands and Water for dedication to Council of care, control and management of Reserve 252 known as Welby Hockey Field, 44 Meranie Street, Welby.

Option 2

Council declines to make an application to be appointed as Crown Land Manager and makes application to the Minister for consent to the proposed works.

Option 1 is the recommended option to this report.

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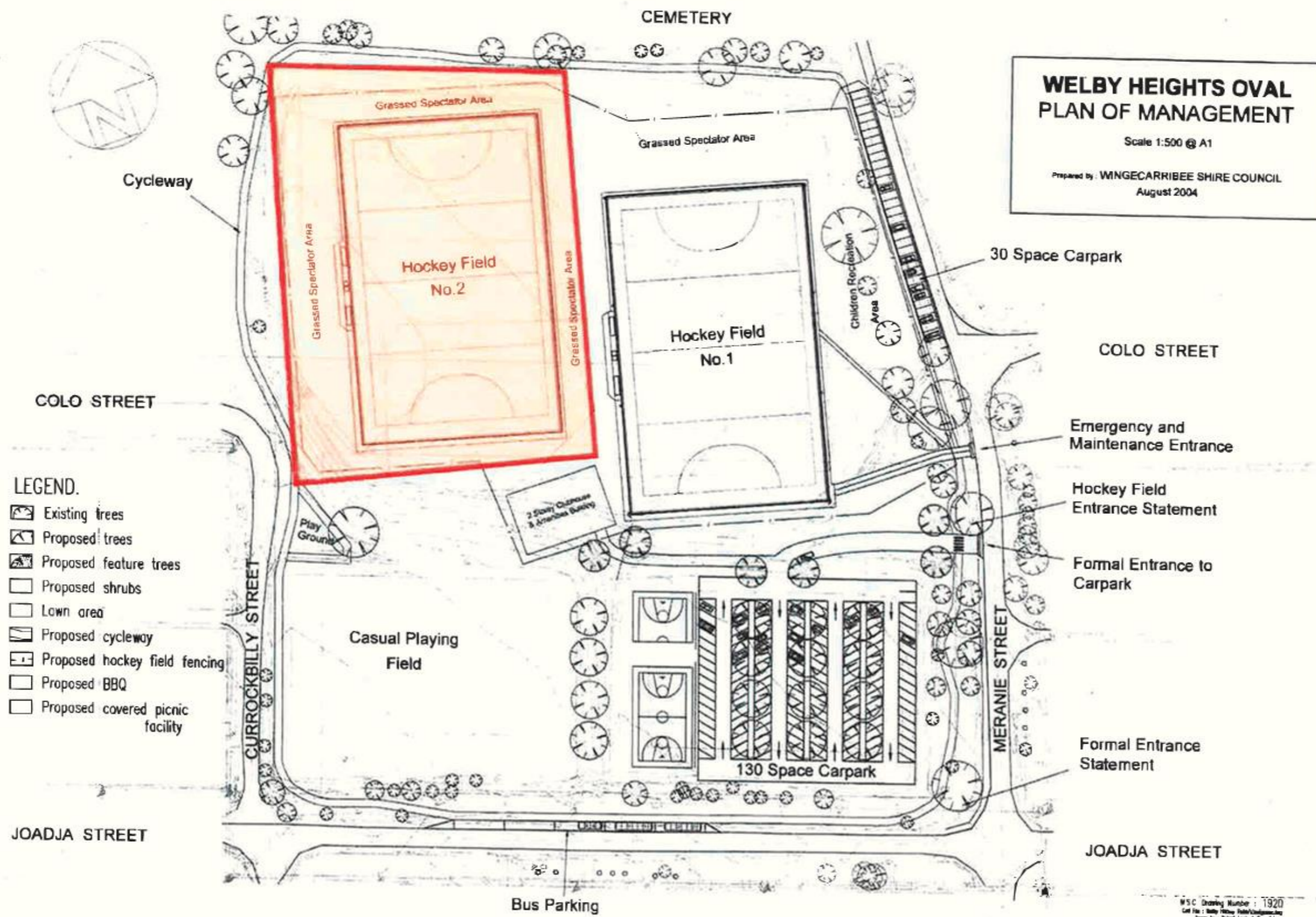


CONCLUSION

Council has plans in place for the construction of a second hockey field at Welby. At the suggestion of NSW Department of Industry – Lands and Water, this report seeks formal approval to lodge an application for Council to be appointed Crown Land Manager for Crown Reserve 252 known as Welby Hockey Fields, 44 Meranie Street, Welby.

ATTACHMENTS

1. Attachment 1 - Plan of Second Hockey Field At Welby
2. Attachment 2 - Aerial Map





Aerial of proposed location Welby Hockey Field

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12.4 Proposed Sale - 10 Frankland Street Mittagong

Reference:	PN 556900
Report Author:	Property and Projects Officer
Authoriser:	Chief Financial Officer
Link to Community Strategic Plan:	Effective financial and asset management ensure Council's long term sustainability

PURPOSE

The purpose of this report is to provide Council with an update on the proposed sale of 10 Frankland Street, Mittagong. The Deputy General Manager Operations Finance & Risk will provide a verbal update in Closed Council.

RECOMMENDATION

THAT the report concerning the update to Councillors on the proposed sale of 10 Frankland Street, Mittagong be considered in closed Council. This report is confidential in accordance with section 10A(2) of the Local Government Act, 1993, under clause 10(A)(2)(c) as it contains information that would, if disclosed, confer a commercial advantage on a person with who the council so conducting (or proposes to conduct) business.

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, Council may allow members of the public to make representations to the meeting, before any part of the meeting to why the item should not be considered in Closed Council.

ATTACHMENTS

There are no attachments to this report.

Barry W Paull
Deputy General Manager Operations, Finance and Risk

Thursday 2 May 2019

13 CORPORATE STRATEGY AND DEVELOPMENT SERVICES

13.1 Development Applications Determined from 25 March 2019 to 23 April 2019

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

Link to Community Strategic Plan: Provide a mixture of housing types that allow residents to meet their housing needs at different stages of their lives and support affordable living

PURPOSE

The purpose of this report is to update Councillors on Development Applications Determined for the period 25 March 2019 to 23 April 2019.

RECOMMENDATION

THAT the information relating to the lists of Development Applications Determined for the period 25 March 2019 to 23 April 2019 be received and noted.

APPROVED APPLICATIONS BY DATE RANGE

Date range: 25 March 2019 to 23 April 2019

	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
1	19/0774	3 Truro Place Balmoral NSW 2571 Lot 202 DP 1240094	JA Hurley	Dwelling House	14/11/2018	16	132	148	12/04/2019
2	16/0821	188-190 Bong Bong Street Bowral NSW 2576 Lot 1 DP 1097653	BF Investments Pty Limited	Demolish existing buildings & construct 5 Offices and 10 Residential Units	05/09/2016	539	407	946	Council Approved 10/04/2019
3	17/0281.01	11 Victoria Street Bowral NSW 2576 Lot 14 Sec B DP 975353	Tesgov Pty Limited	Section 4.55 Modification (Remove Condition pertaining to construction of concrete footpath and bus stop pad)	31/01/2019	0	68	68	10/04/2019

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REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY AND DEVELOPMENT SERVICES



	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
4	17/1676	11 Clarke Street Bowral NSW 2576 Lot 1 DP 1041999	Oriental Cool Pty Ltd	Multi Dwelling Housing	27/11/2017	442	56	498	Council Approved 10/04/2019
5	19/0682.04	38 Merrigang Street Bowral NSW 2576 Lot 8 DP 9661	Merrigang Street Pty Ltd	Section 4.55 Modification (New External Door from Staff Room)	21/03/2019	0	10	10	01/04/2019
6	19/0961	2 Orchard Road Bowral NSW 2576 Lot 2 DP 1047033	C Dinnigan	Residential Alterations and Additions (Office, Secondary Dwelling)	18/12/2018	50	55	105	02/04/2019
7	19/1012	42 Rose Street Bowral NSW 2576 Lot 13 DP 742073	A Grant	Residential Alterations and Additions (Extension)	21/12/2018	24	80	104	05/04/2019
8	19/1204	7 Linden Way Bowral NSW 2576 Lot 13 DP 804837	S Strangman	Dual Occupancy (Detached)	14/02/2019	6	56	62	18/04/2019
9	19/1367	53 Sir James Fairfax Circuit Bowral NSW 2576 Lot 239 DP 1239600	J Whitfield, R Thompson	Dwelling House	21/03/2019	0	22	22	13/04/2019
10	13/0541.02	7 Hamilton Avenue Bowral NSW 2576 Lot 82 DP 1065886	Rosemary Pty Limited	Section 4.55 Modification (Relocate Garage)	13/03/2019	0	34	34	16/04/2019
11	19/0953	30 Railway Parade Braemar NSW 2575 Lot 21 DP 1233367	C Bernasconi, V Bernasconi	Dwelling House	17/12/2018	63	44	107	04/04/2019
12	18/0449	40-44 Hill Street Bundanoon NSW 2578 Lot 1 Sec 4 DP 1510 Lot 2 Sec 4 DP 1510	A Peacock, H Peacock	Subdivision (3 Lots)	19/04/2018	260	103	363	18/04/2019
13	19/1032	13 Hill Street Bundanoon NSW 2578 Lot 17 Sec 2 DP 1510	MI Watson	Residential Alterations and Additions (Carport)	07/01/2019	0	83	83	01/04/2019
14	19/0304	58 Yean Street Burradoo NSW 2576 Lot 6 DP 1195139	D Coleman	Residential Alterations and Additions (Barn & Carport)	24/08/2018	100	116	216	28/03/2019
15	19/0884	6 Loyalty Lane (Priv) Burradoo NSW 2576 Lot 3 DP 829328	A Burniston, J Burniston	Secondary Dwelling	03/12/2018	12	115	127	10/04/2019

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	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
16	19/1112	61 Burradoo Road Burradoo NSW 2576 Lot 1 DP 18756	L McPherson	Secondary Dwelling	25/01/2019	23	42	66	02/04/2019
17	19/1407	Medlar 38 Charlotte Street Burradoo NSW 2576 Lot 10 DP 1075541	R Staples, S Staples	Residential Alterations and Additions (Detached Garage)	28/03/2019	0	5	5	02/04/2019
18	19/0460.05	2400 Canyonleigh Road Canyonleigh NSW 2577 Lot 14 DP 806293	Noah Retail Group Pty Ltd	Section 4.55 Modification (Alterations to Shed & Re-site Dwelling & Shed)	29/03/2019	0	11	11	09/04/2019
19	19/0717	'Murringully' 980 Tugalong Road Canyonleigh NSW 2577 Lot 2 DP 261422	R Wilson, R Gordon	Dwelling House	06/11/2018	30	132	162	17/04/2019
20	19/0918	1 Jasmine Street Colo Vale NSW 2575 Lot 1 DP 748084	M Tritico, L Tritico	Subdivision (5 Lots)	10/12/2018	30	86	116	05/04/2019
21	19/1349	9 Elm Street Colo Vale NSW 2575 Lot 4 Sec 17 DP 2944 Lot 17 Sec 17 DP 2944	I Stokes, D Stokes	Dwelling House	15/03/2019	0	17	17	02/04/2019
22	19/0647	1750 Tourist Road East Kangaloon NSW 2576 Lot 1 DP 879978	A Pickering, J Pickering	Residential Alterations and Additions (Shed)	24/10/2018	61	91	152	27/03/2019
23	19/0771	64-66 Ringwood Road Exeter NSW 2579 Lot 19 DP 13527 Lot 20 DP 13527	R Pulham, S Barden	Residential Alterations and Additions (Garage)	14/11/2018	54	99	153	16/04/2019
24	19/1171	100 Cornwall Road Exeter NSW 2579 Lot 1 DP 1237042	C Malouf, N Chambers	Secondary Dwelling and Shed	08/02/2019	29	38	67	17/04/2019
25	19/1277	14 Manning Lookout Road Fitzroy Falls NSW 2577 Lot 1 DP 715553	H Priest	Dwelling House	27/02/2019	14	34	48	18/04/2019
26	18/0471.07	1851 Wombeyan Caves Road High Range NSW 2575 Lot 3 DP 1210240	T Gray, G Gray	Section 4.55 Modification (Extension)	28/03/2019	0	7	7	05/04/2019

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REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY AND DEVELOPMENT SERVICES



	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
27	19/0962	Wombaroo 162 Black Spring Road High Range NSW 2575 Lot 1 DP 1158096	The Outdoor Education Group C/ Charlie Hurrey	Temporary Use of Land (Camping Event 17-22 April 2019)	18/12/2018	0	103	103	01/04/2019
28	19/0539	33 Denison Street Hill Top NSW 2575 Lot 2 DP 1196571	T Grant, R Waive	Dwelling House	04/10/2018	79	95	174	27/03/2019
29	19/1338	50 Colo-Hilltop Road Hill Top NSW 2575 Lot 5 DP 1110074	RH Purdon, TA Attard	Dwelling House	13/03/2019	25	4	29	12/04/2019
30	19/1302	363 Jacks Valley Road Joadja NSW 2575 Lot 3 DP 877821	D Feetham, C Feetham	Farm Building	05/03/2019	0	37	37	11/04/2019
31	19/1303	1307 Joadja Road Joadja NSW 2575 Lot 12 DP 739765	L Lewis, D Lewis	Residential Alterations and Additions (Swimming Pool)	05/03/2019	0	27	27	02/04/2019
32	16/1363.01	Sewer Work 10 Frankland Street Mittagong NSW 2575 Lot 1 DP 109208	Wingecarribee Shire Council	Section 4.55 Modification (Civil Works Conditions)	28/05/2018	0	302	302	Council Approved 27/03/2019
33	19/0462	15-17 Payten Street Mittagong NSW 2575 Lot 1 DP 557242	G Speers, M Speers, Wallcoverings Installations Pty Ltd	Strata Subdivision (8 Lots)	21/09/2018	0	197	197	18/04/2019
34	19/0758	21 Leopold Street Mittagong NSW 2575 Lot 2 DP 806402	K Graham, M Obuchowski	Residential Alterations and Additions (Extensions)	12/11/2018	0	149	149	10/04/2019
35	19/1131	208 Range Road Mittagong NSW 2575 Lot 17 Sec 5 DP 2133	P Awit	Dwelling House, Secondary Dwelling and Home Business	31/01/2019	17	51	68	10/04/2019
36	19/1165	15 Robinson Street Mittagong NSW 2575 Lot 133 DP 1247015	P Moore, L Moore	Dwelling House and Detached Garage	07/02/2019	24	36	60	09/04/2019
37	19/1214	15 Robinson Street Mittagong NSW 2575 Lot 133 DP 1247015	P Moore, L Moore	Residential Alterations and Additions (Shed)	15/02/2019	0	53	53	10/04/2019

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	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
38	19/1412	41 Oxley Drive Mittagong NSW 2575 Lot 11 DP 1214567	J Jessop, V Jessop	Residential Alterations and Additions (Retaining Wall)	28/03/2019	0	12	12	10/04/2019
39	19/1417	Sports Oval 1a Old Hume Highway Mittagong NSW 2575 Part Lot 1 DP 724437	Wingecarribee Shire Council	Advertising Structure	28/03/2019	0	20	20	18/04/2019
40	14/0824.01	Playing Field 51 Church Road Moss Vale NSW 2577 Lot 1 DP 576684	Wingecarribee Shire Council	Section 4.55 Modification Recreation Facility Alterations and Additions (Extension)	14/03/2019	0	34	34	18/04/2019
41	15/1138.02	140 Nowra Road Moss Vale NSW 2577 Lot 7 DP 632169	C Harvey, S Harvey, S Harvey, C Harvey	Section 4.55 Modification -Extend Temporary Use of Site for Functions for Twelve (12) Months	21/12/2018	0	115	115	15/04/2019
42	17/1461	7 Old Dairy Close Moss Vale NSW 2577 Lot 5 DP 1147034	S Kmet, G Kmet	Transport Depot	18/10/2017	540	5	545	18/04/2019
43	17/1788	33-35 Kirkham Street Moss Vale NSW 2577 Lot 2 DP 1093300	B F Investments Pty Ltd	Multi Dwelling Housing	19/12/2017	461	23	484	18/04/2019
44	18/0031.03	73 Lytton Road Moss Vale NSW 2577 Lot 1 DP 746930	M.V.I.S.C Pty Ltd	Section 4.55 Modification - Mixed Use Development (bulky goods premises, light industry & storage premises)	16/10/2018	0	174	174	09/04/2019
45	19/0002.01	12 Valetta Street Moss Vale NSW 2577 Lot 6 DP 999151	K Baguley, I Baguley	Section 4.55 Modification (Alter width of access road & easement for stormwater)	03/04/2019	0	6	6	09/04/2019
46	19/0776	10/312-316 Argyle Street Moss Vale NSW 2577 Lot 10 S/P 32499	K Sparke	Change of Use & Shop Fit Out (Laundromat)	15/11/2018	148	5	153	18/04/2019
47	19/1021	191 Lackey Road Moss Vale NSW 2577 Lot 2 DP 800986	M Ure, J Betteridge	Residential Alterations and Additions (Extensions)	02/01/2019	32	66	98	11/04/2019

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	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
48	19/1101	8 Torulosa Drive Moss Vale NSW 2577 Lot 112 DP 1232222	C Ash, T Ash	Dwelling House	23/01/2019	21	61	82	16/04/2019
49	19/1113	10 Watson Road Moss Vale NSW 2577 Lot 2 DP 1247272	C Herde Pty Ltd	Dual Occupancy (Attached)	29/01/2019	20	44	64	04/04/2019
50	19/1199	18 Torulosa Drive Moss Vale NSW 2577 Lot 141 DP 1232222	B Dunlop	Dwelling House & Retaining Walls	14/02/2019	33	26	59	15/04/2019
51	19/1238	28a Browley Street Moss Vale NSW 2577 Lot 2 DP 1244781	R Pollock, P Pollock	Dwelling House	20/02/2019	7	26	33	25/03/2019
52	19/1320	8 Vale Road Moss Vale NSW 2577 Lot 1 DP 1237886	R E Springett Pty Ltd	Subdivision (Boundary Adjustment)	08/03/2019	0	32	32	09/04/2019
53	19/1323	4 Northcott Place Moss Vale NSW 2577 Lot 174 DP 1095417	MA Murphy	Residential Alterations and Additions (Shed)	11/03/2019	11	10	21	02/04/2019
54	19/1371	17 Joyce Street Moss Vale NSW 2577 Lot 4050 DP 1242576	M Suro, K Suro	Dwelling House & Retaining Walls	21/03/2019	10	15	25	16/04/2019
55	19/1396	Highgrove 69 Bulwer Road Moss Vale NSW 2577 Lot 1 DP 812628 Lot 1 DP 654499	B Schubert, D Schubert	Residential Alterations and Additions (Shed)	26/03/2019	0	16	16	12/04/2019
56	05/1125.02	Kallaroo 1775 Tourist Road Mount Murray NSW 2577 Lot 1 DP 713226	D Makin, S Makin	Section 4.55 Modification (Garage, Shed, Swimming Pool)	14/11/2018	0	134	134	28/03/2019
57	18/0489.06	71 Mary Street Renwick NSW 2575 Lot 104 DP 1240439	R Thomas	Section 4.55 Modification (Internal & External Alterations)	11/03/2019	0	20	20	01/04/2019
58	19/1175	76 Challoner Rise Renwick NSW 2575 Lot 1407 DP 1234992	G Fitzsimmons, S Fitzsimmons	Dwelling House	08/02/2019	18	26	44	25/03/2019

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	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
59	19/1196	55 Mary Street Renwick NSW 2575 Lot 102 DP 1240439	S Ball, B Ball	Dwelling House	13/02/2019	9	49	58	13/04/2019
60	19/1219	48 Maxted Street Renwick NSW 2575 Lot 1238 DP 1221207	B Kelly, J Kelly	Dwelling House	18/02/2019	34	19	53	13/04/2019
61	19/1226	29 George Cutter Avenue Renwick NSW 2575 Lot 1348 DP 1234992	R Arlington	Dwelling House	19/02/2019	17	18	35	27/03/2019
62	19/1247	2 Guthawah Way Renwick NSW 2575 Lot 715 DP 1234984	M Williams, R Williams	Dwelling House	21/02/2019	6	27	33	27/03/2019
63	19/1251	44 Windeyer Street Renwick NSW 2575 Lot 1311 DP 1234992	K Shephard, K Shephard	Dwelling House	22/02/2019	10	29	39	02/04/2019
64	19/1295	60 Maxted Street Renwick NSW 2575 Lot 1353 DP 1234992	T Joseph, M Varghese	Dwelling House	04/03/2019	4	19	23	27/03/2019
65	19/1308	47 Green Street Renwick NSW 2575 Lot 1361 DP 1234992	M Chwastek, E Chwastek	Dwelling House	06/03/2019	3	17	20	27/03/2019
66	19/1327	58 Challoner Rise Renwick NSW 2575 Lot 1255 DP 1221207	K Ratcliffe, A Ratcliffe	Dwelling House	11/03/2019	1	12	13	25/03/2019
67	19/1341	15 Allen Avenue Renwick NSW 2575 Lot 100 DP 1221206	P Jolly, J Alex	Dwelling House	14/03/2019	0	12	12	27/03/2019
68	19/1351	19 George Cutter Avenue Renwick NSW 2575 Lot 1336 DP 1234992	M Gill	Dwelling House	18/03/2019	1	9	10	29/03/2019
69	19/1370	26 Maxted Street Renwick NSW 2575 Lot 1216 DP 1221207	R Hill, J Hill	Dwelling House & Retaining Wall	21/03/2019	5	13	18	09/04/2019
70	19/1389	78 Challoner Rise Renwick NSW 2575 Lot 1408 DP 1234992	J Sammut	Dwelling House	25/03/2019	9	12	21	16/04/2019

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	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
71	19/1393	15 Oldfield Road Renwick NSW 2575 Lot 128 DP 1221206	C Roberts, R Roberts	Dwelling House & Retaining Walls	26/03/2019	3	11	14	09/04/2019
72	19/1398	29 Challoner Rise Renwick NSW 2575 Lot 1229 DP 1221207	D Lourey	Residential Alterations and Additions (Spa)	27/03/2019	0	5	5	01/04/2019
73	19/1423	31 Challoner Rise Renwick NSW 2575 Lot 1228 DP 1221207	J Cox, M Cox	Dwelling House	29/03/2019	5	11	16	15/04/2019
74	19/1426	16 George Cutter Avenue Renwick NSW 2575 Lot 108 DP 1221206	R Power	Dwelling House	01/04/2019	0	11	11	12/04/2019
75	19/1431	6 George Cutter Avenue Renwick NSW 2575 Lot 137 DP 1221206	Barrington Housing Group Pty Ltd	Dwelling House	01/04/2019	0	11	11	12/04/2019
76	19/1446	3 Plumb Street Renwick NSW 2575 Lot 1381 DP 1234992	MI Riitano	Dwelling House	03/04/2019	1	13	14	18/04/2019
77	19/1506	10 Jefferis Avenue Renwick NSW 2575 Lot 90 DP 1221206	B Acton, M Hagai	Residential Alterations and Additions (Swimming Pool)	15/04/2019	0	3	3	18/04/2019
78	19/1510	35 Bold Street Renwick NSW 2575 Lot 2031 DP 1167491	M Ramon, J Ramon	Residential Alterations and Additions (Shed)	16/04/2019	0	2	2	18/04/2019
79	19/0656	151 McEvelly Road Robertson NSW 2577 Lot 3 DP 860218	Zack Property Pty Ltd	Residential Alterations and Additions (Shed)	25/10/2018	62	90	152	27/03/2019
80	19/0955	Reserve 88235 58-60 Illawarra Highway Robertson NSW 2577 Lots 8-19 Sec 18 DP 758882	The State Of NSW	Community Facility (Mens Shed)	17/12/2018	0	121	121	18/04/2019
81	19/1263	271 Gordons Track Robertson NSW 2577 Lot 4 DP 843560	B Davis	Dwelling House	25/02/2019	0	28	28	25/03/2019

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	Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
82	18/0521.04	30 Coney Hatch Lane Sutton Forest NSW 2577 Lot 21 DP 705790	K Lovett, C Morris	Section 4.55 Modification (Extensions)	29/03/2019	0	5	5	04/04/2019
83	18/0347.03	16 Gascoigne Street Willow Vale NSW 2575 Lot 3 Sec 16 DP 792	J Hall, T Turner	Section 4.55 Modification (increase width and height of shed, change to roof pitch)	08/02/2019	0	47	47	27/03/2019

REFUSED APPLICATIONS

Application ID	Primary Property	Owner	Description	Date Lodged	Days Stopped	Assess Days	Total Days	Date Finalised
19/1445	6/310-318 Bong Bong Street Bowral NSW 2576 Lot 6 S/P 41585	F Scarcella, H Scarcella, R Scarcella	Advertising Structure	03/04/2019	0	7	7	11/04/2019

Reasons for Refusal:

1. The proposed development would, by reason of its scale, illumination and animation have a significant adverse impact on the character and townscape of Bowral Town Centre. Accordingly, it is evident that the proposal is contrary to the controls and objectives of State Environment Planning Policy 64 'Advertising and Signage, The Wingecarribee Local Environmental Plan 2010 and the Bowral Town Plan Development Control Plan.

(S.4.15(1)(a)(b)(c)(d)(e) of the Environmental Planning & Assessment Act 1979)

2. The proposed signage does not relate to the function being carried out on the subject site. The proposal therefore conflicts with the aims and objectives of State Environmental Policy 64 'Advertising and Signage', the Wingecarribee Local Environmental Plan 2010 and the Bowral Township Development Control Plan.

(S.4.15(1)(a)(b)(c)(d)(e) of the Environmental Planning & Assessment Act 1979)

3. Having regard to section 4.15 (1) (e) of the Environmental Planning and Assessment Act 1979, Council considers the development not to be in the public interest.

(S.4.15(1)(a)(b)(c)(d)(e) of the Environmental Planning & Assessment Act 1979)

ATTACHMENTS

There are no attachments to this report.

13.2 Development Applications Received from 25 March 2019 to 23 April 2019

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

Link to Community Strategic Plan: Effective and efficient Council service delivery is provided within a framework that puts the customer first

PURPOSE

The purpose of this report is to update Councillors and Development Applications Received in the period of 25 March 2019 to 23 April 2019.

RECOMMENDATION

THAT the information relating to Development Applications Received from 25 March 2019 to 23 April 2019 be received and noted.

RECEIVED APPLICATIONS BY DATE RANGE Date range: 25 March 2019 to 23 April 2019

	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
1	19/1422	1 Wildes Meadow Road Avoca NSW 2577 Lot 1 DP 395075	E Gemmell, Y Wrighter	Residential Alterations and Additions (Extensions)	29/03/2019		#PENDING		
2	19/1418	5-11 Cardigan Street Balaclava NSW 2575 Lot 3 DP771490 & Lots 5-6 DP804489 & Lot 1 Sec10 DP841	K Pikkat, S Pikkat, Stonewalk Investments Pty Limited	Subdivision (25 Lots)	28/03/2019		#PENDING		✓
3	19/1472	11 Truro Place Balmoral NSW 2571 Lot 206 DP 1240094	A Mozayani, L Chanaoui	Dwelling House	08/04/2019		#PENDING		

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
4	19/1512	Victoria Street Balmoral NSW 2571 Lot 14 Sec 1 DP 2500 Lot 15 Sec 1 DP 2500	L Todd, B Jackson	Dwelling House	16/04/2019		#PENDING		
5	18/0785.04	17 Old Hume Highway Berrima NSW 2577 Lot 1 DP 568701	P Bruce, L Bruce	Section 4.55 Modification (Detach Garage)	23/04/2019		#PENDING		
6	17/1781.05	68 Sir James Fairfax Circuit Bowral NSW 2576 Lot 318 DP 1234848	T Wegmuller, K Wegmuller	Section 4.55 Modification (Internal Alterations. Reduce Dwelling Size)	25/03/2019		#PENDING		
7	17/1820.01	Miranda Park 254 Centennial Road Bowral NSW 2576 Lot 1 DP 435373 & Lot 5a DP 16192 & Lot 1 DP 126196	Windbelt Pty Ltd	Section 4.55 Modification (Remove conditions pertaining to site consolidation and reference to Vegetation Management Plan in 88B Instrument)	02/04/2019		#PENDING		✓
8	18/0333.05	70 Woodbine Street Bowral NSW 2576 Lot 9 DP 995366	A Hayes, G Norrie	Section 4.55 Modification (Internal Alterations & Extensions)	05/04/2019		#PENDING		
9	19/1388	12 Glenquarry Crescent Bowral NSW 2576 Lot 244 DP 1014858	J Boot, S Boot	Residential Alterations and Additions (Shed)	25/03/2019		#PENDING		
10	19/1428	11-13 Soma Avenue Bowral NSW 2576 Lot 1 DP 739403	R Lyons, S Gilsenan	Subdivision (2 Lots)	01/04/2019		#PENDING		
11	19/1439	93-95 Kirkham Road Bowral NSW 2576 Lot 15 DP 846332	C Robson	Information and Education Facility (Change of use to Museum & Function Centre)	02/04/2019		#PENDING		✓

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REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY AND DEVELOPMENT SERVICES



	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
12	19/1443	9 Gordon Road Bowral NSW 2576 Lot 2 DP 507543	W Nguyen, V Nguyen	Demolition - House and Shed, Dual Occupancy - Attached	02/04/2019		#PENDING		✓
13	19/1445	6/310-318 Bong Bong Street Bowral NSW 2576 Lot 6 S/P 41585	F Scarcella, H Scarcella, R Scarcella	Advertising Structure	03/04/2019		#REFUSED	11/04/2019	
14	19/1457	7 Centennial Road Bowral NSW 2576 Lot 14 DP 1160069	Destin Pty Ltd	Educational Establishment (New Classroom)	04/04/2019		#PENDING		
15	19/1459	210-224 Bong Bong Street Bowral NSW 2576 Lot 100 DP 1194183	Roloz Pty Ltd	Food Premises Alterations	05/04/2019		#PENDING		
16	19/1462	4 Balltol Close Bowral NSW 2576 Lot 407 DP 1248107	BR Carlson, M Manzanares	Dwelling House	05/04/2019		#PENDING		
17	19/1466	8 Elm Street Bowral NSW 2576 Lot 1 DP 152058 Lot 2 DP 152058	M Curry	Residential Alterations and Additions (Internal Alterations)	05/04/2019		#PENDING		
18	19/1477	6 Herald Drive Bowral NSW 2576 Lot 121 DP 1227641	S McGavin, M McGavin	Dwelling House	09/04/2019		#PENDING		
19	19/1490	Bowral Golf Club - 25-43 Kangaloon Road Bowral NSW 2576 Lot 45 Sec G DP 4380 Lot 46-48 Sec G DP 4380	Bowral Golf Club Ltd c/- Kevin Kenny	Recreation Facility (Extend Golf Cart Shed)	11/04/2019		#PENDING		

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REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY AND DEVELOPMENT SERVICES



	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
20	19/1492	3 Beavan Place Bowral NSW 2576 Lot 5 DP 240436	J Johnson	Residential Alterations and Additions (Extensions)	11/04/2019		#PENDING		
21	19/1493	106c Merrigang Street Bowral NSW 2576 Lot 81 DP 1247129	P Cush	Dwelling House	11/04/2019		#PENDING		
22	19/1495	10 Betty Close Bowral NSW 2576 Lot 338 DP 1234848	A Pearce	Dwelling House	11/04/2019		#PENDING		
23	19/1497	8 Fairway Drive Bowral NSW 2576 Lot 16 DP 258421	M Bragg, E Bragg	Residential Alterations and Additions (Extensions, Studio, Swimming Pool)	11/04/2019		#PENDING		
24	19/1499	10 Emily Circuit Bowral NSW 2576 Lot 32 DP 1002881	PN Durden, MD Durden	Residential Alterations and Additions (Awning)	12/04/2019		#PENDING		
25	19/1520	Bowral Cemetery 109 Kangaloon Road Bowral NSW 2576 Lot 1 DP 723879	The Minister For Public Works	Cemetery (Granite Columbarium Wall)	17/04/2019		#PENDING		
26	19/1522	6 Gibraltar Road Bowral NSW 2576 Lot 3 DP 569521	HJ Carlon	Residential Alterations and Additions (Extensions)	17/04/2019		#PENDING		
27	19/1484	20a Drapers Road Braemar NSW 2575 Lot 152 DP 1251319	Genner Constructions Pty Ltd	Depot	10/04/2019		#PENDING		
28	19/1530	10 Tyree Place Braemar NSW 2575 Lot 2 DP 1225697	Tycan Australia Pty Ltd	General Industry (Construct 5 Units including Warehouses. Occupation of Units 2 & 3 by Paper Packaging Products Manufacturer)	23/04/2019		#PENDING		

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
29	17/0962.04	6-8 Bromhall Road Bundanoon NSW 2578 Lot 100 DP 846197	Superannuation Administration Pty Ltd	Section 4.55 Modification (Amend number of Lots in Stage 1)	04/04/2019		#PENDING		
30	19/0572.06	56 Greasons Road Bundanoon NSW 2578 Lot 222 DP 1214182	W Norris	Section 4.55 Modification to Dwelling House	04/04/2019		#PENDING		
31	19/1383	20 Rochester Drive Bundanoon NSW 2578 Lot 10 DP 1220014	JM Page	Dwelling House	25/03/2019		#PENDING		
32	19/1391	18 Elmswood Court Bundanoon NSW 2578 Lot 82 DP 1199409	JM Fellows	Child Care Centre	25/03/2019		#PENDING		✓
33	19/1395	31 Brigadoon Drive Bundanoon NSW 2578 Lot 28 DP 1048841	B Den Hertog	Subdivision (3 Lots)	26/03/2019		#PENDING		
34	19/1410	85 Penrose Road Bundanoon NSW 2578 Lot 4 DP 1244654	B Kaethner, CN Pietrucha	Dwelling House	28/03/2019		#PENDING		
35	19/1460	54 Greasons Road Bundanoon NSW 2578 Lot 221 DP 1214182	S Symonds, A Symonds	Subdivision - 8 lots	05/04/2019		#PENDING		✓
36	19/1482	Lot 18 Osborn Avenue Bundanoon NSW 2578 Lot 18 DP 11791	R Lewis	Demolition of Existing Cottage. Construction of New Dwelling and Carport.	10/04/2019		#PENDING		
37	19/1516	19 Old Wingello Road Bundanoon NSW 2578 Lot 33 DP 9429	D Wilkinson	Residential Alterations & Additions (Extensions)	16/04/2019		#PENDING		

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
38	19/1407	Medlar 38 Charlotte Street Burradoo NSW 2576 Lot 10 DP 1075541	R Staples, S Staples	Residential Alterations and Additions (Detached Garage)	28/03/2019		#APPROVED	02/04/2019	
39	19/1421	Briars Inn & Lodge Moss Vale Road Burradoo NSW 2576 Lot 2 DP 1176315	DH Bi Pty Ltd	Tourist and Visitor Accommodation (New Commercial Kitchen)	29/03/2019		#PENDING		
40	19/1449	29 Elizabeth Street Burradoo NSW 2576 Lot 2 DP 718888	P Radovan, L Radovan	Residential Alterations and Additions (Extensions)	03/04/2019		#PENDING		
41	19/1494	58 Yean Street Burradoo NSW 2576 Lot 6 DP 1195139	DA Coleman	Residential Alterations and Additions (Extensions)	11/04/2019		#PENDING		
42	19/1406	8 Church Street Burrawang NSW 2577 Lot 4 DP 572041	SO Smith, AMM Smith	Secondary Dwelling	27/03/2019		#PENDING		
43	16/0548.01	Satori Springs 250 Tugalong Road Canyonleigh NSW 2577 Lot 12 DP 262109 Vol 14628 Fol 00208	Canyonleigh Pty Ltd	Section 4.55 Modification (Internal Alterations & Minor Extensions)	03/04/2019		#PENDING		
44	17/1298.04	Whispering Pines 430 Tugalong Road Canyonleigh NSW 2577 Lot 5 DP 262109	Tamdarra Pty Ltd	Section 4.55 Modification (Internal Alterations, Extensions)	23/04/2019		#PENDING		
45	19/0460.05	2400 Canyonleigh Road Canyonleigh NSW 2577 Lot 14 DP 806293	Noah Retail Group Pty Ltd	Section 4.55 Modification (Alterations to Shed & Re-site Dwelling & Shed)	29/03/2019		#APPROVED	09/04/2019	

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
46	19/1444	65 Drapers Creek Road Colo Vale NSW 2575 Lot 22 DP 1078767	K Kordic	Dwelling House	03/04/2019		#PENDING		
47	19/1526	64 Jasmine Street Colo Vale NSW 2575 Lot 10 Sec 14 DP 2389	J Keeley, B Keeley	Residential Alterations and Additions (Awning)	18/04/2019		#PENDING		
48	16/0647.03	171 Rockleigh Road Exeter NSW 2579 Lot 16 DP 1154427	R Stefanic, C Cummins	Section 4.55 Modification (Extensions)	04/04/2019		#PENDING		
49	18/0589.01	58-70 Middle Road Exeter NSW 2579 Lot 3 DP 60330	M Le Guay, D Le Guay	Section 4.55 Modification (Tree Removal)	27/03/2019		#PENDING		
50	19/1419	111 Devon Road Exeter NSW 2579 Lot 66 DP 243731	P Conroy, V Conroy	Residential Alterations and Additions (Swimming Pool)	28/03/2019		#PENDING		
51	18/0471.07	1851 Wombeyan Caves Road High Range NSW 2575 Lot 3 DP 1210240	TA Gray, G Gray	Section 4.55 Modification (Internal Alterations)	28/03/2019		#APPROVED	05/04/2019	
52	19/1408	535 Meryla Road Manchester Square NSW 2577 Lot 3 DP 832562 & Ep 43478	PI Whatman	Dwelling House	28/03/2019		#PENDING		
53	19/1454	90 Meryla Road Manchester Square NSW 2577 Lot 4 DP 710237	T Brown, K Maher	Residential Alterations and Additions - Shed	04/04/2019		#PENDING		
54	19/0452.05	4 Victoria Street Mittagong NSW 2575 Lot 1 DP 354018	G Di Corpo, A Di Corpo	Section 4.55 Modification (Internal Alterations)	12/04/2019		#PENDING		

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
55	19/1390	14b Faraday Street Mittagong NSW 2575 Lot 91 DP 1245493	J Khoury	Dwelling House	25/03/2019		#PENDING		
56	19/1401	17 Nero Street Mittagong NSW 2575 Lot 242 DP 1246385	M Mulligan, R Mulligan	Dwelling House	27/03/2019		#PENDING		
57	19/1412	41 Oxley Drive Mittagong NSW 2575 Lot 11 DP 1214567	JWH Jessop, VM Jessop	Residential Alterations and Additions (Retaining Wall)	28/03/2019		#APPROVED	10/04/2019	
58	19/1417	Sports Oval 1a Old Hume Highway Mittagong NSW 2575 Part Lot 1 DP 724437	Wingecarribee Shire Council	Advertising Structure	28/03/2019		#APPROVED	04/04/2019	
59	19/1468	29 Nero Street Mittagong NSW 2575 Lot 6 DP 1245206	W Jiang	Dwelling House	05/04/2019		#PENDING		
60	19/1529	27 Lyell Street Mittagong NSW 2575 Lot C DP 390215	S Lee, M Lee	Commercial Premises (Vehicle Repair)	23/04/2019		#PENDING		
61	16/0766.07	32 Kings Road Moss Vale NSW 2577 Lot 12 DP 1222061	C Donald	Section 4.55 Modification (Alterations & Additions including new sub-floor garage and workshop)	27/03/2019		#PENDING		
62	19/0002.01	12 Valetta Street Moss Vale NSW 2577 Lot 6 DP 999151	K Baguley, I Baguley	Section 4.55 Modification (Alter width of access road & easement for stormwater)	03/04/2019		#APPROVED	09/04/2019	
63	19/0078.05	23 Torulosa Drive Moss Vale NSW 2577 Lot 127 DP 1232222	RM Noakes	Section 4.55 Modification (Retaining Wall)	09/04/2019		#PENDING		

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
64	19/1384	9 Robertson Road Moss Vale NSW 2577 Lot 1 DP 198185	V Elderton	Medical Centre (Extensions)	25/03/2019		#PENDING		
65	19/1396	Highgrove 69 Bulwer Road Moss Vale NSW 2577 Lot 1 DP 812628 Lot 1 DP 654499	BW Schubert, D Schubert	Residential Alterations and Additions (Shed)	26/03/2019		#APPROVED	12/04/2019	
66	19/1455	Cloverlea 21 Brookdale Road Moss Vale NSW 2577 Lot 1 DP 119530	PE Dunlop, JM Dunlop	Industrial - New shed	04/04/2019		#PENDING		
67	19/1481	6 North Street Moss Vale NSW 2577 Lot 12 DP 620814 Lot 11 DP 620814	R.J Barraclough & Associates Pty Ltd	Strata Subdivision (8 Lots)	10/04/2019		#PENDING		
68	19/1485	42-44 Berrima Road Moss Vale NSW 2577 Lot 9 Sec 2 DP 33517	G Becher, E Becher, Southern Rural Traders Pty Ltd	Subdivision (2 Lots)	10/04/2019		#PENDING		
69	19/1496	11 Spring Street Moss Vale NSW 2577 Lot 130 DP 853870	D Ingate, R Ingate	Residential Alterations and Additions (Carport)	11/04/2019		#PENDING		
70	19/1519	1a Hill Road Moss Vale NSW 2577 Lot 22 DP 1250470	A Key, M Key	Dwelling House	17/04/2019		#PENDING		
71	19/1525	74-76 Beaconsfield Road Moss Vale NSW 2577 Lot 11 DP 1084421	Micksham Pty Limited	Subdivision (2 Lots)	18/04/2019		#PENDING		

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
72	18/0270.05	46 Sydney Street New Berrima NSW 2577 Lot 243 DP 15995	J Lane	Section 4.55 Modification (Rainwater Tank overflow to rubble pits)	08/04/2019		#PENDING		
73	19/0057.05	13 Jefferis Avenue Renwick NSW 2575 Lot 55 DP 1221206	J Stewart, C Fox	Section 4.55 Modification (Relocate Air Conditioner)	10/04/2019		#PENDING		
74	19/1389	78 Challoner Rise Renwick NSW 2575 Lot 1408 DP 1234992	J Sammut	Dwelling House	25/03/2019		#APPROVED	16/04/2019	
75	19/1392	44 Challoner Rise Renwick NSW 2575 Lot 1262 DP 1221207	D Wood	Dwelling House	26/03/2019		#PENDING		
76	19/1393	15 Oldfield Road Renwick NSW 2575 Lot 128 DP 1221206	C Roberts, R Roberts	Dwelling House & Retaining Walls	26/03/2019		#APPROVED	09/04/2019	
77	19/1398	29 Challoner Rise Renwick NSW 2575 Lot 1229 DP 1221207	D Lourey	Residential Alterations and Additions (Spa)	27/03/2019		#APPROVED	01/04/2019	
78	19/1409	36 Roty Avenue Renwick NSW 2575 Lot 1225 DP 1221207	J Keogh	Dwelling House	28/03/2019		#PENDING		
79	19/1423	31 Challoner Rise Renwick NSW 2575 Lot 1228 DP 1221207	J Cox, M Cox	Dwelling House	29/03/2019		#APPROVED	15/04/2019	
80	19/1426	16 George Cutter Avenue Renwick NSW 2575 Lot 108 DP 1221206	R Power	Dwelling House	01/04/2019		#APPROVED	12/04/2019	

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
81	19/1427	63 Challoner Rise Renwick NSW 2575 Lot 1342 DP 1234992	J Keeley, B Keeley	Dwelling House	01/04/2019		#APPROVED	24/04/2019	
82	19/1429	36 Windeyer Street Renwick NSW 2575 Lot 1307 DP 1234992	M Singh	Dwelling House	01/04/2019		#PENDING		
83	19/1430	38 Windeyer Street Renwick NSW 2575 Lot 1308 DP 1234992	M Singh, B Kaur	Dwelling House	01/04/2019		#PENDING		
84	19/1431	6 George Cutter Avenue Renwick NSW 2575 Lot 137 DP 1221206	Barrington Housing Group Pty Ltd	Dwelling House	01/04/2019		#APPROVED	12/04/2019	
85	19/1446	3 Plumb Street Renwick NSW 2575 Lot 1381 DP 1234992	MI Riitano	Dwelling House	03/04/2019		#APPROVED	18/04/2019	
86	19/1448	19 Plumb Street Renwick NSW 2575 Lot 1389 DP 1234992	Jack Twist Enterprises Pty Ltd	Dwelling House	03/04/2019		#PENDING		
87	19/1453	39 Green Street Renwick NSW 2575 Lot 1365 DP 1234992	JT Davis	Dwelling House	04/04/2019		#PENDING		
88	19/1469	80 Challoner Rise Renwick NSW 2575 Lot 1409 DP 1234992	PA Fraser	Dwelling House	05/04/2019		#PENDING		
89	19/1474	3 Windeyer Street Renwick NSW 2575 Lot 1399 DP 1234992	A Greenslade, J Greenslade	Dwelling House	08/04/2019		#PENDING		

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
90	19/1486	5 Oldfield Road Renwick NSW 2575 Lot 133 DP 1221206	L Skaife, A Parrett	Dwelling House	10/04/2019		#PENDING		
91	19/1506	10 Jefferis Avenue Renwick NSW 2575 Lot 90 DP 1221206	B Acton, M Hagai	Residential Alterations and Additions (Swimming Pool)	15/04/2019		#APPROVED	18/04/2019	
92	19/1510	35 Bold Street Renwick NSW 2575 Lot 2031 DP 1167491	M Ramon, J Ramon	Residential Alterations and Additions (Shed)	16/04/2019		#APPROVED	18/04/2019	
93	19/1523	8 Allen Avenue Renwick NSW 2575 Lot 143 DP 1221206	CC Massey	Dwelling House	18/04/2019		#PENDING		
93	17/1356.03	Roseneath 277 Pearsons Lane Robertson NSW 2577 Lot 337 DP 751302	Clement Holdings Australia Pty Ltd	Section 4.55 Modification (Sheds)	15/04/2019		#PENDING		
94	18/0388.05	96 North Street Robertson NSW 2577 Lot 16 DP 258509	K Larsen, A Joshi	Section 4.55 Modification Residential Alterations and Additions - Extensions	18/04/2019		#PENDING		
95	19/0471.03	52 Charlotte Street Robertson NSW 2577 Lot 8 DP 702184	D Gair, J Gair	Section 4.55 Modification (Internal Alterations)	29/03/2019		#PENDING		
96	19/1488	122 Wallaby Hill Road Robertson NSW 2577 Lot 4 DP 590435	D Pascoe, A Townsend	Farm Building	10/04/2019		#PENDING		
97	19/1509	48 Caalong Street Robertson NSW 2577 Lot 17 DP 15947	TI Perkiss, B Noakes	Dwelling House	15/04/2019		#PENDING		
98	19/1511	74 Lees Road Robertson NSW 2577 Lot 4 DP 1025492	Geeland Pastoral Company Pty Ltd	Farm Building - Alterations and Additions	16/04/2019		#PENDING		

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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
99	18/0521.04	30 Coney Hatch Lane Sutton Forest NSW 2577 Lot 21 DP 705790	K Lovett, C Morris	Section 4.55 Modification (Extensions)	29/03/2019		#APPROVED	04/04/2019	
100	19/1464	12323 Hume Highway Sutton Forest NSW 2577 Lot 21 DP 262737 Lot 22 DP 262737	V Corp Pty Ltd	Dwelling House	05/04/2019		#PENDING		
101	19/1471	337 Oldbury Road Sutton Forest NSW 2577 Lot 5 DP 245007	E Liddell, Y Pietsch	Residential Alterations and Additions (Extensions)	08/04/2019		#PENDING		
102	19/1517	54-56 Bowral Street Welby NSW 2575 Lot 9 Sec 18 DP 759070	S Woodward	Subdivision (2 Lots)	16/04/2019		#PENDING		
103	16/0935.03	Cordeaux Street Willow Vale NSW 2575 Lot 4 Sec 17 DP 792 Lot 5 Sec 17 DP 792	K Zube	Section 4.55 Modification (Garage)	03/04/2019		#PENDING		
104	19/0904.06	10b Drapers Road Willow Vale NSW 2575 Lot 3 DP 1247842	J Williams, A Williams	Section 4.55 Modification (Alterations)	23/04/2019		#PENDING		
105	19/1491	4 Ritchie Road Willow Vale NSW 2575 Lot 102 DP 1247843	M Bannister, D Bannister	Dwelling House	11/04/2019		#PENDING		
106	19/1432	30 Sunrise Road Yerrinbool NSW 2575 Lot 118 DP 9882	T Peachey	Residential Alterations and Additions - Extensions, Garage	01/04/2019		#PENDING		

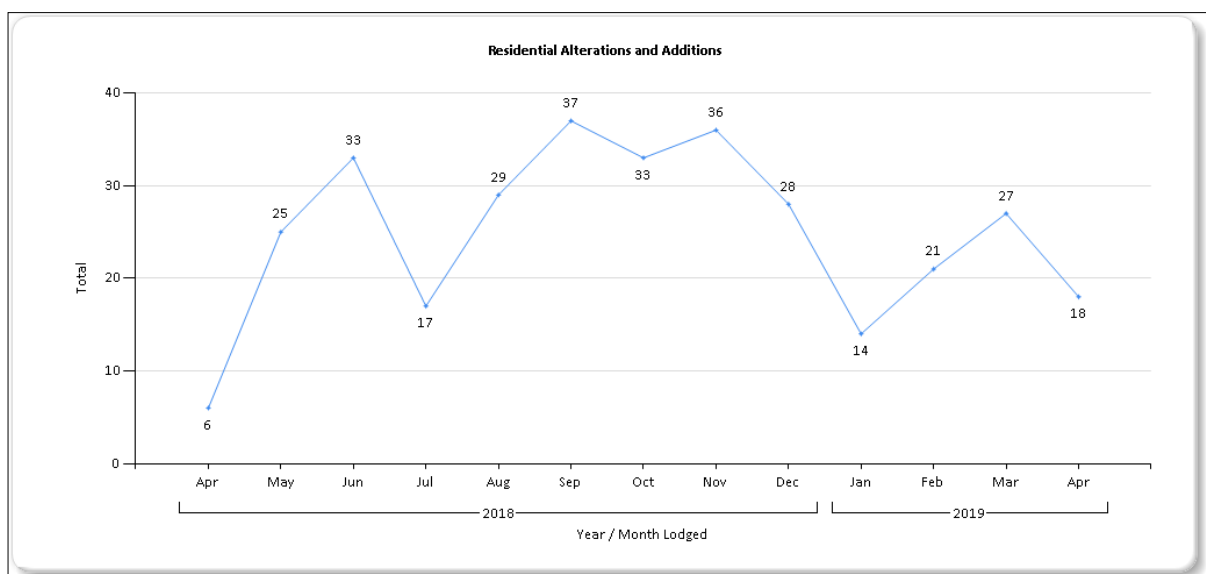
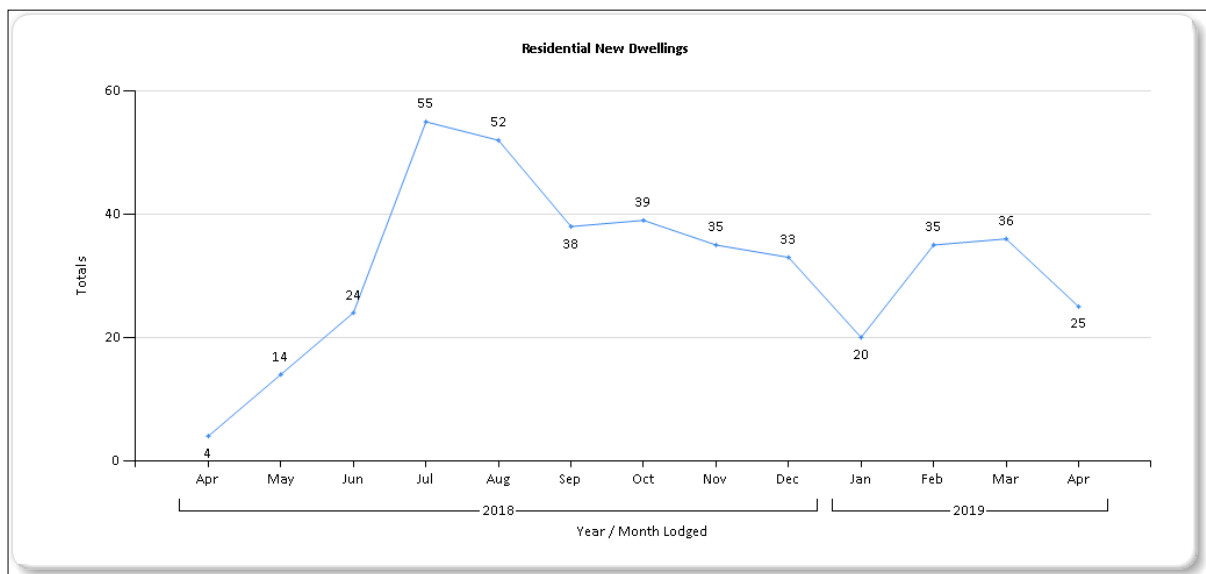
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	Application ID	Primary Property	Owner	Description	Date Lodged	Council	Decision	Determined Date	Weekly Circular
107	19/1434	Joe Smith Sports Field 29 Government Road Yerrinbool NSW 2575 Lot 1 DP 702021 Lot 5 DP 702021	Wingecarribee Shire Council	Recreation Facility - Drivers Stand and Storage	01/04/2019		#PENDING		



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ATTACHMENTS

There are no attachments to this report.

13.3 Chelsea Gardens - Draft Development Control Plan

Reference:	5700/64
Report Author:	Coordinator Strategic Land Use Planning
Authoriser:	Group Manager Planning, Development and Regulatory Services
Link to Community Strategic Plan:	Identify and protect the unique characteristics of towns and villages to retain a sense of place

PURPOSE

To seek Council endorsement for the draft Development Control Plan for the Chelsea Gardens Coomungie Urban Release Area to proceed to public exhibition.

RECOMMENDATION

1. **THAT** Council endorse the draft Amendment to the Moss Vale Town Plan Development Control Plan, relating to the Chelsea Gardens Coomungie Urban Release Area included as Attachment 1 to this report, for public exhibition
2. **THAT** the draft Amendment to the Moss Vale Town Development Control Plan be publicly exhibited for a minimum period of 28 days
3. **THAT** the draft Amendment be reported back to Council following the public exhibition period.

REPORT

BACKGROUND

The Chelsea Gardens Coomungie Urban Release Area (URA) is located on the south eastern edge of the Moss Vale township. The land was rezoned by the Department of Planning and Environment in October 2017 to a mix of primarily residential zones with minimum lot sizes ranging from 450m² to 2,000m².

The subject land is mapped as an Urban Release Area under Wingecarribee Local Environmental Plan (WLEP) 2010, and is subject to Part 6 of the LEP, which requires a Development Control Plan (DCP) to be prepared prior to a development application being considered over the site.

At the Ordinary Meeting of Council of 27 March 2019 Council considered a report on the proposed road widths and hierarchy to be incorporated into the draft DCP and it was resolved that:

Council endorse the proposed street hierarchy to be incorporated into a draft Development Control Plan subject to the following:

1. *The road hierarchy map be amended to show all link roads (with potential through traffic) as 'typical primary access street' with a road reserve of 18 metres*

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2. *The 'typical minor access street and cul-de-sacs' design standard (16m road reserve) be limited only to local roads (i.e. no through traffic)*
3. *The draft Development Control Plan incorporate minimum setback controls for garages (5.5m) to facilitate on-site parking on driveways within the property boundaries*
4. *The draft Development Control Plan require temporary solutions to facilitate truck turning movements for service vehicles at each stage of the development.*

Council staff have worked with the current owners of the site to finalise draft DCP provisions that will be incorporated as a 'precinct' within the Moss Vale Town Plan DCP. This report is seeking Council endorsement of the draft DCP to proceed to public exhibition. A copy of the draft DCP provisions is provided as **Attachment 1**.

REPORT

Subject Land

The Chelsea Gardens Coomungie URA comprises two adjoining properties, Lot 12 DP 866036, 32 Lovelle Street, Moss Vale (Chelsea Gardens) and Lot 3 DP 706194, 141 Yarrowa Road, Moss Vale (Coomungie) as shown in **Figure 1** below.

Draft Development Control Plan

The draft DCP sets out planning controls and guidelines that will be used in the design and assessment of all future development applications within the URA including the subdivision and future residential and village centre developments. The draft DCP will guide the future development to ensure that the URA provides a high level of amenity for occupants and the broader community.

The draft DCP provisions are set out in four (4) sections as outlined below. Future development within the URA will also be required to comply with the generic provisions contained in the Moss Vale Town Plan DCP.

- Section 1: Chelsea Gardens/Coomungie Lands Precinct
 - Outlines the applicable area and how it relates to Council's other planning documents as well as detailing the vision and desired character outcomes for the site.
- Section 2: Subdivision Controls
 - This section contains development controls relating to the subdivision of the URA including a concept master plan (see **Figure 2**) and controls for publicly accessible areas such as streets, footpaths, parks and nature reserves.
- Section 3: Village Centre Controls
 - This section contains development controls and guidance on commercial activities for the village centre.

- Section 4: Private Domain Controls
 - This section provides development controls specific to residential development including residential built form, site planning and landscaping controls.

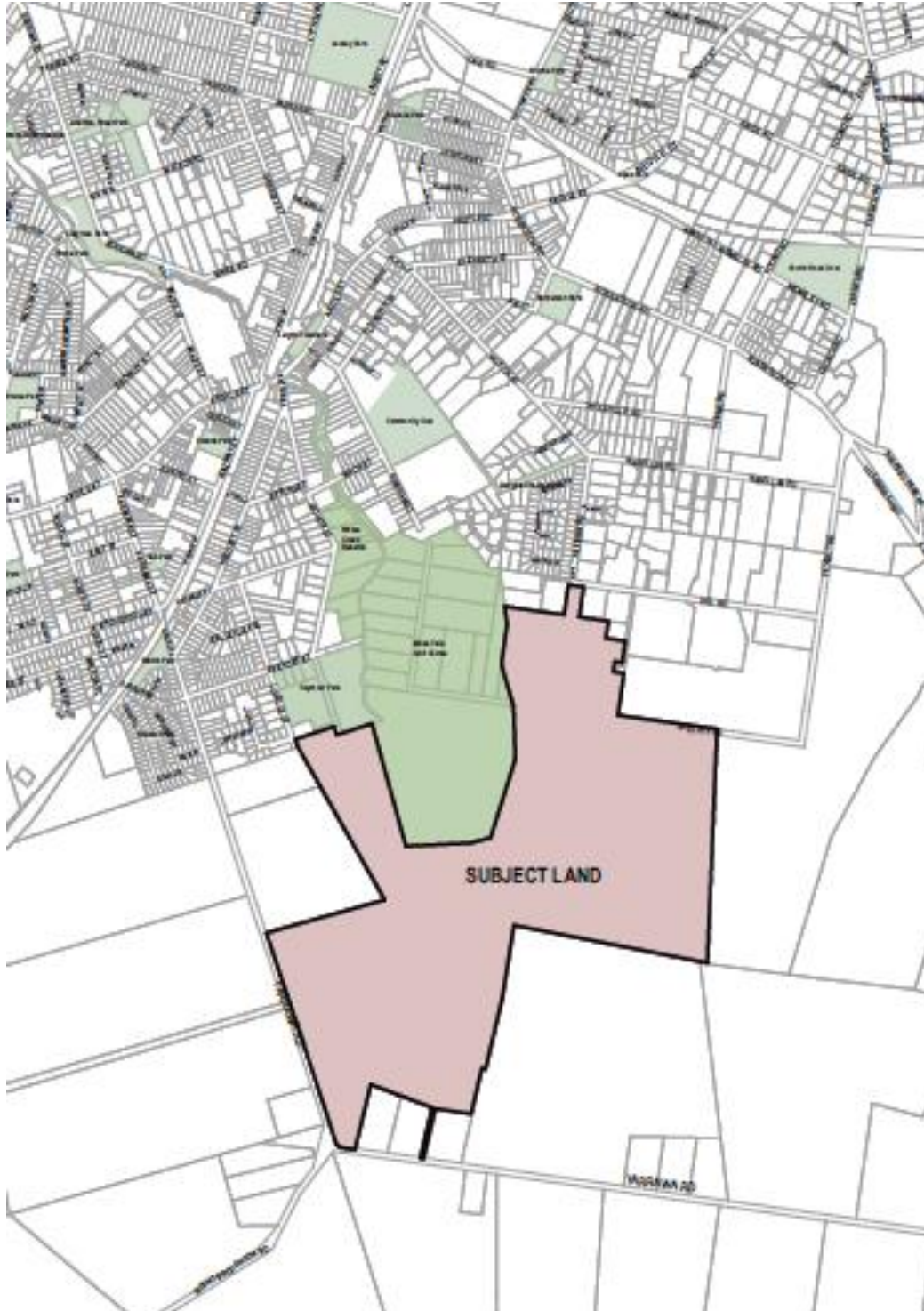
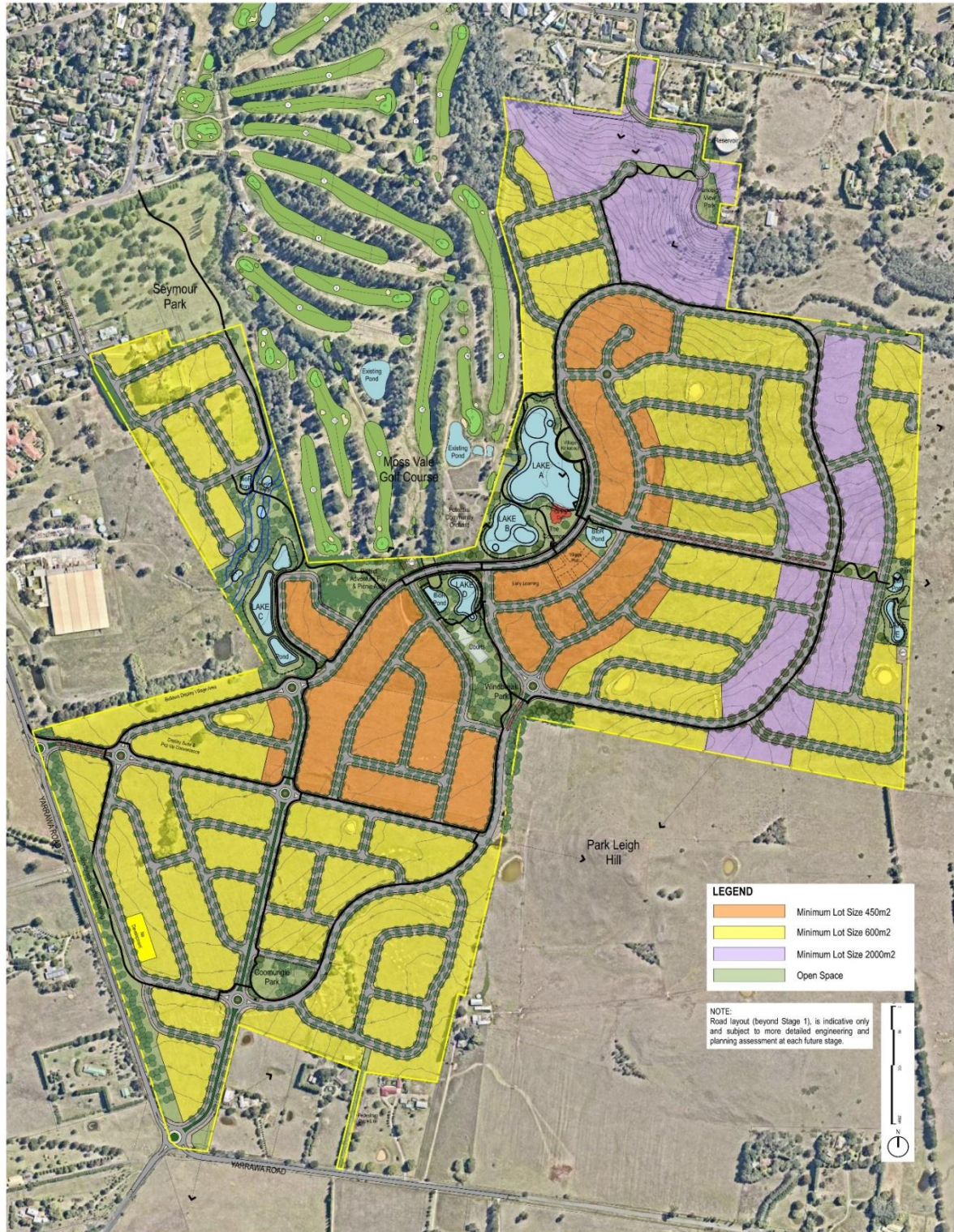


Figure 1 – Subject Land



Aoyuan Moss Vale

For : Draft DCP Date: 10/4/19

Project #: 192 (as 19/19)

Structure Plan

DCP-02

Figure 2 – Concept Master Plan

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The draft DCP sets development controls to guide the future development of the subject land. The DCP does **not** assess and identify off-site infrastructure works that may be required to support the development of the site.

Council staff are currently working with the landowners and State Government agencies to determine the off-site infrastructure requirements, and how these works will be delivered. A separate report on the off-site infrastructure requirements, including potential mechanisms to deliver the infrastructure will be put to Council in due course.

Council staff are also investigating whether a special rating category may be required over the subject land to facilitate a higher level of amenity for the future community, without creating an unreasonable maintenance burden for Council.

IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

The draft DCP will not impact on Council's fit for the future improvement plan.

COMMUNICATION AND CONSULTATION

Community Engagement

The draft DCP will be formally exhibited for a minimum period of 28 days in accordance with the requirements of the *Environmental Planning and Assessment Act 1979*.

The landowners have previously undertaken their own community consultation with adjoining owners, relevant stakeholders and the broader community based on the proposed Master Plan for the site.

Internal Communication and Consultation

Internal consultation on the draft DCP has occurred with the relevant groups of Council, including staff from Assets, Parks and Recreation, Traffic and Transport, Stormwater, Sewer and Water, Town Planning, Building Certifiers and the Tree and Vegetation sections. Comments from the relevant groups of Council have been incorporated into the draft DCP where appropriate.

External Communication and Consultation

The draft DCP will be formally exhibited for a minimum period of 28 days in accordance with the requirements of the *Environmental Planning and Assessment Act 1979*.

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.

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- **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 in relation to this report.

RELATED COUNCIL POLICY

There are no relevant Council Policies in relation to this report.

OPTIONS

The options available to Council are:

Option 1

Endorse the draft Development Control Plan provisions contained in **Attachment 1** for public exhibition.

Option 2

Propose changes to the draft Development Control Plan provisions prior to public exhibition. Depending on the nature of the changes, this may require a further report to Council prior to exhibition.

Option 1 is the recommended option to this report.

CONCLUSION

The draft DCP Chelsea Gardens Coomungie URA sets out planning controls and guidelines that will be used in the design and assessment of all future development applications within the URA. The draft DCP provides controls on the subdivision, residential and village centre developments to facilitate a quality development outcome and ensure that the URA provides a high level of amenity for the future community.

It is recommended that the draft DCP be endorsed by Council to proceed to public exhibition. Following the formal exhibition period, the matter will be reported back to Council for adoption.

ATTACHMENTS

1. Draft Development Control Plan - *circulated under separate cover*

13.4 Adoption of the Swimming Pool Barrier Policy and Guidelines

Reference: 6700/1.1
Report Author: Accredited Certifier Fire Safety and Pools
Authoriser: Group Manager Planning, Development and Regulatory Services

Link to Community Strategic Plan: Increase promotion of healthy lifestyle choices

PURPOSE

The purpose of this report is to adopt a Swimming Pool Barrier Policy and Guidelines to promote and raise community awareness of the importance of swimming pool safety and prevent any drowning or near-drowning events within the shire.

The draft policy and guidelines also ensures Council meets all obligations under the Swimming Pools Act 1992 and provides council with a functional and transparent framework for the management of swimming pools across the shire.

RECOMMENDATION

1. **THAT Council endorses the draft “Swimming Pool Barrier Policy and Guidelines” contained in Attachment 1 for public exhibition for a period of 28 days.**
2. **THAT a further report be submitted to Council following conclusion of the public exhibition period.**

REPORT

BACKGROUND

Drowning is a leading cause of accidental death in young children in NSW. Swimming pool safety is a serious issue that affects the whole community.

The most effective pool safety measure is proper adult supervision at all times. A well-maintained child-resistant pool barrier is also key to preventing unsupervised access to backyard swimming pool and spa pools by children.

Councils are responsible for promoting backyard swimming pool safety in the local community, by undertaking pro-active inspection and community education awareness programs.

A mandatory swimming pool inspection program will be introduced as part of the Policy that will ensure Council meets its obligation under the Swimming Pools Act 1992. The program enables Council to inspect tourist and visitor accommodation, and multi-occupancy developments with a swimming pool or spa pool every three years. The program will also include premises that Council considers high risk to public safety (e.g. child-care centres) to be inspected on request or where resources are available.

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A number of significant changes have occurred to the Swimming Pools Act 1992 & Swimming Pools Regulation 2018 that directly affects the sale and lease provisions on properties with pools. The Policy will provide Council with a functional and transparent framework that will keep Council in line with the changes and responsibilities determined under the legislation and also allow Council to keep up with the demand and response time to inspect properties being sold or leased throughout the Shire.

The Policy and Guidelines have been carefully selected and thought through to reflect on real time new construction and design diversity that is currently happening within the Shire. The Policy aims to encourage the community to engage with council throughout the planning stages of their swimming pool to ensure functional and design expectations meet the swimming pool standards and create a safe environment.

IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

Not relevant

COMMUNICATION AND CONSULTATION

Community Engagement

As required under the *Local Government Act 1993*, the draft Policy if endorsed will be placed on public exhibition for a period of 28 days and will be advertised in the Local Newspapers, Council's website and through social media.

Internal Communication and Consultation

Internal consultation was undertaken with Council's Accredited Certifiers and Corporate and Community.

External Communication and Consultation

Council undertook consultation with NSW Swimming Pool Safety representatives and other local Councils on current swimming pool legislation for the delivery of the proposed policy.

SUSTAINABILITY ASSESSMENT

- **Environment**

There are no expected environmental issues in relation to this report.

- **Social**

There are no expected social issues in relation to this report.

- **Broader Economic Implications**

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

- **Culture**

There are no expected cultural issues in relation to this report.

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- **Governance**

This policy provides an updated framework for Council to manage its obligations towards swimming pool safety in the Shire.

COUNCIL BUDGET IMPLICATIONS

There are no expected Council budget implications as a result of this draft Policy.

RELATED COUNCIL POLICY

There are no current related Policies.

OPTIONS

The options available to Council are:

Option 1

Council endorse the draft Swimming Pool Barrier Policy and Guidelines in Attachment 1 and place it on public exhibition for a period of not less than 28 days.

Option 2

Council not endorse the draft Swimming Pool Barrier Policy and Guidelines in Attachment 1 and provide direction on alternative Policy position.

Option 1 is the recommended option to this report.

CONCLUSION

The proposed draft Policy and Guidelines will enable greater clarity and knowledge of policy position with respect to community awareness and responsibilities towards swimming pool safety. The draft Policy and Guidelines also ensure Council is fulfilling its statutory obligations and endorsing Swimming Pool safety throughout the Shire.

ATTACHMENTS

1. Draft Swimming Pool Barrier Policy and Guidelines



Draft Swimming Pool Barrier Policy

PEOPLE

2.1 OUR PEOPLE HAVE THE OPPORTUNITY FOR A HAPPY AND HEALTHY LIFESTYLE

Adoption Date:	<i>(Governance to insert)</i>
Council Reference:	<i>(Governance to insert)</i>
Policy Owner:	Group Manager Planning, Development and Regulatory Services
Next review date:	<i>(Governance to insert – 4 years recommended)</i>
File Reference:	6700/1.1
Related Policies/Legislation:	<i>Swimming Pools Act 1992</i> <i>Environmental Planning and Assessment Act 1979</i> <i>Local Government Act 1993</i> National Construction Code Australian Standards 1926.1-2012; 1926.1-2007; 1926-1986; 1926.2-2007 Compliance and Enforcement Policy
Related Documents:	Guidelines - Swimming Pool Barriers

Superseded Policy/GM Practice Note: NIL

OBJECTIVES

The objectives of this policy are to:

- Ensure Council meets all obligations under the *Swimming Pools Act 1992* (the Act),
- Raise community awareness of the importance of swimming pool safety,
- Provide a functional and transparent framework for the management of swimming pools across the Shire, and
- Reduce drowning and near-drowning events within the Shire.

POLICY STATEMENT

In undertaking its obligations under the Act, Council will:

- Provide advice to residents on swimming pool barriers and swimming pool safety;
- Issue Certificates of Compliance, Certificates of Non-Compliance, Relevant Occupation Certificates, Certificates of Registration or Pool Barrier Exemptions Certificates appropriate on request;
- Undertake mandatory swimming pool inspections of tourist and visitor accommodation, and multi-occupancy developments at least once every three years;
- Undertake proactive swimming pool inspections as part of its broader regulatory role;
- Inspect high-risk premises such as child-care centres, caravan parks and other similar premises on request or where resources allow;
- Issue notices or directions as permitted under the Act to ensure compliance with the Act;
- Investigate complaints relating to swimming pool barriers and swimming pool safety; and
- Ensure swimming pools under construction and portable pools are adequately fenced in accordance with the Act.



Draft Swimming Pool Barrier Policy

SCOPE

The provisions of this Policy are applicable to all above and below ground swimming pools (both outdoor and indoor) that are situated on premises on which a residential building, a moveable dwelling or tourist or visitor accommodation development is located. This Policy does not apply to swimming pools that are situated on any premises occupied by the Crown or by a public authority.

DEFINITIONS

Note: Council will also refer to and rely on the definitions contained in the Act.

Accredited Certifier

An Accredited Certifier is an individual who is registered with the NSW Building Professionals Board for the purpose of performing swimming pool inspections.

Certificate of Compliance

A Certificate of Compliance is evidence that a swimming pool meets the requirements of the *Swimming Pools Act 1992* and the *Swimming Pools Regulation 2008*.

A Certificate of Compliance is valid for three years.

Certificate of Non-Compliance

A Certificate of Non-Compliance is evidence that a swimming pool does not meet the requirements of the *Swimming Pools Act 1992* and the *Swimming Pools Regulation 2008*. A Certificate of Non-Compliance issued at the owners request is valid for one year.

Certificate of Registration

Is a certificate of evidence that a swimming pool is registered on the NSW Swimming Pool Register; either the owner of the premises or local council can register a swimming pool.

Direction

An authorised person acting under the direction of a local authority may issue a Direction against the premises with a swimming pool under section 23A of the *Swimming Pools Act 1992*. The terms of the Direction must be completed within 28 days.

Notice of direction

An authorised person acting under the direction of a local authority may issue a Notice of Direction on premises with a swimming pool under section 22E of the *Swimming Pools Act 1992*. The Notice is a warning letter explaining that a Direction will be issued against the premises within 14 days unless the terms of the Notice are completed.

Public authority means a public authority constituted by or under an Act, being a local government authority, a government department or a statutory body representing the Crown.

Pool Barrier Exemption is a certificate issued under the Act to exempt a swimming pool from any or all of the requirements of the Act. An Exemption Certificate is granted subject to any conditions Council deems appropriate. For further details, see the Guidelines – Swimming Pool Barriers.

Portable pool means a structure that is designed as a swimming pool but is not a permanent structure.



Draft Swimming Pool Barrier Policy

Relevant Australian Standards are documents that set out specifications, procedures and guidelines that aim to ensure products, services, and systems are safe consistent and reliable. A copy of the Relevant Australia Standard can be viewed at Council’s Customer Service at Civic Centre, Moss Vale.

Relevant Occupation Certificate

A Relevant Occupation Certificate is issued under the *Environmental Planning and Assessment Act 1979* and authorises the use of the swimming pool. A Relevant Occupation Certificate is valid for three years.

Spa Pool is defined by the Act as:

Includes any excavation, structure or vessel in the nature of a spa pool, flotation tank, tub or the like.

Swimming Pool is defined by the Act as:

an excavation, structure or vessel that is capable of being filled with water to a depth greater than 300 millimetres and that is solely or principally used, or that is designed, manufactured or adapted to be solely or principally used, for the purpose of swimming, wading, paddling or any other human aquatic activity, and includes a spa pool, but does not include a spa bath, anything that is situated within a bathroom or any declared by the swimming pool for the purposes of this Act.

RESPONSIBILITIES

Councillors	Provide leadership in complying with the legislative requirements and this Policy.
Executive	Provide leadership in complying with the legislative requirements and this Policy. Approve resources to develop, implement and review this Policy.
Group Manager, Planning, Development and Regulatory Services	Provide leadership in understanding and complying with the legislative requirements and this Policy. Allocate appropriate resources to assist Council in complying with this Policy.
Manager Certification and Compliance	Coordinate and undertake reviews of this Policy as required. Assist staff and the community in understanding and complying with the legislative requirements and this Policy.
Certification and Compliance Staff	Assist staff and the community in understanding and complying with the legislative requirements and this Policy. Undertake reviews of this Policy as instructed. Implement this Policy.
All Staff	Assist the community in understanding and complying with this Policy. Comply with this Policy.

PERFORMANCE MEASURES

- The success of this Policy will be measured by:
- Council conformance with the overall policy objectives
 - Community compliance with legislation



Draft Swimming Pool Barrier Policy

BREACHES OF THE POLICY

Breaches of this policy should be reported to the Group Manger, Planning, Development and Regulatory Services, who will investigate all alleged breaches and determine the appropriate course of action to resolve the matter.

APPROVED BY:

WINGECARRIBEE SHIRE COUNCIL

(Insert Date)

DRAFT



Guidelines - Swimming Pool Barriers

Swimming Pool Owner Responsibilities

Swimming pool owners are required under the *Swimming Pools Act 1992* (the Act) to register their swimming pools on an online register managed by the NSW Government (<http://swimmingpoolsregister.nsw.gov.au>). Owners who fail to do so may be fined under the Act. Council will register swimming pools on behalf of owners on request, or as a result of an investigation following a complaint.

Owners are encouraged to self-assess their swimming pool, and can state in the register whether or not their swimming pool complies with the relevant standard.

All swimming pool owners are required to provide a valid Swimming Pool Compliance Certificate when selling, leasing or renting a property with a swimming pool. A Swimming Pool Compliance Certificate can be either:

- A Certificate of Compliance, or
- A Certificate of Non-Compliance, or
- A Relevant Occupation Certificate and a Certificate of Registration

Any such certificate can be issued by Council or an Accredited Certifier following an inspection of the property. If Council is requested to inspect a property for this purpose or any other relevant swimming pool barrier inspection it will do so within ten working days of the application being made, and the relevant fee being paid.

Owners of a property with a swimming pool, or those proposing to construct a swimming pool may apply to Council for an exemption from any or all of the requirements of the Act. For an exemption to be granted, Council must be satisfied that:

- 1 it is impracticable or unreasonable for the swimming pool to comply with those requirements:
 - because of the physical nature of the premises; or
 - because of the design or construction of the swimming pool; or
 - because of special circumstances of a kind recognised by the Regulation as justifying the granting of an exemption, and
- 2 an alternative provision, no less effective than those requirements, exists for restricting access to the swimming pool.

An exemption may be granted unconditionally or subject to any conditions Council considers appropriate to ensure that effective provision is made for restricting access to the swimming pool.

Swimming Pools under construction

Council requires that all swimming pools under construction must:

1. **If the pool contains water to a depth greater than 300mm** – have a child resistant barrier that complies with the requirements of the Building Code of Australia and Relevant Australian Standards.
2. **If the pool does is not to contain water during the construction phase** – be managed to allow for weather and site conditions not to contain water to a depth greater than 300mm. A safety fall protection barrier must also be installed if the depth of the pool is greater than 1 metre.
3. Display a sign in a prominent position in the immediate vicinity of the swimming pool that says "This swimming pool is not to be occupied or used until a Relevant Occupation Certificate is issued".



Guidelines - Swimming Pool Barriers

Portable pools

A **small portable pool** is a pool that is not capable of holding water to a depth greater than 300mm and is not capable of holding greater than 2000 litres of water. These pools do not require a child restraint barrier, and do not require Council development approval.

A **medium portable pool** is a pool that is capable of holding water to a depth greater than 300mm, but is not capable of holding more than 2000 litres of water. These pools:

- Must be protected by a child resistant barrier,
- Must be registered on the NSW swimming pool register,
- Must have a resuscitation sign, and
- Council development approval is not required.

A **large portable pool** is a pool that is capable of holding water to a depth greater than 300mm, and is capable of holding more than 2000 litres of water. These pools:

- Must be protected by a child resistant barrier,
- Must be registered on the NSW swimming pool register,
- Must have a resuscitation sign,
- Council development approval is required, and
- Must comply with the requirements of the Building Code of Australia and Relevant Australian Standards.

Structures permitted inside a pool enclosure

Young children should be actively supervised within the pool enclosure when using a swimming pool. Therefore, structures that aren't wholly ancillary to the swimming pool and that may result in insufficient supervision are not permitted within the pool enclosure, including:

- BBQs
- Clothes lines
- Saunas
- Gymnasiums
- Wet Bars
- Food preparation and consumption areas
- Digital entertainment (i.e. Television or the like)
- Animal/Pet enclosures
- Garden/tool sheds
- Garages

All residential buildings situated on the premises and from any place (whether public or private) adjoining the premises are to be situated outside of the swimming pool enclosure. Only structures that are wholly ancillary to the swimming pool are to be permitted inside the swimming pool enclosure, including:

- Shade structures
- Chairs
- Pool filtration plants
- Pool equipment sheds
- Diving board or slides
- Flag poles
- Change rooms and toilet facilities



Guidelines - Swimming Pool Barriers

Mandatory Inspections

Council shall inspect pools associated with tourist and visitor accommodation, and multi-occupancy developments at a maximum of three year intervals. These premises include:

- Backpacker's accommodation
- Bed and Breakfast accommodation
- Farm stay accommodation
- Hotel or Motel accommodation
- Serviced apartments.

Proactive Swimming Pool Barrier Inspection Program

The Act provides for councils to develop their own Swimming Pool Barrier Inspection Program to incorporate pools in addition to 'mandatory pools' in consultation with its community. As resources and funding are made available, Council will:

- 1 Promote awareness through community publications, media releases, website information, newsletters, rates notices, owner self-assessment checklists, and staff interaction with the community,
- 2 Identify swimming pools and non-compliant barriers when undertaking inspections as part of Council's broader regulatory role,
- 3 Monitor and compare the Office of Local Government database with Council's records including the use of aerial photography to identify non-registered swimming pools,
- 4 Implement an inspection regime either by random selection, by street, by town & village, or by locality to actively identify swimming pools and ensure compliance with the Act.

High Risk Premises

Whilst not defined as mandatory within the Act, Council has identified the following premises which have swimming pools as 'high risk' and as such, may inspect these premises when resources are made available:

- Child care centre's
- Caravan parks and moveable dwelling parks
- Boarding houses
- Short term accommodation premises
- Commercial swimming pools

Investigating Complaints

Council will inspect any swimming pool within a reasonable time depending on the severity of the non-compliance issue that is the subject of a customer, staff or owner's request to ensure that a pool barrier is installed and maintained in accordance with the Act. Council will inspect and take appropriate regulatory action in respect of swimming pools that have been constructed without Development Consent, or, that are being used in contravention of any conditions of Development Consent or other legislative requirements. Council may also choose to charge the relevant inspection fees for the above investigations and take enforcement action as required in accordance with Legislation.

Upgrading Works or Maintenance Works

Council may require either maintenance works or upgrading works to be undertaken to a non-complying swimming pool barrier depending upon the significance of the non-compliance.



Guidelines - Swimming Pool Barriers

Maintenance works may include the re-tensioning of a swimming pool gate, pruning and removal of vegetation, replacement/repair of a lock or latch.

Council may require the upgrading of a swimming pool barrier, including those which had previously complied with an earlier standard where:

1. illegal or non-complying works have been undertaken, or
2. additional structures have been constructed, or
3. there have been changes to the configuration of the pool area, or
4. the swimming pool fence has been removed or relocated, or
5. doors or windows have been replaced, or
6. latches or locks have been installed, or
7. any devices/mechanisms which had previously formed part of a barrier have been removed or replaced, or no longer comply, or
8. Council is satisfied that the barrier did not comply with the previous standard.

Where significant/costly/prefabricated works are required and/or where Council deems appropriate, Council may require the owner to erect a temporary complying swimming pool barrier until such time as a permanent barrier is installed or rectification/upgrading measures are completed.

An extension may be granted for works that are unable to be completed by the expiry date set out on the direction; the applicant must apply to council stating their reason and pay the relevant fee.

Enforcement

Whilst Council aims to achieve compliance through education and engagement of pool owners and the community, where a non-complying swimming pool barrier is observed, Council will proceed to the issuing of a Notice or Direction (depending upon the seriousness of the non-compliance) under the Act.

Where the owner of a swimming pool has failed to register their pool on the NSW Government website, Council will issue a reminder letter requiring compliance within 14 days.

Council may also issue Penalty Notices and undertake further legal action (court proceedings and entering premises) for failing to comply with the requirements of Council's Policy or the Act. These actions will be undertaken in accordance with legislative requirements where ongoing non-compliance is observed.

Fees

The Act provides that Council may charge a fee for an inspection conducted by an authorised officer.

Council has determined that the following fees will be charged:

Initial inspection of a swimming pool	\$150
Subsequent re-inspection(s)	\$100
Exemption Certificate	\$150
Extension of time	\$70
Resuscitation sign	\$40
Swimming pool under construction sign	\$40
Pool registration (on behalf of owner)	\$10



Guidelines - Swimming Pool Barriers

Retaining wall & Swimming Pool Detail

When a retaining wall is being used as a Swimming pool barrier it can create an unsafe path of travel around the edge of the pool as there will always be a minimum 1.2 metre high ledge that a Person could fall and cause them serious or life threatening injuries.

The Building Code of Australia requirements for a retaining wall states unless the *retaining wall forms part of, or is directly associated with a delineated path of access to a building from the road, or a delineated path of access between building it does not require a barrier.*

Council clarifies that any pathway around a pool becomes a delineated path of travel, as people using the pool can gain access and egress to the pool on any side they choose.

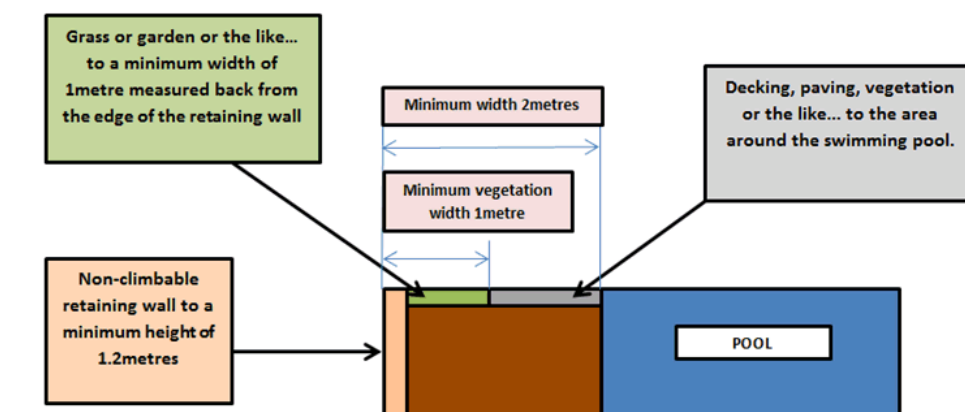
If there is no fall protection barrier or Swimming barrier on top of the retaining wall the following conditions must apply:

- The retaining wall must be non-climbable and comply with relevant Australian standards,
- There must be a minimum width of 2 metres measured from the edge of the water line to the outside edge of the retaining wall, and
- The 2 metre span must incorporate a section of vegetation (e.g. grass, garden) that measures a minimum distance of 1 metre taken from the outside edge of the retaining wall.

This also applies when the width is greater than 2 metres, there still must be a minimum 1metre section of vegetation measured back from the edge of the retaining wall.

Retaining wall & Swimming Pool detail

(Section View)





Guidelines - Swimming Pool Barriers

Location of barriers

The distance of the swimming pool barrier to the edge of the water is to be a minimum distance of 1metre to discourage diving and jumping from the barrier into the pool, a distance of 1metre enables adult supervision from anywhere within the pool enclosure and also leaves an area if resuscitation needs to be performed.

The type of barrier and location of the swimming pool within the property should permit viewing through or over the barrier so that the pool area may be directly viewed from commonly used areas of the building or yard.

The location of the swimming pool at its barrier within the property should not be a means of access to other areas on the property, when entering the swimming pool enclosure it should be for aquatic activities and supervision only.

DEFINITIONS

Note: Council will also refer to and rely on the definitions contained in the Act.

Accredited Certifier

An Accredited Certifier is an individual who is registered with the NSW Building Professionals Board for the purpose of performing swimming pool inspections.

Certificate of Compliance

A Certificate of Compliance is evidence that a swimming pool meets the requirements of the *Swimming Pools Act 1992* and the *Swimming Pools Regulation 2008*.

A Certificate of Compliance is valid for three years.

Certificate of Non-Compliance

A Certificate of Non-Compliance is evidence that a swimming pool does not meet the requirements of the *Swimming Pools Act 1992* and the *Swimming Pools Regulation 2008*. A Certificate of Non-Compliance issued at the owners request is valid for one year.

Certificate of Registration

Is a certificate of evidence that a swimming pool is registered on the NSW Swimming Pool Register; either the owner of the premises or local council can register a swimming pool.

Direction

An authorised person acting under the direction of a local authority may issue a Direction against the premises with a swimming pool under section 23A of the *Swimming Pools Act 1992*. The terms of the Direction must be completed within 28 days.

Notice of direction

An authorised person acting under the direction of a local authority may issue a Notice of Direction on premises with a swimming pool under section 22E of the *Swimming Pools Act 1992*. The Notice is a warning letter explaining that a Direction will be issued against the premises within 14 days unless the terms of the Notice are completed.

Public authority means a public authority constituted by or under an Act, being a local government authority, a government department or a statutory body representing the Crown.



Guidelines - Swimming Pool Barriers

Pool Barrier Exemption is a certificate issued under the Act to exempt a swimming pool from any or all of the requirements of the Act. An Exemption Certificate is granted subject to any conditions Council deems appropriate. For further details, see the Guidelines – Swimming Pool Barriers.

Portable pool means a structure that is designed as a swimming pool but is not a permanent structure.

Relevant Australian Standards are documents that set out specifications, procedures and guidelines that aim to ensure products, services, and systems are safe consistent and reliable. A copy of the Relevant Australia Standard can be viewed at Council's Customer Service at Civic Centre Moss Vale.

Relevant Occupation Certificate

A Relevant Occupation Certificate is issued under the *Environmental Planning and Assessment Act 1979* and authorises the use of the swimming pool. A Relevant Occupation Certificate is valid for three years.

Spa Pool is defined by the Act as:

Includes any excavation, structure or vessel in the nature of a spa pool, flotation tank, tub or the like.

Swimming Pool is defined by the Act as:

an excavation, structure or vessel that is capable of being filled with water to a depth greater than 300 millimetres and that is solely or principally used, or that is designed, manufactured or adapted to be solely or principally used, for the purpose of swimming, wading, paddling or any other human aquatic activity, and includes a spa pool, but does not include a spa bath, anything that is situated within a bathroom or any declared by the swimming pool for the purposes of this Act.

13.5 Proposed Amendments to the Wingecarribee Youth Strategy and Action Plan

Reference:	1830/26
Report Author:	Youth Liaison Officer
Authoriser:	Coordinator Community Development
Link to Community Strategic Plan:	Plan and deliver appropriate and accessible local services for the community

PURPOSE

To update the Youth Strategy and Action Plan 2016 - 2026 following the biennial Wingecarribee Youth Forum.

RECOMMENDATION

1. **THAT the feedback from the Wingecarribee Youth Forum 2018 be noted.**
2. **THAT Council adopt the amendments to the Action Plan of the Wingecarribee Youth Strategy and progressively implemented actions over the next eight (8) years subject to funding.**

REPORT

BACKGROUND

The Wingecarribee Youth Strategy and Action Plan 2016 – 2026 was adopted in December 2016 following extensive consultation with young people and service providers and public exhibition of the draft Plan.

The Youth Strategy focuses on the key areas of concern for the youth population with the aim to prioritise areas for action that will build a better community for and with young people living in the Southern Highlands. The four Action Plan priority areas in the Youth Strategy are:

1. Participation and Engagement
2. Health and Wellbeing
3. Recreation and Leisure
4. Education and Employment

To ensure that the Action Plan remains relevant to young people, Council facilitates a forum inclusive of a diverse range of local young people and youth service providers every two (2) years.



REPORT

On 1 November 2018 the first follow up and review was hosted. It ran in partnership with local service providers and a youth advisory group. The forum was well supported by local schools with 110 students from across the Shire from six schools in attendance and eighteen (18) services providing information stalls. Service providers were invited to interact directly with youth through conversations detailing what support and programs that are available locally.

The forum was structured around a world café format. Young people were trained to be the facilitators so that information was presented in a peer to peer model. Young people were supported by community sector workers in putting forward open-ended questions to gather information on local youth needs and ideas on community issues.

The information that was gathered at the 2018 Youth Forum remained consistent with the feedback that was gathered in 2016. Amendments proposed to the Wingecarribee Youth Strategy and Action Plan based on feedback received from the Youth Forum relate to the time frames of some existing strategies. **Attachment 1** provides the complete plan including the proposed amendments to the Youth Strategy and Action Plan.

Priority Area	Feedback	Staff response	Proposed amendment
Action Plan Priority Area 1. Participation and Engagement	Volunteering opportunities not evident. Lack of local youth events. Lack of response by young people to participate in advisory groups or attending youth events.	Analysis of the feedback provided at the world café table conversations and in the workshops indicates that young people are interested in volunteering in the planning and development of youth events and opportunities. A wide variety of youth specific events and opportunities are organised across the Shire. Youth Liaison Officer has a network of young people who have expressed an interest in planning and developing youth events. Changing the existing priority in the Youth Strategy & Action Plan will move this to the forefront to have youth service providers work on improving marketing strategies to young people.	Action Plan item 1.1 <i>Provide opportunities for young people to be creatively involved in planning and development of policy, services, events and activities.</i> Timeframe to be changed from a medium term to a short term. Action Plan item 1.2 <i>Support and encourage the engagement of young people throughout the wider community.</i> Work towards a stronger partnership with schools. Priority to

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REPORT GROUP MANAGER CORPORATE AND COMMUNITY



Priority Area	Feedback	Staff response	Proposed amendment
			change from medium term to short term priority.
<p>Action Plan Priority Area 2.</p> <p>Health and Wellbeing</p>	<p>The three common themes discussed</p> <ol style="list-style-type: none"> 1. To provide more information to the teaching and welfare staff in schools as these are often the first points of contact for young people 2. To facilitate workshops and programs that focus on resilience, support social needs and reduce isolation 3. Young people lack the knowledge of what services are available to them or the confidence to access services due to the stigma associated with mental health. 	<p>Youth service providers and the schools work well together and have respectful relationships. Providing information through these networks will increase the awareness of how we can better inform young people living in the shire.</p> <p>Youth Liaison Officer collaborates with a key group of services to deliver a range of workshops and programs. Examples include; safeTALK as part of Youth Week in 2018 and 2019, Love Bites programs in public high schools annually, funding to support BDCU to have Batyr youth mental health program in all high schools across the Shire in 2018 and 2019.</p> <p>New youth mental health service operating from a shop front in central Bowral is working positively towards reducing stigma in accessing support.</p>	<p>Action Plan item 2.2</p> <p><i>Facilitate the development of health and wellbeing support groups to improve networks amongst peers with similar needs.</i></p> <p>Timeframe will be changed from medium - long term to short term in response to the youth feedback provided.</p> <p>Action Plan Item 2.5</p> <p><i>Normalise access to services that support health and wellbeing of young people.</i></p> <p>Change timeframe from long term to ongoing priority.</p>
<p>Action Plan Priority Area 4.</p> <p>Education and Employment</p>	<p>Discussions on this priority area presented information that had not been previously captured.</p> <p>Young people had concerns regarding work experience, with various information provided depending on the</p>	<p>Although this information was previously uncaptured it does fit within the existing action item listed.</p> <p>While it is recognised that this may not be an area where youth service providers can have a direct impact we do have the ability to raise awareness for young people expressing concerns and to research creative ways that</p>	<p>Action Plan item 4.1</p> <p><i>Working with stakeholders to increase opportunities for a variety of educational platforms reflective of youth needs.</i></p> <p>The timeframe will</p>

Priority Area	Feedback	Staff response	Proposed amendment
	<p>schools they attended.</p> <p>Discussion on career pathways and subject choices for year 9 students being dependent on schools they attended.</p> <p>An interest in short courses with the possibility of these being available both in the school system and externally through community services or TAFE.</p>	<p>can bring about change that will increase opportunities.</p>	<p>be a high priority and feedback given to schools on student feedback.</p>

Assessment of the feedback from young people at the 2018 Youth Forum validated the 2016 strategic actions of the Wingecarribee Youth Strategy and Action Plan. The feedback from young people highlighted the need to alter the timeframes to some of the strategies.

IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

None identified

COMMUNICATION AND CONSULTATION

Community Engagement

Nil

Internal Communication and Consultation

Nil

External Communication and Consultation

Local youth service providers, all local schools, young people and members of the Highlands Child, Youth and Family Network were consulted in the design and implementation of the 2018 Youth Forum.

SUSTAINABILITY ASSESSMENT

- **Environment**

There are no environmental issues in relation to this report.



- **Social**

The Wingecarribee Youth Strategy and Action Plan will continue to support the Wingecarribee Shire Community Strategic Plan and link to other strategies of Council. The Action Plan includes specific actions relating to young people that promotes a healthy life style, the provision of services and facilities and equitable access to public facilities.

- **Broader Economic Implications**

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

- **Culture**

The Wingecarribee Youth Strategy and Action Plan encourage engagement from all young people, including Aboriginal and Torres Strait Islanders and people from diverse cultural backgrounds.

- **Governance**

There are no governance issues in relation to this report

COUNCIL BUDGET IMPLICATIONS

There are no budget implications with regards to this report.

RELATED COUNCIL POLICY

OPTIONS

The options available to Council are:

Option 1

1. Council note the feedback from the Youth Forum 2018.
2. Council adopt and progressively implement the updates to the Action Plan of the Wingecarribee Youth Strategy over the next eight (8) years.

Option 2

Council does not adopt the updates to the Action Plan of the Wingecarribee Youth Strategy.

Option 1 is the recommended option to this report.

CONCLUSION

Council has undertaken an extensive review of the existing Action Plan of the Wingecarribee Youth Strategy, including consulting with young people and service providers. The feedback from the Youth Forum 2018 supported the existing strategies in the Youth Action Plan and highlighted to need to change some of the timeframes.

ATTACHMENTS

1. Wingecarribee Youth Strategy and Action Plan 2016 - 2026



1. Participation and engagement					
No	Strategic Action	Performance indicator	Key Activity	Timeframe	Partners*
1.1	Provide opportunities for young people to be creatively involved in planning and development of policy, services, events and activities	<ul style="list-style-type: none"> • Number of young people participating in decision making opportunities • Number of young people attending forums 	<ul style="list-style-type: none"> • Support young people in having a voice on issues that matter to them • Promote and showcase the positive work of young people in the community • Support young people to be involved in developing opportunities (biennial Youth Forum) • Encourage the development of youth based working groups for different focus areas 	<p>Medium term</p> <p>Short term</p>	Schools, PCYC, Highlands Youth Centre, Highlands Community Centres, Highlands Child, Youth and Family Network, Department of Family and Community Services (FaCs), Sydney South West Area Health Service (SSWAHS), Primary Health Network (PHN) WSC – Community Engagement Coordinator
1.2	Support and encourage the engagement of young people throughout the wider community	<ul style="list-style-type: none"> • Number of intergenerational activities delivered • Number of opportunities promoted in school newsletters • Work towards a stronger partnership with local school communities 	<ul style="list-style-type: none"> • Intergenerational activities and opportunities • Support youth inclusion in all types of arts and cultural activities • Increase the distribution of relevant youth information to young people 	<p>Short and Medium term</p> <p>Short term priority</p>	Schools, WSC – Community Development team, Highlands Child Youth Family network Volunteering Wingecarribee

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 8 May 2019

**13.5 Proposed Amendments to the Wingecarribee Youth Strategy and Action Plan
ATTACHMENT 1 Wingecarribee Youth Strategy and Action Plan 2016 - 2026**



<p>1.3</p>	<p>Provide information and connect school communities to Aboriginal Cultural programs and educational opportunities that develop positive identity</p>	<ul style="list-style-type: none"> • Number of Aboriginal young people participating and attending events 	<ul style="list-style-type: none"> • Work collaboratively with Elders, schools and Aboriginal Community Groups to encourage and support Aboriginal young people to attend forums and participate in community events 	<p>Short and medium term</p>	<p>Schools, WSC – Community Development team, Aboriginal Community groups and organisations, Elders, Department of Education – Aboriginal team</p>
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2. Health and Wellbeing					
No.	Strategic Action	Performance Indicator	Key Activity	Timeframe	Partners*
2.1	Advocate for improved health and wellbeing services for young people	<ul style="list-style-type: none"> • Number of regional youth services offering programs in the Wingecarribee • Representations made to State and Federal Government agencies and Non-Government organisations (NGO's) 	<ul style="list-style-type: none"> • Identify services funded at a regional level that are not currently servicing the Wingecarribee • Increase awareness of the needs of young people living in the Wingecarribee at regional level • Advocacy submissions made as required 	Long term	PCYC, Highlands Youth Centre, Highlands Community Centres, Highlands Child, Youth and Family Network, Macarthur Youth Services Network, Youth Action, FaCs, SSWAHS, PHN
2.2	Facilitate the development of health and wellbeing support groups to improve networks amongst peers with similar needs	<ul style="list-style-type: none"> • Number of groups / concerns addressed • Number of young people attending groups 	<ul style="list-style-type: none"> • Identify the needs of young people for health and wellbeing support groups including Aboriginal young people and young people with disabilities • Support the development of groups 	<p>Medium to long term</p> <p>Short term</p>	PCYC, Highlands Youth Centre, Highlands Community Centres, Highlands Child, Youth and Family Network, Schools, SSWAHS, PHN Aboriginal Community groups
2.3	Promote services that are available to young	<ul style="list-style-type: none"> • Number of directories delivered to 	<ul style="list-style-type: none"> • Provide details of available services to young people to local 	Short to medium term	PCYC, Highlands Youth Centre, Highlands Community Centres, Highlands Child, Youth and Family Network, Schools.

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 8 May 2019

**13.5 Proposed Amendments to the Wingecarribee Youth Strategy and Action Plan
ATTACHMENT 1 Wingecarribee Youth Strategy and Action Plan 2016 - 2026**



	people	schools and the wider community • Number of young people engaged in Wingecarribee Shire Council social media	schools and the wider community • Assist in the development and distribution of a youth services directory • Use social media platforms to promote local service providers		Wingecarribee Youth Radio
2.4	Develop and connect schools with targeted forums and workshops that promote positive health and wellbeing for young people	• Number of workshops/forums conducted annually • Number of young people attending	• Facilitate the delivery of relevant forums and workshops	Short term	PCYC, Highlands Youth Centre, Highlands Community Centres, Highlands Child, Youth and Family Network, Schools, specialised health and well-being services
2.5	Normalise access to services that support the health and wellbeing of young people	• Number of campaigns delivered	• Run local targeted campaigns that focus on positive interaction with access to services	Long term Ongoing	Young people, local cinema, radio and media options,



3. Recreation and Leisure					
No.	Strategic Action	Performance Indicator	Key Activity	Timeframe	Partners*
3.1	Support existing youth service providers to deliver a range of services and activities	<ul style="list-style-type: none"> • Number of boards, committees and working groups actively engaged • One training opportunity delivered annually 	<ul style="list-style-type: none"> • Participate on boards of management, committees and working groups • Participate in youth service networks • Facilitate training opportunities to service providers 	<p>Ongoing</p> <p>Ongoing Priority</p>	<p>PCYC, Highlands Youth Centre, Highlands Community Centres, Highlands Child, Youth and Family Network, SSWAHS, PHN</p> <p>WSC – internal partners</p>
3.2	Develop a variety of quality events and activities of interest to young people	<ul style="list-style-type: none"> • Number of events delivered • Number of young people at each event 	<ul style="list-style-type: none"> • Host 3 National Youth week (NYW) events • Host 2 events other than NYW • Encourage youth participation • Increase promotion of activities via social media 	<p>NYW from January to May annually</p> <p>Ongoing</p>	<p>PCYC, Highlands Youth Centre, Highlands Community Centres, Highlands Child, Youth and Family Network, Wingecarribee Youth Radio, WSC – internal partners</p>
3.3	Development of a strategic framework that assesses the need and existing service provision for young people in sport and recreational facilities	<ul style="list-style-type: none"> • Number of young people giving input • Number of consultation opportunities provided to young people 	<ul style="list-style-type: none"> • Include young people in consultation strategies in the planning of recreational facilities and open spaces in the Wingecarribee • Ensure youth needs are recognised and incorporated into 	<p>Medium term</p> <p>Ongoing</p>	<p>WSC – Assets</p> <p>Wingecarribee Youth Radio</p> <p>WSC – Community Engagement Coordinator</p>

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 8 May 2019

**13.5 Proposed Amendments to the Wingecarribee Youth Strategy and Action Plan
ATTACHMENT 1 Wingecarribee Youth Strategy and Action Plan 2016 - 2026**



			Council's recreation planning		
3.4	Support and encourage youth involvement in cultural events across the community	<ul style="list-style-type: none"> • Number of Aboriginal young people participating in cultural events • Number of Arts and Cultural strategy actions supported 	<ul style="list-style-type: none"> • Provide opportunities for young people to contribute, engage and perform in Aboriginal cultural events • Increase Aboriginal young people's participation in activities and events • Support the implementation of the youth related strategies in the Arts and Cultural Plan 	Long term	PCYC, Highlands Youth Centre, Highlands Community Centres, Highlands Child, Youth and Family Network, Wingecarribee Youth Radio, Aboriginal community groups WSC – internal partners



4. Education and Employment					
No.	Strategic Action	Performance Indicator	Key Activity	Timeframe	Partners*
4.1	Working with stakeholders to increase opportunities for a variety of educational platforms reflective of youth needs	<ul style="list-style-type: none"> • Research completed • Increased educational opportunities locally 	<ul style="list-style-type: none"> • Research data on what courses young people are leaving the area to study • Advocate for a wider variety of educational opportunities for young people • Support the development of life-skills training career pathways for all young people in the community 	<p>Long term</p> <p>Short term priority</p>	TAFE, University of Wollongong, Chambers of Commerce, PCYC, Highlands Youth Centre, Highlands Community Centres, Highlands Child, Youth and Family Network, Wingecarribee Youth Radio, Aboriginal community groups WSC – internal partner
4.2	Ensure opportunities for youth are recognised and incorporated in the Economic Development Strategy	<ul style="list-style-type: none"> • Number of youth concerns raised at Economic Development summits • Number of schools attending the Careers Expo 	<ul style="list-style-type: none"> • Youth Liaison Officer and young people participating in Economic Development summits etc. • Being actively involved in local Careers Expo 	Long term and ongoing	WSC – Economic Development Chambers of Commerce internal Southern Inland Jobs Agenda
4.3	Support opportunities for an increase in local apprenticeships and employment prospects	<ul style="list-style-type: none"> • Number of employment opportunities created for young people 	<ul style="list-style-type: none"> • Actively pursue opportunities and funding that supports the creation of apprenticeships and traineeships in the community 	Long Term	Chambers of Commerce, WSC - Economic Development, Organisational Development

13.6 Request for a Refund of Development Fees by Moss Vale Anglican Church.

Reference: 19/1055 and 15/0562
Report Author: Senior Town Planner
Authoriser: Group Manager Planning, Development and Regulatory Services

Link to Community Strategic Plan: Work collaboratively to address social disadvantage

PURPOSE

The purpose of this report is to consider a request by the Moss Vale Anglican Church for a refund of Development Application Fees pertaining to DA 19/1055 and DA 15/0562.

As the application relates to a not for profit organisation, Council's adopted revenue policy provides via Council resolution a partial refund of the development fees upon application. Refunds of fees for charitable and not for profit organisations are sourced from the Council Contingency Fund.

RECOMMENDATION

1. **THAT Council with regard to the request by Moss Vale Anglican Church for a refund of Development Application Fees pertaining to DA 19/1055 refund \$185.10 being 50% of Development Application fee from the Council's Contingency Fund.**
2. **THAT Council with regard to the request by Moss Vale Anglican Church for a refund of Development Application Fees pertaining to DA 15/0562 refund \$145 being 50% of Development Application fee from the Council's Contingency Fund.**

REPORT

BACKGROUND

Moss Vale Anglican Church is a charitable organisation which provides community support for Moss Vale residents.

In 2019 the Moss Vale Anglican Church lodged Development Application 19/1055, for the purposes of seeking an extension to the existing kitchen / toilet building so as to create a tea room area at Christ Church Bong Bong, located on the corner of Church Road and Argyle Street Moss Vale. In lodging this application, Moss Vale Anglican Church paid \$831.70 in Development Application fees associated with the development.

In 2015 the Moss Vale Anglican Church lodged Development Application 15/0562, for the construction of a columbarium at Christ Church Bong Bong, located on the corner of Church Road and Argyle Street Moss Vale. In lodging this application, Moss Vale Anglican Church paid \$1391.38 in application fees associated with the development.

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 08 May 2019

REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY AND DEVELOPMENT SERVICES



REPORT

Moss Vale Anglican Church has made written request to Council dated 28 January 2019 seeking to have the development fees associated with 19/1055 and 15/0562 refunded (**Attachment 1**).

Council's adopted policy position for refund of development fees associated with not for profit community organisation is prescribed within its Revenue Policy (Fees and Charges 2018/2019) under clause 23.5 which provides inter alia:

Registered Charities and not for profit organisations may be refunded the following fees subject to Council resolution:

(a) *Development Application Fee:*

(i) *Half the development Application fee.*

Application fees are required to be paid in full at the time of lodgement of the application and requests for refunds in accordance with this clause need to be made in writing and will be presented to a Council meeting for consideration and if resolved a refund may be made in accordance with the provisions of this section. Associated fees would be paid from Council's contingency fund if resolved to be supported.

Evidence of Registered Charities and / or not for profit organisations shall be provided to Council upon application.

On the basis of the policy position, the applicant has paid the DA19/1055 development fees in full at time of lodgement and is now seeking a refund of the full amount \$831.70. The calculated eligibility for refund based on clause 23.5 is 50% of the DA Fee (\$370.20) being \$185.10.

On the basis of the policy position, the applicant has paid the DA 15/0562 development fees in full at time of lodgement and is now seeking a refund of the full amount \$1391.38. The calculated eligibility for refund based on clause 23.5 is 50% of the DA Fee (\$290) being \$145.

The total eligible refund amount totals $\$185.10 + \$145 = \$330.10$.

IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

Nil

CONSULTATION

Community Engagement

No community consultation has taken place in relation to this request.

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 08 May 2019

REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY AND DEVELOPMENT SERVICES



Internal Consultation

Internal consultation has taken place with the Group Manager Planning Development and Regulatory Services.

External Consultation

No external consultation has taken place in relation to this request.

SUSTAINABILITY ASSESSMENT

- **Environment**

There are no expected environmental issues in relation to this report.

- **Social**

There are no expected social implications 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

The current balance of the Contingency Fund as at 1 May 2019 is \$26,721. This balance does not take into account financial commitments made as part of any other reports contained within this business paper.

RELATED COUNCIL POLICY

Revenue Policy (Fees and Charges - 2018/2019).

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 08 May 2019

REPORT DEPUTY GENERAL MANAGER CORPORATE, STRATEGY AND DEVELOPMENT SERVICES



OPTIONS

The following options are available for Council:

Option 1

1. THAT Council approve a refund to Moss Vale Anglican Church of \$185.10 being 50% of Development Application 19/1055 fee amount of \$370.20, by way of a donation sourced from Council's Contingency Fund.
2. THAT Council approve a refund to Moss Vale Anglican Church of \$145 being 50% of Development Application 15/0562 fee amount of \$290, by way of a donation sourced from Council's Contingency Fund.

Option 2

THAT Council refund an alternate amount to Moss Vale Anglican Church nominated by Council, by way of a donation sourced from Council's Contingency Fund.

Option 1 is recommended as it is consistent with council's adopted Revenue Policy.

CONCLUSION

The application for the partial refund of development application fees paid by the Moss Vale Anglican Church complies with the requirements of section 23.5 of the Revenue Policy (Fees and Charges 2018/2019) and the request is submitted to Council for determination.

ATTACHMENTS

1. Letter of Request For Refund



Attachment 1: Request for Refund

Moss Vale Anglican Church

PO Box 349

Moss Vale

NSW 2577

28/01/2019

The General Manager
Wingecarribee Shire Council
PO Box 141
Moss Vale NSW
2577

Dear Madam,

Ref: Application for Refund of Development Application Fees

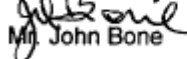
We wish to make application for a refund of DA fees for DA 19/1055 lodged 15/01/2019 and DA 15/0562 lodged 23/06/2015, both in relation to Christ Church Bong Bong, in accordance with Council's Development Control Plan section A1.8, copy attached.

Also attached is an extract from the ACNC Register listing Christ Church Bong Bong as being registered and copies of receipts for sums paid.

At the time we lodged the earlier DA (15/0562) we were not aware of Council's policy regarding refunds and ask that it be considered along with the current application (19/1055)

Please contact the undersigned if any further information is required.

Yours faithfully


Mr. John Bone

Warden's Representative

4868 1112

WINGECARRIBEE SHIRE COUNCIL
Classification: MAILING
Doc. No.
File No. 19/1055



13.7 Request from Canyonleigh Community Association to extend their 2018/19 Community Assistance Scheme Grant Into The Next Financial Year

Reference:	1870/2018
Report Author:	Coordinator Community Development
Authoriser:	Group Manager Corporate and Community
Link to Community Strategic Plan:	Identify and protect the unique characteristics of towns and villages to retain a sense of place

PURPOSE

The purpose of this report is to seek Council's consent for the Canyonleigh Community Association to extend the completion time of their 2018 / 19 Community Assistance Scheme grant to 2019/2020 financial year.

RECOMMENDATION

THAT Council extend the time for the expenditure of the 2018/2019 Wingecarribee Community Assistance Scheme grant to the Canyonleigh Community Association to be spent by 30 June 2020.

REPORT

BACKGROUND

Canyonleigh Community Association received a grant through the 2018 /19 Wingecarribee Community Assistance Scheme. The \$4,500 grant was provided to construct a Canyonleigh entry sign with landscaping. Canyonleigh Community Association has written to Council asking for an extension to complete their project.

REPORT

Under the Guidelines of the Wingecarribee Community Assistance Scheme all funds must be expended within the twelve month period from 1 July 2018 – 30 June 2019. The Canyonleigh project has experienced difficulties in accessing the stone to create the sign and have since been informed by the stonemason that should the wall not be completed before the weather becomes too cold the concrete will not set correctly. They would like to complete the project in spring of this year.

IMPACT ON COUNCIL'S FIT FOR THE FUTURE IMPROVEMENT PLAN

Nil

COMMUNICATION AND CONSULTATION

Community Engagement

Nil

Internal Communication and Consultation

Nil

External Communication and Consultation

Nil

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

The request is to roll over \$4,500 for the Canyonleigh project into the 2019 / 2020 budget.

RELATED COUNCIL POLICY

Wingecarribee Community Assistance Scheme Guidelines.

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 08 May 2019

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



OPTIONS

The options available to Council are:

Option 1

Council extend the time for the expenditure of the Community Assistance Scheme 2018 / 19 Canyonleigh Project grant to be spent by 30 June 2020.

Option 2

Council not extend the time for the expenditure of the Community Assistance Scheme 2018 / 19 Canyonleigh Project grant.

Option 1 is the recommended option to this report.

ATTACHMENTS

There are no attachments to this report.

Mark Pepping
Deputy General Manager Corporate, Strategy and Development Services

Thursday 2 May 2019

COUNCIL MATTERS

18 COMMITTEE REPORTS

18.1 Minutes of the Community Development Advisory Committee Meeting held on Tuesday, 30 April 2019

Reference:	1880
Report Author:	Administration Officer (Meetings)
Authoriser:	Group Manager Corporate and Community
Link to Community Strategic Plan:	Work collaboratively to address social disadvantage

PURPOSE

This report provides the Minutes of the Community Development Advisory Committee Meeting held on Tuesday 30 April 2019.

SUMMARY OF RECOMMENDATIONS AND ACTIONS FOR COUNCILLORS' ATTENTION AND ADOPTION

Item 1 Welcome and Apologies

CD 31/19

THAT an apology from Cllr G Turland be accepted and leave of absence granted.

Item 3 Adoption of Minutes of Previous Meeting

CD 32/19

1. *THAT the notes of the Community Development Advisory Committee Meeting held on Tuesday 12 March 2019, and were forwarded to the Committee, be adopted as a correct record of the proceedings of the meeting.*

Item 6 Agenda Reports

CD33/19

1. *THAT the Community Development Advisory Committee's recommendations for funding of the Community Development related applications to the 2019/2020 Wingecarribee Community Assistance Scheme be forwarded to the Community Assistance Advisory Committee for consideration.*

RECOMMENDATION

THAT recommendations Nos CD 31/19 to CD 33/19 – as detailed in the Minutes of the Community Development Advisory Committee Meeting held on Tuesday, 30 April 2019 be adopted, save for any items which have budgetary implications AND THAT any item with budgetary implications and which is unfunded, be referred to the Finance Committee for consideration.

AGENDA FOR THE ORDINARY MEETING OF COUNCIL

Wednesday 08 May 2019

COMMITTEE REPORTS



ATTACHMENTS

1. Community Development Advisory Committee Minutes 30 April 2019



MINUTES

of the
Community Development Advisory
Committee Meeting

held in

Gibraltar Room

Civic Centre, Elizabeth Street, Moss Vale

on

Tuesday 30 April 2019

The meeting commenced at 4.30pm

File No. Enter File No

18.1 Minutes of the Community Development Advisory Committee Meeting held on Tuesday, 30 April 2019

ATTACHMENT 1 Community Development Advisory Committee Minutes 30 April 2019



MINUTES OF THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE MEETING

Tuesday 30 April 2019



- 1. WELCOME AND APOLOGIES
- 2. ACKNOWLEDGEMENT OF COUNTRY
- 3. ADOPTION OF MINUTES OF PREVIOUS MEETING
- 4. BUSINESS ARISING FROM THE MINUTES
Community Development Advisory Committee Meeting held on 12 March 2019
- 5. DECLARATIONS OF INTEREST

6. AGENDA REPORTS	3
6.1 Assessment of the Community Development related Applications to the 2019 / 2020 Winegcarribee Community Assistance Scheme	3
8. DATE OF NEXT MEETING	3
9. MEETING CLOSURE	3



MINUTES OF THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE MEETING

Tuesday 30 April 2019



MINUTES OF THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN GIBRALTAR ROOM, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON TUESDAY 30 APRIL 2019 COMMENCING AT 4.30PM.

Present:

Councillors:	Clr L A C Whipper	<i>Chair</i>
	Clr G J Andrews	<i>Alt Chair</i>
	Clr G Markwart	
	Clr G McLaughlin	<i>(In Attendance)</i>

Community Representatives:	Ms Deborah Barnes
	Ms Lynne Burgoyne
	Ms Jan Campbell
	Ms Annabel Julian Brown

In Attendance:	Ms Danielle Lidgard	<i>Group Manager Corporate & Community</i>
	Ms Cath Brennan,	<i>Community Development Coordinator</i>
	Ms Leesa Stratford	<i>Mayor's PA</i>

1. WELCOME AND APOLOGIES

It was noted that apologies were received from Clr G Turland

CD 31/19

MOTION moved by Clr G J Andrews and seconded by Clr L A C Whipper

THAT the apology of Clr G Turland be accepted and leave of absence granted.

PASSED

2. ACKNOWLEDGEMENT OF COUNTRY

Clr L Whipper acknowledged country:

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.

18.1 Minutes of the Community Development Advisory Committee Meeting held on Tuesday, 30 April 2019

ATTACHMENT 1 Community Development Advisory Committee Minutes 30 April 2019



MINUTES OF THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE MEETING

Tuesday 30 April 2019



3. ADOPTION OF MINUTES OF PREVIOUS MEETING

NOTES OF THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE MEETING HELD ON TUESDAY 12 MARCH 2019

CD 32/19

MOTION moved by Clr G Markwart and seconded by Clr L A C Whipper

THAT the notes of the Community Development Advisory Committee Meeting held on Tuesday 12 March 2019 MN -- to MN -- inclusive, copies of which were forwarded to the Committee, be adopted as a correct record of the proceedings of the meeting.

PASSED

4. BUSINESS ARISING

There was no Business Arising at the meeting

5. DECLARATIONS OF INTEREST

Ms Lynn Burgoyne declared a Non-Pecuniary, Less than Significant Interest in the assessment of the Community Assistance Grants, item WCAS20190060 as she is a member of the Country Womens Association. She will leave the meeting and not take part in the debate or voting thereof

Ms Jan Campbell declared a Non-Pecuniary, Less than Significant Interest in the assessment of the Community Assistance Grants, item WCAS20190087 as she is a member of the Highlands Community Centre. She will leave the meeting and not take part in the debate or voting thereof

Clr Larry Whipper declared a Non-Pecuniary, Less than Significant Interest in the assessment of the Community Assistance Grants, item WCAS20190057 as he is a member of the Southern Highlands Homelessness and Community Support (SHHACS). He will stay in the meeting and take part in the debate or voting thereof

Ms Cath Brennan declared a Non-Pecuniary, Less than Significant Interest in the assessment of the Community Assistance Grants, item WCAS20190057 as she is a member of the Southern Highlands Homelessness and Community Support (SHHACS). She will stay in the meeting and take part in the debate.

Ms Cath Brennan declared a Non-Pecuniary, Less than Significant Interest in the assessment of the Community Assistance Grants, item WCAS20190013 as she is a member of the Southern Highlands Domestic Violence Committee. She will stay in the meeting and take part in the debate.

:



MINUTES OF THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE MEETING

Tuesday 30 April 2019



6. AGENDA REPORTS

6.1 Assessment of the Community Development related Applications to the 2019 / 2020 Wingecarribee Community Assistance Scheme

Reference: 1800/58
Report Author: Coordinator Community Development

PURPOSE

To provide recommendations for the Community Development related applications to the 2019 / 2020 Wingecarribee Community Assistance Scheme.

CD 33/19

MOTION moved by Ms JC Campbell and seconded by Ms AB Brown

THAT the Community Development Advisory Committee's recommendations for funding of the Community Development related applications to the 2019 / 2020 Wingecarribee Community Assistance Scheme be forwarded to the Community Assistance Advisory Committee for consideration.

PASSED

7. DATE OF NEXT MEETING

The next meeting will be held on Tuesday 9 July 2019 in Gibraltar Room Civic Centre, Elizabeth Street, Moss Vale commencing at 4.30pm.

8. MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 6:15 PM



18.2 Minutes of the Demographics and Housing Advisory Committee Meeting held on Wednesday, 1 May 2019

Reference:	1823/3
Report Author:	Administration Officer (Meetings)
Authoriser:	Group Manager Corporate and Community
Link to Community Strategic Plan:	Conserve the key natural resources of the Shire and minimise the impact from development

PURPOSE

This report provides the Minutes of the Demographics and Housing Advisory Committee meeting held on Wednesday, 5 September 2018.

SUMMARY OF RECOMMENDATIONS AND ACTIONS FOR COUNCILLORS' ATTENTION AND ADOPTION

Item 1 Welcome and Apologies

DEM1/19

THAT the apology of Mr Peter Wurfel and Mr Tony Ward be accepted and leave of absence granted.

Item 3 Adoption of Minutes of Previous Meeting

DEM2/19

THAT the minutes of the Demographics and Housing Advisory Committee Meeting held on Wednesday 5 SEPTEMBER 2018 MN 10/18 to MN 14/18 inclusive, copies of which were forwarded to Councillors, be adopted as a correct record of the proceedings of the meeting.

RECOMMENDATION

THAT recommendations Nos DEM 1/19 to DEM 2/19 – as detailed in the Minutes of the Demographics and Housing Advisory Committee Meeting held on Wednesday, 1 May 2019 be adopted, save for any items which have budgetary implications AND THAT any item with budgetary implications and which is unfunded, be referred to the Finance Committee for consideration.

ATTACHMENTS

1. Demographics and Housing Advisory Committee Minutes 1 May 2019



MINUTES

of the Demographics and Housing Advisory Committee Meeting

held in

Nattai Room

Civic Centre, Elizabeth Street, Moss Vale

on

Wednesday 1 May 2019

The meeting commenced at 5:00pm

File No. 1823/3

18.2 Minutes of the Demographics and Housing Advisory Committee Meeting held on Wednesday, 1 May 2019

ATTACHMENT 1 Demographics and Housing Advisory Committee Minutes 1 May 2019



MINUTES OF THE DEMOGRAPHICS AND HOUSING ADVISORY COMMITTEE MEETING

Wednesday 1 May 2019



- 1. WELCOME AND APOLOGIES
- 2. ACKNOWLEDGEMENT OF COUNTRY
- 3. ADOPTION OF MINUTES OF PREVIOUS MEETING
- 4. BUSINESS ARISING FROM THE MINUTES
Demographics and Housing Advisory Committee Meeting held on 5 September 2018
- 5. DECLARATIONS OF INTEREST

6. AGENDA REPORTS	3
6.1 Demographics and Housing Committee.....	3
7. DATE OF NEXT MEETING	4
8. MEETING CLOSURE	4

18.2 Minutes of the Demographics and Housing Advisory Committee Meeting held on Wednesday, 1 May 2019

ATTACHMENT 1 Demographics and Housing Advisory Committee Minutes 1 May 2019



MINUTES OF THE DEMOGRAPHICS AND HOUSING ADVISORY COMMITTEE MEETING

Wednesday 1 May 2019



MINUTES OF THE DEMOGRAPHICS AND HOUSING ADVISORY COMMITTEE MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD IN NATTAI ROOM, CIVIC CENTRE, ELIZABETH STREET, MOSS VALE ON WEDNESDAY 1 MAY 2019 COMMENCING AT 5:00PM.

Present: Clr G Markwart Chair
Clr L Whipper
Clr I M Scandrett

Community Representatives: Ms Laurel Cheetham
Mr Nicholas Dyer
Mr Alan Hunt
Mr Tristan Ryall
Ms Wendy Middleton – Argyle Housing

In Attendance: Mr Mark Pepping Deputy General Manager Corporate, Strategy and Development Services
Mr Michael Park Coordinator Strategic Land Use Planning
Ms Susan Stannard Senior Strategic Land Use Planner
Ms Leesa Stratford PA for Mayor / Administration Officer

1. WELCOME AND APOLOGIES

It was noted that apologies were received from Mr Wurfel and Mr Tony Ward

DEM 1/19

MOTION moved by Clr L A C Whipper and seconded by Ms L Cheetham

THAT the apology of Mr Peter Wurfel and Mr Tony Ward be accepted and leave of absence granted.

PASSED

2. ACKNOWLEDGEMENT OF COUNTRY

Clr G Markwart acknowledged country:

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.

18.2 Minutes of the Demographics and Housing Advisory Committee Meeting
held on Wednesday, 1 May 2019

ATTACHMENT 1 Demographics and Housing Advisory Committee Minutes 1
May 2019



MINUTES OF THE DEMOGRAPHICS AND HOUSING ADVISORY
COMMITTEE MEETING

Wednesday 1 May 2019



3. ADOPTION OF MINUTES OF PREVIOUS MEETING

MINUTES OF THE DEMOGRAPHICS AND HOUSING ADVISORY COMMITTEE MEETING
HELD ON WEDNESDAY 5 SEPTEMBER 2018

DEM 2/19

MOTION moved by Cllr L A C Whipper and seconded by Ms L Cheetham

THAT the minutes of the Demographics and Housing Advisory Committee Meeting held on Wednesday 5 SEPTEMBER 2018 MN 10/18 to MN 14/18 inclusive, copies of which were forwarded to Councillors, be adopted as a correct record of the proceedings of the meeting.

PASSED

4. BUSINESS ARISING

There was no Business Arising at the meeting.

5. DECLARATIONS OF INTEREST

There were no Declarations of Interest declared at this meeting.



MINUTES OF THE DEMOGRAPHICS AND HOUSING ADVISORY
COMMITTEE MEETING

Wednesday 1 May 2019



6. AGENDA REPORTS

6.1 Demographics and Housing Committee

Reference: 1823/3
Report Author: Senior Strategic Land Use Planner

PURPOSE

To discuss and agree a future approach and draft programme to optimise the ongoing contribution of the Demographics and Housing Committee to Council's key strategic planning projects.

DEM 3/19

MOTION moved by Ms L Cheetham and seconded by Mr A Hunt

1. THAT Council reconsider the number of formal committee meetings for the Demographics and Housing Advisory Committee.
2. THAT the committee recommends holding a minimum of four (4) formal meetings per year and workshops to be held as required due to the urgency of completing the Local Housing Strategy and the Local Strategic Planning Statement.

PASSED

MOTION

DEM 4/19

MOTION moved by Mr N Dyer and seconded by Mr TR Ryall

THAT the Committee hold a meeting on 29 May 2019 to brief members on the process for preparing the Local Housing Strategy and Local Charter Statements and to formalise the workshop framework.

PASSED

18.2 Minutes of the Demographics and Housing Advisory Committee Meeting
held on Wednesday, 1 May 2019

ATTACHMENT 1 Demographics and Housing Advisory Committee Minutes 1
May 2019



**MINUTES OF THE DEMOGRAPHICS AND HOUSING ADVISORY
COMMITTEE MEETING**
Wednesday 1 May 2019



7. DATE OF NEXT MEETING

The next meeting will be held on 29 May 2019 in Nattai Room commencing at 5.00pm

8. MEETING CLOSURE

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 6.15 PM

19 QUESTIONS WITH NOTICE

19.1 Question with Notice 10/2019 - Clearing of Mittagong Creek

Reference: 101/2
Report Author: PA for Mayor
Authoriser:
Link to Community Strategic Plan: Work collaboratively to reduce pollution and its impact on our environment

To: General Manager

From: Clr G Turland

Received: 1 May 2019

Subject: Clearing of Mittagong Creek

Question:

In response to an enquiry received from a member of the community regarding the Mittagong Creek Flood Signs, when will Council be undertaking clearing of the creek of blackberries, wattle trees, rubbish and debris to reduce the effect of flood damage to property and life in the future as per Council's Flood, Plain Management Plan?

RECOMMENDATION

THAT the information in relation to Question with Notice 10/2019 – Clearing of Mittagong Creek - be noted.

COMMENT FROM STAFF:

Residents were notified of an inspection by letter on 6 August 2018. There was no commitment or time frame given in the letter for cleaning the creek out, but advised if *“drainage issues are identified they will be added to the Council's Drainage Maintenance Program, and will be addressed at a future date”*. This inspection was only to identify drainage issues, and didn't consider cleaning the creek of blackberries, wattle, etc., unless it was considered a likely drainage hindrance.

Council staff inspected Mittagong Creek as planned on 21 August 2018 and identified several locations where drainage may have been restricted due to trees and debris in Mittagong Creek.

Several of these locations were on Crown land, and after further review it was confirmed on 14 November 2018 that Council did not have a maintenance agreement regarding these locations, with Crown Lands.

However, clearing of several locations within Council road reserves were completed as they were determined to be required to drain or protect a public road asset. The section of Mittagong Creek between Merrigang Street and Rose Street was prioritised as the first section to be cleared. Council has, after seeking quotations, engaged All Scale Tree Services and work is planned to commence on 6 May 2019.

19.2 Question with Notice 11/2019 - Parking Plans for Major Towns

Reference: 100/2
Report Author: Administration Officer (Meetings)
Authoriser: Group Manager Corporate and Community
Link to Community Strategic Plan: An enhanced culture of positive leadership, accountability and ethical governance that guides well informed decisions to advance agreed community priorities

To: General Manager
From: Councillor L Whipper
Received: 1 May 2019

Subject:

With parking becoming an increasing problem, particularly in Bowral and Moss Vale, it appears obvious to me that the time is long overdue for a Car Parking Contributions Plan to be implemented.

Question:

Is it possible to schedule an urgent briefing with an aim to prepare a short, medium and long term parking strategy for our three major towns and commence the process to implement a car parking contribution plan without further delay?

RECOMMENDATION

THAT the information in relation to Question with Notice 11/2019 Parking Plans for Major Towns - be noted.

COMMENT FROM STAFF:

Yes. An information session has been arranged for 5 June 2019.

20 NOTICES OF MOTION

20.1 Notice of Motion 13/2019 - Hopewood, Centennial Road, Bowral - Development Application

Reference: 100/4

Report Author: PA for Mayor

Authoriser:

Link to Community

Strategic Plan:

An enhanced culture of positive leadership, accountability and ethical governance that guides well informed decisions to advance agreed community priorities

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 May 2019:

1. THAT Council staff provide a full report on all development applications and modification applications s.4.55 that relate to the Hopewood venue.
2. THAT Council staff provide a report on all conditions of consent that have been met per the s.4.55 Development Applications.
3. THAT Council hold a briefing session with both of the owners of Hopewood and affected residents to try and resolve ongoing differences.

RECOMMENDATION

Submitted for determination

COMMENT FROM STAFF

Staff recommend that Councillors be briefed on the history and details associated with past development application approvals and subsequent modifications at the property Hopewood, Centennial Road Bowral in a Councillor Briefing Session.

20.2 Notice of Motion 14/2019 - Berrima Road Project

Reference: 100/4

Report Author: PA for Mayor

Authoriser:

Link to Community

Strategic Plan: An enhanced culture of positive leadership, accountability and ethical governance that guides well informed decisions to advance agreed community priorities

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 May 2019:

1. THAT the General Manager provide a verbal and written report on how the Berrima Road Project failed in its critical path process.
2. THAT the General Manager provide a verbal and written report on what measures and procedures she implemented to stop all projects failing.
3. THAT the General Manager provide a verbal and written report to explain what processes and programs she has implemented to prevent any future project from failing.

RECOMMENDATION

Submitted for determination.

COMMENT FROM THE GENERAL MANAGER

1. A detailed verbal report was provided to the Finance Committee by the Berrima Road Deviation Project Manager on 20 February 2019. In addition, a detailed verbal and written report was provided to Council on 10 April 2019 by the Deputy General Manager, Operations Finance and Risk.
2. The written report provided to the Council meeting on 10 April 2019 outlined the project specific issues relating to the problems encountered with this project and also outlined the approach to be taken in relation to future projects of this kind.
3. See response to question 2.

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 Proposed Sale - 10 Frankland Street 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)(c) as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and the Council considers that it would be on balance contrary to the public interest to consider this information in Open Council.

Brief description

The purpose of this report is to provide Council with an update on the proposed sale of 10 Frankland Street, Mittagong. The Deputy General Manager Operations Finance & Risk will provide a verbal update in Closed Council.

2. **THAT the minutes of the Closed Council part of the meeting (being the Council's resolution) be made public.**
-

Ann Prendergast
General Manager

Thursday 2 May 2019