

MINUTES

OF THE
**SERVICES & INFRASTRUCTURE
COMMITTEE MEETING**

File No. 107/33



held on Wednesday, 7 November 2007

The meeting commenced at 4.03pm

CONTENTS

VISITOR ITEMS	3
ENVIRONMENT & PLANNING DIVISION	3
SI-vEP1 Proposed Adult Bookshop, Main Street, Mittagong	3
SI-vEP2 Proposed Respite Care, 15 Parmenter Court, East Bowral.....	4
SUPPLEMENTARY REPORT	5
GENERAL MANAGER'S REPORT	5
SI-GM1 NSW State Government Library Funding – Proposed Day of Action	5
TECHNICAL SERVICES DIVISION	6
SI-vTS1 Leisure Centre Progress Report and Budget.....	6
OPEN REPORTS	7
ENVIRONMENT & PLANNING DIVISION	7
SI-EP1 Views and Vistas Study Brief	7
SI-EP2 Proposed Aldi Store, 181-183 Old Hume Highway, Mittagong.....	8
SI-EP3 Proposed Information Kiosk, Corbett Plaza, Bong Bong Street, Bowral	9
SI-EP4 Proposed Roadworks & Traffic Signals for Renwick Development	9
CORPORATE SERVICES DIVISION	10
SI-CS1 Proposed Public Private Partnership (PPP) - Moss Vale Crematorium / Cemetery.....	10
TECHNICAL SERVICES DIVISION	11
SI-TS1 Quarry Contributions To Roads Maintenance.....	11
SI-TS2 Auslink Strategic Regional Program	12
SI-TS3 Reviva Centre Building.....	13
CORPORATE SERVICES DIVISION	14
SI-cCS1 Closed Council	14
TECHNICAL SERVICES DIVISION	15
SI-GM1 Vertical Composting Unit at Resource Recovery Centre.....	15

COMMENCING AT: 4.03PM

PRESENT: Councillor N N Campbell-Jones (Chair)
Clr G Lewis, Clr J R Clark, Clr T D Gair, Clr P A George,
Clr M L King, Clr J E Mauger (4.55pm), Clr M J Murray,
Clr P B Tuddenham and Clr L A C Whipper (4.30pm)

IN ATTENDANCE: General Manager, Director Corporate Services, Director
Environment & Planning, Director Technical Services, Manager
Administration Services and Administration Officer (AOR)

APOLOGY

SI 1/07

PERS

MOTION moved by Clrs T D Gair and seconded by Clr M J Murray:

THAT the apologies of Clrs P Yeo and S Murray be accepted and leave of absence granted.

PASSED

DECLARATIONS OF INTEREST

101/3

1. Clr M Murray declared a pecuniary interest in SI-EP3 Proposed Information Kiosk, Corbett Plaza, Bong Bong Street, Bowral as the applicant is his children's uncle. He stated that he would leave the chamber when this matter was discussed, take no part in the debate and refrain from voting thereon.
 2. Clr J Clark declared a non-pecuniary interest in SI-CS1 Proposed Public Private Partnership (PPP) - Moss Vale Crematorium / Cemetery as he is a member of a community organisation that had made a submission on this matter. He stated that he would remain in the chamber, take part in the debate and vote thereon.
-

VISITOR ITEMS

ENVIRONMENT & PLANNING DIVISION

SI-vEP1 Proposed Adult Bookshop, Main Street, Mittagong

REF: CF

LUA07/1044

Reporting on a proposed Adult Bookshop including Toys and Costumes at Lot 5, DP 240187 Main Street, Mittagong.

Clr L A C Whipper joined the meeting at 4.30pm.

The applicant, Mr Paul Purdin of Cobb Management Pty Ltd, made a written submission to Councillors but did not wish to speak and Mrs J Baglin addressed the committee on behalf of the objectors in this matter.

SI 2/07

MOTION moved by Clr M J Murray and seconded by Clr P B Tuddenham :

1. **THAT consideration of this particular application be deferred pending the receipt of an expert's report (commissioned by Council at the applicant's cost) on the social affect of this application on the amenity of the area.**
2. **THAT an answer to Clr P B Tuddenham's question regarding whether the applicant had previously suggested or sought approval for a different site for this use and what response he received from Council officers be provided in the report when this matter is considered at a future Services & Infrastructure Committee meeting.**

PASSED

SI-vEP2 Proposed Respite Care, 15 Parmenter Court, East Bowral

REF: SW

LUA07/1004

Reporting on proposed use of an existing dwelling as a respite care centre at Lot 109 DP 1043085, No 15 Parmenter Court, Bowral, to be run by the Disability Trust.

Ms Margaret Bowen, CEO of the Illawarra Disability Trust (the applicant) addressed the committee and Mr R Westaway spoke on behalf of the objectors in this matter.

Clr Mauger joined the meeting at 4.55pm.

Interest: Clr N N Campbell-Jones declared a pecuniary interest in this matter as his son is the selling agent for the property. He left the chamber, took no part in the debate and refrained from voting thereon.

Interest: Clr P B Tuddenham declared a non-pecuniary interest as the current owner of the property is a client of his company. He left the chamber, took no part in the debate and refrained from voting thereon.

THE MAYOR, CLR G LEWIS, ASSUMED THE CHAIR WHILE THIS MATTER WAS BEING CONSIDERED.

SI 3/07

MOTION moved by Clr P A George and seconded by Clr LAC Whipper :

THAT the application be approved with any conditions of consent to be generally in accordance with Attachment 4 of the report.

AMENDMENT moved by Clr G Lewis and seconded by Clr M J Murray:

THAT this matter be deferred to the next Ordinary Meeting of Council on Wednesday, 28 November 2007 pending the receipt of a further report from the Illawarra Disability Trust on the operation of respite centres within residential areas and subject to an inspection of other respite centres in the Illawarra area.

LOST

MOTION PASSED

VOTING ON THE MOTION:

Voting for the Motion: Clrs Mauger, Gair, George, Whipper & Clark

Voting against the Motion: Clrs Lewis, King and M Murray

SUPPLEMENTARY REPORT

GENERAL MANAGER'S REPORT

SI-GM1	NSW State Government Library Funding – Proposed Day of Action
---------------	--

REF.	GM, HRM	1708
------	---------	------

Reporting on a proposed day of action in relation to funding for public libraries.

CLR N N CAMPBELL-JONES RESUMED THE CHAIR FOR THE REMAINDER OF THE MEETING.

SI 4/07

MOTION moved by Clr T D Gair and seconded by Clr P A George :

1. **THAT Council supports the campaign “Libraries: Too Valuable to Lose”.**
2. **THAT Council approves the placement of a petition in all Wingecarribee Libraries for library users to sign in relation to the low level of State Government funding for public libraries.**
3. **THAT Council endorses the provision of information flyers and media releases to raise awareness about funding campaign.**

PASSED

TECHNICAL SERVICES DIVISION

SI-vTS1	Leisure Centre Progress Report and Budget
---------	---

REF: DPM/DCS

7181

Reporting on progress for the Leisure Centre and budget.

SI 5/07

MOTION moved by Clr M J Murray and seconded by Clr P A George :

1. **THAT the Committee notes the previously reported budget of \$15.2M in January 2008 dollars is now \$16.1M after including escalation of costs.**
2. **THAT the Committee adopts the design concept plan number 3 dated 20/9/07 for design of the Leisure Centre.**
3. **THAT the Committee approves in principle the Pre-DA information and notes that the pre-DA publicity for the Leisure Centre is anticipated to commence in mid / late November 2007.**
4. **THAT the Committee endorses the Risk Management Strategy Actions as outlined in Attachment (4) to manage the financial risk for the Leisure Centre.**
5. **THAT additional funding for the Leisure Centre be confirmed in the 2007/08 Management Plan and budget to meet project costs to 30 June 2008.**

PASSED

Dissenting Votes: Ctrs L A C Whipper and J Clark requested that their dissenting votes be recorded in respect of this motion.

OPEN REPORTS

ENVIRONMENT & PLANNING DIVISION

SI-EP1 Views and Vistas Study Brief

REF: SPM

5700/55; 5612

This report presents a Brief to enable staff to commission a Views and Vistas Study of rural areas. Council is requested to endorse the project so that the brief can be distributed. The project is anticipated to commence December 2007 and conclude June 2008, subject to funding.

The Director Environment & Planning, Scott Lee, introduced this matter to the committee.

SI 6/07

MOTION moved by Cllr M Murray and seconded by Cllr J E Mauger:

THAT Council seeks legal advice on the appropriate amendment to the draft LEP to protect Wingecarribee Shire's views and vistas.

PASSED

SI-EP2 Proposed Aldi Store, 181-183 Old Hume Highway, Mittagong

REF: GJH

LUA07/0613

Reporting on a proposed Aldi store adjacent to the Highlands Marketplace complex, Old Hume Highway, Mittagong.

SI 7/07

Then Committee on a MOTION moved by Clr P A George and seconded by Clr M J Murray
RECOMMENDED:

THAT the proposed Aldi Store at 181-183 Old Hume Highway, Mittagong be deferred for consideration to the Ordinary Meeting of Council to be held on Wednesday, 28 November 2007 AND THAT information be provided on the following issues:

- (i) **Traffic issues**
- (ii) **Parenting room – compliance with Council DCP**
- (iii) **Non spill, energy efficient lighting**
- (iv) **Required rehabilitation works in Ironmines Creek**
- (v) **Restricted opening hours and delivery times**
- (vi) **Progress on applicant securing reciprocal rights across adjoining commercial land to link basement carparks**
- (vii) **Section 94 contributions in relation to roads and footpaths**
- (viii) **Disabled access doors to parenting room**
- (ix) **Landscaping on site**

AND THAT Councillors be provided with a detailed report on these issues.

PASSED

SI-EP3 Proposed Information Kiosk, Corbett Plaza, Bong Bong Street, Bowral

REF: PMAL

LUA06/1268; PN1755470

Reporting on proposed Information (touch screen) Kiosk at Corbett Plaza, Bong Bong Street, Bowral.

Interest: Clr M Murray declared a pecuniary interest in this matter as the applicant is his children's uncle. He left the chamber, took no part in the debate and refrained from voting thereon.

SI 8/07

MOTION moved by *Clr T D Gair* and seconded by *Clr P A George* :

THAT the kiosk location at Corbett Plaza, Bong Bong Street, Bowral be directly attached to the eastern side of the taxi button/light post with the length of the kiosk running in an east west direction.

PASSED

SI-EP4 Proposed Roadworks & Traffic Signals for Renwick Development

REF: PMAL

LUA06/1363

Reporting on proposed installation of traffic lights and other works at the intersection of Old Hume Highway and Inkerman Road, Mittagong associated with the Renwick residential development.

Clr P George retired from the meeting at 7.10pm.

SI 9/07

MOTION moved by *Clr T D Gair* and seconded by *Clr J E Mauger* :

1. **THAT** the application be approved, including a specific condition addressing timing of the intersection works in relation to completion of Crane Street roundabout, railway bridge and connector road and release of lots, as detailed in this report.
2. **THAT** those people who made submissions be advised of Council's decision.

PASSED

CORPORATE SERVICES DIVISION

SI-CS1	Proposed Public Private Partnership (PPP) - Moss Vale Crematorium / Cemetery
---------------	---

REF	DCS	2160/1
-----	-----	--------

Reporting on a proposed public private partnership (PPP) to construct and operate a crematorium at Moss Vale Cemetery.

SI 10/07

MOTION moved BY Cllr P B Tuddenham and seconded by Cllr J E Mauger:

THAT the Proposed Public Private Partnership (PPP) for Moss Vale Crematorium / Cemetery be deferred until a reply is provided to Cllr P B Tuddenham regarding his request for an explanation on procedural issues relating to probity.

PASSED

TECHNICAL SERVICES DIVISION

SI-TS1	Quarry Contributions To Roads Maintenance
---------------	--

REF:	A/RTM	7803/2007
------	-------	-----------

Reporting on pavement works proposed to be carried out on Wombeyan Caves Road, utilising funds derived from quarry maintenance contributions.

SI 11/07

MOTION moved by Cllr M J Murray and seconded by Cllr J R Clark:

1. **THAT Council approves use of \$70,000 of Quarry Maintenance Contribution funds from Rocla to match the Regional Roads Repair Program funds for rehabilitation of Wombeyan Caves Road.**
2. **THAT Council approves the use of \$1,799.03 from OMYA Southern and \$31,688.48 from Pacsons Quarry Maintenance Contribution funds for gravel resheeting works on Wombeyan Caves Road.**

PASSED

SI-TS2 Auslink Strategic Regional Program

REF: A/RTM

7803/2006

Reporting on progress made in the AusLink Strategic Regional Program, seeking approval to sign the Funding Agreement and Council contribution towards the work.

SI 12/07

MOTION moved by Cllr M J Murray and seconded by Cllr G Lewis :

1. **THAT Council notes the increase in estimated project cost from \$1,040,000 to \$1,250,000.**
2. **THAT Council allocates \$310,000 from the Land Rental Reserve towards the project, with this cost to be recovered from a future Industrial Zone Infrastructure Plan.**

PASSED

SUPPLEMENTARY MOTION

COUNCIL SEAL

7803/2006

The Director Corporate Services advised that authority to execute the agreement under the Common Seal of the Council can only be approved at an Ordinary Meeting of Council.

SI 13/07

MOTION moved by Cllr M J Murray and seconded by Cllr G Lewis :

THAT the Auslink Strategic Regional Program funding agreement be referred to the Ordinary Meeting of Council to be held on Wednesday, 28 November 2007 for the Mayor and General Manager to be granted authority to execute the agreement under the Common Seal of the Council.

PASSED

SI-TS3	Reviva Centre Building
---------------	-------------------------------

REF: MRR, FSM	7503/25
---------------	---------

Reporting on the extension of the Mezzanine Floor Project for the Reviva facility at the Resource Recovery Centre.

The Manager Resource Recovery Centre will be present at the meeting to answer any questions.

SI 14/07

The Committee on a MOTION moved by Cllr T D Gair and seconded by Cllr M L King
RECOMMENDED :

1. **THAT the General Manager advise the Department of Local Government to extend the existing approval for funding of this Project to \$120,000.**
2. **THAT appropriate adjustments be made to the Resource Recovery Budget at the September Quarterly Review.**

PASSED

CORPORATE SERVICES DIVISION

SI-cCS1	Closed Committee	
REF.	DCS	107/9

To consider moving into Closed Committee.

At this juncture, the time being 7.27pm, pursuant to section 10A(4), the Mayor offered the opportunity to members of the public to make representations to Council as to whether any items of the Closed Committee should not be considered in Closed Committee.

This information would, if disclosed, prejudice the maintenance of the law, AND THAT the press and public be excluded from Closed Committee as it is the opinion of the General Manager that publication of the proceedings would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

No objections were received from the members of the public.

SI 15/07

MOTION moved by Clr LAC Whipper and seconded by Clr M J Murray :

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

**SI-cGM1 VERTICAL COMPOSTING UNIT AT RESOURCE RECOVERY CENTRE
CONTRACT 42/00 7503.25.19**

Relevant Legal Provision

This report is placed in Closed Committee 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 under Clause 10A(2)(c) of the Local Government Act.

Brief Description

Reporting on an opportunity to acquire the Vertical Composting Unit at the Resource Recovery Centre.

Public Interest

It would be contrary to the public interest to consider this information in Open Council because it contains information which could confer a commercial advantage.

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

PASSED

TECHNICAL SERVICES DIVISION

SI-cGM1 Vertical Composting Unit at Resource Recovery Centre

REF. MRR, FSM, HRM

Contract 42/00, 7503/25.19

Relevant Legal Provision

This report is placed in Closed Committee 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 under Clause 10A(2)(c) of the Local Government Act.

Brief Description

Reporting on an opportunity to acquire the Vertical Composting Unit at the Resource Recovery Centre.

Public Interest

It would be contrary to the public interest to consider this information in Open Council because it contains information which could confer a commercial advantage.

MOTION moved by Cllr M J Murray seconded by Cllr T D Gair **RECOMMENDED:**

1. **THAT Council agrees to the purchase and operation by Council of the Vertical Composting Unit at the Resource Recovery Centre.**
2. **THAT the Mayor and General Manager be authorised to negotiate the final purchase of the VCU within the bounds described in the Organics Business Plan and this report.**
3. **THAT contingent to Recommendation 2 above, approval be granted to employ one full-time staff member to operate the facility to be funded from the VCU fund.**
4. **THAT the General Manager seek approval from the Department of Local Government to borrow the necessary funds for the purchase.**
5. **THAT appropriate adjustments be made to the Resource Recovery Budget at the September Quarterly Review**

PASSED

OPEN COUNCIL

SI 16/07

MOTION moved by *Clr N N Campbell-Jones* and seconded by *Clr M J Murray*:

THAT Council moves back into Open Council.

PASSED

No members of the public were present in the Chamber.

ADOPTION OF CLOSED COMMITTEE

SI 17/07

107/9

MOTION moved by *Clr N N Campbell-Jones* seconded *Clr T D Gair*:

THAT the recommendation in *SI-GM1* of the *Services & Infrastructure Closed Committee* held on *Wednesday, 7 November 2007* be adopted.

PASSED

THERE BEING NO FURTHER BUSINESS, THE SERVICES & INFRASTRUCTURE COMMITTEE MEETING CONCLUDED AT 8.10PM.

In accordance with the provisions of Section 375(2) of the Local Government Act, these minutes of the Services & Infrastructure Committee Meeting held Wednesday, 7 November 2007 numbered SI 01/07 to SI 17/07, were signed by me hereunder at the Services & Infrastructure Committee meeting held on Wednesday, 5 December 2007.

CHAIRMAN



SERVICES & INFRASTRUCTURE COMMITTEE
Minutes of meeting held in the Council Chamber, Civic Centre,
Elizabeth Street, Moss Vale on Wednesday, 7 November 2007

