



AGENDA FOR THE ORDINARY MEETING OF COUNCIL

held in the Council Chamber, Civic Centre, Elizabeth Street, Moss Vale
on Wednesday, 12 October 2011

REPORT OF DIRECTOR CORPORATE SERVICES

o-CS14 Proposed Reclassification of Part and Proposed Development and Sale of Part (No Street Number) Lot 8 Deposited Plan 241836 Beavan Place Bowral Being Land Classified as "Community" Land

Economy Leadership

Reference: 7122, PN128600

Responsible Officer: Manager Governance, Manager Business Services

PURPOSE

Report outlining the proposed reclassification of part and the proposed development and sale of part of the land known as (No Street Number) Lot 8 Deposited Plan 241836 Beavan Place Bowral.

SUMMARY

The land known as (No Street Number) Lot 8 Deposited Plan 241836 Beavan Place Bowral is classified pursuant to the *Local Government Act 1993* as "operational" land.

Previously identified as surplus to Council's needs, this land, among others, was considered for reclassification and potential sale in 2007-2008. At that time, Council elected not to proceed with reclassification.

In June 2010 Councillors visited the site and identified it as a parcel of land with potential for subdivision into two lots – one to be sold as a residential lot; the remaining lot to be dedicated to the public as a reserve.

DESCRIPTION OF ITEM

BACKGROUND

This land was purchased by Bowral Council in 1976 by Transfer P667247.

This land was identified as part of an earlier review of land deemed surplus to Council's needs. On Wednesday 14 December 2005 Council considered the potential reclassification, development and sale of the land and resolved as follows:

1. *THAT part of Lot 8 DP 241836 Bevan Place, Bowral be reclassified to operational land and rezoned to the adjoining residential zoning and sold.*
2. *THAT consideration be given to utilising some of the funds generated by the site for drainage works. (MN 523/05)*

On Wednesday 14 April 2008 at an Extraordinary Meeting of Council, Council resolved, among other things, as follows:

- C) *THAT the following land remains in the reclassification list in the draft LEP AND THAT the second option in each recommendation of o-EP1 be adopted with the*



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exception of Mineral Springs Reserve – Mittagong which is to become RE2 Private Recreation under the Draft LEP:

- a) Stanley Terrace - Moss Vale
- b) Woodbine Street – Bowral
- c) East Kangaloon - RFS Site
- d) Old Hume Highway – Berrima
- e) Anembo Street - Moss Vale
- f) Government Road - Braemar
- g) Lackey Road - Moss Vale
- h) Cherry Tree Close - Moss Vale
- i) Bevan Place – Bowral
- j) Oxley Hill Road – Bowral
- k) Bowral Pool – Bowral
- l) Mineral Springs – Mittagong (MN127/08)

Council further considered the reclassification of the Bevan Place land. On Wednesday 17 December 2008, Council resolved, among other things:

THAT Council NOT proceed with the reclassification and rezoning of Lot 8, DP 241836, Beavan Place (Unnamed Reserve) Bowral and zone the land RE1 Public Recreation accordingly. (OC 301/08)

SUGGESTED ACTIONS

During the informal Briefing Sessions held with Councillors the potential development and/or sale of part of this property was canvassed. While the lot is under-utilised as a reserve, it is clear that Council wishes to retain a substantial portion of the lot for public use. It is suggested that a sketch be obtained from a Surveyor defining a suitable area of land to create a residential allotment meeting the minimum lot size, with the remaining land being dedicated as Public Reserve.

REPORT

In June 2010, Councillors visited the subject property. Informal discussion was held with regard to the potential development and/or sale of part of this property.

While the lot is under-utilised as a reserve (due to its location), it is clear that Council wishes to retain a substantial portion of the lot for public use. It is suggested that a sketch be obtained from a Surveyor defining a suitable area of land to create a residential allotment meeting the minimum lot size, with the remaining land being dedicated as Public Reserve.

The sketch should be forwarded to a future Council meeting for final determination of whether Council will resolve to submit a Planning Proposal to the Department of Primary Industries in respect of the reclassification from “community” to “operational” land of that part of the land that could be excised from the lot for residential development.



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DETAILS OF PROPOSAL

Subject Site and Locality

Inspection of the site and the surrounding area has been undertaken.

Beavan Place consists of single detached dwellings laid out in a cul-de-sac. To the east and north of the subject land is a medium density development.

STATUTORY ASSESSMENT

ASSESSMENT - KEY ISSUES

Wingecarribee LEP2010

The subject property is zoned RE1- Public Recreation. Adjoining properties are zoned R2-Low Density Residential. The minimum lot size in the R2-Low Density Residential zone is 700 square metres.

The subject property is 1,821 square metres in total. If Council excised a maximum of 800 square metres from the subject property, that would still leave 1,000 square metres to be dedicated as Public Reserve.

The subject property adjoins vacant land known as Lot 7 which is a dedicated Public Reserve of approximately 562 square metres in area.

Another issue for consideration is that the front portion of the site is affected by the 1:100 year flood level.

Development Control Plans

Council adopted the *Bowral Town Plan Development Control Plan* on 10 March 2010. The Plan came into effect on 16 June 2010.

Relevant State Legislation

Local Government Act, 1993.

CONSULTATION

As this is only a preliminary Report canvassing the interest of Council, there has been no external or internal consultation.

Consultation, both external and internal, will of course occur and will be subsequently reported on once there is preliminary proposal to work with.

SUSTAINABILITY ASSESSMENT

- **Environment**

Council's commitment to the principles of Ecologically Sustainable Development recognises that urban areas generally, and towns in particular, provides opportunities for environmental



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conservation. Although such areas are heavily utilised by residence, workers and visitors, it is important to recognise that even small improvements in the natural environment can be achieved, and to act on those opportunities.

- **Social**

There are no positive or negative impacts identified at this point.

- **Culture**

There are no positive or negative impacts on Aboriginal culture and non-Aboriginal culture identified at this point.

- **Broader Economic Implications**

There are broader economic implications identified at this point.

- **Governance**

With thorough reporting and by following due process, there is proper governance of Council's property administration. Proper governance includes probity and transparency in Council's decision making processes.

RELATIONSHIP TO CORPORATE PLANS

Within the 2011-2013 Delivery Program & 2011/2012 Operational Plan adopted by Council on 22 June 2011 (M/N208/11), it is Our Mission *"to create and nurture a vibrant and diverse community, growing and working in harmony with our urban, agricultural and natural environments."*

Identified within the Wingecarribee 2031 are the following goals which are linked to the subject of this report:

- a. *"Wingecarribee housing options are diverse" – provide higher density housing within....Mittagong". (3.4)*
- b. *Ensure future development respects the character of the area in which it is located, and reinforce that character with appropriately sited and designed new development" (3.3.2).*
- c. *Regulate and encourage the Community to maximise sustainable living though best building practice" (4.2.5).*

BUDGET IMPLICATIONS

Minimal costs will be incurred with respect to the drafting of a sketch identifying an allotment to be excised as a residential parcel, with the major area of land retained as public reserve.

It is recommended that these costs be funded from the Property Development Reserve.

RELATED COUNCIL POLICY

Council's Asset Management Policy adopted by Council on 28 July 2011 (M/N 316/10).



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ATTACHMENTS

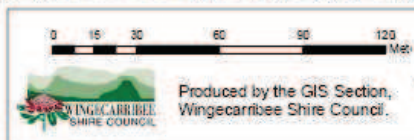
1. Aerial photograph showing the subject property.

RECOMMENDATION

1. THAT a draft sketch be obtained from a Surveyor with respect to (No Street Number) Lot 8 Deposited Plan 241836 Beavan Place Bowral AND THAT it be noted that the purpose of the sketch is to define one (1) residential allotment meeting the minimum lot size, with the remaining land being dedicated as Public Reserve.
 2. THAT the surveyor's sketch referred to in 1 above be forwarded with a further report to a future Council meeting to determine whether Council proceeds with reclassification to "Operational" land of part of the land known as (No Street Number) Lot 8 Deposited Plan 241836 Beavan Place Bowral.
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ATTACHMENT 1



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