



Hawkesbury City Council

ordinary
meeting
business
paper

date of meeting: 14 December 2010

location: council chambers

time: 6:30 p.m.



mission
statement

***“To create opportunities
for a variety of work
and lifestyle choices
in a healthy, natural
environment”***

How Council Operates

Hawkesbury City Council supports and encourages the involvement and participation of local residents in issues that affect the City.

The 12 Councillors who represent Hawkesbury City Council are elected at Local Government elections held every four years. Voting at these elections is compulsory for residents who are aged 18 years and over and who reside permanently in the City.

Ordinary Meetings of Council are held on the second Tuesday of each month, except January, and the last Tuesday of each month, except December. The meetings start at 6:30pm and are scheduled to conclude by 11:00pm. These meetings are open to the public.

When an Extraordinary Meeting of Council is held it will usually start at 6:30pm. These meetings are also open to the public.

Meeting Procedure

The Mayor is Chairperson of the meeting.

The business paper contains the agenda and information on the issues to be dealt with at the meeting. Matters before the Council will be dealt with by an exception process. This involves Councillors advising the General Manager at least two hours before the meeting of those matters they wish to discuss. A list will then be prepared of all matters to be discussed and this will be publicly displayed in the Chambers. At the appropriate stage of the meeting, the Chairperson will move for all those matters not listed for discussion to be adopted. The meeting then will proceed to deal with each item listed for discussion and decision.

Public Participation

Members of the public can request to speak about a matter raised in the business paper for the Council meeting. You must register to speak prior to 3:00pm on the day of the meeting by contacting Council. You will need to complete an application form and lodge it with the General Manager by this time, where possible. The application form is available on the Council's website, from reception, at the meeting, by contacting the Manager Corporate Services and Governance on 4560 4426 or by email at fsut@hawkesbury.nsw.gov.au.

The Mayor will invite interested persons to address the Council when the matter is being considered. Speakers have a maximum of five minutes to present their views. If there are a large number of responses in a matter, they may be asked to organise for three representatives to address the Council.

A Point of Interest

Voting on matters for consideration is operated electronically. Councillors have in front of them both a "Yes" and a "No" button with which they cast their vote. The results of the vote are displayed on the electronic voting board above the Minute Clerk. This was an innovation in Australian Local Government pioneered by Hawkesbury City Council.

Planning Decision

Under Section 375A of the Local Government Act 1993, details of those Councillors supporting or opposing a 'planning decision' must be recorded in a register. For this purpose a division must be called when a motion in relation to the matter is put to the meeting. This will enable the names of those Councillors voting for or against the motion to be recorded in the minutes of the meeting and subsequently included in the required register.

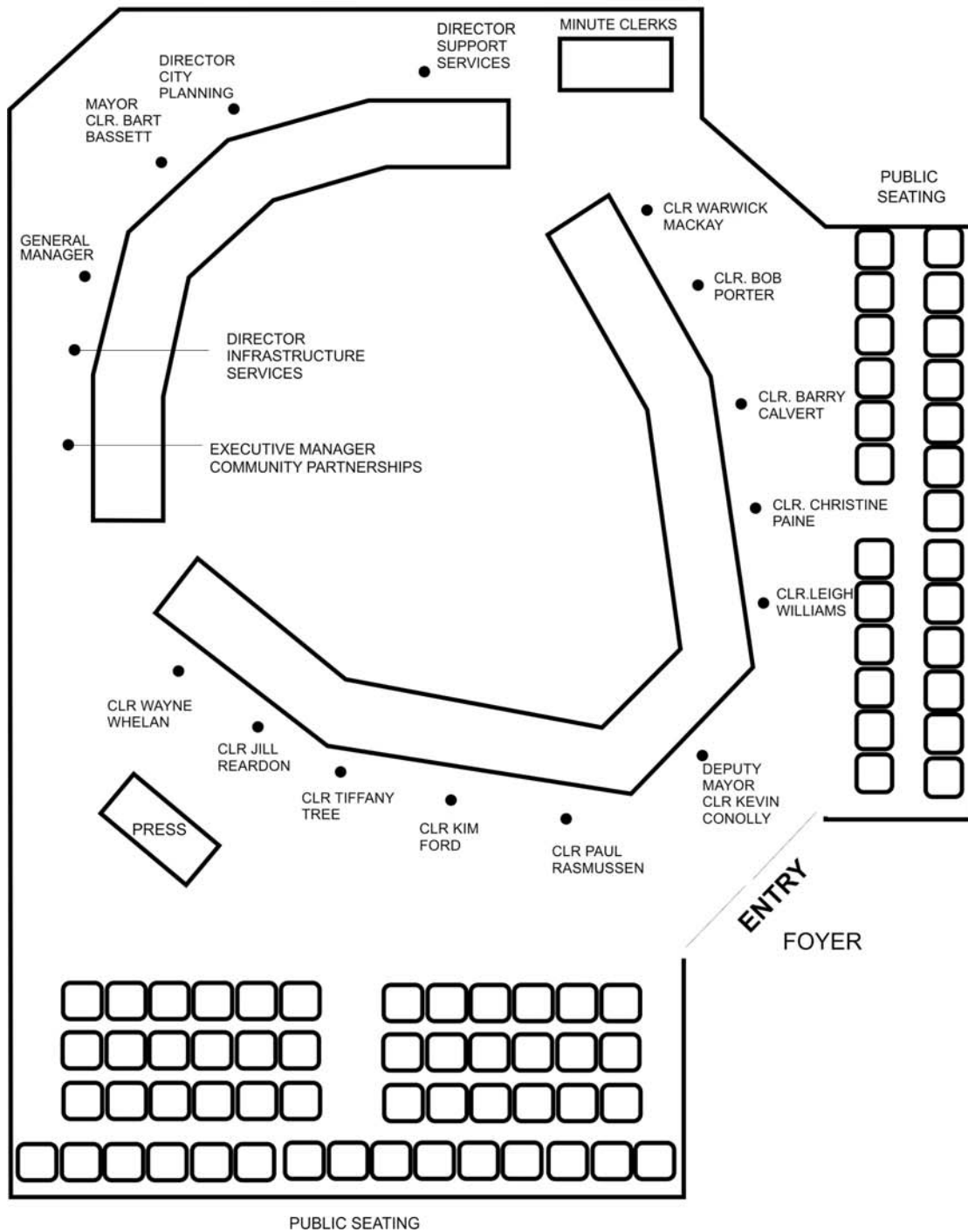
Website

Business Papers can be viewed on Council's website from noon on the Friday before each meeting. The website address is www.hawkesbury.nsw.gov.au.

Further Information

A guide to Council Meetings is available on the Council's website. If you require further information about meetings of Council, please contact the Manager, Corporate Services and Governance on, telephone 02 4560 4426.

council chambers



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SECTION 1 - Confirmation of Minutes

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SECTION 3 - Notices of Motion

NM1 - Stanley Park, East Kurrajong - (80105)

Submitted by: Councillor L Williams

NOTICE OF MOTION:

That Council:

1. Repair and reopen the public toilets in Stanley Park East Kurrajong.
2. Include the clean-up and mowing of the road verge between Stanley Park and East Kurrajong Road in the general mowing program.

BACKGROUND:

I have been asked by members of the East Kurrajong Hall Committee if I could get Council to fix up and reopen the toilets and do some clean up on the road verge between Stanley Park and East Kurrajong Road.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

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Notices of Motion

NM2 - Toilet Facilities for Clarendon Skate Park - (80105)

Submitted by: Councillor L Williams

NOTICE OF MOTION:

That consideration be given to the provision of funding in the 2011/2012 Budget to provide public toilets and additional rubbish bins at the Clarendon skate park.

BACKGROUND:

I recently met with Windsor Police's youth liaison officer Senior Constable Adam Currell at the skate park. He expressed concern at the lack of toilet facilities as they had received complaints about skate park users using the service station toilets. The management is opposed to non-customers using their facilities.

Most youths cannot access the nearby hotel toilets because of age restrictions, and Clarendon Railway Station toilets are only open when staff is in attendance, from 6am to 10am Mondays to Fridays which is obviously not a suitable time for most skate park users. The closest public toilets are near the kiosk on the Common, which is too far to be convenient and therefore are not used.

Senior Constable Currell also pointed out the lack of adequate rubbish bins at that locality and observers will know that much litter is generally in that area.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

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- Have transparent, accountable and respected leadership and an engaged community.
- A balanced set of decisions that integrate jobs, housing, infrastructure, heritage and environment that incorporates sustainability principles.

and is also consistent with (or is a nominated) strategy in the Community Strategic Plan being:

- Implement and monitor Council's sustainability principles.
- Engage the community to help determine affordable levels of service.
- Have ongoing engagement and communication with our community, governments and industries.
- Maintain and review a sustainable long term financial framework.

Financial Implications

Funding for this proposal will be provided from the Delegates Expenses Budget.

RECOMMENDATION:

That attendance of nominated Councillors, and staff members as considered appropriate by the General Manager, at the 2011 LGMA National Congress and Business Expo at an approximate cost of \$3,780.00 per delegate be approved.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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CITY PLANNING

Item: 276 **CP - Development Application - Two Lot Strata Title Subdivision - Lot 2
DP499865, 394 George Street, Windsor - (DA0436/10, 4499, 4690, 74513, 95498)**

Development Information

File Number: DA0436/10
Property Address: 394 George Street, Windsor
Applicant: Teerman Newton Richmond
Owner: Mr F De Carlo & Mrs S De Carlo
Proposal Details: Two lot Strata title subdivision
Zone: Housing
Draft Zone: R2 Low Density Residential
Date Received: 28 June 2010
Advertising: Not required to be notified

Key Issues:

- ◆ Objection under State Environmental Planning Policy No.1
- ◆ Allotment area

Recommendation: Approval

REPORT:

Executive summary

The application seeks approval for the Strata title subdivision into two lots at Lot 2 DP 499865, 394 George Street, Windsor to create 2 strata lots – one commercial lot of 243m² and one residential lot of 803m².

The application is being reported to Council as the variation to the minimum allotment area exceeds 10% and all State Environmental Planning Policy (SEPP) No. 1 variations greater than 10% are required to be considered by Council.

Introduction

An application has been received seeking approval for a two lot strata subdivision of Lot 2 DP 499865 at 394 George Street, Windsor. The existing lot contains a single storey detached brick shop and a two storey detached sandstone shop and residential units. The site also contains a brick carport providing weather protection for four cars and a detached fibro garage.

The strata subdivision would result in an area of 243m² creating an allotment containing the brick retail shop, with the two storey sandstone shop, residential units, brick carport and fibro garage contained on the remaining 803m². Cartridge World currently operates from the brick retail shop and the other commercial premises, within the sandstone building, is currently vacant. Both allotments gain vehicular access to the rear of the property via a registered right of carriageway from Macquarie Street.

The minimum lot size required for the Housing zone is 450m². One lot complies with this requirement however the other lot is undersized.

Council Policies, Procedures and Codes to Which the Matter Relates

State Environmental Planning Policy No. 1 – Development Standards
Sydney Regional Environmental Plan No. 20
Draft Hawkesbury Local Environment Plan 1989

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Hawkesbury Local Environmental Plan 1989
Hawkesbury Development Control Plan 2002

Section 79C Matters for Consideration

In determining the application, Council is required to take into consideration the following matters as are relevant to the development that apply to the land to which the development application relates:

a. The provisions (where applicable) of any:

i. Environmental Planning Instrument:

State Environmental Planning Policy (SEPP) No.1 – Development standards

A commercial subdivision of land is sought within the application however both buildings are located within the existing Housing zone. Hawkesbury Local Environmental Plan 1989 doesn't distinguish between Torrens title and Strata title subdivision, therefore a SEPP No. 1 objection is required in this instance as no separate development standards or controls exist for commercial or mixed use subdivision.

Clause 12(2) of Hawkesbury Local Environmental Plan 1989 specifies that:

'The Council may consent to the subdivision of land in the Housing or Multi Unit Housing Zone only if the area of each allotment that is to contain a dwelling is not less than:

- (a) if the allotment is not an internal allotment, that shown for the zone in Column 2 of the following Table, or*
- (b) if the allotment is an internal allotment, that shown for the zone in Column 3 of that Table."*

As earlier advised, the minimum allotment area in the Housing zone is 450m². In response to the shortfall in area for Lot 1 an objection under SEPP No. 1 was lodged in respect to the minimum allotment size requirement.

Within their SEPP No. 1 objection the applicant's claim that compliance with the development standard is considered unreasonable and unnecessary, for the following reasons:

- *"The land is 1047m² and therefore has the potential for subdivision in compliance with Clause 12 of Hawkesbury LEP 1989*
- *The siting and usage of the existing buildings is not conducive to conventional, compliant 450m² allotments.*
- *The two storey shop and residence is identified as a heritage item by Hawkesbury LEP 1989 (item 223). Therefore, demolition or significant alteration of the building to achieve compliance with the standard is not available to the applicant.*
- *The development standard is intended to apply to residential situations. Notwithstanding that the land is zoned Housing, the site has characteristics which are usually associated with commercial development, rather than residential development in the locality.*

These characteristics are:

- *No setback to front boundary;*
- *Vehicular access from the rear only;*
- *No space between the buildings;*
- *The buildings are clearly designed and used for retail purposes;*
- *The site is located within an area of mixed land uses including, a motor showroom, commercial and retail premises and food and drink premises.*

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- *Hawkesbury LEP 1989 contains no development standard for subdivision of commercial land. It is therefore considered unreasonable to apply the residential standard to the subject land. "*

Comment:

The minimum lot size for the Housing zone is 450m², with the applicant seeking a variation to consider an allotment with an area of 243m². The subject land is a unique site in that is currently zoned for residential purposes, but has been developed and operated for commercial purposes. Hawkesbury Local Environmental Plan 1989 doesn't distinguish between Torrens title and Strata title subdivision with no specific development standards or controls for commercial subdivision or mixed use subdivision.

The underlying objective and purpose of the development standard in respect to residential subdivision within the Housing zone is to determine minimum allotment areas, to consolidate population and housing densities. In this instance residential units exist on the first floor and on the ground floor it is used for commercial purposes. The building is an item of local heritage significance.

Given that the existing property contains two buildings, which are operated as commercial premises and have been for some time, it is considered unreasonable to require the applicant/developer to comply with residential minimum allotment area requirements. It should be noted that no development standards or controls exist for commercial subdivision. It is considered that in the circumstances of the case the departure to the minimum allotment size criteria contained in Hawkesbury Local Environmental Plan 1989 is acceptable.

Sydney Regional Environmental Planning Policy No. 20 (No.2 – 1997) – Hawkesbury – Nepean River (SREP No. 20)

It is considered that the proposed development will not significantly impact on the environment of the Hawkesbury-Nepean River either in a local or regional context and that the development is not inconsistent with the general and specific aims, planning considerations, planning policies and recommended strategies.

The proposal is consistent with the aims and objectives of SREP No. 20.

Hawkesbury Local Environmental Plan 1989 (HLEP 1989)

Subdivision of land within the Housing zone is permissible only if the area of each of the allotments to be created is not less than 450m².

The subdivision would result in an area of 243m² being created with the remaining allotment having an area 803m². An objection under SEPP No.1 seeking a variation to the allotment size in respect to the undersized allotment was submitted and it is recommended that Council support the application.

In addition to the above, the following clauses of Hawkesbury Local Environmental Plan 1989 were taken into consideration:

- Clause 2 - Aims, objectives etc
- Clause 5 – Definitions
- Clause 8 – Zones indicated on the map
- Clause 9 - Carrying out of development
- Clause 9A - Zone objectives
- Clause 10 - Subdivision general
- Clause 12 – Residential Subdivision
- Clause 18 - Provision of water, sewerage services, etc
- Clause 25 – Development of flood liable land
- Clause 27 – Heritage Items
- Clause 28 – Development in the vicinity of heritage items
- Clause 37A - Development on land identified on Acid Sulfate Soils Planning Map

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An assessment of the Development Application otherwise reveals that the proposal complies with the matters raised in the above clauses of Hawkesbury Local Environmental Plan 1989, with the exception of satisfying minimum allotment area contained in Clause 12.

ii. Draft Environmental Planning Instrument that is or has been placed on exhibition and details of which have been notified to Council:

Within the Draft Hawkesbury Local Environmental Plan 2009, the subject site is zoned R2 Low Density Residential. The subject development is permissible only if the area of the R2 allotment to be created is not less than 450m². In the proposed development, an area of 243m² will be created within the R2 zoned allotment, which fails to achieve the minimum allotment area. An exception to this development standard can be considered where it is demonstrated by the applicant that:

- a) compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
- b) that there are sufficient planning grounds to justify contravening the development standards.

As detailed earlier in the report, in respect to allotment size only, it is considered that the SEPP No. 1 objection has demonstrated that compliance with the development standard is unreasonable or unnecessary or has provided sufficient justification on planning grounds to warrant contravening the development standard.

iii. Development Control Plan applying to the land:

Hawkesbury Development Control Plan (HDCP) 2002

The Hawkesbury Development Control Plan 2002 applies to the proposal. An assessment of the proposal against the relevant provisions of this Plan follows:

Part A Chapter 2 - General Information

It is considered that the subject application provides adequate information for the assessment of the proposal and therefore complies with this chapter.

Part A Chapter 3 – Notification

The application was not required to be notified to adjacent and adjoining property owners in accordance with HDCP.

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Part C Chapter 2 – Carparking and Access

The following is an assessment against the relevant Rules of the Carparking and Access Chapter in respect to Part C.

| Element | Rule | Complies |
|-------------------------------------|--|---|
| Residential Carparking requirements | <ul style="list-style-type: none"> • 1 covered carspace per small dwelling (GFA less than 55m²) • 1.5 covered carspace spaces per medium dwelling (GFA 55 to 85m²) • 2 covered carspaces per large dwelling (GFA more than 85m²) | Unit 1 (89m ²) – 2 spaces Unit 2 (81m ²) – 1.5 spaces Unit 3 – (116m ²) – 2 spaces The residential component has the ability to provide for 5 covered carspaces within the existing carport and fibro garage and one uncovered carspace |
| Commercial carparking requirements | <ul style="list-style-type: none"> • 1 space per 30m² of GFA | Lot 1 (111m ²) – 3 spaces Lot 2 (62m ²) – 2 spaces |

As detailed above, the development is consistent with the rules for carparking and access as per Hawkesbury Development Control Plan 2002.

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Part D Chapter 3 - Subdivision Chapter

The following is an assessment against the relevant Rules of the Subdivision Chapter in respect to Part D.

| Element | Rule | Complies |
|----------------------------|--|---|
| General | | |
| Flora and Fauna Protection | a) Any subdivision proposal which is likely to result in any clearing of native vegetation or impact on any environmentally sensitive area is to be accompanied by a flora and fauna assessment report prepared by a suitably qualified person. This report is to primarily address the Eight Part Test pursuant to the Act (Section 5A), State Environmental Planning Policy 44 – Koala Habitat protection. | Yes. No vegetation is proposed to be removed. No environmentally sensitive area is remnant within the site. |
| | b) Vegetation cover should be retained where ever practicable as it acts to stabilize soils, minimize runoff, acts as a pollutant trap along watercourses and is important as a habitat for native fauna. | Yes |
| | c) Degraded areas are to be rehabilitated as part of the subdivision. | Yes. No areas are considered to be degraded. |
| | d) Vegetation should be retained where it forms a link between other bush land areas. | Yes |
| | e) Vegetation which is scenically and environmentally significant should be retained. | Yes. No vegetation is proposed to be removed. |
| | f) Vegetation which adds to the soil stability of the land should be retained. | Yes. No vegetation is proposed to be removed |
| | g) All subdivision proposals should be designed so as to minimize fragmentation of bushland. | Yes. No bushland evident on site. |
| Visual Amenity | (a) Building envelopes, accessways and road shall avoid ridge tops and steep slopes. | Yes. Not located upon a steep site or ridge top. |
| | (b) Subdivision of escarpments, ridges and other visually interesting places should: | Yes |

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| Element | Rule | Complies |
|--|---|--|
| | <ul style="list-style-type: none"> • Be managed in such a way that the visual impact arising from development on newly created allotments is minimal; and • Retain visually significant vegetation such as that found on ridge tops and other visually prominent locations. <p>(c) Development Applications for subdivision shall take into consideration the provisions of SREP No. 20 in relation to scenic quality.</p> | <p>Yes</p> <p>Yes</p> |
| Heritage | <p>(a) A subdivision proposal on land which contains or is adjacent to an item of environmental heritage as defined in Schedule 1 of the Hawkesbury LEP should illustrate the means proposed to preserve and protect such items.</p> | <p>Yes.</p> |
| Utility Services | <p>(a) Underground power provided to all residential and industrial subdivisions. Where infill subdivision is proposed, the existing system, whether above or underground shall be maintained.</p> <p>(b) All lots created are to have the provision of power.</p> <p>(c) Where reticulated water is not available, a minimum storage of 100,000 litres must be provided. A minimum of 10,000 litres must be available during bush fire danger periods.</p> | <p>Existing utility services previously connected to separate buildings</p> <p>Available.</p> <p>Yes. Reticulated water available.</p> |
| Flooding, Landslip & Contaminated Land | <p>(a) Compliance with clause 25 of Hawkesbury Local Environmental Plan 1989.</p> <p>(b) Access to the subdivision shall be located above the 1% AEP flood level.</p> | <p>Yes. No new dwellings are proposed as a result of the subdivision</p> <p>Existing access sits below the 1 in 100 year flood level. Existing arrangement unable to be rectified.</p> |

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| Element | Rule | Complies |
|-------------------|---|--|
| | (c) Where a subdivision proposal is on land identified as being potentially subject to landslip, the applicant shall engage a geotechnical consultant to prepare a report on the viability of subdivision the land and provide recommendations as to the siting and the type of buildings which could be permitted on the subject land. | Not subject to landslip. |
| | (d) In the event the Council deems that there is the potential that land subject to a subdivision application is contaminated then the applicant shall engage a suitably qualified person to undertake a soil and ground water assessment. | Not considered to be contaminated. |
| | (e) Contaminated Land shall be remediated prior to the issue of the Subdivision Certificate. | N/A |
| Effluent Disposal | (a) An effluent disposal report prepared by a suitably qualified person is required to accompany any development application for rural and rural-residential subdivisions. | Not required. Existing buildings connected to reticulated sewerage system. |
| | (b) Any system proposed other than a Household Aerated Wastewater Treatment System is required to be installed prior to release of Subdivision Certificate. | NA |

As detailed above, the development is consistent with the rules for subdivision as per Hawkesbury Development Control Plan 2002.

iii. Planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F:

There are no planning agreements applicable to the proposed development.

iv. Matters prescribed by the Regulations:

The proposed development is not inconsistent with the provisions of the Environmental Planning and Assessment Regulation, 2000.

b. The likely impacts of that development, including environmental impacts on both the natural and built environments and the social and economic impacts in the locality:

Context and Setting

The proposal for Strata title subdivision is considered appropriate in respect to the context and setting of the locality. The buildings have established the character of George Street in this portion of the locality. This subdivision will not physically alter the setting of the buildings.

Access, Transport and Traffic

A singular driveway in a shared arrangement with a right of carriageway over the rear adjoining lot will remain, with an additional right of carriageway over the proposed subdivided lots to provide for manoeuvring. Adequate manoeuvring areas exist to allow each vehicle to enter and leave the site in a forward direction.

Utilities

The existing buildings are currently serviced by all utilities.

Heritage

The site contains a locally listed heritage item, which was formerly the original general store. The application was referred to Council's Heritage Advisor who advised that the subdivision would not cause any adverse heritage impact. No physical works are required as a result of the proposed subdivision.

Flora & Fauna

The development site is not located within an area of flora or fauna significance.

Waste

Existing garbage collection services will remain unchanged as a result of the proposed subdivision.

Noise & Vibration

The site is located within an ANEF contour of 25-30. Subject to AS 2021-2000 Acoustics – Aircraft noise intrusion – Building siting and construction. Hence new residential housing within this zone would be unacceptable. However in this instance, residential habitation upon this site has existed prior to implementation of the Australian standard. Accordingly, residential occupation can remain on this premises.

Natural Hazards

The subject land, including the rear vehicular access is situated at a level below the 1 in 100 flood year event for Windsor, with the existing ground floor dwelling located at a level of 16.99AHD. As no new residential units are proposed to be created by the subdivision, the development is not subject to compliance in respect to flooding development standards.

Cumulative Impacts

No cumulative impacts are envisaged as a result of the proposed development.

The application is not considered to have a negative impact upon the adjoining natural, social, economic or built environments, nor are they considered to result in a loss of amenity to any adjoining landuse.

c. Suitability of the site for the development:

No environmental constraints exist to prohibit the proposed development. Accordingly, the site is considered suitable for the development proposed.

d. Any submissions made in accordance with the Act or the Regulations:

The application was not required to be neighbour notified in accordance with Part A of Hawkesbury Development Control Plan 2002.

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e. The Public Interest:

A commercial subdivision of land is sought within the application however both buildings are located within the existing Housing zone. Hawkesbury Local Environmental Plan 1989 doesn't distinguish between Torrens title and Strata title subdivision, therefore a SEPP No. 1 objection is required in this instance. No specific development standards or controls exist for commercial subdivision or for mixed used development. Hence, having regard to the relevant planning considerations, it is concluded that it would be in the public interest to approve the proposed development.

Conclusion:

The subject land is a unique site in that is currently zoned for residential purposes, but has been developed and operated for both residential and commercial purposes. Hawkesbury Local Environmental Plan 1989 doesn't distinguish between Torrens title and Strata title subdivision with no development standards or controls for commercial subdivision or mixed use development.

Developer Contributions

The development is exempt from contributions under Section 94E of the Environmental Planning and Assessment Act 1979 or Council's Section 94A Contributions Plan.

Planning Decision

As this matter is covered by the definition of a "planning decision" under Section 375A of the Local Government Act 1993, details of those Councillors supporting or opposing a decision on the matter must be recorded in a register. For this purpose a division must be called when a motion in relation to the matter is put to the meeting. This will enable the names of those Councillors voting for or against the motion to be recorded in the minutes of the meeting and subsequently included in the required register.

RECOMMENDATION:

That:

1. Council advise the Department of Planning that it supports the objection to the minimum lot size associated with Development Application DA0436/10 lodged pursuant to the provisions of State Environmental Planning Policy No. 1 - Development Standards and requests that the Department issue its concurrence; and,
2. Upon receipt of a response from the Department of Planning, authority be delegated to the General Manager to determine development application DA0436/10 for a two lot strata subdivision at Lot 2 DP 499865, 394 George Street, Windsor.

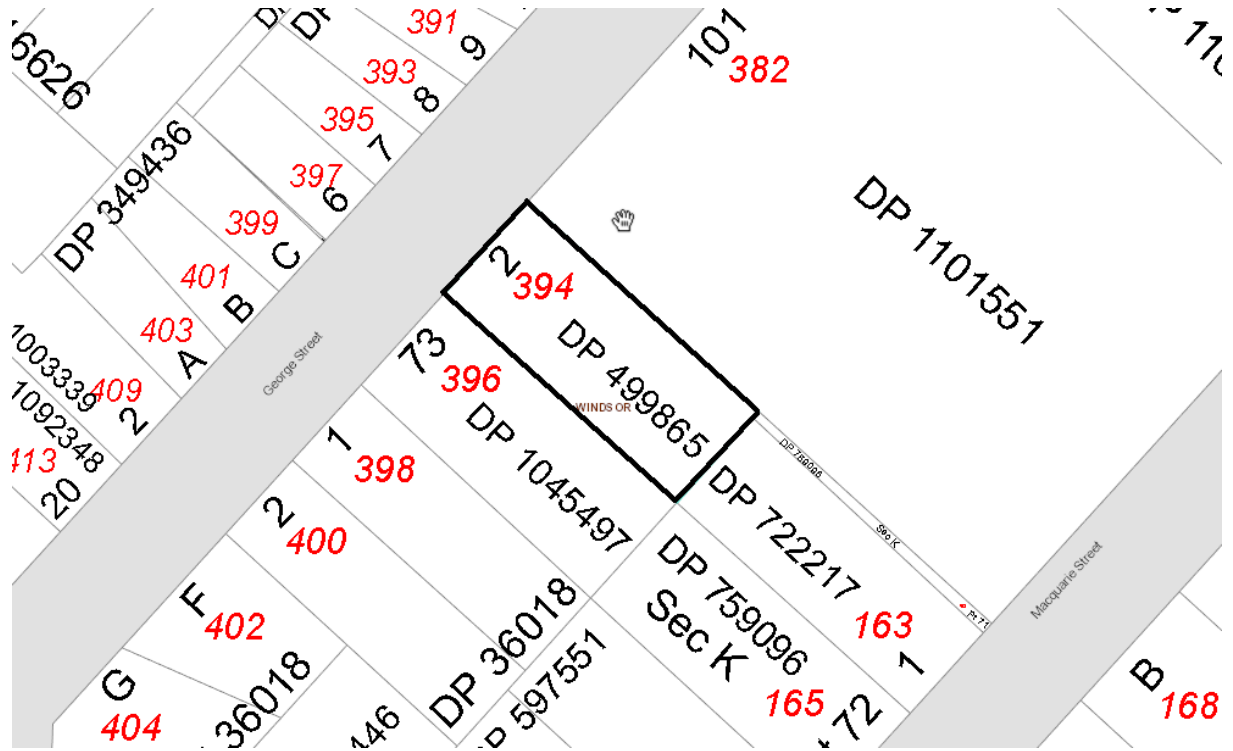
ATTACHMENTS:

- AT - 1 Locality Plan
- AT - 2 Location Plan
- AT - 3 Lot Plan
- AT - 4 Potential development consent conditions should the application be approved

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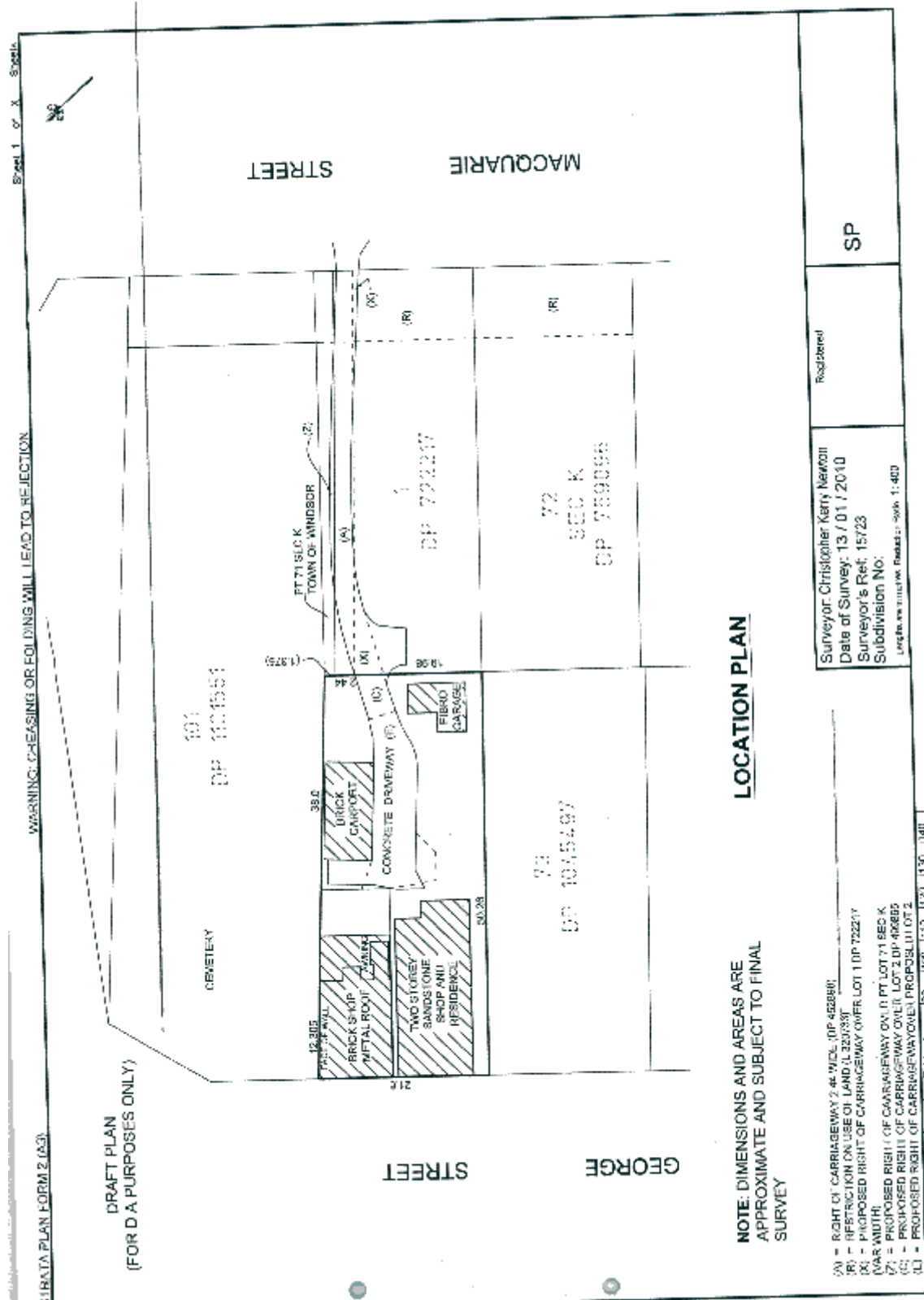
AT - 1 Locality Plan



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AT - 2 Location Plan



LOCATION PLAN

NOTE: DIMENSIONS AND AREAS ARE APPROXIMATE AND SUBJECT TO FINAL SURVEY

- (A) = RIGHT OF CARRIAGEWAY 2.44 W/C (DP 462891)
- (B) = RESTRICTION ON USE OF LAND (L 320/231)
- (C) = PROPOSED RIGHT OF CARRIAGEWAY OVER LOT 1 (DP 722217) (MAX WIDTH)
- (D) = PROPOSED RIGHT OF CARRIAGEWAY OVER PT LOT 71 SEC K
- (E) = PROPOSED RIGHT OF CARRIAGEWAY OVER LOT 2 (DP 40685)
- (F) = PROPOSED RIGHT OF CARRIAGEWAY OVER PROPOSED LOT 2

Surveyor: Christopher Kerry Newson
 Date of Survey: 13 / 01 / 2010
 Surveyor's Ref: 15723
 Subdivision No:
 Legal description: Road 1: 5000 1: 400

Registered
 SP

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AT - 4 Potential development consent conditions should the application be approved

General Conditions

1. The development shall take place in accordance with the stamped plans, specifications and accompanying documentation submitted with the application except as modified by these further conditions.

Prior to Issue of Subdivision Certificate

2. Creation of a drainage easement 1.5m wide over the existing/proposed pipeline through the site, where necessary.
3. A Certificate from a telecommunications carrier confirming that provision has been made for services to the development shall be submitted to the Principal Certifying Authority.
4. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

5. The existing site internal sewer lines located external of the existing buildings shall be cleaned out, tested for leaks and repaired as necessary. A licensed plumber is to certify that the work has been carried out.
6. Written clearance from an energy service provider shall be submitted to the Principal Certifying Authority.
7. A Surveyor's Certificate stating that all pipelines are contained within the proposed/existing easements shall be submitted.
8. A plan of subdivision prepared to the requirements of the Land Titles Office, shall be submitted to Council, with four copies.
9. Reciprocal rights of carriageway and easements for services shall be created over the access handles to lots 1 and 2.
10. A Surveyor's Certificate stating that all existing buildings on the lots comply with the Building Code of Australia in relation to boundary setbacks shall be submitted.
11. Payment of a Linen Release Fee of \$854. This amount is valid until 30 June 2011.
12. A Surveyor's Certificate stating that the proposed/existing physical access to the lots 1 and 2 is contained within the proposed/existing right of carriageway shall be submitted.

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13. Eleven off-street car parking spaces, together with access driveways and turning areas, shall be constructed, paved, line marked, signposted and maintained, as shown on the approved plan. This shall comprise:

Six Residential spaces
Five Commercial spaces

A right of pedestrian access over Lot 2 will be required to provide access for the occupants of Lot 1.

Use of the development

14. All fire safety equipment and fixtures shall be regularly serviced and maintained. The owner or their agent shall certify annually that each of the fire safety measures specified in this statement has:

(a) been assessed by a properly qualified person, and

found, when it was assessed, to be capable of performing to at least the standard required by the current Fire Safety Schedule for the building for which the certificate is issued.

Notes

- * Should any further proposed subdivision or change in land title be considered, Council may require the existing buildings to be upgraded to comply with the current fire safety and egress and access provisions of the Building Code of Australia. Note that this may require building works even where no such works are proposed.

oooO END OF REPORT Oooo

Item: 277 CP - Proposed Amendments to Heritage Advisory Committee Constitution - (95498, 80242)

REPORT:

Executive Summary

The Heritage Advisory Committee (HAC) has made recommendations for changes to its Constitution as it was deemed the current Constitution was dated, the objectives narrow and limiting and it was considered the Constitution was not reflective of Council's directions and strategies adopted in the Hawkesbury Community Strategic Plan.

Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy.

Background

At the meeting of the Heritage Advisory Committee held on 12 August 2010 the Committee discussed at length the future structure, role and key functions of the Committee and in regard to the Constitution, made the following recommendation:

"That:

- 1. The report reviewing the Constitution of the Heritage Advisory Committee be noted.*
- 2. Possible amendments to the Constitution (if required) be discussed by the Committee.*
- 3. Should amendments be agreed upon, an amended Constitution be prepared and reported to Council for adoption."*

The Amended Constitution was further discussed at the HAC meeting of 25 November 2010, wherein the Committee made the following recommendation:

"That the revised Constitution as attached to this report, with the deletion of the last phrase of objective 3(b), be reported to Council for adoption."

For information purposes, it is to be noted 3(b) of the Constitution made reference to the Register of the National Estate (RNE) and it was subsequently determined whilst the Register exists as a statutory register (until February 2012), it had been frozen which means no new items can be added to or removed from the Register.

4(b)(i) dot point no. 2 is proposed to be deleted as this responsibility rests directly with Council and the Committee can still provide advice as provided under Item 3 (f).

Clause 6(b) is proposed to be deleted as this is already provided for under Clause 6(c). The proposed alteration to Clause 6(c) enables attendance by any delegate (eg an Acting Director, the Planning Manager or the Strategic Planning Co-ordinator) in place of the Director City Planning.

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Conformance to Community Strategic Plan

The proposal is consistent with the Looking After People and Place Directions statement;

- Be a place where we value, protect and enhance the historical, social, cultural and environmental character of Hawkesbury's towns, villages and rural landscapes.

and is also consistent with (or is a nominated) strategy in the Community Strategic Plan being:

- Work with the community to define the Hawkesbury character to identify what is important to preserve and promote.
- Develop and implement a plan to conserve and promote heritage.

Financial Implications

There will be no financial implications applicable to this report. All changes will be instituted administratively.

RECOMMENDATION:

That the proposed amended Constitution of the Heritage Advisory Committee Constitution as attached to the report be adopted.

ATTACHMENTS:

AT - 1 Draft (Amended) Heritage Advisory Committee Constitution

AT - 1 Draft (Amended) Heritage Advisory Committee Constitution

**Hawkesbury City Council
Hawkesbury Heritage Advisory Committee
Constitution**

1. Name

The Advisory Committee, as appointed under the provisions of section 377 of the *Local Government Act 1993*, shall be known as the Hawkesbury Heritage Advisory Committee, and is hereinafter referred to as the 'Advisory Committee'.

2. Background

- (a) Local Government responsibility for heritage management is derived from the *Heritage Act 1977* and the *Environmental Planning and Assessment Act 1979*. There is also a range of other legislation that relates different types of heritage eg. Aboriginal heritage is primarily handled under the *National Parks and Wildlife Act 1974*.
- (b) Under the *Heritage Act 1977* the Minister, on the recommendation of the Heritage Council, can place Interim Heritage Orders on items, places and areas, which on further investigation may be found to be of State or local significance and are under threat. The Heritage Council makes broader heritage management decisions and also provides a funding source for heritage protection of local and state listed heritage. The policies and guidelines of the Heritage Council of NSW and the NSW Heritage Office are consistent with and guided by the Burra Charter. The Burra Charter is a set of best practice principles and procedures for heritage conservation.
- (c) Local planning controls and listings for local heritage protection are found within the Hawkesbury Local Environmental Plan. In particular the aims and objectives of the LEP are relevant - see extract below:

Aims and Objectives

"2(d) to conserve and enhance buildings, structures and sites of recognized significance which are part of the heritage of City of Hawkesbury for future generations"

"Heritage Item means a building, work, relic, tree or place of heritage significance..."

"Heritage Significance means historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance"

- (d) Hawkesbury City Council has adopted the Hawkesbury Community Strategic Plan 2010-2030 that contains key directions including:
- "Be a place where we value, protect and enhance the historic, cultural, social and environmental character of Hawkesbury's towns, villages and rural landscapes."
 - "Population growth is matched with the provision of infrastructure and is sympathetic to the rural, environmental, heritage values, and character of the Hawkesbury."

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3. Objectives

- (a) To advise Council about heritage assistance, grant applications review and recommendations.
- (b) To advise and make recommendations to Council in relation to the nomination and deletion of Heritage Listed items from the Local Environmental Plan (LEP) and to identify items of State significance, which should be included in the NSW Heritage Office State Heritage Register or of National significance ~~and worthy of being listed on the Register of the National Estate.~~
- (c) To liaise with local communities and businesses in organising 'Heritage Week' events and to provide advice to Council on heritage programming, exhibitions, education and tourism events.
- (d) To advise Council and work with the community to increase awareness of heritage matters through education such as publications, seminars, public displays and award recommendations.
- (e) Provide Council with advice on the management of heritage within the area. This includes reviewing Council or government policies that affect the Local Government Area heritage, recommending conservation objectives, policies and strategies and providing advice on these matters where appropriate.
- (f) Provide Council with advice on the consistent management and balanced treatment of heritage places forming the cultural heritage of the area by identifying places of cultural significance within the city and to encourage their conservation for today's and future generations.
- (g) Act as a reference and peer review body as required for heritage surveys, conservation reports, planning studies and other heritage related bodies of work.
- (h) To work with the community in the promotion, education, advocacy, encouragement, understanding, use and enjoyment of the cultural heritage of the city and to provide advice thereon to Council.

4. Role and Authorities

- (a) Whereas the Advisory Committee is appointed by the Hawkesbury City Council under the terms of the *Local Government Act 1993*, the Advisory Committee is to abide at all times with the terms of reference of this clause, and with the authorities delegated under this clause whilst remaining in force (unless otherwise cancelled or varied by resolution of Council).
- (b) The Advisory Committee shall have the following authorities delegated to it in accordance with the provisions of section 377 of the *Local Government Act 1993*:
 - (i) to recommend to Council policies drawn up by professional staff for:
 - Heritage Assistance Grant Applications, review and recommendations;
 - ~~Advice on long term planning of significant heritage cemeteries;~~
 - Review of the Local Heritage Listings;
 - Organising Heritage Week and **other Heritage events** in the Hawkesbury LGA;
 - Increasing community awareness of heritage matters.

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- (ii) To bring to Council's attention, by way of recommendation, any item requiring a policy decision outside the authority granted to the Advisory Committee under section 377;
- (c) The Council retains the responsibility for all budgetary considerations;
- (d) The General Manager (or his/her delegate) retains, and shall be entirely responsible for the appointment and dismissal of staff (either permanent or temporary) within the Heritage Advisory Committee in accordance with the *Local Government Act 1993*;
- (e) The General Manager (or his/her delegate) retains all responsibility for the direction of any staff member, including any disciplinary action, be it for permanent, temporary or part time staff. The Advisory Committee will, however, have the right to bring to the attention of the Director of the Department within Council responsible for the Heritage Advisory Committee, any issues which, in its opinion, require disciplinary action; and
- (f) Any authorities conferred upon the Advisory Committee under this Constitution may be varied by Council.

5. Term

The Advisory Committee members' term shall be for four years to coincide with Council's term of office. Advisory Committee members shall cease to hold office at the expiration of three months after the Ordinary election of the Council, but be eligible for re-appointment, subject to the condition that the Advisory Committee may be dissolved by Council at any time.

6. Structure and Membership

- (a) The structure and membership of the Advisory Committee shall be as follows, and all the undermentioned appointments will have voting rights:
 - (i) One (1) Councillor (or an alternate) of the Hawkesbury City Council; and
 - (ii) Eight (8) community appointments, appointed by Council following the calling of applications as detailed in clause 7(b) of this Constitution;
- ~~(b) Whereas the appointments detailed in clause 6(a) will form the Advisory Committee, the Director of City Planning will be required to attend meetings of the Advisory Committee.~~
- (c) The Director of the Department charged with the responsibility for the Heritage Advisory Committee within the Hawkesbury City Council (**or his/her delegate**) shall attend meetings, ~~and may delegate the Strategic Planner of City Planning, as his/her delegate when deemed necessary;~~
- (d) The Advisory Committee shall, at its first meeting following appointment, and each twelve (12) month period thereafter, elect one of its members from those appointed under clause 6 to be the Chairperson of the Advisory Committee, and one of its members appointed under the same clause to be Deputy Chairperson, who shall act in the absence of the Chairperson;
- (e) The position of Chairperson shall not be held by the same person for any longer than three (3) consecutive years;
- (f) The position of Deputy-Chairperson shall not be held by the same person for any longer than three (3) consecutive years;
- (g) No staff member of Hawkesbury City Council shall be elected as Chairperson or Deputy Chairperson of the Advisory Committee;
- (h) Each member of the Advisory Committee entitled to vote shall only have one vote except that of the casting vote of the Chairperson in the case of equality of votes;
- (i) The Advisory Committee may co-opt additional members from time to time, at its discretion, to provide specialist advice or assistance, but such co-opted members shall only serve on the Advisory Committee for the period of time required, and will not, whilst serving in the position of co-opted member, have any voting rights; and

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- (j) The Advisory Committee may invite as observers citizens or other representatives for the purpose of clarifying certain matters as decided by the Advisory Committee. Such observers will not be permitted to vote.

7. Appointment and Election of Members

- (a) One (1) Councillor will be appointed to the Advisory Committee in accordance with practices and procedures of the Council;
- (b) The Council shall, in the month of October following the quadrennial election place advertisements in appropriate newspapers inviting nominations from members of the community for membership to the Advisory Committee;
- (c) The Council shall select and appoint the community representatives to the Advisory Committee;
- (d) The Advisory Committee shall have the power to fill casual vacancies at its discretion;
- (e) Members of the Advisory Committee shall cease to hold office:
 - (i) if the Advisory Committee is dissolved by Council;
 - (ii) upon written resignation or death;
 - (iii) if absent without prior approval of the Advisory Committee for three consecutive meetings; or
 - (iv) if the Council by resolution determines that the member has breached Hawkesbury City Council's Code of Conduct (as it is in force from time to time).
- (f) For the purposes of sub-clause 7(e)(iv), the Code of Conduct is to be taken to apply to community and representative members as referred to in clause 6(a) in the same way as the Code of Conduct applies to Councillors.

8. Procedures and General

- (a) Ordinary meetings of the Advisory Committee shall be held no less than two (2) times per year. Special meetings may be convened at the discretion of the Chairperson, or, in his/her absence, the Deputy Chairperson;
- (b) The Director of City Planning shall be the Executive Officer to the Advisory Committee, and will be responsible for preparation of specialist reports, and any and all correspondence associated with the Advisory Committee;
- (c) The Council will provide a Minute Clerk for the purpose of recording the Minutes of the Advisory Committee meetings and for the distribution of Minutes following meetings of the Advisory Committee;
- (d) No meeting of the Advisory Committee shall be held unless three (3) clear days notice thereof has been given to all members;
- (e) The Minute Clerk shall forward a copy of the Minutes of each Advisory Committee meeting to all Advisory Committee members, as well as to Council, ~~for submission to the appropriate Standing Committee~~, as soon as possible following such Advisory Committee meeting;
- (f) At any meeting of the Advisory Committee, the Chairperson, or the person acting in the position of Chairperson, shall, in addition to his or her ordinary vote, have a casting vote where such a situation occurs where there is an equality of votes;
- (g) The rules governing meetings and the procedures of the Advisory Committee shall, so far as they apply, be those covered by the Hawkesbury City Council's Code of Meeting Practice, as may be altered from time to time by resolution of the Council;
- (h) A quorum of the Advisory Committee shall be constituted by three (3) members being present at meetings;

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- (i) Any members having a pecuniary interest in any matters being discussed by the Advisory Committee shall declare such interest at the meeting of the Advisory Committee and refrain from voting or discussion thereon.
- (j) The requirements applying to pecuniary interests for members as detailed in clause 8(i) above shall apply equally to any other appointed or invited observers or co-opted members, and also to the Executive Officer/Secretary;
- (k) Any recommendations of the Advisory Committee shall, as far as adopted by the Council, be resolutions of the Council, provided that recommendations or reports of the Advisory Committee shall not have effect unless adopted by the Council;
- (l) It shall be competent for the Advisory Committee to appoint a sub-committee or specific work groups comprised of members or non-members to exercise and carry out specific investigations for the Advisory Committee, and then to report back to the Advisory Committee. These appointed sub-committees or work groups may be dissolved by the Advisory Committee at any time;
- (m) Any appointed sub-committees or work groups have no power to make any decisions whatsoever on behalf of the Advisory Committee, and any recommendations of any sub-committee or work group will only have effect once adopted by the Advisory Committee, or by the Council, as the case may be;
- (n) The Strategic Planner, City Planning Division shall prepare an Annual Report of the Heritage Advisory Committee's activities for submission to the Advisory Committee, who will, in turn, present such report to the Council.
- (o) The Committee's role shall specifically exclude discussion and advice relating to development applications and Council development projects. (this is necessary to avoid any perceived conflict).

LAST CLAUSE

oooO END OF REPORT Oooo

INFRASTRUCTURE SERVICES

Item: 278 IS - Street Tree Removal - 51 Lennox Street, Richmond - (95495)

REPORT:

Executive Summary

A request was received to remove a Jacaranda tree which is growing into the pathway located in front of 51 Lennox Street, Richmond. An incident had occurred where a pedestrian had to step off the footpath to allow a person in a wheelchair to pass, due to the obstruction caused by the tree. It is suggested that by removing the tree pedestrians could pass one another without getting off the pathway.

It is recommended that the tree be removed.

Consultation

The issues raised in this report concern matters which constitute a trigger for Community Engagement under Council's Community Engagement Policy. The community engagement process proposed in this report meets the criteria for the minimum level of community engagement required under Council's policy.

The proposed tree removal has been advertised for a period of two weeks, 18 November 2010 to 2 December 2010, in accordance with the standard Street Tree Removal process.

Background

A request was received to remove a Jacaranda Tree located in front of 51 Lennox Street, Richmond as it leans into the footpath forcing pedestrians to walk off the path way, particularly when two people are passing one another. The request for removal has resulted following an incident where a pedestrian had to leave the pathway for a wheelchair user approaching in the opposite direction.

Due to the tree not being able to be effectively pruned, the removal of the tree has been advertised in accordance with Council's Street Tree Removal process and have received correspondence objecting to its removal. The letter of objection indicates that Jacaranda trees are stable and beautify the surroundings. The objector has requested that the tree not be removed.

It is recommended that the tree be removed as it is still growing and will continue to grow further into the pathway. To maintain the streetscape it is further recommended that the tree be replaced with a younger Jacaranda tree, with staff maintaining its structure to ensure that it grows straight up rather than impacting on the road and pathway network.

Conformance to Community Strategic Plan

The proposal is consistent with the Linking the Hawkesbury Directions statement;

- Be linked by accessible, viable public transport, cycleways and pathways to the major growth and commercial centres within and beyond the Hawkesbury.

and is also consistent with (or is a nominated) strategy in the Community Strategic Plan being:

- Facilitate the integration of the transport network, and
- Implement bike and pedestrian mobility plan.

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Financial Implications

The advertising expenses associated with this matter have been provided for in Component 50 - Parks and Recreation. This Budget would also cover the removal of the tree and its replacement.

RECOMMENDATION:

The Jacaranda tree located in front of 51 Lennox Street, Richmond be removed and replaced with a younger Jacaranda Tree.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 279 IS - Rural Fire Service Estimates 2011/2012 - Hawkesbury District - (74436, 95495)

REPORT:

Executive Summary

The Rural Fire Service seek Council endorsement for the next financial year at this time to align with the State Budget process. Council receives the Budget Estimates from the State in March to allow further consideration as part of Council's Budget Process.

Background

Under the provisions of the Fire Brigades Act 1989, Rural Fires Act 1997 and State Emergency Service Act 1989, Local Government contributes to the cost of the NSW Fire Brigades, NSW Rural Fire Service and State Emergency Service. The State Emergency Service was added to this contributory system through the provisions of the State Revenue and Other Legislation Amendment Act (Budget Measures) 2008 No 122.

As of 1 July 2009, councils are required to contribute 11.7% of the cost of providing the services. This percentage has been lowered from the former 12.3% for the NSW Fire Brigades and 13.3% for the Rural Fire Service, in recognition of the requirement to contribute to the SES.

Total fire fighting funding is made up of the 11.7% RFFF contribution, including district salaries, 11.7% NSW Fire Brigade contribution, salaries for part time and casual workers, Council's Building Works budget for the RFS, Council's own internal overheads and any additional funding provided by Council in response to Fire Control's Council submission.

Whilst formal advice of the 2010/2011 Budget has not been received for the NSW Fire Brigades (Board of Fire Commissioners) at this stage, based on the two invoices from that Service to date being \$63,302.50, Council's total contribution for 2010/2011 will be \$126,605. As this amount is 11.7% of the total budget, it is estimated that the expenditure for the Windsor Fire District will be \$1,082,094. Council's contribution (11.7%) for 2010/2011 is estimated at \$127,000.

The NSW Rural Fire Service has submitted their estimates for the 2011/2012 financial year for Council's consideration. The attached estimates consist of three components, the Rural Fire Fighting Fund (RFFF), a Council bid and a "provided by Council" component. The RFFF component is submitted to the NSW Rural Fire Service for funding consideration and Council is required to contribute 11.7% of the approved RFFF Budget. The Council submission is presented to Council for consideration as part of the 2011/2012 Budget process. The Council submission is discretionary and is for Council to determine the appropriate funding commitment. The amount of funding generally provided by Council for this component has been \$250,000. There is an additional amount identified as "Provided by Council" which is the cost identified directly related to the Service Level Agreement between Council and the RFS which includes insurance of stations and vehicles, and Council rates in a total of \$22,500. In previous years this additional amount was \$62,500, however an item for vehicle insurance in an amount of \$40,000 has now been included within the RFFF bid.

The RFFF estimates for 2011/2012 includes an amount of \$1,874,250 for the purchase and replacement of seven fire fighting appliances, being three Category One Village tankers (Colo Heights, Ebenezer and Tennyson), two Category Two tankers, which are proposed to be upgraded to Category One (Grose Wold and Lower Portland), and two Category Seven tankers (Glossodia and Kurrajong Heights). The estimates also include a tanker trade-in estimated at \$585,000. Whilst this is a substantial increase from the 2010/2011 bid (\$787,694) Council contributes 11.7% of the actual plant replacement cost. The proposed schedule is based on the replacement of tankers every 8-10 years, which is the time period that attracts the highest vehicle trade-in value. A further increase in the RFFF bid has been an amount of \$350,000 for the replacement of the Freemans Reach Brigade Station which has been identified as the highest priority for replacement.

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The impact of these additional increases results in Council's 11.7% contribution increasing by \$150,097 when compared to 2010/2011. However this increase has been partially offset by the movement of a number of items from the Council funded components across to the RFFF bid. This movement resulted in a saving of \$112,000. Overall the impact on Council is a net increase of \$38,097. This result would occur only if the total RFFF bid were to be approved. Any reduction of items from the RFFF bid would result in Council's 11.7% contribution reducing.

The "other programs" charges, which is a proportion of RFS statewide programs and insurances has been estimated at an amount of \$1,300,000 for the 2011/2012 period. Reimbursement of 11.7% of these program charges can be sought as part of the budget process and this has been included within the documentation. It will be noted that the reimbursement amount is included within the RFS bid for the district budget.

The 2011/2012 estimates have been summarised within the attached table.

Conformance to Community Strategic Plan

The proposal is consistent with the Looking After People and Place Directions statement;

- Have an effective system of flood mitigation, fire and natural disaster management and community safety which protects life, property and infrastructure.

Financial Implications

Consideration of funding will be required as part of the 2011/2012 Budget preparation.

RECOMMENDATION:

That the 2011/2012 Rural Fire Fighting Fund estimates as submitted by the NSW Rural Fire Service be endorsed in principle.

ATTACHMENTS:

AT - 1 Rural Fire Service Estimates 2011/2012

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AT - 1 Rural Fire Service Estimates 2011/2012

| Action | 2011/2012 | | |
|---|--------------|-------------|---------------------|
| | RFS Bid | Council Bid | Provided by Council |
| Station maintenance & repair | 35,000.00 | | |
| Electrical Tagging & Fire Extinguisher Maintenance | | 10,000.00 | |
| Station upgrades | 350,000.00 | | |
| Part Time Wages – Cleaning / Admin | | 30,000.00 | |
| Insurance Stations | | | 10,000.00 |
| Insurance vehicles | 40,000.00 | | |
| Electricity & Water – stations | 20,000.00 | | |
| Electricity & Water – Fire Control / WOOSH / Wilberforce Station / Stores | 25,000.00 | | |
| Council rates | | | 12,500.00 |
| Staff vehicle changeovers (2) | 45,000.00 | | |
| Authority cards | | | |
| Computer replacements | 10,000.00 | | |
| Travel expenses | 5,000.00 | | |
| Printing & stationery | | 35,000.00 | |
| Vehicle running costs | 51,000.00 | | |
| Telephone calls | 19,000.00 | | |
| Telephone rental | 15,000.00 | | |
| Catering | | 15,000.00 | |
| Network Provision (Communications Platform) | 5,669.00 | | |
| PMR Site Costs | 8,000.00 | | |
| GRN radio access fees | 25,000.00 | | |
| Radio repairs | 15,000.00 | | |
| Fuel | 50,000.00 | | |
| Vehicle maintenance & repair | 93,000.00 | | |
| Protective Equipment | 50,000.00 | | |
| Personnel Carrier | | | |
| Tanker Replacement Programme | 1,874,250.00 | | |
| Equipment | 180,000.00 | | |
| Group Officer vehicle replacement (2) | | 45,000.00 | |
| Mitigation works | | | |
| Community Education Activities | 4,000.00 | | |
| Training | | 7,000.00 | |
| Field Day | | 10,000.00 | |
| Firezone Replacement | | | |
| MyRFS contribution | | | |
| Information Services & GIS Contribution | 48,397.00 | | |
| Wages - Casual | | 25,000.00 | |
| Training Subsidy | 3,000.00 | | |
| Decontamination | 2,000.00 | | |
| Salaries | 836,000.00 | | |
| Mobile phones | 6,000.00 | | |
| Equipment General | 20,000.00 | | |
| Cleaning Products | | 1,000.00 | |
| Total | 3,835,316.00 | 178,000.00 | 22,500.00 |
| Less Tanker Trade In | 585,000.00 | | |
| Total | 3,250,316.00 | | |
| Plus RFS Programme Charges (EST) | 1,300,000.00 | | |
| TOTAL | 4,550,316.00 | | |
| Reimbursement of Council Programme Charges (EST) 11.7% to be claimed next year | 152,100.00 | | |

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| Action | 2011/2012 | | |
|--|------------------|--------------------|----------------------------|
| | RFS Bid | Council Bid | Provided by Council |
| Less Reimbursement of Programme Charges (EST) 2010/2011 = 11.7% | 130,579.72 | | |
| TOTAL BID TO RFS (EST) | 4,419,736.28 | | |
| | | | |
| Councils Statutory Contribution 11.7% (EST) | | 517,109.14 | |
| | | | |
| COUNCIL CONTRIBUTION (EST) | | 717,609.14 | |

oooO END OF REPORT Oooo

ORDINARY MEETING

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SUPPORT SERVICES**Item: 280 SS - Monthly Investments Report - November 2010 - (96332, 95496)****Previous Item:** 17, Ordinary (3 February 2009)
82, Ordinary (28 April 2009)**REPORT:****Executive Summary**

According to Clause 212 of the Local Government (General) Regulation 2005, the Responsible Accounting Officer must provide the Council with a written report setting out details of all money that the Council has invested under Section 625 of the Local Government Act 1993. The report must include a certificate as to whether or not investments have been made in accordance with the Act, the Regulation and the Council's Investment Policy.

This report indicates that Council held \$45 million in investments at 30 November 2010.

It is recommended that this report be received and noted.

Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy.

Background

The following table indicates that Council held \$45 million in investments as at 30 November 2010. Details of the financial institutions with which the investments were made, date investments were taken out, the maturity date (where applicable), the rate of return achieved, the credit rating of the institutions both in the short term and the long term and the percentage of the total portfolio, are provided below.

| Investment Type | Institution Short Term Rating | Institution Long Term Rating | Lodgement Date | Maturity Date | Interest Rate % | Principal \$ | Percentage of Portfolio | Total \$ |
|-------------------------|-------------------------------|------------------------------|----------------|---------------|-----------------|--------------|-------------------------|-----------|
| On Call | | | | | | | | |
| CBA | A1+ | AA | 30-Nov-10 | | 5.25% | 2,000,000 | 4.51% | 2,000,000 |
| Term Investments | | | | | | | | |
| AMP | A1 | A | 20-Jan-10 | 21-Jan-11 | 6.86% | 1,000,000 | 2.22% | |
| ANZ | A1+ | AA | 20-Oct-10 | 20-Jul-11 | 6.30% | 1,500,000 | 3.33% | |
| ANZ | A1+ | AA | 17-Nov-10 | 17-Aug-11 | 6.30% | 1,000,000 | 2.22% | |
| ANZ | A1+ | AA | 02-Sep-10 | 23-Mar-11 | 6.10% | 2,000,000 | 4.44% | |
| ANZ | A1+ | AA | 11-Aug-10 | 27-Jan-11 | 6.10% | 500,000 | 1.11% | |
| ANZ | A1+ | AA | 29-Nov-10 | 26-Oct-11 | 6.36% | 1,500,000 | 3.33% | |
| ANZ | A1+ | AA | 26-Aug-10 | 09-Feb-11 | 6.20% | 2,000,000 | 4.44% | |

ORDINARY MEETING

Meeting Date: 14 December 2010

| Investment Type | Institution Short Term Rating | Institution Long Term Rating | Lodgement Date | Maturity Date | Interest Rate % | Principal \$ | Percentage of Portfolio | Total \$ |
|--|-------------------------------|------------------------------|----------------|---------------|-----------------|--------------|-------------------------|-------------------|
| ANZ | A1+ | AA | 25-Nov-10 | 23-Nov-11 | 6.60% | 1,000,000 | 2.22% | |
| ANZ | A1+ | AA | 25-Nov-10 | 23-Nov-11 | 6.60% | 2,000,000 | 4.44% | |
| Bankwest | A1+ | AA | 19-Aug-10 | 23-Feb-11 | 6.05% | 1,000,000 | 2.22% | |
| Bankwest | A1+ | AA | 21-Jul-10 | 20-Apr-11 | 6.25% | 1,000,000 | 2.22% | |
| Bankwest | A1+ | AA | 04-Aug-10 | 04-May-11 | 6.15% | 1,000,000 | 2.22% | |
| Bendigo and Adelaide Bank | A-2 | BBB+ | 13-Oct-10 | 15-Jun-11 | 6.10% | 1,000,000 | 2.22% | |
| Credit Union Australia | A-2 | BBB+ | 26-Jul-10 | 23-Feb-11 | 6.21% | 1,000,000 | 2.22% | |
| Defence Force Credit Union Ltd | unrated | unrated | 17-Nov-10 | 18-May-11 | 6.30% | 1,000,000 | 2.22% | |
| IMB | A-2 | BBB | 11-Aug-10 | 11-May-11 | 6.20% | 1,000,000 | 2.22% | |
| ING Direct | A-1 | A+ | 19-Aug-10 | 23-Feb-11 | 6.36% | 1,000,000 | 2.22% | |
| Macquarie Bank | A-1 | A | 15-Jun-10 | 13-Dec-10 | 6.00% | 1,000,000 | 2.22% | |
| Members Equity | A-2 | BBB | 02-Jun-10 | 02-Dec-10 | 6.20% | 1,000,000 | 2.22% | |
| NAB | A1+ | AA | 08-Dec-09 | 08-Dec-10 | 6.80% | 3,000,000 | 6.67% | |
| NAB | A1+ | AA | 03-Dec-09 | 03-Dec-10 | 6.80% | 2,000,000 | 4.44% | |
| NAB | A1+ | AA | 03-Jun-10 | 20-Jan-11 | 6.21% | 4,000,000 | 8.89% | |
| NAB | A1+ | AA | 20-Jul-10 | 20-Jul-11 | 6.24% | 1,000,000 | 2.22% | |
| NAB | A1+ | AA | 17-Nov-10 | 16-Nov-11 | 6.46% | 1,000,000 | 2.22% | |
| Newcastle Permanent | A-2 | BBB+ | 15-Jun-10 | 15-Jun-11 | 6.10% | 1,000,000 | 2.22% | |
| Qantas Staff Credit Union | unrated | unrated | 25-Aug-10 | 23-Feb-11 | 6.10% | 500,000 | 1.11% | |
| Rural Bank | A-2 | BBB | 16-Jun-10 | 15-Jun-11 | 6.40% | 1,000,000 | 2.22% | |
| Suncorp | A-1 | A | 15-Jun-10 | 15-Jun-11 | 6.50% | 1,000,000 | 2.22% | |
| Westpac | A1+ | AA | 21-Dec-09 | 21-Dec-10 | 7.00% | 3,000,000 | 6.67% | |
| Westpac | A1+ | AA | 26-May-09 | 27-Jan-11 | 6.10% | 1,000,000 | 2.22% | |
| Westpac | A1+ | AA | 23-Sep-10 | 20-Apr-11 | 6.15% | 2,000,000 | 4.44% | 43,000,000 |
| TOTAL INVESTMENT AS AT 30 NOVEMBER 2010 | | | | | | | | 45,000,000 |

Bench Marking

| Bench Mark | Bench Mark % | Actual % |
|----------------------------------|--------------|----------|
| UBS 90 Day Bank Bill Rate | 5.00% | 6.38% |
| Reserve Bank Cash Reference Rate | 4.75% | 5.25% |

ORDINARY MEETING

Meeting Date: 14 December 2010

Performance by Type

| Category | Balance \$ | Average Interest | Difference to Benchmark |
|--------------|-------------------|------------------|-------------------------|
| Cash at Call | 2,000,000 | 5.25% | 0.50% |
| Term Deposit | 43,000,000 | 6.38% | 1.38% |
| Total | 45,000,000 | 6.33% | 1.33% |

Restricted Funds

| Restriction Type | Amount \$ |
|-------------------------------|-------------------|
| External Restrictions -S94 | 6,328,707 |
| External Restrictions - Other | 12,360,246 |
| Internal Restrictions | 16,100,815 |
| Unrestricted | 10,210,232 |
| Total | 45,000,000 |

The various sources of the restricted funds referred to in the above table are as follows:

External Restrictions – Section 94 Contributions

External Restrictions – Other (reserve details below)

- Waste Management
- Sewerage
- Unexpended Grants
- Stormwater Management

Internal Restrictions (reserve details below)

- Employees Leave Entitlements
- Election
- Information Technology
- Plant Replacement
- Infrastructure
- Property Development (currently negative balance)
- Risk Management
- Heritage
- Sullage
- Tip Remediation

With regard to the above details those funds subject to external restrictions **cannot** be utilised for any purpose other than that specified.

Internal restrictions refer to funds allocated for specific purposes or to meet future known expenses that should be provided for on an ongoing basis. Whilst it would “technically” be possible for these funds to be utilised for other purposes, such a course of action, unless done on a temporary internal loan basis, would not be recommended nor would it be “good business practice”.

Unrestricted funds may be used for general purposes in line with Council's adopted budget.

Investment Commentary

The investment portfolio increased by \$0.87 million for the month of November, 2010. During November, various income was received totalling \$8.61 million, including rate payments amounting to \$3.67 million, while payments to suppliers and staff costs amounted to \$6.49 million.

ORDINARY MEETING

Meeting Date: 14 December 2010

The investment portfolio currently involves a number of term deposits and on-call accounts.

The investment portfolio is regularly reviewed in order to maximise investment performance and minimise risk. Council's investment portfolio has been reviewed and rebalanced in favour of investments not subject to share market volatility. Comparisons are made between existing investments with available products that are not part of Council's portfolio. Independent advice is sought on new investment opportunities and Council's investment portfolio is independently reviewed each calendar quarter.

On 25 May 2010 the Division of Local Government released the Investment Policy Guidelines to assist councils in the preparation of their Investment Policy. Consequently, Council has reviewed and adopted a revised Investment Policy on 29 June 2010.

Council's investment portfolio complies with the adopted policy.

As at 30 November 2010, Council has invested \$14.5 million with 2nd tier financial institutions, noting that one of these institutions is a subsidiary of a major Australian trading bank. The investment of up to \$1 million with 2nd tier Authorised Deposit Taking Institutions (ADIs) is entirely covered by the free Government Guarantee Scheme, and is in accordance with Council's Investment Policy. Also, Council's adopted Investment Policy allows Council to invest above \$1 million with 2nd tier Authorised Deposit Taking Institutions that are wholly owned subsidiaries of major Australian trading banks.

Investment Certification

I, Emma Galea (Responsible Accounting Officer), hereby certify that the investments listed in this report have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2005 and Council's Investment Policy.

Conformance to Community Strategic Plan

The proposal is consistent with the Shaping Our Future Together Directions statement;

- Be financially sustainable to meet the current and future needs of the community based on a diversified income base, affordable and viable services

and is also consistent with (or is a nominated) strategy in the Community Strategic Plan being:

- Maintain and review a sustainable long term financial framework.

Financial Implications

Funds have been invested with the aim of achieving budgeted income in 2010/2011.

RECOMMENDATION:

The report regarding the monthly investments for November 2010 be received and noted.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 14 December 2010

CONFIDENTIAL REPORTS

INFRASTRUCTURE SERVICES

Item: 281 **IS - Proposed Commercial Offer by the Water Factory Company Pty Ltd in relation to Pitt Town Sewage Infrastructure - (95495) CONFIDENTIAL**

Previous Item: 170, (25 August 2009)
 11, Ordinary (3 February 2009)
 243, Ordinary (25 November 2008)
 146, Ordinary (8 July 2008)

Reason for Confidentiality

*This report is **CONFIDENTIAL** in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act, 1993, and the matters dealt with in this report are to be considered while the meeting is closed to the press and the public.*

Specifically, the matter is to be dealt with pursuant to Section 10A(2)(c) of the Act as it relates to the supply of goods and/or services to Council and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the council is conducting (or proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.

In accordance with the provisions of Section 11(2) & (3) of the Local Government Act, 1993, the reports, correspondence and other relevant documentation relating to this matter are to be withheld from the press and public.

ORDINARY MEETING

Meeting Date: 14 December 2010

Item: 282 **IS - Tender No.00811 - Tender for the Maintenance of Gravel Roads in the St Albans and Surrounding Areas - (95495) CONFIDENTIAL**

Reason for Confidentiality

*This report is **CONFIDENTIAL** in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act, 1993, and the matters dealt with in this report are to be considered while the meeting is closed to the press and the public.*

Specifically, the matter is to be dealt with pursuant to Section 10A(2)(c) of the Act as it relates to details concerning tenders for the supply of goods and/or services to Council and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the council is conducting (or proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.

In accordance with the provisions of Section 11(2) & (3) of the Local Government Act, 1993, the reports, correspondence and other relevant documentation relating to this matter are to be withheld from the press and public.

ORDINARY MEETING

Meeting Date: 14 December 2010

Item: 283 IS - Tender No. 00711 - Tender for the Supply and Placement of Asphaltic Concrete within the City of Hawkesbury - (95495) **CONFIDENTIAL**

Reason for Confidentiality

*This report is **CONFIDENTIAL** in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act, 1993, and the matters dealt with in this report are to be considered while the meeting is closed to the press and the public.*

Specifically, the matter is to be dealt with pursuant to Section 10A(2)(c) of the Act as it relates to details concerning tenders for the supply of goods and/or services to Council and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the council is conducting (or proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.

In accordance with the provisions of Section 11(2) & (3) of the Local Government Act, 1993, the reports, correspondence and other relevant documentation relating to this matter are to be withheld from the press and public.

ORDINARY MEETING

Meeting Date: 14 December 2010

SUPPORT SERVICES

Item: 284 SS- Lease to Sia Chong Lao and Yen Sreg Tran - Shop 10 Wilberforce Shopping Centre, Wilberforce - (112106, 34779, 74069 76755) CONFIDENTIAL

Reason for Confidentiality

*This report is **CONFIDENTIAL** in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act, 1993, and the matters dealt with in this report are to be considered while the meeting is closed to the press and the public.*

Specifically, the matter is to be dealt with pursuant to Section 10A(2)(c) of the Act as it relates to details concerning the leasing of a Council property and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the council is conducting (or proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.

In accordance with the provisions of Section 11(2) & (3) of the Local Government Act, 1993, the reports, correspondence and other relevant documentation relating to this matter are to be withheld from the press and public.

ORDINARY MEETING

Meeting Date: 14 December 2010

Item: 285 SS - Property Matter - Lease to Action Insurance Brokers Pty Ltd - 1 Christie Street, Windsor - (102354, 95496, 96333) CONFIDENTIAL

Reason for Confidentiality

*This report is **CONFIDENTIAL** in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act, 1993, and the matters dealt with in this report are to be considered while the meeting is closed to the press and the public.*

Specifically, the matter is to be dealt with pursuant to Section 10A(2)(c) of the Act as it relates to details concerning the leasing of a Council property and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the council is conducting (or proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.

In accordance with the provisions of Section 11(2) & (3) of the Local Government Act, 1993, the reports, correspondence and other relevant documentation relating to this matter are to be withheld from the press and public.

ORDINARY MEETING

Meeting Date: 14 December 2010

ordinary

section 5

reports
of committees

ORDINARY MEETING
Reports of Committees

SECTION 5 - Reports of Committees

ROC - Floodplain Risk Management Advisory Committee Minutes - 1 November 2010 - (86589)

The meeting commenced at 4.32pm in Council Chambers.

- Present:** Councillor Kevin Conolly - Chair
Councillor Bob Porter - Deputy Chair
Councillor Jill Reardon
Councillor Paul Rasmussen
Mr John Miller
Mr Alexander (Phil) Windebank
Mr Chris Ransom
Mr Kevin Jones
Mr David Avery
Mr Les Sheather
Mr Ian Johnston
Mr Geoffrey Bessell
Mr Bill McMahan
- Apologies:** Mr Peter Cinque
Councillor Warwick Mackay
Mr Allan Shearan MP - Member for Londonderry
Mr Ray Williams MP - Member for Hawkesbury
- Non Attendance:** Snr Inspector Robert Bowman
- In Attendance:** Mr Drew Bewsher - Bewsher Consulting Pty Ltd
Mr Stephen Yeo - Bewsher Consulting Pty Ltd
Ms Chris Bourne (representative for Mrs Louise Markus, MP)
Mr Matthew Owens
Mr Philip Pleffer
Mr Chris Amit
Ms Robyn Kozjak
-

REPORT:

CONFIRMATION OF MINUTES

RESOLVED on the motion of Councillor Rasmussen and seconded by Councillor Reardon that the Minutes of the Floodplain Risk Management Advisory Committee held on the 29 March 2010, be confirmed.

ORDINARY MEETING

Reports of Committees

Attendance Register of Floodplain Risk Management Advisory Committee - 2010

| Member | 8/02/10 | 29/03/10 | 01/11/10 |
|--|---------|----------|-------------------------|
| Councillor Kevin Conolly - (Chair) | ✓ | ✓ | ✓ |
| Councillor Bob Porter - (Deputy Chair) | ✓ | ✓ | ✓ |
| Councillor Warwick Mackay | X | A | A |
| Councillor Paul Rasmussen | ✓ | A | ✓ |
| Councillor Jill Reardon | ✓ | ✓ | ✓ |
| Mr Peter Cinque OAM - (SES Sydney Western Division) | ✓ | A | A |
| Mr David Avery - (Dept. of Environment and Climate Change) | ✓ | ✓ | ✓ |
| Mr David Scott - (Dept of Defence) | ✓ | ✓ | Mr Chris Ransom In lieu |
| Snr Inspector Robert Bowman (Department of Primary Industries) | X | X | X |
| Mr Les Sheather - (Community Member) | ✓ | ✓ | ✓ |
| Mr Kevin Jones - (SES Headquarters) | ✓ | ✓ | ✓ |
| Mr Geoffrey Bessell - (Community Member) | ✓ | X | ✓ |
| Mr John Miller - (Community Member) | ✓ | ✓ | ✓ |
| Mr Bill McMahon - (Community Member) | ✓ | A | ✓ |
| Mr Alexander (Phil) Windebank | ✓ | ✓ | ✓ |
| Mr Ian Johnston | ✓ | ✓ | ✓ |

Key: A = Formal Apology ✓ = Present X = Absent - no apology

SECTION 3 - Reports for Determination

Election of Chairperson and Deputy Chairperson

Mr Matthew Owens called for nominations for the position of Chairperson, two nominations were received, being:

| | |
|--------------------|--|
| Councillor Conolly | Nominated by Mr John Miller Seconded by Councillor Reardon |
| Councillor Porter | Nominated by Mr Geoffrey Bessell Seconded by Councillor Rasmussen |

The ballot was conducted by a show of hands resulting in the candidates receiving the following votes:

| | |
|--------------------|---------|
| Councillor Conolly | 8 votes |
| Councillor Porter | 3 votes |

MOTION:

RESOLVED on the motion of Councillor Reardon, seconded by Mr John Miller

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That an election for the position of Chairperson of the Hawkesbury Floodplain Risk Management Advisory Committee for the 2010/2011 term of the Committee be carried out.

Mr Matthew Owens declared Councillor Conolly elected as the Chairperson of the Hawkesbury Floodplain Risk Management Advisory Committee for the 2010/2011 term of the Committee.

Mr Matthew Owens called for nominations for the position of Deputy Chairperson, one nomination was received, being:

| | |
|-------------------|--|
| Councillor Porter | Nominated by Mr Geoffrey Bessell Seconded by Councillor Rasmussen |
|-------------------|--|

MOTION:

RESOLVED on the motion of Councillor Reardon, seconded by Mr Councillor Rasmussen

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That an election for the position of Deputy Chairperson of the Hawkesbury Floodplain Risk Management Advisory Committee for the 2010/2011 term of the Committee be carried out.

ORDINARY MEETING
Reports of Committees

Mr Matthew Owens declared Councillor Porter elected as the Deputy Chairperson of the Hawkesbury Floodplain Risk Management Advisory Committee for the 2010/2011 term of the Committee.

SECTION 4 - Reports for Information

- **Presentation by Bewsher Consulting Pty Limited to report on the progress of the Floodplain Risk Management Study & Plan**

- Mr Bewsher introduced himself and Mr Yeo to the Committee and thanked members and staff for the opportunity to report on the progress of the Floodplain Risk Management Study and Plan.
- In order to determine the Committee's views and expectations on what the FRMS&P should ideally contain, Mr Bewsher invited members to voice their key concerns relating to existing, future and continuing flood problems.
- As the presentation concluded, the Chair thanked Mr Bewsher and Mr Yeo on behalf of the Committee, inviting them to report further to the Committee at the next FRMAC meeting on 6 December, 2010.

The meeting closed @ 6.01pm.

oooO END OF REPORT Oooo

ORDINARY MEETING
Reports of Committees

ROC - Heritage Advisory Committee Minutes - 25 November 2010 - (80240)

The meeting commenced at 5.08pm in Council Chambers.

| | | |
|-------------------------|--|--|
| Present: | Mr Graham Edds Professor Ian Jack Councillor Jill Reardon Mr Jonathan Auld Ms Michelle Nichols | Chair Deputy Chair Hawkesbury City Council Community Member Community Member |
| Apologies: | Ms Jan Barkley Jack Ms Deborah Hallam Mr Donald Ellsmore | Community Member Community Member Heritage Advisor |
| Non Attendance:: | Ms Danielle Wheeler | Community Member |
| In Attendance: | Mr Matthew Owens Ms Shari Hussein Ms Robyn Kozjak (Minute taker) | Hawkesbury City Council Hawkesbury City Council Hawkesbury City Council |

REPORT:

The Chair noted the meeting to be the last for 2010 and thanked the Committee and staff for their efforts throughout the year.

The Chair commented on the presentations by Mr Broadbent and Ms Barkley Jack at the History Week event and thanked Ms Nichols for organising same.

CONFIRMATION OF MINUTES

RESOLVED on the motion of Mr Jonathan Auld and seconded by Councillor Reardon that the Minutes of the Heritage Advisory Committee held on 12 August 2010, be confirmed.

Attendance Register of Heritage Advisory Committee

| Member | 11/02/10 | 06/05/10 | 12/08/10 | 25/11/10 |
|--------------------------------|----------|----------|----------|----------|
| Councillor Jill Reardon- (HCC) | ✓ | A | ✓ | ✓ |
| Mr Graham Edds | ✓ | ✓ | ✓ | ✓ |
| Ms Deborah Hallam | A | X | ✓ | A |
| Professor Ian Jack | ✓ | ✓ | ✓ | ✓ |
| Ms Jan Barkley Jack | ✓ | A | A | A |
| Mr Jonathan Auld | ✓ | ✓ | ✓ | ✓ |
| Ms Michelle Nichols | ✓ | ✓ | ✓ | ✓ |
| Ms Danielle Wheeler | ✓ | ✓ | ✓ | X |
| Mr Donald Ellismore | ✓ | ✓ | ✓ | A |

Key: A = Formal Apology ✓ = Present X = Absent - no apology

SECTION 3 - Reports for Determination

Item: 1 Election of Chairperson and Deputy Chairperson

DISCUSSION:

Mr Owens conducted the election of Chairperson and Deputy Chairperson.

Mr Owens called for nominations for the position of Chairperson. One nomination was received, being:

| | |
|----------------|---------------------------------|
| Mr Graham Edds | Nominated by Councillor Reardon |
| | Seconded by Professor Ian Jack |

In the absence of other nominations Mr Owens declared Mr Edds Chairperson of the Heritage Advisory Committee for the next twelve months.

Mr Owens called for nominations for the position of Deputy Chairperson. One nomination was received, being:

| | |
|--------------------|----------------------------------|
| Professor Ian Jack | Nominated by Ms Michelle Nichols |
| | Seconded by Councillor Reardon |

In the absence of other nominations Mr Owens declared Professor Jack Deputy Chairperson of the Heritage Advisory Committee for the next twelve months.

Mr Edds assumed the Chair.

RECOMMENDATION TO COMMITTEE:

That an election for the position of Chairperson and Deputy Chairperson of the Heritage Advisory Committee be carried out.

MOTION:

RESOLVED on the motion of Councillor Reardon, seconded by Ms Michelle Nichols.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That:

1. Mr Edds assume the position of Chairperson for the Heritage Advisory Committee.
2. Professor Jack assume the position of Deputy Chairperson for the Heritage Advisory Committee.

Item: 2 Proposed Changes to Heritage Advisory Committee (HAC) Constitution

DISCUSSION:

The Chair, on behalf of the Committee, commended staff for putting forward the revised Constitution.

- It was noted 3(b) of the Constitution made reference to the Register of the National Estate (RNE). It was advised whilst the Register exists as a statutory register (until February 2012), it had been frozen which means no new items can be added to or removed from the Register. It was determined to delete the wording in paragraph 3(b) referring to the RNE.
- Mr Owens confirmed the HAC Minutes would be reported to Council, however, he would investigate if a separate report to Council would be required for the purpose of adopting the revised Constitution.

RECOMMENDATION TO COMMITTEE:

That the proposed amendments to the Constitution of the Heritage Advisory Committee be reviewed by the Committee and if agreed upon, the revised Constitution be reported to Council for adoption.

MOTION:

RESOLVED on the motion of Professor Jack, seconded by Mr Jonathan Auld.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That the revised Constitution as attached to this report, with the deletion of the last phrase of objective 3(b), be reported to Council for adoption.

SECTION 4 - Reports for Information

Item: 3 2011 - 2013 NSW Heritage Grants Program

DISCUSSION:

- It was noted the closing date for certain programs within the 2011-13 NSW Heritage Grants funding was imminent, with some applications closing on 3 December 2010. It was further noted however, that a closing date of 10 February 2011 was allotted for the Local Government Heritage Management funding.
- The Chair expressed his desire to move forward on the Heritage Study. Mr Owens advised as budgets are due to be reviewed in December 2010 / January 2011, he suggested he put forth a proposal to allocate funds for the purpose of resuming the Heritage Study.

RECOMMENDATION TO COMMITTEE:

That the information be received.

MOTION:

RESOLVED on the motion of Professor Ian Jack, seconded by Ms Michelle Nichols.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That this Committee support Council seeking funds to resume the Heritage Study.

SECTION 5 - General Business

- Ms Nichols distributed a booklet she acquired whilst meeting with the Local Studies Librarian at Manly Council (also a member of Manly Council's Heritage Committee). The Committee perused the booklet and discussion arose as to the viability of the Committee producing something similar in 2011. Mr Owens suggested due to the extent of the Hawkesbury area it would be difficult to split into subject categories and proposed an executive summary might be more appropriate. It was agreed the matter be raised at the next meeting as a potential project for 2011.

- Ms Nichols advised she had been contacted by a person involved with the Kable family history raising concern the Kable graves in St Matthews Church had been painted and it remained a mystery as to who had given permission for this to occur. Ms Nichols referred to a previous HAC meeting wherein the topic of cemetery restoration was discussed. Ms Nichols recapped, asking if the Committee could put together a checklist to educate the community on how to go about restoring a grave and the legal implications if they fail to seek permission to do so. It was determined the matter be raised at the next meeting as a project for 2011.

The meeting closed @ 5.46pm.

The Chair subsequently extended his best wishes for the holiday period.

oooO END OF REPORT Oooo

ORDINARY MEETING
Reports of Committees

ORDINARY MEETING

Questions for Next Meeting

QUESTIONS FOR NEXT MEETING**Councillor Questions From Previous Meetings and Responses - (105109)****REPORT:****Questions - 30 November 2010**

| # | Councillor | Question | Response |
|---|------------|---|---|
| 1 | Mackay | Referred to a recent article in the Mount Druitt Standard regarding weeds on an Aboriginal mission site at Sackville and enquired if staff knew where the land was and if it was owned by Council. | Director Infrastructure Services advised that the Reserve is known as Aboriginal Memorial Reserve, and is in Cumberland Reach off the western end of Holmes Drive Reserve. The Reserve is owned by Deerubbin LALC, although a small portion of the land is managed by Council – an area in the vicinity of the obelisk and figtree. Two volunteer workdays for the Council managed area has been organised in consultation with Deerubbin LALC. |
| 2 | Porter | Enquired if the signs that were previously used on Blacktown Road could be refurbished and used to promote the replacement of Windsor Bridge. | Director Infrastructure Services advised that RTA approval would be required if it was proposed to place signage within a road reserve of a classified road. The placement of a sign on private property or reserve at this stage would appear to be prohibited. |
| 3 | Porter | Enquired if an update could be provided regarding the Co-Generation Plant court case. | General Manager advised that Council's solicitors have been requested to provide advice regarding actions and status of this matter and a copy will be provided to all Councillors once received. |
| 4 | Calvert | Enquired if it is Council's responsibility or McDonalds' responsibility to maintain the footpath outside McDonalds in Richmond as since the fence has been removed it has become muddy and slippery due to recent rain. | Director Infrastructure Services advised that the maintenance of the footpath is Council's responsibility, however if the issue is from the adjacent property, it is the owner's responsibility to address the problem. |
| 5 | Calvert | Enquired if sight impairment will be part of the brief for the Disability Advisory Committee. | Director City Planning advised the Constitution of the Disability Advisory Committee empowers the Committee to provide advice to Council on the needs and requirements of people with disabilities. The definition of disability is consistent with the definition within the Disability Discrimination Act which recognises a broad range of disabling conditions including "sensory disabilities" which incorporates sight impairment. |

ORDINARY MEETING

Questions for Next Meeting

| # | Councillor | Question | Response |
|---|------------|---|--|
| 6 | Calvert | Enquired if the Director City Planning would be able to facilitate some workshop meetings in January 2011 with identified community groups including the North Richmond Action Group to gather extensive feedback regarding the Draft Residential Land Strategy | Director City Planning advised that contact has been made with a representative of the North Richmond Districts Community Action Association and a number of workshop meetings with relevant groups will be held in January 2011. |
| 7 | Calvert | Referred to his previous question regarding electricity costs for the Administration Building and the Deerubbin Centre and enquired if he could be provided with the actual costs for the electricity. | Director Infrastructure Services advised that the information is being compiled and will be forwarded to all Councillors as soon as possible. |
| 8 | Paine | Enquired if an update could be provided regarding the Old Hospital Building. | <p>Director Support Services advised that the information provided here is only of a general nature in keeping with the commercial in confidence nature of property issues.</p> <p>The lease of the Old Hospital Building expired on 1 October 2009 and the then tenants vacated the premises on 31 October 2009. Council during July – August 2009 sought expressions of interest from suitably qualified and experienced real estate agents to act as leasing agent for Council’s property. The successful agent undertook extensive marketing of the site including internet listing, sign posting, media advertising and letterbox drops. While some enquires were received, none eventuated to proposals satisfactory for Council’s consideration.</p> <p>In September 2010 Council formally terminated the services of the real estate agent however the agent continues to market the site until a new agent has been appointed and has recently shown a prospective tenant through the building. A formal proposal from the prospective tenant was received on 6 December 2010 and further information has been requested to enable the feasibility of the proposal to be determined.</p> <p>In the meantime, Council undertook a further expressions of interest process, in an endeavour to test the market for a new leasing agent that would bring to Council a different approach to the market of the property. Council has withheld formally appointing a new leasing agent subject to the determination of the above proposal.</p> |

ORDINARY MEETING

Questions for Next Meeting

| # | Councillor | Question | Response |
|----|------------|---|--|
| 9 | Paine | Enquired if further information could be provided regarding the sale of the 2010 Iris. | <p>General Manager advised that as part of the Macquarie 2010 celebrations it was decided to obtain a number of the "Elizabeth Macquarie" Iris after its launch on 10 October 2010 for use by Council and to be offered to interested Councillors.</p> <p>The Iris bulbs are available through the NSW Iris Society (Ph 4784 2727) and have been planted as two bulbs per pot by Council.</p> <p>Due to the fact that this Iris is new and there is limited breeding stock the number available from the Society are limited. As such, Council was able to obtain 40 Iris bulbs (20 pots) from the Society at the present time. These are being utilised by Council and are also being made available to Councillors to acquire.</p> |
| 10 | Williams | Enquired if a copy of the letter that was sent to the Minister as part of resolution from last meeting regarding wakeboard boats could be provided. | General Manager advised that a copy of the Council's letter to the Minister has been provided to all Councillors. |
| 11 | Williams | Enquired if there is a way in which Council can assist residents in affording connection to the Three Towns Sewer. | Director Infrastructure Services advised that Sydney Water, may be able to provide assistance to customers in financial hardship. Residents should contact the free community information line on 1800 558 552 for assistance prior to commencing any plumbing work. |
| 12 | Williams | Enquired if surrounding residents and bird watching groups could be included as relevant stakeholders in the resolution for tonight's Notice of Motion 2. | The Acting Director City Planning advised that relevant stakeholders (including adjoining residents and local bird watching groups) will be invited to attend a meeting with Council officers regarding Bushell's Lagoon. |
| 13 | Williams | Enquired if the sewer line along the southern side of Macquarie Street coming from Pitt Town could be looked at as the road surface is rough following the works. | Director Infrastructure Services advised that discussions with the contractor undertaking the works have indicated that repair works will be concluded prior to Christmas. |
| 14 | Conolly | Referred to Question 6 above by Councillor Calvert and also enquired if this could be carried out. | Director City Planning advised that contact has been made with a representative of the North Richmond Districts Community Action Association and a number of workshop meetings with relevant groups will be held in January 2011. |

ORDINARY MEETING

Questions for Next Meeting

| # | Councillor | Question | Response |
|----|------------|---|---|
| 15 | Conolly | Enquired if Councillors could be advised of the effect on properties who remain on pump out once the Three Towns Sewer is finalised, including likely impacts on costing and how that will be dealt with. | Director Infrastructure Services advised that charges will be considered by Council as part of the 2011/12 Budget process, for properties within the sewer areas that have not connected to the sewer, and for those properties remaining on pump out that are outside the sewer area. |
| 16 | Rasmussen | Advised that he has recently attended meetings regarding the Residential Land Strategy in North Richmond and Glossodia. He indicated that residents are keen to integrate the Residential Land Strategy with a Rural Lands Strategy and enquired if it is proposed that a Rural Lands Strategy will be developed. | <p>Director City Planning advised that Council at its meeting of 29 May 2007 considered a report outlining a process for the preparation of a land use strategy for the LGA. The process proposed in the report was to prepare separate Employment, Residential and Rural Land Use Strategies essentially in that order. The resolution of the meeting was, in part, <i>“That the process and prioritisation for LEP and strategy preparation contained in this report be endorsed.”</i> On 8 July 2008 Council considered a “Progress and Criteria for Preparation of Residential Strategy” report that outlined the progress to date on the process endorsed on 29 May 2007. Criteria to be used in the preparation of the Residential Land Strategy were also adopted at the meeting of 29 May 2008.</p> <p>Staff are following the Council adopted process for preparation of relevant strategies and upon completion of the Residential Land Strategy work on a Rural Land Use Strategy will commence.</p> |
| 17 | Rasmussen | Referred to the response to his previous question regarding sewerage connection take up and enquired if take up rates could be provided for Agnes Banks. | Director Infrastructure Services advised that information provided by Sydney Water PSP has indicated that out of the 117 properties eligible to connect, 91 properties have connected to date, which as a percentage is 78%. |
| 18 | Tree | Enquired if the community kitchen would operate over the Christmas period. | Director City Planning advised the Community Kitchen closes on 17 December and re-opens on 10 January. There are other food relief providers open during this time. Baptist Church on Macquarie Street Windsor host Christmas lunch and the Salvation Army store at Windsor provide emergency relief food packages. |

ORDINARY MEETING

Questions for Next Meeting

| # | Councillor | Question | Response |
|----|------------|---|---|
| 19 | Tree | Enquired if the feasibility of installing a program called Browse Aloud on the website could be investigated as it assists visually impaired people with accessing information over the internet. | The Director Support Services advised that Browse Aloud is currently being investigated, with a one month free trial of the software recently being arranged. Browse Aloud, and other similar programs, will be investigated over the coming months, with a view to including appropriate funding in the Draft 2011/2012 Budget to ensure compliance with the Australian Standards relating to the visually impaired. |
| 20 | Reardon | Enquired if the RTA is progressing with signs for Bilpin businesses. | Director Infrastructure Services advised that a meeting is to be arranged with the RTA and Bilpin representatives. The meeting has not yet been arranged. |

ATTACHMENTS:

There are no supporting documents for this report.

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ORDINARY MEETING

Questions for Next Meeting



ordinary
meeting

end of
business
paper

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