



Hawkesbury City Council

ordinary meeting business paper

date of meeting: 12 July 2011

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 arouse@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.

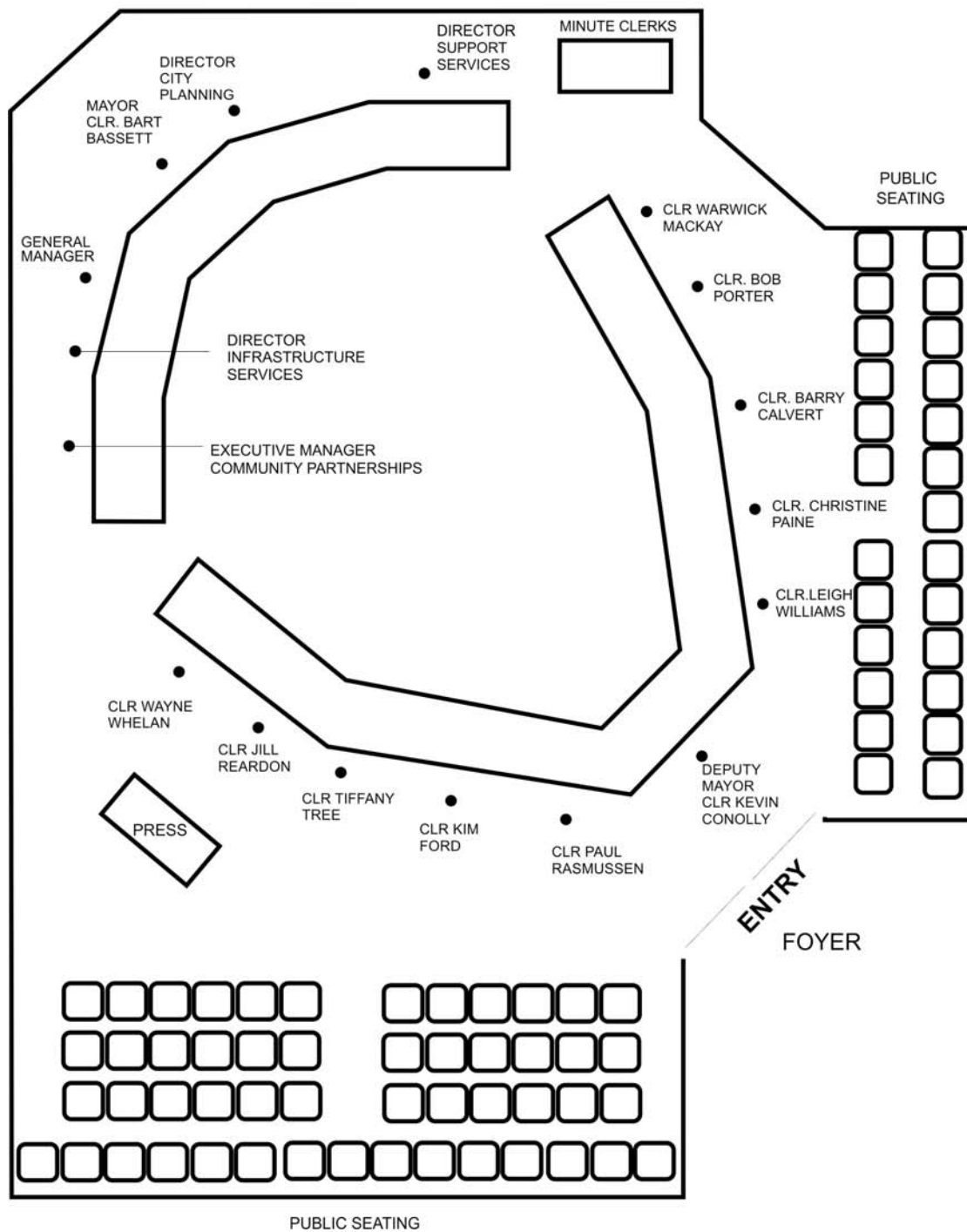
Website

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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- **DECLARATION OF INTERESTS**
- **SECTION 1 - Confirmation of Minutes**
- **AGENDA ITEMS SUBJECT TO PUBLIC ADDRESS**
- **SECTION 2 - Mayoral Minutes**
- **QUESTIONS WITH NOTICE**
- **SECTION 3 - Notices of Motion**
- **EXCEPTION REPORT - Adoption of Items Not Identified for Discussion and Decision**
- **SECTION 4 - Reports for Determination**

General Manager

City Planning

Infrastructure Services

Support Services

- **SECTION 5 - Reports of Committees**
- **QUESTIONS FOR NEXT MEETING**

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section 1

confirmation of minutes

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SECTION 1 - Confirmation of Minutes

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section 4

reports
for determination

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SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 144 GM - Local Government and Shires Association Water Management Conference 2011 - (79351,112608)

REPORT:

Executive Summary

The Local Government and Shires Association (LGSA) Water Management Conference 2011 will be held from 14 - 16 September 2011 in Grafton, NSW. Due to its relevance to Council's area it is recommended that the LGSA Water Management Conference 2011 be attended by nominated councillors and appropriate staff.

Consultation

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

Background

The LGSA Water Management Conference 2011 will be held in Grafton, NSW from 14 - 16 September 2011. The annual LGSA Water Management Conference provides local government with a broad range of information on water management issues. The 2011 conference program will focus on regional water supply solutions, drinking water quality risk management and interaction between natural resources management, water quality and water supply and sewerage services.

Cost of attendance at the LGSA Water Management Conference 2011 would be approximately, \$1,590.00 per delegate.

The 2011/2012 Budget contains a provision of \$43,000 for Delegates Expenses.

Conformance to Community Strategic Plan

The proposal is consistent with the Caring for Our Environment Directions statement;

- To look after our cultural and environmental assets for future generations so that they too can enjoy and benefit from a clean river and natural eco-systems, rural and cultural landscape.
- Work with our communities and businesses to use our resources in a sustainable way and employ best practices and technologies that are in harmony with our natural environment.

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

- Work in partnership with relevant stakeholders to protect designated waters.
- Facilitate ecologically sustainable development through the retention and long term management of natural assets.

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Financial Implications

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

RECOMMENDATION:

The attendance of nominated Councillors, and staff members as considered appropriate by the General Manager, at the LGSA Water Management Conference 2011 at an approximate cost of \$1,590.00 per delegate be approved.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 145 **GM - Waste & Recycle 2011 Conference - (79351)**

REPORT:

Executive Summary

The 2011 Waste & Recycle Conference will be held in Freemantle, Western Australia from 14-16 September 2011. Due to its relevance to Council's area it is recommended that the 2011 Waste & Recycle Conference be attended by nominated councillors and appropriate staff.

Consultation

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

Background

The 2011 Waste & Recycle Conference will be held in Freemantle, Western Australia from 14-16 September 2011.

The Waste & Recycle Conference will bring together guest speakers and delegates from some of the World's leading waste management organisations. It will provide an opportunity to exchange ideas and information about current international and local waste and recycling topics.

Cost of attendance at the 2011 Waste & Recycle Conference would be approximately \$3,195.00 per delegate.

The 2011/2012 Budget contains a provision of \$43,000 for Delegates Expenses.

Conformance to Community Strategic Plan

The proposal is consistent with the Caring for Our Environment Directions statement:

- Take active steps to encourage lifestyle choices that minimise our ecological footprint.

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

- Develop and implement waste and recycling strategies.
- Encourage and educate the community to care for the environment.

Financial Implications

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

RECOMMENDATION:

The attendance of nominated Councillors, and staff members as considered appropriate by the General Manager, at the 2011 Waste & Recycling Conference at an approximate cost of \$3,195.00 per delegate be approved.

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ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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CITY PLANNING

Item: 146 **CP - Development Application - Proposed Rural Shed - 14 King Street, Wilberforce - (DA0187/11, 121278, 95498)**

Development Information

File Number: DA0187/11
Property Address: 14 King Street, Wilberforce NSW 2756
Applicant: Marina Merzhievskaya
Owner: Ms M Merzhievskaya
Proposal Details: Shed less than 170m2 - Rural Shed
Estimated Cost: \$30,000
Zone: 7(d) Environmental Protection - Agriculture Protection (Scenic) & Housing
Draft Zone RU2 – Rural Landscape & R2 Low Density Residential
Date Received: 8/04/2011
Advertising: Notification was not required.

Key Issues: ♦ Proximity of Bushells Lagoon

Recommendation: Approval

REPORT:

Executive summary

The application seeks approval for the construction of a shed with attached awnings at Lot 3 DP 1135286, 14 King Street Wilberforce.

The proposed shed is compliant with Council's Hawkesbury Development Control Plan (HDCP) in relation to its size and intended use for storage of personal items. The proposed shed is only 140sqm in size and is below the maximum allowable of 170sqm. The location is in proximity to an area that becomes waterlogged at times but is well clear of the Bushells Lagoon and of vegetation on the site.

The application is being reported to Council at the request of Councillor Williams.

Introduction

The application is proposing the construction of a rural shed with attached awnings. The proposed use of the shed is for the storage of personal items by the property owners.

The shed area is 7 x 12 metres, with attached awnings to either end with each increasing the length by 4 metres, the total length of the shed will be 20 metres. The shed would therefore have a total area of 140 square metres.

The site currently contains various unauthorised structures. There are currently no approved structures on the property and Council officers have undertaken separate compliance action on these matters.

Council Policies, Procedures and Codes to Which the Matter Relates

Hawkesbury Local Environmental Plan 1989
Draft Hawkesbury Local Environmental Plan 2011
Sydney Regional Environmental Plan No 20

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Hawkesbury Development Control Plan 2002

Matters for Consideration under Section 79C of the Environmental Planning and Assessment Act 1979 (EPA Act).

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:**

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)

An assessment of the proposal against the relevant clauses of HLEP 1989 is made below:

Clause 9 - Carrying out of development

The proposed shed is consistent with the requirements of HLEP 1989 being a permissible form of development within both the 7(d) Environmental Protection - Agriculture Protection (Scenic) & Housing

Clause 9A - Zone Objectives

The site has two zonings currently applicable: being 7(d) Environmental Protection - Agriculture Protection (Scenic) & Housing. Given the site is not being used for agricultural activities and both zoning objectives are maintained the development is considered to be suitable.

Clause 25 – Development of flood liable land

The location of the shed on the subject site is located 3 metres below the 1 in 100 year flood level for the area in which the land is situated, whilst sub clause (3) of the clause prevents the erection of buildings on the lot sub clause (6) allows for the erection of minor structures such as outbuildings and sheds to erected on land below the 1 in 100 year flood level with the consent of Council.

It is considered that the proposed shed will not have a detrimental impact on flood liable land.

Clause 28 - Development in the vicinity of a heritage item

The subject land is located within the vicinity of heritage items. However, given the small scale of the proposed rural shed and the distance separating the proposed shed from each heritage item it is not considered that the proposed shed will have a detrimental impact on the significance of those heritage items.

Clause 37A Development on land identified on Acid Sulfate Soils Planning Map

The application does not propose to carry out works below the natural ground level.

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.

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

Draft Hawkesbury Local Environmental Plan 2011 is currently with the Department of Planning and Infrastructure awaiting gazettal. The subject lot is identified as being RU2 – Rural Landscape & R2 Low Density Residential.

An assessment of the Development Application otherwise reveals that the proposal is consistent with the aims and objectives in Draft Hawkesbury Local Environmental Plan 2011.

iii. Development Control Plan applying to the land:

Hawkesbury Development Control Plan (HDCP) 2002

Hawkesbury Development Control Plan (HDCP) 2002

The proposed development is generally consistent with the requirements of HDCP 2002. Given that the shed is proposed to be located within the Environmental Protection – Agriculture (Scenic) Protection area of the property. An assessment of the proposal against the relevant provisions of this Plan follows:

Part A Chapter 2 - General Information

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 property owners in accordance with HDCP.

Part D – 1.4 Setbacks

The setbacks are compliant with the requirement for an internal lot being a minimum 6 metres from the lot in front.

Part D – Chapter 8 Rural Sheds

8.2.1 Sitting – the proposed shed will not be visually prominent or create unnecessary disturbance to the natural environment.

8.2.2 Size – the proposed shed is less than the maximum of 170 metres square that the HDCP permits.

8.2.3 Height – the proposed shed has a maximum height of 4.8m.

8.2.4 Form – given the proposed size of the shed, the traditional barn design is suitable.

8.2.5 Colour – given the location of the proposed shed in proximity to residential areas it is considered that the proposed colours being colourbond colours paperbark on the walls and eucalypt on the walls are considered to be suitable for the area.

The location of the shed, size and design are compliant with this chapter of the HDCP.

iv. 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.

v. Matters prescribed by the Regulations:

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

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- 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:**

Flora & Fauna

The site is located within 500 metres of Bushells Lagoon, which is listed as an endangered ecological community and Wildlife Reserve. The lagoon is known to provide habitat to various bird species including various migratory bird species. The significance of both Bushells Lagoon and the migratory birds is recognised under the Environment Protection and Biodiversity Conservation Act and other Conventions and Agreements.

The site does not contain a watercourse linked to Bushells Lagoon rather there is an area at the rear of the site that is regularly waterlogged that contains a depression where water collects. As a result the area contains vegetation that is suitable for the water logged conditions.

The applicant is not proposing to clear the vegetated area, and a condition is recommended to ensure the area to be disturbed is limited to the immediate surrounds of the building area. This should ensure that there is minimal impact on the flora and fauna.

Unauthorised Activities

Councils officers are currently investigating the unauthorised placement of a site shed (being used for habitable purposes), storage of machinery and the installation of a septic tank without approval.

Council's officers are seeking to quickly resolve the matters being investigated. Some of the items contained within the illegal structures will be relocated to the proposed shed, making the illegal structures redundant and therefore they should be able to be removed promptly.

- c. Suitability of the site for the development:**

The subject site does not contain any significant constraints that would make this development prohibitive.

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

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

However, correspondence has been received from a Wilberforce resident raising concern about the removal of vegetation from the watercourse.

Comment: As discussed previously, the site does not contain a recognised watercourse however it does contain waterlogged vegetation, a condition will be imposed to restrict site works to be limited to the area in the immediate surrounds of shed location.

- e. The Public Interest:**

The proposal is consistent with the relevant planning instruments affecting the site and is to be used by the property owner for personal use only.

Developer Contributions

Development contributions are not required where the works are a class 10a Building as classified in the National Construction Code.

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

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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 development application DA0187/11 for the construction of a rural shed with attached awning at 14 King Street, Wilberforce known as Lot 3, DP 1135286, be approved subject to the following conditions:

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 and where amendments made in red to the approved plans, specifications or documentation submitted.
 - Site Plan & Analysis dated 22/03/11
 - Drainage Plan Dated 22/03/11
 - Elevations Job Number 74657
 - Multi Build Specification Sheet (containing colours of external walls)
2. No excavation, site works or building works shall be commenced prior to the issue of an appropriate construction certificate.
3. The approved use shall not commence until all conditions of this Development Consent have been complied with.
4. The building shall not be used or occupied prior to the issue of an Occupation Certificate.
5. The development shall comply with the provisions of the National Construction Code at all times.
6. The accredited certifier shall provide copies of all Part 4 certificates issued under the Environmental Planning and Assessment Act, 1979 relevant to this development to Hawkesbury City Council within 7 (seven) days of issuing the certificate. A registration fee applies.

Prior to Issue of Construction Certificate

7. Council's records indicate that the building site is at 11.56m Australian Height Datum (AHD). All materials used in the construction that is below the level of 17.5m AHD shall be flood compatible. The design of the shed shall be certified by a qualified practicing engineer that it can withstand the impact of flood waters.

Prior to Commencement of Works

8. Erosion and sediment control devices are to be installed and maintained at all times during site works and construction. The enclosed warning sign shall be affixed to the sediment fence/erosion control device.
9. The building shall be set out by a Registered Surveyor. The Survey Certificate of the building showing the position of the external walls under construction and in compliance with the approved plans shall be lodged with the principal certifying authority. Any easements must be shown on the Survey Certificate.
10. A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 shall be supplied to the principal certifying authority prior to commencement of works.

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11. A copy of receipt of payment of Long Service Levy shall be provided to the Principal Certifying Authority prior to any works commencing on site. Payments can be made at Long Service Corporation offices or most Councils.
12. The applicant shall advise Council of the name, address and contact number of the principal certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1979.
13. At least two days prior to commencement of works, notice is to be given to Hawkesbury City Council, in accordance with the Environmental Planning and Assessment Regulation.
14. Toilet facilities (to the satisfaction of Council) shall be provided for workmen throughout the course of building operations. Such facility shall be located wholly within the property boundary.
15. A sign displaying the following information is to be erected adjacent to each access point and to be easily seen from the public road. The sign is to be maintained for the duration of works:
 - (a) Unauthorised access to the site is prohibited.
 - (b) The owner of the site.
 - (c) The person/company carrying out the site works and telephone number (including 24 hour 7 days emergency numbers).
 - (d) The name and contact number of the Principal Certifying Authority.
16. A qualified Structural Engineer's design for all reinforced concrete and structural steel shall be provided to the Principal Certifying Authority prior to any works commencing on site.

During Construction

17. Site works are to be limited to the area in the immediate surrounds of shed location.
18. Site and building works (including the delivery of materials to and from the property) shall be carried out only on Monday to Friday between 7:00am - 6:00pm and on Saturdays between 8am - 4pm.
19. The site shall be kept clean and tidy during the construction period and all unused building materials and rubbish shall be removed from the site upon completion of the project. The following restrictions apply during construction:
 - (a) Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path or easement, natural watercourse, footpath, kerb or road surface and shall have measures in place to prevent the movement of such material off site.
 - (b) Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken only within the site.
 - (c) Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a Waste Disposal Depot.
20. All roofwater shall be drained to the water storage vessel/s.
21. Filling to the site is to be wholly within the confines of the external walls and to be retained by dropped edge beams. The natural ground level at adjacent boundaries is to be unaffected by the development.
22. To prevent disturbance to the existing vegetation on the site, only the area immediately surrounding the proposed shed is to be disturbed during construction. During construction suitable barriers are

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to be erected to prevent vehicle or pedestrian access; stockpiles or other disturbance occurring to the vegetated areas.

The Use of the Site

23. The rural shed shall not be occupied for human habitation/residential, industrial or commercial purposes.
24. The existing vegetation shall not be removed or adversely affected by the use of the site as a rural shed.

Advisory Notes:

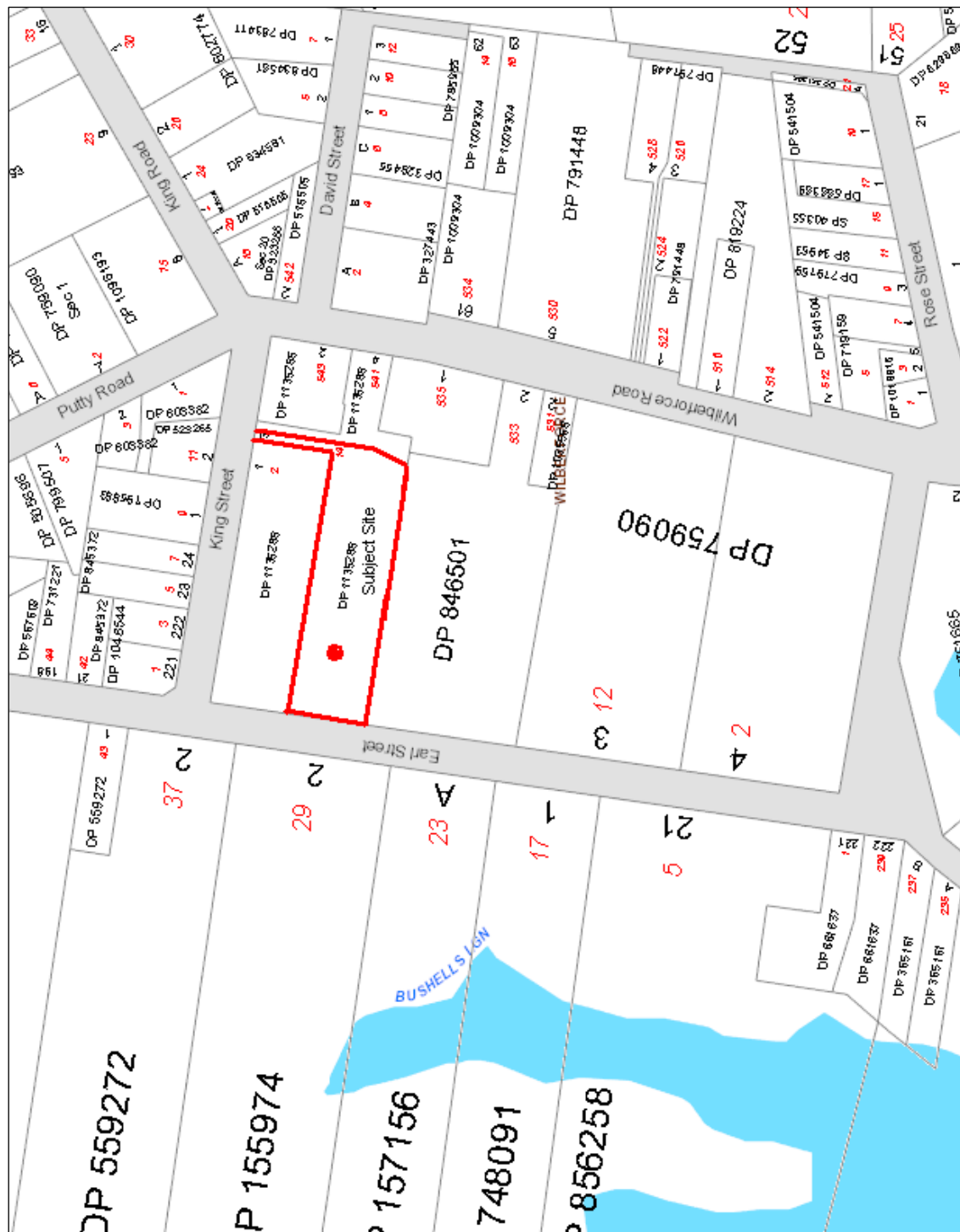
- *** The applicant is advised to make inquiries as to whether approval by the Australian Government Minister for the Environment and Heritage is necessary under the Environment Protection and Biodiversity Conservation Act 1999.
- *** If during the course of construction the Proponent become aware of any unexpected heritage items or archaeological material, all work likely to affect the site(s) shall cease immediately and relevant authorities shall be consulted to determine an appropriate course of action prior to the recommencement of work at that site. Appropriate supporting documentation would need to accompany any application for required permit/consent(s).
- *** The applicant shall make themselves aware of any User Restriction, Easements and Covenants to this property and shall comply with the requirements of any Section 88B Instrument relevant to the property in order to prevent the possibility of legal proceedings against them.

ATTACHMENTS:

- AT - 1** Locality Plan
- AT - 2** Aerial Photograph
- AT - 3** Plans

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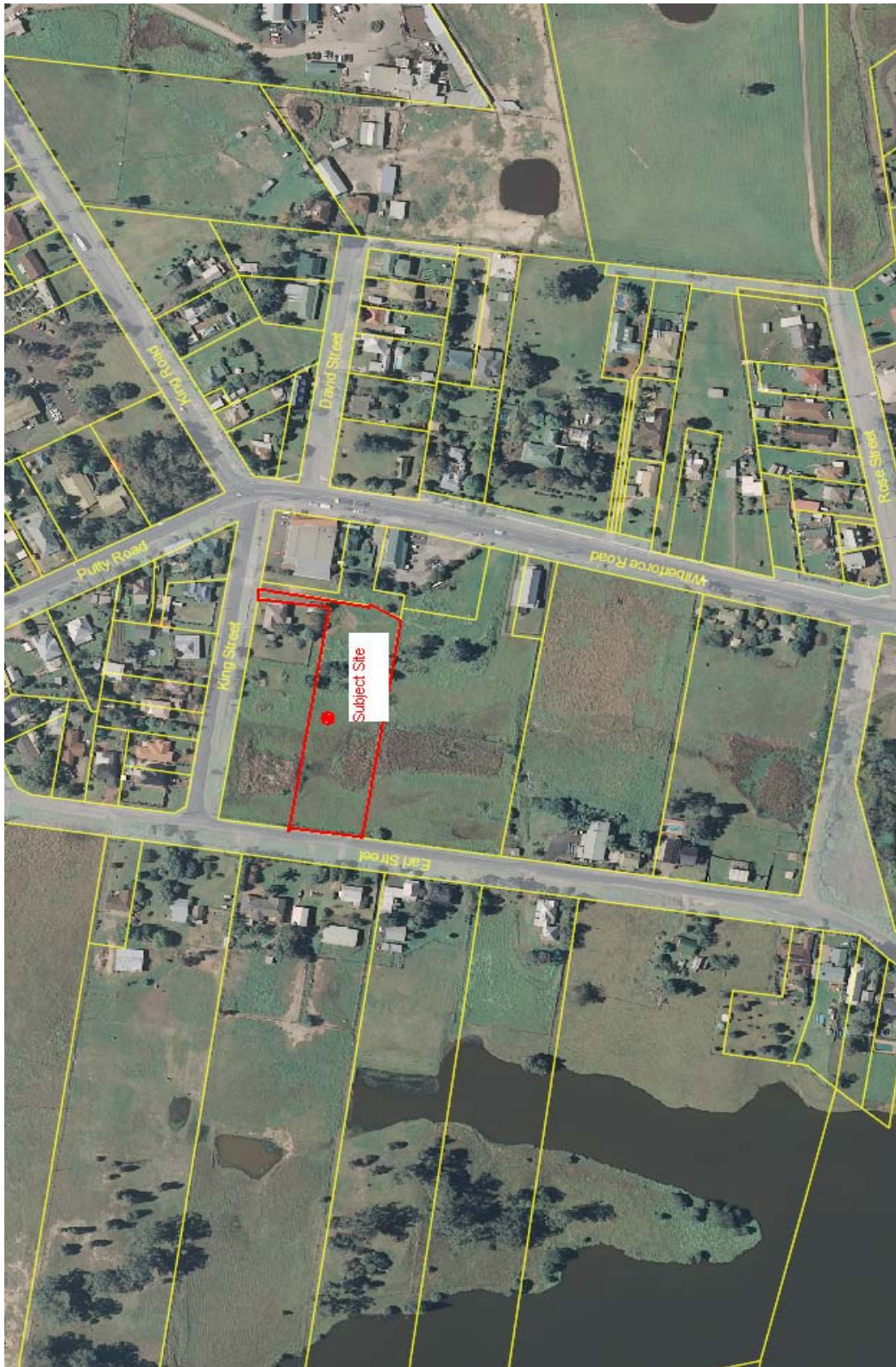
AT - 1 - Locality Plan



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AT - 2 - Aerial Photograph



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NO TREES TO BE REMOVED

EARL STREET

BOUNDARY

81.02 m

14.02

12.90

14.025

BENCHMARK RL 11.50

DAM

12.10

11.65

7 m

11.65

AWNING

4 m

20 m

SHED

FFL 12.30

12 m

AWNING

4 m

12.30

4 m

12.30

12.80

13.50

14.20

BOUNDARY

DRAINAGE EASEMENT (4 m WIDE)

(43.61)

13.50

14.80

BOUNDARY

19.29

67.12

42.79

ACCESS HANDLE

6.0 m

LOT 1

STREET

KING

14.02

12.10

11.65

7 m

11.65

AWNING

4 m

20 m

SHED

FFL 12.30

12 m

AWNING

4 m

12.30

4 m

12.30

12.80

13.50

14.20

BOUNDARY

DRAINAGE EASEMENT (4 m WIDE)

(43.61)

13.50

14.80

BOUNDARY

19.29

67.12

42.79

ACCESS HANDLE

6.0 m

LOT 3

DP 1123088

SITE AREA	6,236.00 SQ. MTRS
EXISTING FLOOR SPACE	0 SQ. MTRS
PROPOSED FLOOR SPACE	112.00 SQ. MTRS
	1.80 %

SITE PLAN & ANALYSIS

SCALE 1:500 @ A3

PROPOSED SHED/AWNING AT: 14 KING STREET WILBERFORCE NSW 2756

DRAWN BY: Sergio Panayi 12 Velmay Avenue Picnic Point NSW 2213 Phone: (02) 9785 2940

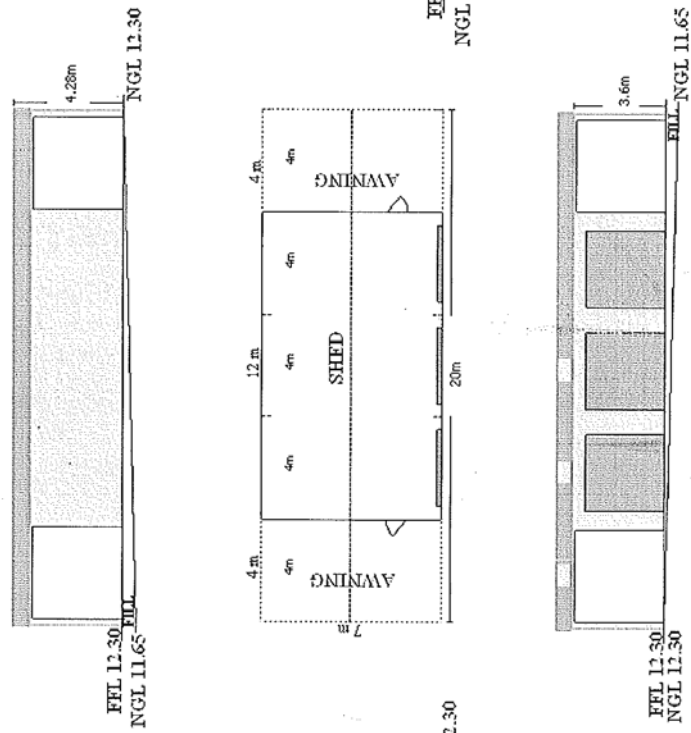
Dated: 22/03/11 Council: HAWKESBURY

PLAN No: 01 REVISION No. 00

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Building For:
Joe Pecnik
14 King Street Wilberforce
Job Number: 74657
Produced by:
Stone Homes
Phone: 02 4647 1545



oooO END OF REPORT Oooo

Item: 147 CP - Planning Proposal - 533 - 547 Windsor Road and 7 Chapman Road, Vineyard - (95498)

REPORT:

Executive Summary

Council has received a Planning Proposal from PGH Environmental Planning, acting on behalf of Vineyard Hardware Pty Ltd and Henry Bros Saws Pty Ltd to rezone the land at 533-547 Windsor Road and 7 Chapman Road, Vineyard, from Rural living to part B1 Neighbourhood Centre and part IN2 Light Industrial under draft Hawkesbury Local Environmental Plan 2011 to allow a range of small scale retail/business and light industrial activities on the site.

The purpose of this report is to provide an assessment of the Planning Proposal.

Consultation

The Minister for Planning and Infrastructure will advise Council of requirements for consultation with public authorities and the community as part of the Gateway Determination of the Planning Proposal under s.56 of the Environmental Planning and Assessment Act, 1979.

Background

According to Council records, the subject site has a long history of approvals for a range of land uses since pre 1951. These include general machine shop for building timber and storage, builder's hardware store, roofing supply and repair shop, storage shed, residential flats, residence, carport, swimming pool, bee apiary, honey processing and packaging, sawmill, production of bee boxes, pallets and associated timber products and refreshment room (see Attachment 1 to this report). Over the last sixty years the site has been used for many uses including a shop and dwelling, warehousing, wholesaling, manufacturing of building components such as architraves, small joineries, mouldings, folding garden lattice sheets, hardwood slabs, structural softwood and hardwood timber planks.

The Planning Proposal indicates that in the early 1980s' the site was used for other uses such as a newsagency, gardenware, equipment hire service and, a saw sharpening and maintenance.

In June 2001, Council approved the use of part of a building fronting Windsor Road as a refreshment room which was operated until its closure in March 2006. Later a trailer hire business occupying that part of the building occupied by the former refreshment room and part of the site commenced with no approval from Council. In March 2007, Council advised the trailer hire business operator of this unauthorised use of the land and as a result, in July 2007, Council received a development application seeking approval for the use of that part of the building fronting Windsor Road and associated outdoor parking area as a general hardware store including the hiring, display, maintenance and repairs of trailers on Lots 10 and 11 DP 1080426 and Lot 5 DP 536674, 541-547 Windsor Road, Vineyard. As the proposed land use was prohibited in the Rural Living zone, the application sought approval under existing use rights to expand its existing use utilising the existing infrastructure and later the application was withdrawn.

Planning Proposal

The Planning Proposal seeks to rezone the subject site from Rural Living to part B1 Neighbourhood Centre and part IN2 Light Industrial under draft Hawkesbury Local Environmental Plan 2011 to allow a range of small scale retail, business and light industrial uses generally consistent with the current land uses on the land (see Attachment 2 to this report).

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Site and Surrounds

The site is located on the northern side of the signalised intersection of Windsor Road/Chapman Road, close proximity to the North West Growth Centre and approximately 800m to the Vineyard Railway Station (see Attachment 3 to this Report). The site is bounded by Windsor Road to the south-west, Chapman Road to the south-east, Old Hawkesbury Road to the north-east and Lot 52 DP 593354, 523 Windsor Road to the north-west. The total site area is approximately 3.44ha and consists of the following five (5) allotments zoned Rural Living (see Attachment 3 to this report).

Property Description	Street Address	Area
Lot 53 DP 593354	533 Windsor Road	1.877ha
Lot 4 DP 536674	7 Chapman Road	999m ²
Lot 5 DP 536674	541 Windsor Road	1.289ha
Lot 10 DP 1080426	545 Windsor Road	871.9m ²
Lot 11 DP 1080426	547 Windsor Road	837.5m ²

The site has a main frontage to Windsor Road of approximately 145m and average depth of approximately 215m. The site is generally flat with a gentle slope in a northerly-easterly direction, and contains different land uses. A building containing a saw mill and woodwork and carpentry areas occupies Lot 53 DP 593354 and a residential flat building containing four dwellings with access to Chapman Road occupies Lot 4 DP 536674. A trailer hire business, Vineyard Hardware, sawmill, single dwelling house and open space occupy Lot 5 DP 536674, outdoor storage of trailers and parking area occupy Lots 10 and 11 DP 1080426.

The surrounding area is predominantly characterised by 2 hectare allotments zoned Rural Living under Hawkesbury Local Environmental Plan 1989 (see Attachment 4 to this report). The site is surrounded by a number of land uses. These include Vineyard Public School, childcare centre, retirement village (Windsor Country Village), Pilequip Australia engineering firm specialising in piling and foundation engineering equipment, materials and accessories, construction crane hiring and storage and pet supplies and sheds.

Applicant's Justification of the Proposal

The applicant has provided the following justification in support of the Planning Proposal.

- "The site is located within the North-West Growth Centre diagonally opposite the northern edge of the Riverstone Release Area. Ultimately the site will form part of Vineyard Release Area Precinct and consequently we submit that the Council should be considering the long-term use of our client's land within this release area precinct.*
- Windsor Road is a main road and Bandon Road will carry high volumes of traffic from the Vineyard Railway Station. Our clients have for some time maintained that the site is therefore suitable for commercial and other land use activities that provide employment opportunities.*
- The proposed amendment is considered to be consistent with the existing land use pattern of the site. The surrounding area contains a range of land uses, ranging from residential to commercial which will not suffer any long term adverse impacts.*
- Our preliminary investigations demonstrate that there are no prohibitive issues or matters that are inconsistent with Council's strategic framework or directions issued by the State Government. The proposed zoning does not create an unnecessary demand upon existing infrastructure or services, rather it seeks to utilise the land in an orderly and economic manner having proper regard to identified physical and ecological constraints."*

Assessment

Draft North West Subregional Strategy

The draft North West Subregional Strategy 2007 provides a direction for local councils in preparing Local Environmental Plans (LEP). A general direction is to provide sufficient zoned and serviced employment land to meet the employment capacity targets within their local government areas. Protecting Employment Lands is also a key direction of the strategy. The strategy acknowledges that Mulgrave/Vineyard industrial

area is a well established industrial area comprising a mix of industrial uses such as manufacturing, automotive servicing, and automotive sales as well as bulky goods retailing. The industrial area has good access to Windsor Road and is also located within close proximity to the North West Growth Centre. It also points out that adjoining areas are predominantly rural and are unlikely to be developed further within the life of the strategy due to flooding and flood evacuation constraints.

The Strategy identifies 3,000 new jobs target for Hawkesbury Local Government Area by 2031, and Council is required to plan for sufficient land and infrastructure to achieve this target.

Hawkesbury Employment Lands Strategy 2008

In December 2008 Council adopted the Hawkesbury Employment Lands Strategy. The purpose of the strategy is to provide a planning framework for employment precincts (industrial, commercial, retail) and locations for a range of employment types to support and enhance the economic competitiveness of the Hawkesbury region.

The Employment Lands Strategy has recommended a number of strategies for Council to pursue to address the economic prosperity of the LGA. Strategy 5 in the Employment Lands Strategy is to “Investigate additional industrial land supply to address potential future employment growth”. It suggests that additional land could be zoned industrial where demand is identified and conditions are met. Although the subject site is not located within a recommended area for investigation, the site’s close proximity to a future residential precinct containing 70,000 new dwellings for approximately 200,000 people within the North West Growth Centre, the sufficient infrastructure (e.g. water and power), easy access to Windsor Road which provides access to both the M7 and M2 Motorways and proximity to Vineyard Railway Station the Planning Proposal is generally consistent with the Employment Lands Strategy (December 2008).

The Planning Proposal seeks to rezone the site Part B1 Neighbourhood Centre and part IN2 Light Industrial under Hawkesbury Local Environmental Plan 2011. It is considered that a significant retail development in this location is not consistent with the government’s centres policy, or with supporting the Windsor Town Centre. In this sense, a number of uses may be appropriate for the site, however the area proposed for B1 Neighbourhood Centre that permits retail development on the land should be restricted.

Future development of the site would require a higher standard of urban design to ensure an appropriate treatment of the frontage of Windsor Road. This is a requirement of the Employment Lands Strategy and may be controlled via the development of a site specific development control plan specifying appropriate development controls to ensure orderly development on the site and high urban design outcomes are achieved.

Section 117 Directions

Direction 1.1 Business and Industrial Zones

The objectives of this direction are to:

- (a) encourage employment growth in suitable locations,
- (b) protect employment land in business and industrial zones, and
- (c) support the viability of identified strategic centres.

The Planning Proposal seeks to rezone the subject site from Rural Living to part B1 Neighbourhood Centre and part IN2 Light Industrial under Hawkesbury Local Environmental Plan 2011. This will enable a formalisation of the current non-confirming land uses on the land and continued and economical use of the land for business, retail and industrial purposes to facilitate an orderly development in close proximity to the North West Growth Centre. The proposal will enable improved employment opportunities for the local community and the future population within the Growth Centre. It is therefore considered that the Planning Proposal is generally consistent with this direction.

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Direction 1.2 Rural Zones

The objective of this direction is:

to protect the agricultural production value of existing rural land.

The Planning Proposal is inconsistent with part of this Direction. However, the Direction does permit an inconsistency under certain circumstances. Given that the land currently has no agricultural value (and is most unlikely that it will ever be used for agricultural purposes given the existing land uses rights since the 1950s) and the proposal is consistent with the Hawkesbury Employment Lands Strategy, it is considered that the inconsistency with the Direction is acceptable.

Direction 3.4 Integrated Land Use and Transport

The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:

- (a) improving access to housing, jobs and services by walking, cycling and public transport,
- (b) increasing the choice of available transport and reducing dependence on cars,
- (c) reducing travel demand including the number of trips generated by development and the distances traveled, especially by car,
- (d) supporting the efficient and viable operation of public transport services, and
- (e) providing for the efficient movement of freight.

Comment:

The Department of Planning's guidelines *Integrated Landuse and Transport* seeks to improve the integration of land use and transport planning. The Planning Proposal will enable the protection of the existing development and may provide additional employment opportunities close proximity to the North West Growth Centre should the site be redeveloped. It is considered that the proposed LEP is generally consistent with this Direction.

Direction 4.1 Acid Sulphate Soils

The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils. The subject area is identified as "Class 5" (less constrained) on the Acid Sulphate Soils Planning Maps having a probability of containing acid sulphate soils, as shown on Acid Sulphate Soils Planning Maps held by the Department of Planning. As the area is not located within 500 metres of another classification, acid sulphate soils risk assessment may not be required.

Direction 4.3 Flood Prone Land

The objectives of this direction are:

- a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the ***Floodplain Development Manual 2005***, and
- b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.

Comment

The proposal is inconsistent with this Direction. The majority of the site proposed to be rezoned is below the 1:100 year flood level (see Attachment 5 to this report). In accordance with the Floodplain Development Manual 2005, Council engaged Bewsher Consulting Pty Ltd to prepare a Flood Risk Management Study and Plan for the Hawkesbury River within the Hawkesbury LGA in June 2010, and this project is expected to be completed late 2011 or early 2012. Council will be able to assess any future development on the land against the Hawkesbury Flood Risk Management Plan to ensure effective

development and management of the land with minimal impact of flooding on individual owners and occupiers of flood prone property and reduction in private and public losses resulting from major floods.

Direction 4.4 Planning for Bushfire Protection

The objectives of this direction are:

- (a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and
- (b) to encourage sound management of bush fire prone areas.

The Applicant states that:

"The site is identified as being bushfire prone and is affected by a mix of Category 1, Category 2 and Vegetation Buffer land.

Any future development will need to have regard to the provisions of the Planning for Bushfire Protection (PfBP) 2006 document and relevant legislation under both the Environmental Planning and Assessment Act 1979 and Rural Fires Act 1997.

In our opinion the proposal is capable of satisfying the necessary statutory controls, and therefore complies with this direction."

Comment:

The subject area is identified as bush fire prone land with a mix of Vegetation Categories 1 and 2 and Vegetation Buffer land. Accordingly, Council is required to consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 56 of the Act, and prior to undertaking community consultation in accordance with section 57 of the Act, and take into account any comments so made.

Direction 6.1 Approval and Referral Requirements

The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.

This planning proposal is consistent with this direction as it does not require the concurrence, consultation or referral of development applications to a Minister or public authority, and does not identify development as designated development.

Direction 6.3 Site Specific Provisions

The objective of this direction is to discourage unnecessary restrictive site specific planning controls. The proposal is consistent with this direction as it does not specify any restrictive provisions for future development on the land other than those already specified in Hawkesbury LEP 2011 for the B1 Neighbourhood Business Zone and IN2 Light Industrial Zone.

Direction 7.1 Implementation of the Metropolitan Strategy

The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in the *Metropolitan Strategy*.

The applicant states that:

"The Metropolitan Strategy 'City of Cities A Plan for Sydney's Future' and North West Subregional Strategy were released by the Department of Planning in December 2005 and December 2007,

respectively. These documents outline the broad vision for the future planning of Sydney and the North West subregion to 2031.

The North West Subregional Strategy translates objectives of the Metropolitan Strategy to the local level, with the economy and employment identified as a key component.

The Strategy identifies the existing Mulgrave and Vineyard industrial area as being located, just outside of the growth area but recognises that this area is well established, comprising a mix of industrial uses, such as manufacturing, automotive servicing and automotive sales as well as faulty good retailing. It also notes that the area surrounding it is flood prone and may not be suitable for further light industrial activities.

As stated previously, the site is located within the north-west growth centre and ultimately will form part of Vineyard Release Area Precinct. Consequently it is considered that the use of the site in the manner proposed is not inconsistent with the aim of the strategy in terms of job creation."

Comment

The planning proposal is consistent with the *Metropolitan Strategy*. One of the objectives of the proposal is to provide employment opportunities to assist achievement of Council's employment target under the *Metropolitan Strategy*. This planning proposal is therefore consistent with the NSW Government's *Metropolitan Strategy: City of Cities, A Plan for Sydney's Future*, published in December 2005 ('the *Metropolitan Strategy*').

Draft Hawkesbury Local Environmental Plan 2011

The applicant states that:

"The existing onsite businesses are well established, and need to be provided with a reasonable opportunity to expand and redevelop; the proposed RU4 zoning will unfortunately prevent this from occurring.

In our opinion the proposed rezoning of the site in the manner proposed in this application, will enable land to be redeveloped in an orderly fashion, without impacting upon the viability of the nearby Mulgrave light industrial and business centre."

Comment:

The current zoning provisions of Hawkesbury LEP 1989 have been converted into the corresponding NSW Standard Template LEP zones in draft Hawkesbury Local Environmental Plan 2011, and the new corresponding zone in Hawkesbury LEP 2011 for the current Rural Living zoning of the subject site will be RU4 Rural Small Holdings. Retail, business and light industrial activities are not permitted in RU4 Rural Small Holdings zones. Therefore, the Planning Proposal seeks to rezone the site from Rural Living to part B1 Neighbourhood Centre and part IN2 Light Industrial under draft Hawkesbury Local Environmental Plan 2011 to formalise certain land use activities within the site and allow redevelopment of the site for a range of small scale retail, business and light industrial purposes. With Council's consent, retail and business uses are permitted in B1 Neighbourhood Zone and light industrial and ancillary retail activities are permitted in IN2 Light Industrial Zone.

Given the site's close proximity to North West Growth Centre, easy and convenient access to regional road network including M2 and M7 Motorways and good access to infrastructure (e.g. water and electricity) and Vineyard Railway Station, the proposed rezoning of the land to part B1 Neighbourhood Centre and part IN2 Light Industrial to allow suitable business, retail and light industrial activities to meet the needs of surrounding residential areas such as McGrath Hills and Pitt Town and the future population in the North West Growth Centre is considered appropriate.

According to the Department of Planning's practice notes on the preparation of Local Environmental Plans using the Standard Instrument: Standard zones, B1 Neighbourhood Centres Zone is for neighbourhood centre that include small-scale convenience retail premises (neighbourhood shops), business premises, 'medical centres' and community uses that serve the day-to-day needs of residents in easy walking

distance. Shop top housing is permitted in the zone, and other mixed use development may be considered appropriate. As mentioned in the early part of this report a significant retail development in this location is considered inconsistent with the Stage Government's centres policy, or with supporting the Windsor Town Centre, and therefore approximately 14,600m² land area (i.e. 42% of the site area) proposed as B1 Neighbourhood Centre in the Planning Proposal is considered excessive. In order to facilitate economical and viable redevelopment of the site, boost the current economic activities within the Hawkesbury Local Government Area and ensure economic viability of the Windsor Town Centre is remained unaffected, a maximum of 5,000m² land area (i.e. approximately 15% of the site area) incorporating Lots 10 and 11 DP 1080426, 545-547 Windsor Road and part Lot 5 DP 536674, 541 Windsor Road as shown in Attachment 6 to this report to allow limited retail opportunities is considered appropriate.

Traffic and Access

Given the site is located on the signalised intersection of Windsor Road/Chapman Road and has three street frontages, access to and from the site is not a significant issue. Currently the site is accessed via Chapman Road and Old Hawkesbury Road. Windsor Road is a Classified Road and generally the Roads and Traffic Authority (RTA) does not allow access from this road. The Planning Proposal proposes to continue with the current access arrangements with no access from Windsor Road. Also the site has a fairly good access to M2 and M7 Motorways which provide easy and convenient access to Sydney and its environs.

Given the size and location of the site it can provide easy vehicular access, safe and convenient vehicular movements, vehicles can enter and leave the site in forward direction and provide required parking on site.

Vegetation

In accordance with the Biodiversity Protection Map accompanying the adopted draft Hawkesbury Local Environmental Plan 2011, the site contains areas of remnant vegetation mainly along the north-western, north-eastern and south-western boundaries and middle of the site. However a large area of the site is free of any significant stand of vegetation. Given the presence of significant trees on the site, any future development would require preparation of a flora and fauna report in accordance with Section 5A of the Environmental Planning and Assessment Act, 1979. This will enable Council to determine the likely impact of the future development of the site on the existing vegetation.

Services

The site is adequately serviced by community infrastructure such as water, electricity, telecommunication and sewerage, and it will not place additional demands on the community infrastructure. The site is located approximately 800m from the Vineyard Railway Station.

Site Contamination

The site has been used for residential, commercial and industrial since pre 1951.

In terms of Clause 6 (1) of State Environmental Planning Policy No 55 - Remediation of Land it is considered that:

- (a) given there was no adequate information or evidence on the use of the subject site before 1950s' there may be a potential that the site may be contaminated however, at present this has not been investigated in detail by the proponent or by Council; and,
- (b) if the land is contaminated, Council is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the RU4 Rural Small Holdings zone is permitted to be used; and,
- (c) if the land requires remediation to be made suitable for any purpose for which land in the RU4 Rural Small Holdings zone is permitted to be used, Council is satisfied that the land will be so remediated before the land is used for that purpose. This can be dealt with at Development Application stage for any subsequent development of the land.

Existing Use Rights

The site is currently zoned Rural Living under Hawkesbury Local Environmental Plan 1989, and the corresponding new zone for the site under the adopted draft Hawkesbury Local Environmental Plan 2011 is RU4 Rural Small Holdings. Both the zones prohibit business, retail and light industrial uses. According to Council's records the site had been approved for business, retail and light industrial uses such as general machine shop, joinery works, builders hardware store, warehouse, shop and key and timber cutting factory in the period of pre 1951- 2001. All these land uses are now non-confirming uses on the subject site under the current Rural Living zoning or the corresponding new RU4 Rural Living zoning.

In June 2001, development consent was granted for the use of the existing building located on the south-western corner of the site as a refreshment room, and a large part of the remainder of the site as a car park associated with the refreshment room. A 'refreshment room' is a permissible land use in the current Rural Living zone as well as in the corresponding new RU4 Rural Living zone in the adopted draft Hawkesbury Local Environmental Plan 2011.

The last development application received for the site in March 2007 was for the use of that part of the building fronting Windsor Road and associated outdoor parking area as a general hardware store and trailers hire business. The application claimed that there was sufficient evidence to demonstrate that the hardware store approved in 1965, the subsequently approved extension to the hardware store in 1971, the shop, shed and the associated car parking area had continuously been operated within the site since their lawful commencement.

The legal advice received by Council in January 2009 with respect to the existing use rights of 543 -547 Windsor Road, Vineyard stated that the use of the refreshment room premises for a period of five (5) years resulted in the existing use of that building for the purposes of a hardware store being "abandoned" and it was of the view that existing use rights for the purposes of a builders hardware store no longer apply to the refreshment room premises.

The advice was not conclusive that the outdoor car park was not in fact used for the purposes of the refreshment room as well as the existing use for the purposes of a hardware store due to the given limited evidence or the information. As a result, without evidence to the contrary (and based on evidence from the Applicant's solicitor) it appeared to accept the fact that the carpark has continued to be used for the purposes of a builder's hardware store and the existing use of the area may have been preserved.

It also suggested that based on the evidence provided in the approved development application for the approved refreshment room it was possible to conclude that the use of the shed on the premises (adjacent to the refreshment room building) has been continually used for the purposes of a hardware store since the granting of the 1965 consent unless Council has evidence to the contrary to suggest that the use for the purposes of the hardware store within the shed has not.

According to the legal advice, the hardware store (other than the area occupied by the former refreshment room) and associated car parking area on 541 - 547 Windsor Road will be able to continue their operations under existing use rights. Should Council resolve not to proceed with the proposed rezoning the current non-confirming uses on the site that are unable to demonstrate that they have existing use rights will need to cease their operations.

According to existing use provisions in the EP & A Act 1979 and Environmental Planning Assessment Regulation 2000 an existing use may:

- be enlarged, expanded or intensified, or
- be altered or extended, or
- be rebuilt, or

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- be changed to another use, but only if that other use is a use that may be carried out with or without development consent under the Act, or
- if it is a commercial use - be changed to another commercial use, or
- if it is a light industrial use - be changed to another light industrial use or a commercial use.

However an existing use can only be changed if it:

- involves minor alterations or additions, and
- does not increase of more than 10% in the floor space of the premises associated with the existing use, and
- does not involve the rebuilding of the premises associated with the existing use, and
- does not involve a significant intensification of that existing use.

Given the above circumstances, it may not be possible to have an economical development on the land under existing use rights.

Conclusion

The above assessment reveals that the Planning Proposal has merits and it is worthy of supporting of the proposal mainly due to the following:

- The proposal's consistency with the Sydney Metropolitan Strategy, North West Sub-regional Strategy, Hawkesbury Employment Land Strategy (December 2008) and other relevant statutory framework.
- Its likely ability to help achieve the target of 3,000 new jobs by 2031 set for the Hawkesbury LGA.
- The potential to create employment opportunities close proximity to the North West Growth Centre which will accommodate 70,000 new dwellings for approximately 200,000 people.
- Increased economic activities within the LGA.
- Its likely potential to meet the needs of the surrounding residential areas and the future population within the North West Growth Centre.
- Its location within a reasonable walking distance to Vineyard Railway Station.
- Increased viability of the public transport system, in particular, railway system.
- Convenient access to regional network including M2 and M7 Motorways that links Sydney and the surround.
- Size and location of the site with three street frontages enabling easy and convenient access to and from the site.
- Economical and orderly development on the land.

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Conformance to Community Strategic Plan

The proposal is consistent with the Supporting Business and Local Jobs Directions statement;

- Plan for a range of industries that build on the strengths of the Hawkesbury to stimulate investment and employment in the region.
- Offer an increased choice and number of local jobs and training opportunities to meet the needs of Hawkesbury residents and to reduce their travel times.

and is also consistent with strategy in the Community Strategic Plan being:

- Implement Employment Lands Strategy.

The Planning Proposal will enable increased business, retail and light industrial activities on the land and boost the Hawkesbury LGA's economic activities and employment opportunities, and therefore it will be an appropriate tool in the implementation of the Directions and Strategies contained in the Community Strategic Plan.

Financial Implications

There are no financial implications arising from this report.

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. The Planning Proposal to rezone the subject site located at Nos. 533 - 547 Windsor Road and 7 Chapman Road, Vineyard, from Rural living to part B1 Neighbourhood Business Centre and part IN2 Light Industrial under draft Hawkesbury Local Environmental Plan 2011 subject to the limitation of B1 Neighbourhood Business Centre area as shown in Attachment 6 to this report be forwarded to the Minister for Planning and Infrastructure seeking a Gateway Determination.
2. Upon receipt of notification of the Gateway Determination to proceed, Council exhibit the Planning Proposal in accordance with the requirements of the Gateway Determination and the Environmental Planning and assessment Act, 1979.
3. The applicant/owner of the subject site is to develop a draft site specific Development Control Plan for the site, at their own expense, in conjunction with Council staff and to the satisfaction of Council. The Development Control Plan is to be adopted by Council prior to the finalisation of the rezoning.

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ATTACHMENTS:

- AT - 1** Past Approvals
- AT - 2** Planning Proposal - (*To be Distributed Under Separate Cover*)
- AT - 3** Subject Site
- AT - 4** Existing Zoning - Subject Site and the Surrounding
- AT - 5** Flood Map
- AT - 6** Proposed Rezoning Map

ORDINARY MEETING**Meeting Date:** 12 July 2011**AT - 1 Past Approvals**

Past Approvals for the Subject Site	
Development Approved	Date of Approval
Shop and dwelling on land	Prior 1951
General machine shop for working building timber and store	9/04/1957
Subdivision of the land into 2 lots and erect a joinery works on the proposed lot 1	5/12/1963
Builders hardware store in "Rivoli" theatre	20/09/1965
Signage for 'Roofing supplied and general hardware'	28/06/1968
Storage shed (100' x 30') and two (2) flats	13/09/1968
Storage shed	13/11/1969
Erection of two (2) flats	10/04/1969
Carport	5/06/1970
Double carport	16/09/1970
Relocation of residence to new lots 1 and 2 Chapman Rd and demolition of shop	16/11/1970
Extensions to existing shop	11/02/1971
Extensions to storeroom attached to shop	11/02/1971
Extensions to outside storage area	11/02/1971
Extensions to existing flat building	11/02/1971
Extensions to existing residence	11/02/1971
Additions to shop and storage shed	23/03/1971
Additions to flats	20/04/1971
Application to register factory for 'key and Timber Cutting'	13/05/1971
Swimming pool	25/08/1971
Additions to hardware store	3/11/1971
Change of existing hardware store into a refreshment room/restaurant	21/06/2001
Lot 53 DP,593354, 533 Windsor Road	
Bee aparie and ancillary works including honey processing and parking, sawmilling and crate and box manufacturing	21/06/2001

Meeting Date: 12 July 2011

HAWKESBURY CITY COUNCIL

Legend

- Suburbs
- Road Names
- Pending Subdivisions
- Land Parcels
- Roads
- Creeks_Rivers
- Creeks_Rivers_Poly

Scale: 0 15 30 45 60 Meters @ A4

Inset Map: New South Wales

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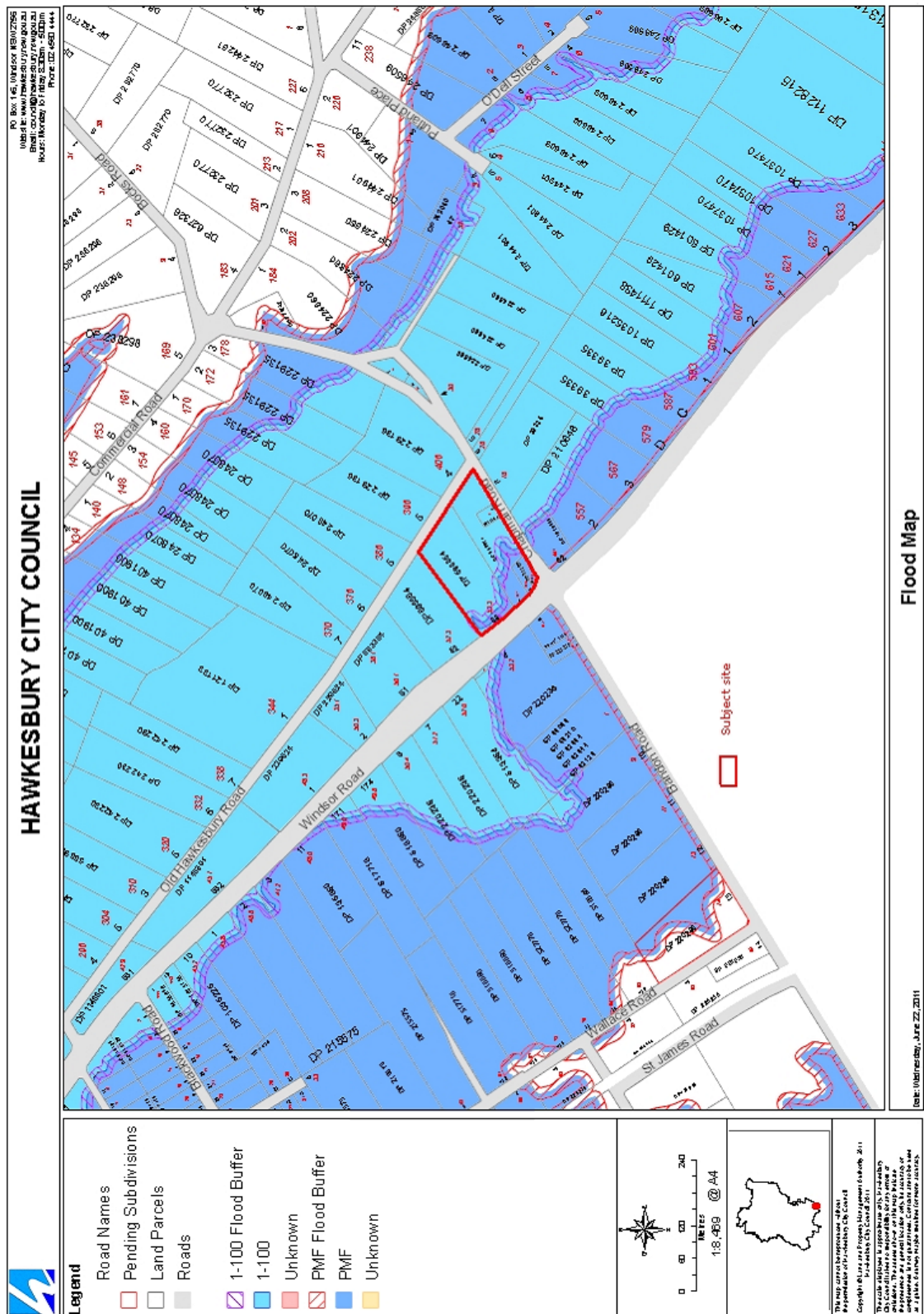
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AT - 5 Flood Map



Meeting Date: 12 July 2011

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ORDINARY MEETING

Meeting Date: 12 July 2011

Item: 148 **CP - Modification of Consent - SEPP 5 (Seniors Living) Development Aged Housing Lot 32 DP 1033902, 34 Beaumont Avenue, North Richmond - (MA1185/01A, 95498, 74563, 119698)**

Development Information

File Number: MA1185/01A
Property Address: 34 Beaumont Avenue, North Richmond
Applicant: Falson & Associates Pty Limited
Owner: Weetawaa Cotton Co. Pty Limited
Zone: IN 2 (Light Industrial) under Hawkesbury Local Environmental Plan 2011
Date Received: 11 April 2002
Advertising: Notification was not required.

Key Issues: ♦ Developer Contributions (Under Section 94)

Recommendation: Approval

REPORT:

Executive Summary

Council has received a request to modify a condition of approval relating to an existing SEPP 5 (Seniors Living) Aged Housing development at 34 Beaumont Avenue, North Richmond. The modification request seeks to delete Condition 41 (relating to payment of Section 94 Contributions).

The modification request is being reported to Council as the original application was determined by Council at its meeting of 12 February 2002. This report recommends that the modification request be approved.

Background

- 12 February 2002 – development consent MA 1185/01 was granted for a “SEPP No. 5 Development - housing for older people and/or those with a disability”
- 11 April 2002 – Application received requesting modification of consent to delete Condition 41 (relating to developer contribution)
- 9 December 2005 - An interim occupation certificate was issued by a private certifier for the community hall
- 17 November 2006 – Applicant’s wrote to Council asking about modification request
- 15 January 2007 – Council’s letter advising of status of application
- 9 November 2010 - Applicant’s letter re-activating original request, amending modification to also seek deletion of Condition 6 (relating to travelator) and indicating change of ownership had occurred in September 2010
- 15 November 2010 – Council received copy of owner’s consent to amended modification request
- 16 February 2011- Council’s letter requiring compliance with SEPP 5 provisions for disabled access
- 7 March 2011 - Applicant’s letter - providing further information
- 18 March 2011 - Council’s letter requiring compliance with SEPP 5 provisions
- 23 March 2011 - Applicant’s letter requesting meeting to discuss modification request
- 12 April 2011 - Meeting with Council officers and applicant
- 16 May 2011 – Modification amended to request deletion of Condition 41 only (relating to developer contribution) and not request Condition 6 be amended. (i.e. owner will seek to provide travelator)

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Description of Proposal

The applicant has submitted a modification request asking for deletion of one condition for the following reason:

- Condition 41 – Provision of S94 contribution is ultra vires as Council did not have the endorsement of the Minister to impose the contribution condition

Discussion of Condition 41 – Developer Contribution

Condition 41 currently reads:

“Payment of Section 94 contributions as determined by the Minister of Planning.”

Comment:

The applicant submits that the condition was imposed contrary to law and that the condition is therefore ultra vires. This is on the basis that the Minister repealed the provisions relating developer contributions applying to aged housing unless they were endorsed by the Minister.

In 2002 Council considered the imposing of developer contributions during the determination of the original consent and resolved to write to the Minister and request that the contributions be endorsed. Council records do not indicate any Ministerial response or endorsement of the contribution.

A significant time period has elapsed since the decision was made and the request to the Minister was made. There remains no ability to impose the developer contribution in the manner proposed as a Section 94 plan no longer applies and has been replaced by a Section 94A plan. It is not possible to retrospectively apply a developer contribution plan to a consent that has already been granted.

Hence there was and is no option for Council to validly impose a developer contribution on this proposal. It is therefore agreed that the condition could not be legally applied and it is recommended therefore that Condition 41 be deleted as requested.

Assessment of Section 96

Matters for consideration under Section 79(c) of the Environmental Planning and Assessment Act 1979

Relevant Policies, Procedures and Codes

State Environmental Planning Policy No. 44 – Koala habitat
Sydney Regional Environmental Plan No 20 – Hawkesbury Nepean River
Hawkesbury Local Environmental Plan 1989
Draft Hawkesbury Local Environmental Plan 2011
Hawkesbury Development Control Plan

Environmental Planning and Assessment Act 1979

Assessment of Section 96(2)

This application is to be determined under the provisions of s96(2) – Other Modifications - of the EPA & A Act, 1979.

s.96(2)

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

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- (a) *it is satisfied that the development to which the consent as modifies relates is substantially the same development for which consent was originally granted and before that consent as originally granted was modified (if at all) under this section, and*

Comment:

The conditions do not alter the development being substantially the same as the approved development.

- (b) *it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 5) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and*

Comment:

No response has been received to Council's request to impose the developer contribution therefore Council does not have the Minister's endorsement to impose this requirement.

- (c) *it has notified the application in accordance with:*

- (i) *the regulations, if the regulations so require, or*
- (ii) *a development control plan, if the consent authority is a council that has made a development control plan under section 72 that requires the notification or advertising of applications for modification of a development consent, and*

Comment:

The modification request was not required to be notified.

- (d) *it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.*

Comment:

As notification was not required this section is not applicable.

s.96(3)

In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 79c(1) as are of relevance to the development the subject of the application.

Comment:

The relevant matters for consideration under s.79C(1) of the EP&A Act are discussed below.

s.96(4)

Modification of a development consent in accordance with this section is not to be construed as the granting of development consent under this Part but a reference in this or any other Act to a development consent is a reference to the development consent so modified.

Comment:

It is proposed to support the proposed modification application in its entirety.

s.96(5)

Development consent of the kind referred to in section 79B(3) is not to be modified unless the requirements of section 79B(3)-(7) have been complied with in relation to the proposed modification as if the proposed modification were an application for development consent.

Comment:

The proposed modification is not located on land that is, or is a part of, critical habitat, or is likely to significantly affect a threatened species, population, or ecological community, or its habitat. Therefore, section 79B(3) - (7) do not apply.

Section 79C Matters for Consideration

In determining the application, the following matters are relevant:

a. The provisions (where applicable) of any:

i. Environmental Planning Instrument:

The relevant environmental planning instruments are:

Hawkesbury Local Environmental Plan 1989 (HLEP 1989)

The proposed modified development is considered to be consistent with the relevant provisions of Hawkesbury Local Environmental Plan 1989 as per the assessment of the original application and as listed below:

- **Clause 2 – Aims, objectives etc,**
- **Clause 6 – Adoption of 1980 Model Provisions**
- **Clause 8 – Zones indicated on the map**
- **Clause 9 – Carrying out of development**
- **Clause 9A – Zone objectives**
- **Clause 18 – Provision of water, sewerage etc services**
- **Clause 37A – Development on land identified on Acid Sulfate Soils Planning Map**

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

It is considered that the proposed modified development will not 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 or specific aims, planning considerations, planning policies, recommended strategies and development controls.

State Environmental Planning Policy No. 44 - Koala Habitat Protection

The site is not a 'potential habitat', or 'core koala habitat' as defined by State Environmental Planning Policy No. 44. Therefore Council is not prevented from granting consent to the modified proposal under the provisions of this Policy.

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

The proposed modified development is considered to be consistent with the relevant provisions of Draft Hawkesbury Local Environmental Plan 2011 as per the assessment of the original application.

iii. Development Control Plan applying to the land:

Hawkesbury Development Control Plan 2000

The proposed modified development is considered to be consistent with the relevant Chapters of Hawkesbury Development Control Plan 2000 as per the assessment of the original application and as listed below:

- Notification Chapter
- Erosion and Sediment Control Chapter

iv. 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 has been no planning agreement or draft planning agreement entered into under Section 93F of the environmental Planning and Assessment Act, 1979.

v. Matters prescribed by the Regulations:

Conditions have been imposed within Development Consent MA1185/01 requiring compliance with the Building Code of Australia.

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:

The proposed modified development will have no additional impacts on these matters

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

The modification request was not required to be notified.

e. The Public Interest:

The developer contribution cannot be legally imposed. The public interest in this case is served by the legal application of the relevant legislation.

Conclusion:

As discussed in this report, it is agreed that the imposition of the condition relating to developer contributions does not have the concurrence of the Minister and therefore cannot be imposed.

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.

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RECOMMENDATION:

That the request to modify Development Consent Notice Ma1185/01A – SEPP 5 (Seniors Living) development Aged Housing at Lot 32 DP 1033902 , 34 Beaumont Avenue North Richmond be supported and the consent be amended in the following manner:

1. Condition 41 be deleted from the consent notice and the applicant be advised of the Council's decision.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 149 **CP - Revocation of Dangerous Dog Order - B Besant - Phipps Road, Maraylya - (95498, 9614)**

REPORT:

Executive Summary

An application to revoke a dangerous dog order under Section 39(1) of the *Companion Animals Act*, that was previously issued by The Hills Shire Council (HSC), has been received from Mr Besant of Phipps Road Maraylya.

Under the provisions of the *Companion Animals Act*, the owner of a dog that has been declared dangerous can apply to the Council of the area in which the dog is ordinarily kept (whether or not it is the Council that made the declaration) for the declaration to be revoked. The application cannot be made until 12 months after the dog was declared dangerous.

It is proposed that the subject dangerous dog declarations be revoked.

Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy, however, discussions with HSC companion animal officers has confirmed that there have been no other issues with the offending dogs since the order was declared, and the dogs owner had put all legislative requirements of owning dangerous dogs in place whilst the dogs were housed at Jaffa Road, Dural.

The dogs have been relocated to Maraylya in the past several months.

Background

HSC placed dangerous dog orders on the dog, a Staffordshire Bull Terrier in July 2009.

The order was placed in response to a report of the dog attacking another dog. There were no reported injuries suffered by the victim dog.

The owner of the dogs has relocated from his HSC address in Dural to an address within this Council's local government area.

The dog is currently housed in a secure enclosure constantly, due to the legislative requirements, which the owner feels is unfair, as the dog has been suitably rehabilitated after extensive behavioural training and modification, and the fact that he believes that the dog is not dangerous, and is very friendly toward people and other animals.

Council's animal control officers have attended the property where the subject dog is housed and have conducted an assessment of the dog, and have reported that the dog does not show any signs of aggression, and are satisfied that the dangerous dog orders should be revoked.

Section 9.7.2. of the 2010 Guideline on the Exercise of Functions under the *Companion Animals Act*, stipulates that a dangerous dog order can only be revoked by a resolution of Council.

Conformance to Community Strategic Plan

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

- Have friendly neighbourhoods, connected communities, and supported households and families.

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Financial Implications

No financial implications associated with this report.

RECOMMENDATION:

That:

1. The dangerous dog order placed on the dog (a Staffordshire Bull Terrier) owned by Mr Besant be revoked, as Council's Animal Control Officers consider that it is suitable to have such order lifted.
2. In accordance with the requirements of the *Companion Animals Act*, Council notify the Director General of the revocation within seven days of its decision.
3. The applicant be notified in writing of the revocation of the dangerous dog orders.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

INFRASTRUCTURE SERVICES

Item: 150 IS - Exclusive Use and Alcohol Free Zones - Sydney Blues and Roots Festival, Windsor - (95495)

REPORT:

Executive Summary

The representatives of the Sydney Blues Festival have submitted an application to Council to hold the Sydney Blues and Roots Festival Windsor at Thompson Square and Windsor Mall on 28, 29 and 30 October 2011.

The event is into its third year and attracts between 1500 – 2000 people per day. The Sydney Blues Festival is seeking exclusive use of, and to temporarily suspend an area of an established Alcohol Free Zone (AFZ) in Windsor Mall, George Street, Windsor and the Restricted Alcohol Zone (RAZ) within Thompson Square Park, Windsor during their event. The proposed areas in which these suspensions will effect will be clearly identified and restricted during this event.

The Sydney Blues Festival are seeking the closure of George Street, between Bridge Street and Baker Street, as well as Thompson Square between George Street and The Terrace. The road closures relating to the Special Event traffic application are being reported to the Local Traffic Committee on 20 July 2011 and will then be reported back to Council in August 2011.

Subject to the concurrence of the Hawkesbury Local Area Command (Police), it is recommended to support the application to partially suspend the AFZ within the Windsor Mall, and partially suspend the RAZ within Thompson Square Park, for the dates and times approved for this event rather than the suspension for the entire weekend. This is a precautionary measure to ensure enforcement action may be taken, if needed, after the finishing time each night of the event. The representative for the Sydney Blues Festival has no objection to the modified times.

Due to the flow on effects from the event, it is recommended that exclusive use be given for the use of Thompson Square and the Mall for this event.

Consultation

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

However, in accordance with the Ministerial Guidelines on AFZs, the Hawkesbury Local Area Command (Police) will be consulted regarding the suspension of the AFZ within the Windsor Mall, and suspension of the RAZ within the Thompson Square Park, during the event. As part of the Ministerial Guideline on alcohol-free zones, public notification of the proposed suspension will be required, as well as confirmation of the approved suspension if/when applicable.

Background

The representatives of the Sydney Blues Festival have submitted an application to hold the Sydney Blues and Roots Festival Windsor at Thompson Square and Windsor Mall on 28, 29 and 30 October 2011.

This will be the 3rd Annual Sydney Blues Festival to be held in Windsor with Council previously supporting the event through the Community Sponsorship Program. It is expected that approximately 2,000 patrons per day will attend the Festival over the duration of the weekend. This event will be a ticketed event. The Festival is intending to run between Friday evening and Sunday evening and will be held in a variety of

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venues throughout the Windsor central business precinct including hotels, restaurants, cafes, outdoor venues including Thompson Square Park and the Hawkesbury Paddle Wheeler. All venues are intended to be within walking distance of each other. Some of the venues participating are the Fitzroy Hotel, The Vault 146 Bar and Restaurant, and Macquarie Arms Hotel. The times of the event will run:

Friday 28 October 2011	- 7pm till 1.30am
Saturday 29 October 2011	- 1pm till 1.30am
Sunday 30 October	- 1pm till 10.30pm

Operating hours of individual premises are subject to normal licensing requirements.

Suspension of Alcohol Free Zone and Restricted Alcohol Zone

Section 645 of the Local Government Act 1993 (the Act) provides for Council, by resolution, to allow for the temporary suspension of AFZs. The Act and associated guidelines provide a specific procedure which must be followed in relation to suspending AFZs, and this includes a requirement to seek Council's endorsement. Following the adoption of this suspension, Council must publish a notice in a local newspaper informing of the suspension. Street signs must be covered immediately on commencement of the timeframe, and the covers removed immediately following the suspended time. This is the responsibility of the organiser of the event but will be overseen by Council staff. Liaison with local Police both before and after the council resolution are essential requirements.

In relation to parks and reserves and other public areas like Thompson Square Park, Council may in accordance with Section 632 of the Local Government Act, prohibit the consumption of alcohol in these areas. A sign indicating that the activity is prohibited, is placed on the subject area, however, public consultation is not required. The restriction can be enforced by authorised Council Officers.

The Sydney Blues Festival is seeking to temporarily suspend an area of an established Alcohol Free Zone (AFZ) in Windsor Mall, George Street, Windsor and the Restricted Alcohol Zone (RAZ) within Thompson Square Park, Windsor. Attachment 1 shows the proposed areas (hatched) where the AFZ and the RAZ are proposed to be lifted.

In 2010, Council resolved to align the suspension periods to the approved times for the Festival and this is again recommended for this year. This precautionary measure is to ensure appropriate enforcement action can be taken in the Mall and the Park following the end of each night's activities, if needed. This does not impact on the various licensed establishments serving alcohol within their licensed areas in accordance with their liquor licenses.

This application was assessed in accordance with the Local Government Act 1993, Part 4 – Street Drinking and Ministerial Guidelines. The Windsor Business Group supports the Festival. The Hawkesbury Local Area Command (Police) was consulted in 2010 and raised no objection to the temporary suspension of the AFZ and the RAZ within the effected areas, for the approved dates and times of the Festival, subject to:

- a. The licensed premises adjoining the suspended zones monitor Responsible Service of Alcohol within those areas.
- b. The licensed premises ensure that only plastic glasses are used within those areas.
- c. Those areas being barricaded off and relevant security be in place by the licensed premises to prevent clients entering or exiting those areas with alcoholic beverages.

It is anticipated that similar conditions will be imposed for the 2011 event, however, such approval is yet to be received.

Exclusive Use

The organisers are seeking exclusive use of Thompson Square and Windsor Mall (between the Vault and the Fitzroy Hotel). Music in these open areas will cease at 11pm on Friday and Saturday nights and 9pm on Sunday.

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The exclusive Use of Thompson Square Reserve requires a resolution from Council and is subject to exclusive use fees. For a Corporate/business organisation – where an entry fee is charged, the fee is \$2.20 per person or \$1,580 per day whichever is the greater. Fees for the use of the Mall for entertainment/events is \$500 per day.

Thompson Square is part of a Heritage precinct and thus the applicant also needs to apply for permission from the NSW Heritage Office.

Approval for Traffic Management is undertaken as part of the Special Event Application.

It is anticipated that the event will have significant flow-on effects to the business community and as such approval is recommended.

Conformance to Community Strategic Plan

The proposal is consistent with the Supporting Business and Local Jobs Directions statement;

- Help create thriving town centres, each with its own character that attract residents, visitors and business.

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

- Develop economic strategy that promotes local industry in a regional context.

Financial Implications

Income will be generated through user charges for the use of the Thompson Square Reserve and Windsor Mall

RECOMMENDATION:

That:

1. Approval be granted to Sydney Blues and Roots Festival for "Exclusive Use" of Thompson Square and Windsor Mall as identified in their application for 28, 29 and 30 October 2011.
2. The approval be subject to the following conditions/documents:
 - a) Council's general park conditions.
 - b) Council's Fees and Charges.
 - c) The Windsor Foreshore Plan of Management.
 - d) Approval of a Traffic Management Plan as part of the Special Event Application.
 - e) Approvals from the NSW Heritage Office
3. The Alcohol Free Zone within Windsor Mall, George Street, Windsor in the area indicated in Attachment 1 to this report as "AFZ area" be suspended between Fitzgerald Street and Kable Street, Windsor, subject to the approval of the Hawkesbury Local Area Command (Police) for the purpose of holding the Sydney Blues Festival – Windsor 2011 during the following dates and times:

Friday, 28 October 2011 - 7:00pm to 1:30am
Saturday, 29 October 2011 - 1:00pm to 1.30am
Sunday, 30 October 2011 - 1:00pm to 10.30pm
4. The Restricted Area Zone within Thompson Square Park in the area indicated in Attachment 1 to this report as "RAZ area Thompson Square Park" be suspended subject to the approval of the

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Hawkesbury Local Area Command (Police) for the purpose of holding the Sydney Blues Festival – Windsor 2010 during the following dates and times:

Friday, 28 October 2011 - 7:00pm to 1:30am
Saturday, 29 October 2011 - 1:00pm to 1.30am
Sunday, 30 October 2011 - 1:00pm to 10.30pm

5. The suspension of the AFZ and RAZ as outlined in Parts 3 and 4 above, be subject to the following:
 - a. The licensed premises adjoining the suspended zones monitor Responsible Service of Alcohol within those areas.
 - b. The licensed premises ensure that only plastic glasses are used within those areas.
 - c. Those areas being barricaded off and relevant security be in place by the licensed premises to prevent clients entering or exiting those areas with alcoholic beverages.
 - d. The licensed premises adhere to any other requirements of the NSW Police Service and relevant authorities in relation to the service of alcohol within those areas.
6. The period of suspension of the Alcohol Free Zone within Windsor Mall between Fitzgerald Street and Kable Street, Windsor be advertised.
7. Any Alcohol Free Zone and Restricted Area Zone signage within the affected areas are to be covered by the event organiser during the period of the suspension.
8. The event organiser and the NSW Police Service be advised of Council's decision and relevant consultation continue until the conclusion of the event.

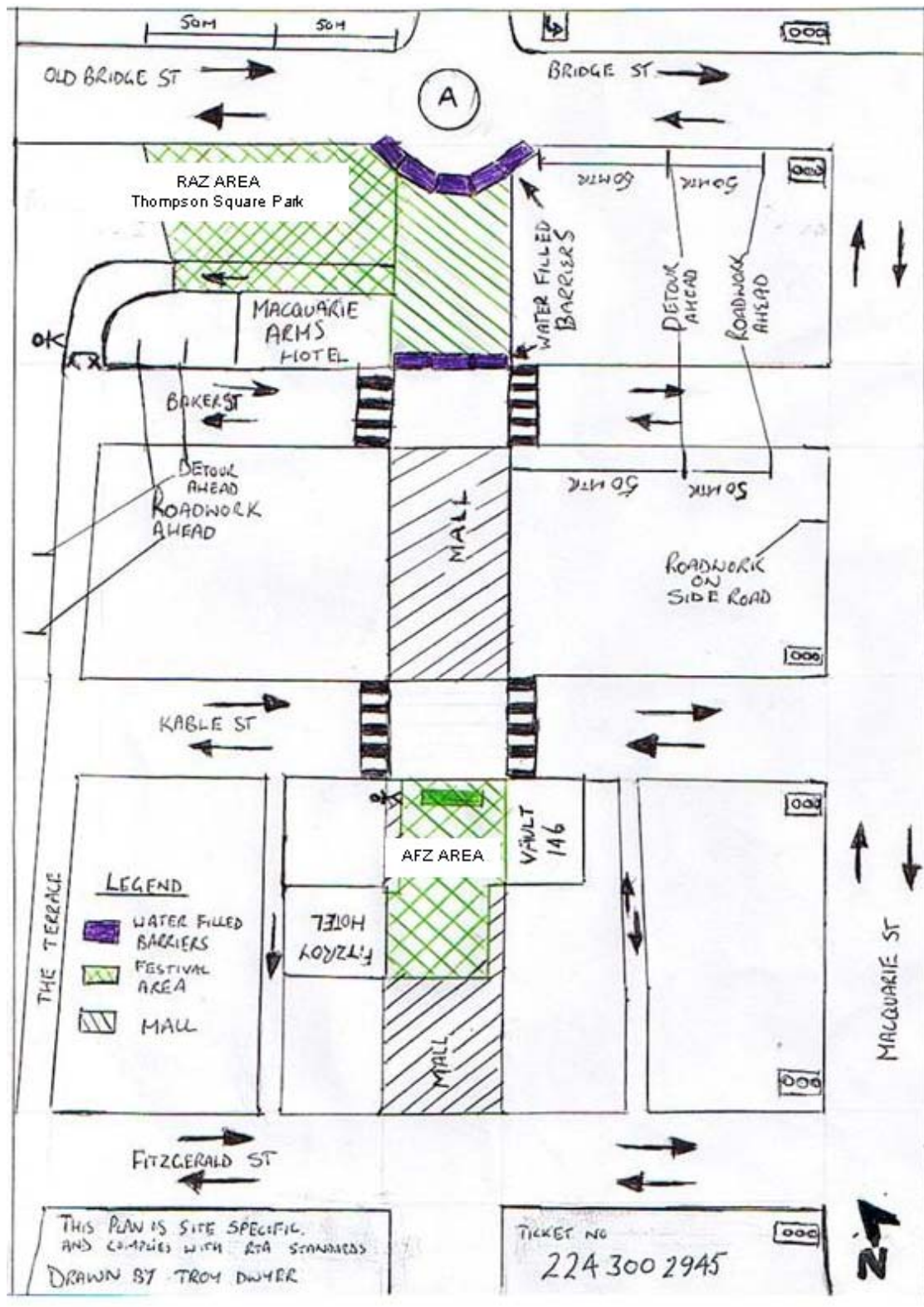
ATTACHMENTS:

AT - 1 Proposed Alcohol Free Zone (AFZ) and Restricted Alcohol Zone (RAZ) – Sydney Blues Festival

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AT - 1 Proposed Alcohol Free Zone (AFZ) and Restricted Alcohol Zone (RAZ) – Sydney Blues Festival



oooO END OF REPORT Oooo

Item: 151 IS - Windsor Town Centre Traffic Study 2011- (95495)

REPORT:**Executive Summary**

Council has resolved to undertake a review of the Windsor Masterplan. As the Masterplan makes reference to a number of traffic matters and there have been changes around the commercial area, the first step of the review was to carry out a current traffic study.

By undertaking the comprehensive traffic study other matters affecting the movement of traffic in and around Windsor could also be considered such as;

- Suffolk Street, which changed to one way from George Street towards Macquarie Street.
- Windsor Marketplace Shopping Centre upgrade fronting Kable Street.
- Windsor Station upgrade – new car park access from Cox Street.

The Windsor Town Centre Traffic Study was undertaken by to Christopher Hallam & Associates Pty Ltd, with comments/recommendations outlined in this report which include:

- Suffolk Street one way movement not having an adverse affect,
- Option to close Moses Street at The Terrace to through traffic,
- RTA be requested to improve traffic signals timings at Macquarie Street and Bridge Street and George Street and Hawkesbury Valley Way.
- Turning restriction for vehicles at George Street and Johnston Street.
- On street parking bays not be marked.
- Loading zones in the George Street Mall at the Baker Street and Fitzgerald Street ends.

Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy. Accordingly, no direct consultation has been undertaken with the public in regards to the Study being undertaken however, dependent on Council's resolution on recommended matters, further public consultation may be required.

Background

Windsor is a historic town with a road network that has limitations in relation to road width and capacity within the Town Centre. These limitations relate to restrictions to road widening due to the historic significance of the town as well as existing development.

Due to the restricted widths of streets within the Windsor Town Centre, there have been recent changes to the traffic flow in Windsor to cater for bus services in and around the Windsor Town Centre. As a result, Suffolk Street changed to one-way traffic flow on 20 September 2010.

The changes to traffic flow in Suffolk Street to one way from George Street towards Macquarie Street ensured that buses remained in George Street utilising the following route:

- George Street from the Railway Station heading towards the Town Centre, turn right into Suffolk Street, left into Macquarie Street, left into Fitzgerald Street, right into The Terrace, right into Kable Street, right into Macquarie Street, right into Hawkesbury Valley Way, left into George Street and proceed to the station.

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Other significant changes in and around the Windsor Town Centre have been:

- The completion of the Windsor Flood Evacuation Route (Hawkesbury Valley Way)
- The development of the Riverview Shopping Centre fronting George Street, with access to the carpark off New and Johnston Streets.
- Windsor Marketplace Shopping Centre upgrade fronting Kable Street.
- Windsor Station upgrade including new car park access from Cox Street.

In addition, Council resolved to undertake a review of the Windsor Masterplan which had also identified some issues with traffic. As such it was necessary to undertake a current traffic study of Windsor Town Centre as the first part of the review.

Parameters for the Windsor Traffic Study:

The brief covered the engagement of a Traffic Engineering consultant to carry out a comprehensive Traffic Study for the Windsor Town Centre/Business precinct. The extent of the Windsor Town Centre/Business precinct is defined in Attachment 1.

Parameters of the Study focused on;

- Road network
- Traffic flow
- Intersection operation
- Traffic Safety and Operation
- Accessibility
- On-road parking

Traffic Issues investigated included:

- General traffic circulation in and around the Windsor Town Centre/business precinct. Taking into account the recent changes to bus routes and the change in traffic flow in Suffolk Street to one-way.
- The following intersections (as a minimum) were evaluated in order to assess the recent developments and changes to traffic conditions in and around the Windsor Town Centre;
 1. Bridge Street & Macquarie Street
 2. Bridge Street & George Street
 3. Bridge Street & Court Street
 4. George Street & Suffolk Street
 5. George Street & New Street
 6. George Street & Fitzgerald Street
 7. George Street & Johnston Street
 8. George Street & Hawkesbury Valley Way
 9. Macquarie Street & Fitzgerald Street
 10. Macquarie Street & Kable/Ross Streets
 11. Macquarie Street & Suffolk Street
 12. Macquarie Street & Hawkesbury Valley Way
 13. Hawkesbury Valley Way & Moses/Cox Streets
 14. The Terrace & Kable Street
 15. The Terrace & Fitzgerald Street
 16. The Terrace & New Street
 17. The Terrace & Johnston Street
- Roads considered (as a minimum) in relation to traffic circulation included; The Terrace, George Street, Macquarie Street, Thompson Square, Bridge Street, Baker Street, Fitzgerald Street, Kable Street, New Street, Suffolk Street, Johnston Street and Union Lane.

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- Traffic circulation considered in line with on-street parking and the possible retention or removal of on-street parking or alternatively changing roads to one-way. This included issues raised by the Windsor Business Group Incorporated relating to on-street parking limits.
- The 'rat-run' during PM traffic along Macquarie Street at Bridge Street for vehicles travelling towards Windsor Bridge. The notable rat-run results in the Macquarie Street traffic (which should be turning left at Bridge street) turning right into Bridge Street, left into Court Street, left into Arndell Street, left into George Street and right at the roundabout at Bridge Street
- The 'rat-run' during PM traffic along George Street, west of Hawkesbury Valley Way for vehicles wishing to bypass congestion in Macquarie Street.
- The 'rat-run' through Moses Street, The Terrace, Baker Street and George Street to Bridge Street in the afternoon peak, to bypass the Macquarie Street congestion.
- Intersection of Moses Street, Cox Street and Hawkesbury Valley Way, including intersection improvements and/or turning movement restrictions.
- Traffic light phasing (duration) at the intersection of George Street and Hawkesbury Valley Way. In particular the right turn phase time for the right hand turn for George Street into Hawkesbury Valley Way heading to Richmond.
- Provision of a right hand turn phase at the intersection of George Street at Hawkesbury Valley Way for traffic in George Street turning right heading towards Macquarie Street.
- Retention of the Windsor Mall area, or whether this should be opened to traffic. Consideration to be made in line with the outcomes determined within the existing Windsor Master Plan.
- The provision of suitably located loading zones and effects on on-street parking.
- On-street parking bay delineation.
- Turning movements for trucks at the intersection of George Street and Johnston Street.
- Requirements of the Hawkesbury Mobility Plan.

The Study cross referenced the following documents:

- Traffic Impact Assessment of Proposed change to Windsor Town Centre Road Network – Job 3001 - Christopher Hallam & Associates Pty Ltd (dated March 2010).
- Traffic Report for Proposed changes to Public Car Park, Windsor – Ref 4251/3 - Pirasta Pty Ltd – Colston Budd Hunt & Kafes Pty Ltd (dated May 2002).
- Hawkesbury Mobility Plan 2010 – Bike Plan and Pedestrian Access and Mobility Plan (P.A.M.P) Adopted 11 May 2010.

The Windsor Town Centre Traffic Study:

The Windsor Town Centre Traffic Study was commissioned to Christopher Hallam & Associates Pty Ltd who recently completed the Traffic Study relating to Suffolk Street - *"Traffic Impact Assessment of Proposed change to Windsor Town Centre Road Network"*.

Findings from the Windsor Town Centre Traffic Study are outlined below:

Traffic Circulation and One-way Street:

Generally the streets within the Windsor Town Centre are a mix of residential and commercial streets. Bridge Street, Macquarie Street and Hawkesbury Valley Way carry traffic flows relative to their function as arterial roads. The other streets within the study area were of lesser function or Collector or Local Streets.

Moses Street and The Terrace are being used as part of the town centre traffic circulation. Drivers entering Windsor from the intersection of Windsor Road and Bridge Street use streets other than Macquarie Street to pass through the town. George Street and The Terrace are used for this function.

The recent changes to traffic flow in Suffolk Street has not resulted in any adverse or unacceptable traffic impacts. Due to no traffic movements out of Suffolk Street at George Street, the intersection has a very satisfactory level of service. Traffic diverted from entering Suffolk Street from Macquarie Street has been in part transferred to Fitzgerald Street with acceptable results.

Other than the proposed alterations to traffic flow at the intersection of Moses Street, The Terrace and Tebbutt Street, no changes are proposed in the Study. The following comments are made in the Study:

- *“...changes of streets from two-way to one-way has been considered. The One-way change to Suffolk Street was necessitated by the need to alter bus routes. One-way roads can provide additional clearances for traffic movement, and can reduce traffic in sensitive streets, such as with the option recommended at The Terrace/Moses Street/Tebbutt Street. However they can have significant adverse impacts on the accessibility of properties. Apart from at The Terrace, no one-way road changes are recommended.”*

Access to/from Hawkesbury Valley Way (HVW)

Access to Hawkesbury Valley Way at its intersection with Macquarie Street, George Street and Moses/Cox Street was investigated with the following findings:

- *“At the George Street/Hawkesbury Valley Way junction, the signal phasing and timing offers the best options. Relative signal phase timing might improve the situation but at the potential expense of through traffic delays. While the phase timing of the right-turn out of George Street (East) might be short, at least there is an option of extra turns made through traffic gaps, in the main George Street phase. However, our observations of current peak period conditions is that there is insufficient Green time for the right turn out of George Street East, allowing about four vehicles to make the turn, followed by a fifth vehicle turning during the intergreen.”*
- *“The only physical option to increase the capacity of the right turn from Windsor streets to join Hawkesbury Valley Way that has been identified is to install traffic signals at the Hawkesbury Valley Way/Moses Street/Cox Street junction, or possibly to provide “seagull” channelization at this junction, to allow drivers making a right turn out of Moses Street to first take a gap in south-east bound traffic, to move into the median island, and then to select a gap in the northbound traffic flow. This would also require the through and right-turn movements out of Cox Street be prohibited. The main problem with this channelization is the restricted width of Hawkesbury Valley way at this location. A design to normal standards would be difficult to achieve. Any improvement to the capacity of the right turn out of Moses Street would of course attract traffic onto this route.*

The installation of traffic signals would provide the required capacity, but would have three issues

1. *Signals at this location would add to delays to through traffic along Hawkesbury Valley Way.*
 2. *Signals at this location would attract traffic onto Moses Street and The Terrace, using side streets such as Tebbutt Street, Catherine Street and New Street.*
 3. *The works would need to be funded.”*
- *“....there are concerns with the volume of traffic using The Terrace. In theory, restrictions at the Hawkesbury Valley Way/Moses Street/Cox Street intersection might reduce the total traffic using The Terrace. However, restrictions at this intersection could have adverse impacts on George Street and HVW accessibility, and result in undesirable traffic diversions. For example, a ban on the*

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left turn from HVW North into Moses Street would force about 100 veh/hr additional traffic to make the left turn from HVW into George Street, which might require additional Green time for HVW, at the expense of George Street traffic. The impact would not be as substantial as banning the right turn, adding more pressure on the right turn into George Street, again with signal timing implications."

- *"While the current situation is not entirely satisfactory, new intersection works are not recommended."*

Access to Bridge Street

Access to Windsor Bridge for traffic entering from Macquarie Street has been an ongoing problem during the PM peak. The traffic queue in Macquarie Street turning left at Bridge Street has been noted to extend as far back as Fitzgerald and Suffolk Streets. This has inadvertently lead to a 'rat-run' being developed whereby traffic wishing to access Windsor Bridge has been using Court Street as part of a bypass route (Court Street, Arndell Street and George Street). The following comments are made in the Study:

- *"As with any traffic situation, flows can vary from day to day, so that delays and queue lengths measured on one day might be different to those measured on other days."*
- *"Observations made on a different day to the survey day found an afternoon peak hour situation where the queue of vehicles waiting to turn left from Macquarie Street into Bridge Street was substantially longer than modelled, being almost as far as Fitzgerald Street, while the right turn queue was substantially shorter. A driver was followed making a right turn from Macquarie Street into Bridge Street, and then a left turn into Court Street, left turn into Arndell Street, left into George Street and then right at the roundabout into Bridge Street. While the George Street/Bridge Street roundabout appears to have adequate capacity, it is possible that some friction approaching this roundabout from Bridge Street South is affecting the throughput of left-turning vehicles from Macquarie Street. Drivers making the anti-clockwise "rat-run" via Court Street then reach the roundabout and have priority over those travelling northbound on Bridge Street. Our observations of this "rat-run" were confirmed by similar observations by Council staff."*
- *"The new Windsor Bridge might affect traffic circulation into and out of the Peninsula, depending on the bridge location and form of intersection control at George Street/Bridge Street."*
- *"While no changes to the road network in the eastern part of Windsor are recommended, with the observations we have made, and also made by Council staff, there is a problem with delays to the left turn from Macquarie Street into Bridge Street causing drivers to take alternative routes. We do not recommend any change to the signal phasing at Macquarie Street/Bridge Street. We recommend that the RTA monitor the situation in peak periods and assess if more Green time to the two phases for the Macquarie Street left-turns flow would clear the substantial queue of left-turning traffic., changes resulting from a new Windsor Bridge might alter the situation for this left turn movement, if signals are installed at George Street/Bridge Street."*

Windsor Bridge

The option for Windsor Bridge will have a bearing on how the intersection of George Street and Bridge Street is treated. This treatment will have a flow on effect to traffic movement through George Street and in particular Macquarie Street (as outlined above). The preferred option for the new Windsor Bridge has not been determined or adopted at this stage. The following comments are made in the Study:

- *"...the existing roundabout at the junction of George Street and Bridge Street functions in a satisfactory manner. There have been few accidents at this roundabout."*
- *"One bridge option includes controls at this junction, restricting movements from George Street into Bridge Street to Left-turn IN and Left-turn OUT. In intersection capacity terms, this would improve the through movement of traffic along Bridge Street, reducing side friction due to the George Street traffic. This would favour the main road traffic."*

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- *However the disadvantage of such an arrangement would be that the accessibility of the residential area east of Bridge Street would be reduced. This would also affect access to the motels in this area. Court Street would need to be used for some access movements.*
- *“...there is an existing concern with the capacity of the road network for drivers making a left turn from Macquarie Street into Bridge Street and thence across Windsor Bridge, where alternative routes via Court Street and Arndell Street have been observed. If traffic signals were installed at George Street/Bridge Street, and the right turn from George Street East was banned, this alternative route would be blocked. It might place pressure on the left turn out of George Street West, with drivers seeking an alternative route via Baker Street-George Street. As with any significant change to the road network, where turning movements at key intersections are prohibited, there will need to be studies undertaken of the traffic implications of any such restrictions.”*
- *“The choice of the Windsor Bridge option will need to take into account access to and from the Windsor Peninsula, and road linkages and intersection options developed to ensure that satisfactory accessibility is maintained.”*

Riverview Shopping Centre Traffic Review

One of the triggers for the Windsor Town Centre Traffic Study is due to the development of the Riverview Shopping Centre. The findings from the Study indicate that whilst the Shopping Centre has resulted in increased traffic to the precinct, this is not causing an adverse affect to the road network. The following comments are made in the Study:

- *“The construction of the Riverview Shopping Centre has increased the attraction – and hence traffic movements – of Windsor. This has resulted in additional traffic on The Terrace and at its junctions with New Street and Johnston Street, and on George Street and its junctions with New Street and Johnston Street, and with Fitzgerald Street.”*
- *“In road network capacity terms, the addition of Riverview Shopping Centre traffic to the road network of Windsor has not resulted in adverse traffic issues or unsatisfactory road network capacity.”*
- *“... the only traffic concern with the operation of the Riverview Shopping Centre is trucks travelling to the Johnston Street loading dock from George Street are causing some problems with trucks hitting the awning of the adjacent hotel.”*

Windsor Mall

The retention of the Windsor Mall area or whether it should be opened to traffic has been a point of discussion. The functionality of the Winsor Mall was assessed in line with the general circulation of traffic in and around the Windsor Town Centre. The following comments are made in the Study:

- *“In road network capacity terms, there is no need to open up George Street in the blocks currently closed for the Mall. Traffic circulation around these closed sections is very satisfactory, with minimal delay levels. At the Fitzgerald Street end, the Kable Street central section and the Baker Street end, the main conflicts are between pedestrians and vehicles. This is arguably better than vehicle/vehicle conflicts in the context of low speed intersection treatments and a preference for pedestrian priority.”*
- *“The Mall of course deletes the option of kerbside parking. However it does gain the use of this kerbspace for outdoor seating and pedestrian circulation space.”*
- *“Options to provide loading zones at the eastern and western ends are discussedwith loading zones parallel to Baker and Fitzgerald Streets. Such zones would have a benefit in restricting any through traffic movement, while allowing service vehicles to enter each section of the Mall via Kable Street.”*

The Terrace

The traffic movements along The Terrace were found to be higher than what would be desired for a residential collector street with residential frontages, with the observed speeds being below the posted speed limit of 50kph. The Terrace can be categorised into to 2 sectors; Residential for Moses Street to New Street and Commercial for New Street to Thompson Square. An option for the intersection of Moses Street and The Terrace is contained within Attachment 2. The following comments are made in the Study:

- *“The Moses Street-The Terrace route not only functions as an access street to adjoining residential, sporting and heritage land uses. It also functions as a minor ring-road along the northern side of Windsor town centre, particularly past those sections of the Windsor Mall.”*
- *“...the section of The Terrace west of New Street is carrying traffic flows in excess of the maximum for a Local Residential Street. The section of The Terrace between Moses and New Streets has been heavily traffic managed, to reduce traffic speeds, but high traffic flows still occur. The level of traffic remains a concern. In order to reduce traffic flows in this section of The Terrace, an option that is recommended for further investigation is the partial closure of The Terrace at its junction with Moses Street, to restrict movement to only left-turn out of The Terrace, with a sub-option being to allow all westbound movement but prohibit eastbound movement from both Moses Street and Tebbutt Street.”*
- *(Refer to Attachment 2) “presents a schematic layout of the option, with The Terrace traffic restricted to left turn into Tebbutt Street only. This option would clearly reduce traffic in The Terrace between Moses Street and New Street. Since it would have significant accessibility implications, further traffic studies and public consultation would be required.”*
- *“Traffic counts would be required at the junctions of Moses Street/The Terrace/Tebbutt Street, Tebbutt Street/George Street, and possibly George Street/Catherine Street. The implications of traffic diversions on roads mid-block and at intersections would need to be analysed, and the results of the study published for community feedback. We recommend that this option be taken, with a final decision on the controls at the Moss Street/Tebbutt Street/The Terrace intersection made by Council made after consultation has occurred.”*

Hawkesbury Mobility Plan

The Hawkesbury Mobility Plan was examined in relation to its requirements and its possible affect and impact on the movement of traffic in and around the Windsor Town Centre. The Study found that there were no constraints on road capacity as a result of the outcomes listed in the Mobility Plan. This was in relation to treatments such as off-road paths, bicycle lanterns at traffic signals etc.

Kerbside Parking: On-Street Parking Time Limits

Kerbside parking and time limits were investigated. Recent representations were received from the Windsor Business Group Inc. requesting that a review of parking time limits be undertaken in the Windsor business district to provide more accessible on-street parking for shop owners. The Windsor Business Group considered that *“the parking restrictions in Windsor are creating a deterrent effect on people wishing to shop or spend time in the area, not to mention the shop owners and staff who have to constantly close up their businesses to go and move their vehicles. The Windsor Business Group would like to request that Council give consideration to changing the times allocated on current signage, eg. 1 hour parking becomes 2 hour, 2 hour parking becomes 3, and 3 hour parking becomes 4, obviously leaving some short stay parking along George Street....”*. The comments from the Windsor Business Group were considered as part of the Study.

The Study recommends that the general parking layout and existing parking restrictions remain. The following comments are made in the Study:

- *“Most of the on-street kerbside parking within the town centre is subject to a one-hour time limit. The public off-street parking areas such as at the junctions of The Terrace with Kable Street and at*

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Kable Street/Macquarie Street are subject to two-hour time restrictions. The Riverview Shopping Centre parking area has a two-hour time limit signposted. There are pockets of unrestricted parking further from the centre."

- *"For major shopping trips, two hours is generally adequate for most people. Also, for professional visits and visits to restaurants, two hours is generally adequate. For some of the latter visits, a one-hour limit often is satisfactory."*
- *"The most convenient parking – on-street – should be kept available for customers rather than staff of businesses and shops. While it may be inconvenient for shop keepers to have to move their cars during the day, it would be less satisfactory if their customers could not find convenient parking."*
- *"....consider that kerbside parking along George Street between Catherine Street and Fitzgerald Street should remain at one-hour limits, or as otherwise currently signposted."*
- *"....recommend that the existing one-hour parking on Fitzgerald, Baker and Kable Streets also be retained."*
- *"....the priority for Council is to ensure that convenient public parking is available for shoppers, visitors and customers of local businesses."*

Kerbside Parking: On-street Parking Bay Delineation

The provision of on-street parking bay delineation was considered in the Study. The recommendation is that individual delineation of parallel parking spaces not be undertaken. The following comments are made in the Study:

- *"In a street such as George Street, with a total carriageway width of approximately 10.0m, under the relevant Australian Standard, a mid-block parallel parking space would take up 6.6m of kerb length. Many cars will park in less length. While in angle parking situations, marked parking bays are appropriate, with parallel kerbside parking, marked bays tend to reduce the number of cars that can be parked. While marked bays might assist individual drivers manoeuvre into and out of spaces, when the main objective is to maximize the number of parking spaces, the individual delineation of parallel parking spaces is not recommended."*

On-Street Loading Bays

The provision of suitably located Loading Zones and its effect on on-street parking was examined. The Study found that in Principal individual businesses should have individual on-site loading facilities. However it is noted that in a town centre such as Windsor, these businesses do not have either on-site loading facilities or on-site parking facilities.

An option for Loading Bays is proposed at the Kable Street and Fitzgerald Street ends of the Mall, as contained within Attachment 3. The following comments are made in the Study:

- *"two opportunities to improve loading areas at the ends of the Mall, with no loss of on-street parking."*
- *(Refer to Attachment 3) "schematic layouts of proposed new loading zones at the Kable Street and at the Fitzgerald Street ends of the Mall. These loading zones would permit small to medium size delivery trucks to stop and unload, stopped parallel to these streets, within the designated Mall areas. At the western end, trucks would approach via Fitzgerald Street North and pull into the zone, leaving in a forwards direction to Fitzgerald Street South. At the eastern end, trucks would approach via Baker Street South, pull into the zone, leaving in a forwards direction to Baker Street North. Bollards and posts would need to be reorganized, while pedestrian movement past these zones would still be provided for. The location of these zones and the repositioned bollards would mean that vehicles would not be able to enter the Mall at these locations.. This could still occur from*

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Kable Street, into either end of the Mall. These new loading zones would be available for any legitimate unloading/loading activity and their use would not be restricted to businesses on the Mall."

Intersection of George Street and Johnston Street

Representations have been received from the Management of the Royal Exchange Hotel, advising that large trucks turning left from George Street into Johnston Street have hit their awning. The Royal Exchange Hotel situated at 203 George Street and located on the north-west corner of George Street and Johnston Street, is a listed heritage item under Council's Local Environmental Plan.

These incidents have only occurred as a result of the Riverview Shopping Centre operating. These trucks are generally travelling to the Loading Dock of the Riverview Shopping Centre. Trucks turning right from George Street into Johnston Street have a larger swept path which is evident in how the delivery truck for the Hotel can access Johnston Street.

The carriageway width of Johnston Street at George Street is 5.2 metres, with George Street being 9.9 metres wide at this point. The largest size vehicle which can, with some limitations, use Johnston Street is a Medium Rigid Vehicle of 8.8 metre. As a result of swept path plots for this intersection, the following results were found:

- Left turn from George Street, starting within centreline of George Street: Vehicle overhangs kerb on eastern side of Johnston Street.
- Left turn from George Street, starting on southern side of George Street: Truck can complete manoeuvre within kerbs.
- Right turn from George Street from southern (correct) side of George Street: Truck can complete manoeuvre within kerbs.
- a 12.5m long Heavy Rigid Vehicle will impact on one or other of the Johnston Street kerbs with any left or right-turn manoeuvre.

The recommendation from the Study is to impose a "No Left Turn" ban for vehicles over 8.0 metres turning from George Street into Johnston Street. The following comments are made in the Study"

- *"Some service vehicle access is required to service the hotel, so provision needs to be made for such vehicles. With on-street parking in the town centre in high demand, options that require the loss of parking are not favoured."*
- *"The treatment options, not including changes to the hotel awning, are:*
 1. *Impose "No Left Turn, Vehicles Over 8m" at the corner.*
 2. *Extend the north-west kerb into the intersection, to tighten up the throat of the intersection and force left-turning vehicles to move closer to the eastern kerb of Johnston Street."*
- *"Option 1 would deal directly with the issue. The disadvantage is that it would require some procedures to be followed, to show that the restriction would not adversely affect other locations. In terms of peak hour traffic flows, the left turn from George Street into Johnston Street is a low volume movement, with 1 veh/hr in the AM peak and 11 veh/hr in the PM peak."*
- *"The very small number of vehicles affected would have to make an alternative left turn at Fitzgerald Street, and hence go around a small block to access the Riverview Centre loading dock."*
- *"It is assumed that truck drivers servicing the Royal Exchange Hotel know the situation, and know that they need to make a right turn from George Street, instead of a left turn."*
- *"Option 2 would theoretically address the problem, but would force trucks towards the eastern kerb of Johnston Street. Even if starting from a position on the southern – "wrong" – side of George*

Street, the swept path plot shows that they would then overhang the eastern kerb. This might resolve one issue but create another.”

- *“If the alteration to the hotel awning is not an acceptable option, then the best Option is Option 1.”*

The Windsor Town Centre Traffic Study Conclusions and Recommendations:

The following Conclusions and Recommendations are made in the Study:

1. *With the wide ranging nature of this study, it is difficult to set out concise conclusions on all issues. Reference should be made to individual sections to specific conclusions. The following concluding comments cover the thrust of these conclusions.*
2. *Current peak period traffic conditions see reasonable delay levels, with the road network generally having adequate capacity. The main exception is along Hawkesbury Valley Way, where more substantial delays are experienced at the Macquarie Street and George Street intersections.*
3. *A major concern is the level of delay to drivers making right turns onto Hawkesbury Valley Way from the Windsor town centre. Traffic signal timing is not optimum for these movements. We recommend that this study and the traffic surveys that have been undertaken be presented to the RTA with a request to review traffic signal timings at these Hawkesbury Valley Way junctions, in particular at the George Street junction.*
4. *At the Bridge Street intersections, moderate delay levels are experienced to the intersection overall, but the traffic turning left from Macquarie Street into Bridge Street is facing long delays in practice, leading to alternative “rat-run” routes being used by some drivers. We recommend that the RTA be requested to review signal timing at the Bridge Street/Macquarie Street intersection. Signal phasing changes are not recommended.*
5. *The introduction of the Suffolk Street one-way traffic movement, to facilitate bus movements, has not resulted in adverse traffic impacts.*
6. *The construction of a new Windsor Bridge has the potential to adversely affect the accessibility of the Peninsula, unless appropriate routes are available in the vicinity of George Street. Major access via Court Street is not appropriate. When a decision is made on the design of the new bridge, the treatment of its approaches, and in particular the Bridge Street/George Street junction will need to be considered. Accessibility implications of any changes in movements at this junction will need to be reviewed.*
7. *The Riverview Shopping Centre appears to be operating with satisfactory traffic levels of service on the adjacent roads and intersections. However, some trucks turning left from George Street into Johnston Street are creating a hazard with the awning of the adjacent hotel. It is recommended to impose a “No Left Turn, Vehicles over 8m” restriction at this intersection.*
8. *Windsor Mall does not have serious traffic capacity disadvantages. In traffic terms, there is no reason to consider its removal. An option that is recommended is the provision of loading zones at the Baker Street and Fitzgerald Street ends of the Mall, to be available for all loading users.*
9. *The route of Moses Street-The Terrace performs both a Collector Road function adjacent to the central business district, and a Local Road function west of New Street, with residential frontages. Traffic flows in The Terrace west of New Street are currently excessive for a Local Road. To reduce these flows, we recommend that the intersection of Moses Street/The Terrace/Tebbutt Street be altered, to restrict movements to left turn out of The Terrace only, with all eastbound movements, and the westbound movement from The Terrace to Moses Street also prohibited. This recommendation will require further analysis and public consultation.*
10. *Specific comments are made about on-street parking and loading. The retention of the existing one-hour and two-hour kerbside parking restrictions is recommended, with no changes. The Hawkesbury Mobility Plan has also been taken into account. Apart from the recommendation at The Terrace/Moses Street/Tebbutt Street junction, no changes are recommended to the general road network, with a predominantly two-way circulation system preferred.*

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11. The recommended actions are summarized in the table below

Action	Recommendation	Responsibility
1	Review traffic signal timing at Hawkesbury Valley Way/George Street junction with a view to increasing Green time to George Street approaches	RTA
2	Review traffic signal timing at Macquarie Street/Bridge Street junction with a view to increasing Green time to Macquarie Street traffic, in particular the left turn into Bridge Street	RTA
3	Restrict left-turning traffic at the George Street/Johnston Street junction to "No Left Turn Vehicles Over 8m".	Council
4	Provide new loading zones in the George Street Mall at the Baker Street and Fitzgerald Street ends of the Mall	Council
5	Restrict traffic at the junction of The Terrace/Moses Street/Tebbutt Street to left turn out of The Terrace only.	Council

Conformance to Community Strategic Plan

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

- Plan for, maintain and renew our physical infrastructure and community services, facilities and communication connections for the benefit of residents, visitors and businesses.

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

- Facilitate the integration of a transport network

Financial Implications

There are no financial implications arising from this report. The report proposes the investigation of a number of measures which would require the allocation of resources.

RECOMMENDATION:

That:

1. The Windsor Town Centre Traffic Study prepared by Christopher Hallam & Associates Pty Ltd dated July 2011 be received, and the recommendations contained therein be adopted.
2. The RTA be requested to review the traffic signal timing at the intersection of Hawkesbury Valley Way (HVW) and George Street, Windsor, with a view to increasing Green time to the George Street approaches and in particular the right turn Green time of George Street (East) into HVW (North).
3. The RTA be requested to review the traffic signal timing at the intersection of Macquarie Street at Bridge Street, Windsor, with a view to increasing the Green time to the Macquarie Street traffic turning left into Bridge Street.
4. The left turn restriction for vehicles over 8.0 metres from George Street into Johnston Street, Windsor be investigated to achieve the change.
5. The option to provide new loading zones in the George Street Mall at the Baker Street and Fitzgerald Street ends be investigated to achieve the change.
6. The restriction of traffic at the intersection of The Terrace, Moses Street and Tebbutt Street to left turn out of The Terrace be investigated to achieve the change.

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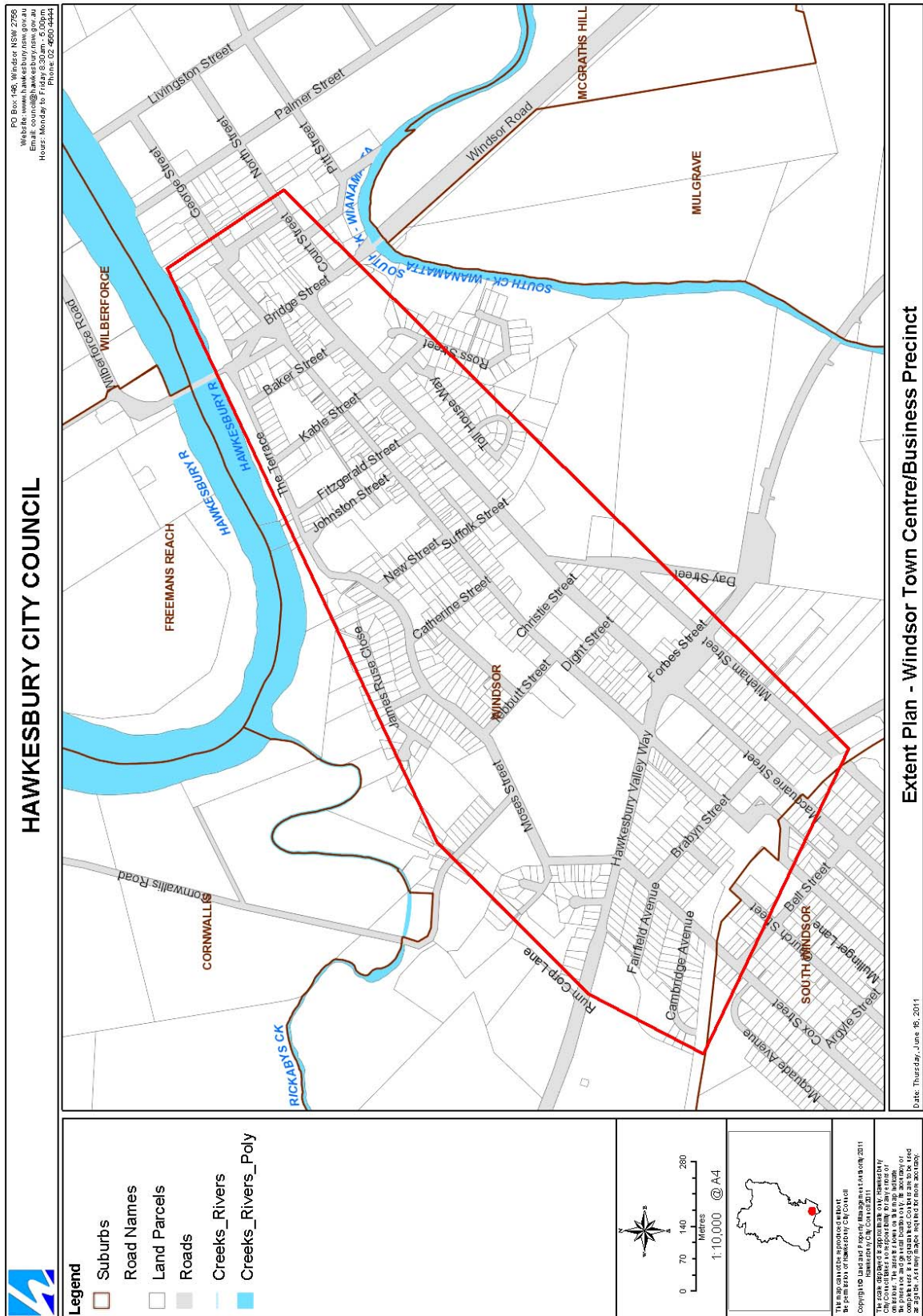
ATTACHMENTS:

- AT - 1** Extent Plan: Windsor Town Centre/Business Precinct
- AT - 2** Schematic Layout of The Terrace, Moses Street & Tebbutt Street.
- AT - 3** Proposed Loading Zones in George Street Mall.
- AT - 4** Windsor Town Centre Traffic Study prepared by Christopher Hallam & Associates Pty Ltd dated July 2011 – *(Distributed Under Separate Cover)*

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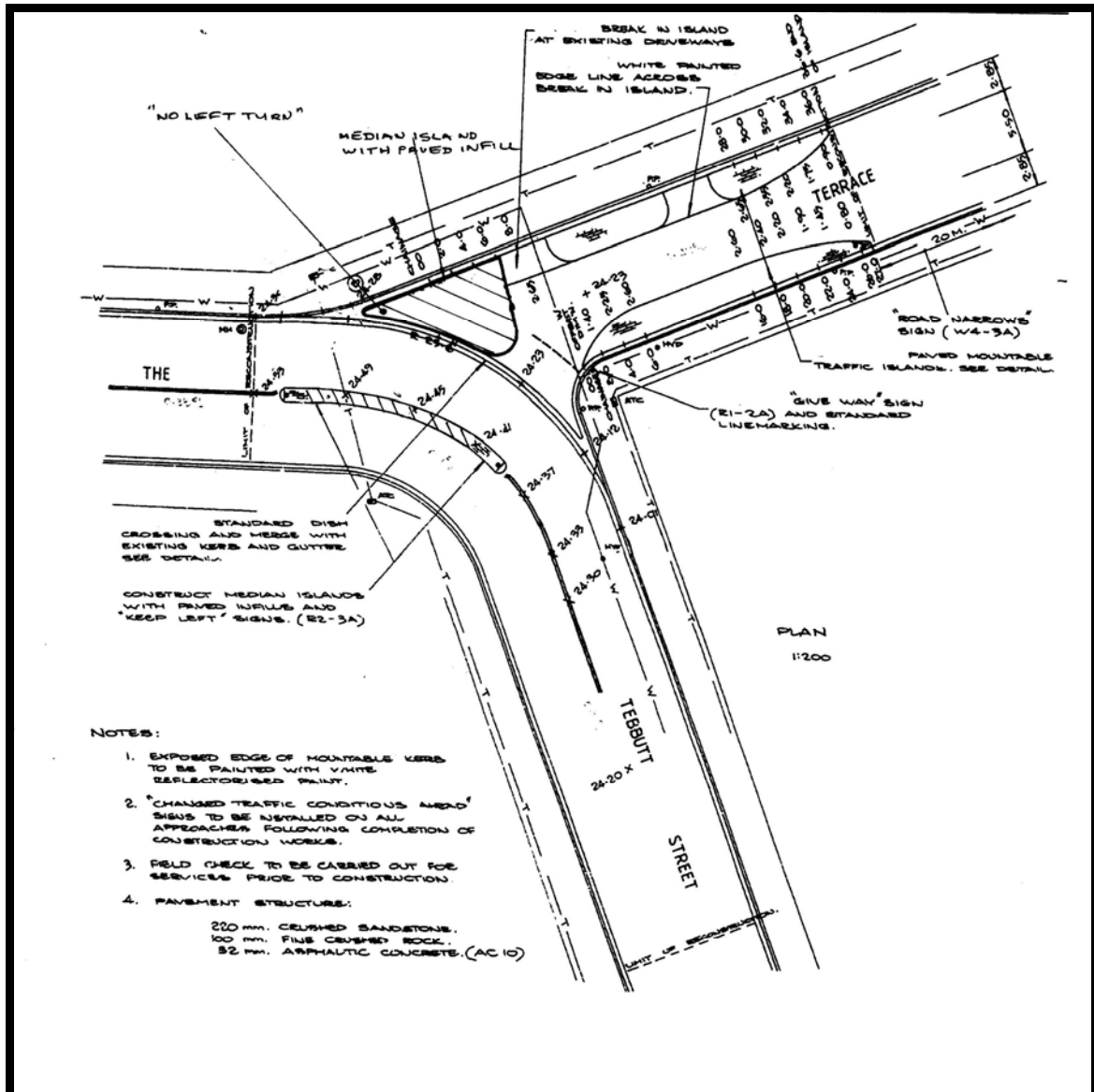
AT - 1 Extent Plan: Windsor Town Centre/Business Precinct



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AT - 2 Schematic Layout of The Terrace, Moses Street & Tebbutt Street.



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AT - 3 Proposed Loading Zones in George Street Mall.



oooO END OF REPORT Oooo

SUPPORT SERVICES

Item: 152 SS - Pecuniary Interest Returns - (96333, 95496)

REPORT:

Executive Summary

The Local Government Act, 1993 details the statutory requirements in respect of the lodgement of Disclosure of Pecuniary Interests and Other Matters Returns by Councillors and Designated Persons. This Report provides information regarding two Returns recently lodged with the General Manager by two Designated Persons. It is recommended that Council note that the Disclosure of Pecuniary Interests and Other Matters Returns lodged with the General Manager have been tabled in accordance with the Local Government Act 1993.

Consultation

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

Background

Section 450A of the Local Government Act, 1993 relates to the register of Pecuniary Interest Returns and the tabling of these Returns, which have been lodged by Councillors and Designated Persons. Section 450A of the Act is as follows:

"450A Register and tabling of returns:

1. *The general manager must keep a register of returns required to be lodged with the general manager under section 449.*
2. *Returns required to be lodged with the general manager under section 449 must be tabled at a meeting of the council, being:*
 - (a) *in the case of a return lodged in accordance with section 449 (1)—the first meeting held after the last day for lodgement under that subsection, or*
 - (b) *in the case of a return lodged in accordance with section 449 (3)—the first meeting held after the last day for lodgement under that subsection, or*
 - (c) *in the case of a return otherwise lodged with the general manager—the first meeting after lodgement."*

With regard to Section 450A(1), a register of all Returns lodged by Councillors and Designated Persons in accordance with Section 449 of the Act is currently kept by Council, as required by this part of the Act.

With regard to Section 450A(2), all Returns lodged by Councillors and Designated Persons under Section 449 of the Act must be tabled at a Council Meeting, as outlined in Sections 450A(2)(a), (b) and (c) above.

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With regard to Section 450A(2)(a), the following Section 449(1) Returns have been lodged:

Position	Return Date	Date Lodged
Internal Auditor	28/3/2011	4/4/2011
Manager Building & Associated Services	28/3/2011	24/6/2011

The Returns have been lodged prior to the due dates for the receipt of the Returns, being three months after the return dates.

The above details are now tabled in accordance with Section 450A(2)(a) of the Act and the Returns are available for inspection if requested.

Conformance to Community Strategic Plan

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

- Have transparent, accountable and respected leadership and an engaged community.

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

- Have ongoing engagement and communication with our community, governments and industries.

Financial Implications

No financial implications applicable to this report.

RECOMMENDATION:

That the information be received and noted.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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CONFIDENTIAL REPORTS

Item: 153 CP - Tender No. 00611 - Asset Management Information System - (95498)
CONFIDENTIAL

Previous Item: 62, Ordinary (29 March 2011)

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.

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Item: 154

**SS - Property Matter - Lease to Michael Windebank and Natalie Mitchell - 325
George Street, Windsor - (112106, 109495, 109494, 84122, 95496) 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.

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Item: 155 **SS - Provision of Legal Services - (95496, 107) CONFIDENTIAL**

Previous Item: 147, Ordinary (8 July 2008)
RM, Ordinary (29 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 details concerning 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

section 5

reports
of committees

ORDINARY MEETING
Reports of Committees

SECTION 5 - Reports of Committees

ROC - Mobility Plan Implementation Committee Minutes - 19 May 2011 - (119668)

The meeting commenced at 4:35pm.

Present:	Councillor Leigh Williams Doug Bathersby John Street	Chair, Councillor Representative Community Representative Community Representative
Apologies:	Councillor Christine Paine Mr Alan Aldrich Mr Chris Cameron Snr Const Brad Phillips	Councillor representative Community representative Community representative Hawkesbury Local Area Command
In Attendance:	Denise Oakes Joseph Litwin Chris Amit	Hawkesbury City Council Hawkesbury City Council Hawkesbury City Council

REPORT:

Councillor Williams welcomed everyone to the meeting and introduced Mr John Street to the meeting as a new community representative on the Committee. Councillor Williams noted that as there was not a quorum present at the meeting, that the meeting could not be formally constituted. It was agreed however that informal discussion of business items would proceed after the meeting was closed and that items within the Business Paper would be deferred and re-reported to the next meeting of the Hawkesbury Mobility Plan Implementation Committee scheduled for August 2011.

ITEMS FOR INFORMAL DISCUSSION:

SECTION 2 - Reports for Determination

Item: 1 Update to Committee on progress of implementing recommendations of Hawkesbury Mobility Plan

DISCUSSION:

- Discussion occurred regarding progress to date on cycleway works. Mr Amit advised the Committee that the shared path/cycleway adjacent to Hawkesbury Valley Way was currently under construction and due to be completed shortly. Committee members acknowledged that the shared path/cycleway was progressing well, and appeared to be completed in record time. Mr Bathersby asked a number of technical questions regarding construction of the path - the path width and what the funding permitted in terms of construction. Mr Amit clarified that the path was 2.5m in width as per RTA guidelines.
- Mr Amit also clarified that in the next RTA funding round, Council will request funds for the next stage of the Windsor to Richmond link to be completed - this will be section A to A1 as per previous plan submitted to the committee and to RTA.(copies available to view by

ORDINARY MEETING

Reports of Committees

members during meeting), the section across no 22 and 32 Windsor St - approximately 230 metres in length. Mr Amit advised that there were some technical factors regarding drainage and liaison with Railcorp to be finalised prior to any construction works being commenced, subject to funding being received.

- Ms Oakes presented a detailed version of the audit conducted to gauge progress on the recommended schedule of works for bicycle works outlined in the Mobility Plan. Works on state roads under the care and control of the RTA were highlighted, and the committee discussed the option of Council writing to the RTA to request their consideration and response to these recommendations.

Mr Amit left the meeting

SECTION 4 - General Business

- **Additional Community Representative**

As a result of an advertisement being placed in the Courier, Mr Street nominated to be a community representative on this committee, and this nomination had been accepted. Mr Street also asked whether there were still vacancies for further community representatives on the committee. Mr Ltiwin advised that up to 8 community representatives were possible - at present there were 4 positions still available. Discussion occurred about inviting another community representative from a local High School to be part of the committee.

Mr Street asked whether the committee would consider inviting a representative from Bicycle New South Wales (BNSW) to attend one of our meetings to outline what support may be available to local council committees and residents. He advised that BNSW is currently meeting with Councils across NSW. Ms Oakes advised that in response to the advertisement placed for additional members, that Windsor Cyclists Inc. had also shown interest but at this stage had not put forward a representative.

- **Bike Week 2011**

Ms Oakes advised that Bike Week will be held Saturday 17th September to Sunday 25th September this year. Windsor Cyclists have advised Council that they have applied for Bike Week funding from the RTA and intend to invite community members to attend their scheduled ride in Bike Week, and asked for Council assistance in promoting the event on the website and other avenues. Ms Oakes advised that Council will be promoting the new section of the cycleway at Ham Common in the coming weeks, and also intends to conduct a small event for Bike Week promoting the shared path/cycleway.

- **Other funding sources**

Mr Street also asked about whether Council applies for other grant funding for bicycle infrastructure such as Metropolitan Greenspace funding. Mr Litwin advised that he is working with other council departments on a potential submission for infrastructure funding to bring forward the completion of all sections of the link between Windsor and Richmond if possible but that these grants are very competitive. Mr Street also asked what processes were available to the committee or to individuals to request that Council allocates an increased portion of funding toward bicycle infrastructure in future years. Mr Litwin advised that individual community members can make a submission to Council on the draft budget /management plan.

NEXT MEETING - to be held at 4.00 pm on Thursday 18 May 2011, at the Tebbutt Room, Deerubbin Centre, George St. WINDSOR.

oooO END OF REPORT Oooo

ORDINARY MEETING
Reports of Committees

ROC - Local Traffic Committee - 15 June 2011 - (80245)

Minutes of the Meeting of the Local Traffic Committee held in the Large Committee Room, Windsor, on Wednesday, 15 June 2011, commencing at 3:00pm.

ATTENDANCE

Present:	Mr C Amit, Manager, Design & Mapping Services (Acting Chairman) Mr J Suprain, Roads and Traffic Authority
Apologies:	Councillor B Bassett, MP, (Londonderry) (Chairman) Mr K Conolly, MP, (Riverstone) Snr Constable B Phillips, NSW Police Service
In Attendance:	Mr C Amit, Manager, Design & Mapping Services Ms D Oakes, Community Safety Coordinator Ms B James, Administrative Officer, Infrastructure Services

SECTION 1 - Minutes

Item 1.1 Confirmation of Minutes

Mr Christopher Amit advised the Committee that the Chair (Mayor Bart Bassett, MP, Londonderry) was unable to attend the meeting and had requested that Mr Amit be the Acting Chair. The Acting Chair position is to be undertaken in accordance with the RTA Guidelines "*Delegation to Councils for the Regulation of Traffic*" Section 5.3 which states that the meeting is to be convened by a Council representative, either voting or non-voting.

The Acting Chair, Mr Amit advised the committee that the following apologies have been received from Mayor B Bassett, MP, Londonderry and Snr Constable B Phillips, NSW Police advising that they concurred with recommendations as contained in the formal minutes and had granted proxy to himself to cast vote(s) on his behalf.

Item 1.2 Business Arising

There was no business arising from the previous meeting.

SECTION 2 - Reports for Determination

Item 2.1 LTC - 15 June 2011 - Item 2.1 - 2011 Kurrajong Scarecrow Festival (Londonderry) - (80245, 101906, 83338)

REPORT:

Introduction

An application has been received from Road & Rail Data on behalf of Kurrajong Scarecrow Festival Incorporated seeking approval to conduct the 15th Annual Kurrajong Scarecrow Festival on Sunday, 23 October 2011.

The event organiser has advised the following:

- The event covers a 1 day period only, between the hours of 6.00am to 6.00pm.
- The event is a regular feature of the local community calendar and has been successfully run without incident for many years.
- This is a local community fund raising event which involves local community organisations and youth groups on different levels.
- The number of Spectators/Participants is expected to be approximately 1000 to 1500.
- The full day festival requires the closure of a section of Old Bells Line of Road within the Kurrajong township.
- The safety of the event will be improved with the removal of through traffic to a 100 metre long section of Old Bells Line of Road, between the Grose Vale Road intersection and the driveway to the Kurrajong Antique Centre,
- The section of Old Bells Line of Road closed to through traffic will provide a level area for stallholders, and the public to walk through, as the local park (Memorial Park) is unsuitable for this purpose due to its varying levels and sloping banks,
- Given that locals and tourists use Old Bells Line of Road to enter and leave the Kurrajong township on the western side of the township, a detour is proposed to direct traffic to alternative entry points,
- The remainder of the town centre is also expected to be involved with bunting and individual shop promotions during the day.
- Application to utilise Memorial Park has been made under separate cover to Council's Parks and Recreation Section.
- Road Closure Details:
 - Date: Sunday, 23 October 2011
 - Time: 6.00am - 6.00pm
 - Road Closure: Old Bells Line of Road, 100m long road section between the Grose Vale Road intersection and the driveway to the Kurrajong Antique Centre (101 Old Bells Line of Road);
 - The diversion route for traffic is:
 - Travelling East - West: Bells Line of Road to the western leg of Old Bells Line of Road, via the eastern leg of Old Bells Line of Road;
 - Turn Right at Kurrajong Road, and then proceed to Old Bells Line of Road (western leg),
 - Turn Left or Right at Old Bells Line of Road (western leg)

ORDINARY MEETING
Reports of Committees

- Travelling West - East: Bells Line of Road to the eastern leg of Old Bells Line of Road, via the western leg of Old Bells Line of Road;
 - Turn Left at Kurrajong Road, and then proceed to Old Bells Line of Road (eastern leg),
 - Turn Left or Right at Old Bells Line of Road (eastern leg),
 - Alternatively Woodburn Road can be utilised.
- Where traffic is coming into the township via the eastern leg of Old Bells Line of Road and wish to turn right at the intersection of Old Bells Line of Road and Grose Vale Road to exit the town (and have missed the detours in place), drivers can make a 'u' turn at the Kurrajong Public School bus bay to return back down the road to utilise the detours set up.
- The regulatory speed limit on Old Bells Line of Road in the vicinity of this event is 50kph with the approaching eastern leg of Old Bells line of Road and Grose Vale Road having a speed limit of 40kph.

Refer to Attachment 1: 2011 Kurrajong Scarecrow Festival / Road Closure, Old Bells Line of Road, Kurrajong: Plan No. TR006/11

Discussion

It would be appropriate to classify the event as a "Class 2" special event under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads & Traffic Authority (RTA) as the event may impact minor traffic and transport systems due to the proposed road closure and there is a low scale disruption to the non-event community.

The Transport Management Plan (TMP) and the associated Traffic Control Plan (TCP) is to be submitted to the RTA for authorisation due to the proposed road closure.

The event organiser has submitted the following items in relation to the event: Attachment 2 (Dataworks Document Nos: 3745050, 3752484 & 3727885):

1. Special Event – Traffic – Initial Approval Application Form - HCC; Details of the Special Event – Traffic,
2. Special Event Transport Management Plan Template – RTA,
3. Draft Transport Management Plan (TMP) - referred to in the application as Draft Traffic Management Plan;
4. Copy of the correspondence to be forwarded to the Residents and Businesses.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr J Suprain, seconded by Mr C Amit.

That:

1. The 2011 Kurrajong Scarecrow Festival event planned for Sunday, 23 October 2011 be classified as a "**Class 2**" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by the RTA.
2. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
3. It is strongly recommended that the event organiser becomes familiar with the contents of the RTA publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package that explains the responsibilities of the event organiser in detail.

4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted (which includes the road closure of Old Bells Line of Road, Kurrajong, as outlined in the body of the report) and the following conditions:

Prior to the event:

- 4a. the event organiser is to obtain approval to conduct the event, from the NSW Police Service; **a copy of the Police Service approval to be submitted to Council;**
- 4b. the event organiser is to obtain approval from the RTA as a road closure is proposed for Old Bells Line of Road, Kurrajong, as outlined in the body of the report; **a copy of the RTA approval to be submitted to Council;**
- 4c. the event organiser **is to submit a Transport Management Plan (TMP) for the entire event incorporating a Traffic Control Plan (TCP) to Council and the RTA** for acknowledgement. The TCP should be prepared by a person holding appropriate certification as required by the RTA to satisfy the requirements of the relevant Work Cover legislation;
- 4d. the event organiser is to **submit to Council a copy of its Public Liability Policy** in an amount not less than \$10,000,000 **noting Council and the Roads and Traffic Authority as interested parties on the Policy** and that Policy is to cover **both on-road and off-road activities;**
- 4e. the event organiser is to advertise the event in the local press stating the entire extent of the event - including the proposed road closure and the detour routes - and the traffic impact/delays expected due to the event, two weeks prior to the event; **a copy of the proposed advertisement to be submitted to Council** (indicating the advertising medium);
- 4f. the event organiser is to notify the details of the event to the NSW Ambulance Service, Fire and Rescue NSW, NSW Rural Fire Service and SES at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council;**
- 4g. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event - including the proposed road closure - for at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council**
- 4h. the event organiser is to directly notify all the residences and businesses which may be affected by the event - including the proposed road closure - for at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event (minimum extent is outlined in Attachment 1: Plan No. TR006/11); **a copy of the correspondence has been submitted to Council;**
- 4i. the event organiser is to obtain written approval from Councils' Parks and Recreation section for the use of Memorial Park;
- 4j. the event organiser is to carry out an overall risk assessment for the whole event to identify and assess the potential risks to spectators, participants and road users during the event and design and implement a risk elimination or reduction plan in accordance with the Occupational Health and Safety Act 2000; (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>);
- 4k. the event organiser is to submit the completed "Special Event - Traffic - Final Approval Application Form" to Council;

During the event:

- 4l. access is to be maintained for businesses, residents and their visitors;
- 4m. a clear passageway of at least 4 metres in width is to be maintained at all times for emergency vehicles;
- 4n. all traffic controllers / marshals operating within the public road network are to hold appropriate certification as required by the RTA;
- 4o. in accordance with the submitted TMP and associated TCP, appropriate advisory signs, and traffic control devices are to be placed along the detour route (including the road closure points), during the event, under the direction of a traffic controller holding appropriate certification as required by the RTA;
- 4p. the participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event; and,
- 4q. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity.

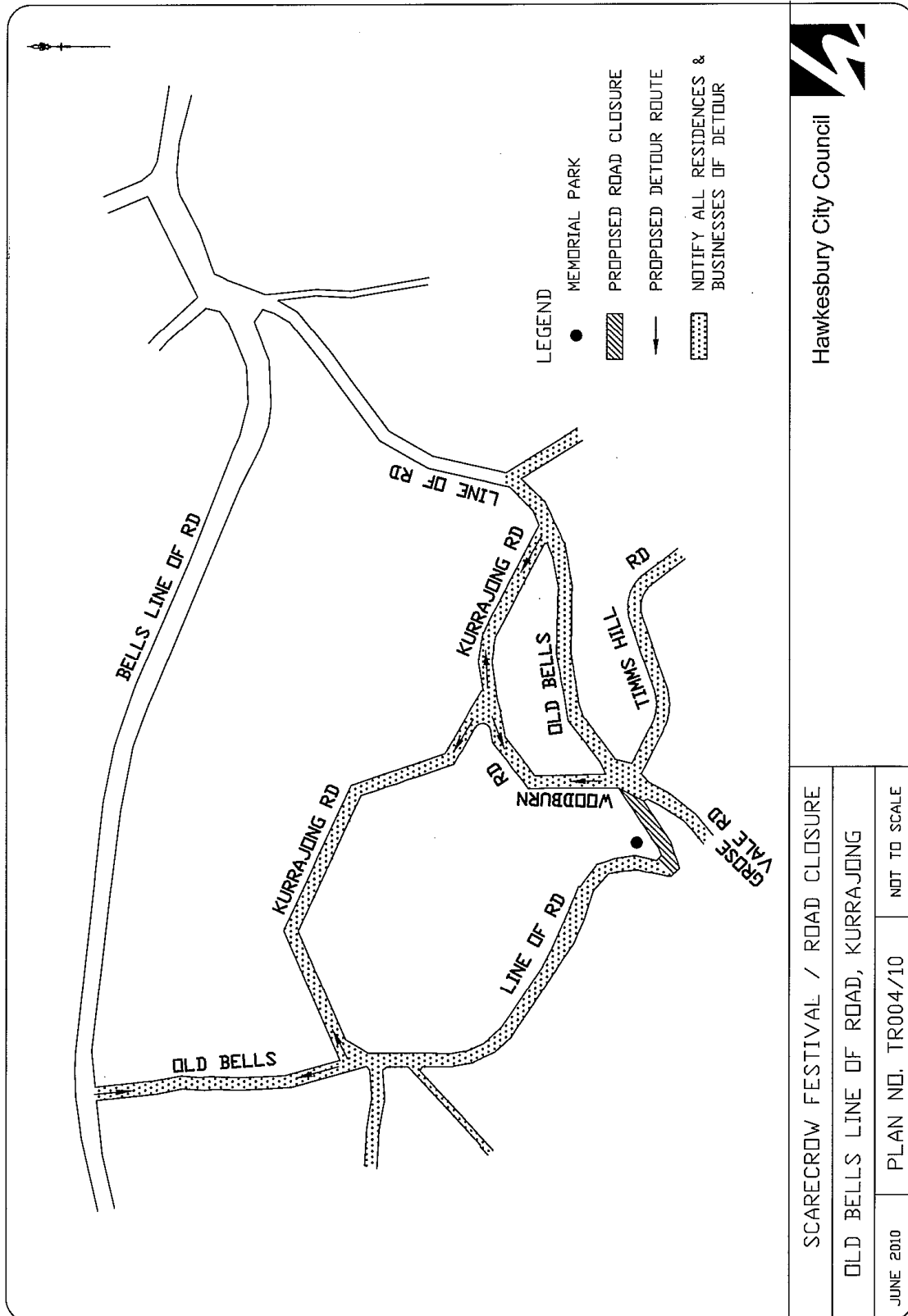
APPENDICES:

- AT - 1** Plan No TR006/11 – 2011 Kurrajong Scarecrow Festival / Road Closure Old Bells Line of Road, Kurrajong.
- AT - 2** Special Event Application - (Document Nos: 3745050, 3752484 & 3727885) - *see attached*

ORDINARY MEETING

Reports of Committees

AT 1 - Plan No TR006/11 – 2011 Kurrajong Scarecrow Festival / Road Closure, Old Bells Line of Road, Kurrajong



ORDINARY MEETING
Reports of Committees

SECTION 3 - Reports for Information

There were no reports for information.

SECTION 4 - General Business

There was no general business.

SECTION 5 - Next Meeting

The next Local Traffic Committee meeting will be held on 20 July 2011 at 3.00pm in the Large Committee Rooms.

The meeting terminated at 3:40pm

oooO END OF REPORT Oooo

ORDINARY MEETING
Reports of Committees

ROC - Hawkesbury Disability Advisory Committee Minutes - 16 June 2011 - (88324)

The meeting commenced at 4:00pm in the Meeting Room, Peppercorn Place.

Present:	Councillor Christine Paine Kate Murdoch Alan Aldrich Desmond Crane Carolyn Lucas Jennifer Luke Ken Ferris Robert Bosshard	Councillor Representative Area Health Representative Community Representative Community Representative Community Representative Community Representative Community Representative Community Representative
Apologies:	Councillor Bill Whelan Mary-Jo McDonnell Wendy Sledge Rahim Lalani	Councillor Representative Community Representative Community Representative Hawkesbury Oasis
In Attendance:	Joseph Litwin Meagan Ang	Hawkesbury City Council Hawkesbury City Council

REPORT:

Councillor Paine welcomed committee representatives.

RESOLVED on the motion of Ken Ferris and seconded by Alan Aldrich that the apologies be accepted.

SECTION 1 - CONFIRMATION OF MINUTES:

1. Confirmation of Minutes

Ms Lucas sought clarification as to whether Part 1 of the recommendation relating to Item 3 should have been broadened to include the Indoor Sports Stadium rather than just focusing on the Oasis Swim Centre.

RESOLVED on the motion of Mr Ferris and seconded by Mr Bosshard that Minutes of the Disability Advisory Committee held on 7 April 2011 be confirmed.

2. Matters arising from Previous Minutes

Ms Ang reported that Mr Lalani from YMCA has located the pool hoist. It is currently being stored in the outdoor pool plant room at Hawkesbury Oasis however the hoist is not safe to operate. The hoist system does not meet current OH&S regulations. Initial costings on replacing the current hoist are approximately \$15, 000. Mr Bosshard requested the opportunity to inspect pool hoist. Councillor Paine suggested that the committee may wish to write to local organisations to seek a financial contribution towards purchase of a new hoist.

MOTION:

RESOLVED on the motion of Jennifer Luke and seconded by Carolyn Lucas.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION

That correspondence, under the signature of the Chairperson, be sent to the Richmond and Windsor Rotary Clubs, Hawkesbury Raceway and Richmond Club to request that consideration be given to providing a financial contribution towards the purchase of a pool hoist.

- Mr Litwin advised that the funding application for the Accessible Communities grant was unsuccessful. Ms Ang is seeking feedback on the Accessible Communities grant application and will feedback to the committee.
- Ms Ang advised that as part of its strategic planning process, the YMCA had identified increasing access by people with disabilities to the Oasis facility as a priority. Ms Ang further advised that she and Ms Lucas had met Mr Lalani to discuss options for YMCA in the provision of more programs for people with disabilities.
- Ms And advised that the YMCA is still researching wheel chair group fitness. Currently there are no fitness programs for people using a wheelchair within the Hawkesbury, with the Oasis intending to launch a wheelchair group fitness as part of its 11/12 business plan. After some discussion it was agreed that Ms Ang should contact Mr Lalani to request that promotional literature be developed in relation to sports for people with disabilities with the offer that the committee could assist with this process.
- Mr Aldrich has advised that he had further investigated the proposed tourist walkway from Mulgrave through Windsor and was uncertain as to how this could be constructed in a manner that is accessible. Mr Litwin says that it was conceived as more of an interpretive trail utilising existing pathways but with improved signage. Councillor Paine requested that when the proposed scope of works is reported to Council that it be referred to the committee for comment.
- Ms Luke referred to her previous report in relating to the upgrades to Richmond train station and the lack of raised bubbles on platform edge to assist vision impaired people to safely access trains.

MOTION:

RESOLVED on the motion of Jennifer Luke and seconded by Robert Bosshard.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION

That Council be requested to make representations to State Rail regarding the need to include provision for raised bubbles on the rail platform edge to assist vision impaired people to safely access trains as part of the Richmond Railway Station upgrade.

SECTION 2 - REPORTS FOR DETERMINATION

Item 6: Training requirements for Hawkesbury Disability Advisory Committee members

DISCUSSION:

- Megan Ang reported that a “Addressing Access in the Built Environment” training day has been confirmed for 13 July 2011 with training to be delivered by Access Institute Australia.
- Ken Ferris indicated a preference for focusing on streetscapes as this would also assist the Committee in the development of Mobility Maps. Mr Litwin clarified that the purpose of the training was to assist the Committee to undertake audits of Council facilities pursuant to the development of a Disability Action Plan. There was some discussion as to the perceived conflict between heritage listed buildings and provision for access and it was agreed that this should be covered.
- There was some discussion about involving town planners in the training. Mr Litwin indicated costs could be covered for two persons in planning roles to attend however these persons would need to assist in undertaking audits at a later date requiring the commitment of additional staff hours. Ms Ang to investigate availability of the Hugh Williams room at the Museum for training and send final details of times and location to committee.

MOTION:

RECOMMENDATION TO COMMITTEE:

That the information is received.

RESOLVED on the motion of Jennifer Luke and seconded by Ken Ferris

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION

That the information be received

Item 7: Hawkesbury Disability Action Plan

- Mr Litwin advised that the Terms of Reference as endorsed by the Committee had been reported and approved by Council.

MOTION:

RECOMMENDATION TO COMMITTEE:

That the information is received.

RESOLVED on the motion of Robert Bosshard and seconded by Alan Aldrich

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION

That the information be received

Item 8: Partnership proposal for development of community (disability) services centre on Council owned land – Referral for advice

DISCUSSION:

- Mr Litwin advised that a report had recently been considered by Council regarding a proposal by North West Disability Services to fund the construction of a Disability Services Centre on Council owned land at Pound Paddock Richmond. Council endorsed the idea of investigating a partnership arrangement of this nature and resolved to proceed to consult with local residents on the proposal. Council resolved to broaden the investigation of a partnership arrangement to include a range of possible uses and partners.
- Following Council's resolution, Mr. Litwin advised that a survey would be distributed to local residents within a 500m radius of Pound Paddock to ascertain their views on the proposal, with the outcomes to be reported to Council. If the survey results indicate a positive response to the proposed construction of a community facility on Pound Paddock, Council may then call for Expression of Interests from not-for-profit community service agencies who may be in a position to fund the construction of a community facility.
- Carolyn Lucas enquired if the survey identified that the proposed community facility would be a disability service centre. Mr Litwin indicated that the survey had yet to be completed, but that it would identify a number of possible uses, one of which would be a disability services centre.
- There was some further discussion regarding the proposed consultation process, the lack of facilities for people with disabilities, current tenancy arrangements for disability service providers, and Council's current policy for providing community groups with access to Council's community building on a rent-free basis with community groups required to contribute to building outgoings.
- Mr Aldrich requested that the Committee be kept informed about the proposal. It was agreed that the outcomes of the survey be further reported to the Committee.

MOTION:

RECOMMENDATION TO COMMITTEE:

That the:

1. Information be received.
2. Committee determine a requirement to provide advice and/or recommendations to Council regarding a partnership proposal for the development of a possible community (disability) services centre on Council owned land at Pound Paddock.
3. Committee to determine a requirement to invite representatives from North West Disability Services and Bridges Disability Services to discuss their respective proposals.

RESOLVED on the motion of Kate Murdoch and seconded by Robert Bosshard

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION

That the:

1. Information be received.
2. Outcomes of the neighbourhood survey regarding the proposed use of a portion of Pound Paddock a site for a community building be reported back to committee for consideration.

Item 9: Review of Hawkesbury City Council Access and Equity Policies

DISCUSSION:

- Mr Litwin referred the Committee to the approved process for the development of a Draft Disability Action Plan. Step 1 in this process required Council to review its existing Access and Equity policies. Mr Litwin suggested that this could be progressed through the establishment of a working party to review Council's existing policies which had been appended to the report.
- Councillor Paine asks for volunteers to work with Council staff. Alan Aldrich and Carolyn Lucas indicated their willingness to participate on the working party.

MOTION:

RECOMMENDATION TO COMMITTEE:

That the:

1. Information be received.
2. Committee to determine if a working party should be established to undertake the task of reviewing Council's existing access and equity policies with a view to preparing a draft disability access policy for reporting to Council in line with Council's policy development framework as outlined in this report.

RESOLVED on the motion of Alan Aldrich and seconded by Carolyn Lucas

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION

That the:

1. Information be received.
2. Working party to be established to review Council's existing Access and Equity policies with a revised draft policy to be reported back to the Committee.

SECTION 3 – GENERAL BUSINESS:

National Disability Insurance Scheme

- Ken Ferris reported that there is currently a large push for a major national restructure of disability services. He advised that currently disability funding is not transferrable interstate, that it is fractured and inequitable. The Productivity Commission has reported to the Federal Government recommending the adoption of the National Disability Insurance Scheme to address flaws in current funding system. Mr Ferris distributed information and enquired whether there was an opportunity to speak to Council about this matter. There was further discussion on this item with Mr Aldrich highlighting some of the inequities in the current approach and Ms Murdoch advising the Committee of some of the waiting times associated with disability aid schemes. Councillor Paine indicated she would prepare a Notice of Motion about the matter to provide the opportunity for Mr Ferris and other persons to speak on the matter at a Council Meeting. Councillor Paine also suggested that it might be appropriate to approach the parliamentarians who may be in a position to support the National Disability Insurance Scheme and will try to arrange a meeting between Committee members and local representatives.

NEXT MEETING - to be held at 4:00 pm on Thursday, 4 August 2011, at the Meeting Room Peppercorn Place, 320 George Street, WINDSOR.

Meeting Closed at 5:30pm

oooO END OF REPORT Oooo

ORDINARY MEETING
Reports of Committees

ROC - Community Planning Advisory Committee Minutes - 16 June 2011 - (96737)

The meeting commenced at 9:44am.

Present:	Councillor Barry Calvert Councillor Kim Ford Mr Chris McAlpine Mr Nick Sabel	Chair Deputy Chair Community Representative Wentworth Community Housing
Apologies:	Ms Vickie Shackley	Community Representative
In Attendance:	Mr Michael Laing Mr Matthew Owens Ms Meagan Ang Ms Robyn Kozjak (Minute Taker) Mr Joseph Litwin Ms Dianne Tierney	Hawkesbury City Council Hawkesbury City Council Hawkesbury City Council Hawkesbury City Council Hawkesbury City Council Hawkesbury City Council
Non Attendance:	Ms Behiye Yusuf	Metrowest Nepean Network Office DoCS

REPORT:

RESOLVED on the motion of Councillor Ford and seconded by Mr Chris McAlpine that the apology be accepted.

CONFIRMATION OF MINUTES

RESOLVED on the motion of Councillor Ford and seconded by Mr Chris McAlpine that the Minutes of the Community Planning Committee held on the 17 March 2011, be confirmed.

Attendance Register of Community Planning Advisory Committee

Member	20.05.10	05.08.10	17.03.11	16.06.11	
Councillor Barry Calvert - Chair	✓	✓	✓	✓	
Councillor Kim Ford	N/A	N/A	✓	✓	
Ms Vickie Shackley	✓	✓	✓	A	
Mr Nick Sabel	✓	A	A	✓	
Mr Chris McAlpine	✓	✓	✓	✓	
Ms Behiye Yusuf	✓	✓	X	X	
Mr Matt Thorp	X	A	Resigned	Resigned	

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

SECTION 3 - Reports for Determination

Item: 1 2011 Hawkesbury Community Survey

Nick sable arrived at the meeting.

RECOMMENDATION TO COMMITTEE:

That:

- 1 The information be received.
- 2 CPAC consider priority areas to be referred to Council's Resident's Panel

MOTION:

RESOLVED on the motion of Mr Nick Sabel, seconded by Mr Chris McAlpine.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That:

1. The information be received.
2. CPAC consider priority areas to be referred to Council's Resident's Panel.
3. Results of the Community Survey be reported back to this Committee.

Item: 2 Human Services Planning in the Hawkesbury LGA

Mr Litwin addressed the Committee advising of a proposal to realign the role and function of the CPAC and subsequently commenced his presentation "Towards an Integrated Human Services Strategy for the Hawkesbury."

DISCUSSION:

- The Chair drew the Committee's attention to the proposed changes to the Committee and if adopted, its subsequent shift in direction. It was noted the Committee had previously dealt largely with disadvantaged groups in the community whereas the recommendation proposed a shift to the whole of the community. Mr McAlpine reported he believed it was crucial that issues pertaining to disadvantaged groups should remain a high priority and recommended the revised Constitution should include that objective.
- The Chair also raised concern it was important for ongoing projects such as homelessness and affordable housing which the Committee had been progressing for some time, to remain on the Committee's agenda.

ORDINARY MEETING
Reports of Committees

- Query was raised as to the impact the proposal may have on Committee representatives in regard to the broad range of skills and expertise required. Mr Litwin suggested representatives from various sectors (eg housing, youth services) or the Residential Panel be sought and/or training be provided as per part three of the recommendation to ensure members share a common knowledge.
- The Chair asked of the processes which would follow, should the Committee adopt the proposal. Mr Litwin responded the actioning of parts one and two of the recommendation would proceed, in addition to the establishment of suitable representatives on the Committee, once the criteria for same had been agreed upon.
- Mr Owens referred to the Extra Ordinary Meeting to be held on 20 September wherein annual Committee reports and appointment of Committees, delegates and representatives are reviewed. Mr Owens suggested the CPAC meet some time prior to its scheduled meeting on 1 September, to enable members the opportunity to review the revised Constitution, prior to its being reported to the Extra Ordinary Meeting.
- It was determined members not present at this CPAC be advised of the meeting on 11 August and for all members to be in receipt of the revised Constitution prior to that date.

The Chair thanked Mr Litwin for his presentation and for his proposal to move this Committee forward.

RECOMMENDATION TO COMMITTEE:

That:

1. The Community Planning Advisory Committee adopt the principle of moving towards establishing an integrated human services planning capacity as outlined in this report.
2. Council staff prepare a draft revised constitution for the committee's consideration to achieve the proposed reconfiguration of the Committee's human services planning role.
3. The Committee indicate its preferences for participating in a planning for community outcomes one-day training course.

MOTION:

RESOLVED on the motion of Councillor Ford, seconded by Mr Nick Sabel.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That:

1. The Community Planning Advisory Committee adopt the principle of moving towards establishing an integrated human services planning capacity as outlined in this report.
2. Council staff prepare a draft revised constitution for the committee's consideration to achieve the proposed reconfiguration of the Committee's human services planning role.
3. The Committee indicate its preferences for participating in a planning for community outcomes one-day training course.
4. The CPAC meeting scheduled for 1 September meeting be brought forward to 11 August 2011 for the purpose of reviewing the new (draft) Constitution.

SECTION 4 - Reports for Information

Item: 3 Update on Food Security and Hawkesbury Youth Interagency

RECOMMENDATION TO COMMITTEE:

That the information be received.

MOTION:

RESOLVED on the motion of Mr Nick Sabel, seconded by Mr Chris McAlpine

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION

That the information be received.

Item: 4 The Nepean/Blacktown Regional Taskforce on Homelessness - Update

RECOMMENDATION TO COMMITTEE:

That the information be received.

MOTION:

RESOLVED on the motion of Mr Chris McAlpine, seconded by Councillor Ford.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That the information be received.

Item: 5 Incoming Correspondence - Community Builders Funding Scheme

RECOMMENDATION TO COMMITTEE:

That the information be received.

MOTION:

RESOLVED on the motion of Mr Nick Sabel, seconded by Mr Chris McAlpine.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That the CPAC include those concerns that were recommended for action at the last CPAC meeting and forward submissions to the Grants NetWork.

SECTION 5 - General Business

- Council's Sustainability Webpage - Presentation by Dianne Tierney

Ms Tierney was pleased to report there was a good deal of interest at the "Living Sustainably" booth at Council's stall at the Hawkesbury Show last month. Ms Tierney advised approximately 70 residents enlisted themselves to take up the challenge to live more sustainably at home and in the community, by making their own "Sustainable Living Pledge". Images of residents and their pledges can be found on the Sustainable Living Guide on Council's website <http://sustainability.hawkesbury.nsw.gov.au/>.

- Community Profile and Social Atlas Software

Mr Laing reported he was in the process of securing an agreement between HCC and .ID (Informed Decisions) and it was envisaged a presentation on the company's demographic information software would take place later in the year.

The Meeting closed @ 11.30am.

oooO END OF REPORT Oooo

ORDINARY MEETING
Questions for Next Meeting

QUESTIONS FOR NEXT MEETING

Councillor Questions From Previous Meetings and Responses - (105109)

REPORT:

Questions - 28 June 2011

#	Councillor	Question	Response
1	Tree	Enquired about the fence near the Richmond Out of Hours School and advised that nothing had yet occurred in relation to fixing it.	Director Infrastructure Services advised that contact has been made with a representative from the adjoining property owner, and final arrangements are being made to have the fence replaced.
2	Ford	Enquired to what Council's policy was in relation to bike riders in the Mall and who was responsible for monitoring it.	Director Infrastructure Services advised that the Mall is classified as a public road, and there is no restriction for bike riders.
3	Conolly	Enquired if it was possible to tidy up with bitumen paving the Bus Interchange for the school children at McGraths Hill to make wet weather conditions a bit better. He enquired if it had been possible to program that into the Works Program for the coming year.	Director Infrastructure Services advised that the bus company has indicated that the area is used as a general bus stop during the day, AM school pick up and PM layover for 3-4 buses where children transfer from one bus to another. It is also utilised by Windsor High students to catch their bus. It would appear that a hardstand waiting area is required and this is currently being investigated and costed. Further advice will be provided as soon as it is available.
4	Williams	Enquired if any progress had happened on plans for the Roberts Creek crossing.	Director Infrastructure Services advised that funding in the amount of \$40,000 has been allocated in the current financial year. It is anticipated that the preliminary investigation and design works will be undertaken in August/September.
5	Paine	Enquired if there was a program for closing or amalgamating community halls.	Director City Planning advised that there are no proposals or plans to close or amalgamate community halls.
6	Paine	Enquired if the pavers in Windsor Mall could be investigated for safety as pedestrians are tripping on them.	Director Infrastructure Services advised that regular inspections are being undertaken and maintenance works will continue to be carried out where necessary.

ORDINARY MEETING
Questions for Next Meeting

#	Councillor	Question	Response
7	Paine	Enquired how school representatives would go about getting the trees made available following Council's Notice of Motion regarding Trees for Schools.	Director Infrastructure Services advised that contact will be made with individual schools, and details for collection will be communicated in the near future.

ATTACHMENTS:

There are no supporting documents for this report.

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ordinary
meeting

end of
business
paper

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