



Hawkesbury City Council

ordinary meeting business paper

date of meeting: 14 August 2007

location: council chambers

time: 5:00 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 5:00pm with a break from 7:00pm to 7:30pm and are scheduled to conclude by 11:00pm. These meetings are open to the public.

When a Special Meeting of Council is held it will usually start at 7:00pm. 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 lmifsud@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.

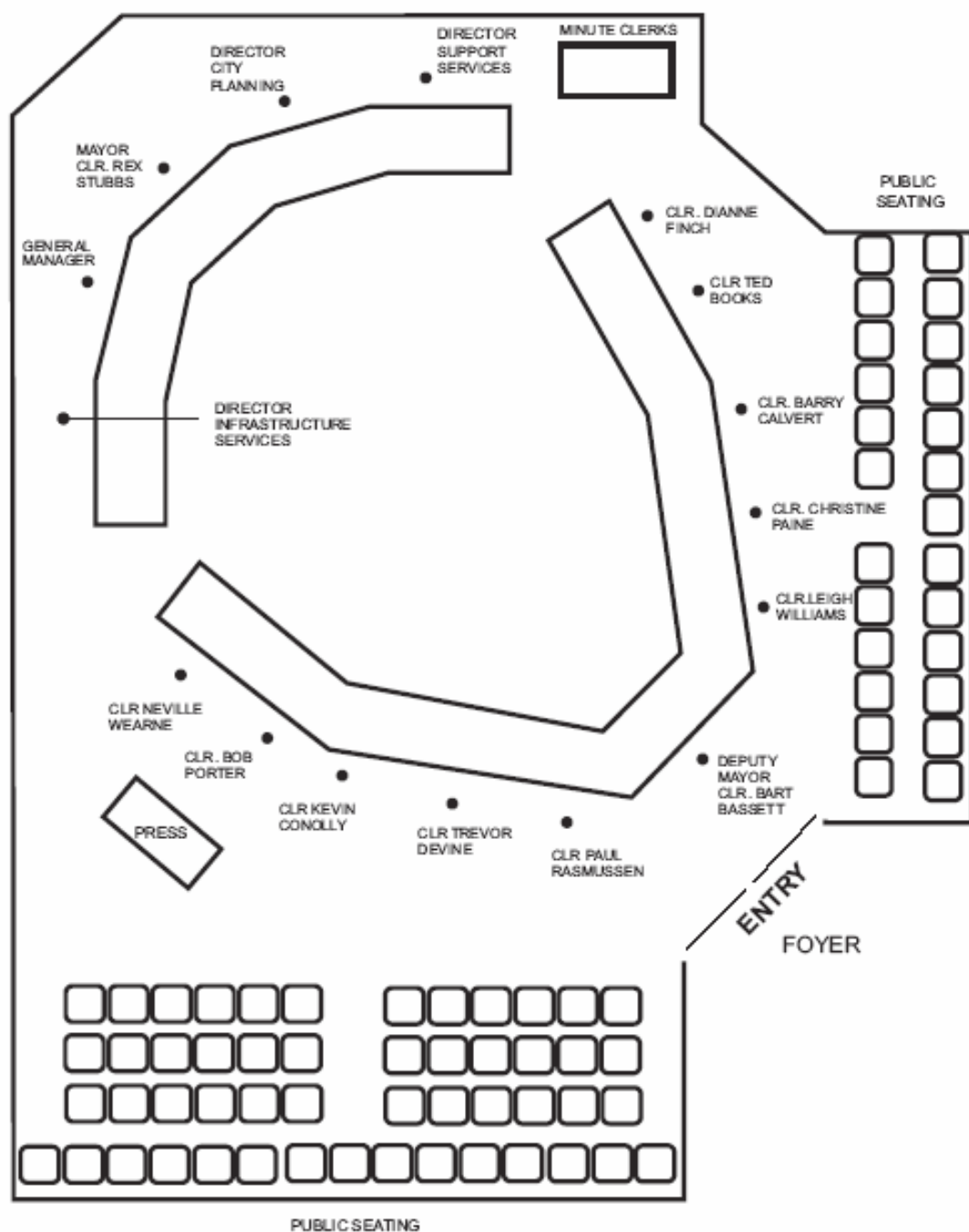
Website

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.

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- **INTRODUCTION OF SISTER CITY EXCHANGE STUDENTS AND PRESENTATION OF CERTIFICATES FROM THE MAYOR**
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SECTION 1 - Confirmation of Minutes

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SECTION 3 - Notices of Motion

RM - Rescission Motion - Development Application for Colour Bond Fence and Retaining Wall - 20 William Cox Drive, Richmond NSW 2753 - (DA0197/07, 78735, 100500, 96329, 95498, 80104, 90480, 90478)

Submitted by: Councillor T Books
Councillor N Wearne
Councillor B Porter

NOTICE OF MOTION:

That Council's resolution of 31 July 2007 (Minute No. 237 re Item: 144) regarding Development Application Number DA0197/07 for Colour Bond Fence and Retaining Wall at 20 William Cox Drive, Richmond NSW 2753 be rescinded.

BACKGROUND:

Council's resolution in respect of this matter, as a result of an amendment moved by Councillor Conolly and seconded by Councill Williams was as follows:

"That Development Application DA0197/07 for a Colour Bond Fence and Retaining Wall be approved subject to the following conditions;

That:

- A. A penalty notice be issued under the Environmental Planning and Assessment Act for breeches of the Act, and
- B. Development Application No. DA0197/07 for a retaining wall and fence be approved subject to the following conditions:

General

- 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.
- 2. No excavation, site works or building works shall be commenced prior to the issue of an appropriate Construction Certificate.
- 3. The development shall comply with the provisions of the Building Code of Australia at all times.
- 4. The development shall comply with the Environmental Planning and Assessment Act, 1979 at all times.
- 5. Any part of the fence between the Grand Flaneur Drive property boundary and the alignment of the existing building is to be no higher than 1500 mm above the existing internal ground level or the top of the existing retaining wall, whichever is the lower.

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Prior To Commencement of Works

6. Submit to Council a statutory declaration that the work has been completed to the manufactures specifications.
7. The fence shall be set out by a Registered Surveyor. The Survey Certificate of the fence showing the position of the fence 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.
8. 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.
9. 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.
10. The approved plans must be submitted to a Sydney Water Quick Check agent or customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped. For quick Check agent details, please refer to the web site www.sydneypwater.com.au, see Building Developing and Plumbing then Quick Check or telephone 13 20 92.
11. The consent authority or a private accredited certifier must either:
 - Ensure that Quick Check agent/Sydney Water has appropriate stamped the plans before the issue of any Construction Certificate; or
 - If there is a combine Development/Construction Certificate application or Complying Development, include the above condition as one to be met prior to works commencing on site.

During Construction

12. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted.
13. 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.
14. 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.

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15. Mandatory inspections shall be carried out and Compliance Certificates issued only by Council or an accredited certifier for the following components or construction:

Note: Structural Engineer's Certificates, Drainage Diagrams and Wet Area Installation Certificates are NOT acceptable unless they are from an accredited person.

- (a) on completion of the works;

Use of the Development

16. Any external lighting shall be directed in such a manner so that no nuisance is caused to adjoining properties or to drivers on surrounding streets.

Advisory Notes

*** The applicant is advised to consult with:

- (a) Sydney Water Corporation Limited
- (b) Integral Energy
- (c) Natural Gas Company
- (d) a local telecommunications carrier

regarding their requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on site or on the adjacent public roads.

*** Should any aboriginal site or relic be disturbed or uncovered during the construction of this development, all work should cease and the National Parks and Wildlife Service consulted. Any person who knowingly disturbs an aboriginal site or relic is liable to prosecution under the National Parks and Wildlife Act 1974.

*** 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:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

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Notices of Motion

NM1 - Provision of Native Trees to Schools in the Hawkesbury Local Government Area - (80104, 107)

Submitted by: Councillor Paine

NOTICE OF MOTION:

That Council offer the schools in the Hawkesbury Local Government Area, six native trees per year, from the Community Nursery to plant in their school yard.

NOTE BY MANAGEMENT:

In the event that this Notice of Motion was accepted by Council it would involve offering trees to a total of 37 schools within Council's area, being 31 primary and 6 secondary schools.

The trees that could be made available, assuming availability of stock, could be either tube stock or a 6" pot. These normally are sold for \$2.00 and \$6.00 each, respectively, excluding GST. Thus, this could involve a total cost of \$444.00 for tube stock and \$1,332.00 for pots, excluding GST.

ATTACHMENTS:

There are no supporting documents for this report.

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SECTION 4 - Reports for Determination

ACTING GENERAL MANAGER

Item: 151 **AGM - Parks and Leisure Australia 2007 National Conference, 16 - 19 September 2007 - (79351)**

REPORT:

The Parks and Leisure Australia 2007 National Conference will be held from 16 to 19 September 2007 in Townsville, Queensland. The Conference offers a host of challenges and innovative ideas to discuss and workshop during the Conference and to utilise back in the workplace.

The main theme of the Conference is "A Pivotal Role", which will focus on the pivotal role of the parks and leisure industry in Australia and the importance of sustaining its relevance in a changing environment and challenging future. The theme aims to collectively and individually illustrate how parks and leisure make a vital contribution to society, not just through the pleasure they bring, but in much more significant, often under-rated ways, including:

- The opportunities they offer for family and community interaction;
- Assisting the development of social capital;
- The physical and psychological health benefits they provide to individuals;
- The value of the ecosystem services they supply naturally - through clean air, water cleansing, offsetting urban 'heat island' effects;
- The economic value they bring to local economies;
- The ecosystems they preserve;
- The diversity of landscape character they add; and
- The general quality of life they represent.

Cost of attendance at the Parks and Leisure Australia 2007 National Conference would be approximately \$2,500.00 per delegate.

Budget for Delegate Expenses - payments made:

- | | |
|---|-------------|
| • Total Budget for Financial Year 2007/2008 | \$46,961.00 |
| • Expenditure to date | \$0.00 |
| • Budget balance as at 3/7/07 | \$46,961.00 |

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

"Objective: Investigating and planning the City's future in consultation with our community, and co-ordinating human and financial resources to achieve this future."

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Funding

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

RECOMMENDATION:

That attendance of nominated Councillors, and staff considered appropriate by the Acting General Manager, at the Parks and Leisure Australia 2007 National Conference, to be held from 16 to 19 September 2007 in Townsville, Queensland at a cost of approximately \$2,500.00 per delegate be approved.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 152 **AGM - Australian Sister Cities Association - Annual Conference 2007 - 30 September to 3 October 2007 in Darwin, Northern Territory (79351, 96869, 73610)**

REPORT:

The Australian Sister Cities Association (ASCA) National Annual Conference 2007, will be held from Sunday, 30 September 2007 to Wednesday, 3 October 2007 in Darwin, Northern Territory. The Conference will be hosted by Darwin City Council.

The theme of the Conference is "Making the Connection", and will focus on:

- leveraging international relationships at the community level; and
- building positive relationships through Sister Cities' programs for maximum community benefit.

ASCA holds the Conference annually and it is also used for its AGM and for councils (and associated sister city associations) to bid for the next (available) Conference, which will be the 2009 Conference.

This year's Conference will be the 25th anniversary of:

- ASCA;
- sister cities in Australia; and
- Darwin City Council's first sister city agreement (with Kalymnos, Greece and Anchorage, Alaska USA).

Council/ Hawkesbury Sister City the Association (Association) is a member of ASCA.

In the past, from time-to-time, Council has sent Councillors and Council staff to the annual ASCA Conference to support Council's Sister City Program and the exchange activities (eg. student) of the Association, which are undertaken under delegated authority. Council's delegate to the Association's meetings is Councillor Dianne Finch.

Proposal

The Conference would be an opportunity for Council to meet and network with other council sponsored sister city programs and associations across the country.

The cost of attendance at the Conference 2007 would be approximately \$2,975.00 per delegate.

Budget for Delegate Expenses - payments made

- | | |
|---|-------------|
| • Total Budget for Financial Year 2007/2008 | \$46,961.00 |
| • Expenditure to date | \$ 0.00 |
| • Budget balance as at 7/8/07 | \$46,961.00 |

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan, being (Strategic Directions):

Planning - Develop partnerships and regional networks and implement strategies for community engagement."

Community / Lifestyle - Establish processes that build community capacity to identify and respond to diversity and difference.

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Funding

Funding for this proposal will be from the Delegates Expenses Budget for Councillors and from the Sister City Program for any other attendees.

RECOMMENDATION:

That attendance of nominated Councillors, and staff considered appropriate by the Acting General Manager, at the Australian Sister Cities Association Annual Conference, to be held 30 September to 3 October 2007 in Darwin, Northern Territory at a cost of approximately \$2,975.00 per delegate be approved.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 153 AGM - Local Government Association of NSW Annual Conference 2007, 20 - 24 October 2007 in Coffs Harbour, NSW (79351, 79633)

REPORT:

The 2007 Local Government Association of NSW Conference will be held from 20 to 24 October 2007 in Coffs Harbour, NSW. The theme of the 2007 Conference is "Anchoring the Future".

As well as the business sessions, the program will include presentations from Ministers and Shadow Ministers.

Cost of attendance at the Conference would be approximately \$1,943.00 plus travel expenses per delegate.

Budget for Delegates Expenses - Payments made

- | | |
|---|-------------|
| • Total Budget for Financial Year 2007/2008 | \$46,961.00 |
| • Expenditure to date | \$ 0.00 |
| • Budget balance as at 7/8/07 | \$46,961.00 |

Council will also need to consider the "official" nomination of 4 voting delegates to attend the 2007 Local Government Association Conference.

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

"Investigating and planning the City's future in consultation with our community, and co-ordinating human and financial resources to achieve this future"

Funding

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

RECOMMENDATION:

That:

1. Attendance by nominated Councillors, and staff members as considered appropriate by the Acting General Manager, at the 2007 Local Government Association Conference to be held from 20 to 24 October, 2007 in Coffs Harbour, NSW at a cost of \$1,943.00 plus travel expenses per delegate be approved.
2. Council nominate 4 voting delegates to attend the 2007 Local Government Association Conference.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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CITY PLANNING

Item: 154 **CP - Draft Cultural Collections Policy and Deeds of Agreement for the relocation of cultural collections to the Hawkesbury Cultural Precinct - (78462, 91407, 103542)**

Previous Item: 34, Ordinary (27 February 2007)
 118, Ordinary (26 June 2007)

REPORT:

This report has been prepared to advise Council of submissions received in relation to the public exhibition of the Draft Cultural Collection Policy which had been placed on public exhibition. The report recommends that Council adopt the Cultural Collections Policy.

This report also advises Council of the outcome of negotiations with The Hawkesbury Historical Society Inc. (HHS) and the Friends of Hawkesbury Art Collection and Regional Art Gallery Inc. (FOHACaRAG) regarding the execution of Deeds of Agreement to facilitate the relocation of the cultural collections owned, or held in trust, by HHS and FOHACaRAG to the Hawkesbury Cultural Precinct.

These matters are being reported concurrently given that the Draft Cultural Collections Policy provided the strategic framework within which negotiations between Council, HHS and FOHACaRAG were conducted and completed.

A. Draft Cultural Collections Policy

Background

- Council staff had prepared a draft Cultural Collections Policy to provide a policy framework to inform negotiations for the drafting of Deeds of Agreement to facilitate the relocation of the cultural collections to the Hawkesbury Cultural Precinct.
- The Draft Policy was broadly endorsed by stakeholders at a consultation session held on 23 April 2007. At its 26 June 2007 meeting Council subsequently resolved to place the Draft Policy on public exhibition and to consider any submission received on the policy in conjunction with its deliberations on the finalisation of Deeds of Agreement with HHS and FOHACaRAG.
- The Draft Policy establishes a framework for determining the significance of cultural collections and cultural heritage assets which are proposed to be acquired through purchase, gift, or bequest by Hawkesbury City Council or accepted as loans by Hawkesbury City Council, and the storage and management of these collections and assets.
- The Draft Policy is based on international standards of practice and ethics as developed by the International Council of Museums and Museum and Galleries NSW.

Current Situation

The Draft Cultural Collections Policy was placed on public exhibition between 27 June 2007 and 3 August 2007. No submissions were received during the exhibition period. It is therefore recommended that Council adopt the Cultural Collections Policy.

B. Deeds of Agreement (Incoming Long Term Loan Agreement)

Background

- In accordance with the *Memorandum of Understanding, Hawkesbury Cultural Precinct* executed in November 2004, a Deed of Agreement between Council and Hawkesbury Historical Society Inc. and the Friends of Hawkesbury Art Collection and Regional Art Gallery Inc. was required to be negotiated to outline the conditions to be met to facilitate the relocation of the cultural collections owned, or held in trust, by HHS and FOHACaRAG to the Hawkesbury Cultural Precinct.
- A draft Deed of Agreement was subsequently received by Council in September 2006 and was referred for an independent assessment. The draft Deed of Agreement was also referred to Council's solicitors.
- At its Ordinary meeting of 27 February 2007, Council considered the independent report and legal advice and subsequently resolved to conduct a consultation session with stakeholders.
- The information session was held on Monday 23 April 2007 where it was agreed that a revised Deed of Agreement would provide the starting point for further negotiations for individual agreements with HHS and FOHACaRAG. Council staff were to meet with representatives from HHS and FOHACaRAG to finalise the wording of these Deeds of Agreement with the matter to be finalised and re-reported to Council by July 2007.

Current Situation

Council staff met with members of HHS on 9 May and 14 June to continue negotiations for an acceptable Deed of Agreement to facilitate the relocation of cultural collections and cultural heritage assets owned by HHS to the Hawkesbury Cultural Precinct. Following seven revisions, an agreement on the final wording of a Deed of Agreement with HHS was reached and is appended to this report. A letter from HHS to Council confirming its willingness to execute this agreement is also appended to this report.

Council staff met with members of FOHACaRAG on 15 May, 20 June and 31 July to continue negotiations for an acceptable Deed of Agreement to facilitate the relocation of cultural collections owned or held in trust by FOHACaRAG to the Hawkesbury Cultural Precinct. Following seven revisions, an agreement on the final draft Deed of Agreement was reached with FOHACaRAG and is appended to this report. A letter from FOHACaRAG to Council confirming its willingness to execute this agreement is also appended to this report. *Note:* the Friends of Hawkesbury Art Collection and Regional Art Gallery Inc. (FOHACaRAG) was renamed Friends of Hawkesbury Art Community and Regional Gallery Inc. (FOHACaRG) at its AGM on 2 August 2007. The Deed of Agreement accordingly takes this name change into consideration.

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

"An informed community working together through strong local and regional connections".

Funding

There are no funding implications arising directly from this report. The Cultural Collections Policy and Deeds of Agreement outline the resource requirements of collection management activities and the costs attached to these activities would be met from approved operating budgets.

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RECOMMENDATION:

That:

1. The Cultural Collections Policy be adopted.
2. The Acting General Manager be authorised to execute the *Deed of Agreement (Incoming Permanent Loan Agreement)* between Hawkesbury City Council and the Hawkesbury Historical Society Inc. (HHS).
3. The Acting General Manager be authorised to execute the *Deed of Agreement (Incoming Long Term Loan Agreement)* between Hawkesbury City Council and the Friends of Hawkesbury Art Community and Regional Gallery Inc.
4. Council acknowledge and extend its appreciation of the efforts of the Hawkesbury Historical Society Inc. and the Friends of the Hawkesbury Art Community and Regional Gallery Inc. in working in partnership with Council over many years to establish the Hawkesbury Regional Gallery and the Hawkesbury Regional Museum Extension.

ATTACHMENTS:

- AT - 1** 'Draft Cultural Collections Policy' - *(Distributed Under Separate Cover)*
- AT - 2** 'Deed of Agreement' between Hawkesbury City Council and Hawkesbury Historical Society Inc. - *(Distributed Under Separate Cover)*
- AT - 3** 'Deed of Agreement' between Hawkesbury City Council and the Friends of Hawkesbury Art Community and Regional Gallery Inc. - *(Distributed Under Separate Cover)*
- AT - 4** Letter from Hawkesbury Historical Society Inc. dated 26 July 2007 - *(Distributed Under Separate Cover)*
- AT - 5** Letter from the Friends of Hawkesbury Art Collection and Regional Gallery Inc. - *(Distributed Under Separate Cover)*

oooO END OF REPORT Oooo

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Item: 155 **CP - Community Sponsorship Program 2007 - 2008 - (95498, 84339, 105676)**

Previous Item: 180, Ordinary (14 June 2005)
 104, Ordinary, (30 May 2006)
 287, Ordinary (12 December 2006)
 47, Ordinary (13 March 2007)

REPORT:

This report has been prepared to advise Council of requests for financial assistance received from community groups to be determined under the Community Sponsorship Program for 2007-2008.

The report also seeks Council's approval for an amendment to the Sponsorship Policy (adopted on 13 March 2007).

Background

- On 14 June 2005 Council resolved to undertake a review of the Community and Cultural Grants Program. The review was completed and reported to Council on 30 May 2006, at which time Council resolved to place a Discussion Paper "*Review of the Community and Cultural Grants and Donations Program*" on public exhibition and to distribute the Discussion Paper to current recipients (and unsuccessful applicants) of Sec 356 financial assistance.
- At a Councillor Workshop held on 5 December 2006 Council was advised of the results of the public exhibition of the Discussion Paper, and the release of guidelines by the Independent Commission Against Corruption (ICAC) for the receipt and granting of sponsorship by public sector agencies.
- A draft Sponsorship Policy, prepared in accordance with the ICAC guidelines was considered by Council on 12 December 2006 with Council resolving to place the draft policy on public exhibition for a period of 60 days. Copies of the draft Policy were distributed to those 99 agencies and organisations who had received the Discussion Paper "*Review of the Community and Cultural Grants and Donations Program*".
- The outcomes of the public exhibition of the draft policy were reported to Council on 13 March 2007 with Council resolving that:
 - "1. *The draft Sponsorship Policy, prepared in accordance with the guidelines issued by the Independent Commission Against Corruption, be adopted with the addition of the words "in consultation with the Mayor" at the end of clauses 5.1 and 15.1.*
 2. *Council continue to meet all current commitments within Sec 356 financial assistance programs for the 2007/2008 financial year (subject to the confirmation of funding allocations following the adoption of the 2007/2008 financial plan and financial estimates).*
 3. *A further report be reported to Council by November 2007, to advise of progress in the realignment of existing Sec 356 financial assistance programs in conformance with the draft Sponsorship Policy. The report to outline the proposed timing and process for seeking applications and expressions of interest for grants, subsidies and event sponsorship agreements for the 2008/2009 financial year and beyond."*

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Current Situation

A. Current Commitments - Sec 356 Financial Assistance

In accordance with Part 2 of Council's resolution of 13 March 2007, Council staff wrote to all current recipients of Sec 356 financial assistance advising them of the adoption of the revised Sponsorship Policy and requesting them to submit applications for re-funding under the Community Sponsorship Program for 2007-2008. Council staff followed up these letters with telephone and e-mail contacts.

Table 1 summarises the applications received, the historical level of funding provided to applicants (based on 05-06 & 06-07 financial years) and a recommended level of financial assistance.

Organisation Event	amount requested	'historical' funding level		amount recommend	comment
		05/06	06/07		
CATEGORY: EVENT SPONSORSHIP					
Bilpin Bite	nil	1,000	1,000	0	Event has been discontinued
Bilpin Spring Flower Show	nil	500	500	0	Event has become self-sustaining
Earthcare Festival	1,000	1,000	1,000	1,000	Formerly called 'Sustainability Fair'
Fiddle Festival	nil	1,000	1,000	0	No application received
Hawkesbury Eisteddfod	18,000	18,000	15,000	18,000	
Music/Dance Festival	2,230	3,500	4,000	2,230	
Voices of Youth	nil	275	543	0	funding no longer required
Red Nose Day (Richmond)	1,000	400	600	800	Hire of chairs + tables.
Relay for Life Cancer Council	5,000	2,400	3,000	3,000	
Remembrance Day (RSL)	300	300	444	300	Hire of chairs
Scarecrow festival	4,000	3,000	3,000	3,000	
St Albans Folk Festival	3,000	3,000	3,000	3,000	
sub-total for Event Sponsorship				31,330	
CATEGORY: ACCESS TO COMMUNITY FACILITY					
Bede Polding College	nil	368	720	0	Advice received - no longer required
Bligh Park PS	500	1,325	0	315	Amounts recommended cover 50% of the quoted hire costs for the Windsor Function Centre for the activity or event to be staged (as per previous policy guidelines)
Hawkesbury HS	445	720	370	445	
Maraylya PS	650	0	325	325	
Pitt Town PS	700	1,050	0	275	
St Matthews Primary School	500	720	275	275	
Windsor PS	1,100	600	500	275	
sub-total for Access to Community Facilities				1,910	

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Organisation Event	amount requested	'historical' funding level		amount recommend	comment
CATEGORY: OTHER					
CWA Kurrajong	440	407	421	415	Amounts recommended cover 100% of costs of Council rates as per rates notice issues to applicant. (The category of 'Other' represents a transitional category which may fall outside Sponsorship Policy in 2008-2009 and beyond)
CWA Wilberforce	700	637	666	684	
East Kurrajong School of Arts	750	632	726	750	
Grose Vale Community Centre	620	574	604	615	
Richmond Literary Institute	670	791	669	687	
Wilberforce Scout Hall	580	407	421	415	
Rose Family Trust	440	407	421	415	
Freemans Reach School Arts	600	484	555	562	
sub-total for Other				4,543	
TOTAL ALL CATEGORIES				37,783	

Table 1 : Requests for financial assistance 2007-2008 Community Sponsorship Program

The sponsorship amounts recommended for approval maintain 'historic' levels of funding and are consistent with the provisions of Council's former Grants and Donations Policy under which these existing grants were first approved. There are sufficient funds to cover the recommended amounts (as follows):

Sec 356 Financial Assistance 2007/2008 (Community Sponsorship)	\$38,893
Contribution from Cultural Services Unit (for cultural events)	\$10,000
total available funds	<u>\$48,893</u>
less amounts recommended for payment	<u>\$37,783</u>
balance of funds remaining	<u>\$11,110</u>

B. Community Sponsorship Program 2007-2008

The discontinuation of the requirement to fund some events or activities (following advice received from the recipients of these grants), and the application of dollar-for-dollar matching funding arrangements for other categories of financial assistance (as provided for in Councils previous *Grants and Donations Policy*), has meant that the funds allocated by Council for the provision of financial assistance and the sponsorship of cultural events have not been fully expended at this time. As Council has met the historical commitments under its previous Grants and Donation Policy, it is possible for Council to use the remaining balance of \$11,110 to begin the process of re-aligning Council's existing Sec 356 financial assistance program to conform with the Sponsorship Policy adopted on 13 March 2007 (as resolved by Council in Part 3 of its resolution of 13 March 2007).

The balance of unexpended funds can be used to reinstate the Category of *Minor Assistance Donations* (which was discontinued in 2006-2007 as a result of the community grants and donations budget being fully expended to fund existing commitments). Council has also received requests from community groups who are seeking subsidised access to Council facilities and/or who are seeking a seeding grant for programs, activities or cultural events to respond to emerging community needs as identified in Council's Social and Cultural Plans.

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It is recommended that Council call for and consider fresh applications for additional sponsorship requests within the 2007-2008 Community Sponsorship Program under the following categories (as endorsed by Council and stakeholders during the extensive consultation period leading up to the drafting and adoption of Council's Sponsorship Policy);

- Event Sponsorship
- Minor Assistance Donations
- Access to Community Facilities
- Program/Activity Seeding Grants

Applications will be assessed and prioritised in accordance with the criteria contained in the Sponsorship Policy, and submitted to Council for its determination. It is proposed that this information be reported to Council in November 2007 in conjunction with the report outlining the process for repositioning current recipients of Sec 356 financial assistance (as outlined in Table 1) to bring them in line with the Sponsorship Policy in order to maintain their eligibility for funding under the Community Sponsorship Program in 2008-2009 and beyond (as provided for in Part 3 of Council's Resolution of 13 March 2007).

Amendment to Sponsorship Policy

Following further review of the Policy by Management it is apparent that the wording of paragraph 15.1 of the adopted Sponsorship Policy will need to be amended to ensure conformance with Section 356 of the *Local Government Act (1993)* which requires that all requests for financial assistance under Sec 356 should be reported to Council for Council's determination. The current wording of paragraph 15.1 confers authority to the General Manager (in consultation with the Mayor) to approve sponsorship arrangements. The wording of this paragraph is ambiguous in that what constitutes a 'sponsorship arrangement' is open to interpretation - it could either be inferred as conferring authority to the General Manager to directly approve the provision of sec 356 financial assistance, or alternatively to facilitate the preparation and execution of a sponsorship arrangement which has been approved by Council.

Accordingly it is recommended that the current wording of paragraph 15.1 which reads:

Final approval for all sponsorship arrangements will rest with the General Manager in consultation with the Mayor.

Should be amended to:

All requests for sec 356 financial assistance will be reported to Council for determination.

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

"Investigating and planning the City's future in consultation with our community, and co-ordinating human and financial resources to achieve this future."

Funding

There are no funding implications arising from this report.

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RECOMMENDATION:

That:

1. Council approve payments of Section 356 Financial Assistance to the organisations listed, and at the level recommended in the Table 1 of this report.
2. Council call for and consider fresh applications for additional sponsorship requests under the 2007-2008 Community Sponsorship Program to be assessed and prioritised in accordance with Council's Sponsorship Policy.
3. The existing wording of Paragraph 15.1 of the Sponsorship Policy be deleted and replaced by the following wording "*All requests for sec 356 financial assistance will be reported to Council for determination*".

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

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Item: 156 **CP - Two Lot Subdivision - Lot 502, DP 601916, 404 Slopes Road, The Slopes - (DA0297/06, 95498, 96329, 25031, 25032)**

Development Information

Applicant: Mr G F Lehrer and Mrs H P Lehrer
Owner: Mr G F Lehrer and Mrs H P Lehrer
Stat. Provisions: Hawkesbury Environmental Control Plan 1989
Hawkesbury Development Control Plan
Area: 4.846ha
Zone: Rural Living, Hawkesbury Local Environmental Plan 1989
Advertising: 6 March 2007 to 23 March 2007
Date Received: 1 May 2006 and Additional Information on 4 June 2007

Key Issues: ♦ Departure from Prescribed Minimum Allotment Size
 ♦ SEPP 1 Objection

Recommendation: Approval

REPORT:

Background

Development Application No. DA0032/06 was submitted to Council on 31 January 2006 for consolidation of Lots 368 and 369 DP 210302, No. 42 and 44 Wattle Street, Bowen Mountain and subdivision of Lot 502 DP 601916 No. 404 Slopes Road, North Richmond into two allotments. The basis for the application was a transfer of development rights from Bowen Mountain to land at North Richmond. In addition this application included an objection lodged pursuant to the provisions of State Environmental Planning Policy No. 1 providing justification for the proposed variation to the minimum allotment size criteria.

The application was referred to the Department of Planning for consideration. The Department provided a preliminary response suggesting that the proposed use of SEPP 1 for the purposes of facilitating the transfer of development rights is inappropriate. It was further suggested by the Department that the SEPP 1 objection be amended so as to exclude any reference to the Bowen Mountain properties.

The application was subsequently withdrawn by the applicant on 27 March 2007.

Description of Proposal

The proposal involves the subdivision of Lot 502 in DP 601916 involving the creation of two allotments. The proposed subdivision will provide for two allotments having the following areas:

Proposed Lot 101:	2.60 ha
Proposed Lot 102:	2.35 ha

Proposed Lot 101 is to accommodate the existing dwelling house, associated outbuildings and tennis court. The existing access and improvements situated on Proposed Lot 101 are proposed to be retained.

The identified development area situated on Proposed Lot 102, situated generally upon the central portion of this proposed allotment, has been previously cleared. Accordingly, any future building would not require the removal of any significant stands of natural vegetation.

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

The relevant matters for consideration under Section 79(C) of the Environmental Planning and Assessment Act, 1979, are addressed as follows:

Section 79C “Matters for Consideration” Comments	Section 79C “Matters for Consideration” Comments
Section 79C (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on “HLEP 1989” and SREP No. 20 in this report.
Section 79C (1) (a)(ii) – Provisions of any draft environmental planning instrument	THERE ARE NO DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS THAT APPLY TO THE SUBJECT LAND.
Section 79C (1) (a)(iii) – Provisions of any development control plan	REFER TO DISCUSSION ON HAWKESBURY DCP 2002 IN THIS REPORT
Section 79C (1) (a)(iii) – Provisions of the regulations	None applicable.
Section 79C (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	(i) The environmental impacts of the proposed development on the natural and built environment are addressed in the main body of this report. (ii) The proposed development will not have a detrimental social impact in the locality. (iii) The proposed development will not have a detrimental economic impact on the locality.
Section 79C (1) (c) – the suitability of the site for the development	Physical - The site is of insufficient area from subdivision. However, a SEPP1 application, to vary the allotment size provisions in the LEP, has been submitted as discussed later in this report.
Section 79C (1) (d) – any submissions made in accordance with the EPA Act or EPA Rags	One submission has been made in accordance with the Act or Regulations.

Sydney Regional Environmental Plan No. 20 (No.2 -1997)

Sydney Regional Environmental Planning Policy (SREP) 20 aims to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context. The policy requires a consent authority to consider, in determining an application for development on affected land, the general planning considerations outlined in Clause 5 of the policy as well as the specific planning policies and related recommended strategies outlined in Clause 6 of the policy.

The proposal will require the provision of an on-site sewerage system or work, listed in Part 3 of the policy. The relevant development controls associated with this component of the development are listed under Clause 11 (17)(c) of this plan.

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In this regard the following matters are required to be considered by the consent authority:

- c) *The likely effect of any on-site disposal area required by the proposed development on:*
- *any water bodies in the vicinity (including dams, streams and rivers), or*
 - *any mapped wetlands, or*
 - *any groundwater, or*
 - *the floodplain.*

The applicant has submitted a wastewater feasibility report detailing the suitability of the site to accommodate an on-site wastewater disposal system. A detailed assessment relating to this system is included later in the report.

In addition, the subject site falls within the Middle Hawkesbury Nepean River Catchment area defined by SREP No. 20 (No. 2 - 1997). It is considered that the proposal is generally consistent with the aims of the plan.

State Environmental Planning Policy No. 44 - Koala Habitat Protection

State Environmental Planning Policy No. 44 applies to land within the Hawkesbury Local Government Area for which development consent is sought having a total land area in excess of 1 hectare. Having regard to the requirements of SEPP No. 44 an assessment was undertaken by T J Hawke wood detailing that the site does not contain core koala habitat. It is considered that the proposal represents a satisfactory form of development having regard to the provisions of this policy.

Hawkesbury Local Environmental Plan 1989 (LEP)

Clause 2 - Aims, objectives etc,

The proposed development is considered to be consistent with the general aims and objectives as outlined in Clause 2 of the LEP.

Clause 9 – Carrying out development

The proposal is permissible with development consent within the Rural Living zone.

Clause 9A – Zone objectives

The proposed development is considered to be generally consistent with the objectives of the Rural Living zone. The stated objectives of the Rural Living zone are detailed as follows:

- (a) *to provide primarily for a rural residential lifestyle,*

Comment: The plans submitted in conjunction with the application detail the provision of two rural residential allotments. The information submitted in conjunction with the application demonstrates that the proposal is able to satisfactorily dispose of wastewater on the site and satisfies the criteria listed in Planning for Bushfire Protection 2006.

- (b) *to enable identified agricultural land uses to continue in operation,*

Comment: The subject land currently does not support any intensive agricultural activity.

- (c) *to minimise conflict with rural living land uses,*

Comment: It is considered that the proposal will not impact upon existing rural living land uses.

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- (d) *to ensure that agricultural activity is sustainable,*

Comment: The proposal will not limit the potential for agricultural uses to be undertaken on adjacent land.

- (e) *to provide for rural residential development on former agricultural land if the land has been remediated,*

Comment: No evidence exists indicating that the subject land was previously used for an intensive agricultural activity that would require remediation of the land. An appropriate condition has been included in the recommended consent requiring soil a contamination to be prepared certifying that the development area associated with Proposed Lot 102 is suitable for residential use.

- (f) *to preserve the rural landscape character of the area by controlling the choice and colour of building materials and the position of buildings, access roads and landscaping,*

Comment: It is considered that future buildings on Proposed Lot 102 would have minimal impact upon the existing rural landscape character.

- (g) *to allow for agricultural land uses that are ancillary to an approved rural residential land use that will not have significant adverse environmental effects or conflict with other land uses in the locality,*

Comment: There are no agricultural land uses proposed in conjunction with the application and as such this matter is not relevant in the consideration of the subject application.

- (h) *to ensure that development occurs in a manner:*

- (i) *that does not have a significant adverse effect on water catchments, including surface and groundwater quality and flows, land surface conditions and important ecosystems such as streams and wetlands, and*
(ii) *that satisfies best practice guidelines and best management practices,*

Comment: It is noted that the site adjoins a natural watercourse (Howes Creek) at its southern boundary. In this regard an assessment demonstrating the capability of the proposed allotment to accommodate an on-site wastewater disposal system has been prepared by Toby Fiander & Associates. This assessment has detailed the provision of a 1200sqm disposal area that has been sited so as to maintain a minimum 40 metre setback buffer from the watercourse.

- (i) *to prevent the establishment of traffic generating development along main and arterial roads,*

Comment: The subject site does not directly adjoin an identified main or arterial road and it is anticipated that the proposal would not have a significant level of traffic generation.

- (j) *to ensure that development does not create unreasonable economic demands for the provision or extension of public amenities or services.*

Comment: The proposal will not create significant demand for such infrastructure.

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Clause 11 – Rural subdivision – General Provisions

Clause 11 Rural subdivision - general provisions of Hawkesbury LEP 1989 provides the following:

(1) *In this clause:*

commencement day means the day on which Hawkesbury Local Environmental Plan 1989 (Amendment No 126) commenced.

endangered ecological community means any endangered ecological community referred to in Part 3 of Schedule 1 to the [Threatened Species Conservation Act 1995](#).

lot averaging subdivision means a subdivision of land within the Mixed Agriculture, Rural Living or Rural Housing zones that complies with subclause (4) and will not result in an original allotment being divided into more allotments than the number resulting from:

(a) dividing the area of the original allotment in hectares:

- (i) by 10, if the land is in the Mixed Agriculture zone, or
- (ii) by 4, if the land is in the Rural Living zone, or

(b) multiplying the area of the original allotment in hectares by the density control shown on the map, if the land is in the Rural Housing zone.

Original allotment means an allotment in existence at the date on which Hawkesbury Local Environmental Plan 1989 (Amendment No 126) was gazetted.

Regionally significant wetlands means any land shown as wetland on “the map” within the meaning of [Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River \(No 2—1997\)](#).

(2) Except as otherwise provided by this clause and clause 13, the Council may consent to the subdivision of land in Zone No 7 (a) or 7 (d) or in the Mixed Agriculture, Rural Living, Rural Housing, Environmental Protection—Agriculture Protection (Scenic) or Environmental Protection—Mixed Agriculture (Scenic) zone only if the area of each of the allotments to be created is not less than:

(a) if it is not a lot averaging subdivision, that shown for the zone in Column 2 of the following Table, or

(b) if it is a lot averaging subdivision, that shown for the zone in Column 3 of that Table.

Column 1	Column 2	Column 3
Zone	Minimum allotment size if not lot averaging subdivision	Minimum allotment size if lot averaging subdivision
Mixed Agriculture (land shown hatched on the map)	40 hectares	Not applicable
Mixed Agriculture (other than land shown hatched on the map)	10 hectares	2.5 hectares

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Zone</i>	<i>Minimum allotment size if not lot averaging subdivision</i>	<i>Minimum allotment size if lot averaging subdivision</i>
<i>Rural Living (land shown hatched on the map)</i>	<i>2 hectares</i>	<i>Not applicable</i>
<i>Rural Living (other than land shown hatched on the map)</i>	<i>4 hectares</i>	<i>1 hectare</i>
<i>Rural Housing</i>	<i>Minimum lot size as shown on the map (otherwise not applicable)</i>	<i>1,500 square metres if the density control shown on the map is 5.0 per hectare 2,400 square metres if the density control shown on the map is 3.0 per hectare 3,750 square metres if the density control shown on the map is 2.0 per hectare</i>
<i>Environmental Protection—Agriculture Protection (Scenic) (land shown hatched on the map)</i>	<i>10 hectares</i>	<i>Not applicable</i>
<i>Environmental Protection—Agriculture Protection (Scenic) (other than land shown hatched on the map)</i>	<i>40 hectares</i>	<i>Not applicable</i>
<i>Environmental Protection (Wetlands) 7 (a)</i>	<i>40 hectares</i>	<i>Not applicable</i>
<i>Environmental Protection (Scenic) 7 (d)</i>	<i>40 hectares</i>	<i>Not applicable</i>
<i>Environmental Protection—Mixed Agriculture (Scenic)</i>	<i>40 hectares</i>	<i>Not applicable</i>

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Comment: The minimum allotment size for land zoned Rural Living is 4ha. The proposal involves the subdivision of the subject land into two allotments. Proposed Lot 101 is to have an area of 2.60 ha and Proposed Lot 102 is proposed to have an area of 2.35ha.

In this regard the applicant has submitted an objection lodged pursuant to the provisions of State Environmental Planning Policy No. 1 - Development Standards. An assessment of this objection is detailed later in the following section of this report.

(3) *The Council may consent to the subdivision of land to which this clause applies only if:*

(a) *there is a ratio between the depth of the allotment and the frontage of the allotment that, in the opinion of the Council, is satisfactory having regard to the purpose for which the allotment is to be used, and*

Comment: The depth to width ratio proposed in conjunction with Proposed Lot 101 and Proposed Lot 102 does not satisfy the criteria contained in Hawkesbury Development Control Plan 2002 requiring a minimum depth to width ratio of 1:5. The submitted plans demonstrate that the site is able to accommodate a suitable development area comprising future dwelling footprint and wastewater disposal area. Given that the land is able to accommodate the above it is considered that the allotment configuration is satisfactory.

(b) *the pattern of allotments created by the proposed subdivision and the location of any proposed buildings on those allotments will, in the opinion of the Council, minimise the impact on any threatened species, populations or endangered ecological community or regionally significant wetland, watercourses, agriculture and bush fire threat, and*

Comment: The information submitted in conjunction with the application details that the proposal will not have a significant impact upon the adjacent watercourse or be subject to significant bushfire threat.

(c) *the Council has considered a geotechnical assessment that demonstrates the land is adequate for the on-site disposal of effluent, and*

Comment: An assessment demonstrating that the proposal has suitable land area and characteristics to support on-site effluent disposal has been submitted in conjunction with the application.

(d) *in the opinion of the Council, each of the allotments created contains suitable areas for a dwelling-house, an asset protection zone relating to bush fire hazard and effluent disposal.*

Comment: The submitted plans detail the location of proposed building envelope on Proposed Lot 102. In addition, the information submitted in conjunction with the application details that suitable area exists on-site for the erection of a dwelling-house, asset protection zone and effluent disposal.

(4) *A subdivision of land within the Mixed Agriculture or Rural Living zone complies with this clause only if:*

(a) *the number of allotments proposed for dwelling-houses does not exceed the number of allotments that could have been created for dwelling-houses by a subdivision of the land immediately prior to the commencement day, and*

(b) *at least 20% of the land is occupied by an endangered ecological community or is a regionally significant wetland, and*

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- (c) *the Council is satisfied that there will be a better environmental outcome from a lot averaging subdivision than would result without such a subdivision and that the long term survival of the endangered ecological community or regionally significant wetland will be enhanced, and*
- (d) *any endangered ecological community will be contained within and managed on neighbourhood property under the provisions of the [Community Land Development Act 1989](#), and*
- (e) *any regionally significant wetland will be contained within and managed on neighbourhood property under the provisions of the [Community Land Development Act 1989](#) or on an allotment designed for large scale agriculture, and*
- (f) *the allotments proposed for a dwelling-house do not contain an endangered ecological community or, unless they are allotments designed for large scale agriculture, a regionally significant wetland.*

Comment: The application does not constitute a lot averaging subdivision therefore the provisions of this clause do not apply.

- (4A) *A subdivision of land within the Rural Housing zone complies with this clause if a density control is shown for the land on the map and the number of lots created does not exceed the density control for the land.*

Comment: The subject land is not zoned Rural Housing therefore the provisions of this clause do not apply.

- (5) *Despite subclause (2), the Council may consent to a lot averaging subdivision of land in the Mixed Agriculture zone that creates allotments of not less than 1 hectare if the Council is satisfied that the subdivision will result in a regionally significant wetland being contained and managed within an allotment used for large scale agriculture.*

Comment: The application does not constitute a lot averaging subdivision therefore the provisions of this clause do not apply.

- (6) *Consent must not be granted to a subdivision of land in Zone No 7 (d) or in the Mixed Agriculture, Rural Living, Rural Housing, Environmental Protection—Agriculture Protection (Scenic) or Environmental Protection—Mixed Agriculture (Scenic) zone that creates an allotment (otherwise than for use for a public purpose) unless the Council is satisfied that there is an area of land above the 1-in-100 year flood level on the allotment that is:*
 - (a) *sufficient for the erection of a dwelling-house, and*
 - (b) *at natural surface level or at a level achieved by filling carried out with the consent of the Council.*

Comment: The subject site has not been identified as being flood prone.

- (7) *Consent must not be granted to the subdivision of land in the Rural Village or Consolidated Land Holdings zone otherwise than to effect a minor boundary adjustment of the boundary between allotments that does not create more allotments than the number before the adjustment was made.*

Comment: The subject site is not zoned Rural Village or Consolidated Land Holdings.

- (8) *Consent must not be granted to the subdivision of land within Zone No 7(e).*

Comment: The subject site is not zoned Environmental Protection No. 7(e)

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- (9) *References to a number of allotments in this clause do not include allotments created for a public purpose or allotments created as neighbourhood property.*

Comment: The proposed subdivision does not involve the creation of allotments for a public purpose or as neighbouring property.

SEPP No. 1 Objection to Clause 11 of Hawkesbury Local Environmental Plan 1989

The proposed subdivision does not satisfy the minimum allotment size provisions of 4 ha in relation to land zoned Rural Living contained in Clause 11 of Hawkesbury Local Environmental Plan 1989. In regard to the non compliance with this development standard the applicant has submitted an objection under the provisions of SEPP No. 1 – Development Standards.

The following comments have been prepared by the applicant having regard to whether compliance with the development standard is unreasonable or unnecessary in the circumstances of the case:

- *The allotments are not too far removed in area terms from the 4ha requirement of the LEP;*
- *The allotments are of a size and shape adequate to contain the existing dwelling and associated development and future development on the proposed vacant lot;*
- *There are other small allotments in the vicinity of the site that are of similar size and in some cases smaller than those proposed;*
- *There would be no adverse impact on amenity or streetscape as the vacant lot contains a building envelope that is largely hidden from view of adjoining properties and from Slopes Road;*
- *The subdivision has been designed to account for environmental and physical features and allows the best long-term management opportunities for the total landholding.*

Clause 11 of Hawkesbury Local Environmental Plan requires that allotments have a minimum area of 4 hectares within the Rural Living zone. It is noted that the proposed allotments are separated by a significant depression being adjoined by steep embankments thereby little direct relationship exists between either portion of the land.

It is considered that in the circumstances of the case the departure to the minimum allotment size criteria contained in Hawkesbury Local Environmental Plan 1989 is acceptable and accordingly it is considered appropriate to support the variation sought under the provisions of SEPP No. 1 in this instance.

NSW Department of Planning

As the departure to the minimum allotment size criteria contained in Clause 11 of Hawkesbury Local Environmental Plan 1989 exceeds 10% the Development Application and accompanying objection lodged pursuant to State Environmental Planning Policy No. 1 - Development Standards was forwarded to the NSW Department of Planning for the concurrence of the Director-General pursuant to the provisions of Section 79B of the Environmental Planning and Assessment Act, 1979.

The Director-General has granted concurrence to the proposed subdivision as detailed in correspondence, dated 8 February 2007.

Clause 18 – Provision of water, sewerage etc. services

A report titled Feasibility of On-site Disposal of Wastewater - Proposed Subdivision 404 Slopes Road The Slopes Report No. TFA 3120/01, dated 11 May 2007 has been prepared by Toby Fiander. This report examines the feasibility of wastewater disposal for the subject proposal having regard to environmental constraints associated with the site and the adjacent watercourse.

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The report provides that the site is capable of being subdivided and it is feasible to satisfactorily dispose of wastewater generated on the new proposed allotment without damage to adjoining land or nearby watercourse.

The subject site is not serviced by a reticulated water supply, suitable conditions requiring suitable water storage will be required in conjunction with any future development proposals on Lot 102. Electricity and telephone services are available.

Clause 21 – Danger of bushfire

The subject site has been mapped as Bushfire Prone Land - Vegetation Category 1 on the Statutory Bushfire Prone Land Map. A bushfire hazard report titled "*Bushfire Threat Evaluation - Proposed Two Lot Subdivision 404 Slopes Road North Richmond*" prepared by Brian McKinlay was submitted in conjunction with the application detailing the bushfire threat associated with the subject site.

This report identifies that the proposed allotments generally comply with the provisions of Planning for Bushfire Protection 2006 and that any future dwelling could be constructed on the vacant land.

It is considered that the application is satisfactory having regard to the provisions of Clause 21 of Hawkesbury LEP 1989.

Clause 25 – Development of flood liable land

The subject site has not been identified as being flood prone.

Hawkesbury Development Control Plan 2002

Part D, Chapter 3 of the Hawkesbury Development Control Plan 2002 includes provisions relating to rural and rural-residential subdivision. Clause 3.8.1 of Development Control Plan 2002 provides the following rules in relation to rural lot size and shape:

- a) *The minimum allotment size for land within rural and environmental protection zones are contained within Hawkesbury Local Environmental Plan 1989.*

Comment: The allotment areas proposed in conjunction with Proposed Lots 101 and 102 do not accord with the minimum provisions contained in Hawkesbury LEP 1989. The applicant submitted a SEPP 1 Objection relating to the proposed variation that is discussed separately in this report.

- b) *Lots should be able to accommodate a building envelope of 2000sqm with a minimum dimension of 20 metres. Building envelopes should be located a minimum of 30 metres from significant trees and other significant vegetation or landscape features. Building envelopes would contain the dwelling house, rural sheds, landscaping, and on-site effluent treatment and disposal areas, and bushfire mitigation.*

Comment: It is noted that the proposed building area is situated within 30 metres of significant trees and other significant vegetation. It is considered that the site layout is satisfactory.

- c) *In calculating the area of a battle-axe or hatchet shaped allotment, the area of the battle axe handle should be included.*

Comment: The proposal does not involve the creation of a battle-axe or hatchet shaped allotment.

- d) *The width to depth ratio of allotments should not exceed 1:5.*

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Comment: The width to depth ratio of the proposed development is described as follows:

Proposed Lot	Width to Depth Ratio
101	2.8:1
102	3.3:1

As detailed previously in this report it is considered that the proposal is able to satisfy the requirements for provision suitable dwelling footprint, wastewater disposal area and asset protection zones.

- e) *Lot layout shall consider the location, the watercourse vegetation and other environmental features.*

Comment: The subject land is constrained having regard to the location of vegetation situated adjacent to the watercourse and the watercourse itself. In this regard it is noted that the development lot (Proposed Lot 102) slopes downward to the south, has an average depth of approximately 90 metres and adjoins Howes Creek (running along its southern boundary). The information submitted in conjunction with the application demonstrates that the land is capable of accommodating a residential use with appropriate zones for wastewater disposal and asset protection.

NSW Rural Fire Service

The application was referred to the NSW Rural Fire Service seeking a Bush Fire Safety Authority under Section 100B of the Rural Fires Act 1997. The NSW Rural Fire Service has granted a Bush Fire Safety Authority with conditions as detailed in correspondence dated 29 June 2007.

Notification

The application was notified to adjoining property owners and occupiers by letter dated 6 March 2007. In response to Council's notification of the application one submission was received raising objection to the proposed development.

The issues raised are detailed as follows:

1. The proposed subdivision does not comply with the minimum size standard.
2. The subdivision will have an adverse impact upon the existing rural character of the area.
3. Arguments relating to inability to manage larger allotments should not be used to seek subdivision approval.

Conclusion

The application has been considered having regard to the provisions of Section 79C of the Environmental Planning and Assessment Act, 1979; Hawkesbury Local Environmental Plan 1989; Hawkesbury Development Control Plan 2002 and other relevant codes and policies. It is considered that the proposal represents a satisfactory form of development and is recommended for consent.

RECOMMENDATION:

That Development Application No. DA0297/06 for a two Lot Subdivision at Lot 502, DP 601916 No. 404 Slopes Road The Slopes be approved subject to the following conditions:

ORDINARY MEETING**Meeting Date:** 14 August 2007**General Conditions**

1. The development is to be carried out in compliance with the following plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of consent: forward

Drawing Number	Dated
91858:DA:1 Revision A	28 November 2005 as amended 12 January 2006

Document Number	Dated
Statement of Environmental Effects - Proposed Two Lot Subdivision 404 Slopes Road, The Slopes	September 2006
Wastewater Disposal Report – Report No. TFA 3120/01	11 May 2007
Bushfire Threat Evaluation - Report No. 91858	4 May 2007

Prior To Issue Of Subdivision Certificate

2. A Certificate from a telecommunications carrier confirming that provision has been made for services to the development shall be submitted to the Principal Certifying Authority.
3. Written clearance from Integral Energy shall be submitted to the Principal Certifying Authority.
4. A plan of subdivision prepared to the requirements of the Land Titles Office, shall be submitted to Council, with four copies.
5. A survey plan showing all existing services on the lots including septic tank and effluent disposal area, sewer connections, water connections and stormwater disposal shall be submitted. The plan shall demonstrate that there are no encroachments over remaining or proposed boundaries.
6. Payment of a Linen Release Fee in accordance with Council's Fees and Charges at the time of lodgement of the linen plan.
7. Creation of a restriction on use of land pursuant to Section 88B of the Conveyancing Act as follows:
 - a) Restricting the location of the house site, wastewater disposal and buffer areas to those areas defined on final plan of subdivision.
 - b) Prohibiting clearing of native vegetation other than for maintenance of bushfire asset protection zones as identified on the subdivision plan.
8. Easements 4m wide and 10m long shall be created over the site for drainage discharge from roads (at no cost to Council).
9. Submission of a soil contamination report for approval by Council certifying that the development area associated with Proposed Lot 102 is suitable for residential use.

NSW Rural Fire Service general Terms of Approval

10. Access is to comply with Section 4.1.3 (1) of Planning for Bushfire Protection 2006.
11. The development proposal is to comply with the subdivision layout identified on the drawing prepared by McKinlay Morgan & Associates numbered 91858, dated 28 November 2005.

ORDINARY MEETING

Meeting Date: 14 August 2007

Advisory Notes

- *** The applicant is advised to consult with the necessary energy and telecommunication suppliers regarding their requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on site or on the adjacent public roads.
- *** The developer is responsible for all costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed subdivision. Such utilities include water, sewerage, drainage, power, communication, footways, kerb and gutter.

ATTACHMENTS:

AT-1 Site Plan

Meeting Date: 14 August 2007

NOTE
 THIS DRAWING IS SUBJECT TO COPYRIGHT. IT MUST NOT BE REPRODUCED IN WHOLE OR PART WITHOUT PRIOR WRITTEN CONSENT OF MCKINLAY MORGAN & ASSOCIATES.
 DIMENSIONS & AREAS ARE APPROXIMATE ONLY AND SUBJECT TO FINAL SURVEY.
 THE POSITION OF FEATURES SHOWN ARE SUBJECT TO SURVEY.
 THIS PLAN IS FOR DEVELOPMENT APPLICATION PURPOSES ONLY.
 CONTOURS SHOWN HAVE BEEN DIGITISED FROM A TOPOGRAPHIC MAP AND ARE INDICATIVE ONLY.

LEGEND
 ASSET PROTECTION ZONE
 EXISTING VEGETATION (TREES ETC.)
 DAM
 EXISTING DWELLINGS
 EXISTING DRIVEWAY

SCALE
 0 40 80 120 160 200 METRES

PROPOSED SUBDIVISION OF LOT 502 DP 601915 THE SLOPES

MCKINLAY MORGAN & ASSOCIATES Pty Ltd.
 CONSULTING SURVEYORS - PROJECT MANAGERS
 121 Macquarie Street, Sydney NSW 2000
 Tel: (02) 9239 1144
 Fax: (02) 9239 1145
 Email: info@mckinlaymorgan.com.au

CLIENT NAME MCKINLAY MORGAN & ASSOCIATES
PROJECT NAME THE SLOPES
DATE 10/10/15
FILE NO. 1019
LOCALITY THE SLOPES
COUNCIL RPT
PLAN NO. 1019
DATE 10/10/15

0000 END OF REPORT 0000

ORDINARY MEETING

Meeting Date: 14 August 2007

INFRASTRUCTURE SERVICES

Item: 157 **IS - Bridge Naming Proposal - Windsor Road, McGraths Hill - (79346, 73625)**

Previous Item: 245, Ordinary (10 October 2006)
 135, Ordinary (27 June 2006)

REPORT:

Council at its Ordinary Meeting held on 27 June 2006 considered a report in relation to correspondence received from the Roads and Traffic Authority, seeking Council's consideration and concurrence to naming the bridge over the un-named creek, Windsor Road, McGraths Hill, as "Ashley's Bridge". The bridge is located approximately 230m toward Windsor from the intersection of Pitt Town Road and Windsor Road.

Twenty year old Ashley Morris was struck by a car and fatally injured whilst crossing this un-named bridge in October 2005. At that meeting Council resolved that the Roads and Traffic Authority be advised that Council has no objection to naming the subject bridge as 'Ashley's Bridge'.

Further correspondence was received from the Roads and Traffic Authority to advise that it is the Authority's preferred position to have strong community support where a public asset is to be dedicated to the memory of a member of the local community. The Authority advised that it had received a request from the family, endorsement from a local doctor and an objection to the proposed naming, and had requested confirmation that the naming of 'Ashley's Bridge' has broad community support prior to the RTA making a recommendation on this issue.

The matter was again reported to Council on 10 October 2006, where Council resolved that the formulation of a protocol in relation to naming structures be undertaken in consultation with the Roads and Traffic Authority and be reported to Council for consideration.

Following discussions with RTA representatives it was clear that in general the naming of structures after road accident victims was avoided wherever possible and in relation to this particular site an incident in the mid 1990's resulting in the death of a worker undertaking bridge activities which were subject to representations to having a tribute placed at that site in memory of the deceased were unsuccessful. It is the RTA's position that it would be inappropriate to have the bridge dedicated to any individual associated with road crashes at this site.

The RTA have proposed that protocols for naming of structures be formalised between the RTA and Council on the basis of the general principle of the Geographic Names Board which are:

- Avoid duplications
- Retention of euphonious names
- Preference for names of aboriginal origin, names with a historical background or thematic names such as flora, fauna or ships
- Preference for retention of long established place names appropriate to the physical, historical or cultural character of the area concerned
- Avoid naming places after living persons
- Perpetuating of names of eminent persons now deceased, i.e. explorers, settlers, etc.
- Avoid attempts to restore the original form of place names changed or corrupted by long established general usage

ORDINARY MEETING

Meeting Date: 14 August 2007

In view of the RTA's comments and the proposed protocols for naming structures, it is considered that agreeing to name the bridge over the un-named creek at McGraths Hill, 'Ashley's Bridge', would create an undesirable precedent and as such it would be recommended that the naming proposal not be supported.

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

"Objective: A network of towns, villages and rural localities connected by well-maintained public and private infrastructure, which supports the social and economic development of the City."

Funding

Nil impact arising from this report.

RECOMMENDATION:

That:

1. The protocols for naming of structures following the general principles of the Geographic Names Board be adopted.
2. The naming of structures after road accident victims be avoided.
3. Representations in relation to naming the bridge on Windsor Road at McGraths Hill as 'Ashley's Bridge' not be supported.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 14 August 2007

CONFIDENTIAL REPORTS

Item: 158 **AGM - Customer Service Assurance Program - Update and Conclusion - (95497, 73824) CONFIDENTIAL**

Previous Item: 195, Ordinary (8 August 2006)
 167, Ordinary (25 July 2006)

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) and (d) of the Act as it relates to details concerning:

- (c) 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.*
- (d) the information is regarded as being commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, confer a commercial advantage on a competitor of the Council, or reveal a trade secret and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

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

ORDINARY MEETING

Meeting Date: 14 August 2007

Item: 159 IS - Tender No. 09/FY07 - Tenders for Sewer CCTV Inspections - (95495, 79357)
CONFIDENTIAL

Previous Item: 122, Ordinary (26 June 2007)

Reason for Confidentiality

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

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

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

ORDINARY MEETING

Meeting Date: 14 August 2007

Item: 160 **IS - Tender No. 012/FY05 - Provision of a Septic Tank & Collection Well Effluent Removal Service - (79357) CONFIDENTIAL**

Previous Item: 134, Ordinary (10 July 2007)

Reason for Confidentiality

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

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

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

ORDINARY MEETING

Meeting Date: 14 August 2007

Item: 161 **SS - Proposed Closure and Sale of Bligh Park Pedestrian Laneway - (33357, 33358, 95496) CONFIDENTIAL**

Previous Item: 23, Ordinary (8 June 2004)
 198, Ordinary (28 June 2005)
 109, Ordinary (30 May 2006)
 173, Ordinary (25 July 2006)

Reason for Confidentiality

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

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

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

ORDINARY MEETING

Meeting Date: 14 August 2007

ordinary

section 5

reports
of committees

ORDINARY MEETING
Reports of Committees

SECTION 5 - Reports of Committees

ROC - Floodplain Risk Management Committee Minutes - 16 July 2007 - (86589)

The meeting commenced at 4:00pm.

Present:	Councillor Kevin Conolly Councillor Trevor Devine Councillor Bob Porter Councillor Ted Books Mr David Avery Mr David Scott Mr Peter Cinque Mr Geoffrey Bessell Mr Ron Bowman
Apologies:	Mr John Miller
In Attendance:	Mr Matt Owens Mr Philip Pleffer Ms Robyn Kozjak (Minute Secretary)

REPORT:

RESOLVED on the motion of Councillor Porter and seconded by Councillor Books that the apology be accepted.

DECLARATION OF INTEREST

Nil.

CONFIRMATION OF MINUTES

RESOLVED on the motion of Mr Geoffrey Bessell and seconded by Councillor Books that the Minutes of the Floodplain Risk Management Committee held on 30 April 2007 be confirmed.

Councillor Books raised concern re Item 3 of the previous Minutes (Dredging of Hawkesbury River). Councillor Books enquired as to legal liability issues should a serious accident occur due to siltation in the river. Mr Owens advised this issue would be investigated.

ORDINARY MEETING
Reports of Committees

Item: 1 June 2007 Flood Events – Rainfall and River Gauges

DISCUSSION:

- Mr Pleffer displayed a website from the Bureau of Meteorology portraying various information on flooding issues and warnings including the monitoring of rainfall received throughout the state via a live feed.
- Discussion arose re the recent flooding events in the MacDonald Valley and surrounds and the adequacy of existing network of rainfall and flood gauges. It was advised the Bureau of Meteorology currently maintains rain gauges in various areas, however maintenance of flood river gauges is prohibitive due to the cost, estimated to be approximately \$3,000 p.a per gauge.
- Submission to be made before the Flood Warning Consultative Committee.

RECOMMENDATION TO COMMITTEE:

That Council consult with the State Emergency Service regarding the adequacy of the existing network of rainfall and flood gauges for the Colo and MacDonald Rivers.

An AMENDMENT was moved by Councillor Conolly, seconded by Councillor Porter.

That:

1. Council consult with the State Emergency Service regarding the adequacy of the existing network of rainfall and flood gauges for the Colo and MacDonald Rivers in order to prepare a submission to the Flood Warning Consultative Committee.
2. Council provide information to the Bureau of Meteorology which will assist it to accurately report flood events in the Colo and MacDonald Valleys.
3. Council approach appropriate government agencies to investigate the contributing factors of flooding in the MacDonald and Colo Valleys in June 2007.
4. Council approach agencies responsible for maintaining river gauges in these valleys to seek assurances that the gauges will be maintained in operational condition.

The amendment was carried.

The amendment then became the motion which was put and carried.

MOTION:

RESOLVED on the amendment moved by Councillor Conolly, seconded by Councillor Porter.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That:

1. Council consult with the State Emergency Service regarding the adequacy of the existing network of rainfall and flood gauges for the Colo and MacDonald Rivers in order to prepare a submission to the Flood Warning Consultative Committee.
2. Council provide information to the Bureau of Meteorology which will assist it to accurately report flood events in the Colo and MacDonald Valleys.
3. Council approach appropriate government agencies to investigate the contributing factors of flooding in the MacDonald and Colo Valleys in June 2007.
4. Council approach agencies responsible for maintaining river gauges in these valleys to seek assurances that the gauges will be maintained in operational condition.

Item: 2 Floodplain Risk Management Committee Constitution

DISCUSSION:

- Mr Pleffer advised of the adopted changes to the Constitution.
- Mr Avery suggested the following additional changes to the Constitution:
 - Clause 5 (a) (iii) "Department of Infrastructure, Planning and Natural Resources" be changed to "Department of Environment and Climate Change".
 - Section D5 of the "Floodplain Development Manual – the management of flood liable land" April 2005, advises that government agencies do not have Committee voting rights.
 - An additional objective be included in the Constitution which indicates the principal objective of the Committee is to assist the Council in the development and implementation of a Flood Risk Management Plan.

Changes suggested by Mr Avery will be the subject of a further report to Council.

RECOMMENDATION TO COMMITTEE

That the amended Constitution be received.

MOTION:

RESOLVED on the motion of Councillor Porter, seconded by Councillor Books.

Refer to RECOMMENDATION TO COMMITTEE

That the amended Constitution be received.

Item 3 of the Previous Minutes - Dredging of Hawkesbury River

RESOLVED:

That members were advised that this matter is to be addressed in the forthcoming Flood Risk Management Study and Plan for the Hawkesbury Nepean River.

RESOLVED on the FORESHADOWED MOTION of Councillor Devine, seconded by Councillor Books.

That:

1. Council request the appropriate authorities to survey the depth of the Hawkesbury River and place warning signs in areas where sediment build up has caused shallows in the river.
2. Council advise its neighbouring Councils of the resolution.

General Business

DISCUSSION:

- Councillor Devine enquired if the Sydney Western Division SES Flood Plan and/or Hawkesbury Nepean Flood Emergency Subplan have been tabled previously at a Flood Plain Risk Management Committee. It was resolved Mr Pleffer would table the Hawkesbury Nepean Flood Emergency Subplan at the next meeting.
- Councillor Books recommended a detailed composition (inclusive of names, titles and attendance details) of the Committee be distributed to members. The Committee acquiesced and resolved a comprehensive list of membership and attendance details be included in the next Minutes of Floodplain Risk Management Committee.
- Mr Bessell referred to dredging of the Hawkesbury River and enquired if the Risk Management Plan has commenced. Mr Owens advised it is anticipated a consultants brief would be prepared for the Committee's consideration during the latter quarter of this year.

Future Floodplain Risk Management Meeting Dates:

- Monday, 17 September 2007
- Monday, 19 November 2007

The meeting terminated at 5:30pm.

oooO END OF REPORT Oooo

ORDINARY MEETING
Reports of Committees

ROC - Local Traffic Committee - 18 July 2007 - (80245, 95495)

Minutes of the Meeting of the Local Traffic Committee held in the Large Committee Room, Windsor, on Wednesday, 18 July 2007, commencing at 3.00pm.

ATTENDANCE

Present:	Councillor B Bassett (Chairman) Mr R Williams, MP (Hawkesbury) Mr J Christie, Offices of Messrs A Shearan (Londonderry) and J Aquilina (Riverstone), Members of Parliament Senior Constable B McClifty, NSW Police Service Senior Constable R Wright, NSW Police Service Mr J Suprain, Roads and Traffic Authority
Apologies:	Mr R Elson, Department of Transport
In Attendance:	Mr C Amit, Manager Design & Mapping Services Mr T Shepherd, Administrative Officer, Hawkesbury City Council

SECTION 1 - Minutes

Item 1.1 Minutes of Previous Meeting

The Minutes of the meeting held on 20 June 2007 were confirmed.

Item 1.2 Business Arising

Nil Business Arising.

SECTION 2 - Reports for Determination

Item 2.1 LTC - 18 July 2007 - Item 2.1 - Collectors' Plant Fair at Bilpin - 2008 (Hawkesbury) - (80245, 74282, 74000, 95450)

REPORT:

Introduction

An application has been received from Trahar Enterprise Pty Ltd seeking approval to hold the Collectors' Plant Fair within the grounds of 27 Powells Road, Bilpin on 26 and 27 April 2008 between the hours of 8.00am and 4.00pm. The event venue is located at the intersection of Powells Road and Bells Line of Road, Bilpin. This event was previously held in 2005, 2006 and 2007 and had Development Approval in accordance with DA0975/04.

The event organiser has advised the following:

- Off street parking will be provided within the Trahar's property at 27 Powell's Road, Bilpin for more than 700 cars and marshals will be in place to direct drivers to the different sections of the parking area.
- The majority of visitors will travel west along Bells Line of Road and turn left into Powells Road and proceed to No. 27. All visitors will be directed to the off street parking area. Upon leaving, the majority of visitors will turn right out of Powells Road into Bells Line of Road.
- Based on the attendance figures for the 2007 event, approximately 3200 visitors in total are expected over the 2 days for the 2008 event.
- Access for the venue via the gate at 3025 Bells Line of Road will only be used in the event of any emergency and an "Emergency Only" sign will be placed at this gate.

Discussion

It would be appropriate to classify this event as a "Class 2" special event under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads & Traffic Authority as this event may impact on traffic and transport systems on Bells Line of Road, which is a State Road, and there may be a low scale disruption to the non-event community. There will be considerable traffic turning movements during the event at the intersection of Bells Line of Road and Powells Road. This section of Bells Line of Road carries a volume of traffic in the order of 4000 vehicles per day and the current speed limit is 100 kph.

The event organiser has requested that the Roads and Traffic Authority give consideration to permanently reducing the speed limit along Bells Line of Road in the vicinity of Powells Road from 100kph to 80kph. The event organiser advises that the Transport Management Section has indicated that a TCP will not be required if the speed limit is reduced on a permanent basis. The Roads and Traffic Authority previously approved a temporary speed limit of 80kph along Bells Line of road in the vicinity of Powells Road for the duration of the 2005, 2006 and 2007 events.

The application including the Transport Management Plan (TMP) and the associated Traffic Control Plan (TCP) should be submitted to the RTA for authorisation due to the traffic impact on Bells Line of Road and due to the proposed temporary speed restriction signs to lower the speed limit from 100 kph to 80 kph on this section of Bells Line of Road during the event.

The event organiser has submitted the following items in relation to this event: Appendix 1 (Dataworks Document No: 2497408):

- (i) Details of the Special Event - Traffic template;
- (ii) RTA - Special Event Transport Management Plan Template;
- (iii) Transport Management Plan (TMP) and Traffic Control Plan (TCP). The TCP submitted, indicates the dates from the 2005 event and should be updated;
- (iv) Copies of correspondence forwarded to the NSW Police Service, NSW Ambulance Service, NSW Rural Fire Service and SES.

RECOMMENDATION:

That:

1. The event, "Collectors' Plant Fair at Bilpin", planned for 26 and 27 April 2008, be classified as a "**Class 2**" special event under the "Traffic and Transport Management for Special Events" guidelines issued by the RTA.

ORDINARY MEETING
Reports of Committees

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 which explains the responsibilities of the event organiser in detail.
4. No objection be held to this event subject to compliance with the following conditions:

Prior to the event:

- 4a. the event organiser obtaining approval to conduct this event, from the NSW Police Service; **a copy of the Police Service approval be submitted to Council;**
- 4b. the application including the **TMP and the associated (updated) TCP should be submitted to the RTA** for authorisation due to the traffic impact on Bells Line of Road and due to the proposed temporary speed restriction signs to lower the speed limit from 100 kph to 80 kph on this section of Bells Line of Road during the event;
- 4c. the event organiser **submitting an updated Traffic Control Plan (TCP) to Council** for acknowledgement. The TCP should be prepared by a person holding appropriate certification required by the RTA to satisfy the requirements of the relevant Work Cover legislation;
- 4d. the event organiser **submitting 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 to cover **both on-road and off-road activity;**
- 4e. the event organiser advertising the event in the local press stating the entire extent of the event and the traffic impact / delays due to the event two weeks prior to the event; **a copy of the proposed advertisement be submitted to Council** (indicating the advertising medium);
- 4f. the event organiser directly notifying relevant bus companies, tourist bus operators and taxi companies operating in the area and all the residences and businesses affected by the event at least two weeks prior to the event; The applicant undertaking a letter drop to all affected residents and businesses in the proximity to the event, with that letter advising full details of the event;
- 4g. the event organiser submitting the completed "Special Event - Traffic Final Approval" form to Council;

During the event:

- 4h. maintaining the event access, only via the existing driveway on Powells Road;
- 4i. access being maintained for businesses, residents and their visitors
- 4j. a clear passageway of at least 4 metres width being maintained at all times for emergency vehicles;
- 4k. all traffic controllers / marshals operating within the public road network holding appropriate certification required by the RTA;
- 4l. in accordance with the submitted TMP and associated TCP, appropriate advisory signs, including temporary speed restriction signs, shall be placed at the event organiser's expense after all the required approvals are obtained from the relevant authorities, and traffic control devices be placed during the event along the route under the direction of a traffic controller holding appropriate certification required by the RTA;

- 4m. the participants be advised of the traffic control arrangements in place, prior to the commencement of the event; and,
- 4n. all roads and marshalling points are to be kept clean and tidy, with all directional signs to be removed immediately on completion of the activity

APPENDICES:

AT - 1 Special Event Application - (Dataworks Document No. 2497408)

SECTION 3 - Reports for Information

Nil Reports for Information.

SECTION 4 - General Business

Item: 4.1 LTC - 18 July 2007 - Item 4.1 QWN - Wallace Road, Vineyard - (80245)

Councillor B Bassett

REPORT:

Advised of representations received from Mrs Sherry, Wallace Road, Vineyard regarding advice given to her by the Roads and Traffic Authority that Wallace Road is to comprise part of an access route to the Flood Evacuation Route and seeking imposition of a weight restriction on Wallace Road to prevent use by heavy vehicles.

RECOMMENDATION:

That correspondence be forwarded to the Project Manager, Flood Evacuation Route, Roads and Traffic Authority, seeking:

1. clarification as to whether Wallace Road, Vineyard is to comprise part of a dedicated access route to the Flood Evacuation Route or whether this would be a normal traffic pattern developing over time following opening of the Flood Evacuation Route; and,
2. given the possible development of a 'rat-run', advise as to the necessity for a weight restriction to be imposed on Wallace Road, Vineyard.

APPENDICES:

There are no supporting documents for this report.

**Item: 4.2 LTC - 18 July 2007 - Item 4.2 QWN - Traffic Signals at Intersection of
Brabyn/Macquarie Street, Windsor - (80245)**

Councillor B Bassett

REPORT:

Enquired as to whether the Roads and Traffic Authority had responded to Council's prior resolution that the Authority investigate installation of traffic signals at the intersection of Brabyn/Macquarie Streets, Windsor, particularly following a recent accident at that location.

Mr C Amit advised that a response had not been received at this stage.

RECOMMENDATION:

That further correspondence be forwarded to the Project Manager, Flood Evacuation Route, seeking response as soon as possible.

APPENDICES:

There are no supporting documents for this report.

**Item: 4.3 LTC - 18 July 2007 - Item 4.3 QWN - Vegetation Clearing on Bells Line of Road,
Kurrajong - (80245)**

Councillor B Bassett

REPORT:

Noted that vegetation clearing had been carried out on Bells Line of Road, Kurrajong, west of Mill Road, but believed that it could be cut further back to achieve greater sight distance.

RECOMMENDATION:

That the Roads and Traffic Authority be requested to undertake further vegetation clearing at the subject location to achieve greater sight distance.

APPENDICES:

There are no supporting documents for this report.

ORDINARY MEETING
Reports of Committees

Item: 4.4 LTC - 18 July 2007 - Item 4.4 QWN - Traffic Calming Devices, Luttrell Street, Richmond - (80245)

Councillor B Bassett

REPORT:

Advised of representations received from Mr G Turner, 87 Luttrell Street, Richmond regarding traffic conditions on Luttrell Street, particularly alleged failure of traffic calming devices to achieve same.

Mr C Amit advised the same representations had been received and a response was being issued (Dataworks Doc. No. 2554182).

RECOMMENDATION:

That the information be received.

APPENDICES:

There are no supporting documents for this report.

Item: 4.5 LTC - 18 July 2007 - Item 4.5 QWN - Upgrade of Blacktown/Richmond Road - (80245)

Councillor B Bassett

REPORT:

Advised of two (2) recent accidents on Blacktown/Richmond Road, one being a fatality, and highlighted the need for up-grading that road.

RECOMMENDATION:

That the Roads and Traffic Authority be requested to investigate this matter.

APPENDICES:

There are no supporting documents for this report.

ORDINARY MEETING
Reports of Committees

**Item: 4.6 LTC - 18 July 2007 - Item 4.6 QWN - Request for Reduction in Speed,
Blacktown/Richmond Road, South Windsor - (80245)**

Senior Constable B McClifty

REPORT:

Advised that representations had been received from Ms M Poisel, 81 Clark Road, Londonderry seeking reduction of the speed limit on Blacktown/Richmond Road, South Windsor in the vicinity of The Driftway from 80kph to 60kph.

Mr T Shepherd advised that the same representations had been received by Council and had been referred to the Roads and Traffic for investigation and reply direct to Ms Poisel.

RECOMMENDATION:

That the information be received.

APPENDICES:

There are no supporting documents for this report.

Item: 4.7 LTC - 18 July 2007 - Item 4.7 QWN - Maintenance Issues, Castlereagh Road - (80245)

Senior Constable B McClifty

REPORT:

Advised that on Castlereagh Road, upon exiting The Driftway, an 80kph speed restriction sign was missing and pavement marking was faded.

RECOMMENDATION:

That the Roads and Traffic Authority be requested to undertake required maintenance.

APPENDICES:

There are no supporting documents for this report.

ORDINARY MEETING
Reports of Committees

Item: 4.8 LTC - 18 July 2007 - Item 4.8 QWN - Sealing of Racecourse Road, Clarendon - (80245)

Mr J Suprain

REPORT:

Advised of correspondence received from the Hon. E. Roozendaal, MLC, Minister for Roads, in response to representations made by Mr A Shearan, MP, on behalf of Mr P Dowse, Richmond, regarding sealing of Racecourse Road, Clarendon.

Mr C Amit advised that funding for sealing of Racecourse Road had been received under the Commonwealth Department of Transport Auslink Strategic Regional Programme, with contribution also being made by the Hawkesbury Race Club Limited and the Hawkesbury District Agricultural Association.

RECOMMENDATION:

That appropriate response be made to Mr A Shearan, MP.

APPENDICES:

There are no supporting documents for this report.

Item: 4.9 LTC - 18 July 2007 - Item 4.9 QWN - Maintenance Issues, Racecourse Road, Clarendon - (80245)

Mr J Christie

REPORT:

Advised that the unsealed section of Racecourse Road is heavily potholed/corrugated.

RECOMMENDATION:

That this matter be referred to the Construction & Maintenance Branch for appropriate maintenance works.

APPENDICES:

There are no supporting documents for this report.

ORDINARY MEETING
Reports of Committees

SECTION 5 - Next Meeting

The next Local Traffic Committee meeting will be held on Wednesday, 15 August 2007 at 3.00pm in the Large Committee Rooms.

The meeting terminated at 3.35pm.

oooO END OF REPORT Oooo

ORDINARY MEETING
Reports of Committees



ordinary
meeting

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