



Hawkesbury City Council

ordinary
meeting
business
paper

date of meeting: 27 March 2018

location: council chambers

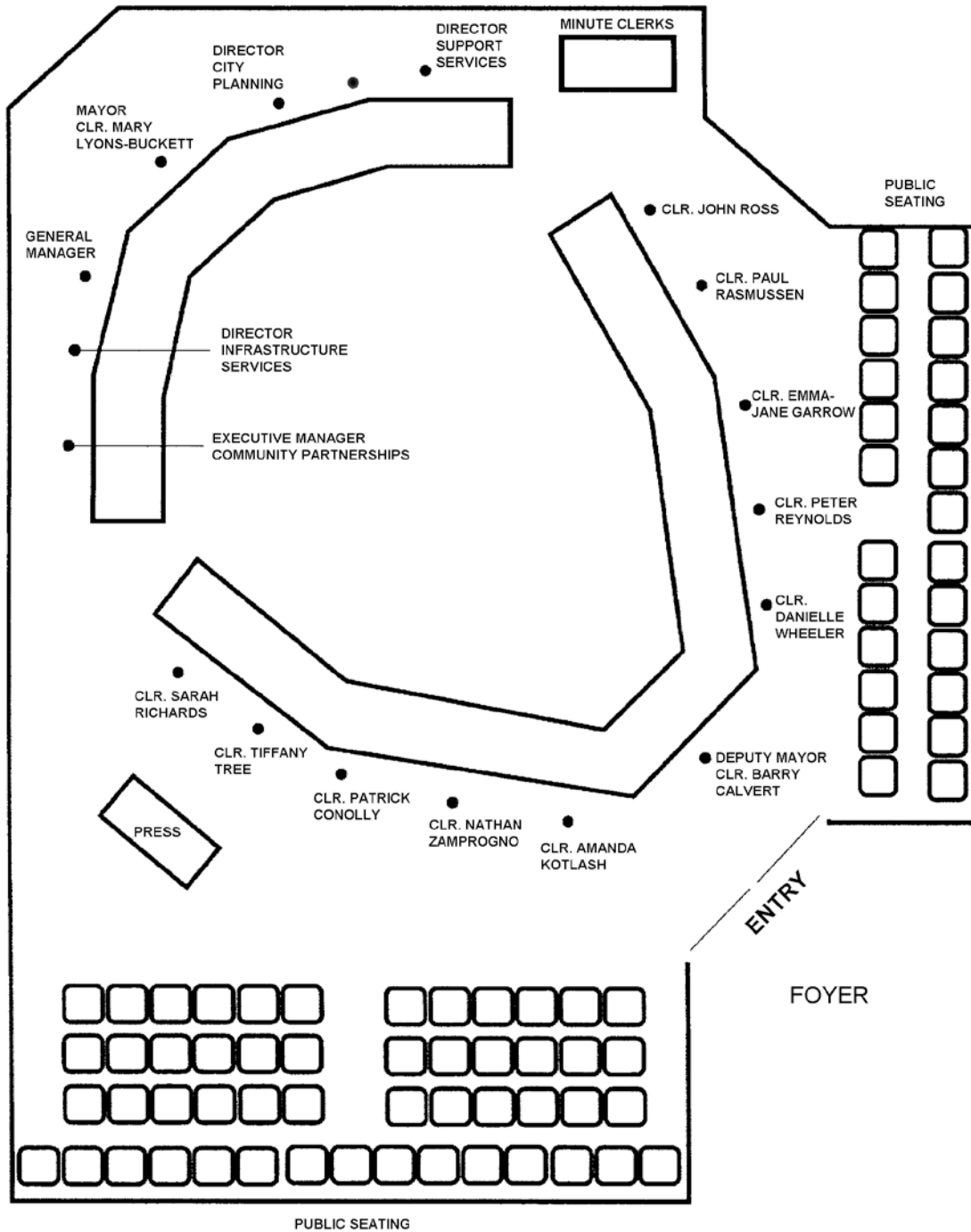
time: 6:30 p.m.



mission statement

***Hawkesbury City Council
leading and working
with our community
to create a healthy
and resilient future.***

Hawkesbury City Council



ORDINARY MEETING
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ORDINARY MEETING
Procedural Matters
Meeting Date: 27 March 2018

PROCEDURAL MATTERS

Welcome

The General Manager will address the Council meeting, mentioning:

- Acknowledgement of Indigenous Heritage
- Emergency Procedures
- Recording of the Council Meeting
- Statement regarding people addressing the Meeting
- Mobile phones.

Attendance

Attending Councillors and Council staff members will be noted for the purposes of the Minutes.

Apologies and Leave of Absence

The Mayor will ask for any Apologies or Leave of Absence Requests to be noted.

Declaration of Interest

The Mayor will ask for any Declaration of Interests from the attending Councillors. These will then be addressed at the relevant item.

Acknowledgement of Official Visitors to the Council

The Mayor will acknowledge and welcome official visitors to the Council and make any relevant presentations as required.

ordinary

section 1

confirmation of minutes

ORDINARY MEETING

SECTION 1 - Confirmation of Minutes

Meeting Date: 27 March 2018

SECTION 1 - Confirmation of Minutes

ordinary

section 2

mayoral minutes

ORDINARY MEETING
SECTION 2 – Mayoral Minute
Meeting Date: 27 March 2018

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SECTION 2 – Mayoral Minutes

Item: 072 **MM - 2018 Red Shield Appeal**

REPORT:

Over the course of recent months, I have personally met with a range of organisations associated with the delivery of Homeless Services within the Hawkesbury. More recently, on 19 March 2016, the Deputy Mayor – Cr Calvert, Cr Richards and I attended a meeting with representatives of the Salvation Army to discuss a range of issues associated with Homelessness, in particular:

- The rising incidence of Homelessness within the City of Hawkesbury
- The need to provide homeless people with “wrap around” services such as shelter, bathing, medical treatment, meals, clothes washing, income support, etc.
- The desirability of developing a co-ordinated approach across the various organisations that operate within Hawkesbury City Council
- The benefit of adopting a long term approach when addressing this issue.
- The possibility of Council linking up with a charity to promote the work of the charity during the course of Council events

Whilst staff are currently working on a number of the above matters, the point regarding linking with a charity to promote their work is worthy of more immediate consideration.

RECOMMENDATION:

That Council:

1. Endorse the Mayor as Chairperson of the 2018 Red Shield Appeal for Hawkesbury, which would include a Mayoral Reception to promote the event and link with the local business community.
2. Staff develop a draft guideline for working with charitable organisations who are seeking Council support and assistance in the promotion of their activities.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF MAYORAL MINUTE Oooo

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ordinary

section 3

reports
for determination

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SECTION 3 – Reports for Determination

PLANNING DECISIONS

Item: 073 **CP - Draft Voluntary Planning Agreement for Lot 87 DP 1040092, 219 Bells Line of Road, North Richmond - (95498, 124414)**

Previous Item: 31, Ordinary (28 February 2017)
 89, Ordinary (30 June 2015)
 76, Ordinary (26 May 2015)

Directorate: City Planning

PLANNING PROPOSAL INFORMATION

File Number: LEP001/15
Property Address: 219 Bells Line of Road, North Richmond
Applicant: Glenn Falson Urban & Rural Planning Consultant
Owner: Fairfax Media Pty Ltd
Date Received: 28 June 2017
Current Minimum Lot Size: 10ha
Proposed Minimum Lot Size: 4,000m²
Current Zone: RU1 Primary Production
Site Area: 10ha

Key Issues: ♦ Developer Contributions
 ♦ Creation of an additional lot on the subject site

Recommendation: Publicly Exhibit the draft Voluntary Planning Agreement and the Explanatory Note for a minimum of 28 days

PURPOSE OF THE REPORT:

The purpose of this report is to provide an overview of the draft Voluntary Planning Agreement (VPA) received from Glenn Falson Urban & Rural Planning Consultant in support of the planning proposal for Lot 87 of DP 1040092, 219 Bells Line of Road, North Richmond (subject site). The report also recommends the exhibition of the draft Voluntary Planning Agreement attached to this report and an Explanatory Note for public comment for a minimum of 28 days, and following the public exhibition the matter be reported back to Council to finalise.

EXECUTIVE SUMMARY:

Council at its Ordinary Meeting on 28 February 2017 resolved to adopt and make a draft Local Environmental Plan which permits a minimum lot size of not less than 4ha for the northern part of the subject site immediately north of Redbank Road. The resolution also advised the applicant to prepare a draft VPA for the additional lot created on the subject site for Council's consideration prior to the draft VPA being placed on public exhibition.

In accordance with Council's resolution of 28 February 2017, the applicant, on behalf of the developer/owner (Fairfax Media Pty Ltd), offered to enter into a VPA with Council to pay a monetary contribution for the purposes of infrastructure facilities and services to the value of \$30,000 for the additional vacant lot created by the future subdivision of the subject site.

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The draft VPA has been prepared in accordance with the relevant statutory provisions for public consultation following a significant delay in receiving feedback from the landowner.

RECOMMENDATION SUMMARY:

This report recommends that Council exhibit the draft VPA and Explanatory Note attached to this report, and any other supporting documentation, for public comment for a minimum of 28 days, and report the outcome of the consultation to Council.

REPORT:

Context and Background

In January 2015, Council received a planning proposal from Glenn Falson Urban & Rural Planning Consultant (the applicant), seeking to amend the *Hawkesbury Local Environmental Plan 2012* (the LEP) in order to permit the subdivision of the subject site into two large lots with a minimum lot size of not less than 4ha. Council at its Ordinary Meetings on 26 May and 30 June 2015 considered successive reports on this matter and resolved to forward the planning proposal to the NSW Department of Planning and Environment (DP&E) for a Gateway determination.

In September 2015, Council received a gateway determination from the DP&E advising to proceed with the planning proposal subject to certain conditions including a condition to limit the proposed 4ha minimum lot size provision for the northern part of the subject site immediately north of Redbank Road only as shown in Figure 1 below. The northern portion of the site shown in Figure 1 below has an area of approximately 6.7ha and, once severed from the southern portion of the site, would not be able to be subdivided further.

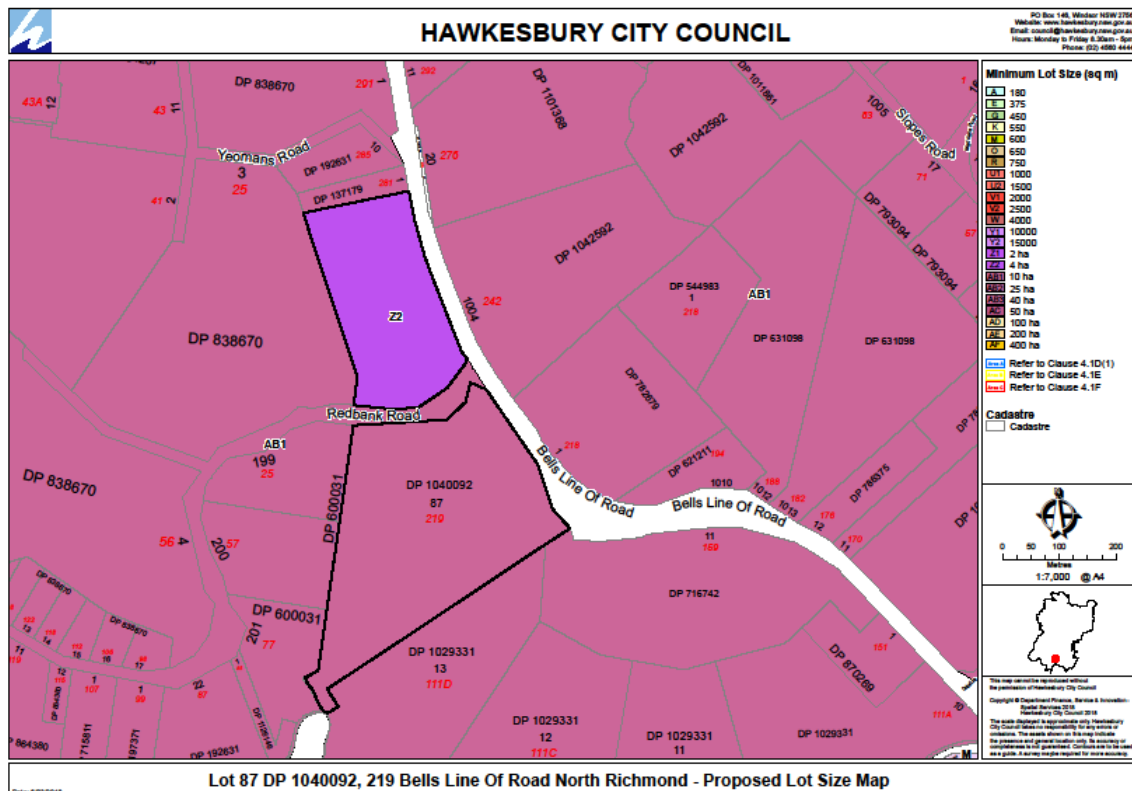


Figure 1: Proposed Lot Size Map

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In accordance with the Gateway determination requirements, consultation with relevant public agencies and the community for the planning proposal was completed in October 2016.

In February 2017, Council considered a report on the outcome of the consultation and resolved to proceed with the making of the plan and advise the applicant to prepare a draft VPA. The VPA would incorporate an appropriate monetary contribution for the additional lot created on the subject site for Council's consideration prior to placing the draft VPA on public exhibition.

Policy considerations

The draft VPA and an Explanatory Note have been prepared in accordance with the EP&A Act and the Regulation.

Consultation

Should Council resolve to do so, the draft VPA will be placed on exhibition for a minimum of 28 days in accordance with the relevant statutory provisions. A public notice in relation to the exhibition of the draft VPA will be placed in the Hawkesbury Courier prior to the commencement of the exhibition. The draft VPA, an Explanatory Note and other supporting documentation will be made available for public viewing at Council's Administration Office, on Council's website and the "Your Hawkesbury - Your Say" online community engagement site.

Conformance to the Hawkesbury Community Strategic Plan 2017-2036

The proposal is consistent with the following Focus Area, Direction and Strategies within the CSP.

Our Future

5.3 Shaping our Growth

5.3.2 The diverse housing needs our community will be met through research, active partnerships and planned development.

5.8.2 Plan for a balance of agriculture, natural environment and housing that delivers viable rural production and maintains rural character.

Discussion

A VPA is a legal agreement between Council and a developer and also a planning tool or a mechanism that allows Council and a developer to work together to deliver innovative infrastructure outcomes or public benefits associated with the proposed development.

The EP&A Act has recently been updated and came into force 1 March 2018. The updated EP&A Act and the Regulation make provisions for VPA's including the making, amendment and revocation of VPAs.

The current Hawkesbury Section 94 Contributions Plan 2015 does not apply to the subject site and there is no other current mechanism available for Council to require a developer contribution. A contribution is required for the proposed future subdivision that will create an additional vacant lot on the subject site, as it will or is likely to increase the demand for public infrastructure and services if it is approved.

Council has received an opinion from the NSW Parliamentary Counsel's Office that the draft Local Environmental Plan can be legally made to give effect to the exhibited planning proposal in May 2017. The finalisation of the LEP Amendment has been placed on hold awaiting the resolution of the VPA matter. Given these circumstances, Council and the Developer entering into a VPA as outlined in this report is considered the most appropriate alternative mechanism to proceed with the making of the plan.

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Draft VPA for 219 Bells Line of Road, North Richmond

In June 2017, the applicant on behalf of the developer/owner of the subject site offered to enter into a VPA with Council through the submitted draft VPA to support the future subdivision of the subject site into two large lots.

The parties to the draft VPA are Hawkesbury City Council and Fairfax Media Pty Ltd known as “the Developer.” The objective, nature and effect of the draft VPA is for the Developer to provide Council with a monetary contribution of \$30,000 for the additional vacant lot to be created.

The contributions collected by Council will be expended on local and district infrastructure and facilities such as, but not necessarily limited to, cycleways, bus shelters, landscape and park embellishments, road infrastructure improvements to serve the needs of the community.

Given Council is a party to the VPA, the draft VPA excludes the application of Section 7.11 (formerly Section 94) or Section 7.14 (formerly Section 94A) of the *Environmental Planning and Assessment Act, 1979* (EP&A Act) to the proposed subdivision of the subject site.

The draft VPA is consistent with the relevant statutory provisions and Council’s VPA Template. In early July 2017, the revised draft VPA was forwarded to the applicant for comment and to obtain their own legal advice regarding the wording of the agreement. Following receipt of feedback from the landowner in late January 2018, additional minor changes to the draft VPA were made.

The final draft VPA has now been prepared in accordance with the relevant statutory provisions and Council’s VPA Template, and is attached to this report as Attachment 1. The next step should Council resolve to do so is the exhibition of the draft VPA for public comment in accordance with the relevant statutory provisions prior to reporting to Council for its finalisation and adoption.

Explanatory Note

When Council is proposing to enter into a VPA, Section 25 of the *Environmental Planning and Assessment Regulation 2000* (the Regulation) requires the preparation of a written statement referred to in the Regulation as an “explanatory note”. This summarises the objectives, nature and effect of the proposed agreement and contains an assessment of the merits of the proposed agreement including any positive or negative impact on the public or any relevant section of the public.

Section 25E of the Regulation also requires the explanatory note to:

- identify how the planning agreement promotes the public interest and one or more objects of the EP&A Act.
- identify how the planning agreement promotes the objects of the *Local Government Act 1993*.
- describe the planning purposes served by the planning agreement.
- explain whether the planning agreement conforms with Council’s Capital Works Program.
- state whether the planning agreement specifies certain requirements of the agreement must be complied with before a construction certificate, occupation certificate or subdivision certificate is issued.
- requires the exhibition of an Explanatory Note with the proposed VPA for public comment.

An explanatory note has also been prepared which incorporates the above information and is in accordance with the EP&A Act and Regulations, and is attached to this report as Attachment 2.

In accordance with Section 7.5(1) of the updated EP&A Act, a planning agreement cannot be entered into, unless public notice has been given of the proposed agreement and a copy of the proposed agreement has been available for public viewing for a period of not less than 28 days.

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This report recommends that Council resolve to exhibit the draft VPA, Explanatory Note and any other relevant supporting documentation for public comment for a minimum of 28 days in accordance with the relevant statutory provisions of the EP&A Act and Regulation. The matter will be reported back to Council prior to finalisation of the VPA.

Financial Implications

Any residential subdivision development irrespective of its size and scale which is likely to increase the demand for public infrastructure and services should contribute towards the provision or upgrading of local and district infrastructure and facilities.

The draft VPA attached to this report makes provision for the Developer to provide a monetary contribution for the provision or improvement of local and district infrastructure and facilities, if or when the additional allotment is created.

Fit For The Future Strategy Considerations

The proposal is aligned to the following Fit For The Future Strategy:

5.3 Sustainable Population Growth

Continued implementation of Hawkesbury Residential Land Strategy to concentrate new residential development around existing urban centres and villages.

Conclusion

Given the future subdivision of the subject site will enable an additional vacant lot on the subject site, it will likely increase the demand for public infrastructure and services in the locality. The applicant has agreed to enter into a VPA with Council to provide a \$30,000 monetary contribution for the additional lot if it is created as part of a future subdivision.

Given the current Hawkesbury Section 94 Contributions Plan 2015 does not apply to residential development in the North Richmond area, Council entering into a VPA with the Developer is considered warranted.

It is recommended that Council resolve to exhibit the draft VPA and an Explanatory Note prepared in accordance with the relevant statutory provisions and attached to this report along with any other supporting documents for public comment for a minimum of 28 days and report the outcome of the community consultation on the draft VPA to Council prior to finalisation.

Planning Decision

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

RECOMMENDATION:

That:

1. Council exhibit the Draft Voluntary Planning Agreement, Explanatory Note and any other relevant supporting documentation in regard to Lot 87 in Deposited Plan 1040092, 219 Bells Line of Road, North Richmond, for a minimum of 28 days in accordance with the relevant provisions of the Environmental Planning and Assessment Act, 1979 and the Environmental Planning and Assessment Regulation 2000.

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2. The outcome of the community consultation on the Draft Voluntary Planning Agreement be reported to Council following public exhibition.

ATTACHMENTS:

- AT - 1** Draft Voluntary Planning Agreement between Hawkesbury City Council and Fairfax Media Pty Ltd
- AT - 2** Explanatory Note - Draft Voluntary Planning Agreement

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SECTION 3 – Reports for Determination
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AT - 1 Draft Voluntary Planning Agreement

between Hawkesbury City Council and Fairfax Media Pty Ltd



Hawkesbury City Council

AND

Fairfax Media Pty Ltd

DRAFT

Voluntary Planning
Agreement

Lot 87 of DP 1040092,
219 Bells Line of Road,
North Richmond.

Hawkesbury City Council

ORDINARY MEETING
SECTION 3 – Reports for Determination
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DRAFT Voluntary Planning Agreement
219 Bells Line of Road, North Richmond

THIS PLANNING AGREEMENT is made on the day of 2018

BETWEEN:

Parties

HAWKESBURY CITY COUNCIL ('the Council')

AND:

FAIRFAX MEDIA PTY LTD ('the Developer')

Introduction

- A. The Developer is the registered proprietor of the Development Land.
- B. On 24th June 2015 the Council lodged a planning proposal with the Department of Planning and Environment to amend the *Hawkesbury Local Environmental Plan 2012* Lot Size Map to facilitate subdivision of the Development Land.
- C. The Developer proposes to make Development Application to Council for Development Approval to carry out the Proposed Development if the Lot Size Map for the Development Land is altered generally in accordance with the planning proposal.
- D. The Developer has offered to provide the Developer's Contribution in the form of a Cash Contribution on the terms and conditions contained in this Agreement if Development Approval is granted to the Proposed Development.

And it is agreed as follows:

1 Definitions and Interpretation

In this Agreement the following words and letters have the meanings set out below.

- 1.1 'Act' means the *Environmental Planning and Assessment Act 1979* (NSW) (as amended from time to time).
- 1.2 'Approval' means any approvals consents, modifications, certificates (of all types) permits, endorsements, licenses, conditions or requirements (and any variation to them) which may be required by Law for the Proposed Development.
- 1.3 'Authority' means a government, semi-government, local government, statutory, public, ministerial, civil, administrative, fiscal or judicial body, commission, department, agency, tribunal or other authority or body.
- 1.4 'Base CPI' means the CPI number for the quarter ending immediately before the commencement of this Agreement.
- 1.5 'Business Day' means a day that is not a Saturday, Sunday or any other day which is a public holiday or a bank holiday in the place where an act and thing is to be performed or a payment is to be made.
- 1.6 'Cash Contribution' means, subject to clauses 5 and 6, an amount of \$30,000 for additional Housing Lot.
- 1.7 'Completion Certificate' means the release of the subdivision, to enable the lodgement to and issue of Housing Lot titles by the NSW Land & Property Information (LPI).

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DRAFT Voluntary Planning Agreement
219 Bells Line of Road, North Richmond

- 1.8 'CPI' means the Consumer Price Index released by the Australian Bureau of Statistics for "Sydney - All Groups" or such other consumer price index that might replace it.
- 1.9 'CPI Review Date' means each anniversary of the date of this Agreement.
- 1.10 'Current CPI' means the CPI number for the quarter ending immediately before the relevant CPI Review Date.
- 1.11 'Developer's Contribution' has the meaning given in clause 6.
- 1.12 'Development Application' means an application under Part 4 of the Act for Development Approval.
- 1.13 'Development Approval' means a development consent issued under the Act with respect to all or part of the Proposed Development.
- 1.14 'Development Land' means the land comprising Lot 87 of DP 1040092, 219 Bells Line of Road, North Richmond.
- 1.15 'Dispute' in connection with this Agreement means an argument, a controversy, a difference, a dispute including of opinion or interpretation.
- 1.16 'Event of Insolvency' means anyone or more of the following occurrences:
- a) the Developer becomes bankrupt, is served with a bankruptcy notice or a bankruptcy petition, has committed an act of bankruptcy or has entered into an arrangement within and under the meaning of the *Bankruptcy Act 1976* (Cth); or
 - b) the Developer becomes subject to any order or declaration under the *Mental Health Act 2007* (NSW) or is otherwise incapable of managing his or her own affairs
 - c) if the Developer is a company, if:
 - (i) a resolution is passed for the winding up or liquidation of that company
 - (ii) a liquidator, provisional liquidator, receiver, receiver manager, controller, controlling manager, administrator, voluntary administrator or official manager is appointed to the Developer or a resolution is passed for the purposes of placing that party in the control of an external administrator
 - (iii) it suspends payment of its debts or is unable to pay its debts including of money payable under this Agreement or is deemed insolvent
 - (iv) it fails to or is taken as having failed to comply with a statutory demand under the *Corporations Act 2001* (Cth)
 - (v) if anything analogous or having substantially similar effect to any of the events specified above happens under the law of any applicable jurisdiction with respect to the Developer.
- 1.17 'GST' has the same meaning as the GST Act and other words or expressions used in the GST Act which have a particular defined meaning (including any applicable legislative determinations and Australian Taxation Office public rulings) have the same meaning.
- 1.18 'GST Act' means *A New Tax System (Goods and Services Tax) Act 1999* (Cth) (as amended from time to time).

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DRAFT Voluntary Planning Agreement
219 Bells Line of Road, North Richmond

- 1.19 'Housing Lot' means a lot approved by a Development Approval comprising part of the Development Land that is intended to be used for the purposes of a single dwelling house without being further subdivided.
- 1.20 'Housing Lot Contribution' means subject to Clauses 6, 7 and 8, cash to the value of \$30,000 for the additional Housing Lot arising from a Development Approval of the Development Land.
- 1.21 'Law' means:
- a) the common law and principles of equity;
 - b) the requirements of legislation, regulations and by-laws; and
 - c) a binding order made by an Authority.
- 1.22 'LPI' means Land and Property Information or any other government agency replacing it.
- 1.23 'Lot Size Map' means the maps with a corresponding name and forming part of *Hawkesbury Local Environmental Plan 2012*.
- 1.24 'Party' means a party to this Agreement, including their successors and assigns.
- 1.25 'Proposed Development' means the amendment to *Hawkesbury Local Environmental Plan 2012* and subdivision of the Development Land into two housing lots.
- 1.26 'Subdivision Certificate' means a certificate issued under section 6.3 of the Act with respect to the Proposed Development.
- 1.27 'Transfer' means to settle, assign, transfer, convey, alienate, otherwise dispose of or part with possession of.

2 Interpretation

In this Agreement unless the contrary intention appears:

- 2.1 One gender includes the opposite gender.
- 2.2 The singular includes the plural and the plural includes the singular.
- 2.3 A party includes that party's executors, administrators, successors, permitted assigns, permitted legal representatives and substitutes.
- 2.4 Dollars or \$ means Australia dollars and all money payable under this Agreement is payable in that currency.
- 2.5 'Including' and similar expressions are not words of limitation.
- 2.6 Where a word or expression is given a particular meaning, other parts of speech and grammatical forms of that word or expression have a corresponding meaning.
- 2.7 Headings, any table of contents or index are for convenience only and do not affect interpretation of this Agreement.
- 2.8 An explanatory note which relates to this Agreement does not affect the interpretation of this Agreement.
- 2.9 A provision of this Agreement must not be construed to the disadvantage of a party merely because that party was responsible wholly or partly for the preparation of this Agreement or the inclusion of a term or condition in this Agreement.

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DRAFT Voluntary Planning Agreement
219 Bells Line of Road, North Richmond

- 2.10 If an act and thing must be done on a specific day which is not a business day, it must be done instead on the next business day.
- 2.11 A person means and includes a person, a body corporate, Authority, firm, body of persons, association, trust, joint venture or other legal commercial entity or undertaking recognized by law whether or not incorporated.
- 3 Planning Agreement**
- 3.1 This Agreement:
- 3.1.1 applies to the Development Land
- 3.1.2 is a planning Agreement within the meaning set out in section 7.4 of the Act
- 3.1.3 is to be registered on the title of the Development Land under section 7.6 of the Act
- 3.1.4 is not a confidential document and may be exhibited without restriction by either party.
- 3.2 Subject to clause 3.3, this Agreement operates from the date it is executed.
- 3.3 Clause 6 of this Agreement will only operate if and when Council grants Development Approval (or Development Approvals as the case may be) to the Proposed Development on the Development Land.
- 4 Application of Section 7.11 and Section 7.12 of the Act to the Development**
- 4.1 This Agreement excludes the application of Section 7.11 (formerly Section 94) and Section 7.12 (formerly Section 94A) of the Act to the Proposed Development.
- 4.2 Notwithstanding Clause 4.1, should a Section 7.11 Plan (formerly Section 94 Plan) which applies to the land come into force prior to the issue of any development consent for subdivision of the land, this Agreement shall be terminated immediately and the adopted contribution rate within such Section 7.11 Plan shall be applied in place of the Developer's Contribution cited within this Agreement.
- 4.3 Clause 4.2 does not allow the Council or the Developer to retrospectively apply a Section 7.11 contribution for allotments for which development contributions have been paid in accordance with this Agreement.
- 4.4 Subject to Clause 15 should this Agreement be terminated in accordance with clause 16, Section 7.11 or Section 7.12 of the Act, whichever is applicable, will apply to the Proposed Development.
- 5 Registration of this Agreement**
- 5.1 Within 30 days from the commencement of this Agreement the Developer must take all reasonable steps to procure the registration of the Agreement, in accordance with Section 7.6 of the Act on the relevant folios of the register held by the LPI pertaining to the Development Land.
- 5.2 The Council agrees:
- a) to provide a release and discharge of this Agreement with respect to the Development Land or any lot created on subdivision of the Development Land on:
- satisfaction by the Developer of the obligation to provide the Developer's Contribution: or
- surrender of the Development Approval by the Developer;

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219 Bells Line of Road, North Richmond

and to do all things reasonably necessary, including the execution of any documents, to enable the Developer to remove the notation of this Agreement on the relevant folios of the register, held by the LPI pertaining to the Land.

- 5.3 The Council acknowledges that the registration of this Agreement on the relevant folios of the register held by the LPI pertaining to the Development Land constitutes suitable means of enforcement of this Agreement for the purposes of s7.4(3)(g) of the Act.

6 Developer's Contribution

- 6.1 Subject to the terms of this Agreement, including clause 3.3, the Developer agrees to provide the Developer's Contribution, subject to clause 8, in the form of the Cash Contribution via a condition of Development Approval at the rate of \$30,000, subject to clause 9, for the creation of the additional Housing Lot.
- 6.2 For the avoidance of doubt, the parties agree and acknowledge that the maximum Cash Contribution is calculated on the basis of \$30,000 for the additional Housing Lot created by subdivision of the Development Land.

7 Calculation of Developer's Contributions

The Developer and Council acknowledge and agree that subject to Clause 6, the Developer will contribute cash to the value of the Cash Contribution for the additional Housing Lot.

8 CPI Adjustment of Developer's Contributions

On each CPI Review Date the Developer Contribution will be calculated as follows:

$$RAC_c = RAC_b \times \frac{\text{Current CPI}}{\text{Base CPI}}$$

Where:

RAC_b = The Housing Lot contribution at the commencement of this Agreement (i.e. \$ 30,000)

RAC_c = Adjusted Housing Lot Contribution at CPI review date.

9 Payment of Cash Contribution

The Cash Contribution must be paid to Council, prior to the issue of the Subdivision Certificate.

10 GST

- 10.1 Unless otherwise expressly stated all money or other sums payable or consideration to be provided under this Agreement are exclusive of GST.
- 10.1 Despite clause 6, to the extent that the Commissioner of Taxation, a Court or Tribunal determines that any supply made under or in connection with this Agreement is a taxable supply, the GST exclusive consideration otherwise to be paid or provided for that taxable supply is increased by the amount of any GST payable in respect of that taxable supply and that amount must be paid at the same time and in the same manner as the GST exclusive consideration is otherwise to be paid or provided and a valid Tax invoice is to be delivered to the recipient of the taxable supply and this clause will not merge on completion or termination of the Agreement.

11 Dispute Resolution

- 11.1 Reference to Dispute

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DRAFT Voluntary Planning Agreement
219 Bells Line of Road, North Richmond

If a dispute arises between the Parties in relation to this Agreement, then the Parties must resolve that dispute in accordance with this clause.

11.2 Notice of Dispute

The Party wishing to commence the dispute resolution processes must notify the other Party in writing of:

- a) the intent to invoke this clause
- b) the nature or subject matter of the dispute, including a summary of any efforts made to resolve the dispute other than by way of this clause
- c) the outcomes which the notifying Party wishes to achieve (if practicable).

11.3 Representatives of Parties to Meet

- a) The representatives of the Parties must promptly (and in any event within 15 Business Days of the written notice provided in accordance with clause 11.2 meet in good faith to attempt to resolve the notified dispute
- b) The Parties may, without limitation:
 - (i) resolve the dispute during the course of that meeting
 - (ii) agree that further material, expert determination in accordance with clause 11.5 or consideration is needed to effectively resolve the dispute (in which event the Parties will, in good faith, agree to a timetable for resolution)
 - (iii) agree that the Parties are unlikely to resolve the dispute and, in good faith, agree to a form of alternative dispute resolution (including expert determination, arbitration or mediation) which is appropriate for the resolution of the relevant dispute.

11.4 No party may constrain

If:

- a) at least one meeting has been held in accordance with clause 11.3
- b) the Parties have been unable to reach an outcome identified in clause 11.3
- c) any of the Parties, acting in good faith, forms the view that the dispute is reasonably unlikely to be resolved in accordance with a process agreed under clause 11.3(b)(iii), then, that Party may, by 15 Business Days written notice to the other Party, terminate the dispute resolution process in respect of that dispute. The termination of the process set out in this clause does not of itself amount to a breach of this Agreement.

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11.5 Expert Determination

- a) If a Dispute arises between Parties to this Agreement, the Parties may agree to refer the Dispute to expert determination in Sydney, New South Wales administered by the Australian Commercial Dispute Centre (ACDC).
- b) The expert determination will be conducted in accordance with the ACDC Rules for Expert Determination (Rules) in force at the date of this Agreement. The Rules set out the procedures to be adopted, the process of selection of the expert and the costs involved, including the Parties' respective responsibilities for the payment of the expert's costs and other costs of the expert determination.
- c) The expert determination will be final and binding on the Parties.
- d) This clause survives termination of this Agreement.

11.6 Urgent Relief

At any time, a Party may, without inconsistency with anything in this clause 11, seek urgent interlocutory relief in respect of a dispute under this Agreement from any Court having jurisdiction.

12 Agreement of the Developer

12.1 The Developer warrants that it:

- 12.1.1 is the legal and beneficial owner of part of the Development Land
- 12.1.2 will take all practicable steps and use best endeavours and do all acts and things required to procure:
 - 12.1.2.1 the execution of any documents necessary to effect registration of this Agreement with LPI
 - 12.1.2.2 the production of the relevant certificates of title for the Development Land and the registration of this Agreement at LPI on the title of the Development Land within 30 days of the date of the commencement of this Agreement.

12.2 Council shall not be required to seal any sub-division plan made pursuant to the Development Approval unless and until this Agreement has been registered at LPI on the title of the Development Land.

13 Enforcement by any party

- a) Without limiting any other remedies available to the Parties, this Agreement may be enforced by any Party in any court of competent jurisdiction.
- b) Nothing in this Agreement prevents:
 - (i) a Party from bringing proceedings in a court of competent jurisdiction to enforce any aspect of this Agreement or any matter to which this Agreement relates, subject to compliance with clause 14
 - (ii) the Council from exercising any function under the Act or any other Act or law.

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14 Assignment and dealings

14.1 The Developer is not to:

- 14.1.1 sell, transfer, mortgage or charge the Land, or
- 14.1.2 assign the Developer's rights or obligations under this Deed, or novate this Deed, to any person unless:
 - 14.1.2.1 the Developer has, at no cost to the Council, first procured the execution by the person to whom the Land or part is to be sold, transferred, mortgaged or charged or the Developer's rights or obligations under this Deed are to be assigned or novated, of a deed in favour of the Council on terms reasonably satisfactory to the Council, and
 - 14.1.2.2 the Council has given written notice to the Developer stating that it reasonably considers that the purchaser, transferee, mortgagee, charge, assignee or novatee, is reasonably capable of performing its obligations under this Deed, and
 - 14.1.2.3 the Developer is not in breach of this Deed, and
 - 14.1.2.4 the Council otherwise consents to the transfer, mortgage, charge, assignment or novation, such consent not to be unreasonably withheld.

15 Release

When the Developer has satisfied all of the obligations imposed on it under this Agreement in respect of the Development Land for which a Subdivision Certificate has been issued and for which the Developer's Contribution has been delivered then the Council must promptly at the request and at the reasonable expense of the Developer do all acts and things necessary to remove this Agreement from the title of that part of the Development Land.

16 Termination

16.1 This Agreement may be terminated by the Council by written notice to the Developer if:

- 16.1.1 the Developer commits a breach of any of the terms and conditions of this agreement and fails to remedy such a breach within 14 days of receipt of a written notice (which specifies the breach and requires the Developer to remedy the breach) whereupon the date of such termination will be effective on the 15th day from receipt of such written notice; or
- 16.1.2 an Event of Insolvency occurs.

17 Review Procedures

The parties may agree to review this Agreement in circumstances and in a manner determined by the parties. Any amendment, modification, supplement or replacement document which results from a review must be in writing, signed by the parties and registered at LPI under Section 7.6 of the Act.

18 Notices

- 18.1 Any notice, consent, information, application or request that must or may be given or made to a Party under this Agreement is only given or made if it is in writing and sent in one of the following ways:
 - a) delivered or posted to that Party at its address set out below
 - b) faxed to that Party at its fax number set out below.

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18.2 For the purposes of this clause the parties' contact details for service are:

The Developer

Fairfax Media Pty Ltd

Address: GPO Box 1511
WODEN ACT 2606

Email: <<Insert details>>

Telephone: <<Insert Number>>

Council

Address: Hawkesbury City Council
Attention: General Manager
366 George Street
WINDSOR NSW 2576

Telephone: (02) 4560 4444

Facsimile: (02) 4587 7740

18.3 If a Party gives the other Party three business days' notice of a change of its address or fax number, any notice, consent, information, application or request is only given or made by that other Party if it is delivered, posted or faxed to the latest address or fax number.

18.4 Any notice, consent, information, application or request is to be treated as given or made at the following time:

- a) If it is delivered, when it is left at the relevant address
- b) If it is sent by post, two business days after it is posted
- c) If it is sent by fax, as soon as the sender receives from the sender's fax machine a report of an error free transmission to the correct fax number.

18.5 If any notice, consent, information, application or request is delivered, or an error free transmission report in relation to it is received, on a day that is not a business day, or if on a business day, after 5pm on that day in the place of the Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next business day.

19 Proper Law and Jurisdiction

This Agreement is made and will be construed and governed in accordance with the Law of the State of NSW South Wales. Each party submits to the exclusive jurisdiction of each and every Court or Tribunal of the said State having jurisdiction to hear the matter submitted to it.

20 Severance

If a clause or part of a clause of this Agreement can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way. If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this Agreement, but the rest of this Agreement is not affected.

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21 Waiver

- 21.1 No failure on the part of a party to exercise and no delay in exercising and no cause of dealing with respect to, any condition and the rights, powers or remedies of that party under this Agreement will impair any of those rights, powers or remedies, nor constitute a waiver of any of those rights, powers or remedies.
- 21.2 No single or partial exercise by a party of any condition and rights, powers or remedies under this Agreement will preclude any other or further exercise of those or exercise of any other conditions rights or remedies.
- 21.3 Any condition and the rights, powers or remedies under or relating to this Agreement are cumulative and will not exclude any other rights, powers or remedies under or relating to this Agreement at Law.
- 21.4 No waiver of any of the conditions of this Agreement will be effective unless in writing signed by the party against whom such waiver is sought to be enforced.
- 21.5 Any waiver of the conditions of this Agreement will be effective only in the specific instance and for the specific purpose given and the waiver will not be deemed a waiver of such obligations or of any subsequent breach of the same or some other obligation.

22 Approvals and Consent

Except as otherwise set out in this Agreement, and subject to any statutory obligations, a Party may give or withhold an approval or consent to be given under this Agreement in that Party's absolute discretion and subject to any conditions determined by the Party. A Party is not obliged to give its reasons for giving or withholding consent or for giving consent subject to conditions.

23 Entire Agreement

This Agreement contains all the terms and conditions to which the parties have agreed on in relation to the matters which they have dealt with. No party can rely on an earlier document, anything said or done by another party, or omitted to be relied upon, said or done except as permitted by Law.

24 No Fetter

- 24.1 Nothing in the Agreement is to be construed as requiring the Council to do anything
 - 24.1.1 that would cause it to be in breach of any of its obligations at Law
 - 24.1.2 limiting or fettering in any way the exercise of any statutory discretion or duty; at Law
 - 24.1.3 imposing any obligations to grant an Approval.

25 Representatives and Warranties

Each party agrees that it has the power and authority to enter into this Agreement and comply with its obligations and that entry into this Agreement will not result in a breach of Law.

26 Costs

Each party must bear and pay its own costs of and incidental to the preparation and execution of this Agreement.

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Executed as an agreement on 2018

Execution by Council

THE COMMON SEAL of HAWKESBURY CITY)
COUNCIL was hereunto affixed on the ___th day of)
_____ 2018 pursuant to a resolution)
passed on the ___th day of _____ 2018 in)
the presence of:)

.....
Peter Conroy - General Manager

.....
Cllr Mary Lyons-Buckett - Mayor

Execution by Nicole Hatherly

Signed by:

Signature of Developer Given Name Initial and
Last Name

Signature of Developer Given Name
Initial and Last Name

Print name

Print name

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AT - 2 Explanatory Note - Draft Voluntary Planning Agreement

Hawkesbury City Council



Explanatory Note – Draft Voluntary Planning Agreement

Lot 87 of DP 1040092, 219 Bells Line of Road, North Richmond

This Explanatory Note has been prepared in accordance with clause 25E of *Environmental Planning and Assessment Regulation 2000* (the Regulation).

The purpose of this Explanatory Note is to provide a plain English summary to support the notification, in accordance with section 7.5 of the *Environmental Planning and Assessment Act 1979* (the Act), of a draft Voluntary Planning Agreement (draft VPA) under section 7.4 of the Act.

This Explanatory Note is not to be used to assist in construing the draft VPA.

The Parties

The Parties subject to this draft VPA are as follows:

Hawkesbury City Council (ABN 54 659 038 834) ('the Council')

Fairfax Media Pty Ltd ('the Developer')

Description of Subject Land

This draft VPA applies to Lot 87 of DP 1040092, 219 Bells Line of Road, North Richmond.

Summary of objectives, nature and effect of the Planning Agreement

The draft VPA is complementary to a proposed amendment to *Hawkesbury Local Environmental Plan 2012* which will enable the subdivision of the subject site into two large Housing lots with minimum lot sizes of not less than 4ha.

The objective, nature and effect of the draft VPA is for the Developer to provide Council with a cash contribution of \$30,000 for additional vacant Housing lot created. This amount is to be paid and is subject to consumer price index adjustment as per clauses 3, 6, 7, 8 and 9 of the draft VPA. It is anticipated that contributions collected by Council will be expended on local and district infrastructure and facilities such as, but not necessarily limited to, cycleways, bus shelters, landscape and park embellishments and road improvements to serve the needs of the community as a consequence of the development.

The agreement will only operate if and when Council grants development approval(s) to the proposed development of the site. The agreement excludes the application of section 7.11 (formerly section 94) and section 7.12 (formerly section 94A) of the Act to the proposed development of the site.

Assessment of the merits of the Planning Agreement

The merits of the draft VPA are that it will provide Council with cash contributions to provide local and district infrastructure and facilities which are required by the community as a consequence of the development.

The draft VPA will have a positive impact on the public in that it will enable the provision of local and district infrastructure and facilities and for the orderly and economic development of the subject land.

366 George Street (PO Box 146) Windsor NSW 2756 | Phone: (02) 4560 4444 | Facsimile: (02) 4567 7740 | DX: 8601 Windsor
Hours: Monday to Friday 8:30am - 5pm | Email: council@hawkesbury.nsw.gov.au | Website: www.hawkesbury.nsw.gov.au



Interpreter Service 131 450

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How does the Planning Agreement promote the public interest and one or more of the objects of the Act?

The draft VPA promotes the public interest by ensuring that cash contributions are made for the provision of local and district infrastructure and facilities which are required by the community as a consequence of the development.

The draft VPA promotes the following objects of the Act through the provision of cash contributions to be used for the provision of local and district infrastructure and facilities:

- to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources (Section 1.3(a)).
- to encourage the promotion of the orderly and economic use and development of land (Section 1.3(c)).

How does the Planning Agreement promote the objects of the Local Government Act 1993?

By requiring the payment of cash contributions, the draft VPA provides Council with the ability to provide local and district infrastructure and facilities appropriate to the needs of the incoming community and also provides Council with a role in the management, improvement and development of resources in the area.

In this way, the draft VPA promotes the purposes set out in section 7(e) of the *Local Government Act 1993*.

How does the Planning Agreement promote the Principles for local government under Chapter 3 of the *Local Government Act 1993*?

The draft VPA makes provisions for Council to receive cash contributions that can be used for the provision of local and district infrastructure and facilities, hence the VPA promotes the following elements of Principles for local government under Chapter 3 Sections 8A and 8B of the *Local Government Act 1993*:

- 8A (1) (f) Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way
- 8A (1) (g) Councils should work with others to secure appropriate services for local community needs
- 8A (1) (h) Councils should act fairly, ethically and without bias in the interests of the local community
- 8A (2) (b) Councils should consider social justice principles
- 8A (2) (c) Councils should consider the long term and cumulative effects of actions on future generations
- 8B (d) Councils should have regard to achieving intergenerational equity, including ensuring the following: (i) policy decisions are made after considering their financial effects on future generations.

What are the planning purposes served by the Planning Agreement?

The planning purpose of the draft VPA is to enable the collection of contributions that can be used for the delivery of local and district infrastructure and facilities required as a result of the proposed development.

The agreement will only operate if and when Council grants development approval(s) to the proposed development of the site. If the proposed development does occur then the planning purpose will be achieved. If the proposed development does not occur the planning purpose will not be achieved nor will it be required.

Does the Planning Agreement conform with Council's Capital Works Program?

It is anticipated that the contributions collected will be used to provide local and district infrastructure and facilities that are supplementary and consistent with Council's current capital work program.

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Does the agreement specify certain requirements of the agreement must be complied with before a construction certificate, occupation certificate or subdivision certificate is issued?

Yes, clause 9 of the draft VPA states:

The Cash Contribution must be paid to Council, prior to the issue of the Subdivision Certificate.

March 2018

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Item: 074 **CP - Review of Hawkesbury Development Control Plan - (95498, 124414)**

Previous Item: 18 - NM3, Ordinary (30 January 2018)

Directorate: City Planning

PURPOSE OF THE REPORT:

The purpose of this report is to provide Council with details of the review of the Hawkesbury Development Control Plan in accordance with Council's resolution from the Ordinary Meeting on 30 January 2018. This Report:

- Identifies the work required to review and improve the usability of the Hawkesbury Development Control Plan;
- Provides an outline of proposed changes to the format and content of the Development Control Plan and rationale for these changes;
- Provides an estimated timeframe for completion of the revised Development Control Plan, and
- Identifies potential financial sources for the project.

EXECUTIVE SUMMARY:

The *Environmental Planning and Assessment Act, 1979* dictates the purpose of a development control plan. In general a development control plan provides guidelines to support the overall objectives and zone objectives of environmental planning instruments such as local environmental plans and state environmental plans, and to facilitate permissible development. As per the Act, the provisions of a development control plan are not statutory requirements.

As a result it is considered that development control plans should include requirements that are linked to and support the provisions of local environmental plans, and other environmental planning instruments where needed.

This Report provides a broad outline of the approach for the review and updating of the Hawkesbury Development Control Plan. It provides a general overview of the work that needs to be undertaken and the parameters relating to timeframes required to undertake this work, having regard to research, public consultation, writing and editing of chapters, and formal exhibition periods.

The recommended review of best practice in regard to development control planning will ensure that the review of the Hawkesbury Development Control Plan will provide the best outcome for all stakeholders.

The Department of Planning and Environment proposes to implement standard format development control plans by mid 2020. As such it is proposed that planning staff contact the Department of Planning and Environment to ascertain the possibility of utilising the proposed standard format in the completion of the review of the Hawkesbury Development Control Plan.

Given the complexities of a major review process, a Councillor Workshop will be arranged to discuss the review process, and proposed changes to the format and content of the Hawkesbury Development Control Plan.

RECOMMENDATION SUMMARY:

This report recommends that Council receive and note the information provided, and that a Councillor Workshop be held to discuss the review process, and proposed changes to the format and content of Hawkesbury Development Control Plan. Additionally, that Council Officers contact the Department of

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Planning and Environment to ascertain the possibility of utilising the proposed standard format in the completion of the review of the Hawkesbury Development Control Plan.

REPORT:

Context and Background

The Hawkesbury Development Control Plan was adopted by Council on 12 March 2002, and became effective on 7 August 2002. Since that time, additional Chapters have been included, however in general the content of the Development Control Plan has not been reviewed or updated since 2002. In court matters during 2015, Commissioners of the Land and Environment Court have questioned the age, and therefore relevancy of the Hawkesbury Development Control Plan.

Detailed History, including previous Council decisions

At its Ordinary Meeting on 30 January 2018, Council resolved:

"That Council:

1. *Receive a report by the Council Meeting 6 March 2018, which details a timeframe, methodology and potential financial sources for rewriting the Development Control Plan (DCP).*
2. *In its upcoming deliberations, include a provision for updating the DCP, supported and informed by consultation with local stakeholders regarding the current DCP and difficulties experienced with its interpretation and implementation."*

This Report has been prepared to respond to Council's resolution.

Policy Considerations

Environmental Planning and Assessment Act, 1979

Since the Hawkesbury Development Control Plan was adopted in 2002 there have been numerous changes to the *Environmental Planning and Assessment Act 1979*, but since its adoption the Plan has not been reviewed.

Purpose and Status of Development Control Plans

Section 3.42 *Purpose and status of development control plans* of the *Environmental Planning and Assessment Act, 1979* states that:

1. the principle purpose of a development control plan is to provide guidance on the following matters:
 - (a) *giving effect to the aims of any environmental planning instrument that applies to the development,*
 - (b) *facilitating development that is permissible under any such instrument,*
 - (c) *achieving the objectives of land zones under any such instrument.*

The provisions of a development control plan made for that purpose are not statutory requirements.

2. The other purpose of a development control plan is to make provisions of the kind referred to in section 3.43 (1) (b)–(e), as follows:
 - (a) *to provide the guidance referred to in section 3.42 (1), or*
 - (b) *(Repealed)*
 - (c) *to provide for (or exclude) public or particular advertising or notification of any of the following:*

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- (i) *a development application for specified development (other than State significant development or designated development),*
 - (ii) *a request for the review of a determination of a development application where the applicant for review makes amendments to the development described in the original development application,*
 - (iii) *an application for the modification of a development consent for specified development (but not State significant development or designated development), or*
 - (iv) *(Repealed)*
- (d) *in the case of a council - to specify criteria (in addition to but not inconsistent with any criteria prescribed by the regulations) that the council is to take into consideration in determining whether or not to give a development control order, or*
- (e) *to make provision for anything permitted by this Act to be prescribed by a development control plan.*

Given the provisions of a development control plan are not statutory requirements, the Hawkesbury Development Control Plan should be constructed so that it 'talks' to the general aims and objectives, the zone objectives and clauses of Hawkesbury Local Environmental Plan 2012 to allow applicants to understand what needs to be undertaken to satisfy the requirements of the Local Environmental Plan. Likewise, the Hawkesbury Development Control Plan can also relate to the provisions of any relevant State Environmental Planning Policy.

In this respect, the Hawkesbury Development Control Plan will then satisfy the *Environmental Planning and Assessment Act's* purpose for development control plans whilst facilitating consistency with the provisions of the Hawkesbury Local Environmental Plan 2012, and any relevant State Environmental Planning Policies.

This will also add weight in defending appeals in the Land and Environment Court as the defence will be based on inconsistency with the Local Environmental Plan, rather than inconsistency with the provisions of the Development Control Plan which, as per the Act are not statutory requirements.

The Environmental Planning and Assessment Act also states that a provision of a development control plan (whenever made) has no effect to the extent that:

- (a) *it is the same or substantially the same as a provision of an environmental planning instrument applying to the same land, or*
- (b) *it is inconsistent or incompatible with a provision of any such instrument.*

As a consequence, it is of no benefit to repeat any requirements of the Local Environmental Plan or State Environmental Planning Policies within the Development Control Plan. Similarly, repetition of requirements stipulated by other legislation is not considered to be effective or efficient. By only including matters within the Development Control Plan that add to, and enhance the provisions of relevant environmental planning instruments, the document will be relevant, concise and user-friendly.

Provisions Relating to Development Control Plans

Section 3.45 *Miscellaneous provisions relating to development control plans* of the Environmental Planning and Assessment Act states:

- (1) *The regulations may make provision for or with respect to development control plans, including:*
 - (a) *the form, structure and subject-matter of development control plans, and*
 - (b) *the procedures for the preparation, public exhibition, making, amendment and repeal of development control plans, and*

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- (c) *the fees payable to the relevant planning authority by owners submitting draft development control plans under section 3.44.*
- (2) *(Repealed)*
- (2A) *Regulations relating to the form, structure and subject-matter of development control plans may require the standardisation of those plans and, for that purpose, authorise the Minister to publish requirements as to their form, structure and subject-matter that are to be complied with by relevant planning authorities.*

On 1 March 2018, the amended *Environmental Planning and Assessment Act* came into effect. The Department of Planning and Environment has advised that:

“The Government is taking a staged approach to the commencement of the new Act to ensure a smooth transition to the new measures. While most of the changes will commence on 1 March 2018, there will be a number of other changes that will involve further design and consultation. These new features of the planning system will commence in a staged manner.”

In this regard the Department of Planning and Environment expect that ‘standard format development control plans’ will commence in mid-2020.

The impact of the commencement of standardised development control plans on the process of updating the Hawkesbury Development Control Plan is discussed further in this Report.

Consultation

The issues raised in this report concern matters which, at this stage, do not require community consultation under Council’s Community Engagement Policy. Engagement and consultation with relevant stakeholders will occur during the course of reviewing the Hawkesbury Development Control Plan.

Conformance to the Hawkesbury Community Strategic Plan 2017-2036

The proposal is consistent with the following Focus Areas, Directions and Strategies within the CSP.

Our Leadership

- 1.1 Local Leadership and effective governance - Provide representative, responsive and accountable governance.
- 1.2 Communication and engagement - Encourage an informed community and enable meaningful engagement.

Our Environment

- 3.1 The natural environment is protected and enhanced - Value, protect and enhance our unique natural environment
- 3.2 To live sustainably and reduce our ecological footprint - Identify and make best use of our local resources and awareness of contribution to the environment
- 3.4 The sustainability of our environment is improved - Encourage and enable our community to make sustainable choices

Discussion

The purpose of this Report is to consider the work required to review the Hawkesbury Development Control Plan so that it is:

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- More closely aligned to Council's LEP and other plans; and
- easier to interpret and implement.

The Report also considers:

- the likely timeframe in which this can be undertaken; and
- the potential sources of funding to carry out this work are also discussed.

In order for the Hawkesbury Development Control Plan to be easily understood, a review of its format and wording, and the level and relevancy of information provided by the Plan needs to be undertaken. In addition, the appropriateness and relevancy of the controls needs to be reviewed to ensure that they achieve the desired outcomes, are not unnecessary or unreasonably onerous, and align with relevant legislation and Council's Community Strategic Plan.

Essentially the Hawkesbury Development Control Plan needs to advise what has to be undertaken, and how it can be undertaken to achieve the desired outcomes from development in order to inform:

- applicants to facilitate development,
- the community in general, and their expectations in relation to development outcomes, and
- Council and the consistency of assessment of development applications.

Methodology

In terms of the review, it is considered that as part of the process the following should be undertaken and achieved by Council:

- Review of best practice
- Provision of a Plain English Plan
- Provision of diagrams to assist in interpretation
- Aligned to the Development Process
- Aligned to the LEP
- Allows for appropriate consultation

Development Control Plan Structure and Chapters

The current Hawkesbury Development Control Plan is structured as follows:

- Part A - Introduction
- Part B - Exempt and Complying Development
- Part C - General Guidelines
- Part D - Specific Development
- Part E - Specific Areas
- Appendices

The Notice of Motion of 30 January 2018 stated that "*Further to the current contents, the revised DCP should provide guidelines for tourism accommodation, affordable housing, heritage and eco precincts, shedding, shared accommodation, public domain, public art, water sensitive design and urban heat mitigation.*"

Having regard to the above, investigations into the appropriateness of these matters for inclusion in the Development Control Plan will need to be undertaken. In some circumstances, it may be more appropriate and effective to incorporate controls within Hawkesbury Local Environmental Plan 2012 which will provide greater weight than the Development Control Plan.

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The Department of Planning and Environment proposes to implement standard format development control plans by mid 2020. It is envisaged that any standardised development control plan would allow the inclusion of local provisions. It is unknown as to what form these standardised plans will take; their format and content, or whether this timeframe will be met, particularly given the Department of Planning and Environment had first raised the implementation of a standardised development control plan as early as 2012. As such it is proposed that planning staff contact the Department of Planning and Environment to ascertain the possibility of utilising the proposed standard format in the completion of the review of the Hawkesbury Development Control Plan.

Financial Implications

The matters raised in this report have direct financial implications. Allocation of some limited funding exists in the 2017/2018 budget, and further allocations are proposed in the 2018/2019 and 2019/2020 budgets as necessary.

Fit For The Future Strategy Considerations

The proposal is aligned with Council's long term plan to improve and maintain organisational sustainability and achieve Fit for the Future financial benchmarks. The proposal has no resourcing implications outside of Council's adopted 2017/18 Operational Plan which will adversely impact on Council's financial sustainability.

Conclusion

The review and updating of the Hawkesbury Development Control Plan in accordance with the methodology discussed within this Report will improve the understanding of the Plan, providing ease and consistency in its implementation.

The review of best practice in regard to development control planning will ensure that the review of the Hawkesbury Development Control Plan will provide the best outcome for all stakeholders.

Whilst the Department of Planning and Environment is proposing the implementation of standardised development control plans by mid 2020, it is considered that delaying the review of the Hawkesbury Development Control Plan is not warranted given that up-to-date controls are urgently needed, will likely be required for inclusion in the standardised plans, and it is unknown whether the timeframe indicated by the Department of Planning and Environment of mid 2020 will be met.

To ensure the timely delivery of a new development control plan it is considered that consultants be engaged to undertake the work, and that the work be carried out in the stages. In doing so it is envisaged that high priority chapters of the Hawkesbury Development Control Plan could be amended and implemented by early 2019, with the completion of the entire Development Control Plan being finalised by early 2020.

It is also considered appropriate that planning staff contact the Department of Planning and Environment to ascertain the possibility of utilising the proposed standard format in the completion of the review of the Hawkesbury Development Control Plan.

Planning Decision

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

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RECOMMENDATION:

That Council:

1. Receive and note the information
2. Council officers contact the Department of Planning and Environment to ascertain the possibility of utilising the proposed standard format in the completion of the review of the Hawkesbury Development Control Plan.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 075 **SS - Monthly Investments Report - February 2018 - (95496, 96332)**

Previous Item: 97, Ordinary (30 May 2017)

Directorate: Support Services

PURPOSE OF THE REPORT:

The purpose of this report is to provide the Council with a written report setting out details of all money that the Council has invested under Section 625 of the Local Government Act 1993.

EXECUTIVE SUMMARY:

This report indicates that Council held \$53.7 million in investments at 28 February 2018 and outlines that all investments were made in accordance with the Act, the Regulation and Council's Investment Policy.

RECOMMENDATION SUMMARY:

It is recommended that the Monthly Investments Report for February 2018 be received and noted.

REPORT:

Context and Background

The following table indicates that Council held \$53.7 million in investments as at 28 February 2018. Details of the financial institutions with which the investments were made, date investments were taken out, the maturity date (where applicable), the rate of return achieved, the credit rating of the institutions both in the short term and the long term, and the percentage of the total portfolio, are provided below:

Investment Type	Institution Short Term Rating	Institution Long Term Rating	Lodgement Date	Maturity Date	Interest Rate %	Principal \$	Percentage of Portfolio	Total \$
On Call								
CBA	A1+	AA-			1.25%	3,700,000	6.88%	
Tcorp*					2.14%	3,041,151	5.66%	
Total On-call Investments								6,741,151
Term Investments								
Bankwest	A1+	AA-	07-Feb-18	14-Mar-18	2.00%	1,000,000	1.86%	
Bankwest	A1+	AA-	22-Nov-17	19-Sep-18	2.55%	1,000,000	1.86%	
Bankwest	A1+	AA-	22-Nov-17	21-Nov-18	2.55%	1,500,000	2.79%	
Bankwest	A1+	AA-	22-Feb-18	22-Feb-19	2.60%	500,000	0.93%	
CBA	A1+	AA-	02-Mar-17	02-Mar-18	2.65%	1,000,000	1.86%	
CBA	A1+	AA-	17-Mar-17	14-Mar-18	2.71%	1,500,000	2.79%	
CBA	A1+	AA-	27-Apr-17	27-Apr-18	2.63%	1,500,000	2.79%	
CBA	A1+	AA-	28-Jun-17	09-May-18	2.60%	1,500,000	2.79%	
CBA	A1+	AA-	03-Aug-17	18-Jul-18	2.54%	2,000,000	3.72%	
CBA	A1+	AA-	13-Dec-17	13-Dec-18	2.57%	3,000,000	5.58%	
CBA	A1+	AA-	21-Dec-17	21-Dec-18	2.61%	1,000,000	1.86%	
CBA	A1+	AA-	12-Jan-18	16-Jan-19	2.63%	1,500,000	2.79%	

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Investment Type	Institution Short Term Rating	Institution Long Term Rating	Lodgement Date	Maturity Date	Interest Rate %	Principal \$	Percentage of Portfolio	Total \$
CBA	A1+	AA-	31-Jan-18	31-Jan-19	2.65%	2,500,000	4.65%	
CBA	A1+	AA-	24-Aug-17	23-Aug-19	2.72%	3,000,000	5.58%	
NAB	A1+	AA-	22-Nov-17	18-Apr-18	2.45%	500,000	0.93%	
NAB	A1+	AA-	13-Dec-17	16-May-18	2.45%	2,000,000	3.72%	
NAB	A1+	AA-	16-Aug-17	16-Aug-18	2.52%	1,500,000	2.79%	
Westpac	A1+	AA-	30-Mar-17	04-Apr-18	2.70%	500,000	0.93%	
Westpac	A1+	AA-	30-Mar-17	04-Apr-18	2.70%	1,000,000	1.86%	
Westpac	A1+	AA-	14-Apr-17	18-Apr-18	2.70%	1,000,000	1.86%	
Westpac	A1+	AA-	31-Oct-17	02-May-18	2.50%	1,000,000	1.86%	
Westpac	A1+	AA-	31-May-17	31-May-18	2.65%	1,000,000	1.86%	
Westpac	A1+	AA-	14-Jun-17	14-Jun-18	2.65%	2,000,000	3.72%	
Westpac	A1+	AA-	28-Jun-17	28-Jun-18	2.65%	2,000,000	3.72%	
Westpac	A1+	AA-	05-Jul-17	05-Jul-18	2.65%	2,500,000	4.65%	
Westpac	A1+	AA-	03-Aug-17	03-Aug-18	2.60%	800,000	1.49%	
Westpac	A1+	AA-	03-Aug-17	03-Aug-18	2.60%	1,000,000	1.86%	
Westpac	A1+	AA-	03-Aug-17	03-Aug-18	2.60%	1,000,000	1.86%	
Westpac	A1+	AA-	16-Aug-17	16-Aug-18	2.65%	500,000	0.93%	
Westpac	A1+	AA-	24-Aug-17	24-Aug-18	2.70%	400,000	0.74%	
Westpac	A1+	AA-	24-Aug-17	24-Aug-18	2.70%	800,000	1.49%	
Westpac	A1+	AA-	09-Oct-17	09-Oct-18	2.70%	2,000,000	3.72%	
Westpac	A1+	AA-	08-Nov-17	08-Nov-18	2.60%	500,000	0.93%	
Westpac	A1+	AA-	07-Feb-18	07-Feb-19	2.59%	2,000,000	3.72%	
Westpac	A1+	AA-	22-Feb-18	22-Feb-19	2.62%	500,000	0.93%	
Total Term Investments								47,000,000
TOTAL INVESTMENT AS AT 28 February 2018								53,741,151

*Tcorp is wholly owned by the NSW State Government

Performance by Type

Category	Balance \$	Average Interest	Bench Mark	Bench Mark %	Difference to Benchmark
Cash at Call	6,741,151	1.65%	Reserve Bank Cash Reference Rate	1.50%	0.15%
Term Deposit	47,000,000	2.56%	UBS 90 Day Bank Bill Rate	1.78%	0.78%
Total	53,741,151	2.49%			

Restricted/Unrestricted Funds

Restriction Type	Amount \$
External Restrictions -S94	10,786,205
External Restrictions - Other	6,273,112
Internal Restrictions	19,122,592
Unrestricted	17,559,242
Total	53,741,151

Unrestricted funds, whilst not subject to a restriction for a specific purpose, are fully committed to fund operational and capital expenditure in line with Council's adopted Operational Plan. As there are timing

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differences between the accounting for income and expenditure in line with the Plan, and the corresponding impact on Council's cash funds, a sufficient level of funds is required to be kept at all times to ensure Council's commitments are met in a timely manner. Council's cash management processes are based on maintaining sufficient cash levels to enable commitments to be met when due, while at the same time ensuring investment returns are maximised through term investments where possible.

In addition to funds being fully allocated to fund the Operational Plan activities, funds relating to closed self-funded programs and that are subject to legislative restrictions cannot be utilised for any purpose other than that specified. Externally restricted funds include funds relating to Section 94 Contributions, Domestic Waste Management, Sewerage Management, Stormwater Management and Grants.

Funds subject to an internal restriction refer to funds kept aside for specific purposes, or to meet future known expenses. This allows for significant expenditures to be met in the applicable year without having a significant impact on that year. Internally restricted funds include funds relating to Tip Remediation, Workers Compensation, and Elections.

Detailed History, including previous Council decisions

Council considered and adopted Council's Investment Policy on 30 May 2017.

Policy considerations

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

Investment Certification

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

Consultation

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

Conformance to the Hawkesbury Community Strategic Plan 2017-2036

The proposal is consistent with the following Focus Area, Direction and Strategies within the CSP.

Our Leadership

1.3 Financial Sustainability - Build strong financial sustainability for now and future generations.

1.3.1 In all of Council's strategies, plans and decision making there will be a strong focus on financial sustainability.

1.3.2 Meet the needs of the community now and into the future by managing Council's assets with a long-term focus.

Discussion

During the reporting period, the investment portfolio increased by \$3.2 million reflecting funds received, payments made, and redemption of invested funds and lodging of new term deposits, which is driven by cash flow requirements.

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The investment portfolio currently involves a number of term deposits and on-call accounts. Council's current investment portfolio is not subject to share market volatility.

As at 28 February 2018, Council's investment portfolio is all invested with major Australian trading banks or wholly owned subsidiaries of major Australian trading banks and in line with Council's Investment Policy.

The investment portfolio is regularly reviewed in order to maximise investment performance and minimise risk. Independent advice is sought on new investment opportunities, and Council's investment portfolio is independently reviewed by Council's investment advisor each calendar quarter.

Financial Implications

The matters raised in this report have direct financial implications. The income applicable is provided for in the 2017/2018 Adopted Operational Plan.

Fit For The Future Strategy Considerations

The proposal is aligned with Council's long term plan to improve and maintain organisational sustainability and achieve Fit for the Future financial benchmarks.

Conclusion

Council has investments totalling \$53.7M as at 28 February 2018, invested in accordance with Council's Investment Policy.

RECOMMENDATION:

It is recommended that the Monthly Investments Report for February 2018 be received and noted.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 076 **SS - Pecuniary Interest Return - Designated Person - (95496, 96333)**

Directorate: Support Services

PURPOSE OF THE REPORT:

The purpose of this report is to table a Disclosure of Pecuniary Interests and Other Matters Return, which has been recently lodged by a Designated Person, as required by Section 449(1) of the Local Government Act 1993.

EXECUTIVE SUMMARY:

Councillors and other members of Council staff identified as Designated Persons under the Local Government Act are required to complete a Pecuniary Interest Return form identifying any pecuniary and other types of interests that they hold as at their date of commencement with Council.

One such Return has recently been lodged with the General Manager, and is now tabled at a Council meeting held after the lodgement date.

RECOMMENDATION SUMMARY:

That the information be received and noted.

REPORT:

Context and Background

Councillors and other members of Council staff who hold a position involving the exercise of functions that, in their exercise, could give rise to a conflict between the person's duty as a member of staff and the person's private interest, are identified by Council as a "Designated Person", as defined by Section 441 of the Local Government Act.

Designated Persons are required by Section 449 of the Local Government Act to complete a Return form identifying any pecuniary and other types of interests that they hold as at their date of commencement with Council.

These Return forms must be lodged with the General Manager within three months of the Designated Person's date of commencement with Council, and must be tabled at the first Council meeting held after the required lodgement date.

Policy considerations

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

- "1. *The General Manager must keep a register of returns required to be lodged with the General Manager under section 449.*
2. *Returns required to be lodged with the General Manager under section 449 must be tabled at a meeting of the council, being:*

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- (a) *In the case of a return lodged in accordance with section 449 (1)—the first meeting held after the last day for lodgement under that subsection, or*
- (b) *In the case of a return lodged in accordance with section 449 (3)—the first meeting held after the last day for lodgement under that subsection, or*
- (c) *In the case of a return otherwise lodged with the general manager—the first meeting after lodgement."*

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

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

Consultation

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

Conformance to the Hawkesbury Community Strategic Plan 2017-2036

The proposal is consistent with the following Focus Area, Direction and Strategy within the CSP.

Our Leadership

1.5 Regulation and Compliance - Encourage a shared responsibility for effective local compliance.

1.5.2 Best practice, sustainability principles, accountability and good governance are incorporated in all activities undertaken by Council.

Discussion

With regard to Section 450(2)(a), the following Section 449(1) Return has been lodged:

Position	Return Date	Date Lodged
Design and Investigation Engineer	4 December 2017	12 March 2018

The above Designated Person has lodged their Section 449(1) Return. The Act requires that Section 449(1) Returns are lodged within three months of the Return Date, being the date of commencement with Council. In this case, due to an administrative error the employee did not receive the Return form until after the three months had elapsed. This was corrected immediately once staff became aware of the issue, and only five working days elapsed between the required lodgement date and the date that the form was returned.

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

Financial Implications

No financial implications applicable to this report.

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Fit For The Future Strategy Considerations

The proposal is aligned with Council's long term plan to improve and maintain organisational sustainability and achieve Fit for the Future financial benchmarks. The proposal has no resourcing implications, outside of Council's adopted 2017/2018 Operational Plan, which will adversely impact on Council's financial sustainability.

Conclusion

The Designated Person has lodged their Section 449(1) Return with the General Manager.

The Return has now been tabled at a Council meeting as required by the Local Government Act, and is available for inspection if required.

RECOMMENDATION:

That the Section 449(1) Pecuniary Interest Return be received and noted.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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ordinary

section 4

reports
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ORDINARY MEETING

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SECTION 4 – Reports of Committees

Item: 077 **ROC - Human Services Advisory Committee - 8 February 2018 - (124414, 123486)**

Directorate: City Planning

PURPOSE OF THE REPORT:

The purpose of this report is to present the Minutes of the Human Services Advisory Committee Committee, held on 8 February 2018.

RECOMMENDATION SUMMARY:

One of the matters contained within the attached minutes of the Human Services Advisory Committee have policy or financial implications to Council. As such it requires specific consideration by Council.

Items 1, 3 and General Business have no policy or financial implications for Council and are presented for information only.

In relation to Item 2, as it has potential policy and/or financial implications, it requires specific consideration by Council. The details of which are discussed below.

REPORT:

Background

This report was presented to the Council Meeting on 13 March 2018 when Council resolved that this matter be deferred to the next Council Meeting. Accordingly, the matter is now listed for consideration by Council at this meeting.

Discussion

The Committee considered staff reports on a range of matters as shown in the attached minutes (Attachment 1). The following item is of particular interest to Council.

Item: 2 Recommendations and Report from the Affordable Housing Working Group

The Committee considered a report in relation to recommendations from the Affordable Housing Working Group. Following consideration of the matter, the Committee resolved as follows:

"That the Human Services Advisory Committee:

- 1. Receive the Recommendations and Report from the Human Services Advisory Committee's Affordable Housing Working Group and consider the recommendations from the Affordable Housing Working Group.*
- 2. Endorse the Recommendations and Report from the Human Services Advisory Committee's Affordable Housing Working Group to be included in a report to Council for consideration."*

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The report and recommendations proposed a total of 21 strategies/actions under the four headings of:

- Partnership;
- Planning;
- Property; and
- Providing Leadership.

The Recommendations of the Affordable Housing Working Group together with the Recommendations of the Human Services Advisory Committee be reported to Council in the first half of 2018.

RECOMMENDATION:

That:

1. The Minutes of the Human Services Advisory Committee held on 8 February 2018 be received and noted.
2. The Recommendations of the Affordable Housing Working Group together with the Recommendations of the Human Services Advisory Committee be reported to Council in the first half of 2018.

ATTACHMENTS:

AT - 1 Minutes of the Human Services Advisory Committee held on 8 February 2018

ORDINARY MEETING
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AT - 1 Minutes of the Human Services Advisory Committee

held on 8 February 2018

The meeting commenced at 9:30am.

Present:	Councillor Barry Calvert, Chairperson Ms Vickie Shackley, Deputy Chairperson Councillor Emma-Jane Garrow, Hawkesbury City Council Councillor Sarah Richards, Hawkesbury City Council Mr Simon Griffin, Community Representative Mr Scott Daczko, Hawkesbury District Health Services Ms Karen Kobier, Community Representative Mr Ben Jackson, Community Representative Ms Birgit Walter, North Richmond Community Centre Ms Kerry Dolaghan, Wentworth Community Housing
Apologies:	Councillor Mary Lyons-Buckett, Hawkesbury City Council Mr Peter Webb, Community Representative Mr Matthew Owens, Hawkesbury City Council Mr Joseph Litwin, Hawkesbury City Council
In Attendance:	Mr Andrew Kearns, Hawkesbury City Council Mr Michael Laing, Hawkesbury City Council Ms Megan Ang, Hawkesbury City Council Ms Robyn Kozjak - Minute Taker, Hawkesbury City Council
Non Attendance:	Ms Stephanie Oatley, Platform Youth Services

REPORT:

The Chair opened the meeting and welcomed Ms Kobier to the Committee.

The Committee was saddened to hear of the passing of Ms Jacquie Menzies. Jacquie was a former member of the Human Services Advisory Committee and her contributions to the Committee and to the community was respectfully acknowledged.

The Committee asked for a message of condolence to be relayed to Jacquie's family and accordingly a sympathy card will be forwarded to the Menzies family for their loss.

RESOLVED on the motion of Ms Walter and seconded by Councillor Richards that the apologies be accepted.

CONFIRMATION OF MINUTES

RESOLVED on the motion of Ms Walter and seconded by Councillor Richards that the Minutes of the Human Services Advisory Committee held on the 9 November 2017, be confirmed.

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Attendance Register of Human Services Advisory Committee

Member	08.02.18			
Councillor Barry Calvert	✓			
Councillor Mary Lyons Buckett	A			
Councillor Emma-Jane Garrow	✓			
Councillor Sarah Richards	✓			
Ms Vickie Shackley	✓			
Mr Peter Webb	A			
Mr Simon Griffin	✓			
Mr Strephon Billingham	✓ Scott Daczko in lieu			
Ms Karen Kobier	✓			
Mr Ben Jackson	✓			
Ms Birgit Walter	✓			
Ms Stephanie Oatley	X			
Ms Leonnie Carroll (joined as at 29.05.17)	A			
Ms Kerry Dolaghan (joined as at 31.05.17)	✓			

Key: A = Formal Apology

✓ = Present

X = Absent - no apology

SECTION 3 - Reports for Determination

Item: 1 **HSAC - Update on Initiatives to End Homelessness, February 2018 - (124414, 123486)**

Previous Item: 3, HSAC (4 May 2017)
 3, HSAC (27 July 2017)

Directorate: City Planning

DISCUSSION:

- Concern was raised that there was a growing number of people in need of various forms of support 'on the other side of the river' (North Richmond). It was advised homelessness was on the increase.

Wentworth Community Housing advised more people were seeking assistance for rental arrears and acknowledged the need for services to be provided over the other side of the river.

- Reference was made to the Homelessness Resource Card and A4 Hawkesbury Helping Resource flyer and it was agreed that these should be updated and made available at Council's front desk. The flyer should also be distributed to schools and uploaded on social media pages.

- Discussion arose regarding various food services available for people in need.

Concern was raised that some people in need who live on the other side of the river do not have access to food and suggested that food vans be established to regularly stop off at the Centre (North Richmond Community Centre). The Manager of North Richmond Community Centre will investigate the Staples food bag initiative by Settlement Services International (SSI) and suggested the Centre could be a drop off point for that service to visit.

- Wentworth Community Housing advised an assertive Outreach worker from Wentworth Community Housing would contact the Manager of North Richmond Community Centre to discuss 'rough sleepers'.

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- Officers also provided an update on the Community Atlas.
- Officers outlined the three year journey for the Tiny Homes Project in Gosford that involved high levels of collaboration.

RECOMMENDATION TO COMMITTEE:

That the:

1. Information be received.
2. Human Services Advisory Committee continue to receive updates about the priority projects and partnerships of the *Heading Home, Ending Homelessness Here!* Project.
3. Final report of the *Heading Home, Ending Homelessness Here!* Project be forwarded to the Human Services Advisory Committee when it becomes available.

MOTION:

RESOLVED on the motion of Councillor Garrow, seconded by Ms Dolaghan.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That the:

1. Information be received.
2. Human Services Advisory Committee continue to receive updates about the priority projects and partnerships of the *Heading Home, Ending Homelessness Here!* Project.
3. Final report of the *Heading Home, Ending Homelessness Here!* Project be forwarded to the Human Services Advisory Committee when it becomes available.

Item: 2 **HSAC - Recommendations and Report from the Affordable Housing Working Group - (124414, 123486)**

Previous Item: 1, HSAC (27 July 2017)
 1, HSAC (9 November 2017)

Directorate: City Planning

DISCUSSION:

- The Chair invited comments from Committee members in relation to the recommendations in the report of the Working Group. The recommendations will be considered by Council and eventually become Council policy if no further amendments are made by the Committee.
- Various avenues for Council to assist with housing affordability were suggested including a review of the approval process for granny flats. It was also stated that if Council purchased suitable buildings then it could charge rents accordingly (from an affordability aspect) and management of properties could be outsourced.

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- The Chair highlighted that there was a need to implement the recommendations rather than leave it as a policy/plan.

RECOMMENDATION TO COMMITTEE:

That the Human Services Advisory Committee:

1. Receive the Recommendations and Report from the Human Services Advisory Committee's Affordable Housing Working Group and consider the recommendations from the Affordable Housing Working Group.
2. Endorse the Recommendations and Report from the Human Services Advisory Committee's Affordable Housing Working Group to be included in a report to Council for consideration.

MOTION:

RESOLVED on the motion of Mr Griffin, seconded by Councillor Garrow.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That the Human Services Advisory Committee:

1. Receive the Recommendations and Report from the Human Services Advisory Committee's Affordable Housing Working Group and consider the recommendations from the Affordable Housing Working Group.
2. Endorse the Recommendations and Report from the Human Services Advisory Committee's Affordable Housing Working Group to be included in a report to Council for consideration.

Item: 3 **HSAC - Development of Health and Wellbeing Action Framework for the Hawkesbury - (124414, 123486)**

Previous Item: 100, Ordinary (13 June 2017)

Directorate: Support Services

DISCUSSION:

- The Committee considered the appointment of a Working Group to assist in the preparation of the draft Health and Wellbeing Action Framework for the Hawkesbury. The following Committee members were subsequently nominated:
 - Councillor Garrow - Chairperson
 - Peter Webb
 - Simon Griffin
 - Karen Kobier
- The Working Group advised they would convene a meeting as soon as possible.
- Officers are in the process of reviewing what other local government areas are doing in relation to the implementation and measuring of health and wellbeing commitments and will bring a report back to the Committee.

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- It was advised a Hope Walk will be held on Saturday 17 February 2018 (the Walk commences at 9:15am at Richmond Tennis Courts, Richmond and finishes at Hawkesbury Visitors Information Centre, Clarendon).

RECOMMENDATION TO COMMITTEE:

That the

1. Information be received.
2. Committee endorse the seven domains within the NSW Human Services Outcomes Framework as the basis to inform development of the draft Health and Wellbeing Action Framework for the Hawkesbury.
3. Committee endorse the process for developing the draft Health and Wellbeing Action Framework for the Hawkesbury as detailed in the report.
4. Committee appoint a working group to assist in the preparation of the draft Health and Wellbeing Action Framework for the Hawkesbury.

MOTION:

RESOLVED on the motion of Councillor Garrow, seconded by Ms Shackley.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That the

1. Information be received.
2. Committee endorse the seven domains within the NSW Human Services Outcomes Framework as the basis to inform development of the draft Health and Wellbeing Action Framework for the Hawkesbury.
3. Committee endorse the process for developing the draft Health and Wellbeing Action Framework for the Hawkesbury as detailed in the report.
4. Committee appoint a working group to assist in the preparation of the draft Health and Wellbeing Action Framework for the Hawkesbury.

The meeting closed at 10:45am.

SECTION 5 - General Business

Nil.

oooO END OF REPORT Oooo

ORDINARY MEETING
SECTION 4 – Reports of Committees
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Item: 078 **ROC - Local Traffic Committee - 12 March 2018 - (80245)**

Directorate: Infrastructure Services

PURPOSE OF THE REPORT:

The purpose of this report is to present the Minutes of the Local Traffic Committee, held on 12 March 2018. The Local Traffic Committee is not a Committee of Council but a Statutory Committee.

RECOMMENDATION SUMMARY:

The matters contained within the minutes attached as Attachment 1 to this report of the Local Traffic Committee have no policy or financial implications to Council. It is recommended that the recommendations contained in the minutes be adopted by Council.

REPORT:

Discussion

The Local Traffic Committee met on 12 March 2018 and discussed the following items:

- Special Event Traffic - Convict 100 Mountain Biking Event - May 2018
- Special Event Traffic - Parramatta Cycling Club Road Cycling Races 2018
- Traffic Matter - Proposed Changes to Timed Bus Zones in Sackville Road, Ebenezer, Adjacent to Ebenezer Public School
- Special Event Traffic - Mountain Lagoon Training Ride Weekend - April 2018

RECOMMENDATION:

That the minutes of the Local Traffic Committee held on 12 March 2018 be received and the recommendations therein be adopted and noted.

ATTACHMENTS:

AT - 1 Minutes - Local Traffic Committee - 12 March 2018

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AT - 1 Minutes - Local Traffic Committee - 12 March 2018

Minutes of the Meeting of the Local Traffic Committee held in the Small Committee Room, Windsor, on Monday, 12 March 2018, commencing at 3pm.

ATTENDANCE

Present: Mr Christopher Amit, Hawkesbury City Council (Chairman)
Councillor Peter Reynolds, Hawkesbury City Council
Ms Tina Kaur, Roads and Maritime Services
Mr Steve Grady, Busways

Apologies: Inspector Peter Jenkins, NSW Police Force

In Attendance: Ms Cathy Mills, Hawkesbury City Council
Ms Judy Wong, Hawkesbury City Council

Mr Christopher Amit advised the Committee that the position of Chair is to be undertaken in accordance with RMS (formerly RTA) Guidelines "Delegation to Councils for Regulation of Traffic" Section 5.3 which states that the meeting is to be convened by a Council Representative, either voting or non-voting. On this basis Mr Amit is to take up the position of the Chair for this meeting as agreed to with Councillor Reynolds.

RESOLVED on the motion of Councillor Peter Reynolds, seconded by Ms Tina Kaur that the apologies be accepted.

SECTION 1 - Minutes

Item 1.1 Confirmation of Minutes

The Committee resolved on the motion of Councillor Peter Reynolds, seconded by Mr Christopher Amit that the minutes from the previous meeting held on Monday, 12 February 2018 be confirmed.

Item 1.2 Business Arising

There was no Business Arising from the previous minutes.

SECTION 2 - Reports for Determination

Item: 2.1 LTC - Convict 100 Mountain Biking Event 2018 - St Albans - (Hawkesbury) - (80245, 85193)

REPORT:

An application has been received from Maximum Adventure Pty Ltd seeking approval (in traffic management terms) to conduct the Convict 100 Mountain Biking Event 2018 - St Albans, on Saturday, 5 May 2018.

The event organiser has advised;

- The event is a Mountain Bike (Cycling) Endurance Race in and around the St Albans and Macdonald Valley areas.
- The event has been held for 13 years and was previously known as the Dirt Works 100 Kilometre Classic.

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- The event gets its name from the old Convict trail it traverses.
- The event enjoys the continued support of the St Albans RFS and local community.
- The event will be undertaken between 6:30am and 6pm.
- Approximately 1,200 participants are expected for the event.
- Approximately 100 spectators and their vehicles are expected. Parking will be available on private land.
- There are three courses for the event; 100, 68 and 44 kilometres.
- The start and finish of the race will be in the town of St Albans, on Wharf Street.
- The event route is similar to previous years.
- It is proposed to close a section of Wharf Street, between Bulga Street and Wollombi Road, St Albans (100 metre long sealed section), commencing from 8am, Friday, 4 May 2018, through to 6pm, Saturday, 5 May 2018.
- Alternate access is available via Wollombi Road and Bulga Street.
- The event will impact on residents of Wharf Street between Wollombi Road and Bulga Street accessing their properties.
- Consultation has been undertaken with the adjoining property owners, who have provided support in writing, relating to the proposed road closure. Arrangements will be made with these residents to allow access when requested.
- Participants will compete on a two-leaf clover route format, covering approximately 100 kilometres of fire trail, single track and dirt roads through the National Parks, private properties and public roads.
- The course will be clearly marked for riders to follow.
- Marshalls with high visibility vests and radios will be positioned at junctions, warning cyclists of on-coming traffic and the track ahead.
- Signs will be positioned throughout the course to warn other users of the event.
- The event route will cross the Macdonald River at the two points shown on the Event Route Plan contained in Attachment 1. Crossing of the Macdonald River will be undertaken either by walking across if the water level is ankle deep and safe to do so or alternatively utilising a 'pontoon bridge' configuration at each location. Permission has been obtained from the adjoining property owners on either side of the River.
- Spectators and participants can park in the day parking area on private land along Settlers Road as indicated in Attachment 2.

Discussion:

It would be appropriate to classify the event as a “Class 2” special event under the “Traffic and Transport Management for Special Events” guidelines issued by the Roads and Maritime Services - RMS (formerly RTA) as the event may impact minor traffic and transport systems, which includes the proposed road closure along the specified route, and there may be a low scale disruption to the non-event community.

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The endurance mountain biking event is predominantly on tracks within the Parr State Conservation Area, Yengo National Park, private properties and on the following public roads;

- Bulga Street – Sealed Road
- Settlers Road – Sealed and Unsealed Road
- Shepherds Gully Road – Unformed Road
- St Albans Road – Sealed Road
- Upper Macdonald Road – Unsealed Road
- Webbs Creek Mountain Road - Unsealed Road
- Wharf Street – Sealed Road
- Wollombi Road – Sealed and Unsealed Road
- Wrights Creek Road - Unsealed Road
- Macdonald River – Two river crossing points

The event is also traversing along the Great Northern Road, which is under the care and control of the National Parks and Wildlife Service - (Office of Environment and Heritage).

The Transport Management Plan (TMP) and the associated Traffic Control Plan (TCP) is to be submitted to the Transport Management Centre (TMC) for authorisation due to the proposed road closure of Wharf Street, between Bulga Street and Wollombi Road, St Albans (100 metre long sealed section).

The event organiser has submitted the following items in relation to the event: Attachment 4 (ECM Document Set ID No. 6148612):

1. Traffic and Transport Management for Special Events – HCC: Form A – Initial Approval - Application Form,
2. Traffic and Transport Management for Special Events – HCC: Form B – Initial Approval Application - Checklist,
3. Special Event Transport Management Plan Template – RTA (Roads and Maritime Services - RMS),
4. Event Information including Traffic Control Plans (TCPs),
5. Event Route Plans,
6. Road Closure/Detour Plan,
7. Copy of the application to the NSW Police Force,
8. Copy of Insurance Policy which is valid to 11 February 2018,
9. Copy of Property owner letters relating to the proposed road closure,
10. Copy of the Advertisement for the Event – which does not mention the proposed road closure.

RECOMMENDATION TO COMMITTEE:

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/events/organising-an-event2>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Roads and Maritime Services - RMS (formerly RTA) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package.
2. The Convict 100 Endurance Mountain Biking Event 2018 - St Albans, event planned for Saturday, 5 May 2018 be classified as a "Class 2" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads and Maritime Services - RMS (formerly RTA).

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3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted – which includes the road closure of a section of Wharf Street between Bulga Street and Wollombi Road, St Albans, commencing from 8am, Friday, 4 May 2018, through to 6pm, Saturday, 5 May 2018; and the following conditions:

Prior to the event:

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health and Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean-up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally council has an events template which can be provided to assist in identifying and controlling risks);
- 4b. the event organiser is to assess the risk and address the suitability of the entire route/site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the route/site by the event organiser prior to preparing the TMP and prior to the event;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;
- 4d. the event organiser is to obtain approval from the Transport Management Centre – TMC as a road closure is proposed for a section of Wharf Street between Bulga Street and Wollombi Road, St Albans commencing from 8am, Friday, 4 May 2018, through to 6pm, Saturday, 5 May 2018; a copy of the Transport Management Centre – TMC approval to be submitted to Council;
- 4e. the event organiser is to submit a Transport Management Plan (TMP) for the entire route/event incorporating the submitted Traffic Control Plans (TCPs) to Council, the Roads and Maritime Services - RMS and the Transport Management Centre (TMC) for acknowledgement;
- 4f. the event organiser is to submit to Council a copy of its Public Liability Policy in an amount not less than \$10,000,000 noting Council and the Roads and Maritime Services - RMS (formerly RTA) as interested parties on the Policy and that Policy is to cover both on-road and off-road activities;
- 4g. as the event involves the closure of a public road and the traverse of public roads, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy and close the road;
- 4h. the event organiser is to ensure that dust along the unsealed sections of road utilised by the event participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be addressed and outlined in the TMP;

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- 4i. the event organiser is to obtain the relevant approval to cross the Macdonald River from the Roads and Maritime Services - RMS (formerly NSW Maritime); a copy of this approval to be submitted to Council;
- 4j. the event organiser is to obtain the relevant approval from the Office of Environment and Heritage to access and cross the Macdonald River; a copy of this approval to be submitted to Council;
- 4k. the event organiser is to obtain approval from the National Parks and Wildlife Service (Office of Environment and Heritage) for the use the Parr State Conservation Area, Yengo National Park and the Great Northern Road; a copy of this approval to be submitted to Council;
- 4l. the event organiser is to obtain written approval from Councils' Parks and Recreation Section for the use of a Council Park/Reserve;
- 4m. the event organiser is to obtain approval from the NSW Department of Industries - Lands for the use of any Crown Road or Crown Land; a copy of this approval to be submitted to Council;
- 4n. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; a copy of this approval to be submitted to Council;
- 4o. the event organiser is to advertise the event in the local press stating the entire route/extent of the event, including the proposed traffic control measures, road closure, detour route and the traffic impact/delays expected, due to the event, two weeks prior to the event; a copy of the proposed advertisement to be submitted to Council (indicating the advertising medium);
- 4p. the event organiser is to notify the details of the event to the NSW Ambulance Service, Fire and Rescue NSW, NSW Rural Fire Service and SES at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4q. the event organiser is to directly notify relevant ferry operators, bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures, road closure, detour route and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4r. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures, road closure, detour route and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; a copy of the correspondence to be submitted to Council;
- 4s. the event organiser is to submit the completed "Traffic and Transport Management for Special Events – Final Approval Application Form (Form C)" to Council;

During the event:

- 4t. access is to be maintained for businesses, residents and their visitors;
- 4u. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4v. all traffic controllers / marshals operating within the public road network or road related area, are to hold appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);

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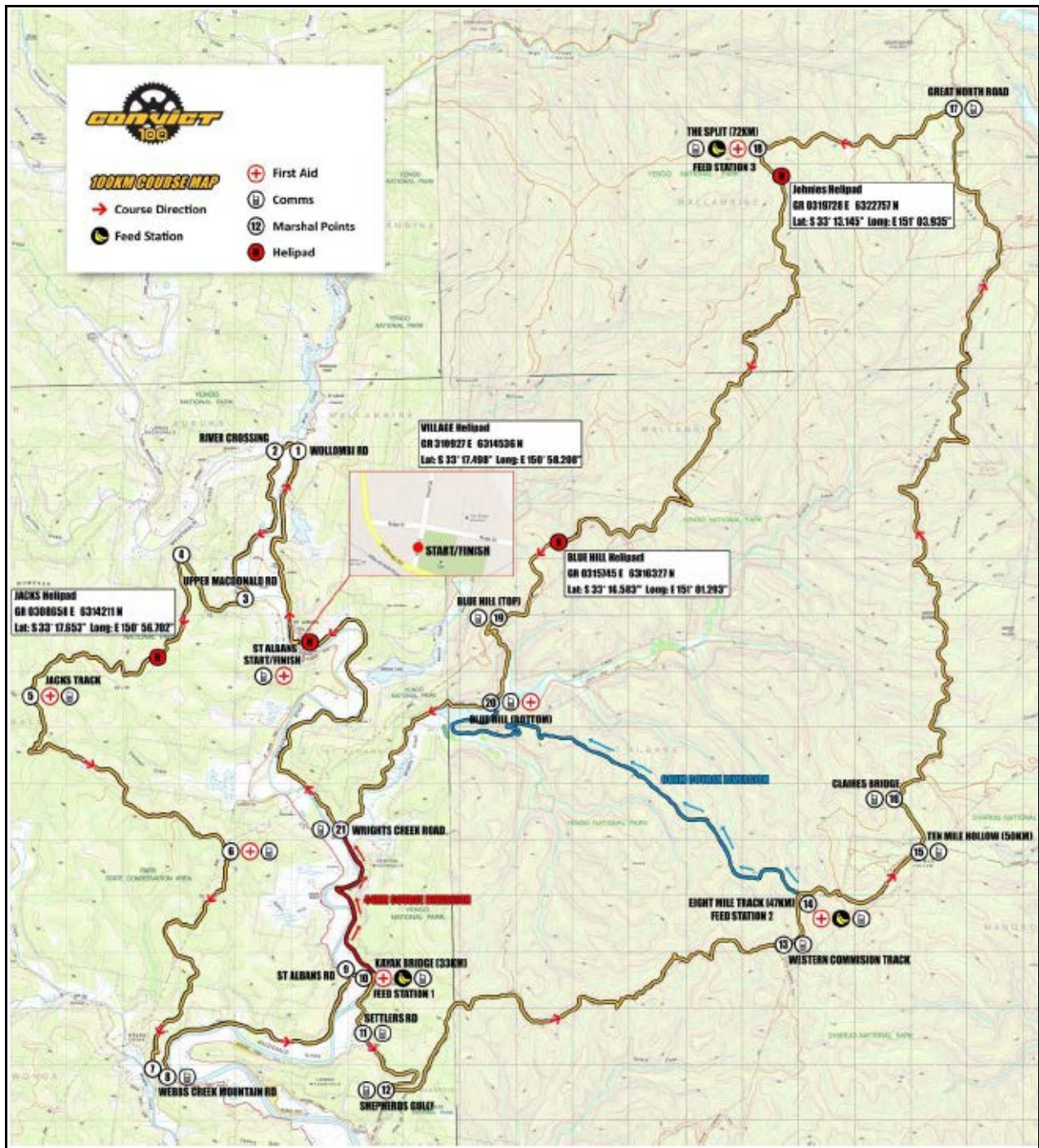
- 4w. the cyclists are to be made aware of and are to follow all the general road user rules whilst cycling on public roads;
- 4x. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices are to be placed along the route, including the road closure points, during the event, under the direction of a traffic controller holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4y. the competitors and participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event;
- 4z. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity, and,
- 4aa. the event organiser is to ensure that dust along the unsealed sections of road utilised by the event participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be undertaken as outlined in the TMP.

APPENDICES:

- AT - 1** Event Route Plan – 44, 68 and 100 Kilometre Route - Convict 100 Mountain Biking Event 2018 - St Albans
- AT - 2** Event Centre Map - Convict 100 Mountain Biking Event 2018 - St Albans
- AT - 3** Wharf Street Road Closure Plan - Convict 100 Mountain Biking Event 2018 - St Albans
- AT – 4** Special Event Application - (ECM Document Set ID No. 6148612) - *see attached.*

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AT – 1 Event Route Plan – 44, 68 and 100 Kilometre Route - Convict 100 Mountain Biking Event
2018 - St Albans



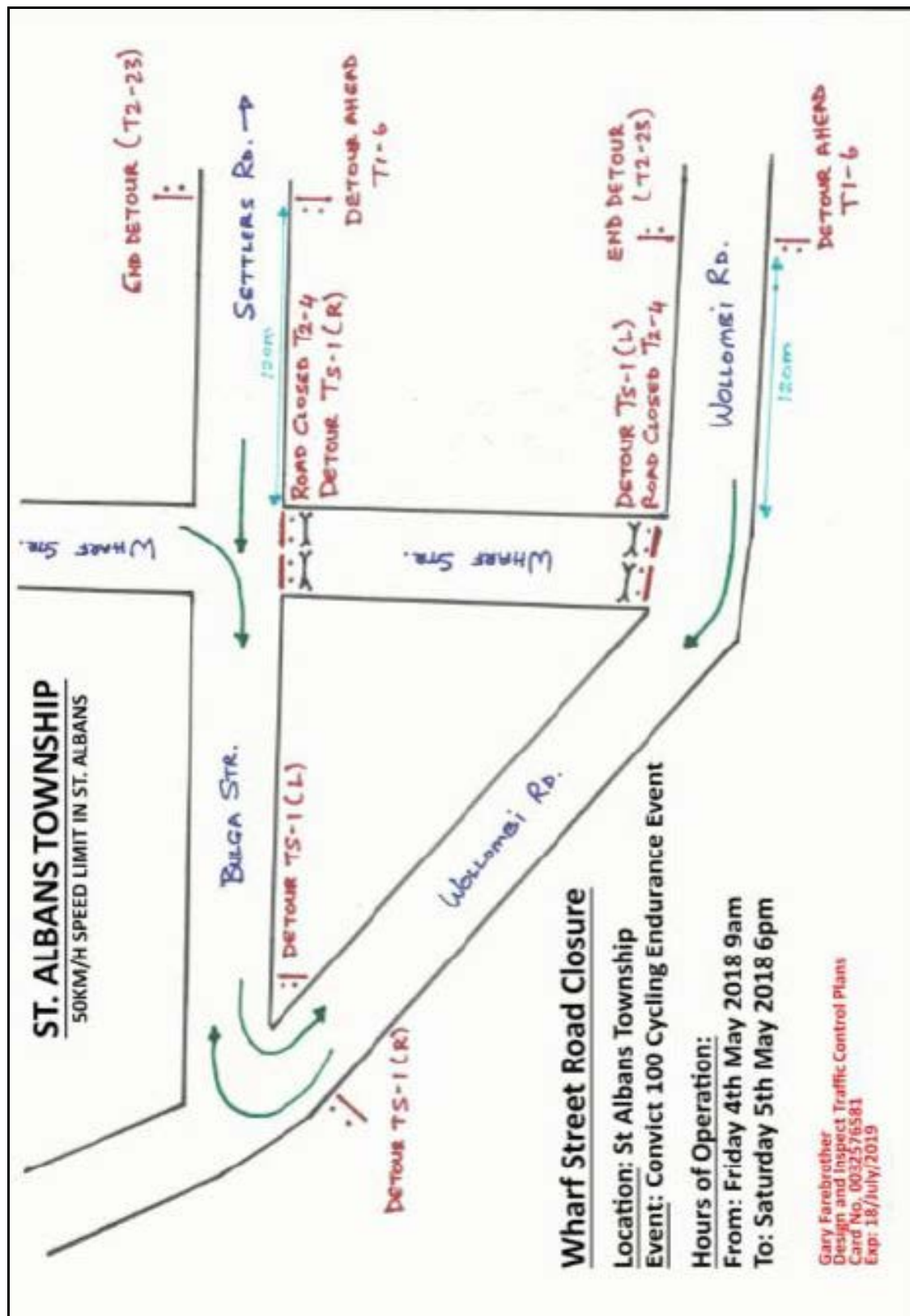
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AT – 2 Event Centre Map - Convict 100 Mountain Biking Event 2018 - St Albans



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AT - 3 Wharf Street Road Closure Plan - Convict 100 Mountain Biking Event 2018 - St Albans



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COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Peter Reynolds, seconded by Ms Tina Kaur.

Support for the Recommendation: Unanimous support

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/events/organising-an-event2>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Roads and Maritime Services - RMS (formerly RTA) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package.
2. The Convict 100 Endurance Mountain Biking Event 2018 - St Albans, event planned for Saturday, 5 May 2018 be classified as a "Class 2" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads and Maritime Services - RMS (formerly RTA).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted – which includes the road closure of a section of Wharf Street between Bulga Street and Wollombi Road, St Albans, commencing from 8am, Friday, 4 May 2018, through to 6pm, Saturday, 5 May 2018; and the following conditions:

Prior to the event:

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health and Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean-up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally council has an events template which can be provided to assist in identifying and controlling risks);
- 4b. the event organiser is to assess the risk and address the suitability of the entire route/site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the route/site by the event organiser prior to preparing the TMP and prior to the event;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;

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- 4d. the event organiser is to obtain approval from the Transport Management Centre – TMC as a road closure is proposed for a section of Wharf Street between Bulga Street and Wollombi Road, St Albans commencing from 8am, Friday, 4 May 2018, through to 6pm, Saturday, 5 May 2018; a copy of the Transport Management Centre – TMC approval to be submitted to Council;
- 4e. the event organiser is to submit a Transport Management Plan (TMP) for the entire route/event incorporating the submitted Traffic Control Plans (TCPs) to Council, the Roads and Maritime Services - RMS and the Transport Management Centre (TMC) for acknowledgement;
- 4f. the event organiser is to submit to Council a copy of its Public Liability Policy in an amount not less than \$10,000,000 noting Council and the Roads and Maritime Services - RMS (formerly RTA) as interested parties on the Policy and that Policy is to cover both on-road and off-road activities;
- 4g. as the event involves the closure of a public road and the traverse of public roads, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy and close the road;
- 4h. the event organiser is to ensure that dust along the unsealed sections of road utilised by the event participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be addressed and outlined in the TMP;
- 4i. the event organiser is to obtain the relevant approval to cross the Macdonald River from the Roads and Maritime Services - RMS (formerly NSW Maritime); a copy of this approval to be submitted to Council;
- 4j. the event organiser is to obtain the relevant approval from the Office of Environment and Heritage to access and cross the Macdonald River; a copy of this approval to be submitted to Council;
- 4k. the event organiser is to obtain approval from the National Parks and Wildlife Service (Office of Environment and Heritage) for the use the Parr State Conservation Area, Yengo National Park and the Great Northern Road; a copy of this approval to be submitted to Council;
- 4l. the event organiser is to obtain written approval from Councils' Parks and Recreation Section for the use of a Council Park/Reserve;
- 4m. the event organiser is to obtain approval from the NSW Department of Industries - Lands for the use of any Crown Road or Crown Land; a copy of this approval to be submitted to Council;
- 4n. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; a copy of this approval to be submitted to Council;
- 4o. the event organiser is to advertise the event in the local press stating the entire route/extent of the event, including the proposed traffic control measures, road closure, detour route and the traffic impact/delays expected, due to the event, two weeks prior to the event; a copy of the proposed advertisement to be submitted to Council (indicating the advertising medium);
- 4p. the event organiser is to notify the details of the event to the NSW Ambulance Service, Fire and Rescue NSW, NSW Rural Fire Service and SES at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;

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- 4q. the event organiser is to directly notify relevant ferry operators, bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures, road closure, detour route and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4r. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures, road closure, detour route and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; a copy of the correspondence to be submitted to Council;
- 4s. the event organiser is to submit the completed "Traffic and Transport Management for Special Events – Final Approval Application Form (Form C)" to Council;

During the event:

- 4t. access is to be maintained for businesses, residents and their visitors;
- 4u. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4v. all traffic controllers / marshals operating within the public road network or road related area, are to hold appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4w. the cyclists are to be made aware of and are to follow all the general road user rules whilst cycling on public roads;
- 4x. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices are to be placed along the route, including the road closure points, during the event, under the direction of a traffic controller holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4y. the competitors and participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event;
- 4z. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity, and,
- 4aa. the event organiser is to ensure that dust along the unsealed sections of road utilised by the event participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be undertaken as outlined in the TMP.

Item: 2.2 LTC - Parramatta Cycling Club Road Cycling Races 2018 - Oakville Events - (Hawkesbury) - (80245, 82935)

REPORT:

Introduction:

An application has been received from the Parramatta Cycling Club seeking approval (in traffic management terms) to conduct the Parramatta Cycling Club Road Cycling Races 2018 - Oakville Events.

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The event organiser has advised;

- The event has been held annually, over the past 20 years.
- Parramatta Cycling Club has been conducting club-level road racing on the roads around Oakville. Some who have engaged in these races have gone on to achieve great success in the Olympics, Commonwealth Games and World Championships.
- The cycling events will be held on 12 separate Saturdays and 1 Sunday, during the period of 14 April 2018 to 29 September 2018.
- The proposed dates are;
 - 14 April 2018
 - 28 April 2018
 - 12 May 2018
 - 02 June 2018
 - 16 June 2018
 - 24 June 2017 (Sunday)
 - 30 June 2018
 - 14 July 2018
 - 28 July 2018
 - 11 August 2018
 - 25 August 2018
 - 08 September 2018
 - 29 September 2018
- Each event will be conducted between 1pm and 4:30pm, with racing commencing at 2pm.
- The event is a Race and there will be 4 to 5 graded races up to 50 kilometres in length.
- There will be approximately 60 participants.
- Approximately 10 to 15 spectators are expected.
- There will be 4 to 5 groups with each group not to exceed 20 riders.
- The event starts and finishes at Oakville Public School, located at No. 46 Ogden Road, Oakville.
- Utilising the School's parking facilities will eliminate traffic congestion in the start/finish area.
- Traffic control arrangements will be in place with no road closures required.
- The average speeds for races at Category 2 level vary from 30km/h to 40km/h, all of which are well below the posted speed limit. The only exception to this situation is the final sprint, which traditionally occurs within the last 200 metres of the race. In order to protect all riders and motorists, this section of the course is sterilised by the exclusion of motorised vehicles for the period of the sprint, generally less than 60 seconds.
- The course follows an anti-clockwise direction which utilises left turns only at intersections to ensure the safety of participants and motorists.
- The course has been chosen because of its remote location and minimum impact on the local amenity.

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- Accredited traffic marshals are in constant two way radio communication between marshals and all escort vehicles and the start line.
- Prior to racing commencing, the course is subject to a physical inspection, in the event that circumstances have changed since the last race.
- The Club will utilise a roaming Commissaires vehicle as an escort for public awareness and also for observing race and road infringements.
- All riders are informed that should they breach any directive, by the marshal, commissaire or official, they face disqualification. If in the view of such officials the breach is serious, the riders also face fines and potential suspension.
- All riders in the event are to be licensed through the Australian Cycling Federation and there is a policy of no license, no start.
- The Bicycle Race will be conducted along the following route;
 - Commencing at Oakville Public School, Oakville, and entering Ogden Road,
 - Travel a short distance along Ogden Road and then into Hanckel Road,
 - Travel along Hanckel Road and turn left into Old Pitt Town Road,
 - Travel along Old Pitt Town Road and turn left into Saunders Road,
 - Travel along Saunders Road and turn left into Smith Road,
 - Travel along Smith Road and turn left into Ogden Road,
 - Travel along Ogden Road finishing at Oakville Public School.
 - The route distance is approximately 7.1 kilometres.
- Parramatta Cycling Club conducted a course survey in February 2018 and found the road surface in adequate condition for bicycle races to be conducted.

Refer to Attachment 1: Parramatta Cycling Club Road Cycling Races 2018 - Oakville Events - Event Route Plan.

Discussion:

It would be appropriate to classify the event as a “**Class 2**” special event under the “Traffic and Transport Management for Special Events” guidelines issued by the Roads and Maritime Services - RMS (formerly RTA) as the event may disrupt minor traffic and transport systems along the specified route and there may be a low scale disruption to the non-event community. Speed limit, traffic volume and road width details are provided in the following table:

Oakville Route			
Road Name	Speed Limit (km/h)	ADT (Year)	Sealed Carriageway Width (m)
Hanckel Road	60 and 70	1498 (2002)	5.7
Ogden Road	60 and 70	190 (1999)	8.0
Old Pitt Town Road	70	1264 (2002)	6.0 to 8.0
Saunders Road	70	718 (2000)	5.4 to 5.8
Smith Road	70	342 (1999)	6.1

The event organiser should assess the risk and address the suitability of the route as part of the risk assessment considering the road width, number of bicycles, traffic volume and bicycles travelling close to the edge of the sealed travelling lane.

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The course follows an anti-clockwise direction which utilises left turns only at intersections to ensure the safety of participants and motorists with traffic controls in place. No road closures are proposed, although there will be a sprint at the end of the race within the last 200 metres of the course which the event organiser is proposing to close off under traffic control for approximately 60 seconds.

The event organiser has submitted the following items in relation to the event: Attachment 2 (ECM Document Set ID No: 6155960):

1. Traffic and Transport Management for Special Events – HCC: Form A – Initial Approval - Application Form,
2. Traffic and Transport Management for Special Events – HCC: Form B – Initial Approval Application - Checklist,
3. Special Event Transport Management Plan Template – RTA (Roads and Maritime Services - RMS),
4. Transport Management Plan – referred to in the application as Traffic Management Plan (TMP),
5. Proposed Road Racing Schedule 2018,
6. Event Route Plan,
7. Copy of Insurance Policy which is valid to 30 April 2019, however does not include Hawkesbury City Council and the Roads and Maritime Services as an Interested Parties,
8. Copy of the application to the NSW Police Force.

RECOMMENDATION TO COMMITTEE:

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/events/organising-an-event2>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Roads and Maritime Services - RMS (formerly RTA) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package.
2. The Parramatta Cycling Club Road Cycling Races 2018 - Oakville Events planned for;
 - 14 April 2018
 - 28 April 2018
 - 12 May 2018
 - 02 June 2018
 - 16 June 2018
 - 24 June 2017 (Sunday)
 - 30 June 2018
 - 14 July 2018
 - 28 July 2018
 - 11 August 2018
 - 25 August 2018
 - 08 September 2018
 - 29 September 2018

by the Parramatta Cycling Club along the Oakville Route be classified as a "Class 2" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads and Maritime Services - RMS (formerly RTA).

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3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted and the following conditions:

Prior to the event:

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health and Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean-up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally Council has an events template which can be provided to assist in identifying and controlling risks);
- 4b. the event organiser is to assess the risk and address the suitability of the entire route/site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the route/site by the event organiser prior to the event;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;
- 4d. the event organiser is to submit a Traffic Control Plan (TCP) for the entire route, which needs to include details such as the specific position of barriers, signs etc, required for the event which includes the closing sprint at the end of the race, to Council and the Roads and Maritime Services - RMS (formerly RTA) for acknowledgement. The TCP should be prepared by a person holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA) to satisfy the requirements of WHS legislation and associated Codes of Practice and Australian Standards;
- 4e. the event organiser is to submit to Council a copy of its Public Liability Policy in an amount not less than \$10,000,000 noting Council and the Roads and Maritime Services - RMS (formerly RTA) as interested parties on the Policy and that Policy is to cover both on-road and off-road activities;
- 4f. as the event will traverse public roads and require traffic control, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy the road;
- 4g. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; a copy of this approval to be submitted to Council;
- 4h. the event organiser is to advertise the event in the local press stating the entire route/extent of the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, two weeks prior to the event; a copy of the proposed advertisement to be submitted to Council (indicating the advertising medium);

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- 4i. the event organiser is to notify the details of the event to the NSW Ambulance Service, Fire and Rescue NSW, NSW Rural Fire Service and SES at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4j. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4k. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; a copy of the correspondence to be submitted to Council;
- 4l. the event organiser is to submit the completed "Traffic and Transport Management for Special Events – Final Approval Application Form (Form C)" to Council;

During the event:

- 4m. access is to be maintained for businesses, residents and their visitors;
- 4n. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4o. all traffic controllers / marshals operating within the public road network or road related area, are to hold appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4p. the cyclists are to be made aware of and are to follow all the general road user rules whilst cycling on public roads;
- 4q. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices are to be placed along the route during the event, under the direction of a traffic controller holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4r. the competitors and participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event; and,
- 4s. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity.

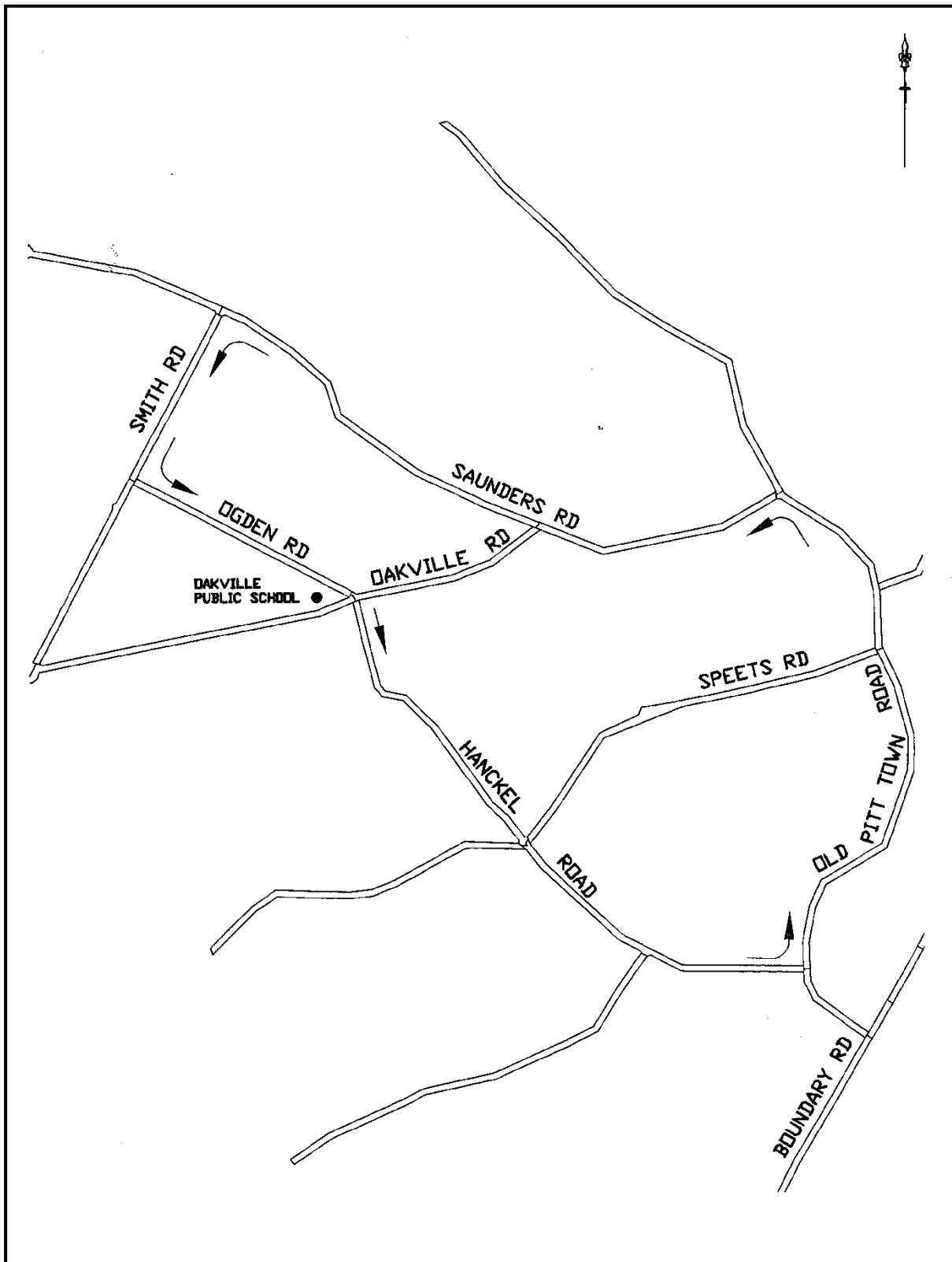
APPENDICES:

AT - 1 Parramatta Cycling Club Road Cycling Races 2018 - Oakville Events - Event Route Plan

AT - 2 Special Event Application - (ECM Document Set ID No: 6155960) - *see attached*.

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AT - 1 Parramatta Cycling Club Road Cycling Races 2018 - Oakville Events - Event Route Plan



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COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Peter Reynolds, seconded by Ms Tina Kaur.

Support for the Recommendation: Unanimous support

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/events/organising-an-event2>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Roads and Maritime Services - RMS (formerly RTA) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package.
2. The Parramatta Cycling Club Road Cycling Races 2018 - Oakville Events planned for;
 - 14 April 2018
 - 28 April 2018
 - 12 May 2018
 - 02 June 2018
 - 16 June 2018
 - 24 June 2017 (Sunday)
 - 30 June 2018
 - 14 July 2018
 - 28 July 2018
 - 11 August 2018
 - 25 August 2018
 - 08 September 2018
 - 29 September 2018

by the Parramatta Cycling Club along the Oakville Route be classified as a "Class 2" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads and Maritime Services - RMS (formerly RTA).

3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted and the following conditions:

Prior to the event:

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health and Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean-up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current

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insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally Council has an events template which can be provided to assist in identifying and controlling risks);

- 4b. the event organiser is to assess the risk and address the suitability of the entire route/site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the route/site by the event organiser prior to the event;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;
- 4d. the event organiser is to submit a Traffic Control Plan (TCP) for the entire route, which needs to include details such as the specific position of barriers, signs etc, required for the event which includes the closing sprint at the end of the race, to Council and the Roads and Maritime Services - RMS (formerly RTA) for acknowledgement. The TCP should be prepared by a person holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA) to satisfy the requirements of WHS legislation and associated Codes of Practice and Australian Standards;
- 4e. the event organiser is to submit to Council a copy of its Public Liability Policy in an amount not less than \$10,000,000 noting Council and the Roads and Maritime Services - RMS (formerly RTA) as interested parties on the Policy and that Policy is to cover both on-road and off-road activities;
- 4f. as the event will traverse public roads and require traffic control, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy the road;
- 4g. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; a copy of this approval to be submitted to Council;
- 4h. the event organiser is to advertise the event in the local press stating the entire route/extent of the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, two weeks prior to the event; a copy of the proposed advertisement to be submitted to Council (indicating the advertising medium);
- 4i. the event organiser is to notify the details of the event to the NSW Ambulance Service, Fire and Rescue NSW, NSW Rural Fire Service and SES at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4j. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4k. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; a copy of the correspondence to be submitted to Council;
- 4l. the event organiser is to submit the completed "Traffic and Transport Management for Special Events – Final Approval Application Form (Form C)" to Council;

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During the event:

- 4m. access is to be maintained for businesses, residents and their visitors;
- 4n. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4o. all traffic controllers / marshals operating within the public road network or road related area, are to hold appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4p. the cyclists are to be made aware of and are to follow all the general road user rules whilst cycling on public roads;
- 4q. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices are to be placed along the route during the event, under the direction of a traffic controller holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4r. the competitors and participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event; and,
- 4s. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity.

Item: 2.3 LTC - Proposed Changes to Timed Bus Zones in Sackville Road, Ebenezer, Adjacent to Ebenezer Public School (Hawkesbury) - (80245, 123265, 125358, 137535)

REPORT:

Busways is seeking the conversion of the current timed bus zones on Sackville Road, Ebenezer adjacent to and opposite the Ebenezer Public School, located in the vicinity of No. 508 and 531 Sackville Road. Presently the bus zones are timed and they do not correspond with the times of the 669 bus service and the designated school buses that attend the school.

In addition, buses are having issues with vehicles parking within the bus zones, although they are entitled to do so, as the vehicles are parking outside of the times shown on the bus zone signs and at the same time the Buses need to access these zones.

The times shown on the signage at the present time are as follows;

- Bus Zone adjacent to the school, the times shown are 2:30pm to 4pm School Days.
- Opposite the school, the times shown are 7:30am to 9am School Days.

Busways operate the 669 service, Windsor to Sackville via Wilberforce outside of the above times and have requested that the two bus zone operating times be changed to indicate "7am to 5:30pm Monday to Friday". Further to this, the services will not be changed to have buses before 7am or after 5:30pm in the near future.

The Principal from the School has been consulted by Busways regarding the changes to the timed Bus Zones. The feedback received by Busways is that the existing Bus Zone adjacent to the School is currently utilised by parents as a drop off area in the morning as it is relatively close to the School entrance, taking into account that there is no formed footpath along the School frontage.

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Footpath works are proposed to be undertaken on the side of the School from Kolora Road, across the School frontage (No. 531 Sackville Road) and across No. 529 Sackville Road. The length of new footpath will be in the order of 110 metres. These works are proposed to be undertaken during the April 2018 School Holidays. The provision of the footpath will allow for parents to park their vehicles adjacent to the new footpath and walk to the School.

The timing and details of the construction of the new footpath has been formulated in consultation with the School Principal.

It is proposed that the changes to the existing bus zones in Sackville Road adjacent to and opposite Ebenezer Public School in the vicinity of No 508 and 531 Sackville Road, Ebenezer be changed to operate between 7am to 5:30pm Monday to Friday. The implementation of the proposed changes to the bus zone is to be undertaken during the April 2018 School holiday period.

RECOMMENDATION TO COMMITTEE:

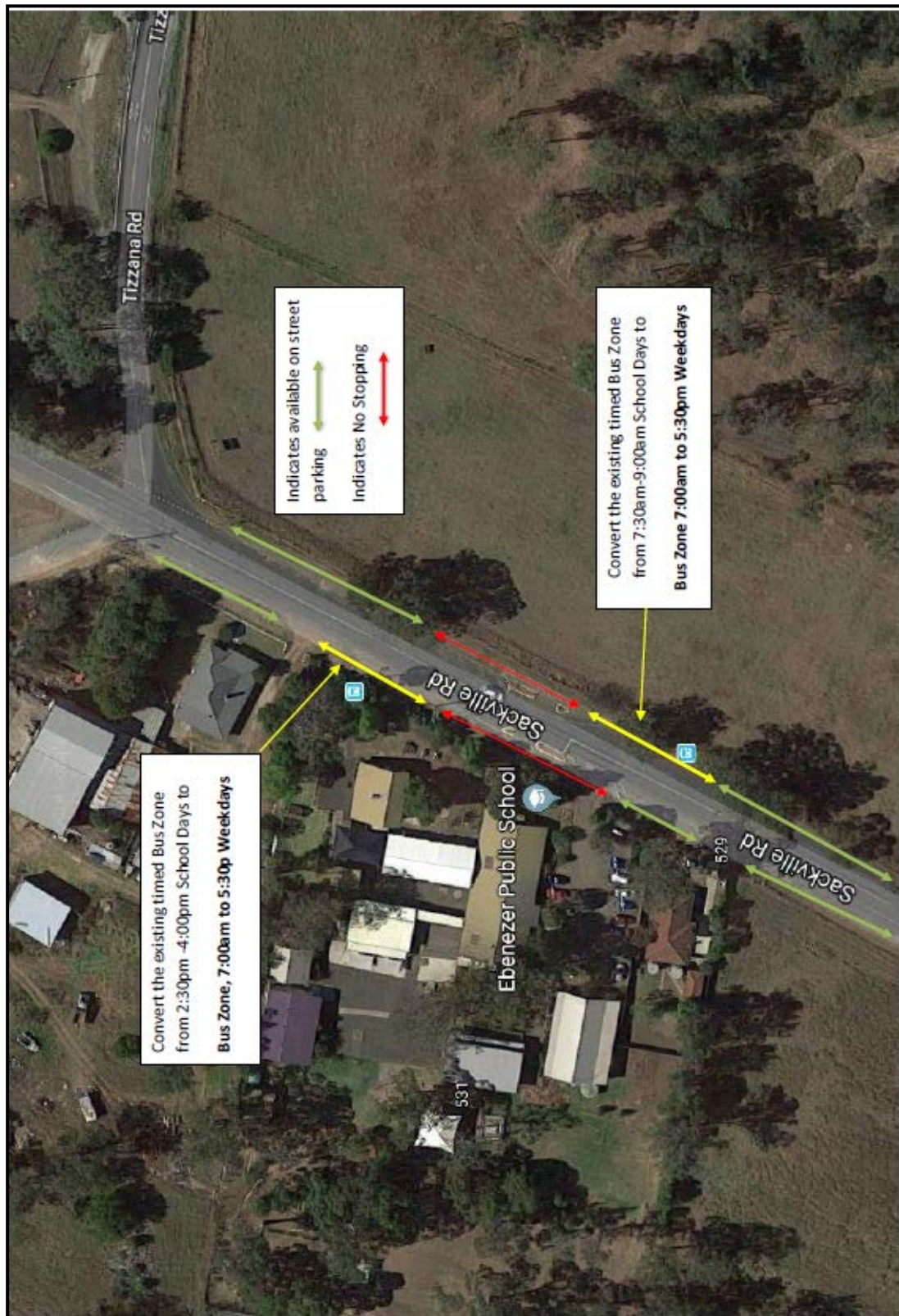
That the existing timed bus zones in Sackville Road adjacent to and opposite Ebenezer Public School in the vicinity of No 508 and 531 Sackville Road, Ebenezer be changed to operate between 7am to 5:30pm Monday to Friday. The implementation of the proposed changes to the bus zone is to be undertaken during the April 2018 School holiday period.

APPENDICES:

AT - 1 Site Plan - Proposed changes to the timed Bus Zones in Sackville Road, Ebenezer, adjacent to Ebenezer Public School

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AT - 1 Site Plan - Proposed changes to the timed Bus Zones in Sackville Road, Ebenezer, adjacent to Ebenezer Public School



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COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Peter Reynolds, seconded by Ms Tina Kaur.

Support for the Recommendation: Unanimous support

That the existing timed bus zones in Sackville Road adjacent to and opposite Ebenezer Public School in the vicinity of No 508 and 531 Sackville Road, Ebenezer be changed to operate between 7am to 5:30pm Monday to Friday. The implementation of the proposed changes to the bus zone is to be undertaken during the April 2018 School holiday period.

Item: 2.4 LTC - Mountain Lagoon Training Ride Weekend - April 2018 - Mountain Lagoon and Upper Colo (Hawkesbury) - (80245, 85005)

REPORT:

Introduction

An application has been received from Zone One of The NSW Endurance Riders' Association seeking approval (in traffic management terms) to conduct the Mountain Lagoon Training Ride Weekend on Saturday, 7 and Sunday, 8 April 2018, in and around the Mountain Lagoon and Upper Colo area.

The event organiser has advised:

- This is the first year for this event.
- Similar events have been held along this route previously with this event having a different ride base.
- The traditional route is being used for this event with a deviation for the 10 and 20 Kilometres rides.
- The event consists of Training and Introductory Horse riding and is conducted over distances of 40, 20 and 10 Kilometres.
- The event is timed and not a race.
- The event will be undertaken between 7am and 5pm on the Saturday and Sunday.
- The Ride Base will be at 1315 Mountain Lagoon Road, Mountain Lagoon which is bounded by both Mountain Lagoon Road and Sams Way. Access to the course will be from Sams Way.
- Parking will be available at the Ride Base.
- The course is similar to other events held in this area.
- Approximately 100 participants are expected for the event.
- Route for the Training and Introductory Rides are:

Training Ride - 40 Kilometres:

- Commence from the Ride Base located at 1315 Mountain Lagoon Road and enter the course by turning left onto Sams Way,
- Travel along Sams Way and turn left into Mountain Lagoon Road,

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- Travel along Mountain Lagoon Road and turn left at Comleroy Road past the powerlines,
- Travel along Comleroy Road to the Upper Colo Road junction and turn left into Upper Colo Road,
- Travel for a distance of approximately 5.5 kilometres along Upper Colo Road, past the Fire Station turnoff to the turn-around point,
- Turn around and return to the Fire Station turn off and turn right to enter the Wards Track and then into Gospers Fire Trail,
- Travel along Gospers Fire Trail and into Sams Way,
- Travel along Sams Way back to the Ride Base.

Introductory Rides - 10 and 20 Kilometres:

- Commence from the Ride Base located at 1315 Mountain Lagoon Road and enter the course by turning right onto Sams Way,
 - Travel along Sams Way and turn right into Mountain Lagoon Road,
 - Travel along Mountain Lagoon Road to the intersection of the Tootie Creek Track and turn right into the Tootie Creek Track, (the 10 kilometre riders turn around at this point and return to the Ride Base along Mountain Lagoon Road and Sams Way).
 - Follow the Tootie Creek Track down to the creek to the turn-around point,
 - Turn around and return along the Tootie Creek Track and left into Mountain Lagoon Road,
 - Travel along Mountain Lagoon Road and turn left into the eastern access point of Sams Way back to the Ride Base.
- Where the course covers trafficable roads, as with previous years, the following will be in place:
 - A Marshall is to be in place to stop horses crossing whilst vehicles pass,
 - At any junction where horses cross or access roads that are main access gates, the Marshall is to notify Traffic of the conditions ahead,
 - Signage shall be in place stating the following: Horses on Road, Horses crossing. In areas where the road narrows or is windy; Drive Slowly Horses on Road is to be provided.
 - Road Inventory
 - Comleroy Road – Unsealed,
 - Mountain Lagoon Road – Sealed/Unsealed,
 - Sams Way – Unsealed,
 - Upper Colo Road – Sealed/Unsealed,
 - Roads on private property and within the National Park,
 - The Colo River will not be crossed as part of the route.

Refer to Attachments 1 "Event Course Map – Mountain Lagoon Training Ride Weekend 2018".

Discussion

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

The event organiser has submitted the following items in relation to the event: Attachment 4 (ECM Document Set ID No: 6124298):

1. Traffic and Transport Management for Special Events – HCC: Form A – Initial Approval - Application Form,
2. Traffic and Transport Management for Special Events – HCC: Form B – Initial Approval Application - Checklist,
3. Special Event Transport Management Plan Template – RTA (Roads and Maritime Services - RMS),

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4. Event Course Map,
5. Copy of Insurance Policy which is valid to 01 January 2017,
6. Copy of Consultation letter to Residents,
7. Copy of the application to the NSW Police Force,
8. Copy of the application to the National Parks and Wildlife Service (Office of Environment and Heritage),
9. Copies of correspondence forwarded to the NSW Ambulance Service, NSW Rural Fire Service, Fire and Rescue NSW and SES.

RECOMMENDATION TO COMMITTEE:

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/events/organising-an-event2>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Roads and Maritime Services - RMS (formerly RTA) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package.
2. The Mountain Lagoon Ride Weekend event in and around the Mountain Lagoon and Upper Colo area, planned for Saturday, 7 and Sunday, 8 April 2018 be classified as a "Class 2" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads and Maritime Services - RMS (formerly RTA).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted and the following conditions:

Prior to the event:

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health and Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean-up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally council has an events template which can be provided to assist in identifying and controlling risks);
- 4b. the event organiser is to assess the risk and address the suitability of the entire route/site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the route/site by the event organiser prior to preparing the TMP and prior to the event;

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- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;
- 4d. the event organiser is to submit a Transport Management Plan (TMP) for the entire route/event incorporating a Traffic Control Plan (TCP) to Council and the Roads and Maritime Services - RMS (formerly RTA) for acknowledgement. The TCP should be prepared by a person holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA) to satisfy the requirements of WHS legislation and associated Codes of Practice and Australian Standards;
- 4e. the event organiser is to submit to Council a copy of its Public Liability Policy in an amount not less than \$10,000,000 noting Council and the Roads and Maritime Services - RMS (formerly RTA) as interested parties on the Policy and that Policy is to cover both on-road and off-road activities;
- 4f. as the event will traverse public roads and require traffic control, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy the road;
- 4g. the event organiser is to ensure that dust along the unsealed sections of road utilised for the event and by the event competitors and participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be addressed and outlined in the TMP;
- 4h. the event organiser is to obtain approval from the National Parks and Wildlife Service (Office of Environment and Heritage) for the use of the Wollemi National Park; a copy of this approval to be submitted to Council;
- 4i. the event organiser is to obtain written approval from Councils' Parks and Recreation Section for the use of a Council Park/Reserve;
- 4j. the event organiser is to obtain approval from the NSW Department of Industries - Lands for the use of any Crown Road or Crown Land; a copy of this approval to be submitted to Council;
- 4k. the event organiser is to obtain approval from the respective Land Owners for the use of their land as part of the route for the event; a copy of this approval to be submitted to Council;
- 4l. the event organiser is to advertise the event in the local press stating the entire route/extent of the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, two weeks prior to the event; a copy of the proposed advertisement to be submitted to Council (indicating the advertising medium);
- 4m. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4n. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; a copy of the correspondence to the resident has been submitted to Council;
- 4o. the event organiser is to submit the completed "Traffic and Transport Management for Special Events – Final Approval Application Form (Form C)" to Council;

During the event:

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- 4p. access is to be maintained for businesses, residents and their visitors;
- 4q. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4r. all traffic controllers / marshals operating within the public road network or road related area, are to hold appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4s. the riders are to be made aware of and are to follow all the general road user rules whilst riding on public roads;
- 4t. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices are to be placed along the route, during the event, under the direction of a traffic controller holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4u. the competitors and participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event;
- 4v. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity, and,
- 4w. the event organiser is to ensure that dust along the unsealed sections of road utilised for the event and by the event competitors and participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be undertaken as outlined in the TMP.

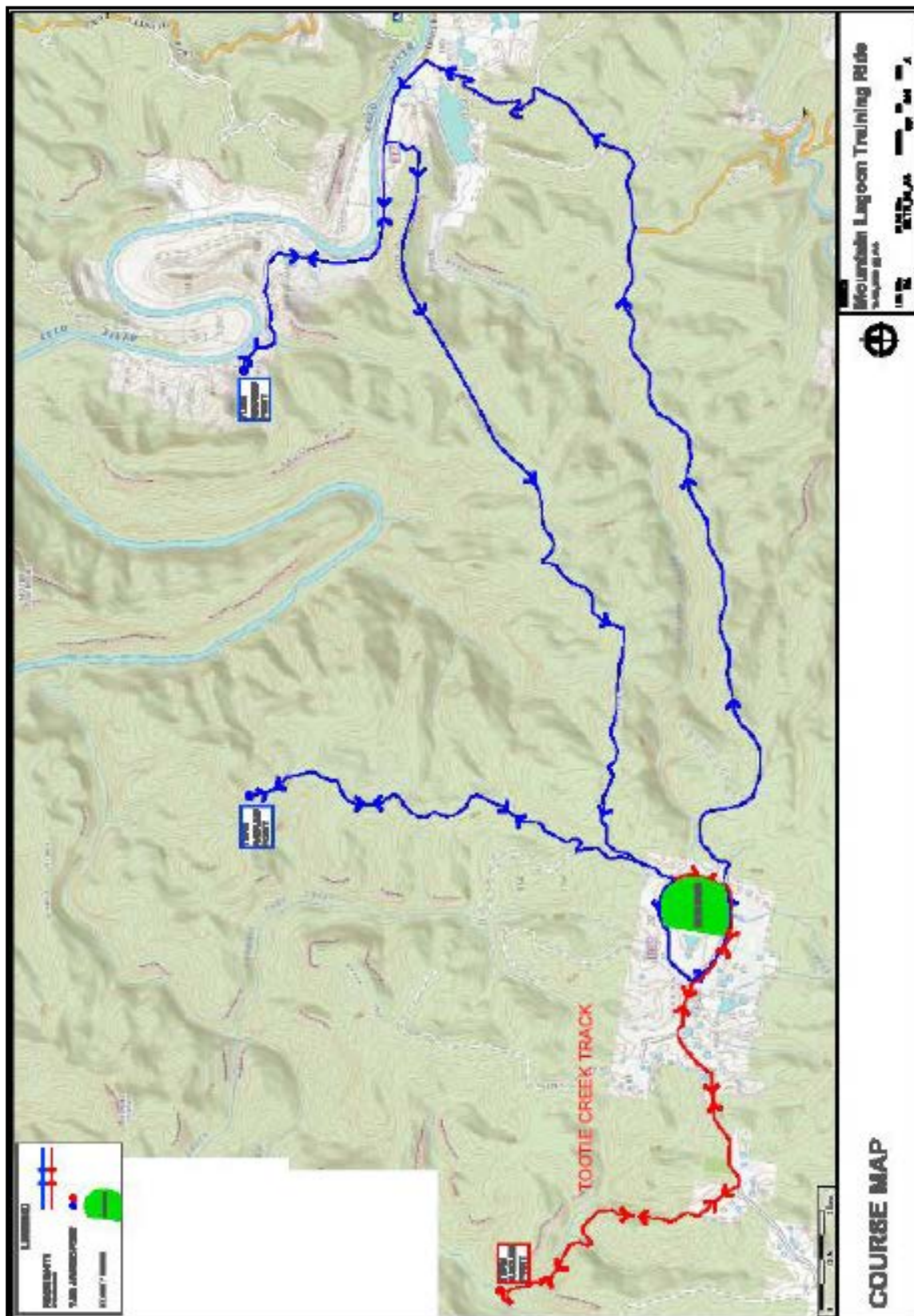
APPENDICES:

AT - 1 Event Course Map – Mountain Lagoon Training Ride Weekend 2018

AT - 2 Special Event Application - (ECM Document Set ID No. 6124298) - *see attached.*

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AT - 1 Event Course Map – Mountain Lagoon Training Ride Weekend 2018



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COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Peter Reynolds, seconded by Ms Tina Kaur.

Support for the Recommendation: Unanimous support

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/events/organising-an-event2>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Roads and Maritime Services - RMS (formerly RTA) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package.
2. The Mountain Lagoon Ride Weekend event in and around the Mountain Lagoon and Upper Colo area, planned for Saturday, 7 and Sunday, 8 April 2018 be classified as a "Class 2" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads and Maritime Services - RMS (formerly RTA).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted and the following conditions:

Prior to the event:

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health and Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean-up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally council has an events template which can be provided to assist in identifying and controlling risks);
- 4b. the event organiser is to assess the risk and address the suitability of the entire route/site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the route/site by the event organiser prior to preparing the TMP and prior to the event;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;

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- 4d. the event organiser is to submit a Transport Management Plan (TMP) for the entire route/event incorporating a Traffic Control Plan (TCP) to Council and the Roads and Maritime Services - RMS (formerly RTA) for acknowledgement. The TCP should be prepared by a person holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA) to satisfy the requirements of WHS legislation and associated Codes of Practice and Australian Standards;
- 4e. the event organiser is to submit to Council a copy of its Public Liability Policy in an amount not less than \$10,000,000 noting Council and the Roads and Maritime Services - RMS (formerly RTA) as interested parties on the Policy and that Policy is to cover both on-road and off-road activities;
- 4f. as the event will traverse public roads and require traffic control, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy the road;
- 4g. the event organiser is to ensure that dust along the unsealed sections of road utilised for the event and by the event competitors and participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be addressed and outlined in the TMP;
- 4h. the event organiser is to obtain approval from the National Parks and Wildlife Service (Office of Environment and Heritage) for the use of the Wollemi National Park; a copy of this approval to be submitted to Council;
- 4i. the event organiser is to obtain written approval from Councils' Parks and Recreation Section for the use of a Council Park/Reserve;
- 4j. the event organiser is to obtain approval from the NSW Department of Industries - Lands for the use of any Crown Road or Crown Land; a copy of this approval to be submitted to Council;
- 4k. the event organiser is to obtain approval from the respective Land Owners for the use of their land as part of the route for the event; a copy of this approval to be submitted to Council;
- 4l. the event organiser is to advertise the event in the local press stating the entire route/extent of the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, two weeks prior to the event; a copy of the proposed advertisement to be submitted to Council (indicating the advertising medium);
- 4m. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;
- 4n. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; a copy of the correspondence to the resident has been submitted to Council;
- 4o. the event organiser is to submit the completed "Traffic and Transport Management for Special Events – Final Approval Application Form (Form C)" to Council;

During the event:

- 4p. access is to be maintained for businesses, residents and their visitors;

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- 4q. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4r. all traffic controllers / marshals operating within the public road network or road related area, are to hold appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4s. the riders are to be made aware of and are to follow all the general road user rules whilst riding on public roads;
- 4t. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices are to be placed along the route, during the event, under the direction of a traffic controller holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4u. the competitors and participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event;
- 4v. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity, and,
- 4w. the event organiser is to ensure that dust along the unsealed sections of road utilised for the event and by the event competitors and participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be undertaken as outlined in the TMP.

SECTION 3 - Reports for Information

There were no Reports for Information.

SECTION 4 - General Business

There was no General Business.

SECTION 5 - Next Meeting

The next Local Traffic Committee meeting will be held on Monday, 9 April 2018 at 3pm in the Small Committee Room.

The meeting terminated at 4:42pm.

oooO END OF REPORT Oooo

ordinary

section 5

notices of motion

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SECTION 5 – Notices of Motion

Item: 079 **NM1 - Impacts of Rising Energy Costs and Extreme Weather**

Submitted by: Councillor Kotlash

NOTICE OF MOTION:

That:

1. Council note a number of initiatives within the Community Strategic Plan relate to environmental outcomes and community well being.
2. Council note staff are in the process of developing the draft budget for 2018/2019.
3. In the event that staff have not already given consideration to budget initiatives in relation to energy, climate change and community wellbeing, Council formally request staff to include options in the upcoming draft Budget in relation to both:
 - a) Council's generation, purchasing and conservation of energy
 - b) Supporting community actions in relation to energy costs, decreasing the City's carbon emissions and dealing with the effects of extreme weather events.

BACKGROUND:

Our Community Strategic Plan states in:

Section 3.2 that we want to live sustainably and reduce our ecological footprint. We list 3 key strategies to do this:

- 3.2.1 Our community is informed and acts to reduce our ecological footprint
- 3.2.2 Alternative forms of energy are embraced throughout the Hawkesbury
- 3.2.3 Become a carbon neutral Local Government Area

Section 2.4 Community wellbeing and local services

- 2.4.2 Provide flexible services that can adapt to changing community needs and service demands

There is no doubt that people in the Hawkesbury are being impacted by high energy costs. There are also many who are suffering from heat stress as our climate warms. It would be beneficial if Council could give consideration to initiatives in the development of the current budget that will assist residents in responding to the impacts of:

- Increased energy costs
- Climate change and extreme weather events.

FINANCIAL CONSIDERATIONS:

To be addressed as part of the upcoming budget process.

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ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

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Item: 080 **NM2 - Thompson Square Drainage System**

Submitted by: Councillor Wheeler

NOTICE OF MOTION:

That Council:

1. Receives and notes the information provided by Professor Ian Jack regarding the drainage system in Thompson Square, as requested by Council's Heritage Advisory Committee.
2. Disseminates this information to the community and the wider media, with strong emphasis on the need to retain and preserve the drains in a manner which allows for conservation and display.
3. Urgently contacts the Prime Minister, The Hon. Malcolm Turnbull, the Federal Minister for the Environment and Energy, The Hon. Josh Frydenberg, the Member for Macquarie, The Hon Susan Templeman, the Premier of NSW, The Hon. Gladys Berejiklian, the Member for Hawkesbury, The Hon. Dominic Perrottet, the Minister for Roads, Maritime and Freight, The Hon. Melinda Pavey, and the Minister for Heritage, The Hon. Gabrielle Upton, requesting that they receive the information and asking for comment on the current and proposed damage to the drains and wider Square.
4. Requests that the NSW Upper House Inquiry into the Windsor Bridge Replacement Project receives the information.

BACKGROUND:

At its meeting on 8 March 2018, Council's Heritage Advisory Committee sought specialist advice from one of its members, Professor Ian Jack, on the significance of the brick barrel drains uncovered in Thompson Square. The Committee also requested Council receive and note the information once it was received. A copy of Professor Jack's correspondence is attached (AT-1). Notable is the summary paragraph:

"What has been partially uncovered in Thompson Square early in 2018 should be understood as remarkable physical evidence of a complex drainage and land-fill system conceived under Governor Macquarie in 1814 and completed by 1820 through the energy of John Howe and James McGrath. This is the earliest public works of its sort surviving in the colony and the barrel drain is the key element in the sophisticated water management system. There is an overwhelming case for conservation, preservation and display."

FINANCIAL CONSIDERATIONS:

There are no financial implications applicable to this report.

ATTACHMENTS:

AT - 1 The Drainage System in Thompson Square, Windsor - Professor Ian Jack, March 2018

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AT - 1 The Drainage System in Thompson Square, Windsor - Professor Ian Jack, March 2018

The Drainage System in Thompson Square, Windsor

Ian Jack, March 2018

Thompson Square in Windsor is recognized as having very high heritage values. Dating from 1795, it is the oldest civic square in Australia, the centre for government control and economic management in the newly settled area. Adjacent to the early farms which fed early colonial Sydney, its wharfage made it an important entrepôt at the head of Hawkesbury River navigation throughout the nineteenth century. It was named by Governor Macquarie in 1811 in memory of the first emancipist magistrate in Australia.

The heritage significance of Thompson Square has in 2018 been dramatically enhanced by the archaeological excavation of its early drainage system. What has been revealed under the surface in the lower part of the square is a complex and sophisticated series of brick drains which can be documented in an exceptionally detailed way. A contract for public works in the square, involving drainage, levelling and wharfage, was issued by Governor Macquarie in 1814 to two prominent, entrepreneurial Hawkesbury men, John Howe (who was the chief constable) and James McGrath. This original document and a related contract made in April 1815, both signed by Macquarie himself, were retained by the Howe family and are now in the State Library of New South Wales.¹

On 8 August 1814 Howe and McGrath agreed to complete three separate commissions within twelve months. One of these was:

To Sink and Erect one Sewer in the middle of the Square with Channels leading thereto or to Sink and Erect two sewers one on each side of the Square as laid down in the Plan in the possession of His Excellency Governor Macquarie and as His Excellency may please to direct.

This plan has not been located, but it is clear from local knowledge and confirmed by the current excavations that in 1814 Howe and McGrath elected to build a single central drain, with ancillary channels. The governor permitted the contractors to manufacture between 120,000 and 150,000 bricks ‘on the Brick Ground now making at Windsor for Government’. Since bricks were not relevant to the other works in the contract, this substantial number was earmarked for the drains.

By 24 April 1815, the date of the second contract, well ahead of schedule, both the new wharf and the barrel drain had been completed.² The new contract gives details of the

1

State Library of NSW, Mitchell Library, ML MSS 106, items 37. 38.

2

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remaining work. This was the very large enterprise of extending the wharf and reducing the steep angle of the square as it dropped down from George Street to the river.

It is this levelling of Thompson Square which explains why the barrel drain was found no less than 3.5 metres under the present surface. It also offers a satisfying interpretation of the archaeologists' discovery of a series of brick-lined sump-walls going vertically up some two metres from the barrel drain to a brick box drain on the surface. The nature of the bricks found in all three strata is consistent with a Macquarie-period date.

Levelling the square was a substantial operation. Although only six months were allowed for completion, the fee was almost double that for stage 1 in 1814-1815 (£600 against £350, plus spirits in each case). The magnitude of the task was recognized by Macquarie, who added to Howe's copy of the contract a note in his own handwriting, allowing the starting-date for the six months to be postponed for two months until 24 June 1815.

The methods to be used by Howe and McGrath were carefully specified. A new wooden 'Wharf or Platform' was to be created along the whole length of the riverside part of the square 'in a line with the present Jetty or Wharf but three feet higher [than the deck of the wharf]'. There were to be three rows of piles, 550 in all, to support the new structure. The improved wharf was 276 feet long and 33 feet wide, according to the *Sydney Gazette*, whereas the first Howe wharf was only 50 by 18 feet.³ The piles on the landward side, taking the full weight of the infill, which was to reach the top of the new wharf, were to be:

well secured with Land Ties and Caps and planked with sound two inch Planks and not more than six inches wide to be spiked with five inch spikes.

It was envisaged that 5,000 such spikes would be needed from government stores. Although the dimensions of the vertical piles were not specified in 1815, the earlier contract had stipulated that each pile should measure between 16 and 18 inches and that the piles should be placed from three to four feet apart. Standing at least three feet above the land-surface, the reinforced landward side of the wharf was a substantial buffer for the weight of the fill required to diminish the slope.

Obviously the greatest quantity of fill would be required in the lower part of the square. Howe had already in 1814 and early in 1815 built the large barrel drain just below the

The wharf was in use by early March 1815 (*Sydney Gazette*, 4 March 1815, p.2); the completion of the barrel drain is inferred since it is not included in the new contract in April 1815.

3

Sydney Gazette, 3 June 1815, p.2; State Library, ML MSS 106. 3+ item 37.

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original surface. To maintain an efficient drainage system, as the barrel drain was to be covered with a great deal of fill, an additional drainage channel on the surface would be necessary, connected to the barrel drain by a series of brick-lined sumps. The box drain now excavated was therefore added by Howe once the land-fill had altered the landscape of the square, particularly the part closer to the river. Further minor brick drains running to the surface box drain have been identified by the archaeologists. These are the 'Channels' stipulated in 1814 but first constructed only after the initial levelling of the square was complete in 1815.

The 1815 wharf was, however, severely damaged in the 14-metre flood of June 1816, when it was reported that:

all the planking is carried away and there is no part of the wharf that can be built on again.⁴

The 1816 flood would have implications for the new landfill and for the new surface drains. Under the direction of Francis Greenway, Howe and McGrath constructed a third wharf between 1816 and 1820 and it is probable that replacement infill, new box drains and new side-channels were required, with further repairs likely after the 14-metre flood of February 1817 and the 12-metre flood of March 1819 which postponed completion of the new wharf. Howe and McGrath received their final payment for 'filling in Thompson Square and Erecting a Sewer and laying drains' only on 15 February 1820.⁵

Since 1820, there have, of course, been further changes in the topography and soils of Thompson Square through recurrent floods, the creation of road cuttings to reach Windsor Bridge after 1874 and various uses of the open parts of the square. These have affected the context of the drains, but they do not affect the interpretation.

The very precise terms of the contracts make the conclusion inescapable that both the barrel drain and the box drain were conceived and built between 1814 and 1820 as a striking realisation of challenging commissions to two local entrepreneurs.

What has been partially uncovered in Thompson Square early in 2018 should be understood as remarkable physical evidence of a complex drainage and land-fill system conceived under Governor Macquarie in 1814 and completed by 1820 through the energy

4

Report by Cox, Mileham and Fitzgerald, 4 July 1816, State Archives NSW, Reel 4045, 4/1735, p.83, D.G Bowd, *Macquarie Country*, rev. ed, 1973, p.42.

5

Colonial Secretary Correspondence, State Archives NSW, Reel 6050, 4/1746, p.209.

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oooO END OF NOTICE OF MOTION Oooo

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QUESTIONS FOR NEXT MEETING

Item: 081 Councillor Questions from Previous Meetings and Responses - 27 February 2018 - (79351)

REPORT:

Follow up question arising from response provided at the Council Meeting held on 13 March 2018:

Councillor	Question	Response
Connolly	In relation to the response provided to Question 12 asked at the Council meeting on 27 February 2018, it was requested that the full cost to Council in respect to the IDAHOBIT day event at McMahons Park, Kurrajong be provided.	The Director Support Services advised that the venue for the IDAHOBIT day event has been relocated to Richmond Park to take place on 17 May 2018. The indicative total financial cost for Council's support of this event is estimated to be \$327 made up of \$180 for the printing of a banner, \$40 for booking of Council's banner pole, and \$107 for the hire of Richmond Park. All of these items represent fees and costs which are payable to Council. In addition to these costs, 4 hours of staff time will be required to support the event (2 hours of planning and administration and 2 hours to attend the event).

oooO END OF REPORT Oooo

ORDINARY MEETING
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Item: 082 **Councillor Questions from Previous Meetings and Responses - 13 March 2018**
- (79351)

REPORT:

Questions - 13 March 2018

#	Councillor	Question	Response
1	Garrow	Requested a cost to date of the Code of Conduct complaints received for the term of this Council.	The General Manager advised that from 17 September 2016 to 19 March 2018, Code of Conduct complaints against Councillors and the General Manager have cost \$14,750 (excluding GST). These costs are for the engagement of Code of Conduct Reviewers to investigate the complaints.
2	Garrow	Following Clean Up Australia Day, it was noted that there was not a lot of signage around Council parks promoting the 'Do The Right Thing' initiative. Can signage be strategically placed in Council parks notifying how to report a tosser and the fine amounts. Can it also be investigated to find out if there are any State Government grants to fund the signage.	The Director Infrastructure Services advised that opportunities for signage to support waste education and enforcement actions would be investigated, including integrating with broader litter campaigns, and state agency initiatives and funding.
3	Garrow	Enquired if steps could be taken to prevent litter being mowed and scattered.	The Director Infrastructure Services advised that mowing staff and contractors would be reminded of the requirement to remove any litter prior to mowing.

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#	Councillor	Question	Response
4	Wheeler	<p>On 30 January 2018, a Mayoral Minute was passed regarding Thompson Square Archaeology that consisted of multiple motions and asked for an update, particularly:</p> <p>Motion 3 – Has Council received a reply other than recognition of receipt of correspondence from the NSW Government and RMS.</p> <p>Motion 4 – Has Council received a reply other than recognition of receipt of correspondence from the Premier and RMS.</p> <p>Motion 5 – Has Council received a reply other than recognition of receipt of correspondence from the Federal Minister, Mr Frydenberg.</p> <p>Motion 6 – Has Council received a reply other than recognition of receipt of correspondence from the Premier and Mr Perrottet.</p>	The General Manager advised that letters have been sent as per Council resolution. Staff will follow-up with relevant parties to ascertain likely response.
5	Zamprogno	Referred to Clean Up Australia Day and requested signage to be erected at Friendship Bridge in Pitt Town advising 'Do The Right Thing' and fines that would apply.	The Director Infrastructure Services advised that opportunities for signage to support waste education and enforcement actions would be investigated, including integrating with broader litter campaigns, and state agency initiatives and funding.
6	Zamprogno	Referred to the historic wooden fence in Bona Vista Park, Pitt Town and requested that a safety inspection be carried out.	The Director Infrastructure Services advised that the fence had been inspected and actions will be taken to ensure that the fence does not pose an immediate safety hazard, however the fence is likely to ultimately require removal. An appropriate "heritage marker" of the boundary is being investigated, to record the sites heritage.
7	Zamprogno	Requested that the dirt section of Brennans Dam Road, Vineyard be graded.	The Director Infrastructure Services advised that instructions had been given for the road to be graded.

oooO END OF REPORT Oooo

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CONFIDENTIAL REPORTS

Item: 083 **IS - Land Acquisition - Road Reserve - 74 Laws Farm Road, Lower Portland - (95496, 89961, 89962)**

Directorate: Infrastructure Services

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 purchase of property by the 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

Confidential Reports

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ordinary
meeting

end of
business
paper

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