



Hawkesbury City Council

ordinary meeting business paper

date of meeting: 09 August 2011

location: council chambers

time: 6:30 p.m.



mission statement

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

How Council Operates

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

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

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

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

Meeting Procedure

The Mayor is Chairperson of the meeting.

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

Public Participation

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

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

A Point of Interest

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

Planning Decision

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

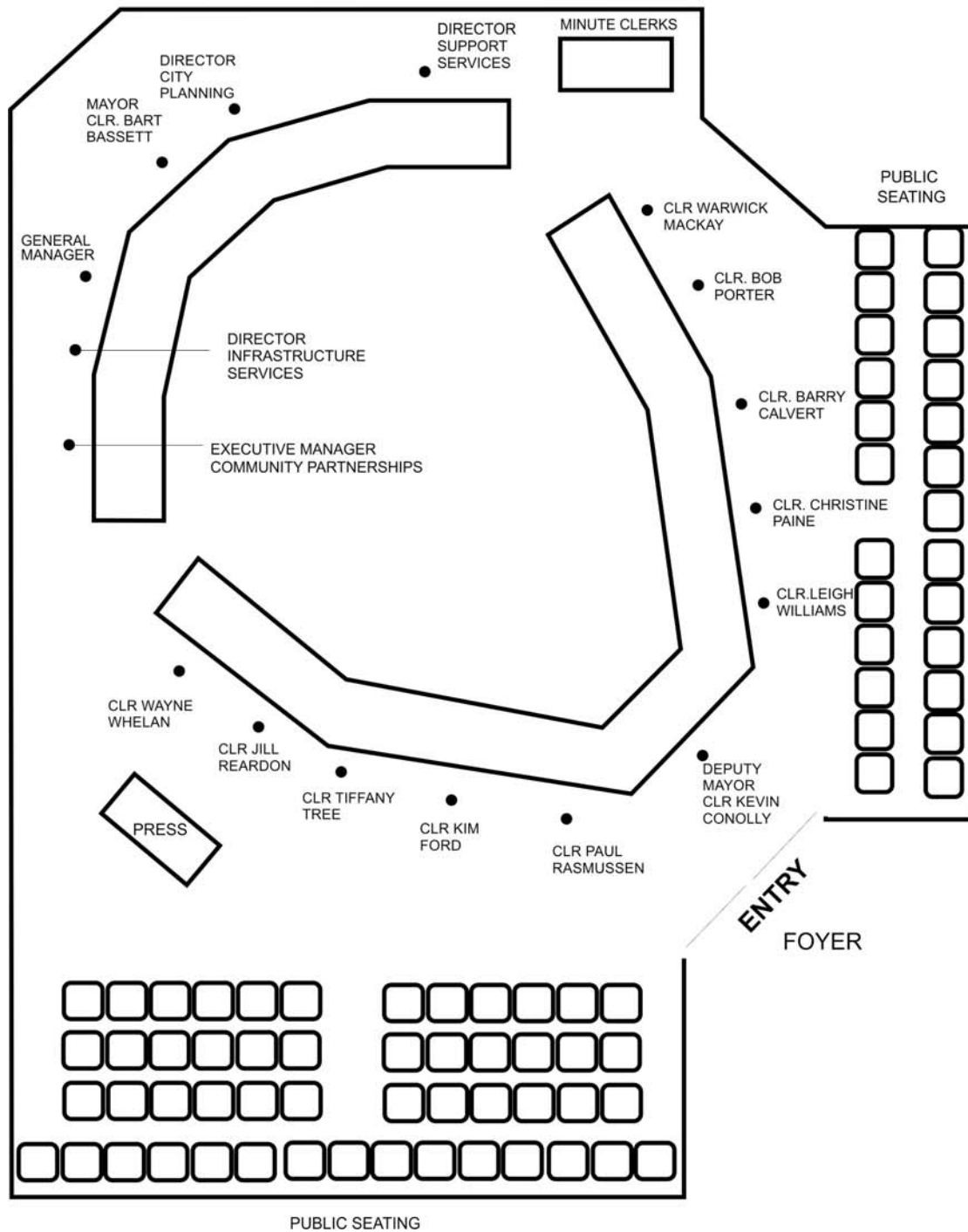
Website

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

Further Information

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

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SECTION 3 - Notices of Motion

NM - Proposed National Disability Insurance Scheme - (80104)

Submitted by: Councillor C Paine

NOTICE OF MOTION:

That Council:

1. Support the proposed National Disability Insurance Scheme (NDIS) by:
 - a) Expressing support on Council's website with a link to www.everyaustraliancounts.com.au.
 - b) Joining other local councils and registering on www.everyaustraliancounts.com.au as an organisational supporter.
 - c) Encouraging all Councillors, Council staff and residents in the Hawkesbury to show support for the NDIS by registering their support on www.everyaustraliancounts.com.au.
 - d) Having posters and promotional material for a NDIS at Council Office Reception.
 - e) Proposing a motion to the 2011 Local Government Association Annual Conference expressing support for a NDIS.
2. Write to all Hawkesbury State and Federal Members of Parliament calling for a bipartisan support for a national system of National Disability Insurance Scheme.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

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SECTION 4 - Reports for Determination

CITY PLANNING

Item: 172 **CP - Development Application - Rural Tourist Facility - Lot 433, DP 751665, 172 Blacktown Road, Freemans Reach - (95498, 14738, DA0302/10)**

Previous Item: 245, Ordinary (9 November 2010)

Development Information

File Number: DA0302/10
Property Address: 172 Blacktown Road, Freemans Reach
Applicant: Michael Sam Dimech
Owner: Mr MS Dimech
Proposal Details: Rural Tourist Facility
Estimated Cost: \$200,000
Current Zone: Environmental Protection - Agriculture Protection (Scenic)
Draft Zoning: RU2 Rural Landscape
Date Received: 30/04/2010
Advertising: 14/05/2010 - 1/06/2010 extended until 15/06/10
 18/04/2011 – 06/05/2011.
Key Issues: ♦ Siting of cabins
 ♦ Integrated Development - Bushfire
 ♦ Endangered ecological community
 ♦ Rural amenity

Recommendation: Approval

REPORT:

Introduction

At its meeting of 9 November 2010, Council considered this application for a Rural Tourist Facility at 172 Blacktown Road, Freemans Reach and resolved that the matter be deferred.

Discussions (1 December 2010 and 6 April 2011) have been held with the applicant in order to seek a resolution to the assessment of the application. A site meeting (29 November 2010) was undertaken by the Council and the applicant in regards to the endangered ecological community and location of cabins.

This report addresses the issues and recommends that the application be approved.

Proposed Development

The application seeks approval for construction of two single storey tourist cabins for a rural tourist facility with access to the proposed cabins from Blacktown Road via an existing driveway. Two off street parking spaces are to be provided on site adjacent to the proposed cabins. The proposal also involves installation of an on site sewerage management system for the cabins.

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The subject land is zoned Environment Protection – Agriculture Protection (Scenic). The proposal is to expand the existing rural tourist facility from one to three cabins. The use of the land for this purpose is permitted under the planning provisions.

Additional Information

Following the meeting of 9 November 2010 the applicant has addressed the Council concerns by amending and relocating the additional two cabins on the subject site from the rear of the property clear from the endangered ecological community to the front of the subject site in the vicinity of the existing dwelling and rural tourist facility clustering together with the provision of landscaping along Blacktown road with no tree removal.

The amended location has addressed the main issues raised by Council being:

- The proposed rural tourist cabins are now located on a clear, relatively flat portion of the site away from the steep sensitive endangered ecological community vegetation area along the Kurmond Road portion of the subject site.
- The proposed development now clusters the additional cabins adjacent to the existing dwelling and existing rural tourist facility located along the Blacktown Road portion of the subject site.
- The new proposed location is also away from the highest portion of the site reducing the impact on the rural character of the subject area.
- The proposed additional landscaping addresses the visual impact of the proposed development on the adjoining dwelling and streetscape along Blacktown Road.

Council Policies, Procedures and Codes to Which the Matter Relates

- Hawkesbury Local Environmental Plan (HLEP) 1989
- Draft Hawkesbury Local Environmental Plan (HLEP) 2011
- State Environmental Planning Policy 44 (SEPP 44) - Koala Habitat Protection
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- Sydney Regional Environmental Plan No 20 (SREP 20) - Hawkesbury Nepean River
- Hawkesbury Development Control Plan (HDCP) 2002
- Hawkesbury's Development Control Plan – Contaminated land

Section 79C Matters for Consideration

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

- a. The provisions (where applicable) of any:
 - i. Environmental Planning Instrument:

Hawkesbury Local Environmental Plan 1989

Clause 2 - Aims, objectives etc,

The proposed development is considered to be consistent with the general aims and objectives as outlined in Clause 2 of Hawkesbury Local Environmental Plan 1989.

Clause 5 - Definitions

The subject proposal is defined as a rural tourist facility by Hawkesbury Local Environmental Plan 1989. Clause 5 of Hawkesbury Local Environmental Plan 1989 provides the following definition for rural tourist facilities:

“rural tourist facilities” means a building or place in a rural area that is used to provide low scale holiday accommodation, recreation or education for the travelling or holidaying public, and may consist of holiday cabins, horse riding facilities, refreshment rooms or the like.”

Clause 9 – Carrying out development

The proposal, being classified as a *rural tourist facility* is permissible with development consent within the Environmental Protection - Agriculture Protection (Scenic).

Clause 9A - Zone Objectives

Clause 9A states that consent shall not be granted for a development unless, in the opinion of Council, the carrying out of the development is consistent with the objectives of the zone.

The objectives of the Environmental Protection - Agriculture Protection (Scenic) zone are:

- (a) *to protect the agricultural potential of rural land in order to promote, preserve and encourage agricultural production;*

Comment

The land is not used for agricultural purposes. The proposal is to expand the existing rural tourist facility within the subject site. The proposed development is not considered likely to have significant adverse effect on the existing agricultural potential of the land, or agricultural lands in the locality.

- (b) *to ensure that agricultural activities occur in a manner:*
 - i. *that does not have a significant adverse effect on water catchments, including surface and groundwater quality and flows, land surface conditions and important ecosystems such as stream and wetlands, and*

Comment

The subject land is not used for agricultural purposes and the proposal is to expand the existing rural tourist facility. No significant adverse impact on water catchments, significant ecosystems or the River, or surface and groundwater quality and flows, or surface conditions.

- ii. *that satisfies best practice guidelines and best management practices;*

Comment

Not applicable.

- (c) *to ensure that development does not create or contribute to rural land use conflicts;*

Comment

The proposal is for a low scale facility and given the size of the land, location of the buildings and separation from the dwelling on the adjoining land, it is not considered that the proposed development will create any unreasonable rural land use conflicts.

- (d) *to ensure that development retains or enhances existing landscape values that include a distinctly agricultural component;*

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Comment

It is not considered that the proposal will have any significant negative impact on the existing landscape and streetscape of the area.

- (e) *to preserve river valley systems, scenic corridors, wooded ridges, escarpments, environmentally sensitive areas and other local features of scenic quality;*

Comment

The proposed development is considered to have no adverse impact on river valley systems, scenic corridors, wooded ridges, escarpments, environmentally sensitive areas and other local features of scenic quality as the proposed development is sited at the low, relatively flat, highly disturbed area of the site and is clear of any significant native vegetation on the subject site.

- (f) *to protect hilltops, ridge lines, river valleys, rural landscapes and other local features of scenic significance;*

Comment

The expansion of the existing rural tourist by installation of two cabins is not considered to have any significant adverse impacts on hilltops, ridge lines, river valleys, rural landscapes and other local features of scenic significance.

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

Comment

The proposed is not considered to be "traffic generating development" as defined by HLEP 1989.

- (h) *to control outdoor advertising so that it does not disfigure the rural landscape;*

Comment

The proposal does not include the erection of signage. Any future signage will need to be in accordance with the provisions of HLEP 1989 and HDCEP to ensure that the signage is compatible with the character of the locality.

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

Comment

There is adequate provision for necessary amenities and services and it is not considered that the proposed development will create unreasonable demands for the provision or extension or public amenities or services.

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

Comment

The proposal is considered not to have adverse impact on the landscape character of the subject site.

- (k) *to encourage existing sustainable agricultural activities.*

Comment

There are no agricultural activities carried out on the land and the expansion of the existing rural tourist facility is considered not to have any significant impacts on sustainable agricultural activities.

It is considered that the proposal is consistent with the objectives of the zone as the proposed development:

- is compatible with a rural residential lifestyle;
- will not create any unreasonable rural land use conflicts;
- will have no unreasonable demands, now or in the future, for the provision or extension of public amenities or services; and
- is compatible with the rural character of the locality.

Clause 18 (1) – Provision of water, sewerage etc.

This subclause states that development consent shall not be granted unless satisfactory arrangements have been made for the provision of water, sewerage, drainage and electricity to the land.

Comment

The proposed development is an established site with adequate utilities. The property contains suitable space for onsite effluent disposal and it is expected that the development will not have any significant adverse environmental impacts.

Clause 43- Rural tourist facilities and educational establishments

The Council may consent to development to which this clause applies only if the Council is satisfied that:

- (a) *the proposed development will have no significant adverse effect on the present and potential agricultural use of the land and of the lands in the vicinity, and*

Comment:

The land is currently being used for residential and rural tourist facility purposes. No adverse effect on the agricultural potential of the land is envisaged as a result of this proposal.

- (b) *the proposed development will be compatible with the rural environment and of minimal environmental impact, and*

Comment:

It is considered that the proposal is low scale in nature and is compatible with the surrounding environment. The property contains suitable space for onsite effluent disposal and it is expected that the development will not have any significant adverse environmental impacts.

- (c) *adequate separation distances will be incorporated to minimise the potential for land use conflict between the proposed development and existing or potentially conflicting land uses, such as intensive agriculture on adjoining land, and*

Comment:

The proposal is not within the immediate vicinity of any identified intensive agricultural activities. The surrounding area is predominately occupied by rural residential developments. The proposal is for expansion of a low scale rural tourist facility and is permissible with development consent within the zone; therefore it is not considered that the proposed development will create any unreasonable rural land use conflicts.

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- (d) *the proposal incorporates adequate landscaping and screen planting for visual amenity as viewed from a public road or dwelling-house on other land in the locality, and*

Comment:

The proposed cabins are a reasonable distance from neighboring dwelling houses.

- (e) *all proposed buildings and other uses are clustered so as to reduce impact on the rural amenity, and*

Comment:

The proposal is to expand existing rural tourist facility by inclusion of two cabins in clustered form within the vicinity of the existing rural tourist facility and considered not to have a negative visual impact on the rural amenity of the area.

- (f) *there will be no significant adverse visual impact of the proposed development on the scenic quality of the area.*

Comment:

It is considered that the proposed development will not have a negative impact on the scenic quality of the area as the proposal has been designed to fit within the rural context of the area. The concept landscaping plan submitted with the application in conjunction with the low scale nature of the proposed development is considered adequate in reducing the visual impact of the proposed development on the streetscape as the development is well setback from the road.

Conclusion

The proposed development is consistent with HLEP 1989, including Environmental Protection - Agriculture Protection (Scenic) zone objectives.

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

The subject land falls within the boundary of SREP 20. This Policy aims "to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context." SREP 20 requires Council to assess development applications with regard to the general and specific considerations, policies and strategies set out in the Policy.

Comment

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

State Environmental Planning Policy No. 44 - Koala Habitat Protection

S.E.P.P. No. 44 "aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline:

- (a) *by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat; and*
- (b) *by encouraging the identification of areas of core koala habitat; and*
- (c) *by encouraging the inclusion of areas of core koala habitat in environment protection zones."*

Comment

State Planning Policy No. 44 - Koala Habitat applies to land within the Hawkesbury Local Government Area to which a development application has been made and has an area of more than 1 hectare.

The submitted Flora and fauna report demonstrated that the subject site is not considered to be core Koala habitat.

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

Draft Hawkesbury Local Environmental Plan 2011 applies to the proposal. The proposed use best falls under the definition of *'tourist and visitor accommodation'* which is permissible with development consent under this draft Plan.

iii. Development Control Plan applying to the land:

Hawkesbury Development Control Plan 2002

Part A, Chapter 1 - Purpose and Aims

The proposed development is considered to be consistent with the general aims and objectives of Hawkesbury Development Control Plan 2002.

Part A, Chapter 2 – General Information

It is considered that sufficient information has been submitted with the application for Council to assess the application.

Part A. Chapter 3 - Notification

The application was notified to adjoining property owners and occupiers in accordance with the requirements of Hawkesbury Development Control Plan 2002. In response to this notification two (2) written submissions were received.

The issues raised in the submissions are listed below:

- Effluent Disposal
- Intensification of subject site / rural ambience of the area
- Precedent for Similar development
- Non Compliance with previous consent
- Development in the vicinity of Heritage items

Comment

All the above issues (except heritage) have been addressed in the previous report to Council, attached to this report. Heritage is discussed in more detail below.

Heritage

The heritage items in the vicinity of the subject site are shown on figure 1.

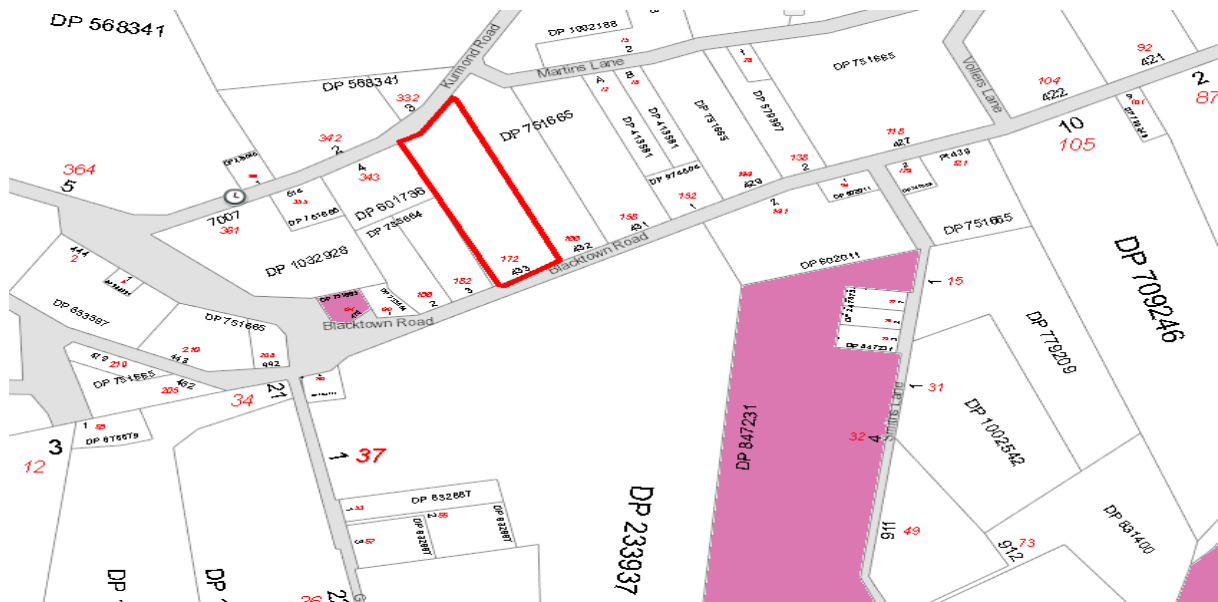


Fig. 1- Location of Heritage items and proposed development.

Comment

The proposed development is not considered to be in the vicinity of heritage items as the closest heritage item is about four allotments away, about 175 metres away from the subject site, and is not visible from the proposed development. The low scale nature of this rural tourist facility is not considered to have any significant adverse impact on the heritage value of the items and more so the subject area is not a heritage conservation area. It is worth noting that there is an approved existing rural tourist facility on the site and the addition of these two proposed cabins will not have significant impact on the amenity of the area including the streetscape. The proposal includes landscaping provisions, clustering of the cabins with existing rural tourist facility in compliance with the provision of Hawkesbury Local Environmental Plan 1989 that will further reduce the visual impact of the proposed development on the subject area.

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

There are no planning agreements that have been entered into under section 95F.

v. Matters prescribed by the Regulations:

The proposed cabins will be required to comply with the Building Code of Australia.

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

Matters under Section 79(c) (1) are assessed in the subsequent sections of this report.

c. The suitability of the site for the development

The area is characterised by rural land uses and the size and shape of the allotments can sustain the proposed land use. The location of the existing buildings is such that it is going to have acceptable impacts on the amenity of the adjoining properties.

Adequate access is available to the site and the proposed use will not generate unmanageable traffic demand for the existing road network. The subject site area is adequate to accommodate on-site effluent disposal. Other utilities such as electricity and telephone are also available to the site.

Ambient noise levels are suitable for the development. The site is not critical to the water cycle of the catchment. The development will not impact upon critical habitats and threatened species, populations, ecological communities and habitats.

There are no constraints from surrounding land uses that would make this development prohibitive.

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

The amended application was re-notified (18/04/2011 – 06/05/2011) to adjoining property owners and occupiers in accordance with the requirements of Hawkesbury Development Control Plan 2002. In response to these notifications nine (9) written submissions were received for notification between 14/05/2010 -15/06/10 while two (2) written submissions were received for notification between 18/04/2011 – 06/05/2011.

Key Matters raised in the submissions are as follows:

- Non Compliance with previous consent
- Intensification of subject site / rural ambience of the area
- Effect of excavation and landfill on natural contour
- Effluent Disposal
- Presence of Critically Endangered Ecological Community (Cumberland Plain Vegetation)
- Impact of additional traffic and safety concern
- Concern about buildings being used for rental not tourist purposes
- Setback from adjoining properties, privacy and landscaping
- Precedent for Similar development
- Development in the vicinity of Heritage items

All the above issues (except heritage) have been addressed in the previous report to Council, attached to this report. Heritage is discussed in more detail above.

e. The public interest

The proposed development will provide low scale accommodation options for the travelling public and is consistent with the relevant planning controls which affect the site. The proposed development is considered to be in the public interest.

Assessment of the matters identified above

Consideration has been given to s79C (1) (b) of the EP&A Act as shown below:

Context and Setting

The subject land fronts Blacktown Road, which is a local road. The area is predominantly rural in character and the proposed development is consistent with these adjoining land uses. The proposal will have no unreasonable impacts on adjoining properties in terms of overshadowing, loss of privacy or views and vistas. Existing vegetation provides screening between the development and adjoining properties.

The proposed use of the cabins is in keeping with the existing developments on the subject site in terms of scale design and character.

Access, Transport and Traffic

Access to the proposed rural tourist facility is via a separate driveway off Blacktown Road. The proposed traffic generated by the facility will not unreasonably impact on the local road network.

Utilities

On site effluent disposal system is available and needs to be upgraded to cater for the proposed use. This is required as a condition of consent. Other utilities and services are available to the subject land.

Heritage

The subject is not listed as an item of heritage significance and is also not within a conservation area under Hawkesbury Local Environmental Plan 1989.

Water

The proposed development is not likely to have a significant impact on water quality.

Soils

The proposed development will not result in any adverse impacts on the locality in terms of erosion and sedimentation.

Flora and Fauna

The proposed development has been redesigned and now relocated within previously disturbed/cleared area. The proposal does not involve the disturbance or removal of native vegetation communities. It is therefore considered that the requirements of Part 5A of the EP & A Act are satisfied in that the proposed development will have no significant impact on threatened species, populations, ecological communities or their habitats. All buildings, asset protection zones and effluent disposal areas proposed by this application will be contained within the nominated development areas. No vegetation will be removed as a result of the proposed development.

Waste

The site is to be kept tidy and maintained to the satisfaction of Council once in operation.

Natural Hazards

The subject land is located within an area of moderate bush fire risk. This affectation does not prevent the development.

Site Design And Internal Design

The siting of the proposed development is considered appropriate in relation to distances from adjoining development, access and the utilisation of an existing tourist facility.

Cumulative Impact

The proposed development is compatible with the surrounding land uses and no significant negative cumulative impact is envisaged.

Conclusion

The proposal is considered satisfactory and is not considered to have any significant adverse impact upon the rural character or heritage items. The proposed development is considered to be consistent with the rural tourist facilities requirements under clause 43 of the HLEP 1989. The proposed development will not have an adverse impact on the scenic quality rural and bushland character of the subject site and locality.

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The development is recommended for approval as amended

Integrated Development Approval - NSW Rural Fire Service

The amended application was referred to the NSW Rural Fire Service seeking a Bush Fire Safety Authority under Section 100B of the Rural Fires Act 1997. The NSW Rural Fire Service has granted a Bush Fire Safety Authority as detailed in correspondence dated 12 July 2011. The conditions provided by the NSW Rural Fire Service have been included as conditions of consent

Hawkesbury Section 94A Development Contributions Plan 2006

This Plan allows Council to impose a requirement for a monetary payment where it approves a development that will, or is likely to, require the provision of or increase the demand for public amenities and public services within the area.

The Contribution Plan applies a levy on most development at the rate of 0.5% for development with a value of works not exceeding \$200 000. The estimated cost of works associated with this application has been valued at \$200 000 therefore a contribution of \$1,000 would apply.

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 development application DA0302/10 at Lot 433 DP 751665, 172 Blacktown Road FREEMANS REACH for Rural Tourist Facility be approved subject to the following conditions:

NSW Rural Fire Service Conditions

Asset Protection Zones

1. At the commencement of building works and in perpetuity the property around the proposed tourist lodges to a distance of 50 metres, or to the property boundary where insufficient, shall be maintained as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

Water and Utilities

2. Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of 'Planning for Bush Fire Protection 2006'.

Access

3. Property access roads for community title developments shall comply with sections 4.1.3(2) and 4.2.7 of 'Planning for Bush Fire Protection 2006'

Evacuation and Emergency Management

4. Arrangements for emergency and evacuation are to comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.

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Design and Construction

5. New construction shall comply with section 5 (BAL 12.5) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection'.

Landscaping

6. Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

Hawkesbury City Council General Conditions

7. The development shall take place in accordance with the stamped plans, specifications and accompanying documentation submitted with the application except as modified by these further conditions.
8. No excavation, site works or building works shall be commenced prior to the issue of an appropriate Construction Certificate.
9. The approved use shall not commence until all conditions of this Development Consent have been complied with.
10. The building shall not be used or occupied prior to the issue of an Occupation Certificate.
11. The development shall comply with the provisions of the Building Code of Australia.
12. The accredited certifier shall provide copies of all Part 4 certificates issued under the Environmental Planning and Assessment Act, 1979 relevant to this development to Hawkesbury City Council within 7 (seven) days of issuing the certificate. A registration fee applies.
13. The sewage management facility must be operated in accordance with the relevant operating specifications and procedures for the component facilities, and so as to allow disposal of treated sewage in an environmentally safe and sanitary manner (Local Government [General] Regulation 2005). Hawkesbury City Council is the license authority for this development; inspection for compliance certification for internal and external sewer drainage shall be requested and approved prior to covering any pipe. An inspection fee applies.
14. The installed system will be the subject of an approval to operate a system of sewage management in accordance with the provisions of Subdivision 6 & 7 of Division 4 of Part 2 of the Local Government (General) Regulation 2005 and for this purpose will be subject to inspection at annual frequency by Council's Environmental Health Officer or at such other frequency as may be determined according to the future operation or risk of the system.
15. An Application to Install a Sewage Management Facility must be submitted and approved by with Hawkesbury City Council prior to any works being commenced in relation to the sewage management facility.

Prior to Commencement of Works

16. Erosion and sediment control devices are to be installed and maintained at all times during site works and construction. The enclosed warning sign shall be affixed to the sediment fence/erosion control device.
17. A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 shall be supplied to the principal certifying authority prior to commencement of works.

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18. Pursuant to section 80A(1) of the Environmental Planning and Assessment Act 1979 and Hawkesbury City Council's Section 94A Development Contributions Plan 2006 (as amended from time to time), a contribution of \$1,000.00 shall be paid to Hawkesbury City Council.

The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the provisions of Hawkesbury City Council's Section 94A Development Contributions Plan 2006 (as amended from time to time).

The contribution is to be paid prior to the commencement of works and copies of receipts(s) confirming that the contribution has been fully paid are to be provided to the certifying authority.

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

During Construction

24. Site and building works (including the delivery of materials to and from the property) shall be carried out only on Monday to Friday between 7am – 6pm and on Saturdays between 8am – 4pm.
25. The site shall be kept clean and tidy during the construction period and all unused building materials and rubbish shall be removed from the site upon completion of the project. The following restrictions apply during construction:
- (a) Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path or easement, natural watercourse, footpath, kerb or road surface and shall have measures in place to prevent the movement of such material off site.
 - (b) Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken only within the site.
 - (c) Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a Waste Disposal Depot.
26. All roof water shall be drained to an approved on-site water storage facility or to an approved disposal system.

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27. The development shall be treated for termites in accordance with the Building Code of Australia and AS 3660 as amended by a suitably qualified person with particular attention to timber floors, slab penetrations, joints between slabs, additions to existing buildings.
 - Details of the type and method of treatment are to be provided to the Principal Certifying Authority and a copy of durable material to be located in the meter box and at the entrance to any crawl space if chemicals are sprayed or pressurised into the soils.
28. An automatic fire detection and alarm system shall be installed within the building in accordance with the Building Code of Australia for Class 1A and 1B Dwellings. Alarms and Detectors shall be installed by a licensed electrician and multiple alarms shall be interconnected, a certificate of the installation shall be provided prior to occupation of the building or addition.

Prior to Issue of the Occupation Certificate

29. Landscaping of the cabin development shall be completed in accordance with the approved landscape plan.
30. The following certificates are to be provided, stating the name of person or company carrying out the installation, type of material and the relevant Australian Standard to which installed:
 - (a) The type and method of termite treatment (complying with AS 3660) provided to walls and floors, pipe penetrations, jointing of new work to existing and slab perimeters. A copy of the termite treatment and materials used shall also be securely fixed inside the meter box for future reference.
 - (b) Glazing materials installed in the building in accordance with AS1288 and AS2047 - Glass in Buildings - Selection and Installation, e.g. windows, doors, footlights and showers.
 - (c) The type of timber installed indicating both species and durability as required by AS 1684.
31. An automatic smoke detection system installed in residential development by a licensed electrician. Smoke alarms must comply with AS 3786 and be connected to the consumer mains power where supplied to the building.
32. A statement or other suitable evidence shall be submitted to the Principal Certifying Authority, certifying that all commitments made on the BASIX certificate have been implemented and installed as approved.

Use of the Development

33. No internal or external alterations shall be carried out without prior approval of Council.
34. The existing fibro cottage and the two new cabins shall be used for a rural tourist facility in accordance with Development Consent DA0524/07. The cottage and cabins are not to be used for permanent habitation or as a second dwelling.

Advice to the applicant

The applicant shall make themselves aware of any User Restriction, Easements and Covenants to this property and shall comply with the requirements of any Section 88B Instrument relevant to the property in order to prevent the possibility of legal proceedings against them.

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ATTACHMENTS:

- AT - 1** Previous Report – Item 245, Ordinary (9 November 2010).
- AT - 2** Map: Lot 2 DP 1044458, 172 Blacktown Road, Freemans Reach NSW 2756.
- AT - 3** Aerial Photo: Lot 2 DP 1044458, 172 Blacktown Road, Freemans Reach NSW 2756.
- AT - 4** New Site plan: Lot 2 DP 1044458, 172 Blacktown Road Freemans Reach NSW 2756 - (Current Proposal)

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AT-1 Previous Report – Item 245, Ordinary - (9 November 2010)

ITEM: 245 CP - Development Application - Rural Tourist Facility - Lot 433, DP 751665, 172 Blacktown Road, Freemans Reach - (DA0302/10, 14738, 95498)

Development Information

File Number: DA0302/10
Property Address: 172 Blacktown Road, Freemans Reach
Applicant: Michael Sam Dimech
Owner: Mr MS Dimech
Proposal Details: Rural Tourist Facility
Estimated Cost: \$200,000
Current Zone: Environmental Protection - Agriculture Protection (Scenic)
Draft Zoning: RU2 Rural Landscape
Date Received: 30/04/2010
Advertising: 14/05/2010 - 1/06/2010 extended until 15/06/10

Key Issues:

- ◆ Siting of cabins
- ◆ Integrated Development - Bushfire
- ◆ Endangered ecological community
- ◆ Rural amenity

Recommendation: Refusal

REPORT:

Executive Summary

The proposal is to expand the existing rural tourist facility from one to three cabins. The use of the land for this purpose is permitted under the planning provisions but the siting of the proposal is contrary to the key objectives for rural development i.e. rural amenity, visual impact, protection of vegetation and protection of agricultural land. The applicant has not demonstrated a willingness to amend the siting of the cabins to a more suitable position on the land

This matter is being reported to Council at the request of Councillor Williams.

Description of Proposal

The application seeks approval for construction of two single storey tourist cabins for a rural tourist facility with access to the proposed cabins through Kurmond Road via a new driveway. Two off street parking spaces are to be provided on site adjacent to the proposed cabins. The proposal also involves installation of an on site sewerage management system for the cabins and removal of eight trees and vegetation.

History

DA0646/04 Approval was granted for the construction of a two storey dwelling on the subject land. Conditions 25 and 26 of this consent required that the existing dwelling, on the site be rendered inhabitable by removing the kitchen, laundry and bath and changing the use into a saddlery and potting studio.

DA0524/07 Approved the change of use of the existing building used for saddlery and potting studio into a Rural Tourist facility.

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It is also noted that the existing development approval for a rural tourist facility on the subject land required the submission of a guest register in accordance with the conditions of consent for DA0524/07 of 10 April 2008 (*A copy of the guest register is to be provided to Council every 6 months from the date of commencement of the use of the existing building as a rural tourist facility*). The provision has not been complied with.

DA0533/08 Approval was granted for the removal of (25) Trees

30 April 2010 Current DA lodged.

14 May 2010- 01 June 2010

Notification – extended until 15 June 2010

17 June 2010 Request for further information about EEC, HLEP1989.

3 August 2010 further request for information compliance and bona-fides of proposal specific requirement having regard to Clause 43 of HLEP 1989 and adequacy of submitted information

Council Policies, Procedures and Codes to Which the Matter Relates

- Hawkesbury Local Environmental Plan (HLEP) 1989
- Draft Hawkesbury Local Environmental Plan (HLEP) 2009
- State Environmental Planning Policy 44 (SEPP 44) - Koala Habitat Protection
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- Sydney Regional Environmental Plan No 20 (SREP 20) - Hawkesbury Nepean River
- Hawkesbury Development Control Plan (HDCP) 2002
- Hawkesbury's Development Control Plan – Contaminated land

Section 79C Matters for Consideration

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

a. The provisions (where applicable) of any:

i. Environmental Planning Instrument:

Hawkesbury Local Environmental Plan 1989 (LEP)

Clause 2 - Aims, objectives etc,

The proposed development is considered to be inconsistent with the aims and objectives as outlined in Clause 2 (a) and (c) of the LEP.

- (a) *to provide the mechanism for the management, orderly and economic development and conservation of land within the City of Hawkesbury.*

Comment

The proposal is not considered to be orderly development of the subject site as it does not respond to the constraints of the site or the grouping of the facilities

- (c) *to protect attractive landscapes and preserve places of natural beauty, including wetlands and waterways,*

Comment

The removal of trees and vegetation by the proposed development will not protect attractive landscapes and preserve places of natural beauty.

Clause 5 – Definitions and Environmental Planning and Assessment Model Provisions 1980

The proposal is defined as a *Rural Tourist Facility* under the provisions of Hawkesbury Local Environmental Plan 1989. Clause 5 of Hawkesbury Local Environmental Plan 1989 provides the following definitions:

***Rural Tourist Facility** means a building or place in a rural area that is used to provide low scale holiday accommodation, recreation or education for the travelling or holidaying public and may consist of holiday cabins, horse riding facilities, refreshment rooms or the like.*

Clause 9 – Carrying out development

Clause 9 of Hawkesbury Local Environmental Plan 1989 provides a Land Use Matrix specifying the permissibility or otherwise of particular forms of development. The Land Use Matrix permits rural tourist facility within the Environmental Protection - Agriculture Protection (Scenic)

Clause 9A – Zone objectives

The proposed development is considered to be inconsistent with the objectives of the Environmental Protection - Agriculture Protection (Scenic) Zone. The proposal's degree of non-compliance with stated objectives of the Environmental Protection - Agriculture Protection (scenic) zone is detailed as follows:

Environmental Protection - Agriculture Protection (Scenic) Zone

- (a) *to protect the agricultural potential of rural land in order to promote, preserve and encourage agricultural production,*

Comment:

The land currently accommodates a residential use consisting of a dwelling and a rural tourist facility. The proposed expansion of the tourist use and siting of the cabins on the subject site will reduce the lands suitability for agricultural use in the future.

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

Comment:

The application does not seek consent for agricultural use of the land.

- (c) *to ensure that development does not create or contribute to rural land use conflicts,*
- (d) *to ensure that development retains or enhances existing landscape values that include a distinctly agricultural component,*

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Comment:

The removal of native vegetation along the boundary to Kurmond Road is likely to have an adverse impact on the existing landscape values in this locality

- (e) *to preserve river valley systems, scenic corridors, wooded ridges, escarpments, environmentally sensitive areas and other local features of scenic quality,*

Comment:

It is considered that the proposal is not compatible with the scenic quality of the area and may have a detrimental impact upon the locality. The siting of the proposed development within an area of native vegetation identified as the critically Endangered Ecological Community (Cumberland Plain Woodland) will have significant impact on the scenic quality of the area and will contribute to degradation of this protected ecological community

- (f) *to protect hilltops, ridge lines, river valleys, rural landscapes and other local features of scenic significance,*

Comment:

See clause (e) comments above

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

Comment:

The proposed use will not generate a significant increase in traffic movements within the locality.

- (h) *to control outdoor advertising so that it does not disfigure the rural landscape,*

Comment:

No advertising structures are proposed in conjunction with the application.

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

Comment:

The proposed development is not considered to create unreasonable economic demands for the provision or extension of public amenities or services.

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

Comment:

The proposal is not considered to preserve the rural landscape character of the area as it involves removal of trees, clearing of native vegetation and the position of buildings is amongst existing vegetation.

- (k) *to encourage existing sustainable agricultural activities.*

Comment:

The land is not used for agriculture at present

Clause 18 – Provision of water, sewerage etc services

A new aerated wastewater treatment system is proposed for the two cabins with 928sqm of surface irrigation. This is considered inadequate as the proposed site for the on-site wastewater sewage management system (tanks and land application area) slopes significantly into a gully with the potential for runoff, negatively impacting on the critically Endangered Ecological Community (Cumberland Plain Vegetation).

Clause 24 – Development in certain environmental and other zones

This clause requires the consent authority to consider height, siting and the colour of building materials to ensure buildings are compatible with the surrounding landscape and therefore maintain consistency with the scenic qualities of the locality.

Comment

The buildings have been sited in a location where they may have significant impact on the scenic quality of the locality as they would convert the existing vegetated setting into a more urbanised site.

Clause 43 – Rural Tourist Facility

This clause requires Council to consider the following matters:

- a) *The proposed development will have no significant adverse effect on the present and potential agricultural use of the land and the lands in the vicinity.*

Comment:

The land is not used for agricultural purposes at present

- b) *The proposed development will be compatible with the rural environment and of minimal environmental impact.*

Comment:

The application does not demonstrate that the proposal will not have an adverse impact on the Critically Endangered Ecological Community (Cumberland Plain Vegetation) existing on the subject site hence the development is not considered to have a minimal environmental impact.

- c) *Adequate separation distances will be incorporated to minimise the potential for land use conflict between the proposed development and the existing or potentially conflicting land uses, such as intensive agriculture on adjoining land.*

Comment:

There is adequate separation distance between the proposed development and adjoining properties.

- d) *The proposal incorporates adequate landscaping and screen planting for visual amenity as viewed from a public road or dwelling house on other land in the vicinity.*

Comment:

The development proposal incorporates landscaping and screen planting for visual amenity as viewed from a public road or dwelling house on other land in the vicinity.

- e) *All proposed buildings and other uses are clustered so as to reduce impact on the rural amenity.*

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Comment:

The buildings are not clustered close to the existing Rural Tourist facility and existing dwelling house on the subject site hence the proposal does not reduce the potential impact on rural amenity.

- f) *There will be no significant adverse visual impact of the proposed development on the scenic quality of the area.*

Comment:

It is considered that the removal of trees and vegetation and the erection of the cabins on the subject site would have an adverse visual impact on the scenic quality of the area.

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

The subject land falls within the boundary of SREP 20. This Policy aims "to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context." SREP 20 requires Council to assess development applications with regard to the general and specific considerations, policies and strategies set out in the Policy.

Comment

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

State Environmental Planning Policy No. 44 - Koala Habitat Protection

S.E.P.P. No. 44 "aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline:

- (d) *by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat; and*
- (e) *by encouraging the identification of areas of core koala habitat; and*
- (f) *by encouraging the inclusion of areas of core koala habitat in environment protection zones."*

Comment

State Planning Policy No. 44 - Koala Habitat applies to land within the Hawkesbury Local Government Area to which a development application has been made and has an area of more than 1 hectare.

The submitted Flora and fauna report demonstrated that the subject site is not considered to be core Koala habitat.

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

Draft Hawkesbury Local Environmental Plan 2009 applies to the proposal. This draft Plan has been exhibited 5 February 2010 to 12 April 2010. The proposed use best falls under the definition of 'tourist and visitor accommodation' which is permissible with development consent under this draft Plan.

iii. Development Control Plan applying to the land:

Hawkesbury Development Control Plan 2002

Part A, Chapter 1 - Purpose and Aims

The proposed development is considered to be consistent with the general aims and objectives of Hawkesbury Development Control Plan 2002.

Part A, Chapter 2 – General Information

It is considered that sufficient information has now been submitted with the application for Council to assess the application.

Part A, Chapter 3 - Notification

The application was notified to adjoining property owners and occupiers in accordance with the requirements of Hawkesbury Development Control Plan 2002. In response to this notification nine written submissions were received.

The issues raised in the submissions are discussed later in this report.

Car Parking Chapter

The chapter deals with the provision of car parking and manoeuvring of vehicles for different land uses. The required car parking is available for the proposed rural tourist facility. Adequate area is also available for vehicles to enter and leave the site in a forward direction.

Effluent Disposal

The objectives of this chapter are:

- *to set out the minimum requirements for applications requiring or relying on the installation of an on-site sewage management facilities;*
- *to set out the limited circumstances where Council may agree to removal of sewage by pump out or tanker removal;*
- *to identify special provisions relating to connection to reticulated sewerage systems and development within the rural and environmental protection scenic zones.*

Comment

This Chapter requires certain "*development requiring or relying on an existing or proposed on-site sewage management facility must be accompanied by a waste water feasibility study (or similar) prepared by a suitably qualified and experienced expert.*"

The applicant submitted "On-site wastewater management report" Report No. REP-23310-A dated 7 April 2010 prepared by Enviro Tech. The report is considered satisfactory.

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

There are no planning agreements that have been entered into under section 95F.

v. Matters prescribed by the Regulations:

The proposed cabins will be required to comply with the Building code of Australia.

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

Context and Setting

The subject property has a frontage of 82.28 metres to Blacktown Road, A frontage of 96.56 metres to Kurmond Road and an overall depth of approximately 260 metres. The site falls approximately 29 metres from Kurmond Road, in a south easterly direction, to Blacktown Road. The site is occupied by a dwelling fronting Blacktown Road and another dwelling approved for the use of a tourist facility, also fronting Blacktown Road. The north western half of the property, fronting Kurmond Road, is covered by trees and other vegetation that is identified as Shale Plains Woodland and the south eastern portion of the site fronting Blacktown Road is generally regularly mown grass and garden landscaping.

The adjoining properties to the east, west and some to the north are predominately used for rural residential land uses and to the south and partly to the north the land is occupied by farming land uses.

Access, Transport and Traffic

Access to the proposed rural tourist facility is proposed via a separate driveway off Kurmond Road. The proposed traffic generated by the facility will not unreasonably impact on the local road network.

Utilities

On site effluent disposal system is available and needs to be upgraded to cater for the proposed use. Other utilities and services are available to the subject land.

Other Land Resources

The intensification of the site for a rural tourist facility may result in loss of potential for land to be used for agriculture.

Flora and Fauna

The northern half of the subject land, that is proposed to accommodate the proposed development, has been classified as an endangered ecological community (comprising Shale Plains Woodland). The Scientific Committee, established by the Threatened Species Conservation Act, has made a Final Determination to list the Cumberland Plain Woodland in the Sydney Basin Bioregion as a Critically Endangered, Endangered Ecological Community. The proposal will have unreasonable impacts on these ecological endangered communities.

Natural Hazards

The subject land is located within an area of moderate bush fire risk. The application was referred to RFS who raise no objections subject to conditions.

The application was referred to the NSW Rural Fire Service seeking a Bush Fire Safety Authority under Section 100B of the Rural Fires Act 1997. The NSW Rural Fire Service has granted a Bush Fire Safety Authority as detailed in correspondence dated 28 May 2010. The conditions provided by the NSW Rural Fire Service will be included in conditions of consent if the application is supported.

Site Design And Internal Design

The location of the proposed development is considered inappropriate as the cabins are spread across the site rather than clustered in a group. The cluster approach would assist in protecting the vegetation and rural amenity.

c) the suitability of the site for the development

The area is characterised by rural residential and farming land uses, the location of the proposed development is such that it is going to have unacceptable impacts on the visual amenities of the locality.

The development may impact upon critical habitats and threatened species, populations, ecological communities and habitats as the subject site is within Critically Endangered Ecological Community (Cumberland Plain Vegetation) area. These constraints on the subject site make this development unacceptable in its current layout.

d) any submissions made in accordance with the EPA Act or Regulations

The application was notified to adjoining property owners and occupiers in accordance with the requirements of Hawkesbury Development Control Plan 2002. In response to this notification nine written submissions were received.

The issues raised in the submissions are discussed as follow:

Non Compliance with previous consent

A number of submissions received in response to the exhibition of the development application have raised concern that the conditions of previous development consents applying to the existing rural tourist facility have not been complied with nor enforced. These submissions suggest that non-compliance and /or non-enforcement should be taken into account when assessing the current proposal and should be a basis for refusal of development consent.

Compliance or otherwise with previous development consents is not a relevant consideration in determining the subject development application. This is also supported by Case Law. The matter has been referred to Council's Compliance section for taking necessary action for any breaches of the conditions of consent for existing applications.

In regards to the current development application it is noted that the proposed use is permissible with Council's consent and Council is obliged to consider this application on its merits regardless of any breaches and non compliances with any other development consents

Intensification of subject site / rural ambience of the area

The proposal is for the expansion of an existing rural tourist facility. Rural tourist facilities by definition are low scale to minimise any impacts on the amenity of the area. The proposal is a permissible land use and due to the low scale nature of rural tourist facilities in general, minimal impacts are envisaged on the rural lifestyle. However, the proposed location of the development within an area of critically Endangered Ecological Community and removed from the existing rural tourist facility building and existing dwelling house on the site make the development unacceptable.

Effect of excavation and landfill on natural contour

The application proposal involves cut and fill ranging from 200mm cut and 300mm fill that is consistent with the provision of the DCP

Effluent Disposal

The applicant submitted "On-site wastewater management report" Report No. REP-23310-A dated 7 April 2010 prepared by Enviro. Tech. This report satisfactorily demonstrated that the site is suitable for the on-site disposal of waste water associated with the proposed development. However the siting is in conflict with the existing vegetation as the report has not adequately considered the impacts that the additional treated effluent will have on that vegetation.

Presence of Critically Endangered Ecological Community (Cumberland Plain Vegetation)

The applicant submitted Flora and fauna Assessment and Seven parts test of significant prepared by Anderson Environmental Consultants Pty Ltd in support of the development. This report does not satisfactorily demonstrate that the proposal will not have a significant impact on the threatened species populations, ecological communities or their habitats in accordance with section 5A of the EP&A Act 1979.

The flora and fauna report accompanying the application is considered inadequate as it failed to adequately identify the area of investigation, scope of survey, likely direct or indirect impacts of the proposed development as it relates to land clearing for asset protection, building and structures areas. Impacts of effluent disposal, erosion, weeds (in relation intensification of the subject land for residential development), recreation and storm water impacts to critically endangered ecological community (Cumberland Plain Shale Woodland) have not been adequately addressed. The seven part assessment report does not consider the impact of the proposed development on the following endangered species [*Pterostylis Saxicola* (flora), *Freckled duck* (fauna), *Black tailed Godwit*, *Comb created Jacana* and *Painted snige* (Australian subspecies)]. The report is considered inconsistent with the requirement of Section 5A - *Significant effect on threatened species, populations or ecological communities, or their habitats* of the Environmental Planning and Assessment Act 1979 (EPA Act)

Impact of additional traffic and safety concern

The scale of the activity is such that it is likely to have minimal impact on traffic in the locality. Kurmond Road has adequate capacity to absorb any increase in the volume of traffic generated by the proposal. The proposed use will also have acceptable noise impact due to a large separation distance to the dwelling house on the adjoining land. It was considered that no traffic Impact study is required for this minor scale application

Is this another loophole to build two (2) more rentable buildings on the property?

The proposal is for the construction of two cabins for use with the existing tourist facility on the subject land. The cabins cannot be used as additional dwellings as it will constitute multi-unit housing development which is prohibited in the zone. If an application for a rural tourist facility was supported appropriate restrictive conditions would be imposed. As mentioned previously in this report, compliance enforcement of consent conditions is a separate matter to the assessment of the development application and potential future non-compliance cannot be used as a reason for refusal of an application.

Setback from adjoining properties, privacy and landscaping

The setback of the development from boundaries is considered satisfactory with regard to privacy and providing suitable areas for landscaping.

Precedent for Similar development

The proposed development is permissible land use in the zone with consent. Each development is assessed on merits.

e) the public interest

The submitted information does not demonstrate how the proposal protects vegetation, rural amenity or justify that the siting is appropriate.

Hawkesbury Section 94A Development Contributions Plan 2006

This Plan allows Council to impose a requirement for a monetary payment where it approves a development that will, or is likely to, require the provision of or increase the demand for public amenities and public services within the area.

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The Contribution Plan applies a levy on most development at the rate of 0.5% for development with a value of works not exceeding \$200 000. The estimated cost of works associated with this application has been valued at \$200 000 therefore a contribution of \$1 000 would apply should the application be recommended for approval.

Conclusion

The application does not provide sufficient information in respect of the likely adverse impact of the development on the critically Endangered Ecological Community. The proposal is considered to be inconsistent with the requirement of Section 5A - *Significant effect on threatened species, populations or ecological communities, or their habitats* of the Environmental Planning and Assessment Act 1979 (EPA Act). The proposed development is considered to be inconsistent with the rural tourist facilities siting requirement under clause 43 of the HLEP 1989. The proposed development will have an adverse impact on the scenic quality rural and bushland character of the subject site and locality.

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 Development Application DA0302/10 at Lot 433 DP 751665, 172 Blacktown Road, Freemans Reach NSW 2756 for a Tourist Facility - Rural tourist facility be refused for the following reasons:

1. The proposed development is inconsistent with the objectives contained within Section 5 of the Environmental Planning and Assessment Act, 1979.
2. The proposed development is inconsistent with objective (a) (d) (e) (f) and (j) of the Environmental Protection - Agriculture Protection (scenic) Zone contained within Hawkesbury Local Environmental Plan 1989.
3. The proposed development is inconsistent with the rural tourist facilities siting provisions under clause 43 of Hawkesbury Local Environmental Plan 1989.
4. The information submitted with the application is inadequate in order to enable a proper assessment of the proposal.
5. The proposal is likely to have an adverse impact on threatened flora and fauna species, populations and ecological communities.
6. The proposed development is inconsistent with the established rural character of the locality.
7. The proposed development will have an unacceptable impact on the visual quality of the area.
8. In the circumstances, approval of the development would not be in the public interest.

ORDINARY MEETING

Meeting Date: 9 August 2011

ATTACHMENTS:

AT - 1 Map: Lot 2 DP 1044458, 172 Blacktown Road, Freemans Reach NSW 2756

AT - 2 Aerial Photo: Lot 2 DP 1044458, 172 Blacktown Road Freemans Reach NSW 2756

AT - 3 Site plan of proposed development.

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DP 568341

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DP 238040

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DP 751665

DP 601736

DP 755664

DP 1032928

DP 751665

DP 751665

DP 413581

DP 413581

DP 751665

DP 874804

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Meeting Date: 9 August 2011

SITE PLAN 1:800

PROPOSED NEW TOURIST FACILITY LODGES AT 172 BLACKTOWN ROAD, FREEMANS REACH

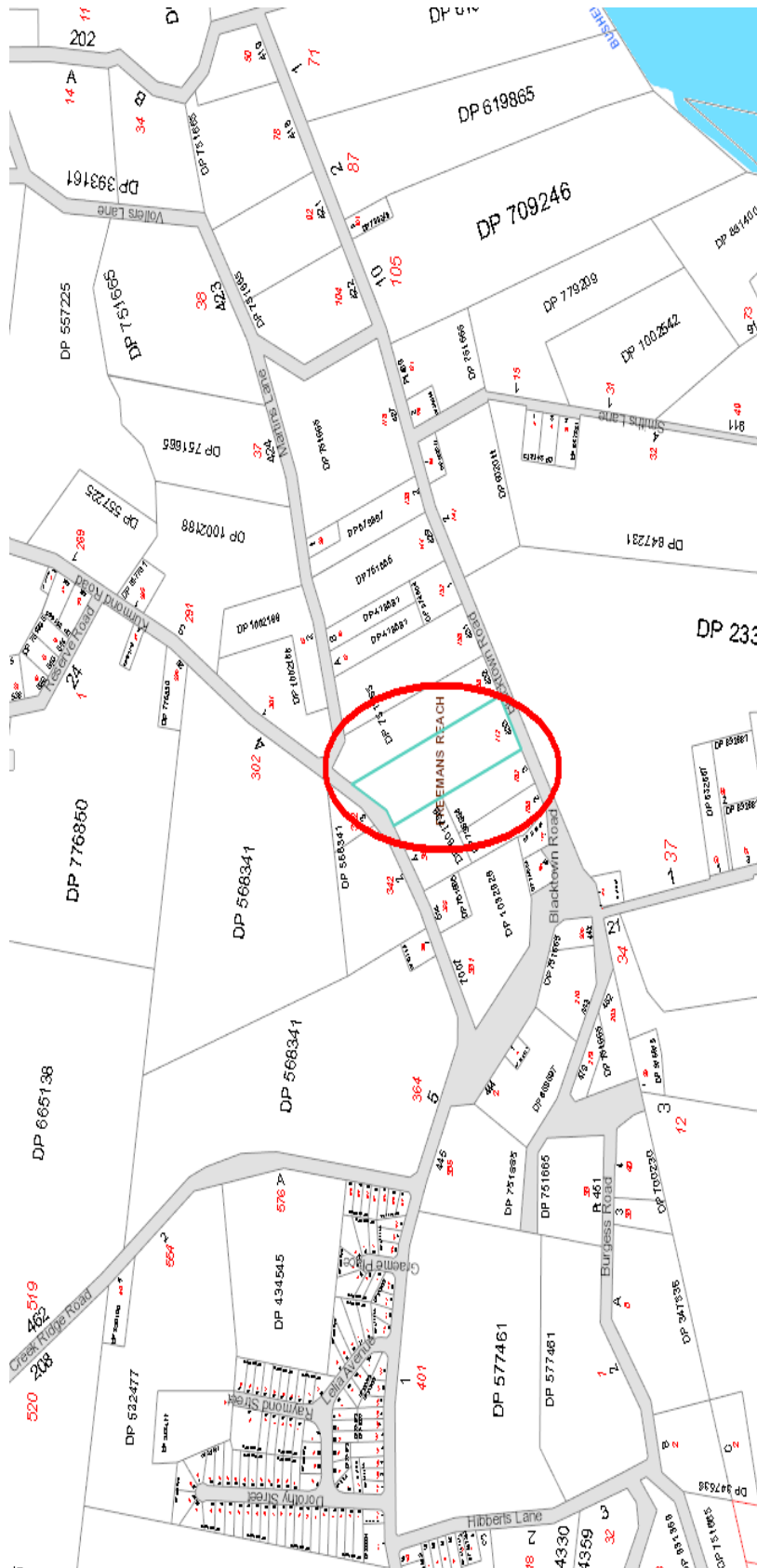
Scale as shown
Date 25.02.10
Drawn by A Bonnel 9526-8925

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 9 August 2011

AT - 2 Map: Lot 2 DP 1044458, 172 Blacktown Road, Freemans Reach NSW 2756



Meeting Date: 9 August 2011

[illegible]

Meeting Date: 9 August 2011

KURMOND ROAD

LOT 432
D.P. 751665

LOT 4
D.P. 601736

METAL SHED

2 STOREY DWELLING

TOURIST FACILITY

EFFLUENT DISPOSAL AREA
(2 transpiration beds 13m x 4m)

EXISTING VEGETATION TO REMAIN

BLACKTOWN ROAD

PROPOSED NEW TOURIST FACILITY LODGES AT 172 BLACKTOWN ROAD, FREEMANS REACH FOR M & M DIMECH

SITE PLAN 1:800

PROPOSED ADDITIONAL LANDSCAPE PLANTINGS TO SCREEN THE NEW CABINS.
(Minimum mature height 2.5m)

CONSTRUCTION NOTES

1. Clear any vegetation from the site as far as possible.
2. Lay a 150mm deep gravel sub-base to a depth of 150mm over the site.
3. Lay a 150mm deep gravel sub-base to a depth of 150mm over the site.
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9. Lay a 150mm deep gravel sub-base to a depth of 150mm over the site.
10. Lay a 150mm deep gravel sub-base to a depth of 150mm over the site.

SEDIMENT FENCE

AMENDED

Scale as shown

Date 23.02.10

Drawn by A. Bonnici 9626-8425

0000 END OF REPORT 0000

Item: 173 CP - Domestic Squalor Information Kit - (95498)

REPORT:**Executive Summary**

This report has been prepared to advise Council of the development and distribution of the Domestic Squalor Information Kit for the Hawkesbury Local Government Area (LGA). The matter has been reported at the request of Councillor Williams. The report summarises the consultative process involved in the drafting of the Domestic Squalor Information Kit for the Hawkesbury LGA, and raises a number of issues regarding the resourcing implications arising out of its implementation with reference to an actual case study. The report proposes that Council write to the relevant NSW Government Ministers in relation to this matter.

Consultation

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

Domestic Squalor

Domestic squalor refers to living conditions that are filthy, unhygienic or fetid which arise from a person failing to maintain aspects of their personal care or failing to remove household waste and other rubbish including papers, wrapping, food products, cooking waste, containers and broken or discarded household items. The term severe domestic squalor refers to a situation where the impact of hoarding or neglect results in extreme household uncleanness and/or the excessive accumulation of material to the extent that it leads to a living environment that is unsanitary or dangerous.

Severe domestic squalor can affect a range of household types and age groups; both younger and older people as well as couples. Evidence suggests that half to two-thirds of all persons living in severe domestic squalor suffer from dementia or alcohol-related brain damage, or mental health issues such as schizophrenia and depression. A study conducted in November 2008 by the University of Sydney estimated that at least one in 1,000 persons in NSW may live in severe domestic squalor.

Responding to Domestic Squalor

In 2002/2003, concerns were raised by a number of NSW Government agencies, local councils, community health nurses, and other organisations which provide support to older people in their homes, about an increasing number of people who were believed to be living in squalor. At the time, few services were actively involved in supporting these people and services that did exist were provided on an ad hoc basis. To work out a more co-ordinated response to severe domestic squalor, over 50 representatives from various community organisations met in Sydney in 2005 to develop guidelines for responding to severe domestic squalor. The meetings resulted in the formation of the Northern Sydney Severe Domestic Squalor Working Party. In 2005 the working party developed a 'Dealing With Domestic Squalor Information Pack' to foster a co-ordinated approach to support people residing in domestic squalor in Northern Sydney.

More recently (in November 2008) Catholic Healthcare Services received one-off funding of \$375,000 from the NSW Government to pilot a Severe Domestic Squalor Project. The Project featured a hotline to act as a single point of access for agencies involved with clients living in squalor and undertook comprehensive research to develop a service model to assist in addressing the complex set of conditions characterised by persons residing in squalor. Recommendations from the review of the pilot included that adequate funding be provided to allow for the additional hours of intervention required to address hoarding and provide specialised case management and personal support required for people living in squalor.

In 2009 Blue Mountains City Council established a working party to compile a plan of action to best deal with cases of people living in severe domestic squalor in the Blue Mountains LGA. A *Domestic Squalor Information Package* was produced as a resource, providing a comprehensive listing of agencies that are involved in assisting people who are living in, or are in danger of, living in severe domestic squalor.

Development of Domestic Squalor Information Kit for the Hawkesbury LGA

The issue of domestic squalor in the Hawkesbury was raised at the Hawkesbury Community Care Forum in March of 2010. Council staff and members of the Community Care Forum formed a Working Party to develop guidelines to respond to domestic squalor in the Hawkesbury. The Working Party adapted the Blue Mountains Domestic Squalor Information Kit (with permission) to reflect the network of services involved in responding, at some level, to instances of domestic squalor in the Hawkesbury. The Kit has been distributed to relevant agencies within the Hawkesbury LGA.

Following the distribution of the *Domestic Squalor Information Kit for the Hawkesbury LGA*, Council staff from Community Services and Regulatory Services Branches have worked together to develop an alternate approach to responding to reports of residents living in Domestic Squalor. In response to reports of severe domestic squalor, Council's Community Programs Co-ordinator liaises with Regulatory Services staff to facilitate the referral of residents to appropriate external support agencies to assist with financial hardship as well as any additional health and/or community support services required by residents. The focus of Council's intervention is to improve the living conditions of a person living in severe domestic squalor by supporting a co-ordinated preventative approach rather than Council simply issuing clean-up or other statutory notices. The *Domestic Squalor Information Kit for the Hawkesbury LGA* identifies Council's Community Programs Co-ordinator as a primary point of contact for information and advice in responding to instances of severe domestic squalor in the Hawkesbury.

The purpose of the Domestic Squalor Kit was to assist field staff of various government and non-government agencies to constructively intervene, and improve the situation of people who are living in severe domestic squalor. The intention was to improve the efficiency, speed of action and coordination of work between relevant agencies, resulting in improved health and quality of life for individuals who have been living in severe domestic squalor.

Implementing the Kit

Since its development, Council staff have had the opportunity to implement and evaluate the adequacy of the Kit following the referral of a case of severe domestic squalor. The ensuing intervention has highlighted a number of issues as outlined below:

- a. the lack of an identified case management agency to co-ordinate, in a timely way, the work of relevant agencies to improve the situation of people who are living in severe domestic squalor. While a number of agencies are funded to provide health and community support services to people who may be living in severe domestic squalor, there is no single agency with responsibility for working with a resident to co-ordinate these interventions. In particular, occupational health and safety (OH&S) issues are a critical factor for some agencies who will not respond to a referral until the OH&S issues associated with severe domestic squalor are addressed. This creates a problematic service framework - intervention is required to assist a resident to clean up their premises, but the intervention cannot take place because the unsanitary or dangerous nature of the premises currently prevents workers from entering the premises to assist with the clean-up. In effect, the current service framework does not recognise and cannot adequately deal with cases of severe domestic squalor;
- b. the resources required to respond effectively to severe domestic squalor are substantial. Currently, agencies are funded on an estimated per-unit cost to deliver home care, practical assistance, cleaning services etc. to eligible clients. Due to the intense nature of the intervention required to respond to cases of severe domestic squalor, the funding provided to agencies to deliver units of service to people living in severe domestic squalor is manifestly inadequate. As above, the current funding framework does not recognise and cannot adequately deal with cases of severe domestic squalor; and

- c. unfortunately, by default, Council staff have been required to fill the gaps in the current operating and funding framework identified above. In the absence of a funded case management agency to respond to severe domestic squalor, staff from Community Services, Regulatory Services and Waste Management were required to assume this role. In total 58 staff hours were spent over a four week period responding to this particular domestic squalor referral under the approach advocated within the *Domestic Squalor Kit* - a level of resources which is clearly unsustainable. Paradoxically, Hawkesbury City Council, which is not funded to provide the types of practical service interventions which are required to respond to instances of severe domestic squalor, was in effect, the only agency which undertook the initial response. While the State and Federal Governments are responsible for funding services to respond to severe domestic squalor, and have endorsed guidelines recommending a co-ordinated and case managed approach to severe domestic squalor, the current operating and funding framework does not seem to support such an approach. It may be the case that the experience of Council staff in responding to this particular referral of severe domestic squalor represents, by default, another instance of 'cost shifting'.

Given these issues, it is proposed that Council write to the two NSW Government Ministers (The Minister for Ageing and the Minister for Disability Services, and the Minister for Family and Community Services and the Minister for Women) whose ministerial portfolios encompass responsibility for responding to the impacts of severe domestic squalor to bring this issue to their attention. The intention of these representations would be to advocate that the current operating and funding framework, intended to provide community support services to residents of NSW impacted by severe domestic squalor, should be reviewed. The purpose of the review should be to re-evaluate the current per-unit costings for community support services so that they recognise the intensity of the interventions required to respond to severe domestic squalor, and to establish and fund the case management capacity required to co-ordinate and effectively respond to severe domestic squalor in accordance with best practice and evidence based principles.

In the absence of an improved operating and funding framework for responding to instances of severe domestic squalor, there is a risk that Council will, by default, be required to cover the service shortfalls in the current framework. There is an expectation, within the aged and disability services sector, that Council should 'do something' to improve responses to cases of severe domestic squalor in a way that is more sympathetic to the circumstances of people living in severe domestic squalor. The experience to date, suggests that the cost of doing so (particularly in staff hours) is prohibitive and unsustainable.

Conformance to Community Strategic Plan

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

- Maintain its independent identity and voice through strong Local Government and community institutions.

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

- Work with public and private sectors to ensure funding and delivery of improved services and infrastructure

The report proposes that Council make representations to the NSW Government in relation to human services planning and service provision. The issues identified in the report relate to gaps in the provision of services to people living in severe domestic squalor. The Community Strategic Plan requires Council to undertake strong advocacy in behalf of residents, particularly in relation to the provision of human services which can adequately respond to the needs of residents.

Financial Implications

There are no financial implications arising directly out of this report. The report does, however, identify a future unsustainable staffing resource requirement which may arise as a consequence of a current gap in the community care service network as funded by the state and federal governments.

ORDINARY MEETING

Meeting Date: 9 August 2011

RECOMMENDATION:

That Council write to the NSW Minister for Ageing and the Minister for Disability Services, and the NSW Minister for Family and Community Services and the Minister for Women, to request that the NSW Government re-evaluate the current per-unit costings for community support services to better reflect the intensity of the interventions required to respond to severe domestic squalor, and to establish and fund the case management capacity required to co-ordinate and effectively respond to severe domestic squalor in accordance with best practice and evidence based principles.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

INFRASTRUCTURE SERVICES

Item: 174 IS - Renaming of McMahon's Reserve, Kurrajong to Singleton's Reserve and Formal Gazettal of McMahon Park, Kurrajong - (95495, 79354)

REPORT:

Executive Summary

Correspondence has been received from the Kurrajong – Comleroy Historical Society requesting consideration of naming the Reserve on Mill Road (Lot 285 & 286 DP 751649), as Singleton's Reserve.

This Reserve is known as McMahon's Park however upon investigation with the Geographical Names Board (GNB) this name has not been formally registered. The Reserve is Crown Land under Council's care and control and the Reserve has significant historical importance as it contains the remnants of the water mills built circa 1816 by James and Benjamin Singleton.

It is recommended that the suggestion to name the reserve as Singleton's Reserve be supported, and placed on public exhibition, with the comments being reported back to Council.

Whilst researching the Reserve on Mill Road, it was also highlighted that the Park known as McMahon Park (Lot 7015 DP 751649), located on McMahon Road, Kurrajong has also never been formally gazetted. The Park has been well known as McMahon Park for over thirty years, and as there is no intention or reason to change this name. It is suggested that the name be formalised through the Geographical Names Board.

Consultation

The issues raised in this report concern matters which constitute a trigger for Community Engagement under Council's Community Engagement Policy. It is proposed that Council undertake community engagement process in compliance with Council's policy with the name Singleton's Reserve being advertised for community feedback for 28 days and reported to Council.

Background

Correspondence has been received from the Kurrajong – Comleroy Historical Society requesting consideration of naming the Reserve on Mill Road (Lot 285 & 286 DP 751649), as Singleton's Reserve.

This Reserve is known as McMahon's Park however upon investigation with the GNB this name has not been formally registered. The Reserve is Crown Land under Council's care and control and the Reserve has significant historical importance as it contains the remnants of the water mills built circa 1816 by James and Benjamin Singleton.

An extract from the Kurrajong – Comleroy Historical Society correspondence advises:

"William Singleton was transported to Australia; his family with him. William was granted land near present day Wilberforce and two of his sons, Benjamin and James, were granted land (50 acres each) in 1809 in the district of Richmond Hill. This land was near present day Grose Vale but the brothers did not continue with those grants. We believe both brothers had worked in water driven mills in England and [had] knowledge of their construction. Somewhere between 1810 and 1816 the first Mill [the Upper Mill] was constructed on Little Wheeny Creek, this was an undershot Mill and was run by Benjamin Singleton and his family. At the same time or a little later James Singleton constructed and ran the bottom Mill, this was an overshot Mill."

ORDINARY MEETING

Meeting Date: 9 August 2011

Following discussion with the Crown Lands Division, advice has been received that whilst they do not name reserves, they are happy for a Local Government Authority to do so, pending gazettal through the GNB.

The standard process through the GNB involves public consultation, whereby the GNB advertise the naming of the reserve through local media for a period of four weeks. This being the case, it was suggested that the naming authority undertake their own exhibition period to identify community concerns, prior to the formal GNB process. It is recommended that the suggestion to name the reserve as Singleton's Reserve be supported, and placed on public exhibition for 28 days, with the comments being reported back to Council.

Whilst researching the Reserve on Mill Road, it was also highlighted that the Park known as McMahon Park (Lot 7015 DP 751649), located on McMahon Road, Kurrajong has also never been formally gazetted. The Park has been well known in the community as McMahon Park for over thirty years, and as there is no intention or reason to change this naming, it is suggested that the name be formalised through the GNB. As standard procedure with the GNB, this name will be placed on public exhibition through local media and comments will be considered by that office. It is not considered that any objections will be received, and as such it is recommended that the name of McMahon Park, for the park located on McMaho ns Park Road, Kurrajong be supported and application be made to the GNB for formal gazettal.

Conformance to Community Strategic Plan

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

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

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

- Work with the community to define the Hawkesbury character to identify what is important to preserve and promote.

Financial Implications

No financial implications applicable to this report.

RECOMMENDATION:

That:

1. The name of Singleton's Reserve for the Reserve located on Mill Road Kurrajong (Lot 285 & 286 DP 751649) be supported, and placed on public exhibition for 28 days, with comments being reported to Council.
2. The name of McMahon Park, for the Park located on McMaho ns Park Road, Kurrajong (Lot 7015 DP 751649) be supported and application be made to the Geographical Names Board for formal gazettal.

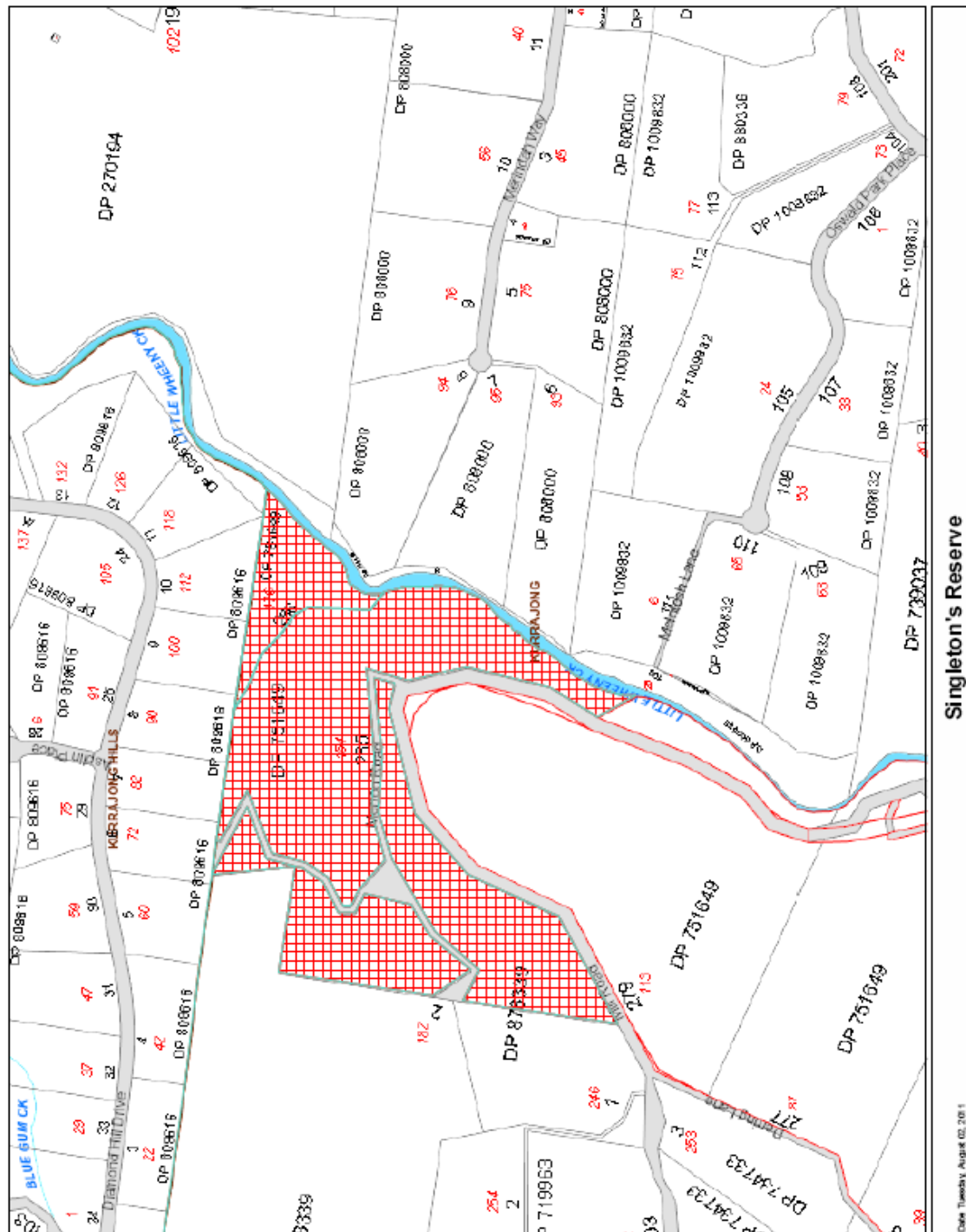
ATTACHMENTS:

- AT - 1** Map of Reserve located at Mill Road (Lot 285 & 286 DP 751649), Kurrajong, proposed to be named "Singleton's Reserve".
- AT - 2** Map of Park located at McMahon Road (Lot 7015 DP 751649), Kurrajong, proposed to be formally gazetted as "McMahon Park".

ORDINARY MEETING

Meeting Date: 9 August 2011

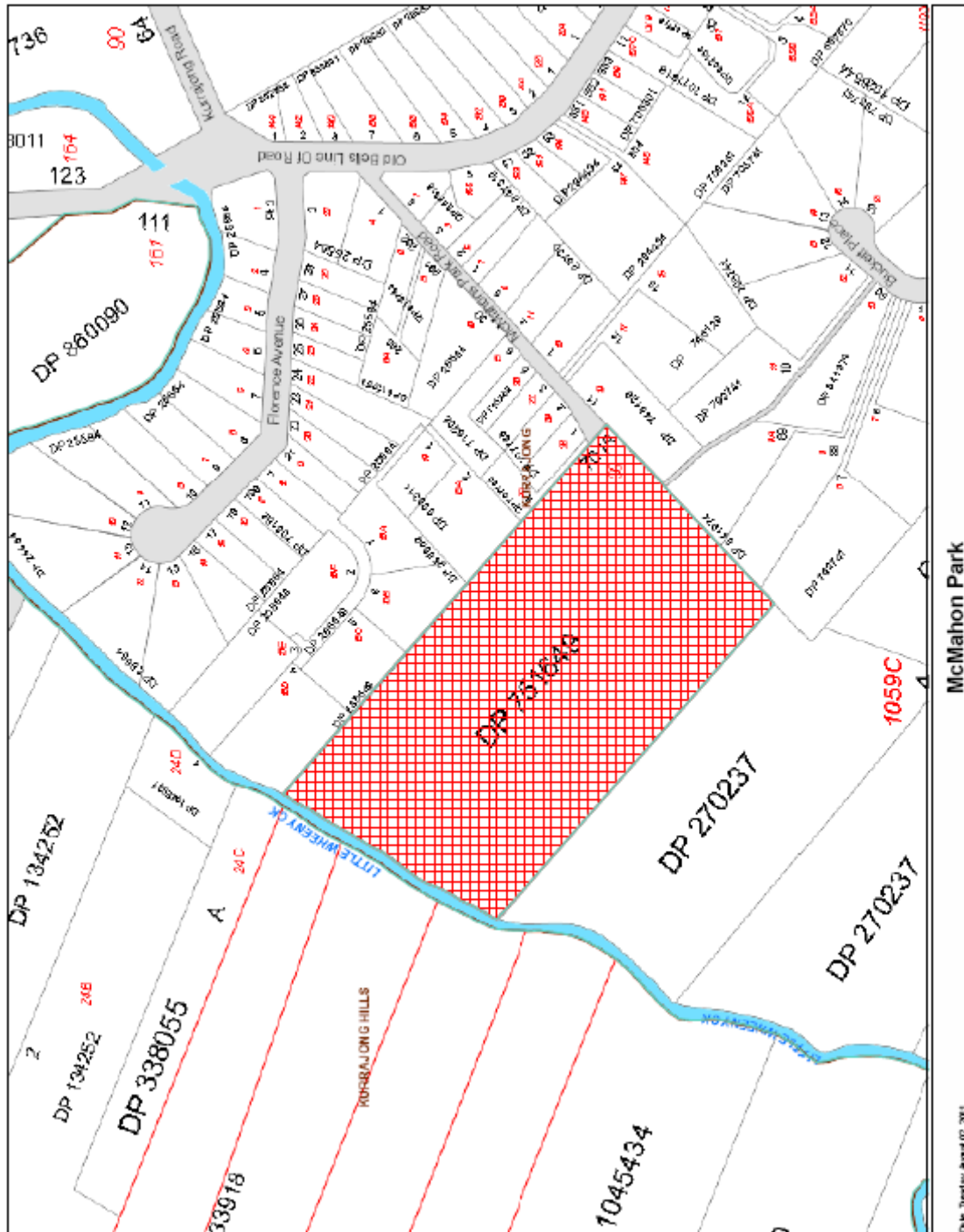
AT - 1 Map of Reserve located at Mill Road (Lot 285 & 286 DP 751649), Kurrajong, proposed to be named "Singleton's Reserve".



ORDINARY MEETING

Meeting Date: 9 August 2011

AT - 2 Map of Park located at McMahon Road (Lot 7015 DP 751649), Kurrajong, proposed to be formally gazetted as "McMahon Park".



oooO END OF REPORT Oooo

Item: 175 IS - Graffiti Removal Project - Rotary Club of Kurrajong, North Richmond Inc - (95495)

REPORT:**Executive Summary**

The Rotary Club of Kurrajong, North Richmond Inc is proposing to undertake a graffiti removal project and is seeking Council's support and initial funding of \$10,000.

Consultation

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

Background

A submission has recently been received from the Rotary Club of Kurrajong, North Richmond Inc seeking support and funding to establish a graffiti removal project, similar to that currently being provided by the Rotary Club of Windsor, throughout the Windsor, South Windsor, Bligh Park and McGraths Hills areas. The Club proposes to carry out the same program in other areas of the City not already covered by the Windsor Club, including areas such as Kurrajong, North Richmond, Richmond, and the surrounding commercial and business areas.

The Club has requested financial assistance in an amount of \$10,000 to purchase a purpose built trailer, high pressure water spray unit, graffiti removal products, protective personal equipment, and other ancillary items that are required to carry out the work. Sixteen members of the Club have committed their support to the project and the Club also works on projects with the Rotary Club of Hawkesbury, who it is anticipated will provide additional member support to the graffiti removal project.

Similar to the Rotary Club of Windsor, the project encompasses the removal of existing and future graffiti from all types of surfaces which will provide significant improvement to the visual aspects of the area whilst helping promote the profile of Rotary in the community. Rotary proposes to remove graffiti from any residential, business, Council sites, with the exception of RTA property, property where organisations undertake removal themselves, or in any unsafe situations.

Since the commencement of the Rotary Club of Windsor's project in March 2011, there has been significant improvement in the presence of graffiti in the area in which they operate, and the project has been well received throughout the community.

The project would provide many positive aspects including the ability of both Council and Rotary to promote both organisations in a positive light addressing an issue of concern to the community, whilst providing awareness of the problem, action being taken and educational values.

Conformance to Community Strategic Plan

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

- Have constructive and productive partnerships with residents, community groups and institutions.

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

- Develop and implement a community participation and partnership program.

ORDINARY MEETING

Meeting Date: 9 August 2011

Financial Implications

It is proposed to provide the funding sought from the current budget allocated towards vandalism repairs.

RECOMMENDATION:

That the proposal by Rotary Club of Kurrajong, North Richmond Inc for the graffiti removal project be supported and funding in the amount of \$10,000 be provided from the Vandalism Repairs Budget.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 9 August 2011

Item: 176 **IS - Proposed Easement across Lot 12 in Deposited Plan 546556, 35a Harris Street, South Windsor, being Sewer Pumping Station 'D' - (112179)**

REPORT:

Executive Summary

As part of Integral Energy's (also known as Endeavour Energy) ongoing commitment to provide a reliable electricity supply to its consumers, a need has arisen to provide an additional high voltage supply to a padmount substation located in the area of Harris Street and James Meehan Street, South Windsor.

Accordingly, Integral Energy is seeking to acquire an easement, for the purposes of the installation and ongoing maintenance of an underground electricity cable, across Lot 12 in Deposited Plan 546556, 35a Harris Street, South Windsor, being Council owned land where Sewer Pumping Station 'D' is located.

Consultation

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

Background

As part of Integral Energy's (also known as Endeavour Energy) ongoing commitment to provide a reliable electricity supply to its consumers, a need has arisen to provide an additional high voltage supply to a padmount substation located in the area of Harris Street and James Meehan Street, South Windsor.

There is no connection from the padmount station back into Integral Energy's high voltage system, which could result in reliability problems for the consumers and residents in the area, should a problem or failure occur with the electricity supply along the existing route.

Accordingly, Integral Energy is seeking to acquire an easement, for the purposes of the installation and ongoing maintenance of an underground electricity cable, across Lot 12 in Deposited Plan 546556, 35a Harris Street, South Windsor, being Sewer Pumping Station 'D'.

The proposed additional high voltage supply involves the installation of an underground cable from Mulgrave Road to the padmount substation on James Meehan Street. The cable is proposed to traverse several properties (Lot 103 in Deposited Plan 787031 and Lot 3 in Deposited Plan 771652) including Council's Lot 12 in Deposited Plan 546556, 35a Harris Street, South Windsor, being Sewer Pumping Station 'D'. The route is shown on the attached plan, as provided by Integral Energy.

The owners of Lot 103 in Deposited Plan 787031 and Lot 3 in Deposited Plan 771652 have provided Integral Energy with their concurrence to the proposal and, in doing so, have agreed to grant an easement for the purposes of the installation and ongoing maintenance of an underground electricity cable.

Integral Energy is now seeking Council's concurrence to the proposal and, in doing so, the granting of an easement for the purposes of the installation and ongoing maintenance of an underground electricity cable. The proposed easement shall be approximately 1 metre wide and 12 metres long.

Whilst Integral Energy has offered to pay Council compensation in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, an 'in principle' agreement has instead been reached whereby Integral Energy will upgrade the power supply to NSW Electrical Standards, including the installation of a Low Voltage Pillar, to Sewer Pumping Station 'D' in lieu of compensation.

Integral Energy shall be responsible for all legal and financial costs incurred in creating the easement.

ORDINARY MEETING

Meeting Date: 9 August 2011

This arrangement will be more financially beneficial to Council as compensation for the acquisition of the easement would be minimal, and Council would still be required to upgrade the power supply at its own cost.

This agreement is considered acceptable and should Council agree to grant the easement, it will be necessary for legal documentation formalising the same, to be executed by Council and for the easement to be registered on the Deposited Plan and the Certificate of Title pertaining to Lot 12 in Deposited Plan 546556, 35a Harris Street, South Windsor, being Sewer Pumping Station 'D', by Integral Energy.

Conformance to Community Strategic Plan

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

- Population growth is matched with the provision of infrastructure and is sympathetic to the rural, environmental, heritage values and character of the Hawkesbury.

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

- Identify community needs, establish benchmarks, plans to deliver and advocate for required services and facilities.

Financial Implications

There are no financial implications to Council.

RECOMMENDATION:

That:

1. The requested easement within Lot 12 in Deposited Plan 546556 (35a Harris Street, South Windsor) being Sewer Pumping Station D be granted to Integral Energy (also known as Endeavour Energy)
2. The upgrade of the power supply to NSW Electrical Standards as outlined in the report in lieu of compensation in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 be accepted.
3. Integral Energy is to accept all responsibility for all legal and financial costs incurred in the creation of the easement.
4. Authority be given for any documentation in association with this matter to be executed under the Seal of Council.
5. Details of Council's resolution be conveyed to Integral Energy, together with the advice that Council is not and will not be bound by the terms of its resolution until such time as appropriate documentation to put such resolution into effect has been agreed to and executed by all parties.

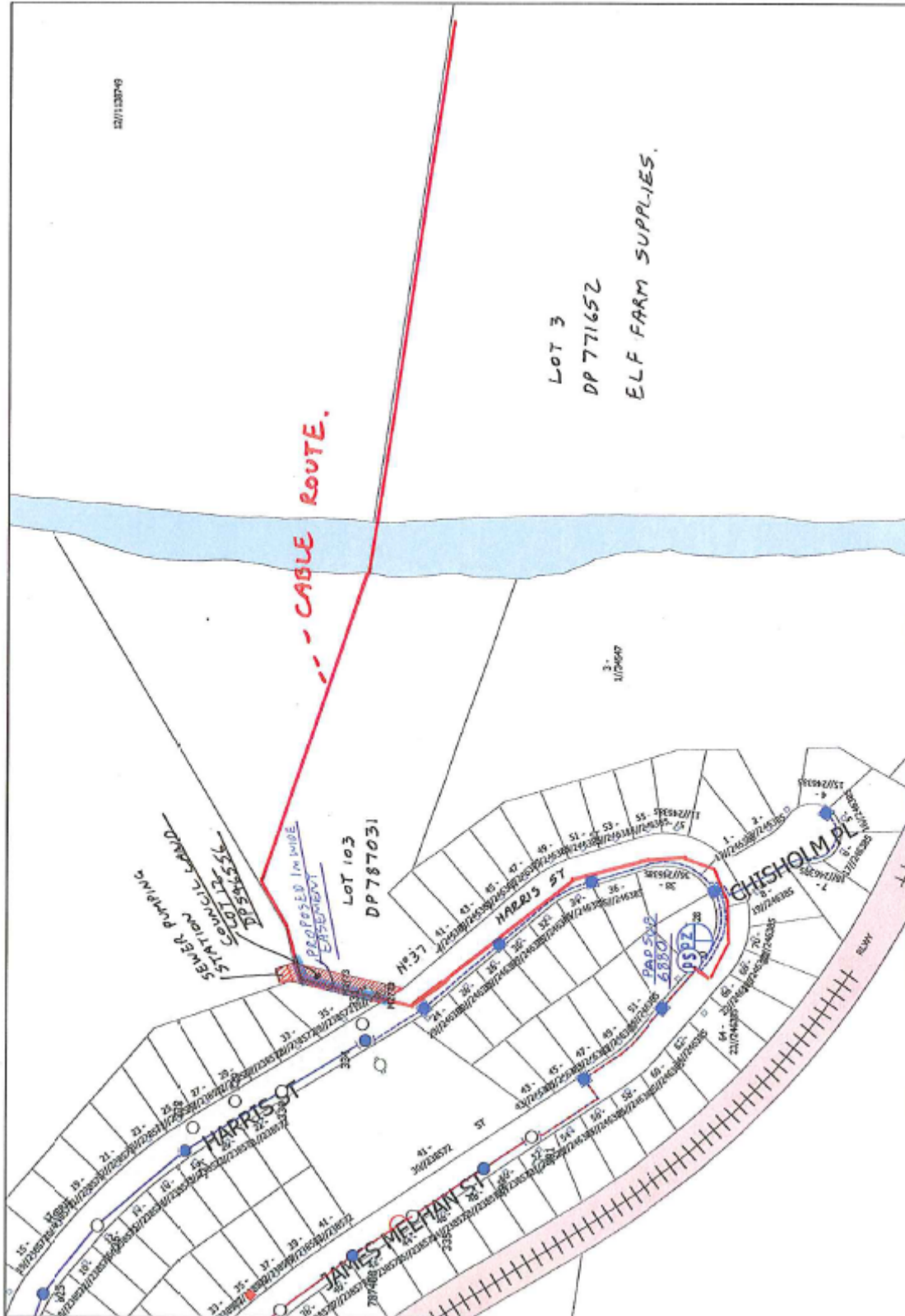
ATTACHMENTS:

- AT - 1** Plan – Proposed Easement for the installation and ongoing maintenance of an underground electricity cable, across Lot 12 in Deposited Plan 546556 (35a Harris Street, South Windsor) being Sewer Pumping Station D.

ORDINARY MEETING

Meeting Date: 9 August 2011

AT - 1 Plan – Proposed Easement for the installation and ongoing maintenance of an underground electricity cable, across Lot 12 in Deposited Plan 546556 (35a Harris Street, South Windsor) being Sewer Pumping Station D.



oooO END OF REPORT Oooo

Item: 177 IS - Proposed Connection by the Water Factory Company Pty Ltd to Pitt Town Sewage Infrastructure, Sewage Pump Station 'T' - (95495, 112179, 119265)

REPORT:**Executive Summary**

The Water Factory Company Pty Ltd (WFC) has been established to service the sewerage requirements of the new Pitt Town development currently in progress. This service includes the collection and treatment of domestic sewage to a level that can be re-used for irrigation and toilet flushing within the development area.

The WFC has submitted a proposal that would allow access to Council's sewage infrastructure and use Sewage Pump Station 'T' (SPS 'T') to transfer to and return raw sewage from the Pitt Town Water Factory (PTWF) as part of their operation at Pitt Town.

Following further clarification and assessment of the proposal, it is recommended that the proposed two way link with Council's SPS 'T' for the transfer and return of raw sewage to the PTWF be allowed in accordance with the access deed subject to satisfactory legal advice.

Consultation

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

Background

The Johnson Property Group (JPG), currently developing within the Pitt Town area, is required to provide sewerage infrastructure to service the community as part of the development. As such, sewage collection, treatment and disposal is required.

The WFC has been established and become a licensed sewer authority and has entered into a commercial arrangement with JPG to service the Pitt Town development area. As part of its establishment process, it is proposing to access SPS 'T' for the transfer and return of raw sewage to the PTWF to enable the efficient operation of the PTWF system.

The WFC is proposing a two way link with Council's Pump Station 'T', allowing them to take as much raw sewage as needed for their treatment process to operate efficiently. The WFC also proposes to return excess raw sewage taken from SPS T back into Pump Station T which would ultimately be pumped to McGraths Hill Sewage Treatment Plant for treatment.

This transfer is required as part of the establishment of operations of the PTWF in its initial phases as until a certain level of development is achieved, it requires access to sewage from Council's system to achieve operational levels. Once development achieves appropriate levels in the PTWF, the connection to Council's system will be terminated.

There is no objection in providing access to the WFC to take and return excess raw sewage to Pump Station 'T' for the proper operation of the PTWF.

The WFC has provided a draft Access Deed as part of the proposal, in which prior to entering into such agreement legal advice would need to be sought. The Deed will provide in part, that any costs involved in the connection and process will be met by the WFC.

It is recommended that the proposed two way link with Council's SPS 'T' for the transfer and return of raw sewage to the PTWF be agreed to in accordance with the proposed Access Deed subject to legal advice.

ORDINARY MEETING

Meeting Date: 9 August 2011

Conformance to Community Strategic Plan

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

- A balanced set of decisions that integrate jobs, housing, infrastructure, heritage, and environment that incorporates sustainability principles.

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

- Work with public and private sectors to ensure funding and delivery of improved services and infrastructure.

Financial Implications

The proposal put forth by the PTWF Company has no financial implications.

RECOMMENDATION:

That:

1. The proposed two way link with Sewage Pump Station 'T' for the transfer and return of raw sewage to the Pitt Town Water Factory as outlined in the report be agreed to by Council subject to the execution of an appropriate Access Deed, the contents of which is to be to the satisfaction of Council's solicitors.
2. Authority be given for the Deed to be executed under the Seal of Council, if necessary.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 9 August 2011

CONFIDENTIAL REPORTS

Item: 178 **SS - Lease to Telstra Corporation Ltd - Part of Lot 10, DP821396, Fairey Road, South Windsor - (74067, 112106, 95496) CONFIDENTIAL**

Reason for Confidentiality

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

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

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

ORDINARY MEETING

Meeting Date: 9 August 2011

Item: 179 **GM - Staff Matter - (79351) CONFIDENTIAL**

Reason for Confidentiality

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

Specifically, the matter is to be dealt with pursuant to Section 10A(2)(a) of the Act as it relates to personnel matters concerning particular individuals (other than councillors).

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

ordinary

section 5

reports
of committees

ORDINARY MEETING
Reports of Committees

ORDINARY MEETING
Reports of Committees

SECTION 5 - Reports of Committees

ROC - Hawkesbury Civic and Citizenship Committee - 6 July 2011 - (96972)

The meeting commenced at 5:40pm in Council's large committee room.

Present:	Councillor Bart Bassett Councillor Warwick Mackay OAM (6.05pm) David Bertenshaw representing the Hawkesbury Sports Council Barry Adams representing The Richmond Club Jean Peare (Community Representative) Todd Miladinovic (Community representative)
Apologies:	Councillor Kevin Conolly Councillor Barry Calvert Dianne Finch (community representative)
In Attendance:	Esther Perry, Corporate Communication Manager Jillian Bentham - Public Relations Coordinator

REPORT:

Apologies for absence were received from Dianne Finch, Councillor Kevin Conolly and Councillor Barry Calvert.

RESOLVED on the motion of Jean Peare and seconded by Barry Adams that apologies be accepted.

David Bertenshaw declared an interest in determining awards for Les Sheather and Terry Stephenson due to nominating the above named persons and also declared an interest in determining awards for Garry Bailey and Paul Cooper due to being associated with them through sporting groups and the Hawkesbury Sports Council of which he is President.

The Committee accepted his declaration of interest and David Bertenshaw refrained from discussion and voting regarding Les Sheather, Terry Stephenson, Garry Bailey and Paul Cooper.

SECTION 1 - Confirmation of Minutes

Minutes of last meeting

RESOLVED on the motion of David Bertenshaw and seconded by Barry Adams that the minutes of Hawkesbury Civic and Citizenship Committee Meeting held on the Wednesday, 15 December 2010, be accepted.

ORDINARY MEETING
Reports of Committees

SECTION 2 - Reports for Determination

ITEM: 1 Selection of 2011 Sports Awards Recipients

David Bertenshaw declared interest in the following nominees and therefore they could not be decided due to lack of quorum: Les Sheather, Terry Stephenson, Garry Bailey and Paul Cooper

Motion:

RESOLVED on the motion of Todd Miladinovic and seconded by Barry Adams.

Refer to RESOLUTION

Resolution:

RESOLVED on the motion of Todd Miladinovic and seconded by Barry Adams that all the award recipient nominations be accepted and for nominees to receive awards as nominated, as below.

Nominee Name	Award Nominated For	Years of Service	Nominator Name	Outcome
Chris Cameron	10 Year Certificate	10	Christine Lalor	Medal – Clarification required, if not 10 year certificate
Jaycee McLaughlin	10 Year Certificate	10	Daniel Spice	Medal – Clarification required, if not 10 year certificate
Stuart Maittlen	10 Year Certificate	11	Brett Barnes	Medal – Clarification required, if not 10 year certificate
Tim White	10 Year Certificate	18	Nathan Smith	Sports Medal
Cynthia Ambrose	30 Year Certificate	43	Ray Thiele	30 Year Certificate
Vinnie Cole	30 Year Certificate	32	Scott Mulford	30 Year Certificate
Dean Laing	Sports Medal	25	Hugh McKay	Sports Medal
John Hopper	Sports Medal	10	Hugh McKay	Sports Medal
Matt Williams	Sports Medal	10	Hugh McKay	Sports Medal
Michael Goeke	Sports Medal	10	Hugh McKay	Sports Medal
Steve Simons	Sports Medal	20	Hugh McKay	Sports Medal

Clarification is necessary with the respective clubs where the exact number of years the person has been making a contribution as an administrator or representative to the Hawkesbury at a higher level in sport (with the requirement being for a minimum of 10 continuous years) is unclear from the nomination. Ms Bentham to ring and confirm where relevant.

ITEM: 2 Review of nomination period and promotion of the Australia Day Awards Program, Citizen of the Season (COS) and Young Citizen of the Season (YCOS) Awards Program

Motion:

RESOLVED on the motion of Barry Adams and seconded by Jean Peare.

Refer to RESOLUTION

Resolution:

RESOLVED on the motion of David Bertenshaw and seconded by Jean Peare.

That:-

1. Letters encouraging nominations to the Citizen and Young Citizen of the Season and Australia Day Award Programs be sent to the Presidents of Service Clubs including, but not limited to Rotary, Lions, Landcare, Bushcare as well as the Hawkesbury City Chamber of Commerce and the Windsor Business Group. Letters to be sent by the Mayor on behalf of the Committee.
2. Letters encouraging nominations to the Citizen and Young Citizen of the Season and Australia Day Award Programs be sent to local schools, who have not nominated students or staff in the past. Letters to be sent by the Mayor on behalf of the Committee at the beginning of the new school term.
3. Letters informing Jenny Young, Commander NSW Local Area Command Police and relevant officials within the University of Western Sydney and Richmond TAFE of awards to recognise staff who volunteer outside of their organisation. Also to encourage nominations for the Citizen and Young Citizen of the Season and Australia Day Award Programs.
4. All letters to be personalised and sent to Presidents, Chairs and Principals requesting the item be added to the committee agenda to be discussed as necessary.

SECTION 3 - Reports for Information

ITEM: 1 Sports Medal Awards Ceremony Location and Time

Motion:

RESOLVED on the motion of Todd Miladinovic and seconded by Barry Adams.

Refer to RESOLUTION

Resolution:

RESOLVED on the motion of Todd Miladinovic and seconded by Barry Adams.

That the information be received.

Barry Adams gave his apology for the event.

Councillor Warwick Mackay entered the meeting at 6:05pm, therefore making up the quorum to select the four nominees for Sports Awards that were previously unable to be determined.

ORDINARY MEETING
Reports of Committees

ITEM: 1 Selection of further 2011 Sports Awards Recipients

(Change of committee member quorum due to previously noted declaration of interest)

Motion:

RESOLVED on the motion of Councillor Warwick Mackay and seconded by Barry Adams.

Refer to RESOLUTION

Resolution:

RESOLVED on the motion of Councillor Warwick Mackay and seconded by Barry Adams that all the additional award recipient nominations be accepted and for nominees to receive awards as nominated, as below.

Nominee Name	Award Nominated For	Years of Service	Nominator Name	Outcome
Terry Stephenson	10 Year Certificate	10	David Bertenshaw	10 Year Certificate
Garry Bailey	20 Year Certificate	22	Dave Frew	20 Year Certificate
Les Sheather	20 Year Certificate	21	David Bertenshaw	20 Year Certificate
Paul Cooper	Sports Medal	10	Rebecca Horan	Medal

Next Meeting

TBA

The meeting closed at 6:15pm.

oooO END OF REPORT Ooo

ORDINARY MEETING
Reports of Committees

ROC - Local Traffic Committee - 20 July 2011 - (80245)

Minutes of the Meeting of the Local Traffic Committee held in the Large Committee Room, Windsor, on Wednesday, 21 July 2011, commencing at 3:00pm.

ATTENDANCE

Present: Councillor B Bassett (Chairman)/ Member for Londonderry
Mr M Kayello, Roads and Traffic Authority
Mr R Williams, MP, Member for Hawkesbury
Mr K Conolly, MP, Member for Riverstone
Snr Constable D Byrnes, NSW Police Service

Apologies: Ms J Edmunds, Westbus

In Attendance: Mr C Amit, Manager, Design & Mapping Services
Ms D Oakes, Community Safety Coordinator
Ms B James, Administrative Officer, Infrastructure Services

SECTION 1 - Minutes

Item 1.1 Confirmation of Minutes

The Committee resolved on the motion of Mr C Amit, seconded by Ms D Oakes. That the minutes from the previous meeting held 15 June 2011 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 - 20 July 2011 - Item 2.1 - Changes to School Bus Zone in Neich Road, Maraylya - Maraylya Public School (Hawkesbury) - (80245, 13466)

REPORT:

Introduction:

Representation has been received from the Relieving Principal of Maraylya Road Public School (Dataworks Document No. 3767753) in relation to amending the operating times of the School Bus Zone in Neich Road, Maraylya, adjacent to the School frontage.

The Relieving Principal has advised the following;

- Currently the School Bus Zone stipulates "school days", which is for the full day when the School Bus Zone is only required during the morning and afternoon period.

ORDINARY MEETING
Reports of Committees

- Consultation has been undertaken with both Hawkesbury Valley Bus Service and Westbus (Hillsbus Dural), with the latter advising that they do not use the Neich Road, Bus Zone.
- Hawkesbury Valley Bus Service have advised that they would be happy for the School Bus Zone to operate between the hours of 8.00am - 9.00am and 2.30pm - 3.30pm" school days.
- The current arrangement with the School Bus Zone restricts the available parking outside the School. There is a high demand for parking in the vicinity of the School for visitors attending numerous committee meetings during School time as well as after hours.
- Maraylya Public School and the P&C are committed to ensuring the school community adheres to these times in the interests of the children's safety.

Discussion:

The current regulatory speed limit on Neich Road in the vicinity of the School is 60 kph with the School Zone of 40kph operating during the times of 8.00am to 9.30am and 2.30pm to 4.00pm. Neich road is a local collector road with parallel parking permitted on both sides of the road.

Maraylya Public School is bounded by Neich Road and Boundary Road, with the School situated on the north-western corner of these roads. The School Bus Zone is on the northern side of Neich Road in the vicinity of the School and is approximately 40.0 metres long.

Parents of the school children, park their vehicles along sections of Neich Road and Boundary Road in the vicinity of the school, to pick up and drop off their children. Some of these parents have received Infringement Notices for using the Bus Zone.

It would be appropriate to change the School Bus Zone operation times to "8.00am to 9.30am and 2.30pm to 4.00pm" school days as Hawkesbury Valley Bus Service use the School Bus Zone during these hours and have provided written support.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr R Williams, MP, seconded by Mr M Kayello.

That the operation times of the School Bus Zone (approximately 40.0 metres long) along the northern side of Neich Road adjacent to the frontage of Maraylya Public School be changed to "8.00am - 9.00am and 2.30pm - 3.30pm" school days.

APPENDICES:

There are no supporting documents for this report.

Item 2.2 LTC - 20 July 2011 - Item 2.2 - Proposed No Stopping Zones - Intersection of Mileham Street and Kingsley Close, South Windsor (Riverstone) - (80245, 39125, 109742)

Previous Item: Item 2.1, LTC (20 September 2006)
 Item 4.3, LTC (18 May 2011)

REPORT:

Introduction:

Representations have been received from local residents regarding vehicles parking within close proximity to the intersection of Mileham Street and Kingsley Close, South Windsor. The local residents indicate that over the years it has been observed that the number of vehicles parking along Mileham Street and the adjoining streets has increased due to sporting activities in the area.

The matter was also raised at the LTC meeting on 18 May 2011 by the Member for Riverstone.

Discussion:

Mileham Street is a local distributor road which extends from Day Street, Windsor to Rifle Range Road, South Windsor. Mileham Street runs generally in a north-east/south-west direction and is severed by the Blacktown to Richmond Railway Line, north-east of Bell Street.

Mileham Street, between Bell Street and Rifle Range Road intersects 14 local roads and is approximately 2.4 kilometres in length. Kingsley Close is located along this section of Mileham Street, between James Street and Drummond Street. The width of the carriageway between the kerbs in Mileham Street, at this location is approximately 12.2 metres and in Kingsley Close, approximately 8.0 metres.

The current regulatory speed limit is 50 kph. There are predominantly residential properties on both sides of Mileham Street with a mix of Light Industry and Sporting Reserve. The South Windsor Netball courts are located approximately 200 metres in a south-westerly direction from the intersection of Mileham Street and Kingsley Close.

Vehicles parking within close proximity to the intersection of Mileham Street and Kingsley Close, are ignoring the parking restrictions under the Australian Road Rules. In accordance with the Australian Road Rules, vehicles should not be parking within 10.0 metres of an intersection. Australian Road Rule 170 (ARR170) – “Stopping in or near an intersection” stipulates in part that a driver must not stop on a road within 10 metres from the nearest point of an intersecting road at an intersection without traffic lights.

The implementation of the current linemarking arrangement of barrier lines and edge lines was undertaken along Mileham Street between Bell Street and Rifle Range Road in 2006. This was part of a Local Area Traffic Management Plan to reduce vehicular speed which was reported to the LTC on 20 September 2006. These measures were undertaken to create the perception of a narrow travelling lane (approximately 3.0 metres wide) for motorists, to discourage speeding and prohibit overtaking. The line marking treatment was considered to be a cost effective option than the installation of devices such as horizontal and vertical deflectors, for this length of the road. In addition to the linemarking treatment, appropriate regulatory speed signs at regular intervals and associated road markings was also undertaken to reinforce the speed limit to motorists.

The RTA Road Traffic Accident Database indicates that there have been nil accidents at this intersection for the 5 years from July 2004 to June 2009. Based on the accident history at this intersection and the treatments undertaken in 2006, it is considered that an intersection treatment is not warranted.

An option to treat this intersection is with the installation of No Stopping zones along both roads. As a result of a site analysis of the intersection, No Stopping zones are required along the South Eastern side of

Mileham Street extending either side of Kingsley Close for a distance of 20.0 metres, with No Stopping zones required on both sides of Kingsley Close, extending 10.0 metres from Mileham Street. It is anticipated that the sight distance and general movements within the proximity of the intersection will be improved by preventing vehicles from parking close to the intersection.

In considering the proposed No Stopping zones, community consultation was undertaken during May/June 2011 for the properties within proximity of the intersection. 6 properties were consulted, with 2 replies received. Comments received from the community consultation is summarised below:

- Support for the No Stopping zone in both Mileham Street and Kingsley Close,
- Support for the No Stopping zone in Mileham Street and Objection to the No Stopping zone in Kingsley Close. (Note: the No Stopping zone length of 10.0 metres in Kingsley Close is mandatory and cannot be reduced).

Based on the results of the community consultation and the need to improve safety at the intersection, it is proposed that No Stopping zones along the South Eastern side of Mileham Street extending either side of Kingsley Close for a distance of 20.0 metres, with No Stopping zones extending 10.0 metres on both sides of Kingsley Close from Mileham Street be provided.

The installation of the proposed No Stopping signs along Mileham Street will be at the property boundaries of Nos 140A/142 and 144/146. The signs in Kingsley Close will be located 10.0 metres from the kerb line in Mileham Street. Refer to Attachment 1: "Proposed No Stopping Zones – Intersection of Mileham Street & Kingsley Close, South Windsor".

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr K Conolly, MP, seconded by Mr M Kayello.

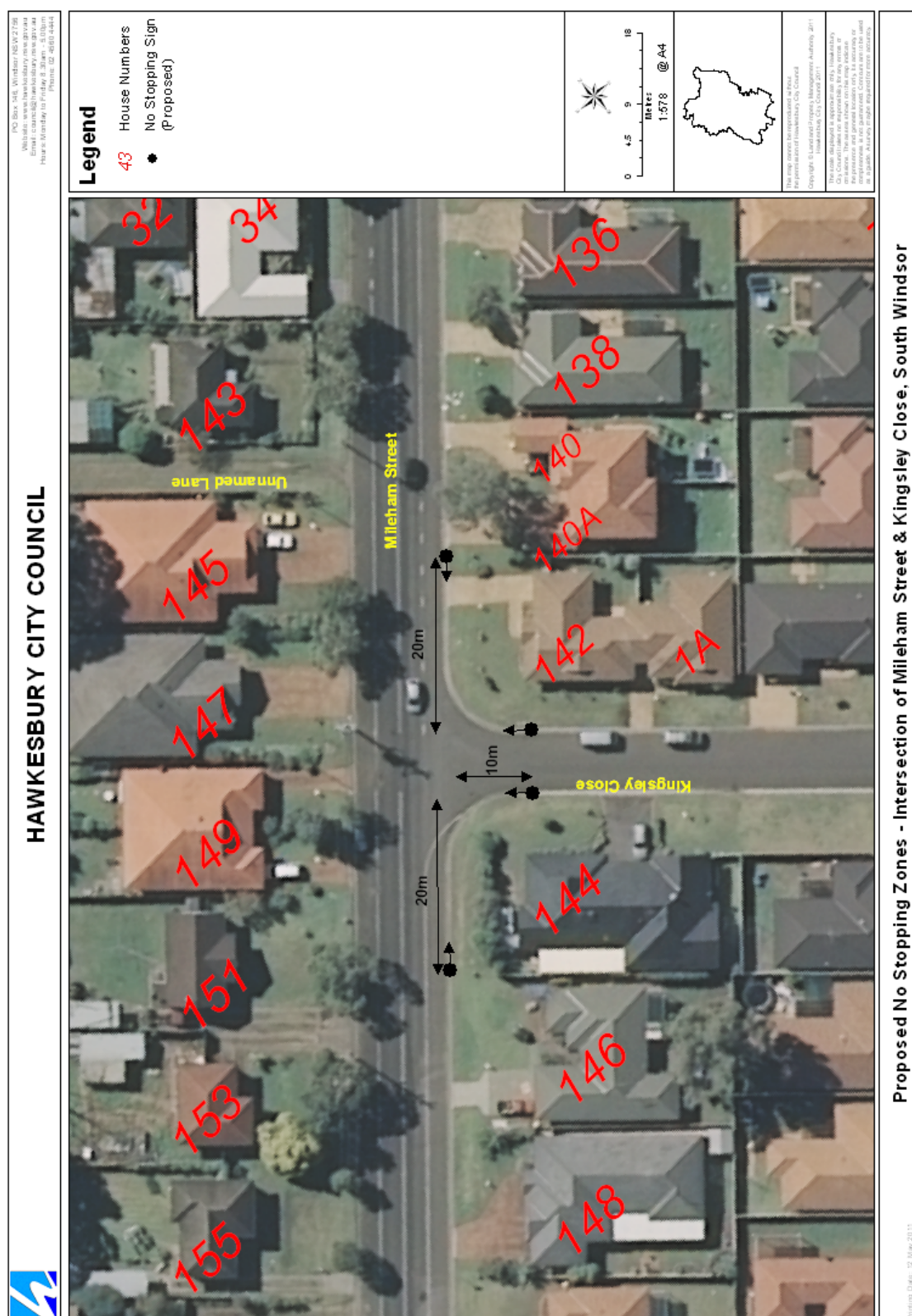
That the following measures be undertaken at the intersection of Mileham Street and Kingsley Close, South Windsor in accordance with the Attached Plan: "Proposed No Stopping Zones – Intersection of Mileham Street & Kingsley Close, South Windsor".

1. No Stopping zones along the South Eastern side of Mileham Street extending either side of Kingsley Close for a distance of 20.0 metres, with No Stopping zones on both sides of Kingsley Close extending 10.0 metres from Mileham Street, South Windsor.
2. The installation of the No Stopping signs along Mileham Street to be at the property boundaries of Nos 140A/142 and 144/146. The signs in Kingsley Close to be located 10.0 metres from the kerb line in Mileham Street.

APPENDICES:

AT - 1 Proposed No Stopping Zones – Intersection of Mileham Street & Kingsley Close, South Windsor.

AT - 1 Proposed No Stopping Zones – Intersection of Mileham Street & Kingsley Close, South Windsor



ORDINARY MEETING
Reports of Committees

Item 2.3 LTC - 20 July 2011 - Item 2.3 - Sydney Blues and Roots Festival - Windsor 2011 - (Riverstone) - (80245, 114164)

Previous Item: Item 150, Ordinary Meeting (12 July 2011)

REPORT:

Introduction:

An application has been received from the promoters of the Sydney Blues and Roots Festival, seeking approval (in traffic management terms) to conduct the Sydney Blues and Roots Festival – Windsor 2011, in and around the Windsor Town Centre from Friday 28 October 2011 to Sunday 30 October 2011.

The event organiser has advised the following:

- The Sydney Blues and Roots Festival is a music festival to be held in various indoor and outdoor venues in Windsor.
- The very best of established and emerging blues and roots acts from around Australia, presenting diverse styles of music will be showcased.
- Local musicians and other young performers are encouraged and given particular attention.
- Additional activities will include market stalls, buskers, jam sessions, workshops and youth groups.
- Event times are:
 - Friday, 28 October 2011 – 7:00pm to 1:30am
 - Saturday, 29 October 2011 – 1:00pm to 1:30am
 - Sunday, 30 October 2011 – 1:00pm to 10:30pm.
- The Festival is an opportunity to showcase the historic Windsor district, gain increase tourism and develop business and commercial opportunities.
- Local businesses should enjoy enhanced trading opportunities on the weekend of the Festival and will be encouraged to become involved in the Festival.
- The Festival will be held in October to take advantage of spring weather conditions and avoid clashing with other festivals and local events.
- Windsor is considered an ideal location to conduct such a festival due to its accessibility, history, dining and accommodation facilities, unique village-like atmosphere and relaxed ambiance,
- The variety of event venues include hotels, restaurants, cafes and outdoor venues.
- All venues are intended to be within walking distance of each other and include; The Fitzroy Hotel, The Vault 146 Restaurant, Trentino's Restaurant, and the Hawkesbury Paddle Wheeler.
- The two outdoor venues will be Thompsons Square where two stages will be in place and one stage in Windsor Mall, directly outside The Vault 146 Restaurant.
- The Festival is promoted as a safe and friendly event, transcending the barriers of age, gender and culture, presented in intimate performance spaces.

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- The festival will be a ticketed event. Ticket prices will be affordable which should guarantee a favourable attendance.
- Based on attendances at the 2009 and 2010 festivals, it is expected that between 1500 to 2000 patrons per day will attend the Festival in 2011.
- The number of patrons attending the Festival on the intended weekend will be manageable and therefore limit any undue pressure on the precinct's resources and facilities.
- The safety of the festival will be improved with the removal of through traffic to sections of George Street and Thompson Square creating a Mall effect. The extent of road closures will be dependant on the patronage on the day.

Road Closure Details:

Road Closures – for attendance numbers (patrons) up to 2000 (TCP 'A'):

- George Street between Bridge Street and Baker Street (excluding the intersections of Bridge Street and Baker Street) creating a Mall effect.
- George Street road closure from 6.00am Saturday 29 October 2011 through to 11.30pm, Sunday 30 October 2011,
- Thompson Square between George Street and The Terrace.
- Thompson Square road closure from 8.00am Friday 29 October 2011 through to 12.00 noon Monday 31 October 2011.

Additional Road Closures – for attendance numbers (patrons) exceeding 2000 (TCP 'B'):

- Baker Street between Macquarie Street and The Terrace, (including the intersection of George Street),
- The Terrace between Thompson Square and Kable Street, (excluding the intersection of Kable Street),
- Kable Street between Union Lane and the entrance to the Kable/Macquarie Street car park, (excluding the intersecting points).
- The diversion route for traffic in Kable Street will be via Union Lane and the connecting car park access road between Fitzgerald Street and Kable Street
- Existing parking and buses will not be affected by the Festival.
- Shuttle buses will run from Windsor Station to Kable Street, then to Governor Phillip Reserve and return to Windsor Station.
- Accommodation buses will run from Richmond to Windsor, onto Wilberforce, return to Windsor, onto Vineyard and return to Windsor.
- Pedestrians have adequate facilities to traverse through and around the festival site, traffic controllers will be in place at the busy times to minimise any issues with vehicular traffic.
- A signed petition supporting the temporary closure of George Street, Thompson Square and Windsor Mall for the festival by surrounding businesses has been submitted.

Refer to Attachment 1 and 2: TCP 'A' and TCP 'B' – Sydney Blues and Roots Festival Proposed Road Closure Details.

Discussion

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

The Transport Management Plan (TMP) and the associated Traffic Control Plan (TCP) is to be submitted to the RTA for authorisation due to the proposed road closures. The road closure of George Street at Bridge Street is subject to approval from the RTA.

Event Road Closure Details:

Road Closures – for attendance numbers (patrons) up to 2000 (TCP 'A') - Supported:

- George Street between Bridge Street and Baker Street (excluding the intersections of Bridge Street and Baker Street) creating a Mall effect,
- George Street road closure from 6.00am Saturday 29 October 2011 through to 11.30pm, Sunday 30 October 2011.
- Thompson Square between George Street and The Terrace.
- Thompson Square road closure from 8.00am Friday 29 October 2011 through to 12.00 noon Monday 31 October 2011.

Additional Road Closures – for attendance numbers (patrons) exceeding 2000 (TCP 'B') – Not Supported:

- Baker Street between Macquarie Street and The Terrace, (including the intersection of George Street),
- The Terrace between Thompson Square and Kable Street, (excluding the intersection of Kable Street),
- Kable Street between Union Lane and the entrance to the Kable/Macquarie Street car park, (excluding the intersecting points).
- The diversion route for traffic in Kable Street will be via Union Lane and the connecting car park access road between Fitzgerald Street and Kable Street

The road closures outlined in TCP 'A' for attendance numbers (patrons) up to 2000 is supported. This will allow for the free flow of traffic through Baker Street with George Street being closed between Baker Street and Bridge Street. The closure of Thompson Square will allow for the free flow of pedestrians in and around the Thompson Square Park area.

The road closures outlined in TCP 'B' for attendance numbers (patrons) exceeding 2000 is not supported. The closure of Baker Street and Kable Street will have an adverse affect on the flow of traffic around the Windsor business precinct. In particular, Kable Street is part of the Bus route and the proposal to divert buses through the Macquarie/Kable Street carpark is not supported.

The event organiser will be requested to provide traffic control at the intersections of George Street/Baker Street and George Street/Kable Street for the duration of the event to ensure that there is a balanced flow of both vehicular and pedestrian traffic across these 2 intersections.

ORDINARY MEETING
Reports of Committees

The regulatory speed limit in the vicinity of the event is 50kph.

The event organiser has submitted the following items in relation to the event: Attachment 3 (Dataworks Document Nos. 3782393 & 3796411):

1. Special Event – Traffic – Initial Approval Application Form - HCC; Details of Special Event – Traffic,
2. Special Event Transport Management Plan Template – RTA ,
3. Festival Outline,
4. Signed petition by surrounding businesses supporting the temporary closure of George Street, Thompson Square and Windsor Mall,
5. Transport Management Plan (TMP) - referred to in the application as Traffic Management Plan and Traffic Control Plan (TCP), however the TCP only indicates the general layout for traffic.

Council resolved to grant exclusive use of Thompson Square and sections of Windsor Mall on 12 July 2011 for the duration of the event.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr K Conolly, MP, seconded by Snr Constable D Byrnes.

That:

1. The Sydney Blues and Roots Festival - Windsor 2011 event, in and around the Windsor Town Centre planned from Friday 28 October 2011 to Sunday 30 October 2011 be classified as a “**Class 2**” special event, in terms of traffic management, under the “Traffic and Transport Management for Special Events” guidelines issued by the RTA.
2. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
3. It is strongly recommended that the event organiser becomes familiar with the contents of the RTA publication “Guide to Traffic and Transport Management for Special Events” (Version 3.4) and the Hawkesbury City Council special event information package that explains the responsibilities of the event organiser in detail.
4. It is strongly recommended that the event organiser visits Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/organising-an-event>, and refers 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 are familiar with the contents and requirements of this information. The approval conditions listed below relate only to matters relating to the traffic management of the event.
5. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted, the following road closures and traffic control measures;
 - Road Closure; George Street between Bridge Street and Baker Street (excluding the intersections of Bridge Street and Baker Street) from 6.00am Saturday 29 October 2011 through to 11.30pm, Sunday 30 October 2011.
 - Road Closure; Thompson Square between George Street and The Terrace from 8.00am Friday 29 October 2011 through to 12.00 noon Monday 31 October 2011.
 - No other road closures are permitted.

- traffic control be provided at the intersections of George Street/Baker Street and George Street/Kable Street for the duration of the event to ensure that there is a balanced flow of both vehicular and pedestrian traffic across these 2 intersections

and the following conditions:

Prior to the event:

- 5a. the event organiser is to carry out an overall risk assessment for the whole event to identify and assess the potential risks to spectators, participants and road users during the event and design and implement a risk elimination or reduction plan in accordance with the Occupational Health and Safety Act 2000; (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>);
- 5b. the event organiser is to obtain approval to conduct the event, from the NSW Police Service; **a copy of the Police Service approval to be submitted to Council;**
- 5c. the event organiser is to obtain approval from the RTA as road closures are proposed; **a copy of the RTA approval to be submitted to Council;**
- 5d. the event organiser **is to submit a Traffic Control Plan (TCP) to Council and the RTA** for acknowledgement. The TCP should be prepared by a person holding appropriate certification as required by the RTA to satisfy the requirements of the relevant Work Cover legislation;
- 5e. the event organiser is to **submit to Council a copy of its Public Liability Policy** in an amount not less than **\$10,000,000 noting Council and the Roads and Traffic Authority as interested parties on the Policy** and that Policy is to cover **both on-road and off-road activities;**
- 5f. the event organiser is to advertise the event in the local press stating the entire extent of the event - including the proposed road closures and the detour routes - and the traffic impact/delays expected due to the event, two weeks prior to the event; **a copy of the proposed advertisement to be submitted to Council** (indicating the advertising medium);
- 5g. 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;**
- 5h. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event - including the proposed road closures - for at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council**
- 5i. the event organiser is to directly notify all the residences and businesses which may be affected by the event - including the proposed road closures - for at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; **a copy of the correspondence to be submitted to Council;**
- 5j. 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:

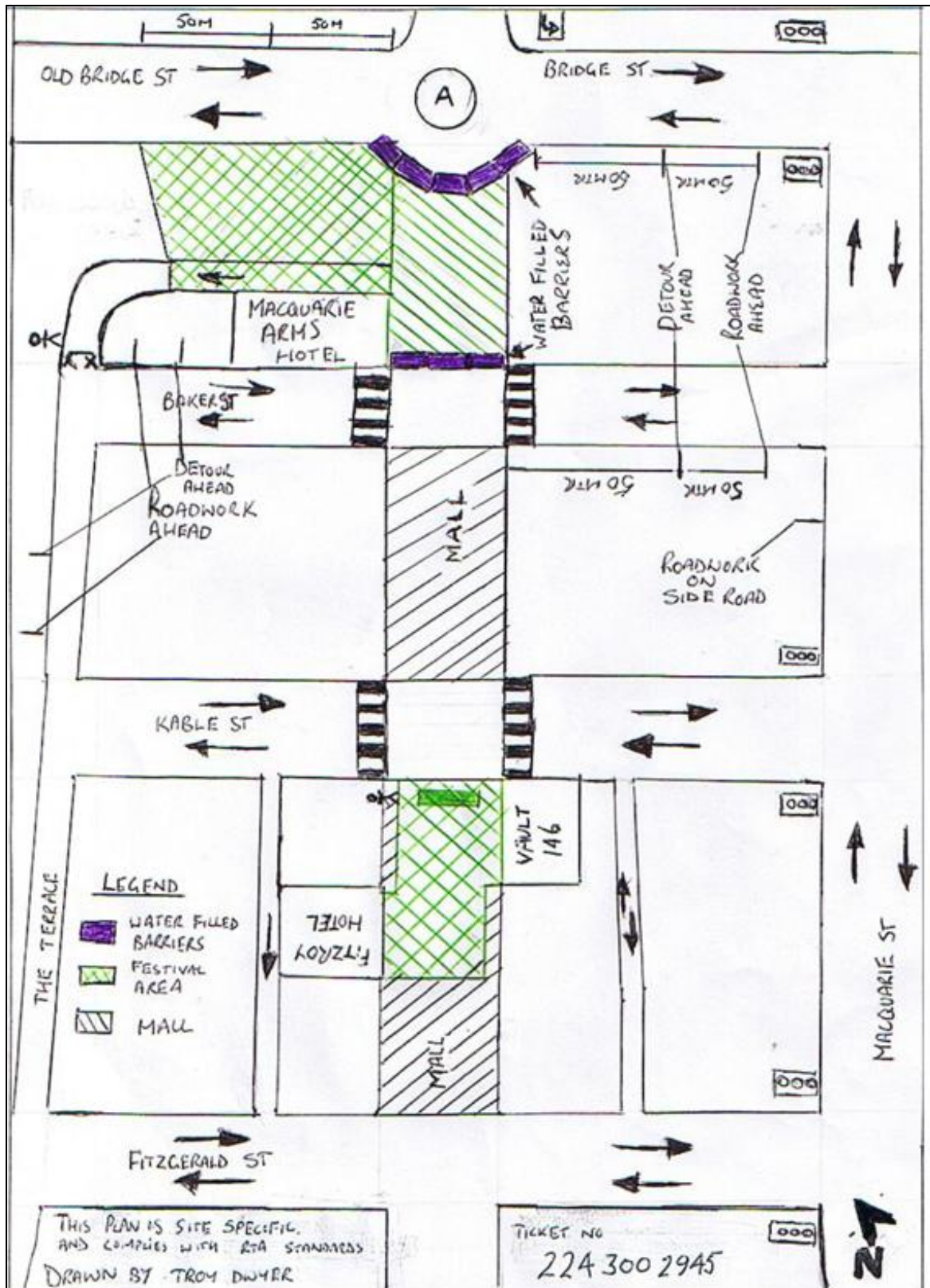
- 5k. access is to be maintained for businesses, residents and their visitors;
- 5l. a clear passageway of at least 4 metres in width is to be maintained at all times for emergency vehicles;

- 5m. all traffic controllers / marshals operating within the public road network are to hold appropriate certification as required by the RTA;
- 5n. in accordance with the submitted TMP and associated TCP, appropriate advisory signs, and traffic control devices are to be placed along the detour route / road closure points, during the event, under the direction of a traffic controller holding appropriate certification as required by the RTA;
- 5o. the participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event; and,
- 5p. 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.

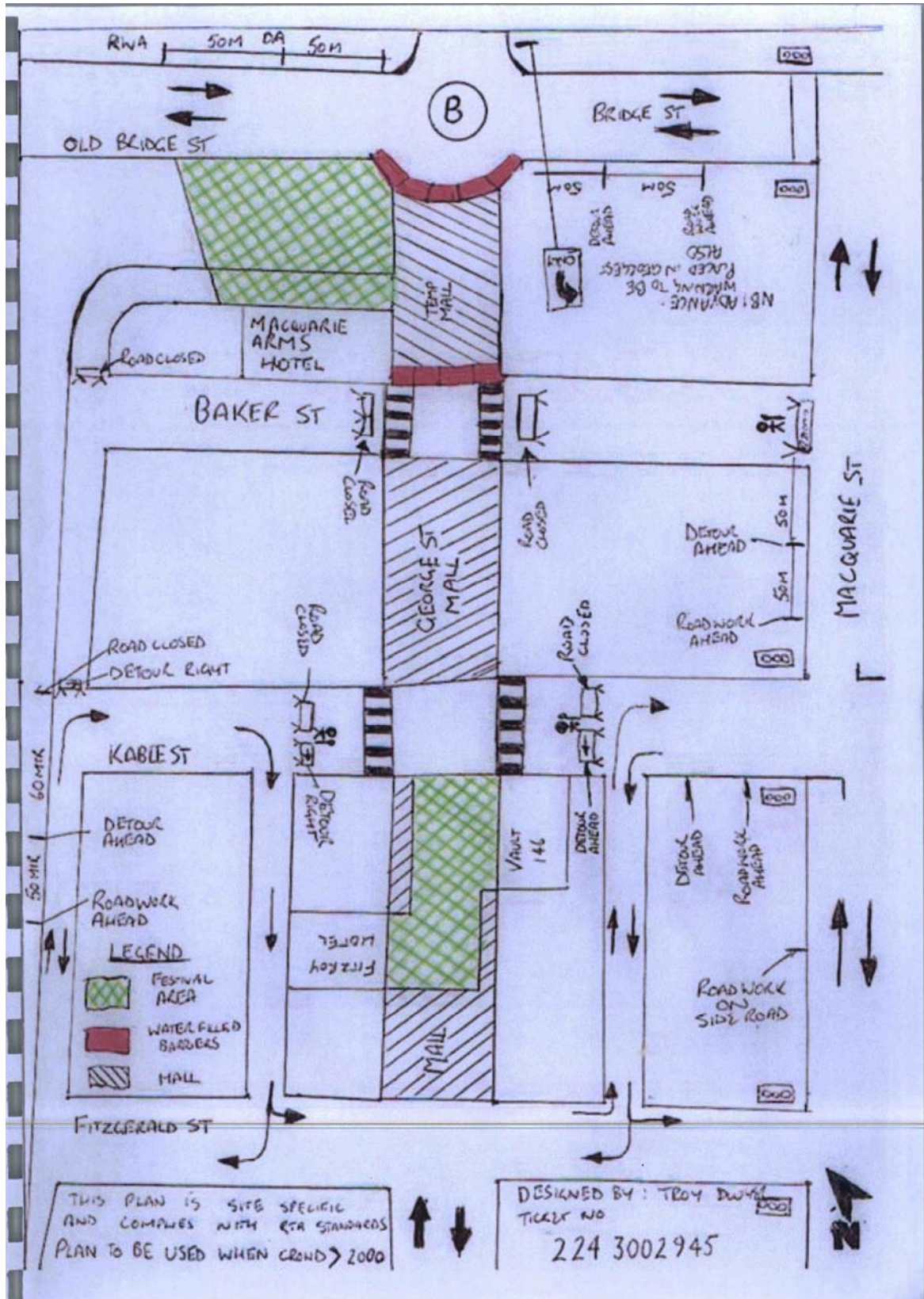
APPENDICES:

- AT - 1** Sydney Blues and Roots Festival Proposed Road Closure Details – TCP ‘A’
- AT - 2** Sydney Blues and Roots Festival Proposed Road Closure Details – TCP ‘B’
- AT - 3** Special Event Application - (Dataworks Document Nos. 3782393 & 3796411) - *see attached.*

AT 1 - Sydney Blues and Roots Festival Proposed Road Closure Details – TCP 'A'



AT 2 - Sydney Blues and Roots Festival Proposed Road Closure Details – TCP 'B'



**Item 2.4 LTC - 20 July 2011 - Item 2.4 - The Hawkesbury 120 Ski Race Classic 2011-
(Hawkesbury, Londonderry & Riverstone) - (80245, 92138)**

REPORT:

Introduction:

An application has been received from Ski Racing NSW Inc, seeking approval (in traffic management terms) to conduct the Hawkesbury 120 Ski Race Classic on Saturday, 27 and Sunday, 28 August 2011.

The event organiser has advised the following;

- The Hawkesbury 120 Ski Race Classic was initially undertaken in 2006.
- The Hawkesbury 120 Ski Race Classic is an annual water ski race along the Hawkesbury River.
- Event Schedule:
 - Friday, 26 August 2011:
 - Vessel safety scrutineering at Governor Phillip Reserve, Windsor
 - Start and Finish times: 12.00noon - 5:00pm.
 - Saturday, 27 August 2011:
 - Ski Race from Governor Philip Reserve, Windsor to Sackville Ski Gardens, Sackville and return.
 - Start and Finish times: 9.00am - 4:00pm.
 - Set Up and Pack Down Times: 6.00am - 6:00pm.
 - Sunday, 28 August 2011:
 - Ski Race from Governor Philip Reserve, Windsor to NSW Ski Grounds Caravan Park (Known as NSW Ski Gardens) at Wisemans Ferry and return.
 - Start and Finish times: 9.00am - 5:00pm.
 - Set Up and Pack Down Times 6.00am - 8:00pm.
- Council and Roads and Traffic Authority (RTA) approval is required for the following Ferry Services on Sunday, 28 August 2011:
 - Lower Portland Ferry (HCC):
 - 9:00am – 5:00pm - Total suspension. Requested as there is poor sight distance leading to the ferry due to the bends in the river. The total suspension will enable a free flow of competitors across the ferry crossing.
 - Sackville Ferry (RTA):
 - 9:00am – 5:00pm - Reduced Operation of the ferry, whereby a full load of vehicles are to be aboard prior to the ferry undertaking a crossing. The reduced operation will enable free flow of competitors across the ferry crossing.
 - Safety vessels with crews will be placed on the relevant side of the ferry with suitable equipment to indicate to competitors that the ferry may be operating.
 - The course vessels will have radio communications with a marshal on both ferries and the respective ferry masters.

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- Use of both ferries by Emergency Vehicle Traffic will not be affected.
- The event organiser acknowledges that either Council or the RTA on the day may have the need to alter the suspension or reduced services of the ferries at their discretion.
- Webbs Creek Ferry and Wisemans Ferry are located downstream to the NSW Ski Gardens, and subsequently these ferry operations are not affected.
- The number of entries (competitors and boat trailers) expected is approximately 150 for the event. Up to 4 participants per boat made up of the Driver, Observer and possibly 2 skiers.
- Approximately 2000 spectators are expected at the start/finish venue at Governor Phillip Reserve, Windsor.
- Parking will be at Governor Phillip Reserve with additional parking available off street utilising vacant land adjacent to Governor Phillip Reserve. Parking is available for approximately 4000 vehicles, which includes parking for boat trailers and tow vehicles.
- The effect on traffic is not expected to be significant.
- Emergency vehicles will be allowed access at all times.
- Affected Streets are;
 - George Street, Windsor: between Bridge Street and Palmer Street
 - Arndell Street, Windsor: the full length
 - Palmer Street, Windsor: the full length
 - North Street/Court Street, Windsor: the full length
- It is expected that the event will impact only marginally on traffic using Windsor Road, Bridge Street, Macquarie Street and Wilberforce Road compared to the normal traffic during weekends.
- As no road closures will be in place, there will be little effect on traditional afternoon peak hour southeast bound traffic on Windsor Road.
- A letter drop will be undertaken to all residents and businesses within proximity of the event location.

Discussion:

Even though the event will be held along the Hawkesbury River and within the Governor Phillip Reserve, the event and the spectators travelling to the event may impact heavily on the state road network on Windsor Road, Macquarie Street, Wilberforce Road and Bridge Street and in particular the local roads such as George Street and Court Street as well as the ferry services. It would be appropriate to classify the event as a “**Class 1**” special event under the “Traffic and Transport Management for Special Events” guidelines issued by the Roads & Traffic Authority given that perceived impact.

Ferry operations are not affected on Saturday, 27 August 2011, as Wisemans Ferry, Webbs Creek Ferry, Sackville Ferry and Lower Portland Ferry are all located downstream of the Sackville Ski Gardens.

Webbs Creek Ferry and Wisemans Ferry are located downstream to the NSW Ski Gardens, and subsequently these ferry operations are not affected on Sunday, 28 August 2011

The event organiser is seeking Council and RTA approval for the suspension and reduced operation of the following Ferry Services on Sunday, 28 August 2011:

- Lower Portland Ferry (HCC): 9:00am – 5:00pm
- Sackville Ferry (RTA): 9:00am – 5:00pm

The Lower Portland Ferry Service is under the care and control of Hawkesbury City Council. Total suspension of the Lower Portland Ferry is required due to poor sight distance leading to the ferry and the bends in the river. The total suspension of the ferry will enable a free flow of competitors across the ferry crossing.

The Sackville Ferry Services is under the care and control of the RTA and hence, RTA approval is to be sought directly by the event organiser. Reduced Operation of the Sackville Ferry will apply, whereby a full load of vehicles are to be aboard prior to the ferry undertaking a crossing. The reduced operation of the ferry will enable free flow of competitors across the ferry crossing.

Emergency vehicles will be allowed access onto the ferries. Safety vessels with crew will be placed downstream from each ferry with suitable equipment to indicate to competitors that a ferry may be operating and with communication between the boat and the ferry vessel.

The event organiser has provided the following information in relation to the event: Attachment 1 (Dataworks Document Nos. 3788259 & 3798860);

1. Special Event – Traffic – Initial Approval Application Form - HCC; Details of Special Event – Traffic;
2. Special Event Transport Management Plan Template – RTA;
3. Transport Management Plan (TMP) - referred to in the application as Event Traffic Management Plan - without the associated Traffic Control Plan (TCP);
4. Submission to the NSW Police Service;
5. Copy of intended advertisements of the event and in particular ferry operating times;
6. Copy of correspondence to be forwarded to the Residents and Businesses,
7. Copy of correspondence forwarded to the NSW Ambulance Service, SES, Windsor Fire Brigade, Richmond Fire Brigade (Fire & Rescue NSW), NSW Maritime and the RTA.

Council resolved to grant the exclusive use of Governor Phillip Reserve for the event on 28 June 2011.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr R Williams, MP, seconded by Mr K Conolly, MP.

That:

1. The Hawkesbury 120 Ski Race Classic 2011 event planned for 26, 27 and 28 August 2011 be classified as a “**Class 1**” special event, in terms of traffic management, under the “Traffic and Transport Management for Special Events” guidelines issued by the RTA.
2. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
3. It is strongly recommended that the event organiser becomes familiar with the contents of the RTA publication “Guide to Traffic and Transport Management for Special Events” (Version 3.4) and the Hawkesbury City Council special event information package that explains the responsibilities of the event organiser in detail.
4. It is strongly recommended that the event organiser visits Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/organising-an-event>, and refers 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 are familiar with the contents and requirements of this information. The approval conditions listed below relate only to matters relating to the traffic management of the event.
5. 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:

- 5a. the event organiser is to assess the risk and address the suitability of the entire route 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;
- 5b. the event organiser is to obtain approval to conduct the event, from the NSW Police Service; **a copy of the Police Service approval to be submitted to Council;**
- 5c. the event organiser is to obtain approval from the RTA as this is a **Class 1** event; **a copy of the RTA approval to be submitted to Council;**
- 5d. the event organiser **is to submit a Traffic Control Plan (TCP) to Council and the RTA** for acknowledgement. The TCP should be prepared by a person holding appropriate certification as required by the RTA to satisfy the requirements of the relevant Work Cover legislation;
- 5e. the event organiser is to **submit to Council a copy of its Public Liability Policy** in an amount not less than \$20,000,000 **noting Council and the Roads and Traffic Authority as interested parties on the Policy** and that Policy is to cover **both on-road and off-road activities;**
- 5f. the event organiser is to obtain the relevant approval to conduct the event from NSW Maritime; **a copy of this approval to be submitted to Council;**
- 5g. 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;**
- 5h. the event organiser is to advise all adjoining Councils such as Gosford, The Hills and Hornsby of the event and in particular the suspension/reduced operation of the ferries and obtain any necessary approvals from these Councils;
- 5i. the event organiser is to advertise the event in the local press stating the entire route/extent of the event - including the proposed road/ferry closures - and the traffic impact/delays expected due to the event, two weeks prior to the event; **a copy of the proposed advertisement has been submitted to Council** (advertising medium to be advised);
- 5j. the event organiser is to notify the details of the event to the NSW Rural Fire Service at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council;**
- 5k. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event - including the proposed road/ferry closures - for at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council**
- 5l. the event organiser is to directly notify all the residences and businesses which may be affected by the event - including the proposed road/ferry closures - for at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; **a copy of the correspondence has been submitted to Council;**
- 5m. 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:

- 5n. access is to be maintained for businesses, residents and their visitors;
- 5o. a clear passageway of at least 4 metres in width is to be maintained at all times for

- emergency vehicles;
- 5p. all traffic controllers / marshals operating within the public road network are to hold appropriate certification as required by the RTA;
- 5q. 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 RTA;
- 5r. the competitors and participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event; and,
- 5s. 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.

Ferry Services

The applicant is to seek RTA approval for the reduced operation of the Sackville Ferry Service on Sunday, 28 August 2011 between 9.00am and 5.00pm. No objection is held to the suspension of the Lower Portland Ferry Service on Sunday, 28 August 2011 between 9.00am and 5.00pm. Suspension/reduced operation of the ferry services is subject to the applicant complying with the following conditions, as well as any conditions imposed by the RTA:

- 6a. the applicant is to contact Hawkesbury City Council's Construction and Maintenance Section and the Ferry operator, three weeks prior to the event with regard to the suspension of the Lower Portland Ferry service maintained by Hawkesbury City Council
- 6b. Advertising of the proposed event is to be undertaken at the expense of the event organiser in both Sydney and Local newspapers, two weeks prior to the event, in relation to :
- traffic impact and delays,
 - exclusive use of Governor Phillip Reserve,
 - timings of suspension/reduced operation of ferry services,
- such notice is to be incorporated in the news sections of those newspapers and to be approximately 1/8 (one-eighth) page size;
- 6c. signs are to be erected at the expense of the event organiser in locations indicated in the approved Transport Management Plan and Traffic Control Plan and at a size indicated in the same, on all roads leading to the ferries, as well as on each ferry, for at least two weeks prior to the event;
- 6d. safety precautions outlined in the TMP are to be in place at all ferry locations, such to include a boat and crew upstream and/or downstream from each ferry as applicable with suitable equipment to indicate to competitors that a ferry may be operating and with communication between that boat and the ferry vessel, such procedures are to be implemented to the satisfaction of NSW Maritime, RTA and Hawkesbury City Council; and,
- 6e. the Transport Management Centre, Roads & Traffic Authority and Council be authorised to alter ferry suspension/reduced operation times if necessary.

APPENDICES:

AT - 1 Special Event Application - (Dataworks Document Nos. 3788259 & 3798860) - *see attached*

SECTION 3 - Reports for Information

There were no reports for information

SECTION 4 - General Business

**Item 4.1 LTC - 20 July 2011 - QWN 4.1 - Provision of a Bus Stop - St John of God Hospital,
235 Grose Vale Road North Richmond**

REPORT:

Mr B Bassett MP advised that he had been contacted by Alison Campbell, CEO of St John of God Hospital requesting the provision a bus stop on both sides of Grose Vale Road, North Richmond in front of the Hospital.

Mr C Amit advised that a request for a bus stop initially needs to be forwarded to the bus company, which in this case is Westbus, who in turn require approval from Transport NSW. Once a decision has been made by Transport NSW they will notify Council with an application for the bus stop which will then be assessed by the Local Traffic Committee. The positioning of a Bus Stop needs to conform with the Bus route and relevant time tables.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor B Bassett, seconded by Mr K Conolly.

That

1. Correspondence be forwarded to Westbus with the request from St John of God Hospital for the provision a bus stop on both sides of Grose Vale Road, North Richmond in front of the access to the Hospital located at 235 Grose Vale Road North Richmond.
2. The management of St John of God Hospital be provided with a copy of the correspondence forwarded to Westbus.

APPENDICES:

There are no supporting documents for this report.

ORDINARY MEETING
Reports of Committees

Item 4.2 LTC - 20 July 2011 - QWN 4.2 - Follow up to RTA undertaking the Richmond to North Richmond Traffic Audit

Previous Item: Item 4.4, LTC (18 May 2011)

REPORT:

Following recommendation by its Local Traffic Committee, Council, at its meeting held on 28 June 2011 resolved, **in part**, that;

“The RTA be requested to arrange an urgent briefing session for the Members of Hawkesbury and Londonderry to discuss the Richmond to North Richmond traffic audit with the view of implementing a staged program of improvements.”

The RTA met with Councils technical staff on Thursday, 30 June 2011 and the Members for Hawkesbury and Londonderry on separate occasion to discuss the Richmond to North Richmond Traffic Audit.

At the June 30 meeting the RTA briefed Council on the investigation currently being undertaken in relation to the Richmond to North Richmond Traffic Audit and in part the North Richmond Bridge. The RTA advised Council that they had received Federal Funding of \$2 million for the proposed upgrade to North Richmond Bridge. As part of the proposed upgrade the RTA are undertaking a study to incorporate traffic movements between Richmond, North Richmond and Penrith.

In conjunction with the traffic study and in partnership with the RTA, Yarramundi Lane, between Inalls Lane and Crowleys Lane required the closure of Yarramundi Lane from 18 July to 3 August 2011 due to the deterioration of its pavements and bitumen surface with funding for the rehabilitation works provided by Council. The RTA are using the road closure to simulate traffic movements in the vicinity of North Richmond Bridge, Kurrajong Road, Old Kurrajong Road/Yarramundi Lane, Bosworth Street and March Street Richmond. Once the RTA has completed their counts they will compare traffic movements before, during and after the closure of Yarramundi Lane.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor B Bassett, seconded by Mr R Williams, MP.

That the information be received.

APPENDICES:

There are no supporting documents for this report.

SECTION 5 - Next Meeting

The next Local Traffic Committee meeting will be held on Wednesday, 17 August 2011 at 3:00pm in the Large Committee Rooms.

The meeting terminated at 3:45pm

oooO END OF REPORT Oooo

ORDINARY MEETING
Questions for Next Meeting

QUESTIONS FOR NEXT MEETING

Councillor Questions From Previous Meetings and Responses - (105109)

REPORT:

Questions - 26 July 2011

#	Councillor	Question	Response
1	Mackay	Referred to the roadworks on Yarramundi Lane and enquired if any representations were made to residents and businesses, particularly the orchardists that may have been affected by the timing of the roadworks.	Director Infrastructure Services advised that a letterbox drop was undertaken to the entire community bounded by Castlereagh Road, Inalls, Crowleys and Yarramundi Lanes, including specific personal contact with a representative from the Colo Soccer Club, residents in Old Kurrajong Road, including farmers at the southern end prior to the road closure. Discussions with these people resulted in substantial signage in the surrounding area advising that businesses were operating as usual during the road closure. Regular communication has been conducted with fruit growers to gauge adequacy of signage provided.
2	Calvert	Enquired if Council is applying for the Healthy Communities Grant and requested details of any application.	Director City Planning advised that Council will be re-submitting an application under the Healthy Communities Initiatives Local Government Area Grants Program. The application will seek funds to employ a Healthy Communities Co-ordinator to develop a Healthy Communities Strategy for the Hawkesbury LGA. The application will also seek funds to implement health promoting programs targeting people at risk of chronic disease due to obesity or being overweight.
3	Calvert	Enquired if a traffic study will be carried out to determine the effects of the Yarramundi Lane closure.	Director Infrastructure Services advised that the RTA undertook traffic counts and observation as part of their investigation of traffic movements during the period of the road closure.

ORDINARY MEETING
Questions for Next Meeting

#	Councillor	Question	Response
4	Calvert	Enquired if the "speed hump" in the laneway that runs down the side of the Commonwealth Bank towards KFC in Windsor could be painted yellow to ensure it is easily visible.	Director Infrastructure Services advised that arrangements have been made for the affected area to be delineated.
5	Paine	Requested that the condition of Wollombi Road, St Albans in front of the residential area be investigated with a view to reduce the dust.	Director Infrastructure Services advised that when gravel re-sheeting work is next programmed in this area bituminous profiling material will be added to reduce dust.
6	Williams	Requested that the pot holes on Sackville and West Portland Roads be repaired.	Director Infrastructure Services advised that pothole maintenance was undertaken along both Sackville and West Portland Roads on Thursday, 28 July 2011.
7	Rasmussen	Enquired about the progress of the investigation of the Gasworks at Agnes Banks.	Director City Planning advised that a conciliation meeting with residents was held on 20 April 2011 and the minutes from that meeting were distributed to all stakeholders. Council has written to the applicant/landowner to follow up outstanding matters in April, May and June 2011. The investigation and outstanding matters are still being pursued with the landowners. Upon submission of the additional information for the development application it will be reported back to Council.
8	Rasmussen	Enquired if Council will be making a submission to the RAAF review of the airport facilities at RAAF bases.	General Manager advised that it is proposed to lodge a submission to the "Air Force Review into Civil Aviation Access to Air Force Fields". A draft of the submission will be submitted to Council for endorsement prior to the closing date of 31 October 2011.
9	Ford	Enquired what Council's policy is regarding cost recovery for damage to footpaths caused by other agencies and land owners.	Director Infrastructure Services advised that following completion of works by other agencies, a road restoration order is issued by that agency, works are then arranged and charged out at the adopted fee.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo



ordinary
meeting

end of
business
paper

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