



Hawkesbury City Council

ordinary
meeting
business
paper

date of meeting: 28 February 2017

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 generally held on the second Tuesday of each month (except January), and the last Tuesday of each month (except December), meeting dates are listed on Council's website. The meetings start at 6:30pm and are scheduled to conclude by 11pm. These meetings are open to the public.

When an Extraordinary Meeting of Council is held, it will usually also be held on a Tuesday and 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 items 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 by 3pm on the day of the meeting, of those items they wish to discuss. A list of items for discussion will be displayed at the meeting for the public to view.

At the appropriate stage of the meeting, the Chairperson will move for all those items which have not been listed for discussion (or have registered speakers from the public) to be adopted on block. The meeting then will proceed to deal with each item listed for discussion and decision.

Public Participation

Members of the public may address Council on any items in the business paper other than the Confirmation of Minutes; Responses to Questions from Previous Meeting; Mayoral Elections; Deputy Mayoral Elections and Committee Elections.

To register, please lodge an application form with Council prior to 3pm on the day of the meeting. The application form is available on Council's website, from the Customer Service Branch or by contacting the Corporate Services and Governance Manager on (02) 4560 4444 or by email at council@hawkesbury.nsw.gov.au

The Chairperson will invite registered persons to address Council when the relevant item is being considered. Speakers have a maximum of five minutes to present their views. The Code of Meeting Practice allows for three speakers 'for' a recommendation (i.e. in support), and three speakers 'against' a recommendation (i.e. in opposition).

All speakers must state their name, organisation if applicable (after producing written authorisation from that organisation) and their interest in the matter before speaking.

Voting

The motion for each item listed for discussion will be displayed for Councillors and public viewing, if it is different to the recommendation in the business paper. The Chairperson will then ask the Councillors to vote, generally by a show of hands or voices. Depending on the vote, a motion will be 'Carried' (passed) or 'Lost'.

Planning Decision

Under Section 375A of the Local Government Act 1993, voting for all Planning Decisions must be recorded individually. Hence, the Chairperson will ask Councillors to vote with their electronic controls on planning items and the result will be displayed on a board located above the Minute Secretary.

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.

Business Papers

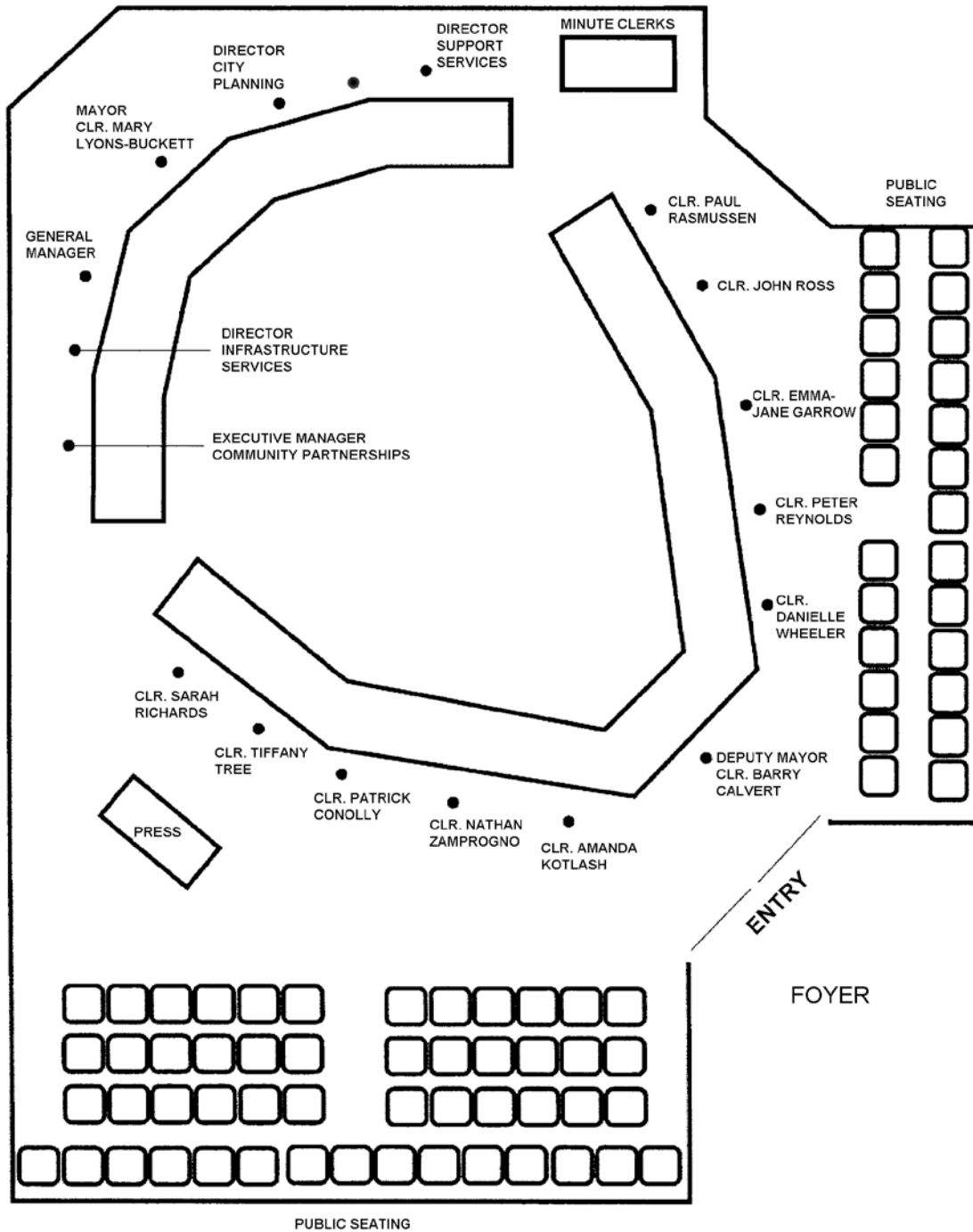
Business papers can be viewed online from 12pm on the Friday before the meeting on Council's website <http://www.hawkesbury.nsw.gov.au>

Hard copies of the business paper can be viewed at Council's Administration Building and Libraries after 12pm on the Friday before the meeting. The business paper can also be viewed on the public computers in the foyer of Council's Administration Building.

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 Corporate Services and Governance Manager on (02) 4560 4444.

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SECTION 3 - Reports for Determination

PLANNING DECISIONS

Item: 30 **CP - LEP006/15 - Planning Proposal to Amend Hawkesbury Local Environmental Plan 2012 - Various properties Richmond Lowlands and Richmond (95498, 124414)**

File Number:	LEP006/15
Property Address:	Various properties (detailed in the report) in Richmond Lowlands and Richmond
Applicant:	Basscave Pty Limited
Owner(s):	Basscave Pty Limited, Mr R and Mrs F Muscat, Mandalup Investments Pty Limited, Ms S G Magnusson
Date Received:	11 September 2015, additional information received 27 April 2016 and 19 May 2016
Public exhibition:	9 December 2016 – 30 January 2017
Community Submissions:	618 submissions in support 109 signature petition in support 51 submissions in objection 20 signature petition in objection
Government Agency Responses:	Eight responses
Recommendation:	<p>That Council proceed with the part of the planning proposal relating to the World Polo Championship 2017 only and defer consideration of all other matters until the resolution of the traffic matters raised by the Roads and Maritime Services.</p> <p>Further, that the <i>function centres</i> and <i>eco-tourist facilities</i> components of the planning proposal be deferred until the Roads and Maritime Services traffic matters have been resolved and the General Amendments planning proposal has been considered by Council.</p> <p>Additionally, that Council commence a process to investigate a possible planning proposal and associated amendment to the LEP 2012 to allow properties within the Richmond Lowlands / Richmond / Cornwallis area to be used for polo and equine related purposes.</p>

REPORT:

Executive Summary

On 31 May 2016 Council considered a report regarding a planning proposal submitted by Basscave Pty Limited (the Applicant), seeking an amendment to the Hawkesbury Local Environmental Plan 2012 (LEP 2012) to allow for a range of additional uses on land known as the Sydney Polo Club, and some immediately adjoining land. The planning proposal also seeks to increase the permissible height on two allotments on the subject site from 10 metres to 13 metres.

The purpose of this report is to advise Council of the outcome of the public authority and community consultation regarding the planning proposal and recommend that based on consideration of the matter that only the relevant components of the World Polo Championships 2017 planning proposal proceed to finalisation at this stage, and that all other matters be deferred to be considered further following the resolution of the matters raised in the Roads and Maritime Services correspondence dated 7 February 2017.

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Additionally, it is also recommended that in terms of the *function centres* and *eco-tourist facilities* components of the planning proposal that these matters be deferred until the Roads and Maritime Services traffic matters have been resolved and the General Amendments planning proposal has been considered by Council.

Finally, based on a number of the submissions received during the exhibition period an additional recommendation has been included to commence a process to investigate a possible planning proposal and associated amendment to the LEP 2012 to allow properties within the Richmond Lowlands / Richmond / Cornwallis area to be used for polo and equine related purposes.

Background

The Applicant has submitted a planning proposal to Council that seeks to amend *Schedule 1 Additional permitted uses* and the *Additional Permitted Uses Map* of the LEP 2012 to allow for a range of additional uses on the land generally known as the Sydney Polo Club, and some immediately adjoining land. The Applicant also seeks to increase the permissible height on two allotments on the subject site from 10 metres to 13 metres.

The purpose of Schedule 1 of the LEP 2012 is to permit certain lands/areas to be used for purposes in addition to those nominated in the Land Use Table for the respective zone of the land. At present Schedule 1 nominates 19 such lands/areas for a variety of additional permitted land uses.

The lands subject to the planning proposal are shown in Figure 1 below.

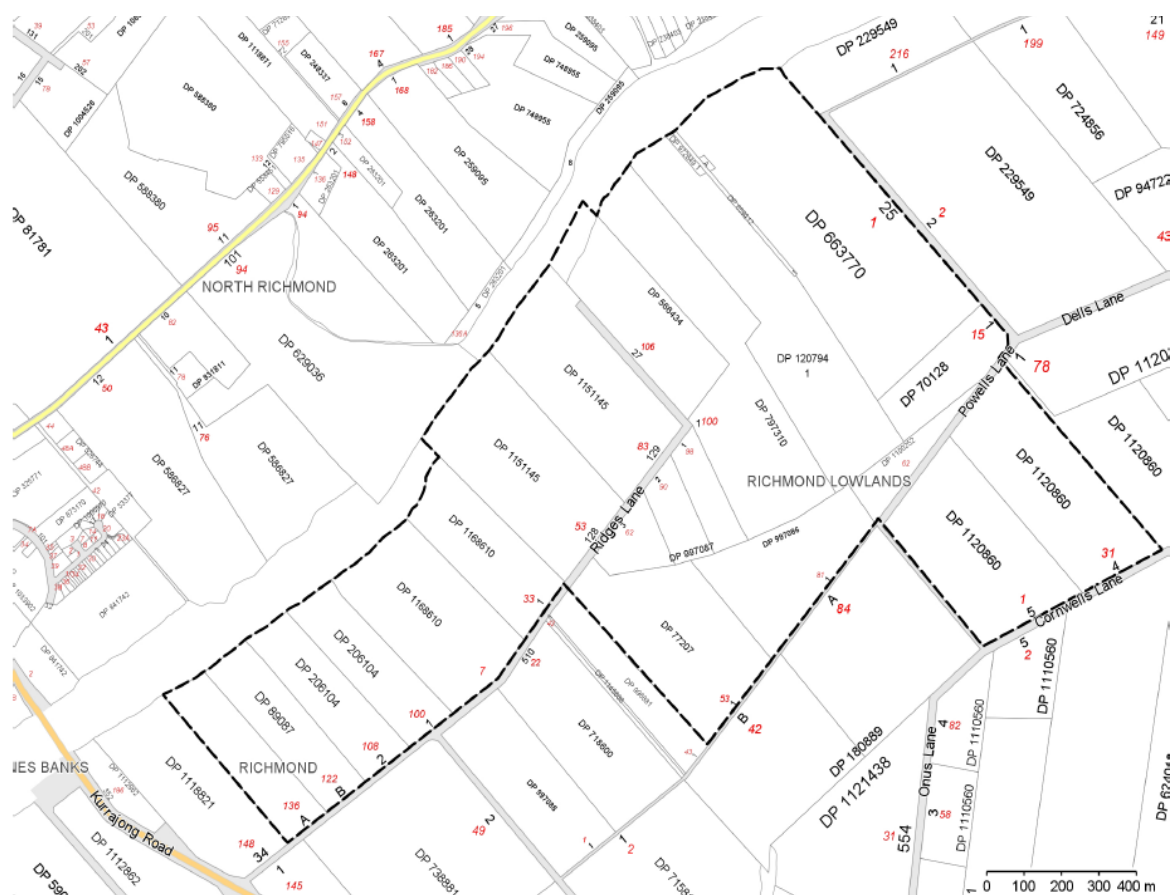


Figure 1: Subject Site

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On 31 May 2016 Council considered a report in relation to the planning proposal and resolved as follows:

"That:

1. *Council support the preparation of an amended planning proposal to permit additional uses of certain land at Cornwells Lane, Edwards Road, Powells Lane, Ridges Lane, and Triangle Lane, Richmond Lowlands and Old Kurrajong Road, Richmond, being Lots 1 and 2 DP 206104, Lot 1 DP 70128, Lot 25 DP 1100252, Lot 25 DP 663770, Lot 27 DP 566434, Lots 1 and 2 DP 1168610, Lot 1 DP 659412, Lot 1 DP 972649, Lot 1 DP 120794, Lots 1 – 3 DP 997087, Lot 1 DP 797310, Lot 1 DP 77207, Lot 1 DP 997086, Lots 4 and 5 DP1120860, Lot A DP 365391, Lots 128 and 129 DP 1151145, and Lots A and B DP 89087; under the provisions of Schedule 1 of the Hawkesbury Local Environmental Plan 2012, for the following purposes are permitted with consent:*
 - a) *advertisements, advertising structures, eco-tourist facilities, food and drink premises, function centres, kiosks, industrial retail outlets, markets, veterinary hospitals*
 - b) *recreation facilities (major) and recreation facilities (outdoor) for the purposes of polo and equine related activities and events only*
 - c) *not more than one light industry for the purposes of a micro-brewery and with the gross floor area of the light industry being not more than 1000m²*
 - d) *medical centre with the gross floor area of any medical centre being not more than 300m²*
 - e) *not more than one shop and with the gross floor area of the shop being not more than 200m²*
 - f) *car parks, sewage reticulation systems, sewerage systems, sewage treatment plants, and water supply systems provided these uses are ancillary to the other permitted uses on the site.*
2. *The amended planning proposal be forwarded to the Department of Planning and Environment for a "Gateway" determination."*

A copy of the Council report and resolution is provided in Attachment 1 of this report.

The Planning Proposal

In accordance with the abovementioned resolution of Council a planning proposal was submitted to the DP&E seeking the following amendments to the LEP 2012:

1. Include the following additional clause in Schedule 1 of the LEP 2012
 - 20 Use of certain land at Ridges Lane, Triangle Lane, Cornwells Lane, Powells Lane and Old Kurrajong Road, Richmond**
 - (1) *This clause applies to land zoned RU2 Rural Landscape at Cornwells Lane, Edwards Road, Powells Lane, Ridges Lane, and Triangle Lane, Richmond Lowlands and Old Kurrajong Road, Richmond being Lots 1 and 2 DP 206104, Lot 1 DP 70128, Lot 25 DP 1100252, Lot 25 DP 663770, Lot 27 DP 566434, Lots 1 and 2 DP 1168610, Lot 1 DP 659412, Lot 1 DP 972649, Lot 1 DP 120794, Lots 1 – 3 DP 997087, Lot 1 DP 797310, Lot 1 DP 77207, Lot 1 DP 997086, Lots 4 and 5 DP1120860, Lot A DP 365391, Lots 128 and 129 DP 1151145, and Lots A and B DP 89087, identified as area '7' on the Additional Permitted Uses Map.*
 - (2) *Development for the following purposes are permitted with consent:*
 - a) *advertisements, advertising structures, eco-tourist facilities, food and drink premises, function centres, kiosks, industrial retail outlets, markets, veterinary hospitals*

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- b) recreation facilities (major) and recreation facilities (outdoor) for the purposes of polo and equine related activities and events only
 - c) not more than one light industry for the purposes of a micro-brewery and with the gross floor area of the light industry being not more than 1000m²
 - d) medical centre and with the gross floor area of any medical centre being not more than 300m²
 - e) not more than one shop and with the gross floor area of the shop being not more than 200m²
 - f) car parks, sewage reticulation systems, sewerage systems, sewage treatment plants, and water supply systems provided these uses are ancillary to the other permitted uses on the site
2. Amend the Additional Permitted Uses Map of the LEP 2012 to include the parts of the site that are zoned RU2 Rural Landscape as shown in the Figure 2 below.



Figure 2: Proposed amendment to Additional Permitted Uses Map

3. Amend the Height of Buildings Map of the LEP 2012 to allow development to a height of 13m on Lot 1 DP 797310 and Lot 1 DP 120794 as shown in Figure 3 below. This amendment is sought to allow for a proposed "Hall of Fame Function Centre".

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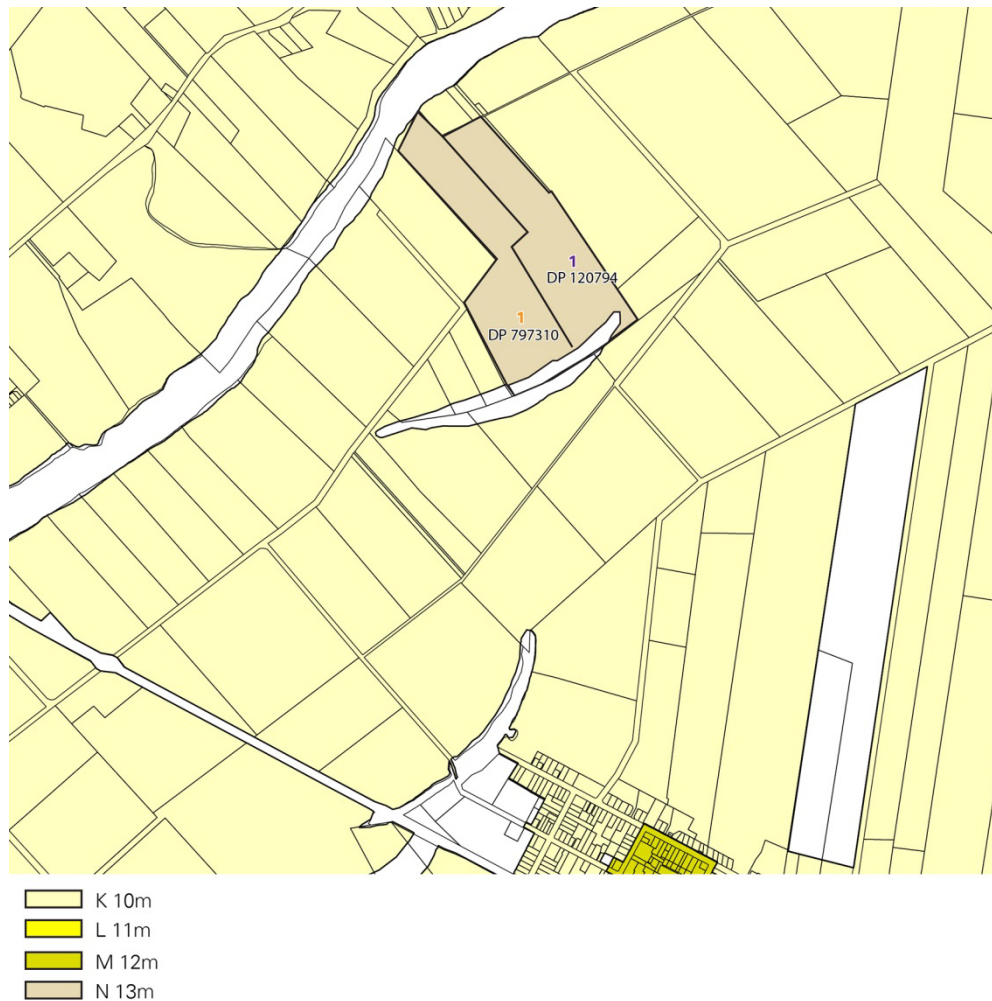


Figure 3: Proposed amendment to Height of Buildings Map

Table 1 below contains a list of the proposed uses and the Applicant's justification for each of the proposed uses. Following Table 1 are the uses as defined by the LEP 2012.

Table 1: Proposed Uses

Proposed Use	Applicant's Justification of Proposed Use
<i>Advertisement and Advertising Structure</i>	Signage on the subject site is likely to be required to promote the use of the subject site for polo/recreation purposes.
<i>Car Park</i>	At this stage it is envisaged that all car parking provided on the subject site will be ancillary to the polo/recreation use. However, as car parks are separately defined in the Dictionary [of the LEP 2012] it has been included in the list of additional permitted uses in the unlikely event that car parking is considered a separate use.
<i>Eco-tourist facilities</i>	This is considered an appropriate use for the subject site. Notably, Council's Housekeeping LEP seeks to include 'eco-tourist facilities' as a permissible use in the RU2 Rural Landscape zone. Therefore, the inclusion of this use as a permissible use on the subject site is consistent with Council's broader strategic planning policy direction.

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Proposed Use	Applicant's Justification of Proposed Use
<i>Food and Drink Premises, Kiosk, Shop</i>	Introduction of these land uses would allow for a small café, a small shop selling polo goods or the like to be provided on the subject site as ancillary uses to the polo club.
<i>Function centres</i>	Function centres are considered an appropriate use for the subject site having regard to its strategic location along the Hawkesbury River and its existing natural setting. It has also historically been used for function centres although these consents are no longer active. Council's Housekeeping LEP proposes to make function centres a permissible use in the RU2 Rural Landscape zone. Therefore, the inclusion of this use as a permissible use on the subject site is consistent with Council's broader strategic planning policy direction.
<i>Industrial retail outlet</i>	To ensure that a future boutique micro-brewery is able to retail to the public it is proposed to add 'industrial retail outlet' as a permissible use on the subject site. This is considered an appropriate use on the subject site as it will support both the rural and tourism industries in the area.
<i>Light Industry</i>	The production of craft beer in a small boutique brewery would be classified as a light industry use.
<i>Market</i>	This is considered an appropriate use on the subject site. It will support the tourism industry in the area, and allow for the sale of locally grown/produced food products. There are no immediate plans to seek consent for this use. However, it is envisaged that markets on the subject site could occur approximately once a month, and be predominantly limited to the sale of local produce. No markets would be held on weekends when major polo events are held.
<i>Medical centre</i>	This will facilitate the provision of counselling services by registered health care professionals using horses as part of the therapy session. This is considered an appropriate use having regard to the rural nature of the location.
<i>Recreation facility (major) and Recreation facility (outdoor)</i>	Regular polo events are proposed to be held each week on the subject site. This will generally consist of a weekday game with practices on weekends. Given the limited nature of these regular events and the limited number of players (four) per polo team, it is considered that these regular events are best described as 'recreation facility (outdoor)'. Approximately once a year it is proposed to hold a major polo tournament on the subject site over the weekend (i.e. Saturday and Sunday). These events are expected to attract a maximum of 2,500 patrons spread out over the weekend with staggered attendance throughout both days. Given the scale of this irregular event it may fall within the land use definition of "recreation facility (major)". This land use will also facilitate the World Polo Championship in 2017.
<i>Sewage reticulation system, sewerage system, sewage treatment plant, water supply system</i>	This infrastructure may be required for servicing the subject site, although it may be possible to undertake such works under State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure), it is proposed to include these works as additional permitted uses on the subject site to ensure that Basscave have a range of legitimate planning options to deliver infrastructure works on the subject site.

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Proposed Use	Applicant's Justification of Proposed Use
Veterinary hospital	This is considered an appropriate use in the RU2 Rural Landscape zone and will allow for the appropriate care of animals on the subject site and within the broader LGA. Notably, this use is permissible with consent in all other rural zones in the Hawkesbury LGA including RU1 Primary Production, RU4 Primary Production Small Lots, and RU5 Village. No specific location on the subject site has been identified for this use and it is not proposed that an application be lodged for this use at this stage. However, it is considered that this is an appropriate and desirable use to support the efficient and ongoing operation of the subject site for horse-related activities.

Definitions of land uses within the LEP 2012 include:

advertisement has the same meaning as in the Act.

Note. The term is defined as a sign, notice, device or representation in the nature of an advertisement visible from any public place or public reserve or from any navigable water.

advertising structure has the same meaning as in the Act.

Note. The term is defined as a structure used or to be used principally for the display of an advertisement.

car park means a building or place primarily used for the purpose of parking motor vehicles, including any manoeuvring space and access thereto, whether operated for gain or not.

eco-tourist facility means a building or place that:

- (a) provides temporary or short-term accommodation to visitors on a commercial basis, and
- (b) is located in or adjacent to an area with special ecological or cultural features, and
- (c) is sensitively designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impact.

It may include facilities that are used to provide information or education to visitors and to exhibit or display items.

food and drink premises means premises that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises, and includes any of the following:

- (a) a restaurant or cafe,
- (b) take away food and drink premises,
- (c) a pub,
- (d) a small bar.

function centre means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.

kiosk means premises that are used for the purposes of selling food, light refreshments and other small convenience items such as newspapers, films and the like.

Note. Clause 5.4 of LEP 2012 limits the gross floor area of a kiosk to 25 square metres.

industrial retail outlet means a building or place that:

- (a) is used in conjunction with an industry or rural industry, and
- (b) is situated on the land on which the industry or rural industry is located, and

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- (c) *is used for the display or sale (whether by retail or wholesale) of only those goods that have been manufactured on the land on which the industry or rural industry is located, but does not include a warehouse or distribution centre.*

Note. Clause 5.4 of LEP 2012 limits the retail floor area of an industrial retail outlet to 20% of the gross floor area of the industry or rural industry located on the same land as the retail outlet or 400 square metres whichever is the lesser.

light industry means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following:

- (a) high technology industry,
- (b) home industry.

market means an open-air area, or an existing building, that is used for the purpose of selling, exposing or offering goods, merchandise or materials for sale by independent stall holders, and includes temporary structures and existing permanent structures used for that purpose on an intermittent or occasional basis.

medical centre means premises that are used for the purpose of providing health services (including preventative care, diagnosis, medical or surgical treatment, counselling or alternative therapies) to out-patients only, where such services are principally provided by health care professionals. It may include the ancillary provision of other health services.

recreation facility (major) means a building or place used for large-scale sporting or recreation activities that are attended by large numbers of people whether regularly or periodically, and includes theme parks, sports stadiums, showgrounds, racecourses and motor racing tracks.

recreation facility (outdoor) means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

shop means premises that sell merchandise such as groceries, personal care products, clothing, music, homewares, stationery, electrical goods or the like or that hire any such merchandise, and includes a neighbourhood shop, but does not include food and drink premises or restricted premises.

sewage reticulation system means a building or place used for the collection and transfer of sewage to a sewage treatment plant or water recycling facility for treatment, or transfer of the treated waste for use or disposal, including associated:

- (a) pipelines and tunnels, and
- (b) pumping stations, and
- (c) dosing facilities, and
- (d) odour control works, and
- (e) sewage overflow structures, and
- (f) vent stacks.

sewage treatment plant means a building or place used for the treatment and disposal of sewage, whether or not the facility supplies recycled water for use as an alternative water supply.

sewerage system means any of the following:

- (a) biosolids treatment facility,
- (b) sewage reticulation system,
- (c) sewage treatment plant,
- (d) water recycling facility,
- (e) a building or place that is a combination of any of the things referred to in paragraphs (a)–(d).

veterinary hospital means a building or place used for diagnosing or surgically or medically treating animals, whether or not animals are kept on the premises for the purpose of treatment.

The Applicant states in the planning proposal that *the objective of the planning proposal is to permit a range of uses that are compatible with the objectives of the RU2 Rural Landscape zone and which will support the evolution of the site to provide a range of uses that support the tourism economy (particularly that associated with polo operations) in the Hawkesbury area.*

The Applicant also states in the planning proposal that *it is intended that the planning proposal will not only facilitate delivery of infrastructure to support the upcoming Polo World Cup Event, but will also allow for the use of the site for polo, tourist and function centre uses, as well as a range of other compatible uses consistent with the site's zoning and rural setting. This will support increased economic activity and tourism in the Hawkesbury region.*

In simple terms the planning proposal may be described as being in three parts:

- Amend the LEP 2012 to permit with consent *recreation facilities (major)* for the purposes of the World Polo Championships 2017.
- Amend the LEP 2012 to permit with consent *recreation facilities (major)* and *recreation facility (outdoor)* for the purposes of on going polo and equine related activities and events.
- Amend the LEP 2012 to permit with consent a range of other uses. Some of these other uses are related to polo and equine related activities and events e.g. *veterinary hospital, shop and medical centre*. Some uses are independent of polo and equine related uses e.g. *eco-tourist facilities, light industry, industrial retail outlet, and markets*. Finally, some uses may relate to both the polo and equine related activities and the independent uses e.g. *food and drink premises, function centres, car parks and sewer and water services*.

Relationship between Planning Proposals and Development Applications

The DP&E's *A guide to preparing planning proposal* states:

"A planning proposal relates only to an LEP amendment. It is not a development application nor does it consider specific detailed matters that should form part of a development application."

A planning proposal and subsequent amendment to an LEP is one component of the development process. In considering a planning proposal, Council and the community must be confident that the proposed planning controls suggested by the planning proposal are acceptable as an outcome appropriate in the proposed location, regardless of the subsequent approval or refusal of any future development application.

It is important to note that this planning proposal only seeks to make certain uses permissible on the subject site subject to development consent. Should the planning proposal proceed it will not provide the actual development consents to enable the proposed uses. Such consents are to be obtained via the submission of subsequent development applications to Council. Through the development application process Council will have the opportunity to consider in greater detail such matters as bulk, scale, and operations of proposed development as well as flood affectation, traffic, noise and visual impacts.

The Planning Proposal Process

The planning proposal process is briefly described in the six steps below:

1. **Preparation of planning proposal** – the planning proposal is prepared, considered by Council and submitted to the DP&E for a "Gateway" determination
2. **"Gateway" determination** - the DP&E determines whether the planning proposal is to proceed
3. **Public authority consultation** - consultation occurs with relevant public authorities
4. **Community consultation** - the proposal is publicly exhibited
5. **Assessment** - Council considers the public authority and community submissions and decides whether or not the planning proposal is to proceed to an amendment to the LEP
6. **Decision** - the Minister (or delegate) determines whether or not to make the amendment to the LEP and, if so, it becomes effective when it is published on the NSW legislation website.

The planning proposal, which is the subject of this report is now in the **Assessment** stage since the completion of the public exhibition period on 30 January 2017. The purpose of this report is to enable Council to consider responses received from public authorities and submissions from the community. Following consideration of these responses and submissions Council may resolve as follows:

- proceed with the planning proposal as exhibited, or
- proceed with the planning proposal in an amended form e.g. allow some uses and refuse or defer other uses, add development controls / matters for consideration to the proposed LEP amendment, or
- not proceed with the planning proposal.

Current Zoning and Permitted Land Uses

The subject site is predominantly zoned RU2 Rural Landscape with relatively small parts being zoned E2 Environmental Conservation and W1 Natural Waterway under the LEP 2012. The zoning of the land is shown in Figure 4 below. The amendments to the LEP 2012 sought by the planning proposal only relate to that part of the subject site that is zoned RU2 Rural Landscape.



Figure 4: Extract from LEP 2012 Land Zone Map

The RU2 Rural Landscape zone has been applied to most of the low lying flood liable land adjacent to the Hawkesbury River from Agnes Banks to the Colo River, land between Terrace Road, North Richmond / Kurmond Road, Wilberforce and the Hawkesbury River, and land either side of Bells Line of Road from Kurrajong Heights to Berambing.

The objectives of the RU2 Rural Landscape are:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To maintain the rural landscape character of the land.*
- *To provide for a range of compatible land uses, including extensive agriculture.*
- *To minimise the fragmentation and alienation of resource lands.*
- *To minimise conflict between land uses in the zone and land uses in adjoining zones.*
- *To ensure that development occurs in a way 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 waterways.*
- *To ensure that development retains or enhances existing landscape values including a distinctive agricultural river valley systems, scenic corridors, wooded ridges, escarpments, environmentally sensitive component.*
- *To preserve the areas and other features of scenic quality.*
- *To ensure that development does not detract from the existing rural character or create unreasonable demands for the provision or extension of public amenities and services.*

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Land uses currently permitted with consent in the RU2 Rural Landscape Rural Landscape zone include:

"Agriculture; Animal boarding or training establishments; Boat sheds; Building identification signs; Business identification signs; Cemeteries; Charter and tourism boating facilities; Crematoria; Dual occupancies (attached); Dwelling houses; Educational establishments; Entertainment facilities; Environmental facilities; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Funeral homes; Helipads; Home-based child care; Home industries; Jetties; Landscaping material supplies; Moorings; Places of public worship; Plant nurseries; Recreation areas; Restaurants or cafes; Roads; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Water recreation structures; Water storage facilities".

Table 2 below lists the proposed additional land uses and, where relevant, what might be considered to be a similar currently permissible land use within the RU2 Rural Landscape zone. The assessment of "similar" has considered a number of factors such as definition of the use, scale of the development, likely usage, and potential environmental impacts. The assessment of "similar" does not suggest that the respective proposed and currently permissible land uses are identical in terms of the aforementioned factors.

Table 2: Comparison of the proposed additional and currently permissible land uses

Proposes additional land use	Similar current permissible use
Advertisements, Advertising structures	Building identification signs; Business identification signs
Eco-tourist facilities	Farm stay accommodation
Food and drink premises	Restaurants and cafes
Function centres	Restaurants and cafes, Entertainment facilities, Places of public worship
Kiosks	Roadside stall
Industrial retail outlets	Nil
Markets	Nil
Veterinary hospitals	Animal boarding or training establishments
Recreation facilities (major)	Nil
Recreation facilities (outdoor)	Recreation area
Light industry – micro brewery	Rural industry
Medical centre	Nil
Car parks, sewage reticulation systems, sewerage systems, sewage treatment plants , and water supply systems	Ancillary to other permitted uses

Other relevant matters of the LEP 2012 include:

- Parts of the subject site are subject to tidal inundation hence, where relevant, *Clause 5.7 Development below mean high water mark* will apply to future development on the subject site.
- A heritage listed property (Lots 1 and 2 DP 229549, 216 Edwards Road, also known as Kurri Burri) is located immediately to the north-east of the subject site hence, where relevant, *Clause 5.10 Heritage conservation* will apply to future development on the subject site.
- The subject site is shown as being predominantly within Acid Sulfate Soil Classifications 4 and 5, with a relatively small area, generally corresponding to the W1 Natural Waterway zoned land, being within Acid Sulfate Soil Classifications 1 hence *Clause 6.1 Acid Sulfate Soils* will apply to future development on the subject site.

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- The subject site is entirely inundated by flood waters during a 1 in 100 year flood event hence *Clause 6.3 Flood planning* will apply to future development on the subject site as well as Council's Development of Flood Liable Land Policy.
- The subject site is partly affected by the Terrestrial Biodiversity Map, mainly along the subject site's frontage to Hawkesbury River and the wetland and it's surrounds hence, where relevant, *Clause 6.4 Terrestrial Biodiversity* will apply to future development on the subject site.
- A small portion of land in the south-west part of the subject site falls within the 20 - 25 ANEF 2014 contour area hence, where relevant, *Clause 6.6 Development in areas subject to aircraft noise* will apply to future development on the subject site.

Relationship of this planning proposal (LEP006/15) and Council's General Amendments planning proposal (LEP003/15)

Council's General Amendments (GA) planning proposal commenced in March 2015 and seeks to make a suite of amendments to the LEP 2012 including the following:

- permit *function centres* in the RU1 Primary Production, RU2 Rural Landscape, RU4 Primary Production Small Lots, RU5 Village and E4 Environmental Living zones
- permit *eco-tourist facilities* with consent in the following zones - RU1 Primary Production, RU2 Rural Landscape, RU4 Primary Production Small Lots, RU5 Village, R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential, R5 Large Lot Residential, E3 Environmental Management, E4 Environmental Living
- permit *veterinary hospitals* with consent in the RU2 Rural Landscape zone

Thus, the additional permitted uses of *function centres*, *eco-tourist facilities* and *veterinary hospitals* sought by the Applicant are consistent with what Council is seeking to achieve via the GA planning proposal.

The GA planning proposal was forwarded to the DP&E on 31 July 2015 for a "Gateway" determination. Included in the planning proposal were the following explanations for the proposed changes to the permissibility of *function centres*, *eco-tourist facilities* and *veterinary hospitals*:

"Function centres are not permitted in the RU1, RU2, RU4, RU5 and E4 zones because at the time of drafting LEP 2012 function centres were a new land use within the standard instrument and they were considered to be outside the scope of the like for like conversion of LEP 1989 land uses to LEP 2012 land uses. LEP 2012 does however permit the similar land use of restaurants in the RU1, RU2, RU4, RU5 and E4 zones.

Council has become aware of circumstances whereby existing restaurants are being used for hosting functions such as wedding receptions. Due to the above mentioned prohibition Council is not able to consider the use of restaurants for the purposes of hosting functions.

In order to resolve this matter it is proposed that function centres be permitted in the RU1, RU2, RU4, RU5 and E4 zones."

and

"During the preparation of LEP 2012 Council did not have opportunity to consider eco-tourist facilities as this land use was added to the standard instrument after Council forwarded the draft of LEP 2012 to the DP&E for finalisation and gazettal.

As a result an anomaly currently exists in the LEP 2012 whereby in the RU1, RU4, RU5, R1, R2, R3, R5, E3 and E4 zones tourist and visitor accommodation is permitted with consent however eco-tourist facilities are prohibited.

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It is proposed that eco-tourist facilities be made permissible with consent in the above mentioned zones and, due to their likely lesser environmental impact than tourist and visitor accommodation, they also be made permissible with consent in the RU2 zone."

and

"LEP 1989 previously permitted veterinary hospitals under the general definition of professional and commercial chambers. The adoption of the standard instrument definitions resulted in activities such as veterinary hospitals being individually defined as opposed to being categorised under the previous definition of professional and commercial chambers.

Veterinary hospitals are considered to be a typical and appropriate use in rural and environmental zones and compatible with other uses such as animal boarding or training establishments and agricultural uses.

It is therefore proposed that veterinary hospitals be permitted with consent in the RU2 zone to be consistent with the permissibility of this land use in the RU1, RU4, RU5, R1, R2, R3, R5, B1, B2, B5, B6, IN1, IN2, E3, E4 zones."

A "Gateway" determination was issued by DP&E on 19 February 2016 raising no objection to the proposed function centre, eco-tourist facility and veterinary hospital amendments. The GA planning proposal has been referred to various public authorities for comment. Responses received from public authorities have been forwarded to the DP&E for consideration. Council is currently waiting for written advice from DP&E regarding these submissions. It is anticipated that the GA planning proposal will be publically exhibited in the first half on 2017. The finalisation of the GA planning proposal and any resultant amendment to the LEP 2012 is not imminent or certain at this stage.

The Gateway Determination for LEP006/15

On 6 July 2016 the DP&E issued a "Gateway" determination advising Council to proceed with the planning proposal.

A copy of the "Gateway" determination is provided in Attachment 2 of this report.

The "Gateway" determination required, inter alia, Council to consult with certain public authorities, make amendments to the planning proposal, and provide a copy of the amended planning proposal to the DP&E for review prior to public exhibition. The amendments required by the DP&E were outlined in condition 1 of the "Gateway" determination, which is repeated below:

- "1. The prior to community consultation planning proposal is to be amended to:
 - a. include the insertion of a local provision in the Hawkesbury Local Environmental 2012 that requires the preparation of a Risk Management and Evacuation Plan in consultation with the NSW State Emergency Services prior to the granting of development consent for any use that increases visitation to the site; and
 - b. clarify the tourist accommodation/temporary accommodation uses currently permissible on the site and those that will be added vi the planning proposal prior to consultation."

These amendments to the planning proposal are discussed later in this report.

The "Gateway" determination also included authorisation for Council to exercise delegation to make the resultant amendment to the LEP 2012. This authorisation was provided because the DP&E was of the understanding that Council had requested delegation to make the resultant amendment to the LEP 2012. The DP&E was subsequently advised by way of letter dated 19 October 2016 that:

"this office did not request such delegation and does not wish to exercise such a delegation. In this respect it is anticipated that if this matter is to proceed to an amendment to LEP 2012 the planning proposal and plan amendment will be forwarded to the DP&E for finalisation and making."

DP&E's response to this letter is also discussed later in this report.

Consultation with Public Authorities

A fundamental requirement of the planning proposal process is for Council to seek the opinion of relevant public authorities. Accordingly, notification of the planning proposal was sent to the following public authorities on 20 July 2016:

- NSW Rural Fire Service
- Sydney Water
- Hawkesbury-Nepean Valley Flood Management Review Taskforce – Infrastructure NSW
- Office of Environment and Heritage
- Transport for NSW
- Roads & Maritime Service
- Department of Industry, Skills and Regional Development
- Greater Sydney Local Land Services
- Department of Primary Industries – Minerals and Petroleum
- NSW State Emergency Service
- Endeavour Energy
- NSW Department of Primary Industry – Agriculture
- Department of Defence
- NSW Aboriginal Land Council
- Telstra.

Note the "Gateway" determination required consultation with the Sydney Metropolitan Catchment Management Authority (SMCMA). As the SMCMA no longer exists clarification was sought from the DP&E regarding who Council should consult with. The DP&E advised that Council should consult with the Greater Sydney Local Land Services, which was undertaken.

Responses were received from Endeavour Energy, Sydney Water, Heritage Council of NSW, Department of Industry - Resources and Energy Division, Office of Environment and Heritage, Roads and Maritime Services, State Emergency Service, and Infrastructure NSW.

Copies of the public authority responses are provided in Attachment 3 of this report. A summary of each authority's comments and officer response is provided below.

Endeavour Energy

Agency Comment

No objection to the planning proposal.

Advises of the existence of significant low and high voltage electricity infrastructure over and within the vicinity of the subject site and provides various comments regarding matters for the proponent to consider at development application and construction stages.

Officer Response

A copy of Endeavour Energy's response was provided to the Applicant for consideration and, in relation to the planning proposal, no further consideration by Council of this matter is required.

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Heritage Council of NSW

Agency Comment

NSW Heritage Council notes that a farm building and fence are identified as items of non-Aboriginal heritage in Schedule 1 of the *Sydney Regional Environmental Plan No. 20 - Hawkesbury Nepean River (No.2 -1997)*, a Georgian farmhouse at 216 Edwards Road, listed in Schedule 5 of the LEP 2012 is located immediately to the north-east of the subject site and no State heritage listed items are situated on the subject site.

NSW Heritage Council recommends that Council give consideration to any adverse impacts on the heritage significance of the items of regional significance located on the subject site and also on the local heritage items in the vicinity of the subject site. Further, Council should be confident that the proposed development is an appropriate outcome in that location and should ensure that the proposed development does not adversely impact the scenic quality and existing rural character of the locality.

Officer Response

The potential impacts, if any, of the proposed uses on the heritage items on the subject site and nearby can be considered at development application stage.

Commentary regarding scenic quality and existing rural character is provided later in this report.

Sydney Water

Agency Comment

Sydney Water generally supports the planning proposal and recommended the proponent submit a feasibility application should they consider connection to the water network or connection to the wastewater network.

Officer Response

A copy of Sydney Water's response was provided to the Applicant for consideration and, in relation to the planning proposal, no further consideration by Council of this matter is required.

Department of Industry - Resources and Energy Division (DoI)

Agency Comment

The subject site is located within an identified resource area called the 'Richmond Lowlands Sand & Gravel Resource'. The Richmond Lowlands resource is an undeveloped state significant resource of construction sand and gravel. The Richmond Lowlands resource is identified in *Sydney Regional Environmental Plan No 9 – Extractive Industry (No 2-1995)* (SREP 9). The primary aim of SREP 9 is to facilitate the development of extractive resources in proximity to the Sydney Metropolitan Area and to ensure consideration is given to the impact of encroaching development.

The Richmond Lowlands resource is also included in the NSW State-wide Mineral Resource Audit (MRA). The MRA was conducted in accordance with Section 117(2) Direction 1.3 – Mining, Petroleum Production and Extractive Industries under the Environmental Planning and Assessment Act 1979. The objective of Section 117(2) Direction 1.3 is to ensure that access to State and regionally significant mineral and extractive resources is not compromised by inappropriate development.

DoI notes that the proposal has the potential to restrict the future winning of extractive resources from the Richmond Lowlands area and surrounds and that the proposal could possibly lead to development that has the potential to restrict access to sand and gravel and may ultimately sterilise a significant part of the Richmond Lowlands resource area.

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Dol advises that with the Penrith Lakes extraction area ceasing production in mid-2015 and with the impending progressive re-development of the Kurnell Peninsular, the Sydney Planning Region will require replacement sources of high quality construction sand and gravel. The Richmond Lowlands resource represents a major undeveloped source of fine/medium construction sand and gravel with the potential to supply much of the Sydney Planning Region's ongoing needs.

The Richmond Lowlands resources have been the subject of significant environmental and land use constraints including the value ascribed to the land as prime agricultural land, conservation values of various wetlands, and the possible impact of extraction on the Hawkesbury-Nepean River system.

Dol acknowledges that Council would need to consider these constraints when assessing planning and development proposals in the Richmond Lowlands area against the benefits of future extraction. Section 12 of SREP 9 contains items specifically related to extractive industry on the Richmond Lowlands that Council should consider when preparing a draft LEP.

Officer Response

It is considered that any mining or extractive industry activities in the Richmond Lowlands resources area are unlikely in the short or medium term and would require the satisfactory resolution of a number of very significant matters including the impacts on the cultural heritage, scenic and environmental values, tourism potential, and flood affectation of the Richmond Lowlands as well as the area's proximity to existing urban, defence and recreational development in adjoining townships.

Furthermore a review of land ownership within the Richmond Lowlands area indicates that construction and mining companies no longer own land within the Lowlands area. This is in marked contrast to the mid-1990s, i.e. the time of commencement of SREP 9, when significant areas of land within the Lowlands were owned by construction and mining companies. This would suggest that these companies no longer have an interest in the area, at least for the short to medium term, if not longer.

Section 12 of SREP 9 contains a number of matters Council should consider if preparing a draft LEP to permit *extractive industries* in the Richmond Lowlands area. The planning proposal does not seek to make *extractive industries* a permissible land use hence Section 12 of SREP is not relevant to this planning proposal.

Office of Environment and Heritage (OEH)

Agency Comment

OEH expressed concern regarding the adequacy of the Ecological Constraints and Opportunities Analysis (EA) that accompanied the planning proposal. In particular OEH was concerned that:

- The EA was prepared based on a general site inspection undertaken on one day and did not involve flora plots or fauna surveys.
- The EA noted that vegetation around the Hawkesbury River may constitute River Flat Eucalypt Forest Endangered Ecological Community (EEC) which could be habitat for threatened species such as bats. Species such as the Eastern Bent-wing Bat and the Southern Myotis have been found in the vicinity of the subject site.
- The subject site contains freshwater wetlands which are zoned E2 Environmental Conservation and identified on the Wetlands and Terrestrial Biodiversity Maps in the LEP 2012. The wetlands are the EEC Freshwater Wetlands on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions. Some remnant native vegetation occurs around the wetland. The wetland, as well as land adjacent to the Hawkesbury River, may provide habitat for waterbirds and other aquatic species such as turtles, amphibians, fish and insects. The freshwater wetlands EEC is under threat from activities associated with development such as flood mitigation and drainage works, filling, pollution from urban and agricultural runoff and activation of acid sulfate soils.

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- While the planning proposal applies only to the RU2 land, OEH is concerned that the proposal may adversely impact on the freshwater wetlands (E2 zone) and riparian land (W1 zone) as a result of changes to the drainage regime of the subject site (surface and sub-surface), changes to stormwater quality and quantity, on-site sewage management, acid sulfate soil disturbance; and filling and flood management works.

OEH advised that it was difficult to appreciate the potential impacts of the planning proposal in the absence of an understanding of the significance of the wetlands and vegetation on the subject site as habitat for flora and fauna.

OEH recommended that:

- a detailed flora and fauna assessment be undertaken which includes all of the RU2, E2 and W1 land; and
- the planning proposal include an assessment of the consistency of the proposal with *Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997)* (SREP No. 20), in particular Section 6 Specific planning policies and recommended strategies.

Applicant's Response

The Applicant's ecological consultant provided a response to OEH's comments. Key elements of the response are provided below:

- OEH has recommended a detailed flora and fauna assessment be prepared for the planning proposal however it is not considered necessary given the requirements for planning proposals and the context of this highly cleared and modified rural site.
- The planning proposal only applies to the portion of the subject site zoned RU2 Rural Landscape and excludes land currently zoned W1 Natural Waterways and E2 Environmental Conservation.
- OEH noted that a parcel of land in the western part of the subject site assessed in the planning proposal was not considered within the EA. It is acknowledged that two lots considered within the planning proposal were omitted from the EA. This comprises Lots A and B DP 89087 and they contain dwellings, tourist cabins, polo fields, horse yards, and various farm buildings.

Given the location of the additional lands, the suite of ecological issues identified within the EA report are also relevant to the additional lands. These additional lands are highly modified from previous agricultural practices however due to frontage along the Hawkesbury River there is potential for the presence of listed riparian vegetation.

- *A guide to preparing planning proposals* (DP&E, 2016) indicates that the "level of detail required in a planning proposal should be proportionate to the complexity of the proposed amendment". The planning proposal includes the addition of several land uses within the existing RU2 zoned land. As such, the proposed amendment is not considered to be complex and sufficient detail is provided within the planning proposal and EA. Additionally, given the context of the subject site, the ecological issues associated with the planning proposal are not considered complex.
- The guidelines also outline the five components of a planning proposal that are required under Section 55 (2) of the EP&A Act, one of which requires the justification of the proposed objectives, outcomes and provisions and the process for their implementation. The guidelines note the following in regards to the justification of planning proposals:

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It is not expected that a council or proponent will provide comprehensive information to support a request for Gateway determination. As a minimum, a planning proposal before a Gateway determination has been issued must identify relevant environmental, social, economic and other site specific considerations. The planning proposal document may identify the need for investigations and an approach for addressing the issues.

The EA report identified the ecological issues relevant to the planning proposal. The EA is not intended to comprise comprehensive information however sufficient detail is provided to identify the key ecological constraints relevant to the planning proposal. Detailed assessments would be required during any development application process where ecological matters are considered of relevance.

- *A guide to preparing planning proposals* (DP&E, 2016) also poses a series of questions to assist in the justification of the planning proposal. The following question and explanation relates to ecological issues:

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

A planning proposal that is submitted for a Gateway determination should identify if the land subject to the proposal has the potential to contain critical habitat or threatened species, populations or ecological communities, or their habitats.

The EA identified the following threatened species and ecological communities within the subject site:

Eucalyptus scoparia (Wallangarra White Gum);

Freshwater wetlands on coastal floodplains of the NSW North Coast, Sydney Basin and South East Corner bioregions (Freshwater Wetlands); and

River-flat eucalypt forest on coastal floodplains of the NSW North Coast, Sydney Basin and South East Corner bioregions (River-flat Eucalypt Forest).

The *Eucalyptus scoparia* (Wallangarra White Gum) occurring within the subject site was assessed as a planted landscape tree, which is not located within its natural distribution. Both Freshwater Wetlands and River-flat Eucalypt Forest form an ecological constraint within the subject site.

- As noted within the planning proposal impacts to the ecology within the subject site will be assessed at the development application stage. This approach is consistent with *A guide to preparing planning proposals* (DP&E, 2016) which notes the following:

If it is likely that the land may contain critical habitat or threatened species, populations or ecological communities, or their habitats the proposal should identify what studies are necessary to confirm the presence of these species or habitats and their significance. An assessment of its significance and / or consultation should not to take place until after, and if required by, the Gateway determination.

In considering the need for further detailed information on the biodiversity values of the subject site, it is important to consider the site context. As noted within the EA, the subject site has been used for agricultural purposes since at least 1955. The historical aerial imagery from 1955 indicates that the majority of vegetation was cleared prior to this date with only some areas of vegetation occurring along the frontage to the Hawkesbury River. Such patterns of clearing extend beyond the boundaries of the subject site.

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The 2015 aerial imagery of the subject site indicates that much of the land cleared prior to 1955 also remained cleared in 2015. Site investigations determined that there is some remnant native vegetation along the frontage to the Hawkesbury River and within the wetland. Several vegetated corridors also currently occur within the subject site however these comprise landscaped plantings.

The vegetation of some significance within the subject site includes the remnant vegetation along the frontage to the Hawkesbury River and the vegetation within the wetland. The following is noted in the EA in regards to these areas:

The land along the northern border of the subject site fronting the Hawkesbury River is highly degraded with isolated trees or small clumps of regrowth trees scattered along the northern boundary of the subject site. Regrowth trees include species such as Casuarina cunninghamiana (River Oak), Eucalyptus amplifolia (Cabbage Gum) and E. microcorys. However the understorey and groundcover are dominated by weeds and exotic grasses.

Exotic vegetation was observed at the margin and within the billabong [wetland] (e.g. willows) and exotic grass is planted to the margin of this water body. Also, a film of microalgae was observed across the water surface in this wetland.

Such habitats have been degraded over decades and are not considered to constitute important habitat for flora and fauna species. Some regrowth vegetation was recorded along the Hawkesbury River frontage however the majority of these areas are contained within the W1 zoned land. Additionally, the EA recommended the management of the aquatic habitat within the subject site (e.g. dams, wetland, river frontage), including revegetation works to enhance flora and fauna habitat values.

- The conservation significance and recovery potential of the cleared land is considered to be low. Within the cleared areas, the natural soil and associated seed bank has been highly modified as a result of land use practices. Notable factors that have had a significant negative ecological influence include soil disturbance and soil enrichment, both of which have occurred over decades within the subject site. The soil profile and native seed bank have been disturbed to the extent that they appear to have been lost. The original soil itself is also likely to be compromised (through partial or total physical alteration) by the passing of considerable periods of time, by fertiliser additions and by extensive mechanical disturbance. The cleared land within the subject site provides limited value for flora and fauna species.

Officer Response

In January 2017, Council officers undertook a site inspection to consider the OEH's submission and the ecological information provided on behalf of the Applicant. The site inspection included close inspection of the wetland and the riparian vegetation on land owned by the Applicant. Council staff that undertook the inspection were Planning staff experienced in the planning proposal and development application processes and Parks and Recreation staff experienced in land management practices and flora and fauna assessments.

It is the opinion of the staff involved in the inspection that:

- From an ecological perspective the areas of the subject site that require protection are the riparian zone along the Hawkesbury River and the wetland and its surrounds. As a result of discussions with the Applicant it is understood that no development is proposed to occur in these areas and that these areas are subject to current and future restoration projects in partnership with Local Land Services and the Green Army.
- A detailed flora and fauna report is not required at present due to the plan being only in concept stage. It would be difficult at this stage to detail the impacts of each component of the planning proposal given that the locations of the proposed developments, within the RU2 Rural Landscape zoned land, are yet to be finalised.

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- A detailed flora and fauna report will be required at development application stage and will need to address the concerns raised by OEH. The report will also need to identify appropriate buffer zones for the riparian and wetland areas to ensure their ongoing protection. These buffer zones will be important when considering the additional horses stabled on-site and the potential for run-off contamination of the wetland. The report will also need to address the treatment of additional stormwater and wastewater and its disposal, particularly with reference to any proposed veterinary centre.

The subject site is currently subject to the provisions of *Clause 6.4 Terrestrial biodiversity* and *Clause 6.5 Wetlands*. The areas of the subject site to which these provisions apply are shown in the following figures.

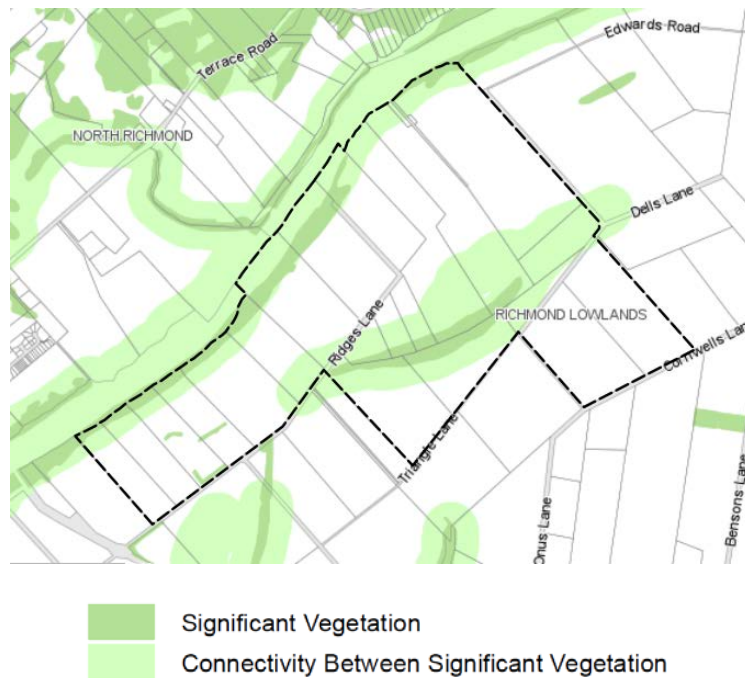


Figure 5: Extract from Terrestrial Biodiversity map of the LEP 2012



Figure 6: Extract from Wetlands map of the LEP 2012

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Clause 6.4 and 6.5 are similarly worded with their respective objectives being to maintain terrestrial biodiversity and to ensure that wetlands are preserved and protected from the impacts of development. These clauses require Council to consider a range of environmental matters prior to determining a development application and for Council to be satisfied that:

- (a) *the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
- (b) *if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
- (c) *(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.*

It is considered that these clauses, in conjunction with the provisions of the Threatened Species Conservation Act 1995 (TSC 1995), provide adequate protection to any significant flora and/or fauna and the wetland on the subject site. The amendment to the LEP 2012 sought by this planning proposal does not affect the operation of Clauses 6.4 or 6.5 or the TSC 1995.

Finally, with respect to OEH's request that the planning proposal include an assessment of the planning proposal's consistency with SREP No. 20, it should be noted that this is provided in Table 10 (pages 48-53) of the planning proposal.

Roads and Maritime Services (RMS)

Agency Comment

RMS provided two advices to Council in letters dated 12 September 2016 and 7 February 2017.

In RMS's letter dated 12 September 2016 they raised concern that the modelling of traffic impacts did not consider the likely worst case traffic impacts at the intersection of Old Kurrajong Road and Kurrajong Road, and accordingly RMS requested an addendum to the traffic impact assessment be provided.

RMS also requested that the addendum to the traffic impact assessment identify any works/treatments required to mitigate any safety or efficiency impacts identified as a result of the proposed intensified uses of the subject site on an ongoing basis (i.e. outside of special event traffic control periods).

RMS noted other access route options may need to be investigated and road upgrades may be required to cater for increased traffic flows and increased heavy vehicle activity on the local roads e.g. increased horse floats, large service vehicles associated with the light industrial/brewery uses etc. RMS requested consideration be given to the suitability, and impacts on the environmental capacity, of local road access routes (i.e. Old Kurrajong Road east in the vicinity of Triangle Lane intersection).

The Applicant was provided with a copy of RMS's response and requested to provide an addendum to the traffic impact assessment. The addendum was provided to Council on 15 November 2016 and forwarded to the RMS for consideration on 16 November 2016.

RMS's second advice, in letter dated 7 February 2017 stated that while a number of the issues raised in RMS's previous advice had been addressed in the addendum, some key issues remained unresolved. A copy of this letter is included as Attachment 6.

In summary, RMS advised that further detail and assessment was required in order to ensure the necessary works to mitigate all traffic and safety impacts at the intersection of Kurrajong Road and Old Kurrajong Road associated with the planning proposal will be delivered. RMS recommended that these matters be addressed to the satisfaction of Council and RMS prior to the gazettal of the proposed amendment to the LEP.

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Specifically the RMS advised/requested:

- The Applicant identify suitable infrastructure required to ameliorate the traffic and safety impacts associated with the future development.
- If a restriction to is to be placed on the operation of the Old Kurrajong Road (north) / Kurrajong Road intersection, the approach should be restricted and signposted to 'Left turn only' to address the safety and efficiency issues associated with through movements from Old Kurrajong Road (north) to Old Kurrajong Road (south)/Yarramundi Lane.
- Should Council endorse this treatment, RMS would raise no objection to this mitigation measure to address safety issues associated with the increased traffic on this approach. However, prior to the gazettal of the planning proposal and implementation of the proposed treatment, a Traffic Management Plan should be prepared to consider the impacts of the redistributed trips (and any other improvements required). Council should be satisfied that the appropriate community consultation is undertaken in order to consider potential impacts to affected land owners.
- Should the above treatment not be endorsed by Council, an alternate treatment to address the increased traffic and delays on this approach would need to be identified and agreed prior to the gazettal of the LEP amendment.
- The addendum traffic study should identify an appropriate intersection treatment to safely and efficiently facilitate the increased right turn movements into Old Kurrajong Road (north) from Kurrajong Road. In this regard, an appropriate treatment should be identified. The treatment identified should be modelled to ensure appropriate geometric design (i.e. length of deceleration lane/storage) and operation of the treatment.
- It is likely that the provision of a Channelised Right turn treatment would be necessitated by the future development. Once the intersection treatment is identified and agreed, a strategic concept plan for the intersection treatment should be developed in consultation with RMS.
- Council or the proponent/s should identify a suitable funding mechanism (e.g. Section 94 Plan or other planning agreement) prior to the gazettal of the amendment to the LEP (and prior to the lodgement of any future development applications) to ensure that the works will be constructed to support the future development.
- Special events such as the annual polo cup and the Polo World Cup will require special event Traffic Management Plans to be prepared to address operational matters, event traffic and access arrangements, and would need to be submitted to the Local Traffic Committee for approval in accordance with the *Guide to Traffic and Transport Management for Special Events*. This would be a recommended condition of consent for any future development application for the works and structures to facilitate special functions and events on site or for any special event development application.

Officer Response

Following receipt of RMS's letter of 7 February 2017 further advice from RMS was sought. Discussion with RMS highlighted that they were particularly concerned with the potential combined impact of the proposed uses, hence required further assessment to be undertaken to fully understand the impacts of the planning proposal, and the potential solutions to address those impacts.

Further discussion then centred around whether or not the matters raised by RMS as they relate to the World Polo Championships 2017 could be dealt with (subject to approval) via a temporary arrangement to be outlined and approved by Council in a special event Traffic Management Plan.

Further discussion occurred with respect to whether or not RMS, based on being satisfied with the special event Traffic Management Plan approach mentioned above would object to Council pursuing now an amendment to the LEP 2012 to only permit with consent the World Polo Championships 2017. The effect of such an approach would be that any subsequent amendment to the LEP 2012 would be for the World Polo Championships 2017 only and not any of the other uses sought by the planning proposal, and that the proponent would have to prepare and submit to Council for approval a special event Traffic Management Plan prior to the Championships occurring. Based on this approach, the other uses that are currently contained within the planning proposal would be deferred to be considered further following the resolution of the matters raised in the RMS correspondence dated 7 February 2017.

In light of RMS's advice it is considered that at present the planning proposal in its entirety cannot be proceeded with. Accordingly, as detailed in subsequent sections of this report it is recommended that only the World Polo Championships 2017 part of the planning proposal proceed to finalisation at this stage.

NSW State Emergency Service (NSW SES)

Agency Comment

The proposal seeks to intensify recreational and commercial use within an area of extreme flood hazard, including significant increases in high-value livestock.

The intended uses do add operational complexity to any flood response within the Hawkesbury-Nepean Valley.

A regional land use planning approach [regional strategy] is critical to managing the cumulative impact of growth. This is of critical importance to the NSW SES, and significant development prior to the release of this regional strategy should be discussed with the NSW State Emergency Service and the new Hawkesbury Nepean Flood Risk Directorate within Infrastructure NSW.

Appendix B to the planning proposal states *typically occupants on the site have several days warning before a flood event to prepare for an evacuation*. Whilst Flood Watches issued by the Bureau of Meteorology often may provide one to three days qualitative advice of expected flooding, there are occasions where the Hawkesbury Nepean River system can flood within 24 hours from not only flows along the Nepean River (from the Nepean dams and Warragamba Dam) but also the Grose River just [upstream] from the proposal area. In any case the Bureau of Meteorology is only able to provide a reliable forecast of a particular height being reached within 9 - 15 hours using forecast rain. This, along with the nature of flooding in the proposal area, does make it somewhat problematic in being able to provide precise warnings for the proposal area.

The NSW SES policy is to pro-actively evacuate areas before floodwaters affect the area. Evacuation (rather than rescue) ensures public safety and eliminates the need for time-critical rescue operations due to inundation, resupply operations due to prolonged isolation, and maintains the safety of residents in the face of extended utilities outages. The regional road evacuation network is a common network across the key council areas. Growth in one area can affect the capacity of individuals in other areas to safely evacuate.

Flooding would affect the area usually from the Cornwallis end (due to backup flooding along Rickabys Creek initially). Even though most of the existing dwellings on the subject site are located on high ground along the river with vehicle access provided from Ridges Lane, these areas would need to be evacuated before local egress routes are flooded.

In Appendix B the proponent states *early evacuation from the site to Richmond (via Old Kurrajong Road or Kurrajong Road) and North Richmond (via the North Richmond Bridge) is recommended prior to the roads and bridges becoming inundated. These areas are less susceptible to flooding and provide access to regional evacuation routes*. There is limited infrastructure on the western side of the river to deal with evacuees and in any case the North Richmond Bridge is cut in moderate flooding around 8.8m AHD. The designated regional evacuation routes for the proposal area would be Castlereagh Road and Londonderry Road towards Penrith.

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The location of the proposed development within a highly flood-prone area will necessitate more complex evacuations including livestock movement, at lower levels of flooding. Evacuation will need to take place prior to bridges and key traffic routes being cut. These cuts occur at minor flood levels. All internal roads within the subject site should be developed to provide rising road access away from floodwaters to avoid people becoming trapped earlier than anticipated.

Complexity of operations arises due to the scale, location / accessibility, and severity of an emergency incident. Given the large areas and population affected by flooding in the Hawkesbury-Nepean River Valley, the rescue of significant numbers of people is very difficult. Even with the best evacuation plans, there will still be those residents who require rescue, and this must be taken into account in any consideration of the proposed development. The tourism nature of the development will result in higher populations of people who are unfamiliar with the locale and potentially less likely to appreciate the severity of the flood problem. Furthermore, the increased numbers of local and international, high-value livestock will exacerbate operational complexity during evacuations, with extensive and probably repeated movements into and out of the development area being required to relocate all animals.

The proposal details development that is more compatible than residential development given the flood risk. The NSW SES agrees in principle that the proposed development would be a better use of the land than residential or tourist accommodation. However, the proposal area is inundated in lower level and more frequent floods and does provide some challenges in providing adequate warning, evacuation and increased operational complexity. NSW SES would welcome the opportunity to work further with Council and the proponents to find a way forward on the various identified issues.

Officer Response

In response to NSW SES's comments and the "Gateway" determination the following sub-clause was added to the proposed amendment to Schedule 1 of the LEP 2012.

- (3) *Development consent must not be granted for any purposes in sub-clause (2) that will increase visitation to the land to which this clause applies, unless the consent authority has, in addition to any other requirement specified by this Plan, considered a Risk Management and Evacuation Plan that has been prepared in consultation with the NSW State Emergency Services.*

If made, the effect of this sub-clause would be that an applicant would need to submit with any relevant development application a flood risk management and evacuation plan (prepared in consultation with the NSW SES) and that Council would need to consider the plan prior to granting a development consent.

The purpose of this sub-clause is to minimise risk to life and property as a result of flooding and to make NSW SES aware of proposed evacuation procedures for the subject site.

Hawkesbury-Nepean Valley Flood Management Review Taskforce – Infrastructure NSW

Agency Comment

The Hawkesbury-Nepean Flood Risk Management Taskforce (the Taskforce) has developed a Strategy for the reduction of flood risk in the Hawkesbury valley. The overall findings of the Strategy is that any proposed increase in development in the Hawkesbury-Nepean Valley needs to be considered in a regional context to adequately assess cumulative and interdependent impacts on flood risk. This flood risk is concentrated in residential development and it is noted that this rezoning does not permit any residential or accommodation development.

The proposed amendment to the LEP 2012 is to facilitate the upgraded but existing use of the various properties for polo fields and recreation, including the World Polo Championship. Although the various properties are subject to a high flood risk and have to evacuate in relatively minor (1 in 5 year) flood events, the Directorate considers that recreational activity is an appropriate use of this land if an appropriate flood evacuation plan can be developed and endorsed by the State Emergency Service.

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Officer Response

The Taskforce's comments are noted. As discussed above the need for a flood evacuation plan has been included in the planning proposal as an amendment to the LEP 2012.

Amendments to the Planning Proposal prior to Community Consultation

As a result of the "Gateway" determination and comments received from the NSW SES, amendments were proposed to the planning proposal prior to its exhibition. This included adding the previously mentioned sub-clause (3) to the proposed amendment to Schedule 1 of the LEP 2012 and including additional commentary regarding the existing tourist facilities on Lot B DP 89087, 122 Old Kurrajong Road, Richmond and the future tourist/temporary accommodation on the subject site.

The DP&E was advised of these matters by way of letter dated 19 October 2016. The letter also advised of and provided copies of the responses received from public authorities (excluding RMS's letter dated 7 February 2017) and requested the DP&E to advise if there was any impediment to Council progressing to the public exhibition of the planning proposal.

On 18 November 2016 DP&E wrote to Council providing advice on how the planning proposal should be amended, and subject to these amendments being made, the DP&E advised that conditions 1 and 2 of the "Gateway" determination would be satisfied and that Council should "*make early arrangement for the commencement of the exhibition process*". Copies of Council's letter dated 19 October 2016 and DP&E's letter dated 18 November are provided in Attachment 4 of this report.

The subsequent amendments to the planning proposal can be found in sections 2.4 and 5.2.2 of the exhibition copy of the planning proposal located at <http://www.hawkesbury.nsw.gov.au/development/development-information/local-environment-plans/draft-local-environmental-plans/planning-proposals-and-drafts/on-exhibition/planning-proposal-lep00615>.

Community Consultation

The planning proposal was publically exhibited for the period 9 December 2016 to 30 January 2017. It should be noted that the "Gateway" determination required that the planning proposal be exhibited for a minimum of 28 days. Due to the exhibition period including the Christmas and New Year holidays, the exhibition period for this planning proposal was significantly increased beyond the minimum 28 days.

Notices were placed in the 'Hawkesbury Courier' local newspaper on 8 and 22 December 2016 and 12 and 19 January 2017. Approximately 880 letters were sent to adjoining and nearby land owners and occupiers (as outlined in heavy red in Figure 7 below) advising of the public exhibition of the planning proposal.

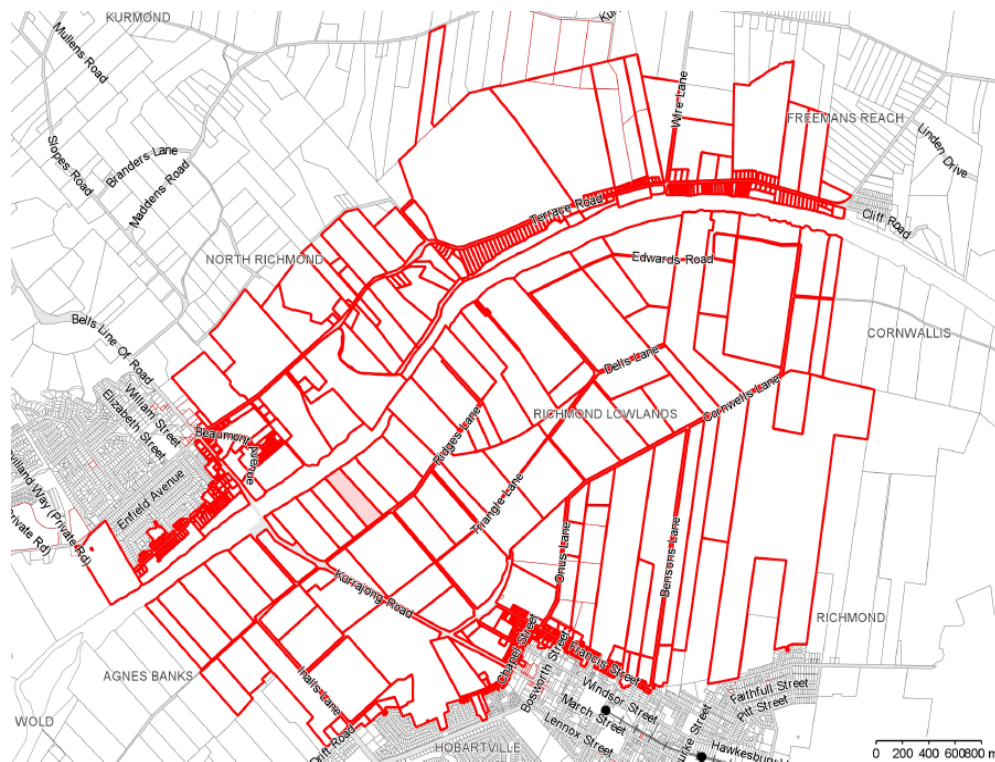


Figure 7: Mailing area for land owners and occupiers

During the public exhibition period the planning proposal and supporting documentation was made available at Council's Main Administration Building and on Council's website and community engagement site *Your Hawkesbury – Your Say*.

The exhibition material is still available for viewing at <http://www.hawkesbury.nsw.gov.au/development/development-information/local-environment-plans/draft-local-environmental-plans/planning-proposals-and-drafts/on-exhibition/planning-proposal-lep00615> and includes the planning proposal and associated appendices/addendums, correspondence from the DP&E and the public authorities who responded to Council (excluding RMS's letter dated 7 February 2017), the Ordinary Meeting of Council report and Council's resolution of 31 May 2016, links to relevant plans and strategies of the Council and the NSW State government.

Council received 618 submissions in support of the planning proposal and 51 submissions objecting to the planning proposal. The submissions in support consisted of a number of unique letters and emails and 451 pro-forma letters (three different types).

Council also received a petition with 109 signatures in support and a petition with 20 signatures objecting to the planning proposal.

A copy of the submissions and petitions received are provided in Attachment 5 of this report. With respect to the pro-forma letters one example of each of the three types of letters is provided in Attachment 5 plus an indication of how many of each were received.

Following are summaries and comments on the reasons respondents consider the planning proposal should be supported or rejected. Some respondents made comments about the character and motivations of persons associated with Sydney Polo Club and those who have objected to this planning proposal and previous activities on the subject site. Comments regarding a person's character or motivations (positive or negative) are not matters for consideration when dealing with planning matters and hence these comments have not been included in the following summaries.

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Summary of comments in support of the planning proposal

Following is a summary of the reasons raised in support of the planning proposal. Where considered necessary a response has been provided:

1. *The Richmond Lowlands is the historical "home" of polo and an equine hub. The Sydney Polo Club is a world class facility with a track record of conducting successful, sustainable and popular events. The planning proposal will allow for equine related activities and events to continue on the subject site.*
2. *The development will highlight and enhance the area. It will be a drawcard and make the Hawkesbury a destination. It will enhance our heritage and "put Hawkesbury on the map". The World Polo Championship event will be televised into 151 million homes in 56 countries and provide international exposure for the Hawkesbury. The development will bring people and excitement to the Hawkesbury and increase tourism. The Melbourne World Polo Championship was successful. This is a prestigious event that we are fortunate to have, it would be disappointing if we missed out on this opportunity. This is exactly what the Hawkesbury needs.*
3. *The development will generate economic benefits for local business (e.g. retail premises; accommodation and entertainment providers; caterers, restaurants and cafes; cleaning, beauty, bridal, florist, hairdressing, party hire, photography and video, and transport services; agricultural, equine and veterinary supplies). It will encourage other businesses and tourist operators to develop, increase jobs and secure the future of the local economy. Specifically, the World Polo Championship will inject an estimated \$5 million into the local economy.*

Officer Response

Advice received from the Applicant is that the economic impact of the World Polo Championship is forecast to be upwards of \$5 million. This forecast is based on an estimated 35,000 spectators to the event with at least 2,000 spectators coming from interstate or overseas.

It is expected that spectators will spend money in the area on goods and services such as accommodation, food and drink, transport, souvenirs, clothes, and tours.

The Applicant has also advised that the World Polo Championship will create additional employment with local and out of area persons employed to work on the event and during the event there will be 350 volunteers per event day. The persons employed and volunteers will also spend money while in the area.

4. *The development will allow for future events beyond the World Polo Championship, strengthen the equine, polo and show jumping industry, and support current and future Olympians.*
5. *The proposal will have cultural, social and infrastructure benefits. The Sydney Polo Club encourages the community to enjoy the grounds and participate in activities that foster social cohesion including bird watching, walking groups, photography enthusiasts and a "Fish for Carp" group. The planning proposal will allow the Sydney Polo Club to establish and maintain facilities and environmental and social programs to achieve their sustainability objectives. A number of respondents mentioned the significant benefits of the current provision of counselling services and equine assisted therapy and the subject site's natural environment in the treatment and recovery of people with psychological illnesses such as stress, anxiety, depression, addiction and substance abuse. In particular, the treatment of people with post-traumatic stress disorder was mentioned.*

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Officer Response

Allowing *medical centres* on the subject site would enable, subject to Council approval, counselling services and the equine assisted therapy.

6. *The veterinary activities on the subject site are an invaluable part of direct hands on learning for University of Sydney students. Approval of the planning proposal would greatly expand the works the Sydney Polo Club and Sydney University do together and allow for training of students from other universities and TAFE. It is a sensible and necessary precaution to locate a vet or medical centre in the midst of an area containing multiple polo pitches which are in constant use.*

Officer Response

The definition of *animal boarding and training establishment*, a land use that is permitted with consent in the RU2 Rural Landscape zone, currently recognises the need for the provision of veterinary services at establishments that board and train animals by including in the definition allowance for an ancillary *veterinary hospital*. The definition of *animal boarding and training establishment* is:

animal boarding or training establishment means a building or place used for the breeding, boarding, training, keeping or caring of animals for commercial purposes (other than for the agistment of horses), and includes any associated riding school or ancillary veterinary hospital.

7. *Support was shown for weddings and the proponent's current and proposed sustainable farming practices and "paddock to plate" vision for the subject site. The previously held weddings supported a service industry (and jobs) for the local area. The micro-brewery would replace the original light industrial use (a dairy) and would service a growing hub for good quality food and drink in the region.*
8. *The development is in keeping with the character of the area and objectives of the RU2 Rural Landscape zone. It is in harmony with the environment with minimal impacts on residential areas and there are no negative environmental impacts with the approval of the planning proposal. We need to recognise the changing character of the area. The proposal makes appropriate and more effective use of the natural resource base and will make the landscape more accessible for more people to utilise and enjoy.*

Officer Response

The character of an area may be best defined by way of what the people see, hear, feel and do. In light of this the Richmond Lowlands could be defined as a relatively flat and open land adjacent to the Hawkesbury River that is substantially undeveloped (in terms of buildings and structures) and is used primarily for relatively passive farming and equine purposes. Whilst land uses have changed over time in the Lowlands with the decline of traditional and intensive agricultural practices (e.g. dairying, vegetable growing and market gardens) and the increase in equine activities and turf farming the overall character of the Lowlands has remained as being a relatively quiet agricultural area where buildings are low scale (typically one to two storey in height) and sparsely located either individually or in small clusters.

The future character of an area will be a function of how much respective government authorities and the community wish to retain and enhance the existing character and the change brought on by the emergence of new land uses. Good indicators of what a council considers the desired future character of an area are the objectives of the relevant zone and the land uses permitted within that zone.

The use of the subject site for equine related purposes would be consistent with the current and desired future character of the area. Other non-equine related uses could also readily be consistent with the current and desired future character of the area if they were assessed as being of low scale (e.g. building footprint and height, occupancy and use), appropriately located and of a generally quiet nature. Conversely it would be difficult for development that was large scale and/or development that caused significant noise, traffic or activity to be consistent with the current and desired future character of the area.

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When considering what uses should be permitted in a zone a key consideration is the objectives of the zone and the likelihood that a particular land use would be consistent with those objectives. In making such an assessment one needs to either know beforehand or predict how a particular type of development may appear, be located and operate. In doing this, some land uses will be readily apparent as either being appropriate or inappropriate. Where land uses can come in a variety of forms regarding appearance, location and operation this assessment becomes more difficult and more of a matter of nuance and one's appetite for the unknown and willingness to let potentially inappropriate elements of a land use be resolved at the development application stage and by way of conditions of consent. *Advertisements, advertising structures, eco-tourist facilities, function centres, food and drink premises, and markets* are examples of land uses that do come in a variety of forms and can have a wide variety of operational requirements. Hence in considering whether or not to permit these uses on the subject site Council must make a judgement as to whether or not it is willing to rely on the development application assessment process to resolve any potential concerns.

9. *Nothing in the planning proposal will increase permanent occupation (i.e. housing) on the subject site.*
10. *Approval of the planning proposal does not automatically give the proponent approval to carry out the proposed development. All activities require subsequent development consent.*
11. *Allowing function centres on the subject site is consistent with Council's General Amendments planning proposal. All property owners in the RU2 Rural Landscape zone should be able to hold functions and events subject to Council approval and subject to restrictions such as a limited number of events, size, design being sympathetic to rural landscape, and consideration of neighbours regarding noise and traffic.*
12. *The proposed markets would give a permanent home to local food producers, artisans and crafts people.*
13. *The planning proposal commenced more than two years ago at the request of Council and will correct an error in the LEP 2012.*

Officer Response

Some respondents have stated that polo is prohibited in the Richmond Lowlands due to an error in the LEP 2012. Such a claim is incorrect.

The LEP 2012 was primarily a "like for like" conversion of Hawkesbury Local Environmental Plan 1989 (LEP 1989) into the NSW Government's Standard Instrument LEP (Standard LEP). The Standard LEP mandated that all LEPs in NSW have a consistent structure, a fixed suite of zones, and uniform land use definitions and clauses.

The closest equivalent to the RU2 Rural Landscape zone in the LEP 1989 was the Environmental Protection – Agricultural Protection (Scenic) zone (EP-AP). Prior to the repeal of the LEP 1989 and the commencement of the LEP 2012 on 21 September 2012, *recreation areas* were permitted with consent and *recreational establishments* were prohibited in the EP-AP zone. These uses were defined in Clause 5 of the LEP 1989 as follows:

recreation area means:

- (a) *a children's playground,*
- (b) *an area used for sporting activities or sporting facilities,*
- (c) *an area used by the Council to provide recreational facilities for the physical, cultural or intellectual welfare of the community, and*

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- (d) *an area used by a body of persons associated together for the purposes of the physical, cultural or intellectual welfare of the community to provide recreational facilities for those purposes,*

but does not include racecourses and showgrounds.

recreational establishment means *a building or place used for health farms, religious retreat houses, rest homes, youth camps, outdoor recreational activities, sporting activities and the like, but does not include a building or place elsewhere specifically defined in this clause or a building or place used or intended for use for a purpose elsewhere specifically defined in this clause.*

The prohibition of *recreational establishments* came about as a result of the LEP 1989 - Amendment 108 which was gazetted on 18 August 2006. The reason for the prohibition was to remove from the EP-AP zone land uses that could be incompatible or compete with existing or future agricultural uses.

Polo related activities and events were best defined as *recreation area* in the LEP 1989 and therefore they were permissible with consent on the subject site up until 21 September 2012. It is understood that the Applicant has owned much of the subject site since the mid-2000's and prior to this change of ownership the subject site was used primarily for the purposes of a dairy and turf farming. Furthermore, whilst the Applicant conducted polo related activities and events prior to 21 September 2012 (i.e. when such uses were permissible with consent) no development consent for these activities and events was sought by the Applicant or granted by Council.

Under the LEP 2012, the mandated definition of *recreation area* is:

recreation area means *a place used for outdoor recreation that is normally open to the public, and includes:*

- (a) *a children's playground, or*
- (b) *an area used for community sporting activities, or*
- (c) *a public park, reserve or garden or the like,*

and any ancillary buildings, but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor).

It is considered that the current and proposed operations of the Sydney Polo Club do not satisfy the "normally open to the public" requirement of this definition as the subject site and facilities are not freely accessible to any person.

The closest definition in the LEP 2012 to the LEP 1989's *recreational establishment* is *recreation facility (outdoor)* which is defined as:

recreation facility (outdoor) means *a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).*

To ensure consistency with the prohibitions of the LEP 1989, *recreation facilities (outdoor)* are prohibited in the RU2 Rural Landscape zone. Excluding the World Polo Championship and possibly the annual major polo tournament, the polo related activities and events of the Sydney Polo Club would fall within the definition of *recreation facility (outdoor)* and are therefore currently prohibited on the subject site.

Hence the prohibition of polo related activities and events on the subject site is as a result of changed land use definitions brought about by the Standard LEP not any drafting error in the LEP 2012 or error in Council's interpretation of the LEP 2012.

14. *Polo is a growing sport. The planning proposal should be expanded to include other land currently used or proposed to be used for polo purposes. This would ensure the ongoing development of the sport in the Hawkesbury and allow for housing of horses, polo tournaments, games and practise, the servicing of players and spectators who support the sport at club houses and surrounds.*

Officer Response

Some respondents submitted a map showing the area in which polo related uses should be permitted. The map is shown in Figure 8 below.

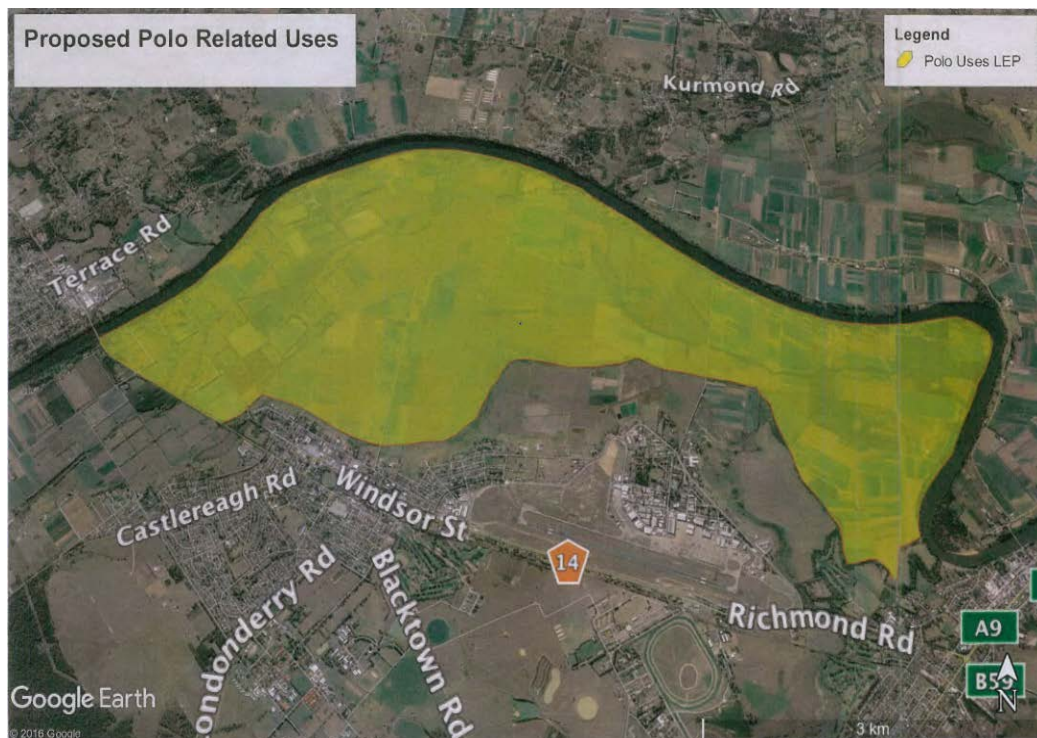


Figure 8: Area proposed to allow polo related uses

Amending the LEP 2012 to allow other properties within the Richmond Lowlands, Richmond and Cornwallis area to be used for polo purposes would be consistent with Council's Notice of Motion on 3 February 2015, being:

1. *Council reaffirm its continued support of the emerging polo and related support industries in the Richmond Lowlands.*
2. *Council indicate to all stakeholders and the community its unambiguous willingness to work closely and cooperatively with all relevant property owners to resolve quickly and expeditiously current planning provisions and conflict issues, including commencement of a review of the rezoning provisions, relating to permissible land use activities associated with the industry.*

It is recommended that this matter be the subject of a separate report to Council and that the report consider a possible planning proposal and associated amendment to the LEP to allow other properties within the Richmond Lowlands / Richmond / Cornwallis area to be used for polo and equine related purposes.

Summary of comments objecting to the planning proposal

A major theme in relation to those that objected to the planning proposal was that the proposed development, in whole or in part, was inappropriate and not in the public interest. Following is a summary of the objections to the planning proposal.

1. *The exhibited documentation is inconsistent with the requirements of the "Gateway" determination.*

Officer Response

This submission was from a single respondent and claimed that the planning proposal did not include additional matters required by Conditions 1a and 1b of the "Gateway" determination, repeated below.

- "1. *The prior to community consultation planning proposal is to be amended to:*
- a. *include the insertion of a local provision in the Hawkesbury Local Environmental 2012 that requires the preparation of a Risk Management and Evacuation Plan in consultation with the NSW State Emergency Services prior to the granting of development consent for any use that increases visitation to the site; and*
 - b. *clarify the tourist accommodation/temporary accommodation uses currently permissible on the site and those that will be added via the planning proposal prior to consultation."*

As previously stated such matters were added to the planning proposal prior to exhibition in sections 2.4 and 5.2.2. Furthermore, on 18 November 2016 the DP&E wrote to Council advising, inter alia, that condition 1 of the "Gateway" determination would be satisfied by Council's approach to responding to these matters.

2. *The exhibited documentation is incomplete in that it omits key documentation. The exhibition documentation does not include Council's letter dated 19 October 2016. Without access to this letter the public is significantly prejudiced in its ability to provide informed comment regarding the planning proposal. Reports and agency submissions tabled in connection with the planning proposal referred to the need for further analysis or further work to be done, and there are no documents verifying these additional works have been completed or providing the public with details regarding that further analysis or commentary.*

Officer Response

The exhibition material contained all information and documentation required by the relevant DP&E guidelines to be exhibited.

Notwithstanding this, Council's letter of 19 October 2016 is included in Attachment 4 of this report.

Additional documentation relating to traffic and flora and fauna assessment provided by the Applicant in response to public authority submissions was included in the exhibition documentation.

The planning proposal did make reference to the preparation of additional plans and information. This was in reference to further detail to be provided in any subsequent development application.

3. *The exhibited documentation is inconsistent with the requirements of the OEH's letter dated 2 November 2016. It is unclear if the exhibited documentation is consistent with the requirements of RMS's letter 12 September 2016.*

Officer Response

The respondent states that since the rezoning includes wetland areas Council should not rely solely on a flora and fauna assessment report commissioned by the Applicant and claims the public is significantly prejudiced in its ability to provide informed comment regarding the proposal in the absence of a report provided by Council or commissioned by Council that covers the whole site subject to the rezoning proposal.

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With respect to the additional traffic impact assessment provided by the Applicant, the respondent states it is unclear if that document has been forwarded to RMS for their comment and that without access to the further comments of the RMS that the public is prejudiced in its ability to provide informed comment regarding the planning proposal.

In response to this submission reference is made to comments made in the "Consultation with Public Authorities" section of this report regarding submissions from OEH and RMS.

4. *The planning proposal is inconsistent with Section 117(2) Direction 1.3 Mining, Petroleum Production and Extractive Industries, Section 117(2) Direction 1.5 Rural Lands, Section 117(2) Direction 4.3 Flood Prone Land and Section 117(2) Direction 6.3 Site Specific Provisions.*

Officer Response

Section 117(2) Directions are issued by the Minister for Planning and apply to planning proposals. Typically, the Section 117(2) Directions will require certain matters to be complied with and/or require consultation with government authorities during the preparation of a planning proposal. The Section 117(2) Directions do allow for planning proposals to be inconsistent with the Directions. In general terms, a planning proposal may be inconsistent with a Direction only if the DP&E is satisfied that the proposal is:

- a) justified by a strategy which:
 - gives consideration to the objectives of the Direction
 - identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites)
 - is approved by the Director-General of the Department of Planning, or
- b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of the Direction, or
- c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of the Direction, or
- d) is of minor significance.

The DP&E in their "Gateway" determination stated that the planning proposal's inconsistency with Direction 6.3 was of minor significance and that the proposal's inconsistency with Direction 4.3 would be reviewed upon receipt of advice from the NSW SES. At present the DP&E has not advised Council as to their opinion regarding Direction 4.3.

In their letter dated 18 November 2016 the DP&E advised that Council had complied with the requirements of Direction 1.3 and advised Council to closely consider DoI's response as the planning proposal proceeds. Consideration of DoI's response is provided in the previous "Consultation with Public Authorities" section of this report.

Finally, Direction 1.5 Rural Lands only applies to certain land within NSW. Lands that are not affected by the Direction include the Sydney metropolitan area and the Newcastle, Lake Macquarie, Central Coast and Wollongong local government areas. The Hawkesbury City Council area is listed as an area to which the Direction does not apply.

5. *Allowing development that requires investment to implement gives expectation of additional income from the completed development. Such expectation will put pressure on the immediate and wider surrounding area to look to similar or other income producing changes. Eventually land values are forced up and this becomes another factor that drives changes and reduces the viability of agriculture. High value agricultural land requires long term certainty for the land that will only be achieved by consistent support in planning policy in maintaining the agricultural floodplain. The planning proposal will set a precedent for other land owners to seek a similar amendments to the LEP 2012. This will allow more light industry, shops, commercial ventures and advertising structure throughout the floodplain.*

Officer Response

It is agreed, as a general principle, that income generating or profitable land uses can increase land values and as a consequence can jeopardise the retention of less profitable or unprofitable existing land uses. The potential for this to occur will exist in any zone where a range of disparate land uses are permitted.

Most of the zones within the LEP 2012 permit a wide variety of land uses however lands within each zone are typically used for a very limited number of such permitted land uses. The "Current Zoning and Permitted Land Uses" section of this report lists over 30 land uses that are currently permitted in the RU2 Rural Landscape zone however most of the lands within the zone are used only for *dwelling, farm buildings, and agricultural* purposes. Conversely, very few lands are used for permitted land uses such as *educational establishments, places of public worship, restaurants or cafés, rural industries and rural supplies*, and some of the permitted land uses do not occur at all. This does not mean that such land uses are incompatible with RU2 Rural Landscape zone it is more a function of the community's demand for such uses and an individual owner's desire and ability to meet such demand.

It is considered that, rather than the array of current or proposed permitted land uses, the greatest threat to the retention of agricultural uses in the RU2 Rural Landscape zone is the subdivision of land for rural residential purposes. The planning proposal does not seek to amend the current subdivision provisions of the LEP 2012.

Most of the subject site is currently used for polo and equine related uses. Allowing these uses is a key element of this planning proposal. Associated with the polo and equine uses are other uses that are considered to be "traditional" agricultural uses such as the grazing of livestock and the growing of fodder crops. A significant portion of the subject site is used for these land uses.

It is reasonable to assume that if this planning proposal (in any form) is finalised then other land owners in the vicinity may request similar amendments to the LEP 2012. Council has an opportunity to manage and respond to such requests via Council's current General Amendments planning proposal and if Council proceeds with a planning proposal to permit polo and equine related uses in the Richmond Lowlands / Richmond / Cornwallis area.

6. *The proposed land uses are inconsistent with the RU2 Rural Landscape Zone under the LEP 2012.*

Officer Response

In summary the objectives of the RU2 Rural Landscape seeks to encourage sustainable primary industry, maintain rural character, allow for a range of compatible land uses, minimise the fragmentation and alienation of resource lands, minimise land use conflict, avoid adverse environment effects of development, retain or enhance existing landscape values, preserve scenic quality, and limit demand for the provision or extension of public amenities and services.

Respondents typically cited the potential impacts of the following proposed land uses as reasons why the planning proposal was inconsistent with the objectives of the zone:

- food and drink premises
- function centres
- kiosks

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- industrial retail outlets
- veterinary hospitals
- light industry - micro brewery
- medical centres
- shop
- car park.

In the "Current Zoning and Permitted Land Uses" section of this report Table 2 provided a comparison of the proposed additional and currently permissible land uses and suggested that *food and drink premises, functions centres, kiosks, light industry – micro brewery* and *veterinary hospitals* were similar to other uses currently permissible in the RU2 Rural Landscape zone.

The response to item 8 in "Summary of comments in support of the planning proposal" section of this report provided a discussion regarding character of an area, the objectives of a zone, the known or anticipated scale and impacts of development, and the potential for inappropriate impacts of development to be addressed at the development application stage.

Clause 2.3 (2) of LEP 2012 requires Council to have regard to zone objectives when determining a development application. It is considered that the scale, location, and operation of the additional uses proposed by the planning proposal will be the primary elements that will determine whether or not the proposed developments will be consistent with the objectives of the zone and appropriate for the subject site.

As suggested earlier in this report, land uses that are most likely to be consistent with the current and desired future character of the area will be those that are of a low scale, are appropriately located and are of a generally quite nature. Conversely it would be difficult for development that is large scale and/or development that causes significant noise, traffic or activity to be consistent with the current and desired future character of the area.

7. *The proposed development is for private benefit and not in the best interest or advancement of the community. Not convinced as to the forecast economic benefit to the community and increase in tourist activity. Any increase in jobs will be limited and casual. Activities that support the economy and tourism should only occur in appropriate areas. Concerned about making more land available for such uses and impact of other businesses.*

Officer Response

It is expected that the primary uses proposed in the planning proposal such as the World Polo Championship and ongoing polo activities and events that attract large crowds would provide significant positive economic benefits for the local economy. Such benefits have been outlined in the previous section of this report.

It is correct to assert that development should occur in appropriate areas and that new business areas/activities that are located outside of existing business areas should not have a significant adverse economic impact on those existing business areas.

It is considered that polo and equine related land uses (including a *veterinary hospital*) are appropriate for the Richmond Lowlands area and will not adversely impact on the existing business areas in the vicinity.

Commentary in Item 6 above outlined some broad principles with respect to a development's suitability for a site. One such principle was "scale" and in response the planning proposal seeks to limit the scale of some of the non polo and equine related uses in order to reflect the constraints of the subject site and minimise the effect of completion with similar businesses in the vicinity. This is seen in the proposed restrictions relating to the number and gross floor areas of the *light industry - micro brewery* and *shop* and the requirement that *carparks* and sewer and water services are ancillary to other permitted uses on the subject site.

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It should be noted that the LEP 2012 already contains restrictions on the size of *kiosks* (25 square metres) and *industrial retail outlets* (not more than 20% of the gross floor areas of the associated industry) and the type of goods sold within. The definition of *eco-tourist facilities* within the LEP 2012 requires that they be for temporary or short-term accommodation and any building be sensitively designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impact.

The planning proposal proposes a maximum gross floor of 300m² for *medical centres* however the number of *medical centres* is not limited. At present the Applicant's intention is that the *medical centre* be used for the purposes of counselling including equine assisted therapy. Given the dominant equine use of the subject site it is considered such a *medical centre* is appropriate and that its operation would not cause a significant adverse economic impact on other *medical centres* in the vicinity. It is considered unlikely Council would receive many development applications for other *medical centres* on the subject site however to give certainty to this and minimise the potential for adverse economic impacts on existing *medical centres* the number of permitted *medical centres* of the subject site could be limited. This was raised with the Applicant prior to reporting the planning proposal to Council in May 2016 and in response the Applicant advised that *it is requested that the number of medical centre uses not be limited as there may be a desire to have two or more medical practitioners operating in separate facilities on the site, particularly as there are three separate landowners that make up the planning proposal site.*

Other uses proposed by the planning proposal such as *function centres* and *food and drink premises* are not restricted by way of number or size. It would be reasonable to expect that polo and equine activities uses would also require ancillary uses such as a restaurant, café, bar, lounge area and meeting rooms for players and spectators. These uses would fall into the definitions of *function centre* or *food and drink premises*. It would also be reasonable to expect that these ancillary uses would be infrequent and low scale and of minimal adverse economic impact to other similar businesses in the vicinity.

Equally, any future *function centre* or *food and drink premises* could be used for purposes unrelated to polo and equine related activities. In the case of *function centres* the planning proposal forecasts such uses as weddings, corporate events, exhibitions and conventions and the definition of *food and drink premises* in the LEP 2012 includes a *pub*. Whether or not these uses will be appropriate for the subject site and/or adversely affect the economic viability of other similar business in the vicinity will be a function of their scale, location and operation.

8. *The planning proposal fails to recognise the sensitive nature of the subject sites and the surrounding locality having regard to matters such as visual and scenic amenity and residential amenity. Concerned about loss of natural area, loss of area's beauty and visual amenity, loss of rural character/landscape, loss of farming land for agricultural purposes. Concerned about commercialisation and industrialisation of the area. The planning proposal does not consider other areas are more suitable for the proposed uses and are currently being for the proposed uses.*

Officer Response

Refer to the response to item 8 in "Summary of comments in support of the planning proposal" section of this report and above response to items 6 and 7 of this section.

9. *Council should enhance the natural beauty of the area and encourage holiday makers to visit with activities such as horse riding, bush walks, fishing, water skiing and canoeing. Council should create a park (similar to the Lane Cove National Park) along the banks of the Hawkesbury River.*

Officer Response

Council does not own the subject site. Council has conducted works to enhance and increase public access to the Hawkesbury River in other locations throughout the LGA. Council is also exploring further opportunities to carry out additional public access related works.

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10. *Concerned about increase in traffic volumes, adequacy of surrounding road network to cater for the increase in traffic volume and type of vehicles. Doubts the adequacy of the Applicant's traffic assessments. The traffic assessments are out of date, inaccurate and insufficient.*

Officer Response

The traffic impact assessments submitted on behalf of the Applicant do not demonstrate whether the surrounding road network can satisfactorily cater for the proposed uses, particularly in terms of multiple uses occurring at the same time.

The intersection of Kurrajong Road and Old Kurrajong Road is of particular concern for traffic turning to and from Kurrajong Road. The assessments propose increasing the current right turn ban out of Old Kurrajong Road north into Kurrajong Road (heading to North Richmond) however this may not be agreed to by the RMS or accepted by the community. The assessments do not address how roads such as Old Kurrajong Road into the Richmond CBD would cope with increased traffic and if this is possible based on existing roads widths.

The environmental capacity of a road must take into consideration the overall road environment and function, land use, and road width. The assumptions of the traffic assessments do not match the existing environment. Some of the surrounding roads are more like 'Lanes' in the order of 4.5 metres wide. These roads may require upgrading depending on the volume and type of increase in traffic as a result of the proposed uses.

In light of these concerns and the previously discussed RMS comments it is recommended that only the World Polo Championships 2017 part of the planning proposal proceed to finalisation at this stage.

11. *Concerned about increase in noise as a result of increase in traffic and type of activities to occur on the subject site e.g. public address systems, music, fireworks, helicopters, patrons. The area is a natural amphitheatre and sound travels a long way.*

Officer Response

The impact of noise on surrounding neighbours has been previously raised with Council by various respondents to previous development applications relating to parts of the subject site. Noise emissions and the associated impact on the surrounding area will be a matter that will require careful consideration by Council in determining any subsequent development application resulting from this planning proposal, if made.

12. *The land is unsuitable due to it being significantly flood liable, especially the proposed sewerage systems and sewage treatment plants. Concerned about impact of buildings on flood waters, the need for evacuation of the subject site as a result of flood events the capacity of evacuation routes and emergency resources required to enable evacuation and the associated cost to the public of flooding and evacuation. Concerned about the increased burden on SES. The floodplain should be protected and is unsuitable for a function centre.*

Officer Response

The majority of the subject site varies in height from approximately 9.0m AHD and 16.5m AHD. The higher ground is generally located adjacent and parallel to the Hawkesbury River. From this higher ground the land either generally falls gently to the east (i.e. within the vicinity of the wetland) or steeply to the Hawkesbury River. Clause 6.3 Flood planning of the LEP 2012 will apply to future development on the subject site as well as Council's Development of Flood Prone Land Policy.

Clause 6.3 of the LEP 2012 is as follows:

6.3 Flood planning

- (1) *The objectives of this clause are as follows:*
 - (a) *to minimise the flood risk to life and property associated with the use of land,*
 - (b) *to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,*
 - (c) *to avoid significant adverse impacts on flood behaviour and the environment.*
- (2) *This clause applies to land at or below the flood planning level.*
- (3) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:*
 - (a) *is compatible with the flood hazard of the land, and*
 - (b) *is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and*
 - (c) *incorporates appropriate measures to manage risk to life from flood, and*
 - (d) *is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and*
 - (e) *is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.*
- (4) *A word or expression used in this clause has the same meaning as it has in the Floodplain Development Manual (ISBN 0 7347 5476 0), published by the NSW Government in April 2005, unless it is otherwise defined in this clause.*
- (5) *In this clause:*

flood planning level means the level of a 1:100 ARI (average recurrent interval) flood event

The *Hawkesbury Floodplain Risk Management Study & Plan* shows the subject site being substantially within an "Extreme" flood risk area (generally those parts of the subject site below the 1 in 20 year flood event) with the balance of the subject site being within a "High" flood risk area (generally those parts of the subject site between the 1 in 20 year flood event level and the 1 in 100 year flood event level).

Council's flood planning level is based on the 1 in 100 year flood event level (1 in 100). All of the subject site is below the 1 in 100 level for the area (up to 17.5 metres). Council's flood planning controls do not prohibit the development of land below the 1 in 100 level. Rather Council's flood related planning controls take a risk management approach based on minimising the flood risk to life and property, the suitability of development given the land's flood hazard, and the avoidance of significant adverse impacts on flood behaviour and the environment.

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It is noted that the proposed additional uses are non-residential in nature and in some cases peak patronage would be infrequent and temporary. It is considered that the prior notice given by the NSW SES and Bureau of Meteorology for most flood events should allow for the cancellation of events, activities, appointments etc. associated with the proposed uses ahead of people arriving at the subject site and therefore the risk to human life should be able to be appropriately managed. The evacuation of livestock from the subject site prior to or during a flood event could be problematic and the NSW SES have mentioned this in their response to the planning proposal. This will need to be carefully considered in the preparation of Flood Risk Management and Evacuation Plans for relevant development applications.

In terms of an acceptable flood risk to property and a development's suitability for a site given its flood hazard factors such as the scale of development, construction materials and techniques, and construction, fit-out and flood repair costs are matters that must be considered. Of these variables flood compatible building materials and construction methods will tend to be consistent across the same development type regardless of its size. Thus considering the two other variables of scale and construction, fit-out and flood repair costs, one would expect that a small scale development with a minimum or inexpensive fit-out would have a lower flood risk and be more suitable to a site than a large scale development with major and costly fit-out.

As previously mentioned some of the proposed uses such a *function centres, eco-tourist facilities and food and drink premises* can come in a variety of scales and forms therefore costs of construction and fit-out can vary significantly. These matters will require careful consideration at development application stage.

13. *Adverse impacts on heritage items and vistas. Many artists, such as Sir Arthur Streeton, James R Jackson, Elioth Gruner and Charles Conder have been inspired by the Richmond Lowlands and have painted it, it should be left as it is.*

Officer Response

A *heritage* listed property (Lots 1 and 2 DP 229549, 216 Edwards Road, also known as Kurri Burri) is located immediately to the north-east of the subject site hence, where relevant, *Clause 5.10 Heritage conservation* of the LEP 2012 will apply to future development on the subject site.

The subject site falls within an area defined by *Sydney Regional Environmental Plan No.20 Hawkesbury - Nepean River (No.2 - 1997)* as being of "Regional scenic significance".

The subject site is within Landscape Unit 3.4.1 Yarramundi Weir to South Creek Junction of the *Hawkesbury - Nepean Scenic Quality Study*, Department of Planning and Urban Affairs, 1996. This study summarises the landscape character of this area as follows:

A broad and nearly flat valley floor extensively altered by agriculture and settlement. An intensively farmed agricultural environment dominated by crop lands and rural industry. The major cultural elements are agricultural rather than ornamental, with a strict division of settled land from rural land.

The study describes the capacity of the farming lands for increased settlement and usage density as low and states that the visual sensitivity of the general area is high because of the heritage value of the landscape. The study recommends that the open agricultural character of the flats be retained by discouraging subdivisions and rural/industrial operations.

In response to the potential for future development to be consistent with the scenic significance of the area refer to previous comments regarding character of the area and scale of development.

14. *Concerned about dust and odour generated from uses, especially the proposed sewer works*

Officer Response

Dust and odour emissions are operational matters that can be considered at development application stage and controlled by conditions of consent should the planning proposal proceed.

15. *Insufficient services to cater for the proposed development. Concerned about garbage collection costs and increase in costs to Council for road repairs.*

Officer Response

Clause 6.7 of the LEP states:

6.7 Essential services

Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:

- (a) the supply of water,*
- (b) the supply of electricity,*
- (c) the disposal and management of sewage,*
- (d) stormwater drainage or on-site conservation,*
- (e) suitable road access.*

With the exception of sewage and possibly road access, it is considered that the existing services at the subject site are either adequate or can be readily upgraded to support the future development of the subject site for the proposed additional uses.

In addition to Clause 6.7, Council is also required to consider at development application stage, the following provisions of Section 11(17) of SREP No. 20 (No. 2 - 1997).

- (a) Whether the proposed development will be capable of connection to a Sydney Water Corporation Limited or council sewerage system either now or in the future.*
- (b) The suitability of the site for on-site disposal of effluent or sludge and the ability of the sewerage systems or works to operate over the long-term without causing significant adverse effects on adjoining property.*
- (c) The likely effect of any on-site disposal area required by the proposed development on:*
 - any water bodies in the vicinity (including dams, streams and rivers), or*
 - any mapped wetlands, or*
 - any groundwater, or*
 - the floodplain.*
- (d) The scope for recycling and reusing effluent or sludge on the site.*
- (e) The adequacy of wet weather storage and the wet weather treatment capacity (if relevant) of the proposed sewerage system or works.*
- (f) Downstream effects of direct discharge of effluent to watercourses.*
- (g) The need for ongoing monitoring of the system or work.*

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Clause 6.7 of the LEP and Section 11(17) of SREP No. 20 (No. 2 - 1997) provide suitable statutory provisions to enable appropriate consideration of this matter at development application stage. The collection and treatment of waste water generated by the proposed land uses will require careful consideration by Council in determining any subsequent development application resulting from this planning proposal, if made.

The cost of garbage collection and disposal will be met by the developer.

16. *Concerned about adverse impact on Pugh's Lagoon and flora and fauna.*

Officer Response

Pugh's Lagoon is approximately 300 metres upstream from the subject site. Potential impacts on watercourses, wetland and flora and fauna will require careful consideration by Council in determining any subsequent development application resulting from this planning proposal, if made.

17. *The use of each lot should be considered separately, in particular near the Hawkesbury River.*

Officer Response

A planning proposal can relate to one type of amendment to an LEP (e.g. change of minimum lot size for subdivision relating to an individual property) or a range of proposed amendments (e.g. Council's GA planning proposal). There are processing efficiencies and cost saving to Applicants and Council in combining the proposed additional land uses into one planning proposal as opposed to multiple planning proposals for the same land.

Detailed considered of each proposed use and the impacts of each lot and surrounding areas can be undertaken at the development application stage.

18. *Concerned about patron behaviour, alcohol and drug use.*

Officer Response

This is an operational and NSW Police matter for relevant uses of the subject site.

19. *The proposed recreational uses are acceptable however not the other proposed uses. Council should allow the World Polo Championship as a one off event and not undertake a wholesale change to the LEP 2012. Not all proposed uses are required for the World Polo Championship and are unrelated to polo. The World Polo Championship (a two week event) should not determine the outcome of the development as a whole. Sydney Polo Club has and others have operated without all of the proposed uses. All of the other proposed uses in combination will have the effect of significantly changing the character of the locality to the detriment of adjoining and surrounding property owners.*

Officer Response

The planning proposal seeks to allow a suite of uses on the subject site. Some uses are related to one another whilst other uses are unrelated.

The respondents concerns could be resolved if the planning proposal was restricted to only allow the World Polo Championship.

20. *Council should only allow temporary uses/structures and not permanent structures/uses.*

Officer Response

This could be achieved if the planning proposal was restricted to only allow the World Polo Championship with any new structures required for the event being temporary.

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21. *The scale, height and proposed of the proposed "Hall of Fame" is excessive and inappropriate*

Officer Response

The planning proposal contained a concept plan of a function centre known as the "Hall of Fame". It is proposed to be used for various events including (but not limited to) weddings, corporate events, exhibitions, and conventions.

The planning proposal states the Hall of Fame building is proposed to be located on the western side of the main polo field (Field 1), on the border of Lot 1 in DP 797310 and Lot 1 in DP 120794. This location currently includes an existing spectator mound with a maximum crest level of about 16m AHD. The building is proposed to be constructed as a two level function space able to accommodate up to 1,000 guests at any one time, with vehicular access being provided off Ridges Lane. The first floor level is proposed to be at 17.4 m AHD and would include members' lounge, bars, kitchen, and meeting room. The ground floor level is proposed to be at 12.4 m AHD and would provide for uses such as parking, waste collection, and corporate boxes. It is also proposed that additional seating be provided on outdoor terraces. Due to the proposed first floor level being located at or above the 1 in 100 year flood level and the slope of the mound, the Hall of Fame will exceed the current maximum LEP height of 10 metres applicable to the subject site.

Whilst the planning proposal does provide some detail as to the Hall of Fame, this detail was only in concept form and Council is yet to receive a development application for the Hall of Fame.

22. *Concerned about visual impact of 2,000 space car park. Will it be hard stand (i.e. asphalt, concrete)? It will act as a heat bank.*

Officer Response

The 2,000 space (approx.) car park is shown in the planning proposal on the concept layout plan for the World Polo Championship. Given the temporary use nature of much of this car park and that some of the car park is on existing polo fields it is expected that limited areas would be hardstand and any "heat bank" effect would be insignificant and/or temporary.

23. *A restaurant or café use is currently permissible within the RU2 Rural Landscape zone. Permitting food and drink premises would also permit take away food and drink premises, pubs and small bars. Such uses are considered to be inconsistent with the RU2 Rural Landscape zone and the character of the locality and should not be permitted.*

Officer Response

Take away food and drink premises and pubs are defined by the LEP 2012 as follows:

take away food and drink premises means premises that are predominantly used for the preparation and retail sale of food or drink (or both) for immediate consumption away from the premises.

pub means licensed premises under the Liquor Act 2007 the principal purpose of which is the retail sale of liquor for consumption on the premises, whether or not the premises include hotel or motel accommodation and whether or not food is sold or entertainment is provided on the premises.

Small bars are not defined by the LEP 2012 however the Liquor Act 2007 restricts their capacity to a maximum of 60 persons and requires that they be open to the public.

The Applicant has advised that the proposed *food and drink premises* use would provide for a broader range of uses than the *restaurant or café* use and would allow for a *pub* to be used in combination with the micro-brewery or restaurant use.

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It is considered that the proposed *pub* use in combination with the micro-brewery or restaurant use could potentially be met by a *small bar*.

In previous sections of this report there has been discussion regarding the matters such as the related or unrelated nature of some uses, the scale, location, and operation of uses, the frequency of uses and noise generated, and the suitability of uses given the flood liability of the land, particularly in terms of scale and cost of development and flood repair. It is considered that a *take away food and drink premises* and/or a *small bar* on the subject site could readily address the previously mentioned difficulties and concerns regarding the aforementioned matters. Conversely, it is considered a *pub* would not readily be able to address these difficulties and concerns, particularly due its likely seven day a week operation and potential ongoing noise impacts and the cost of flood damage repair. Given that there is a potentially smaller scale and less frequently operated alternative in a *small bar* it is considered that any amendment to the LEP 2012 for the subject site not include making a *pub* permissible.

24. *The planning proposal will allow for retrospective approval of activities and events that the Applicant has already undertaken. Why has Sydney Polo Club been allowed to use the subject site for polo when the zone does not allow it? Why are the additional uses required when they already exist.*

Officer Response

The Sydney Polo Club has conducted polo activities and events without the necessary Council approvals. The Applicant seeks an amendment to the LEP 2012 in order to make a range of uses permissible with consent and enable, if appropriate, subsequent development consent for these uses.

25. *Adversely affected properties will suffer a loss in property value.*

Officer Response

No evidence has been submitted by relevant respondents to support this claim. Furthermore, the Land and Environment Court has ruled that loss of property value is not a planning consideration.

26. *Why isn't the Richmond Lowlands zoned environmental protection? The RU2 Rural Landscape zone does not suit the area.*

Officer Response

As discussed earlier in this report, the closest equivalent of the previous Environmental Protection – Agricultural Protection (Scenic) zone of the LEP 1989 was the RU2 Rural Landscape zone of LEP 2012. The E1 National Parks and Nature Reserves zone of the LEP 2012 is not appropriate for the Richmond Lowlands. The E2 Environmental Conservation zone of the LEP 2012 has been applied to wetlands and is a very restrictive zone, amongst other land use the zone prohibits *agriculture*. The E3 Environmental Management and E4 Environmental Living zones of the LEP permitted significantly more and different types of land uses than the RU2 Rural Landscape zone.

27. *Council's rules are not being applied equally. If the LEP 2012 is to be changed then it should be universal and not limited to a few. Council should prepare a new planning proposal or alternatively amend its General Amendments planning proposal to permit recreation facilities (major) and recreation facility (outdoor) in the RU2 Rural Landscape zone.*

Officer Response

Given the progress made thus far in relation to this planning proposal and Council's General Amendments planning proposal it is recommended if any such amendment to the LEP 2012 be the subject of a separate planning proposal.

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28. *There is insufficient detail in plans that accompany the planning proposal.*

Officer Response

Respondents were typically concerned that specific details of particular proposed land uses were not provided in the planning proposal. In response reference is made to the commentary in the "Relationship between Planning Proposals and Development Applications" section of this report.

Conclusion

There is no doubt that this particular planning proposal has attracted significant interest from the community, both in terms of support and in opposing the proposal. Those opposing views of the community are no doubt borne out by what the planning proposal represents as potential economic opportunity for the area versus the potential issues that such uses could present to the community. It is the balance of these matters for Council to determine in the fullness of time.

However, in light of RMS's advice of 7 February 2017 it is considered that at present the planning proposal in its entirety cannot be proceeded with. Accordingly, it is recommended that only the World Polo Championships 2017 part of the planning proposal proceed to finalisation at this stage, and that all other matters be deferred to be considered further following the resolution of the matters raised in the RMS correspondence.

It should be noted that the World Polo Championship 2017 would not only consist of a series of polo matches in October 2017. A number of months will be required to prepare the subject site for the event and then decommission the subject site afterwards. The planning proposal gives an indication as to what types of structures, spaces and activities will be associated with the event. These include polo fields, horse training and stabling areas, exhibition and hospitality areas, event promotions area, carparking areas, as well as associated sewage and water supply services. In terms of structures required for the event, and given the short timeframe to the event, it is expected that most if not all of the structures will be temporary and removed from the site upon completion of the event. This can be further considered at development application stage.

Further, based on consideration in the report, it is also recommended that in terms of the *function centres* and *eco-tourist facilities* components of the planning proposal that these matters be deferred until the RMS traffic matters have been resolved and General Amendments planning proposal has been considered by Council.

A number of the submissions received during the exhibition period also highlighted the need to consider the potential for other properties within the Richmond Lowlands / Richmond / Cornwallis area to be used for polo and equine related purposes which has been an emerging land use in the area. Based on consideration in this report, an additional recommendation has been included to commence a process to investigate a possible planning proposal and associated amendment to the LEP 2012 to allow properties within the Richmond Lowlands / Richmond / Cornwallis area to be used for polo and equine related purposes.

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.

Conformance to the Hawkesbury Community Strategic Plan

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

- Plan for a range of industries that build on the strengths of the Hawkesbury to stimulate investments and employment in the region.
- Offer an increased choice and number of local jobs and training opportunities to meet the needs of Hawkesbury residents and to reduce their travel times.
- Help create thriving town centres, each with its own character that attracts residents, visitors and businesses.

and is also consistent with the nominated strategy in the CSP being:

- Differentiate, brand and promote the Hawkesbury as a tourism destination.

Financial Implications

The applicant has paid the fees required by Council's Fees and Charges for the preparation of a local environmental plan.

RECOMMENDATION:

That:

1. Council forward the planning proposal LEP006/15, the subject of this report, to the Department of Planning and Environment and request the preparation of a draft Local Environmental Plan (draft LEP) that will amend the *Hawkesbury Local Environmental Plan 2012* (LEP 2012) to permit with consent the necessary uses associated with the World Polo Championships 2017 only, subject to Council, in addition to any other requirement of the LEP 2012, considering a Flood Risk Management and Evacuation Plan that has been prepared in consultation with the NSW State Emergency Service.
2. Council provide the General Manager with delegation to adopt the draft Local Environmental Plan resulting from Part 1 and to request the Department of Planning and Environment make arrangements for the making of the amendment to the LEP 2012 and the notification of same on the NSW Legislation website.
3. Consideration of the other amendments to the LEP 2012 proposed by the planning proposal LEP006/15, be deferred until the concerns of the NSW Roads and Maritime Services, relating to the planning proposal have been addressed and resolved to the satisfaction of Council and the NSW Roads and Maritime Services.
4. In addition to Part 3, consideration of the planning proposal's LEP006/15 amendments to LEP 2012 to allow with consent *function centres* and *eco-tourist facilities* on the subject site and to amend the Height of Buildings Map be deferred until Council has made a determination regarding the permissibility or otherwise of *function centres* and *eco-tourist facilities* in the RU2 Rural Landscape zone as part of Council's General Amendments planning proposal LEP003/15.
5. A report be provided to Council concerning a possible planning proposal and associated amendment to the LEP 2012 to allow properties within the Richmond Lowlands / Richmond / Cornwallis area to be used for polo and equine related purposes.

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ATTACHMENTS:

- AT - 1** Council Report and Resolution 31 May 2016 - (*Distributed Under Separate Cover*)
- AT - 2** DP&E's "Gateway" determination dated 6 July 2016 - (*Distributed Under Separate Cover*)
- AT - 3** Public authority responses - (*Distributed Under Separate Cover*)
- AT - 4** Council's letter dated 19 October 2016 and DP&E letter dated 18 November 2016 - (*Distributed Under Separate Cover*)
- AT - 5** Submissions and petitions - (*Distributed Under Separate Cover*)
- AT - 6** RMS Letter dated 7 February 2017 - (*Distributed Under Separate Cover*)

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 28 February 2017

Item: 31 **CP - LEP001/15 - Planning Proposal to Amend Hawkesbury Local Environmental Plan 2012 - 219 Bells Line of Road, North Richmond - (124414, 95498)**

REPORT:

Executive Summary

On 26 May 2015, Council considered a report regarding a planning proposal submitted by Urban & Rural Planning Consultant (the applicant), seeking an amendment to Hawkesbury Local Environmental Plan 2012 (the LEP) in order to permit the subdivision of Lot 87 DP 1040092, 219 Bells Line of Road, North Richmond into two lots with a minimum lot size of not less than 4ha. Council resolved to support the preparation of a planning proposal for the subject site to amend the Lot Size Map of the LEP to allow subdivision into two lots.

On 30 June 2015, Council considered a further report on the matter to fix a minor administrative error in part 1 of the resolution of 26 May 2015 and resolved to support the preparation of a planning proposal for the subject site to amend the Lot Size Map of the LEP to permit minimum lot sizes of not less than 4ha.

In June 2015, the planning proposal was forwarded to the Department of Planning and Environment (DP & E) in accordance with Council's resolution. In September 2015 Council received a "Gateway" determination from the DP & E advising to proceed with the planning proposal.

The purpose of this report is to advise Council of the outcome of the public authority and community consultation on the planning proposal.

Based on the outcome of consultation and further consideration of the matter, it is recommended that Council proceed with the making of an LEP that gives effect to the planning proposal.

Consultation

The consultation with the relevant public authorities and the community on the planning proposal was completed in accordance with the relevant statutory and "Gateway" determination requirements. The outcome of the consultation is discussed in a subsequent section of this report.

Background

The subject site has an area of 19.2ha and is an irregular shape. Redbank Road bisects the subject site into two parts. The northern part of the subject site has an area of 6.7ha and the southern part has an area of 12.5ha as shown in Figure 1 below. Notwithstanding the current physical separation of the subject site into two parts by Redbank Road, the 10ha minimum lot size provision currently applying to the subject site does not recognise them as separate lots.

In February 2011, Council received a development application (DA0097/11) seeking approval for subdivision of the subject site to create a separate lot on either side of Redbank Road recognising the current physical separation of the subject site.

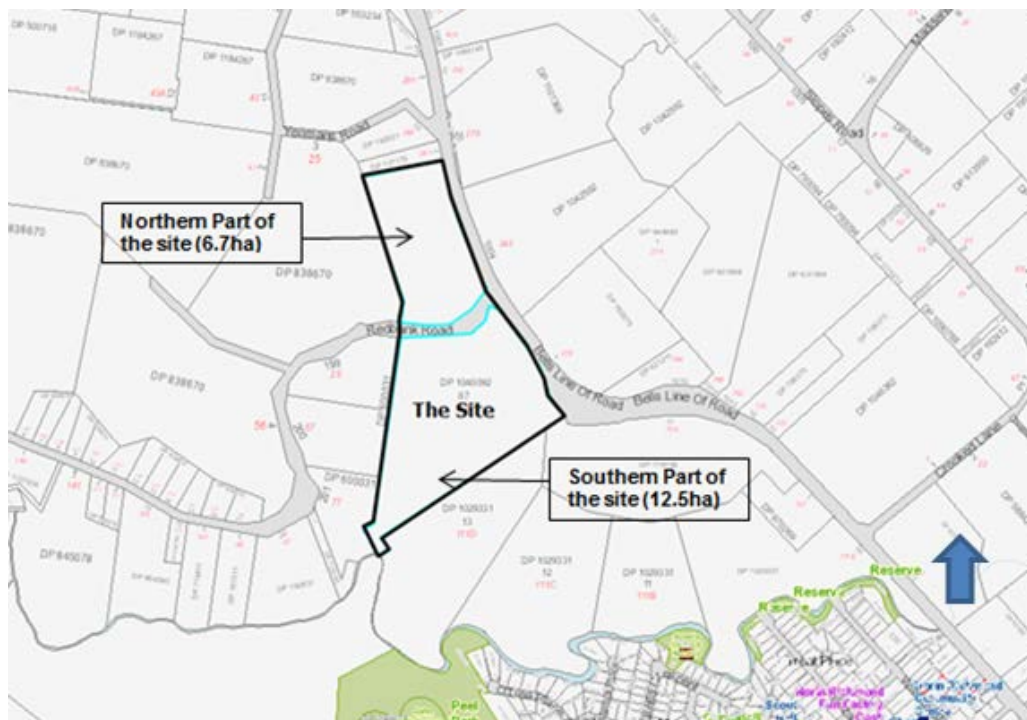


Figure 1: Subject Site

Given the proposed subdivision was not consistent with the 10ha minimum lot size requirement for the subdivision of the subject site under the provisions of the (then) Hawkesbury Local Environmental Plan 1989 the application included an objection under State Environmental Planning Policy No. 1 - Development Standards (SEPP 1) seeking a variation from the minimum lot size requirement. On 30 August 2011, Council considered a report on the development application and resolved not to support the application.

As a result, Council received this planning proposal from the applicant seeking an amendment to the Lot Size Map of the LEP to allow subdivision of the subject site into two lots recognising its current physical separation in January 2015.

By way of background, the following timeline provides an outline.

- | | |
|-----------------|--|
| 19 January 2015 | Council received a planning proposal from the applicant seeking to amend the LEP in order to permit the subdivision of the subject site into two lots with a minimum lot size of not less than 4ha. |
| 26 May 2015 | Council considered a report regarding the planning proposal and resolved to support the preparation of a planning proposal for the subject site to amend the LEP to permit the subdivision of the subject site into two lots. |
| 24 June 2015 | The planning proposal seeking a "Gateway" determination was forwarded to the DP&E. |
| 30 June 2015 | Council considered a further report on the matter to fix a minor administrative error in part 1 of the resolution of 26 May 2015 and resolved to amend the minimum allotment size quoted in that part of the resolution to 4.0ha so that the amended part 1 of that resolution reads as follows: |
1. *"Council support the preparation of a planning proposal for Lot 87 DP 1040092, 219 Bells Line of Road, North Richmond to amend the Lot Size Map of Hawkesbury Local Environmental Plan 2012 to permit minimum lot size of not less than 4ha on the land as shown in Attachment 1."*

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The DP&E was advised of the amended resolution.

2 September 2015	Council received a "Gateway" determination from the DP&E advising to proceed with the planning proposal.
14 October 2015	As per the "Gateway" determination, the applicant was advised to prepare and submit a revised flora and fauna report prior to commencement of the community consultation.
16 October 2015	Council commenced consultation on the planning proposal with the relevant public agencies identified in the "Gateway" determination, including Transport for NSW - Roads and Maritime Services, NSW Office of Environment & Heritage and the NSW Rural Fire Service.
12 February 2016	Council received a revised flora and fauna report from the applicant.
2 March 2016	The applicant was advised to prepare and submit a further revised flora and fauna report as the revised flora and fauna report received was inadequate and not in line with the requirements of Council's threatened species survey and assessment guidelines.
20 July 2016	Council received a further revised flora and fauna report from the applicant.
2 September - 3 October 2016	Public exhibition of the planning proposal

Explanation of Proposed LEP Amendment

An Amendment to Lot Size Map

Given the subject site has an area of 19.2ha and the current 10ha minimum lot size requirement for the subdivision of the subject site under the LEP, the subject site can be subdivided into two lots with areas of 10ha and 9.2ha. However, this would result in fragmentation of one of the proposed lots either side of Redbank Road, and therefore, this arrangement is not considered a desirable land use planning outcome. Given this circumstance, the planning proposal sought to amend the Lot Size Map of the LEP to change the minimum lot size for the subject site to 4ha to permit the subdivision of the subject site into two lots and remain as two separate lots in its current form as shown in Figure 2 below.

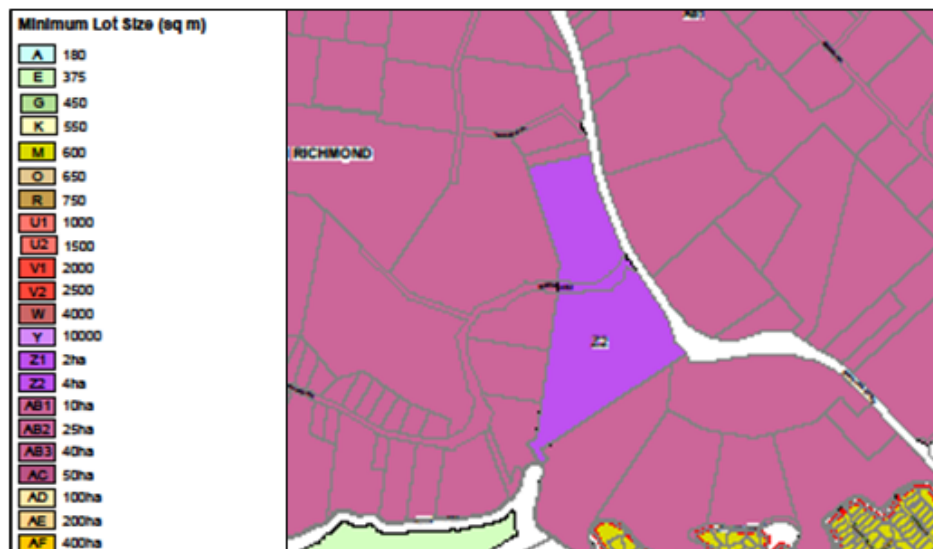


Figure 2: Proposed Lot Size Map

Explanation of Proposed LEP Amendment

Amendment to Proposed Lot Size Map

In September 2015 Council received a “Gateway” determination from the DP&E advising to proceed with the planning proposal subject to certain conditions, with Condition 1 being:

“1. Council is to apply the 4 hectare minimum lot size across the northern section of the lot only”.

The “Gateway” determination provided the following justification for the inclusion of Condition 1 above.

“It is considered that this will result in a more orderly and efficient planning proposal given the biodiversity and heritage constraints on the southern portion. This approach still delivers the desired separation of the northern and southern portions”.

Condition 1 of the “Gateway” determination to limit the 4ha minimum lot size provision for the northern part of the subject site is considered appropriate given this approach would prevent further subdivision of the southern part of the subject site which has an area of 12.5ha into 4ha lots thereby minimising any adverse impacts on the heritage listed “Hill Crest” residence on that part of the subject site.

In line with Condition 1 of the “Gateway” determination, the planning proposal as exhibited sought an amendment to the Lot Size Map of the LEP to specify a 4ha minimum lot size provision only for the northern part of the subject site as shown in Figure 3 below.

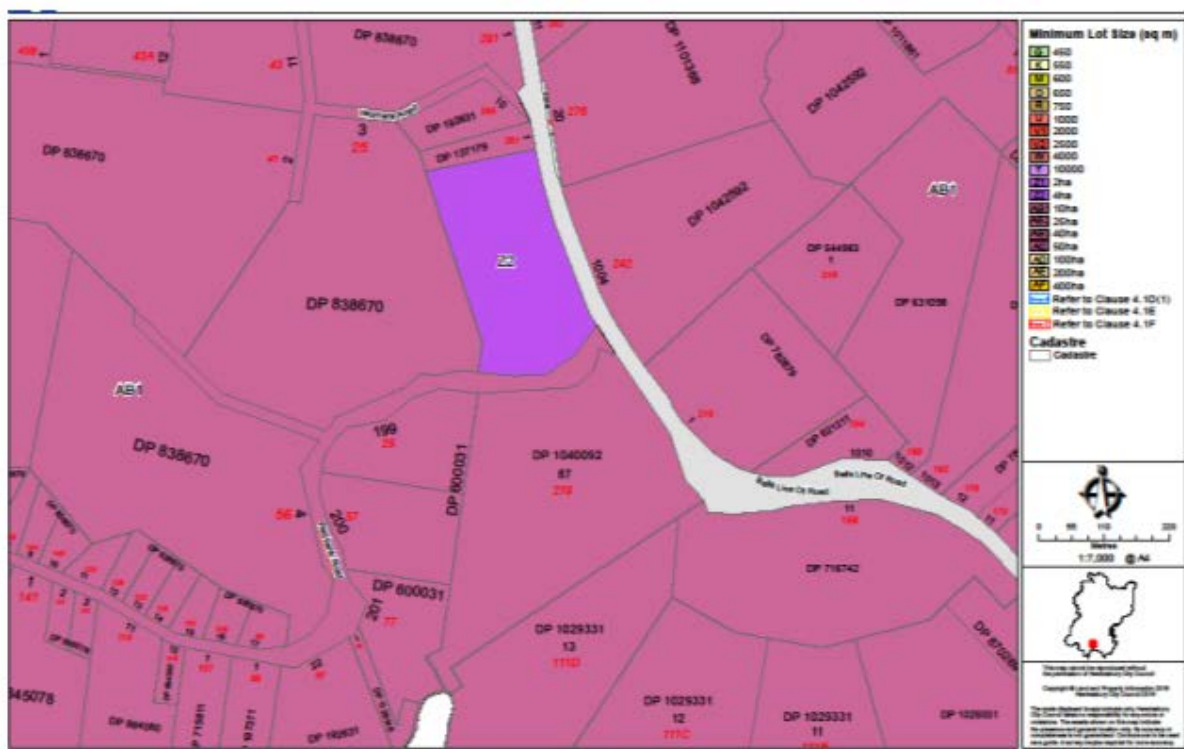


Figure 3: Exhibited Proposed Lot Size Map

Authorisation for Council to Exercise Delegation

The "Gateway" determination included authorisation for Council to exercise delegation to make this plan. Should Council resolve to proceed with the making of the plan this authorisation will allow Council to make a direct request to the Parliamentary Counsel's Office (PCO) to prepare a draft Local Environmental Plan to give effect to the planning proposal. Following receipt of an opinion from the PCO that the plan can be legally made, Council may then make the plan. Council delegated this plan making function to the General Manager by resolution on 11 December 2012.

Consultation with Public Authorities

In accordance with Section 56(2)(d) of the Environmental Planning and Assessment Act, 1979 (the EP & A Act) consultation was undertaken with the following seven public agencies identified in the "Gateway" determination:

- NSW Department of Industry
- Endeavour Energy
- Greater Sydney Local Land Services
- NSW Roads and Maritime Services
- NSW Department of Primary Industries - Agriculture
- NSW Rural Fire Service
- NSW Office of Environment & Heritage

Council received responses from all agencies, and also a response from NSW Department of Primary Industries, but none of them objected to the making of the plan. Whilst the responses received from NSW Department of Industry, Endeavour Energy and Greater Sydney Local Land Services raised no issues, the other responses raised certain issues. These issues and subsequent comments from the Council officer are outlined below.

Transport for NSW - Roads & Maritime Services (RMS)***Summary of Agency's Comment***

The RMS raised no objection to the planning proposal subject to all future access to the subject site being from Redbank Road only. Vehicular access to Bells Line of Road shall be prevented.

Officer Response

If this plan is made, any future DAs for the subject site will be referred to the RMS for comment.

NSW Department of Primary Industries - Agriculture (DPI Agriculture)***Summary of Agency's Comment***

The DPI Agriculture agreed with the recommendations by the DP & E to allow a minimum of 4ha lot size for the northern part of the subject site only. There is little potential for agriculture on this part of the subject site due to the size, biodiversity constraints and lack of water supply for agricultural purposes.

An alternative option for the applicant to excise the northern part of the subject site would be a boundary adjustment to allow for sale to an adjoining landholder which is more consistent with the RU1 Primary Production zone objectives to encourage sustainable primary industry production by maintaining and enhancing the natural resource base.

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Officer Response

The subject site is shown as being Agriculture Land Classification 3 on maps prepared by the former NSW Department of Agriculture. According to this classification the overall production level is moderate and existing environmental constraints may limit the cultivation capacity. Given the subject site has not been used for agricultural purposes other than light grazing for many years, the subject site's agricultural land classification 3, its proximity to surrounding rural residential properties and the size and slope of the site it is considered that it is unlikely the site could be used for a substantial or sustainable agricultural enterprise. In addition, the DPI Agriculture response confirming the northern part of the subject site has little potential for agriculture provides an adequate justification to allow that part of the subject site north of Redbank Road as a separate lot.

The northern part of the subject site can only be sold to the adjoining owner once that part of the subject site is created as a separate lot. Given the size of the northern part of subject site, lot amalgamation is the only feasible option to achieve the RU1 Primary Production zone objective identified in the response.

NSW Department of Primary Industries - Agriculture (DPI Water)

Summary of Agency's Comment

The DPI Water stated that the proposed subdivision of the subject site to create a separate lot on either side of Redbank Road does not affect a watercourse and does not involve any construction along a watercourse which may require regulation under the Water Management Act 2000 (WMA). However, Council must ensure that if the lots are created, any future owners of the resultant properties are aware that any water management works such as dams or bores may need to be authorised under the WMA and the owners may require water access licences for the volume of water held or extracted.

The DPI Water recommended that consideration be given in assessing the planning proposal of the potable and non-potable water demands of the future blocks and the ability to source adequate supplies.

Officer Response

If this plan is made, any future development applications for the subject site will be referred to DPI Water for comment, and Council would be able to impose any DPI Water requirements with respect to the future development of the subject site as conditions of consent.

The subject site has access to reticulated water and, if this plan is made and the proposed two lots are created, Council would be able to refer any future development applications for those two lots to Sydney Water for comment. Therefore, an initial assessment of potable and non-potable water demands of the proposed lots and their ability to source adequate supplies is not required in the determination of this planning proposal.

NSW Rural Fire Service (RFS)

Summary of Agency's Comment

The RFS raised no objection to the making of the plan subject to a requirement that the future subdivision of the subject site complies with Planning for Bushfire Protection 2006.

Officer Response

If this plan is made, any future development applications for the subject site will be referred to RFS for comment.

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NSW Office of Environment & Heritage (OEH)

Summary of Agency's Comment

The OEH generally agreed with the comments of Council's Land Management Officer that the flora and fauna report was out-dated and inadequate. The OEH noted that the "Gateway" determination required the preparation and inclusion of a flora and fauna study in the planning proposal exhibition documentation. When preparing the study, reference should be made to the 'threatened species survey and assessment guidelines' on the OEH website.

Officer Response

The applicant was advised to prepare a revised flora and fauna report in line with the 'threatened species survey and assessment guidelines' on the OEH website. An assessment of the final revised flora and fauna report received from the applicant by Council's Land Management Officer revealed that the flora and fauna report was satisfactory and acceptable.

Community Consultation

The planning proposal and supporting documentation was publically exhibited for the period Friday, 2 September 2016 to Monday, 3 October 2016 in accordance with the relevant statutory and "Gateway" determination requirements. An exhibition notice was placed in the Hawkesbury Courier on 1 and 15 September 2016 and letters were sent to adjoining and nearby landowners and occupiers advising of the public exhibition of the planning proposal. The planning proposal and supporting documentation was made available for public viewing during the exhibition period on Council's website and at Council's Administration Office.

Council received three submissions objecting to the making of the plan from the community during the exhibition period. Submission 1 provides no reasons other than just stating that it does not agree with the planning proposal and the insertion of a clause into the LEP to permit this subdivision.

The issues raised in Submissions 2 and 3 and subsequent comments from the Council Officer are outlined below.

Summary of Submission 2

Lot Yield

A few years ago, a development application was lodged with Council to subdivide our 100 acre dairy farming land into smaller lots, but Council approved 25 acre lots on the property. This 100 acre large land could have yielded twice the lots, if that application was assessed against the minimum lot size provision proposed in this planning proposal. Council should not proceed with this planning proposal to allow the proposed subdivision of the subject site.

Officer Response

A subdivision application is always assessed against any existing subdivision provisions in the LEP and there was no exception to the land referred to in this submission. Generally, the size of any lot resulting from a subdivision of land is not to be less than the minimum lot size specified in the LEP in relation to that land. In contrast, a planning proposal is generally a detailed document/application which sets out justification for intended amendments to a LEP to facilitate a particular development on land subject of that planning proposal. Council always considers planning proposals on their merits, and Council at its Ordinary Meeting of 30 June 2015 resolved to support the preparation of a planning proposal for the subject site to amend the Lot Size Map of Hawkesbury Local Environmental Plan 2012 to permit a minimum lot size of not less than 4ha on the land. If this plan is made, a development application seeking approval for subdivision of the subject site into two lots will need to be lodged with Council for its consideration.

Submission 3

Other land owners in the area have had to comply with zoning restrictions, and special provisions contained in the planning proposal seeking subdivision of the subject site did not or do not apply to their properties. For example, the owners of the Johnston Dairy farm land were allowed to subdivide their land into two 25 acre lots, and if they were allowed to subdivide their land into 10 acre lots they would have been much better off their retirement. Similarly, many of the land owners in the area have not been benefitted by such provisions applying to the subject site, and therefore it is morally unethical to approve this planning proposal.

Officer Response

Please refer to Officer Response to Summary of Submission 2.

Section 94 Contributions or a Voluntary Planning Agreement

The planning proposal should be covered by a Section 94 Developer Contributions Plan (S94 Plan) or a Voluntary Planning Agreement (VPA) prior to finalisation and making of the plan. The current Hawkesbury Section 94 Plan does not apply to residential development in North Richmond. If the planning proposal is to proceed further, a draft VPA or an addition to the current S94 Plan to support the required infrastructure upgrade in the locality to support the development would need to be prepared by the applicant in consultation with Council. Once a suitable draft VPA incorporating appropriate monetary contribution for the additional lot created on the subject site that is acceptable to Council is prepared, it will be reported to Council with a recommendation to exhibit the draft VPA for public comments for a minimum period of 28 days in accordance with the Environmental Planning and Assessment Regulation 2000.

Conformance to the Hawkesbury Community Strategic Plan

The proposal is consistent with the Looking after People and Place Directions statement.

- Offer residents a choice of housing options that meet their needs whilst being sympathetic to the qualities of the Hawkesbury.
- Population growth is matched with the provisions of infrastructure and is sympathetic to the rural, environmental, heritage values and character of the Hawkesbury.
- Have development on both sides of the river supported by appropriate physical and community infrastructure.

Financial Implications

The applicant has paid the planning proposal application fees required by Council's Fees and Charges for the preparation of a Local Environmental Plan.

Conclusion

The consultation undertaken with the community and the relevant public authorities with respect to the planning proposal do not warrant any amendments to the exhibited planning proposal or the abandonment of the proposal.

It is recommended that Council proceed with the making of the LEP under the authorisation for Council to exercise delegation issued by the "Gateway" determination.

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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 Council:

1. Proceed with the making of the plan to amend the Lot Size Map of the Hawkesbury Local Environmental Plan 2012 to permit a minimum lot size of not less than 4ha for the northern part of the subject site immediately north of Redbank Road.
2. Request that the Parliamentary Counsel's Office prepare a draft Local Environmental Plan to give effect to the planning proposal in accordance with Section 59(1) of the Environmental Planning and Assessment Act, 1979.
3. Adopt and make the draft Local Environmental Plan, under the authorisation for Council to exercise delegation issued by the "Gateway" determination, upon receipt of an opinion from Parliamentary Counsel's Office that the plan can be legally made.
4. Advise the applicant to prepare a draft Voluntary Planning Agreement incorporating appropriate monetary contribution for the additional lot created on the subject site for Council's consideration prior to placing the draft Voluntary Planning Agreement on public exhibition.
5. Following the making of the plan advise the Department of Planning and Environment that the plan has been made and request to notify the plan on the NSW Legislation website.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 28 February 2017

GENERAL MANAGER

Item: 32 **GM - 2017 Floodplain Management Australia National Conference - (79351, 80286)**

REPORT:

Executive Summary

The 2017 Floodplain Management Australia National Conference will be held from 16 to 19 May 2017 in Newcastle. Due to its relevance to Council's business, it is recommended that the 2017 Floodplain Management Australia National Conference be attended by Councillors and appropriate staff

Consultation

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

Background

The 2017 Floodplain Management Australia National Conference will be held from 16 to 19 May 2017 in Newcastle. The Conference will include Australian and International keynote speakers, plenary and concurrent presentations.

Cost of attendance at the 2017 Floodplain Management Australia National Conference will be approximately \$2,630 plus travel expenses per delegate.

Budget for Delegate Expenses - Payments made:

Total Budget for Financial Year 2016/2017	\$48,000
Expenditure to date	\$17,396
Outstanding Commitments as at 20 February 2017 (approx.)	\$5,200
Budget balance as at 20 February 2017, (approx. including outstanding commitments)	\$25,404

It should be noted that the outstanding commitments referred to above are in relation to Councillor attendance at the 2017 Local Government NSW Tourism Conference in March 2017 as previously authorised by Council.

Conformance to the Hawkesbury Community Strategic Plan

The proposal is consistent with the Looking After People and Place Direction Statement;

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

and is also consistent with the nominated strategy in the CSP being:

- Provide for a safer community through planning, mitigation and response.

Financial Implications

Funding of the cost of attendance at this Conference will be provided from the Delegates Expenses within the 2016/2017 Operational Plan.

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RECOMMENDATION:

That attendance of nominated Councillors and staff as considered appropriate by the General Manager, at the 2017 Floodplain Management Australia National Conference at an approximate cost of \$2,630, plus travel expenses per delegate be approved.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 28 February 2017

Item: 33 GM - Local Government Professionals Australia 2017 National Congress & Business Expo - (79351, 130399)

REPORT:

Executive Summary

The Local Government Professionals Australia 2017 National Congress & Business Expo will be held in Hobart from 22 to 24 May 2017. Due to its relevance to Council's business, it is recommended that the Local Government Professionals Australia 2017 National Congress & Business Expo be attended by Councillors and appropriate staff.

Consultation

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

Background

The Local Government Professionals Australia 2017 National Congress & Business Expo will be held in Hobart from 22 to 24 May 2017. The program will provide a fresh perspective on leadership, both within and beyond the local government sector and provides a platform to discuss policy and professional development needed to advance local government practitioners in Australia.

Cost of attendance at the 2017 National Congress & Business Expo will be approximately \$3,525 per delegate.

Budget for Delegate Expenses - Payments made:

Total Budget for Financial Year 2016/2017	\$48,000
Expenditure to date	\$17,396
Outstanding Commitments as at 20 February 2017 (approx.)	\$5,200
Budget balance as at 20 February 2017 (approx. including outstanding commitments)	\$25,404

It should be noted that the outstanding commitments referred to above are in relation to Councillor attendance at the 2017 Local Government NSW Tourism Conference in March 2017 as previously authorised by Council.

Conformance to the Hawkesbury Community Strategic Plan

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

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

and is also consistent with the nominated strategy in the CSP being:

- Improve financial sustainability.

Financial Implications

Funding of the cost of attendance at this Conference will be provided from the Delegates Expenses within the 2016/2017 Operational Plan.

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RECOMMENDATION:

That attendance of nominated Councillors and staff as considered appropriate by the General Manager, at the Local Government Professionals 2017 National Congress & Business Expo at an approximate cost of \$3,525 per delegate be approved.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 28 February 2017

Item: 34 **GM - Sister City and City-Country Alliance Program - Annual Report - (79351, 85814, 8350)**

REPORT:

Executive Summary

The purpose of the report is to provide Council with an overview of the Sister City and City-Country Alliance Program (Program) during the 2015/2016 financial year. The Program is undertaken in association with the Hawkesbury Sister City Association (Association), which has delegated authority to undertake program activities on behalf of Council.

Council and the Hawkesbury community have two international sister cities being, Temple City, California, USA and Kyotamba, Kyoto, Japan; and two City-Country Alliance towns being, Weddin Council (main town of Grenfell) and Cabonne Council (main town of Molong).

The Program includes provision for culture, sport and youth exchanges between the Hawkesbury community and the sister cities and alliance towns.

Consultation

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

Background

Council at its meeting held on 10 July 2007, adopted its Sister City Program Policy to address exchange activities with its international sister cities; and amended the policy on 24 February 2009 to include exchange activities with Council's City-Country Alliance towns. Council has been involved in its Sister City activities since 1984.

Council in adopting the Policy, also delegated authority to the Association to undertake some exchange activities on Council's behalf with our sister cities and alliance towns.

To support the activities of the Program, Council allocates appropriate funding as part of the annual Operational Plan process. The Association was established in 1983 and has been involved in the Program since then.

Council and its international sister cities celebrated over 30 years of friendship with Temple City and over 25 years of friendship with Kyotamba in 2014.

Program Financials

Table 1 shows Council's budgeted funds and actual expenditure for the Program for the year ended 30 June 2016. Council's full year budget was \$19,850, which was used for payments to the Association and costs associated with activities undertaken by Council; and \$6,000 as donation funds for the Program's student exchange visits.

The Program for the year ended 30 June 2016 tracked well with a minor under expenditure. This reflects the variance in accounts received and activities that vary between years and incremental savings improvements. Eleven students travelled overseas on the student exchange program (\$500 donation per student), which accounted for the majority of the donation funds (maximum is twelve student).

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Table 1: Hawkesbury Sister City Program – Financial Summary for 2015/2016

Council	Budget \$	Expenditure \$
General contribution	19,850	18,043
Donation to students	6,000	5,500
Total for Program	25,850	23,543

Overall, the financial position at the end of 2015/2016 was in line with planned Program costs, including both Association and Council activities.

The Minutes of the Association's Annual General Meeting held on 14 November 2016, including the Association's financial statements for the year ending 30 June 2016, shows Council's contribution to the Association for the year as \$17,220. The balance of this fund was used by Council for direct payment of other Association expenses including printing, and other program expenses such as the Sister Cities Australia membership and civic/ Mayoral functions and program development.

Program Activities by the Association

The Minutes of the Association's Annual General Meeting held on 14 November 2016, including the Association's President's report and Treasurer's report is shown as Attachment 1 to this report. The report indicates that the Association had a busy year organising and hosting student exchanges, individual visits from sister cities and associated activities.

The President's report acknowledges the support of the Councillor Delegate to the Association, Councillor Barry Calvert, the Associations' honorary medical officer former Councillor Dr Warwick Mackay and importantly the Association members and the Hawkesbury families who hosted the intentional students during their exchange visit to the area who help make the exchange visit a success for the students. A thank you was also extended to former Councillor Christine Paine who resigned as the Association's Vice President after many years of service (member of Association in private capacity).

Activities undertaken by the Association during the reporting period include:

- monthly meetings and AGM, including membership growth
- calendar of events
- review of the operational structure of the student exchange program
- student exchange (outbound)- Hawkesbury representatives travel to sister cities, including:
 - selection process and information sessions for students
 - farewell and welcome home functions for students
 - organisation of travel plans
 - attendance of all exchange students at a Council meeting.
 - the exchange students were:

Kyotamaba Ms C. Bennett, Ms O. Richards, Mr C. Collier, Mr C. Kelly, Ms H. Binskin

Temple City Mr B. Harris, Ms M. Barbeitos, Ms T. Foster, Ms S. Turner, Mr D. Ryan, Ms L. Holman

- student exchange (inbound) – sister cities representatives travel to the Hawkesbury, including:
 - host families for visiting students selection and arrangements
 - international students attend school with host family students
 - welcome and farewell functions for students and host families
 - management of activities for international students visiting at the same time, with host families

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- adult exchanges – Association members (President, Secretary and Treasurer) undertook a courtesy visit to Kyotamba in September, 2015 (own costs), and met with the Mayor of Kyotamba and other Kyotamba sister city friends.

Program Activities by Council

Council provides support to the Association, undertakes other Program activities and maintains the Sister City Agreement relationship. During the period in 2015/2016, the following activities were undertaken:

- student donation - Council approved donations for the student exchanges to the sister cities at its meeting 31 May 2016
- Association support, including:
 - Councillor delegate attendance at Association meetings and other activities (Councillor Calvert)
 - acknowledgement of Hawkesbury, Kyotamba and Temple City exchange students at Council Meeting on 9 August, 2016, and presentation of certificates
 - program advice, reporting, meetings and administration
 - token gift for the Mayor of Kyotamba from the Mayor of Hawkesbury during the Association member's courtesy visit (August, 2016)
- Mayoral, Civic and Council management engagement with sister cities and alliance towns, including correspondence, attendance at activities and events
- Councillor Calvert attended the 2015 Sister Cities Australia Conference in October 2015 (at Blacktown)
- the Mayor of Hawkesbury hosted a Japanese school student visit (July, 2015).

Conformance to the Hawkesbury Community Strategic Plan

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

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

and is also consistent with the nominated strategy in the CSP being:

- Achieve community respect through good corporate governance and community leadership and engagement.

Financial Implications

All costs were met from approved budgets within the 2015/2016 Operational Plan.

RECOMMENDATION:

That the 2015/2016 annual report for the Sister City Program and City-Country Alliance be received.

ATTACHMENTS:

AT - 1 Minutes of the AGM of Hawkesbury Sister City Association of Monday, 14 November, 2016.

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Meeting Date: 28 February 2017

AT 1 - AGM Minutes - Hawkesbury Sister City Association meeting,**Monday, 14 November 2016****Minutes of the AGM of Hawkesbury Sister City Association****on Monday 14th November, 2016 at 7.00 pm.**

PRESENT: T. Tallack, B. Russell, L. Richardson, J. Nash, J. Thomas, S. Simmons, I. Simmons, L. Holman, T. Foster, S. Turner, C. Bennett, N. Mulford, B. Smithers, C. Paine, K. Holman, H. Schultz, O. Richards, H. Binskin and Shirley Hetherington.
T. Tallack welcomed new members attending the AGM for the first time.

APOLOGIES: Y. Whalan, A. O'Neill, A. Schultz, N. Rudyk and Peter Tallack
Resolved on the motion moved by T. Tallack and seconded by J. Nash that the apologies be accepted.

CONFIRMATION OF PREVIOUS MINUTES:

Resolved on the motion moved by N. Mulford and seconded by L. Richardson that the Minutes of the last AGM held on the 9th November 2015, be confirmed.

BUSINESS ARISING FROM THE PREVIOUS MINUTES:

No Business arising.

PRESIDENT'S REPORT: (copy of Report attached)

T. Tallack proposed that the President's report be accepted and seconded by C. Paine.
N. Mulford proposed a vote of thanks to T. Tallack for all the hard work and effort that she has given the Association during the past year seconded by J. Nash.
C. Paine expressed her heart felt thoughts and her sorrow for resigning from her position of Vice President. Other members expressed their thanks for all the C. Paine has given and her presence will be sadly missed.

TREASURER'S REPORT:

INCOME STATEMENT FOR THE YEAR ENDED 30 JUNE 2016				BALANCE SHEET AS AT 30 JUNE 2016			
	Note	2016 \$	2015 \$		Note	2016 \$	2015 \$
INCOME				ASSETS			
Contributions From HCC		17,220.00	17,000.00	CURRENT ASSETS			
Registrations		36.00	30.80	Cash and cash equivalents	2	13,608.54	10,258.38
Reimbursements		500.00	1,462.40	Trade and other receivables	3	810.00	1,452.00
		17,756.00	18,493.20	TOTAL CURRENT ASSETS		14,418.54	11,690.38
OTHER INCOME				NON-CURRENT ASSETS			
Other Revenue		160.81	-	Property, plant and equipment	4	594.31	910.60
		17,916.81	18,493.20	TOTAL NON-CURRENT ASSETS		594.31	910.60
EXPENDITURE				TOTAL ASSETS		15,012.85	12,570.98
Accountancy Fees		-	500.00	LIABILITIES			
Advertising		682.85	150.25	CURRENT LIABILITIES			
Bank Charges		120.00	120.00	TOTAL CURRENT LIABILITIES		-	-
Catering		1,764.41	2,451.42	TOTAL LIABILITIES		-	-
Depreciation		316.29	618.00	NET ASSETS		15,012.85	12,570.98
Gifts		1,024.98	1,175.94	MEMBERS' FUNDS			
Hospitality		6,165.45	7,084.49	Retained earnings	5	15,012.85	12,570.98
Insurance		859.40	854.00	TOTAL MEMBERS' FUNDS		15,012.85	12,570.98
Phone, Fax, Postage & Stationery		1,157.29	1,567.54				
Sundry Expenses		119.47	181.22				
Travelling Expenses		3,254.80	4,492.51				
		15,474.94	19,192.37				
Profit (Loss) before income tax		2,441.87	(699.17)				
Profit (Loss) for the year		2,441.87	(699.17)				
Retained earnings at the beginning of the financial year		12,670.98	13,270.15				
Retained earnings at the end of the financial year		15,012.85	12,570.98				

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HAWKESBURY SISTER CITY ASSOCIATION INCORPORATED

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2016

I Statement of Significant Accounting Policies

This financial report is a special purpose financial report and it has been prepared in order to satisfy the financial reporting requirements of the Associations Incorporation Act NSW. The committee has determined that the association is not a reporting entity.

The financial report has been prepared in accordance with the requirements of the Associations Incorporation Act.

No Accounting Standards or other authoritative pronouncements of the Australian Accounting Standards Board have been applied to this report.

The following is a summary of the material accounting policies adopted by the association in the preparation of this report. Unless otherwise stated, the accounting policies are consistent with the previous period.

Fixed Assets

Plant and equipment is carried at cost less, where applicable, any accumulated depreciation.

The depreciable amount of all fixed assets are depreciated over the useful lives of the assets to the association commencing from the time the asset is held ready for use.

HAWKESBURY SISTER CITY ASSOCIATION INCORPORATED

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2016

	2016 \$	2015 \$
2 Cash and Cash Equivalents		
Cash on Hand	-	103.35
Cash at Bank	13,608.54	10,155.03
	<u>13,608.54</u>	<u>10,258.38</u>
3 Trade and Other Receivables		
Current		
GST Payable (Refundable)	<u>810.00</u>	<u>1,402.00</u>
4 Property, Plant and Equipment		
Plant & Equipment - at cost	3,455.40	3,455.40
Less: Accumulated Depreciation	<u>(2,861.09)</u>	<u>(2,544.80)</u>
	594.31	910.60
Total Plant and Equipment	<u>594.31</u>	<u>910.60</u>
Total Property, Plant and Equipment	<u>594.31</u>	<u>910.60</u>
5 Retained Earnings		

Retained earnings at the beginning of the financial

HAWKESBURY SISTER CITY ASSOCIATION INCORPORATED

STATEMENT BY MEMBERS OF THE COMMITTEE

The committee has determined that the association is not a reporting entity and that this special purpose financial report should be prepared in accordance with the accounting policies outlined in Note 1 to the financial statements.

In the opinion of the committee the financial report:

- Presents a true and fair view of the financial position of Hawkesbury Sister City Association Incorporated as at 30 June 2016 and its performance for the year ended on that date.
- At the date of this statement, there are reasonable grounds to believe that Hawkesbury Sister City Association Incorporated will be able to pay its debts as and when they fall due.

This statement is made in accordance with a resolution of the Committee and is signed for and on behalf of the Committee by:

Committee Member _____

Committee

COMPILATION REPORT TO HAWKESBURY SISTER CITY ASSOCIATION INCORPORATED

I have compiled the accompanying special purpose financial statements of Hawkesbury Sister City Association Incorporated which comprise the balance sheet as at 30 June 2016, profit and loss statement for the year then ended, a summary of significant accounting policies, other explanatory notes and other explanatory notes. The specific purpose for which the special purpose financial statements have been prepared is set out in the notes to the accounts.

The responsibility of the committee of management

The Committee of Management of Hawkesbury Sister City Association Incorporated is solely responsible for the information contained in the special purpose financial statements, the reliability, accuracy and completeness of the information and for the determination that the basis of accounting used is appropriate to meet their needs and for the purpose that the financial statements were prepared.

My responsibility

On the basis of the information provided by the committee of management I have compiled the accompanying special purpose financial statements in accordance with the basis of accounting as described in the notes to the financial statements and APES 315. Compilation of Financial Information.

I have applied professional expertise in accounting and financial reporting to compile these financial statements in accordance with the basis of accounting described in the notes to the financial statements. I have complied with the relevant ethical requirements of APES 110 Code of Ethics for Professional Accountants.

Assurance Disclaimer

Since a compilation engagement is not an assurance engagement, I do not required to verify the reliability, accuracy or completeness of the information provided to me by management to compile these financial statements. Accordingly, I do not express an audit opinion or a review conclusion on these financial statements.

The special purpose financial statements were compiled exclusively for the benefit of the committee of management who is responsible for the reliability, accuracy and completeness of the information used to compile them. I do not accept responsibility for the contents of the special purpose financial statements.

Name of Firm: DK Audit Accountants Pty Ltd
Chartered Accountants
Name of Principal: [REDACTED]
David Kean
Address: 97 Francis Street, Richmond NSW 2753
Dated this 10 day of November 2016

COMPILATION REPORT TO HAWKESBURY SISTER CITY ASSOCIATION INCORPORATED

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Name of Firm: DK Audit Accountants Pty Ltd
Chartered Accountants
Name of Principal: [REDACTED]
David Kean
Address: 97 Francis Street, Richmond NSW 2753
Dated this 10 day of November 2016

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T. Tallack moved that the Auditors report for the 2015/2016 financial year be accepted and that the Statement by Members of the Committee as tabled be accepted, seconded by N. Mulford.

OTHER REPORTS – PUBLIC OFFICER:

T. Tallack tabled a fact sheet regarding changes to the associations incorporations law.

MEMBERSHIP FEE – 2017-18:

T. Tallack moved membership fee for the period July 2017 to June 2018 be \$2.00, seconded J Nash

ELECTION OF MANAGEMENT COMMITTEE:

T. Tallack vacated the chair and Returning Officer Christine Paine resided over the election of the 2016/17 HSCA Management Committee. Positions were filled as follows:

PRESIDENT:	T. Tallack
VICE PRESIDENT:	B. Smithers
SECRETARY:	Y. Whalan
TREASURER:	A. O'Neill
MINUTE SECRETARY:	B. Russell
INTERPRETOR:	N. Mulford
HISTORIAN/ ARCHIVES:	J. Thomas
YOUTH REPRESENTIVES:	L. Holman, C. Bennett, O. Richards, H. Binskin, S. Turner and T. Foster.
CATERING OFFICER:	J. Nash
COMMITTEE MEMBERS:	L. Richardson, S. Hetherington, K. Holman, I. Simmons, S. Simmons, N. Rudyk, A. Schultz and H. Schultz.

It was decided by the Returning Officer to accept more than two Youth Representatives due to the commitments of the newly elected Representatives, the positions will be reviewed during 2017.

All positions are now filled. Congratulations to all that were nominated, all have been successful.

Being no further business the AGM was concluded.

The meeting closed at 7.48 p.m.

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Hawkesbury Sister City Association

President's Report – November 2015 to November 2016

In early 2016 HSCA member Elizabeth Davey sadly passed away. We were delighted when Elizabeth re-joined the Association after an absence of a few years. Unfortunately, soon after her return to HSCA Elizabeth became ill. Elizabeth, along with her husband Jim, had previously been a long term and very active members of the association and for many years Elizabeth was our catering officer. To Jim and the Davey family we extend sincere condolences.

Another great sadness this year was the passing of John Paine, husband of long term member and HSCA Vice President Christine Paine. Our heartfelt sympathy goes to Chris and the Paine family.

Due to a review of our student exchange procedures our 2016 student exchange program got off to a late start with the students not being selected until early 2016.

The students making up the 2016 delegations were –

Temple City Delegation –

Brodie Harris attending Colo High School
Mia Barbeitos attending Hawkesbury High School
Tiarna Foster attending Colo High School
Sophie Turner attending Colo High School
Darcy Ryan attending Hurlstone Agricultural High School
Laura Holman attending Arndell Anglican College

Kyotamba Delegation –

Carlie Bennett attending Colo High School
Olivia Richards attending Bede Polding College
Caleb Collier attending High School
Callaghan Kelly attending Colo High School
Hollie Binskin attending Bede Polding College

Thank you to Lorraine Richardson for convening the student exchange interview panel, plus Cllr Barry Calvert, Yvonne Whalan and Sue Simmons who also sat on the panel to select the 2016 exchange students. Thanks also to the many other committee members who assisted on the day.

I would also like to acknowledge and thank the families who hosted our 2016 inbound exchange students, as follows –

Foster family of Bowen Mountain
Holman family of Richmond
Ryan family of Windsor
Barbeitos family of Cumberland Reach
Harris family of Kurrajong
Turner family of Kurmond
Simmons family of Ebenezer
Collier family of Glossodia
Richards family of North Richmond
Binskin family of Wilberforce

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Bennett family of Kurmond
Kelly family of Bowen Mountain

The 2016 student exchange program ran successfully and there were no issues during the inbound or outbound program, or any legislative or council requirements that required our procedures or regulations to be reviewed prior to the commencement of the 2017 program.

However, over the past few years there has been considerable changes to this program and as such I recommend we review the operational structure of the student exchange program.

Our 2017 student exchange program is on track with the 2017 Hawkesbury student delegations already selected, as follows –

Temple City Delegation -

Megan Bennett who attends Colo High School
Samantha Burgmann who attends Colo High School
Emily Hopcroft who attends Colo High School
Nick Eglin who attends Arndell Anglican College
Amber Fradd who attends Arndell Anglican College
Amelia Thompson who attends Colo High School

Kyotamba delegation –

Gabby Milne who attends Bede Polding College
Amy Bartels who attends Lakes Christian College
Grace Brown who attends Arndell Anglican College
Bethany Price who attends Nepean Creative Arts and Performing High School
Jack Clulee who attends Colo High School
Kayla Camelo who attends Richmond High School

To interview panel convenor Nicole Mulford, Cllr Barry Calvert and Jo Thomas thank you for sitting on the interview panel. Thank you to the other Association members who also assisted. 28 applications were received for the 2017 student exchange delegations with interviews being held over two days. It was pleasing to see such a high calibre of applicant, but sad that so many suitable and capable students missed out on a student exchange experience in 2017.

In April HSCA Secretary Yvonne Whalan, Treasurer Peter Tallack, Eddie Whalan and myself made a very quick courtesy visit to Kyotamba. Yvonne, Peter and I have all visited Kyotamba, but it was Eddie's first visit to Japan and Kyotamba. We travelled by train from Osaka port, through Kyoto and onto Kyotamba – a journey of about two hours. We had to be back in Osaka the same day, so we only had a few hours in Kyotamba and were delighted to see many friends and visit many places in that short time. We met with the Mayor of Kyotamba, had lunch at the new Kyotamba tourist centre, mixed green tea at the home of Mr and Mrs Noguchi, and walked and drove around Kyotamba.

I am delighted that the current Kyotamba International Friendship Society Chairperson Mr Kitamura, along with interpreter Ms Mori, will be visiting the Hawkesbury next week. It will be a great opportunity to show Mr Kitamura our beautiful City, and also let him experience some of the sights and activities undertaken by the Kyotamba exchange students. On the agenda we have a visit to Colo High School, local sightseeing, and a visit with Hawkesbury Mayor Mary Lyons-Buckett.

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It is also looking likely that a Temple City Citizens Delegation will visit Hawkesbury in June 2017.

Our small group works well together, and the nature of our Association in promoting friendship reflects the positive way we work together as a group – always caring and thinking of each other.

A very big thank you to all members of our ‘well oiled’ HSCA team. Without each and every one of you HSCA would not be able to deliver our programs, and in particular provide a student exchange experience for our young citizens. Thank you and congratulations on a job well done.

In closing I would like to recognise and thank the HSCA executive – Vice President Christine Paine, Secretary Yvonne Whalan, and Treasurer Peter Tallack. Thanks also go to Cllr Barry Calvert for being the Councillor representative on HSCA and I also extend congratulations to Barry on being voted back onto Hawkesbury City Council and elected Deputy Mayor.

Tina Tallack
President
Hawkesbury Sister City Association Inc

14th November 2016

oooO END OF REPORT Oooo

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CITY PLANNING

Item: 35 **CP - Delivery Program 2013 - 2017 - Six Month Progress Report 1 July 2016 - 31 December 2016 - (95498, 124414)**

REPORT:

Executive Summary

The purpose of this report is to inform Council of progress in implementing Council's Delivery Program 2013 - 2017 for the period 1 July 2016 to 31 December 2016.

Consultation

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

Background

Council's Delivery Program 2013 - 2017 details the principal activities to be undertaken by Council over a four year period to implement the strategies of the Hawkesbury Community Strategic Plan 2013 - 2032.

Section 404 of the Local Government Act 1993 requires that "regular progress reports are provided to the council reporting as to its progress with respect to the principal activities detailed in its delivery program. Progress reports must be provided at least every 6 months". The Delivery Program states that the projects, programs and activities of the relevant Operational Plan will be used as the basis of this report.

The Operational Plan 2016/2017 commenced on 1 July 2016. The table attached to this report shows the progress in achieving the Delivery Program activities for the period 1 July 2016 to 31 December 2016.

Conformance to Community Strategic Plan

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

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

and is also consistent with the nominated strategy in the CSP being:

- Achieve community respect through good corporate governance and community leadership and engagement

Financial Implications

There are no funding implications from the preparation of this report.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

AT - 1 Delivery Program 2013 - 2017 Progress Report: 1 July 2016 - 31 December 2016 - (*Distributed Under Separate Cover*)

oooO END OF REPORT Oooo

Item: 36 CP - Submission to Proposed Changes to the Environmental Planning and Assessment Act - (95498, 124414)

REPORT:**Executive Summary**

The purpose of this report is to briefly outline the proposed changes to the planning legislation and to recommend the issues that a submission from Council should address in response to those changes. The submission would then be prepared consistent with those issues prior to sending.

Consultation

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

Background

On 9 January 2017 the then Minister for Planning released the Government's proposals to update the Environmental Planning and Assessment Act 1979 (The Act) through a series of amendments.

The amendments are extensive in number but are focused around the following four objectives:

- to enhance community consultation
- to promote strategic planning
- to increase probity and accountability in decision making
- to promote simpler, faster processes for all participants.

The need for updates to the planning legislation is not questioned as the current Act has been amended approximately 150 times and these amendments have resulted in overly complex processes for development and planning matters. The amendments propose to build on recent Policy, operational and legislative changes to the planning system including; introduction of the Greater Sydney Commission; a hierarchy of regional and district strategic planning documents; ePlanning and changes to the enforcement processes.

Attachment one to this report summarises the current set of proposals against the above policy objectives. It is not intended to provide detail of each of the proposed changes in this report as that information is currently available from the Department of Planning and Environment's (DP&E) website at <http://www.planning.nsw.gov.au/Policy-and-Legislation/Legislative-Updates>.

The following outlines the key issues where it is proposed to prepare a submission to the exhibition documents.

Assistance for implementation

The proposed changes to the legislation require Council to prepare a number of additional documents that do not currently exist in the format required. These include Community Participation Plan, Local Strategic Planning Statements, statements of reasons for decisions, etc. There is no objection to these documents and statements as they provide additional opportunities for community input and transparency in Council's operations and decision making.

However, the preparation of these documents will take time and resources. The exhibition documents indicate that the DP&E will assist by producing guides and other template resources to assist in the preparation of these documents. It is recommended that a submission include comments that the introduction of the proposed changes should take into account the time and resources required to prepare for those changes and the commencement of any changes should be programed to allow Council sufficient time to undertake those tasks. In particular, the introduction of changes to planning legislation should not occur at the same time as local government is preparing, reviewing or reporting on other statutory matters that are required under other legislation such as the Local Government Act.

Regulations and Details should also be exhibited for comment

The current exhibition documents relate to a draft Bill with explanation documents. The draft Bill outlines the proposed changes to the Act and from that the intent of the changes can be identified. However, much of the detail in relation to the way in which those changes are implemented is usually set out in accompanying changes to the Environmental Planning and Assessment Regulations.

It is recommended that a submission suggest that the draft changes to the Regulations be placed on public exhibition for a similar timeframe as the draft Bill in order to provide all relevant stakeholders the opportunity to consider the changes and make submissions for consideration.

Standard Development Control Plan format

The draft Bill is proposing the standardising of the format and provisions (optional) for the preparation of development control plans (DCP). The standardising of the format for planning documents has some merit and the introduction of the Standard Instrument (LEP) in 2006 has demonstrated that there are some benefits to this approach. However, as with the standard LEP provisions, this approach does have many negative outcomes and tends to reduce innovation in planning instruments and can result in the loss of relevant local provisions.

It is recommended that a submission include comments regarding the standardisation of DCPs. The submission would agree, in part, to the introduction of a standard format for a DCP and the optional use of standard clauses for some common provisions as this can increase the understanding of those provisions. However, the submission would not agree with the standardising of all provisions as this will be detrimental to the tailoring of controls to address local conditions.

Complying Development

The draft Bill is proposing “improvements to the complying development pathway”. The current standards that apply to complying development are seen as overly complex. The proposed changes include:

- preparing a more user-friendly simplified Housing Code
- reviewing and simplifying development standards for greenfield areas
- developing simplified controls for inland areas and an Inland Code
- education program on exempt and complying development
- enhance the education of accredited certifiers in NSW
- enhancing the NSW Planning Portal to allow online lodgement of complying development certificates
- expanding complying development to medium density development such as dual occupancies, terraces, townhouses and manor houses (two storey buildings that contain three or four dwellings)
- clarification in the Act where a complying development certificate (CDC) does not comply with the relevant standards in the State Policy it can be declared invalid
- improve information distribution to Councils and neighbours about the receipt of the application and issue of the certificate
- limit some sensitive categories to Council certifiers (to be defined in the Regulations)
- new investigative powers for Councils to enforce complying development issued by private certifiers and the introduction of a compliance levy to support Councils in this role

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- allow 'Deferred Commencement' and the application of special infrastructure contributions (State levies) to complying development certificates.

As seen from the above the proposed changes to complying development are significant. There is no 'In principal' objection to complying development as this type of development allows minor development to be considered and approved in a more streamlined manner and the simplification of the current complex standards is welcomed. However, such significant changes raise some issues that a submission should address.

It is recommended that a submission should address the following matters:

1. Education programs for certifiers should be developed and implemented prior to any changes to the current system.
2. Monitoring and regulation of certifiers, in particular private certifiers, should be strengthened immediately and prior to any further changes. The current system is administered by the Building Professionals Board and is lengthy and cumbersome with investigations taking months and sanctions imposed are, at times, insignificant and do not deter further offending.
3. The operating parameters for private and Council certifiers should be equal in legislation in that currently Council operations are additionally controlled by other legislative standards that apply to only Councils and not to private certifiers.

Statutory Fees require review

The draft Bill and changes do not address the issue of statutory fees for applications and certificates issued under the Act. The Act and Regulations set fees for matters such as development applications, building certificates, planning certificates and a large range of other operational matters under the Act. Whilst there is a case for the regulation of certain statutory dealings under the Act, there is a need for those set fees to be more regularly reviewed to consider "fee for service" or a wholesale review of how the fee is determined as some matters may take hours of research and inspections by Council but the fee is set at an artificially low rate.

It is recommended that a submission include a request for the review of statutory fees within the Act and Regulations with a view to consider realistic cost recovery and then retention of that realistic fee via annual fee adjustment linked to CPI or another cost index.

Fees and Penalties for Unauthorised Work should be reviewed

The documents accompanying the draft Bill exhibition make reference to previous changes to the enforcement provisions in the Act. However, the previous and proposed changes have not adequately addressed appropriate penalties for dealing with unauthorised works and uses.

Whilst the Act and Regulations do address this issue via Orders provisions, etc., these usually relate to larger matters where an unauthorised use or work can be closed or removed. In many cases, particularly in the local context, these unauthorised uses or works were capable of being addressed if the appropriate application had been submitted. In these cases the Orders provisions are unlikely to require removal and are more likely to address the unauthorised works via a building certificate or retrospective approval of a use. However, this leaves the process open to abuse where some do not even attempt to obtain the correct consent and chose to retrospectively deal with the matters.

It is recommended that the submission raise the matter of unauthorised works and penalties and call for a more appropriate system that makes the option of obtaining approvals after commencing unauthorised works or uses much less attractive. This could be in the form of significantly greater application costs to regularise the unauthorised work and/or greater penalties.

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Conformance to the Hawkesbury Community Strategic Plan

The proposal is consistent with the Shaping Our Future Together CSP Theme

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

Financial Implications

There are no financial implications applicable to this report.

RECOMMENDATION:

That Council prepare and forward a submission, addressing the key issues and directions listed in this report, to the planning legislation updates currently on public exhibition by the Department of Planning and Environment prior to the end of the exhibition period of 10 March 2017.

ATTACHMENTS:

- AT - 1** Figure 1: Objectives of the Updates to Planning Legislation, from "Planning Legislation Updates, Summary of Proposals" January 2017 (DP&E)

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**AT - 1 Figure 1: Objectives of the Updates to Planning Legislation, from
"Planning Legislation Updates, Summary of Proposals" January 2017 (DP&E)**

Objectives		Initiatives
Community participation	Enhancing community involvement in the key decisions that shape our cities, towns and neighbourhoods	Community participation plans
		Community participation principles
		Statement of reasons for decisions
		Stronger consultation requirements for major projects
		Up to date engagement tools
		Early consultation with neighbours
Strategic planning & better outcomes	Continuing to improve upfront strategic planning to guide growth and development	Local strategic planning statements
		Regular local environment plan (LEP) checks
		Standard development control plan (DCP) format
		Optional model DCP provisions
		A new design object
		Design-led planning strategy
		Enforceable undertakings
		Improved environmental impact assessments
Probity and accountability in decisions	Improving transparency, balance and expertise in decision-making to improve confidence and trust in the planning system	Fair and consistent planning agreements
		Discontinuing Part 3A arrangements
		Directions for local planning panels
		Improved environmental impact assessments
		Ensuring delegation to council staff
		Refreshed thresholds for regional development
		Independent Planning Commission
		Model codes of conduct for planning bodies
		Preventing the misuse of modifications
Simpler, faster planning	Creating a system that is easier to understand, navigate and use, with better information and intuitive online processes	Clearer powers to update conditions on monitoring and environmental audit
		Efficient approvals and advice from NSW agencies
		Standard DCP format
		Optional model DCP provisions
		Improved complying development pathway
		Transferrable conditions
		Fair and consistent planning agreements
		Simplified and consolidated building provisions

oooO END OF REPORT Oooo

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Item: 37 **CP - Windsor Revitalisation Project Working Group - (79351, 95498)**

Previous Item: NM5, Ordinary (11 October 2016)

REPORT:

Executive Summary

This report has been prepared in response to a Notice of Motion considered by Council at its Ordinary Meeting of 11 October 2016. In considering the Notice of Motion, Council resolved (in part) to request the preparation of a report detailing how Council could establish a Working Group to develop options to revitalise the Windsor CBD with the report also addressing the 'possible aims, membership, operating model and procedural and reporting requirements' for the Working Group.

The report addresses these matters. It also documents the projects and initiatives currently in train which share the objective of contributing to the revitalisation of Windsor and the wider Hawkesbury. The report notes that the activities of the proposed Working Group will be positioned within this broader context and proposes that Council give consideration to aligning the role and objectives of the proposed Working Group to take into account this broader context.

The report also notes that the establishment of the proposed Working Group provides the opportunity for Council to advance the place-making and master planning objectives outlined in the Hawkesbury Community Strategic Plan. It suggests that the proposed Working Group may be able to be positioned to assist Council to progress these objectives by working with Council staff in the preparation of a brief for the engagement of a suitable consultant to prepare draft Master Plans for Windsor and Richmond, and then to act as a consultative body in relation to the works program, methodology and stakeholder engagement program for the master planning project.

Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy. The report however proposes the establishment of a working group to act as a consultative and advisory body to assist Council staff in the implementation of activity within Council's Delivery Program.

Background

On 11 October 2016, Council considered and adopted the following Notice of Motion (in part):

"That:

- 1. A report be provided to Council detailing the establishment of a Working Group to develop options to revitalise the Windsor CBD*
- 2. The report address the aims, membership, frequency of meetings, reporting requirements and potential models explored by the Working Group".*

Current Revitalisation Projects and Initiatives

In preparing a response to Council's Resolution, it was determined that Council should be advised of projects and initiatives currently in train which share the objective of contributing to the revitalisation of Windsor, as this may have a bearing on the role and objectives of the proposed Working Group. These projects and initiatives include:

1. *Hawkesbury Horizon Initiative*

The primary aim of the Hawkesbury Horizon Initiative (HHI) was to identify catalyst projects to drive economic growth and contribute to the revitalisation of Richmond, Windsor and North Richmond. The practical outcome of HHI was to identify capital work projects for strategic investment and then seek external investment in the order of \$10M+ for these 'regionally significant investment projects' (RSIP). The HHI project involved significant community consultation, the establishment of a HHI Working Group to refine and prioritise the RSIP concepts, and the assessment of the short-listed RSIP concepts by an internal assessment panel. At its Ordinary Meeting of 10 May 2016, Council resolved to identify the River Precinct Concept as its preferred RSIP vehicle for more detailed investigation.

The River Precinct Concept is aimed at harnessing the potential of the Hawkesbury River foreshore to drive tourism and provide focus for revitalisation of Windsor. The Project would seek to secure external investment in potential business ventures for river-based activities to improve access and utilisation of foreshores and waterways and development of river based activities. The initial focus of the project would be on the riverside parks in Windsor to provide a starting point for river-based exploration, visitation and tourism along the Hawkesbury River from Yarramundi to Wisemans Ferry with a particular focus on up to 10 Council reserves at Yarramundi, North Richmond, Freemans Reach, Ebenezer, Lower Portland, Colo, Upper Colo and St Albans.

Subsequent to Council's resolution, a RFQ process (Request for Quotation) was undertaken and SGS Economics and Planning were appointed to prepare a 'Hawkesbury River Foreshore Investigation – Business Case and Feasibility Study' for consideration by Council. The Business Case and Feasibility Study is expected to be completed by April 2017.

2. *Master Plans for Windsor and Richmond*

Council's Delivery Program includes provision for the preparation of Master Plans for Windsor and Richmond. It is anticipated that this master planning project will commence in the second half of this calendar year. In preparation for this activity, Council has invited a consultant with substantial master planning expertise to brief interested councillors on possible approaches and models for this master planning activity based on a 'place-making' approach. In simple terms place-making is an integrated, hands-on planning approach to create liveable public spaces with distinct characters and styles that are valued by local people, attractive to visitors and support community and economic life.

3. *Integrated Capital Works*

As part of the reports to Council on the HHI, Council were advised that one of the elements of the HHI would involve the preparation of Beautification and Revitalisation Action Plans for Windsor, Richmond and North Richmond with a focus on streetscapes and public spaces. These plans would review the HHI projects put forward by the community, which fell outside the scope of the RSIP concepts, for possible inclusion within Council's 10 year works program, together with capital works components of Council's adopted Plans. The aim of this process was to compile an Integrated Capital Works program for these town centres.

An example of what an integrated capital works program for Windsor would look like was included in the 8 December 2015 progress report to Council on the HHI. This draft - Windsor Revitalisation Action Plan (dated December 2015) - has been reproduced and is appended to this report in Attachment 1. It should be noted that the Plan was only an indicative draft and simply plotted by location works identified in Council's adopted forward programs and local plans to show the extent and estimated cost of works proposed for a locality – in this case Windsor. A number of the projects identified in the Plan have been delivered. The Plan will need to be updated following the adoption of Council's revised Delivery Program and Resourcing Strategy. The draft Windsor Revitalisation Action Plan may provide a useful starting point for the proposed Windsor Revitalisation Working Group.

4. *Public Domain Improvements and Design Guidelines*

Council's adopted Section 94A Plan includes provision for the staged funding of public domain improvements to Windsor and Richmond Town Centres and improvements to Windsor foreshore parks over the next nine years. The Plan provides for expenditures of \$1.75M on these works, the timing of which will be dependent on Section 94A contributions receipts.

These works have been included in the Section 94A Plan to provide a funding mechanism to contribute to the cost of new facilities and asset improvement works which can be linked to demands arising from new developments. Some of the works identified in the draft Windsor Revitalisation Action Plan (Attachment 1) may well be able to be funded using Section 94A contributions receipts.

A key pre-requisite for the expenditure of Section 94A funds on new facilities and asset improvement works will be the development of design guidelines to provide a consistent template and palette for public (and private) domain improvements which reflect the distinctive character of the targeted town centres. Funds have been included in Council's 2016/2017 Operational Plan for this purpose.

5. *Events Strategy*

Council's adopted Plans of Management for Hollands Paddock, Macquarie Park, McQuade Park and Governor Phillip Park recommend that Council explore the establishment of event spaces to facilitate the staging of public events – including the construction of event stages/amphitheatres; upgrading and improving amenities, lighting and car-parking; and connecting pathways. The provision of these facilities are intended to ensure that Council's public spaces have the capacity to better support existing events and potentially accommodate new and larger events. These works would increase visitation and support the visitor economy and their placement and extent would need to be assessed in conjunction with the preparation of a Master Plan.

A Coordinated Approach

As detailed above there are a number of current initiatives and projects which are either underway or which have been recommended to be considered as vehicles for the revitalisation of Windsor and Richmond. Should Council resolve to establish the proposed Windsor Revitalisation Working Group, the activities of the Working Group should be positioned within this broader context. To better reflect this broader context, it is suggested that the Group would be referred to as the Town Centres Master Plan Project Group.

The establishment of the proposed Project Group therefore provides the opportunity for Council to advance the place-making and master planning objectives outlined in the Hawkesbury Community Strategic Plan, and, add value to the initiatives and projects identified above. Taking into account this wider, strategic framework it is proposed that Council give consideration to aligning the role and objectives of the proposed working group to take into account this broader context.

It is suggested that the proposed Project Group should be positioned to assist Council to progress the place-making objectives inherent in the initiative and projects identified above, by working with Council staff in the preparation of a brief for the engagement of a consultant to prepare concurrent draft Master Plans for Windsor and Richmond, and then to act as a consultative body in relation to the works program, methodology and stakeholder engagement process for this master planning project.

The Master Planning Project will require Council to engage a consultant to deliver high-quality Master Plans for the Windsor and Richmond Town Centres based on the following broad objectives:

- provide the communities of Windsor and Richmond and the Hawkesbury with a plan to maintain vibrant and commercially viable town centres;
- produce a workable accessibility, traffic and car-parking strategy including safe and accessible pedestrian and cycle routes linking key destination and public transport nodes supported by a way-finding and signage plan;

- guide future land use and development of public and private lands within the Windsor and Richmond Town Centres to maximise public benefit, realise optimal land use and support the economic vitality of these town centres;
- guide the design, maintenance and renewal of key public domain asset and physical infrastructure to support community events and visitation;
- guide the activation and showcasing of the foreshore, park and heritage assets within the town centres as foci for public activity.

Terms of Reference for proposed Project Group

Proposed objectives, roles, membership, term and reporting requirements have been developed and are appended to this report as Attachment 2. These Terms of Reference incorporate the master planning and place-making aims identified above and have been modelled on Council's adopted pro-forma constitution for Advisory Committees. The pro-forma constitution has been amended to reflect the functions and remit of the proposed working group.

Conformance to the Hawkesbury Community Strategic Plan

The proposal is consistent with the Shaping Our Future Together CSP Theme

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

and is also consistent with the nominated strategy in the CSP being:

- Revitalise and enhance town centres and villages,
- Achieve community respect through good corporate governance and community leadership and engagement.

Financial Implications

There are no financial implications arising from this report. Funds have been allocated in Council's 2016/2017 Operational Plan for the preparation of Master Plans for Richmond and Windsor. If adopted, the establishment of the working group may require the allocation of staff hours and resources which will be negotiated in conjunction with the normal development of Council work plans and within Council's budget planning processes.

RECOMMENDATION:

That Council:

1. Establish the proposed Town Centres Master Plan Project Group and adopt the proposed Terms of Reference to govern the activities of the Project Group, as outlined in Attachment 2 to this report.
2. Appoint two Councillor representatives to the Town Centres Master Plan Project Group.
3. Call for community nominations to sit on the Town Centres Master Plan Project Group and for these nominations to be reported to Council for determination.

ORDINARY MEETING

Meeting Date: 28 February 2017

ATTACHMENTS:

AT - 1 Windsor Revitalisation Action Plan (December 2015)

AT - 2 Proposed Terms of Reference for Town Centres Master Plan Project Group

Meeting Date: 28 February 2017

AT - 2 Proposed Terms of Reference for Town Centres Master Plan Project Group**1. Name**

Town Centres Master Plan Project Group hereafter referred to as the 'Project Group'.

2. Objectives

- a) To provide advice to Hawkesbury City Council staff on the preparation of a brief to engage a suitable consultant to prepare Master Plans for the Windsor and Richmond Town Centres based on the following objectives:
- provide the communities of Windsor and Richmond and the Hawkesbury with a plan to maintain vibrant and commercially viable town centres
 - produce a workable accessibility, traffic and car-parking strategy including safe and accessible pedestrian and cycle routes linking key destination and public transport nodes supported by a way-finding and signage plan
 - guide future land use and development of public and private lands within the Windsor and Richmond Town Centres to maximise public benefit, realise optimal land use and support the economic vitality of these town centres
 - guide the design, maintenance and renewal of key public domain asset and physical infrastructure to support community events and visitation
 - guide the activation and showcasing of the foreshore, park and heritage assets within the town centres as foci for public activity.
- b) To act as a reference group to assist Council staff to manage the works program, methodology and stakeholder engagement processes to be delivered by the consultant engaged to prepare draft Master Plans for the Windsor and Richmond Town Centres.
- c) To provide advice to Hawkesbury City Council staff on consultative strategies for inviting submissions and comments in relation to the preparation and public exhibition of draft Master Plans for Windsor and Richmond.

3. Role and Authorities

- a) The Project Group shall have the following authorities:
- (i) to assist Council staff in the preparation of a brief to engage a consultant to prepare draft Master Plans for the Windsor and Richmond Town Centres in accordance with the objectives identified in clause 2(a)
 - (ii) to assist Council staff in directing the activities of the consultant engaged by Council to prepare draft Master Plans for Windsor and Richmond in accordance with the agreed works program, methodology and stakeholder engagement processes identified in clause 2(b)
 - (iii) to refer for Council's consideration draft Master Plans for Windsor and Richmond prepared in accordance with the consultant brief identified in clause 2(a) and to recommend to Council that these plans be placed on public exhibition
 - (iv) to consider any submissions received in response to the public exhibition of draft Master Plans for Windsor and Richmond and to assist Council staff in the preparation of a report detailing the content of these submissions and responses to them.
- b) The Council retains the responsibility for all budgetary considerations.

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- c) The General Manager (or his/her delegate) retains and shall be entirely responsible for the appointment and dismissal of consultants.
- d) The General Manager (or his/her delegate) retains all responsibility for the direction of any staff member.

4. Term

The Project Group term shall be the time period required to fill the objectives outlined in Section 2. The work of the Project Group will cease following the adoption by Council of Master Plans for Windsor and Richmond.

5. Structure and Membership

- a) The structure and membership of the Project Group shall be as follows, and all the undermentioned appointments will have voting rights:
 - (i) two Councillors of the Hawkesbury City Council
 - (ii) four Council staff members appointed by the General Manager of Hawkesbury City Council
 - (iii) three community appointments, with expertise and/or knowledge of community planning, place making, urban planning following the calling of applications as detailed in Clause 6(b) of these Terms of Reference.
- b) The Project Group shall, at its first meeting following appointment, elect a Councillor delegate appointed under clause 5(a)(i) to be the Chairperson of the Project Group, and one of its members appointed under Clause 5 to be Deputy Chairperson, who shall act in the absence of the Chairperson.
- c) No staff member of Hawkesbury City Council shall be elected as Chairperson or Deputy Chairperson of the Project Group.
- d) Each member of the Project group entitled to vote shall only have one vote except that of the casting vote of the Chairperson in the case of equality of votes.
- e) The Project Group may co-opt additional members from time to time, at its discretion, to provide specialist advice or assistance, but such co-opted members shall only serve on the Project Group for the period of time required, and will not, whilst serving in the position of co-opted member, have any voting rights.

6. Appointment and Election of Members

- a) Two Councillors will be appointed to the Project Group in accordance with practices and procedures of the Council.
- b) The Council shall place advertisements in appropriate newspapers inviting nominations from members of the community for membership to the Project Group.
- c) The Council shall select and appoint the community representatives to the Project Group.
- d) The Project Group shall have the power to fill casual vacancies at its discretion.
- e) Members of the Project Group shall cease to hold office:
 - (i) if the Project Group is dissolved by Council
 - (ii) upon written resignation or death

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- (iii) if absent without prior approval of the Advisory Committee for three consecutive meetings
 - (iv) if the Council by resolution determines that the member has breached Hawkesbury City Council's Code of Conduct (as it is in force from time to time).
- f) For the purposes of sub-clause 6(e)(iv), the Code of Conduct is to be taken to apply to community and representative members as referred to in clause 5(a) in the same way as the Code of Conduct applies to Councillors.

7. Procedures and General

- a) Ordinary meetings of the Project Group shall be held no less than four times per year. Special meetings may be convened at the discretion of the Chairperson.
- b) The Manager, Strategic Planning shall be the Executive Officer to the Project Group, and will be responsible for preparation of specialist reports, and any and all correspondence associated with the Project Group.
- c) The Council will provide a Minute Clerk for the purpose of recording the Minutes of the Project Group and for the distribution of Minutes following meetings of the Project Group.
- d) No meeting of the Project Group shall be held unless three clear days' notice has been given to all members.
- e) The rules governing meetings and the procedures of the Project Group shall, so far as they apply, be those covered by the Hawkesbury City Council's Code of Meeting Practice, as may be altered from time to time by resolution of the Council.
- f) A quorum of the Project Group shall be constituted by four members being present at meetings.
- g) Any members having a pecuniary interest in any matters being discussed by the Project Group shall declare such interest at the meeting of the Project Group and refrain from voting or discussion thereon.
- h) The requirements applying to pecuniary interests for members as detailed in clause 7(g) above shall apply equally to any other appointed or invited observers or co-opted members, and also to the Executive Officer/Secretary.
- i) Any recommendations of the Project Group shall, as far as adopted by the Council, be resolutions of the Council, provided that recommendations or reports of the Project Group shall not have effect unless adopted by the Council.
- j) It shall be competent for the Project Group to appoint a sub-committee or specific work groups comprised of members or non-members to exercise and carry out specific investigations for the Project Group, and then to report back to the Project Group. These appointed sub-committees or work groups may be dissolved by the Project Group at any time.
- k) Any appointed sub-committees or work groups have no power to make any decisions whatsoever on behalf of the Project Group and any recommendations of any sub-committee or work group will only have effect once adopted by the Project Group, or by the Council, as the case may be.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 28 February 2017

INFRASTRUCTURE SERVICES

Item: 38 **IS - Exclusive Use of Governor Phillip Reserve - Bridge to Bridge Water Ski Classic Event - (95495, 79354, 74204)**

REPORT:

Executive Summary

An application has been received from the NSW Water Ski Federation Ltd to hold an 'exclusive use' event at Governor Phillip Reserve, Windsor. The NSW Water Ski Federation is seeking the dates of 17, 18 and 19 November 2017 for the Bridge to Bridge Water Ski Classic. The Friday is used as a set up day (not an exclusive use day).

This report recommends that exclusive use of the Reserve be granted for this event.

Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy. It is proposed, however, that community notification be undertaken by the applicant as part of the conditions of consent.

Background

There are a number of exclusive use events that are held at Governor Phillip Reserve over the year. The Bridge to Bridge Water Ski Classic is one of these events and the NSW Water Ski Federation is seeking the dates of 17, 18 and 19 November 2017 for their Bridge to Bridge Water Ski Classic. The Friday is used as a set up day (not an exclusive use day).

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

The Plan of Management for the Windsor Foreshore Parks allows these types of activities to occur.

It is anticipated that this event will have significant flow on benefits to the community through publicity, promotion and visitation and it is recommended that exclusive use be granted for the Bridge to Bridge Water Ski Classic event.

Conformance to the Hawkesbury Community Strategic Plan

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

- Help create thriving town centres, each with its own character that attracts residents, visitors and businesses

Financial Implications

Income will be generated through user charges for use of the Reserve in accordance with the Fees and Charges applicable at the time of payment.

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RECOMMENDATION:

That:

1. Approval be granted to NSW Water Ski Federation Ltd for 'exclusive use' of Governor Phillip Reserve for the 2017 Bridge to Bridge Water Ski Classic to be held on 18 and 19 November 2017.
2. The event organisers can commence setting up for the event on Friday, 17 November 2017.
3. The approval be subject to the following conditions/documents:
 - a) Council's general park conditions
 - b) Council's fees and charges
 - c) The Windsor Foreshore Plan of Management
 - d) The Governor Phillip Exclusive Use Policy
 - e) The Governor Phillip Noise Policy
 - f) A Traffic Management Plan which has been approved as part of the Special Event Application.
4. As the applicant has not advised alternative dates in the event of inclement weather or other circumstances, the General Manager be given authority to negotiate exclusive use on an alternate date, if required by the applicant.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 28 February 2017

Item: 39 **IS - Exclusive Use of Governor Phillip Reserve - The Hawkesbury 120 Ski Race Classic 2017 - (95495, 79354, 92138)**

REPORT:

Executive Summary

Ski Racing NSW Inc. are seeking exclusive use of Governor Phillip Reserve for the 2017 Hawkesbury 120 Water Ski Classic to be held on Saturday, 9 September 2017 and Sunday, 10 September 2017.

The race has been conducted annually over the last eleven years and contributes positively to the local economy in addition to providing a high profile sporting event for the area. It has recently been included as the first event in the National Ski Racing Australia Classic Series, attracting support from local and interstate competitors. It is recommended that approval be given for the exclusive use of the Reserve in accordance with applicable conditions.

Consultation

Although the issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy, public notification of the event will be undertaken through signage and advertisements.

Background

Ski Racing NSW Inc have requested exclusive use of Governor Phillip Reserve on Saturday, 9 September 2017 and Sunday, 10 September 2017 to conduct the annual Hawkesbury 120 Water Ski Classic, with non-exclusive use for set up on Friday, 8 September 2017.

This event is a regular fixture at Governor Phillip Reserve. It is well coordinated, receives good attendance, and is considered to provide positive benefits to both the community and local businesses as well as providing a high profile sporting event for the area.

The event will be required to obtain approval for traffic management, which is to be undertaken as part of the Special Event Application.

Conformance to the Hawkesbury Community Strategic Plan

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

- Help create thriving town centres, each with its own character that attracts residents, visitors and businesses

and is also consistent with the nominated strategy in the CSP being:

- Differentiate, brand and promote the Hawkesbury as a tourism destination

Financial Implications

Income will be generated through user charges for use of the Reserve in accordance with the Draft 2017/2018 Operational Plan.

ORDINARY MEETING

Meeting Date: 28 February 2017

RECOMMENDATION:

That:

1. Approval be granted to Ski Racing NSW Inc for “exclusive use” of Governor Phillip Reserve for the 2017 Hawkesbury 120 Ski Race Classic to be held on Saturday, 9 and Sunday, 10 September 2017.
2. The approval be subject to the following conditions/documents:
 - a) Council's General Park Conditions.
 - b) Council's Fees and Charges.
 - c) The Windsor Foreshore Plan of Management.
 - d) The Governor Phillip Exclusive Use Policy.
 - e) The Governor Phillip Noise Policy.
 - f) A Traffic Management Plan which has been approved as part of the Special Event Application.
3. As the applicant has not advised alternative dates in the event of inclement weather or other circumstances, the General Manager be given authority to negotiate exclusive use on an alternate date, if required by the applicant.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 28 February 2017

Item: 40 **IS - Road Naming Proposal Associated with DA0508/16 and S960136/16
Blaxlands Ridge - (95495, 79346)**

REPORT:

Executive Summary

An application has been received requesting that the road naming process be commenced for an approved subdivision in Blaxlands Ridge that involves the creation of a new public road. The name Barton Place has been provided for consideration with the application.

The report recommends that public consultation be sought on the name Barton Place, Blaxlands Ridge.

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 the following community engagement process in compliance with Council's Policy, the New South Wales Roads Act 1993, the New South Wales Roads Regulation 2008 and the New South Wales Road Naming Policy. The consultation required is for a period of 28 days and involves the following:

- advertisement in local press
- advertisement on Council's web page
- notice created on the New South Wales Geographical Names Board road naming portal.

Background

The subdivision at Lot 1 and 2 DP 1193603, 556A – 556C Blaxlands Ridge Road, Blaxlands Ridge was approved by Council on 22 November 2016 (DA0508/16) and 9 December 2016 (S960136/16).

The subdivision will include the creation of one new public road.

The applicant has provided a name for consideration for the new public road. The name provided is Barton Place which, is in connection with family who occupied the first dwelling at this location known as Highland Park.

The name Barton Place conforms to the guidelines and principles as set out in the New South Wales (NSW) Road Naming Policy.

Based on the information outlined above, it is recommended that public comment be sought, under the requirements of the NSW Roads Act, 1993, for the naming of the new public road in connection with DA0508/16 and S960136/16 as Barton Place, Blaxlands Ridge.

Conformance to the Hawkesbury Community Strategic Plan

The proposal is consistent with the Looking After People and Place Direction Statement;

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

and is also consistent with the nominated strategy in the CSP being:

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

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Financial Implications

The advertising and administrative expenses associated with this matter have been paid by the applicant in accordance with Council's adopted Fees and Charges.

RECOMMENDATION:

That:

1. In accordance with the requirements of the Roads Act, 1993, the name Barton Place, Blaxlands Ridge in connection with DA0508/16 and S9601136/16, be publically advertised for a period of 28 days, seeking comment and submissions.
2. The matter be reported back to Council following the public exhibition process.

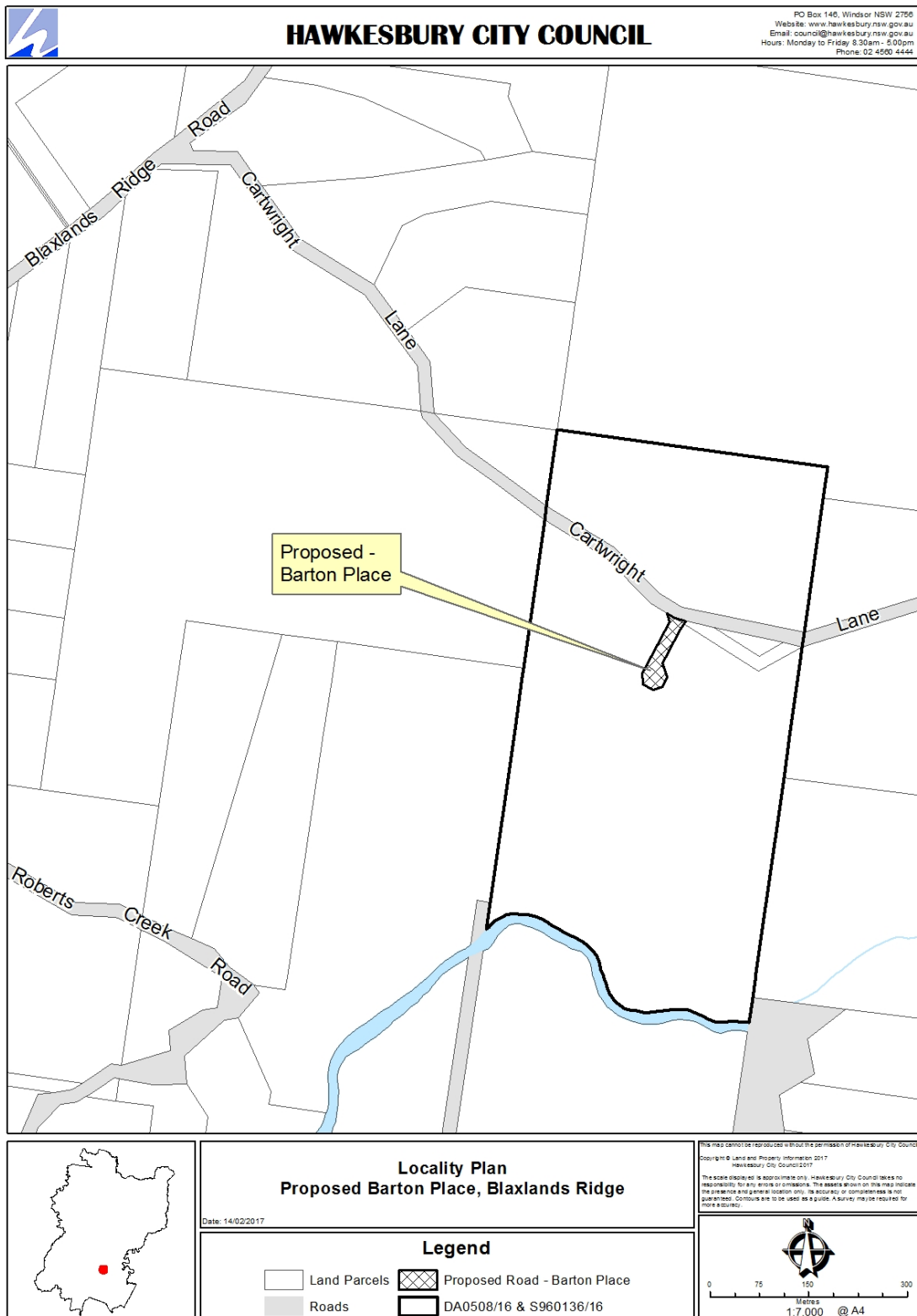
ATTACHMENTS:

AT - 1 Locality Plan

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AT - 1 Locality Plan



oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 28 February 2017

SUPPORT SERVICES

Item: 41

SS - Monthly Investments Reports - January 2017 - (95496, 96332)**REPORT:****Executive Summary**

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

This report indicates that Council held \$41.23 million in investments at 31 January 2017.

It is recommended that this report be received and noted.

Consultation

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

Background

The following table indicates that Council held \$41.23 million in investments as at 31 January 2017. Details of the financial institutions with which the investments were made, date investments were taken out, the maturity date (where applicable), the rate of return achieved, the credit rating of the institutions both in the short term and the long term, and the percentage of the total portfolio, are provided below:

Investment Type	Institution Short Term Rating	Institution Long Term Rating	Lodgement Date	Maturity Date	Interest Rate %	Principal \$	Percentage of Portfolio	Total \$
On Call								
CBA	A1+	AA-			1.25%	400,000	0.97%	
Tcorp	A1+	AA-			2.79%	3,528,595	8.56%	
Total On-call Investments								3,928,595
Term Investments								
ANZ	A1+	AA-	07-Sep-16	02-Mar-17	2.69%	2,500,000	6.06%	
ANZ	A1+	AA-	21-Sep-16	04-Apr-17	2.70%	1,200,000	2.91%	
ANZ	A1+	AA-	14-Sep-16	14-Jun-17	2.71%	1,000,000	2.43%	
ANZ	A1+	AA-	14-Sep-16	14-Jun-17	2.71%	1,000,000	2.43%	
ANZ	A1+	AA-	14-Sep-16	05-Jul-17	2.71%	1,500,000	3.64%	
NAB	A1+	AA-	16-Mar-16	08-Feb-17	3.09%	2,000,000	4.85%	
NAB	A1+	AA-	27-Apr-16	30-Mar-17	3.10%	1,000,000	2.43%	
NAB	A1+	AA-	27-Apr-16	27-Apr-17	3.10%	2,000,000	4.85%	
NAB	A1+	AA-	31-Aug-16	28-Jun-17	2.60%	2,000,000	4.85%	
NAB	A1+	AA-	05-Aug-16	03-Aug-17	2.78%	1,000,000	2.43%	
NAB	A1+	AA-	17-Aug-16	16-Aug-17	2.75%	1,500,000	3.64%	
NAB	A1+	AA-	23-Nov-16	18-Oct-17	2.72%	1,000,000	2.43%	
NAB	A1+	AA-	23-Nov-16	22-Nov-17	2.75%	1,500,000	3.64%	
NAB	A1+	AA-	14-Dec-16	13-Dec-17	2.70%	1,500,000	3.64%	
St George	A1+	AA-	24-Jan-17	24-Jan-18	2.70%	1,500,000	3.64%	

ORDINARY MEETING

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Investment Type	Institution Short Term Rating	Institution Long Term Rating	Lodgement Date	Maturity Date	Interest Rate %	Principal \$	Percentage of Portfolio	Total \$
Westpac	A1+	AA-	06-Jul-16	01-Feb-17	3.05%	1,000,000	2.43%	
Westpac	A1+	AA-	06-Jul-16	08-Feb-17	3.05%	1,000,000	2.43%	
Westpac	A1+	AA-	03-Aug-16	22-Feb-17	3.00%	1,000,000	2.43%	
Westpac	A1+	AA-	30-Mar-16	30-Mar-17	3.10%	500,000	1.21%	
Westpac	A1+	AA-	06-Apr-16	14-Apr-17	3.10%	1,000,000	2.43%	
Westpac	A1+	AA-	04-May-16	04-May-17	3.05%	2,000,000	4.85%	
Westpac	A1+	AA-	23-Nov-16	24-May-17	2.80%	2,000,000	4.85%	
Westpac	A1+	AA-	17-Aug-16	12-Jul-17	3.00%	1,000,000	2.43%	
Westpac	A1+	AA-	03-Aug-16	03-Aug-17	2.90%	800,000	1.94%	
Westpac	A1+	AA-	05-Aug-16	03-Aug-17	3.00%	1,000,000	2.43%	
Westpac	A1+	AA-	24-Aug-16	24-Aug-17	3.00%	800,000	1.94%	
Westpac	A1+	AA-	31-Aug-16	07-Sep-17	3.00%	1,000,000	2.43%	
Westpac	A1+	AA-	07-Sep-16	07-Sep-17	3.00%	1,000,000	2.43%	
Westpac	A1+	AA-	19-Oct-16	18-Oct-17	3.00%	1,000,000	2.43%	
Total Term Investments								37,300,000
TOTAL INVESTMENT AS AT 31 January 2017								41,228,595

Performance by Type

Category	Balance \$	Average Interest	Bench Mark	Bench Mark %	Difference to Benchmark
Cash at Call	3,928,595	2.63%	Reserve Bank Cash Reference Rate	1.50%	1.13%
Term Deposit	37,300,000	2.87%	UBS 90 Day Bank Bill Rate	1.77%	1.10%
Total	41,228,595	2.85%			

Restricted/Unrestricted Funds

Restriction Type	Amount \$
External Restrictions -S94	6,926,365
External Restrictions - Other	3,348,273
Internal Restrictions	21,506,080
Unrestricted	9,447,877
Total	41,228,595

Unrestricted funds, whilst not subject to a restriction for a specific purpose, are fully committed to fund operational and capital expenditure in line with Council's adopted Operational Plan. As there are timing differences between the accounting for income and expenditure in line with the Plan, and the corresponding impact on Council's cash funds, a sufficient level of funds is required to be kept at all times to ensure Council's commitments are met in a timely manner. Council's cash management processes are based on maintaining sufficient cash levels to enable commitments to be met when due, while at the same time ensuring investment returns are maximised through term investments where possible.

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

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

Investment Commentary

The investment portfolio decreased by \$3.69 million for the month of January 2017. During January 2017, income was received totalling \$3.81 million, including rate payments amounting to \$1.28 million, while payments to suppliers and staff costs amounted to \$8.22 million. The remaining change in the investment portfolio relates to the timing of the redemption and lodging of term deposits, which is dependent upon Council cash flow requirements.

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

Council has a loan agreement for an amount of \$5.26 million under the Local Government Infrastructure Renewal Scheme (LIRS). The full amount was drawn down upon signing the agreement in March 2013, with funds gradually being expended over the period during which the program of works is being delivered. The loan funds have been placed in term deposits, with interest earned on unexpended invested loan funds being restricted to be used for works relating to the LIRS Program projects.

As at 31 January 2017, Council's investment portfolio is all invested with major Australian trading banks or wholly owned subsidiaries of major Australian trading banks and in line with Council's Investment Policy.

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

Council's investment portfolio complies with Council's Investment Policy, adopted on 31 May 2016.

Investment Certification

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

Conformance to the Hawkesbury Community Strategic Plan

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

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

Financial Implications

Funds have been invested with the aim of achieving budgeted income in Service 121 – Investments within the 2016/2017 Adopted Operational Plan.

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RECOMMENDATION:

The report regarding the monthly investments for January 2017 be received and noted.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 42 **SS - Consultants Utilised by Council - 1 July 2016 to 31 December 2016 - (95496, 96332)**

REPORT:**Executive Summary**

Subsequent to a Council resolution in 2005, Council is provided with reports outlining consultants utilised by Council on a six monthly basis. The applicable information for the period from July to December 2016 is included in this report and is recommended to be received and noted.

In light of the significant passage of time since the initial resolution in 2005, changes to legislative reporting requirements since that time and the implementation of various organisational controls, this report recommends that the six monthly reporting of consultants' use by Council is discontinued.

Consultation

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

Background

Council is provided with reports outlining consultants utilised by Council on a six monthly basis. The applicable information for the period from July to December 2016 is included in this report and is recommended to be received and noted.

The following table provides details of the various firms, or persons, the Council has utilised as consultants for the period from July to December 2016, detailing the purpose of the consultancies and the amount (excluding GST) paid in this period:

Firm	Purpose	Branch	Authorising Officer	Funding Source	External Requirement	6 Months to 31/12/2016
AVMAP - Aerial Mapping & Surveying Pty Ltd	Hawkesbury Waste Management Facility- Topographical and volumetric survey for June 2016 for the EPA	Waste Management	Manager Waste Management	Internal Reserve	Yes	\$5,700.00
Barker Ryan Stewart	Investigation/Report for Price Lane Agnes Banks	Construction and Maintenance	Manager Construction and Maintenance	Internal Reserve	No	\$2,100.00
	Bridge Design Scope Variation - Redesign of Abutment Design Documentation	Construction and Maintenance	Manager Construction and Maintenance	External Reserve	No	\$4,200.00
	Civil Engineering Design Service - Flow Calculations	Waste Management	Manager Waste Management	External Reserve	No	\$1,170.00
Circle Z Design Pty Ltd Structural Engineers	Amended drawings for additions at McGraths Hill Child Care	Building Services	Manager Building Services	General Fund/ External Reserve	No	\$650.00
	Checking of Workshop drawings - Tennyson RFS Shed	Building Services	Manager Building Services	External Reserve	No	\$400.00

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Firm	Purpose	Branch	Authorising Officer	Funding Source	External Requirement	6 Months to 31/12/2016
Computer Systems (Australia) Pty Ltd	Exchange online for Councillors & migration from RedSky	Information Services	Manager Information Services	General Fund	No	\$5,648.00
	SCM0020 Contract - Internet Perimeter Upgrade Project	Information Services	Manager Information Services	General Fund	No	\$3,023.00
Department of Finance & Services (NSW Public Works)	Upgrade Pump C & Assoc Works-Windsor Sewerage Scheme	Waste Management	Manager Waste Management	External Reserve	Yes	\$18,871.50
	Quarterly Water Monitoring - Richmond Pool	Parks and Recreation	Manager Parks and Recreation	General Fund	Yes	\$287.50
	Update Hawkesbury Sewerage SBP	Waste Management	Manager Waste Management	External Reserve	Yes	\$20,000.00
	Hawkesbury Sewerage DSP Update	Waste Management	Manager Waste Management	External Reserve	Yes	\$13,000.00
Efficiency Works Pty Ltd	Mechanics Workshop and Depot Stores Review - Phase1	Financial Services	Chief Financial Officer	General Fund	No	\$4,500.00
Environmental Earth Sciences NSW	Monthly WMF Environmental Monitoring – 6 months	Waste Management	Manager Waste Management	Internal Reserve	Yes	\$34,115.00
	East Kurrajong Landfill Monitoring Network Installation works	Waste Management	Manager Waste Management	Internal Reserve	Yes	\$13,470.00
	East Kurrajong Groundwater well extension works	Waste Management	Manager Waste Management	Internal Reserve	Yes	\$8,060.00
	WMF Gas Monitoring Network Installation Works-Waste Depot	Waste Management	Manager Waste Management	Internal Reserve	Yes	\$14,985.00
	WMF Gas Trench Installation -Waste Depot	Waste Management	Manager Waste Management	Internal Reserve	Yes	\$1,300.00
David G Hart Consulting Pty Ltd Consultancy Fees	Estimation-Workers Comp Liabilities 30/06/2016 and calculation of bank guarantee for 2016/2017	Risk Management	Manager Risk Management	General Fund	Yes	\$7,000.00
Justin Long Design	Professional fees - Construction Phase Hawkesbury Oasis Refurbishment	Parks and Recreation	Manager Parks and Recreation	General Fund/ External Reserve	No	\$3,000.00
	Professional fees - Contract Admin Windsor Preschool	Building Services	Manager Building Services	General Fund/ External Reserve	No	\$3,070.00
	Professional fees - Contract Admin Wilberforce Early Learning Centre	Building Services	Manager Building Services	External Reserve	No	\$500.00

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Firm	Purpose	Branch	Authorising Officer	Funding Source	External Requirement	6 Months to 31/12/2016
	Professional fees - Contract Admin McGraths Hill Long Day Care Centre Multifunction Room	Building Services	Manager Building Services	External Reserve	No	\$500.00
	Schematic Design - Master Plan for the upgrade of the North Richmond Community Precinct	Building Services	Manager Building Services	External Reserve	No	\$5,000.00
	Preparation of Tender/Construction documents - Clarendon Public Toilet Facility Upgrade	Building Services	Manager Building Services	External Reserve	No	\$4,200.00
	Professional fees - Documentation Deerubbin Library Refurbishment	Building Services	Manager Building Services	Grant Funded	No	\$4,000.00
	Schematic Design - Council Chambers Refurbishment	Building Services	Manager Building Services	General Fund	No	\$1,340.00
	Revision to Schematic Design Plans - Waste Depot Chemical Cleanout Facility	Waste Management	Manager Waste Management	Internal Reserve	Yes	\$580.00
Lunney Watt & Associates Pty Ltd	Valuation-Council owned investment properties	Corporate Services and Governance	Manager Corporate Services and Governance	General Fund	No	\$21,600.00
	Rental Valuation of Suites 1,2 & 3 at Deerubbin Centre	Corporate Services and Governance	Manager Corporate Services and Governance	General Fund	No	\$2,700.00
	Market Rental Assessment - Macquarie Park House, Freemans Reach	Corporate Services and Governance	Manager Corporate Services and Governance	General Fund	No	\$4,000.00
	Property Valuation - 246 Windsor Rd, Vineyard	Corporate Services and Governance	Manager Corporate Services and Governance	Internal Reserve	No	\$5,000.00
	Property Valuation - 45 Bowen Mountain Road	Construction and Maintenance	Manager Construction and Maintenance	General Fund	No	\$3,500.00
Mc Kinlay Morgan and Associates	Easement plan-Senior Citizens March St Richmond	Building Services	Manager Building Services	External Reserve	No	\$3,433.00
	Survey, mark boundaries and prepare sketch and Easement Plan - Lot 43 Upper Macdonald Rd, Upper Macdonald, Bridge construction	Construction and Maintenance	Manager Construction and Maintenance	External Reserve	No	\$3,350.00

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Firm	Purpose	Branch	Authorising Officer	Funding Source	External Requirement	6 Months to 31/12/2016
	Survey Road acquisition Plans- Mount Tootie Rd Bilpin	Construction and Maintenance	Manager Construction and Maintenance	General Fund	No	\$10,122.00
	Survey for new Tennyson Fire Shed	Building Services	Manager Building Services	External Reserve	No	\$600.00
Micromex Research	Community Survey - Service Levels	Communications	Manager Corporate Communications	General Fund	No	\$18,600.00
Minerva Consulting Group	Asbestos Management Compliance Audit	Risk Management	Manager Risk Management	General Fund	No	\$7,158.38
	NAT Gap Analysis for HCC 26/7/16-29/7/16	Risk Management	Manager Risk Management	General Fund	No	\$8,351.45
	Hazardous Chemical Audit	Risk Management	Manager Risk Management	General Fund	No	\$7,516.31
Norman, Disney and Young Consultant	Site Infrastructure Assessment - Wilberforce Depot	Building Services	Manager Building Services	General Fund	No	\$6,800.00
OCP Architects Pty Ltd	Heritage advice for Dec 2015-Dec 2016	Strategic Planning	Manager Strategic Planning	Grant Funds/ External Reserve	No	\$18,427.00
The Playground Doctor	Quarterly Inspection of Playground Equipment & Safety Surfacing - July & Oct 2016	Parks and Recreation	Manager Parks and Recreation	General Fund	No	\$5,355.00
PSM Consult Pty Ltd Engineering consultants	Geotechnical assessment - Redbank Subdivision	Development Services	Manager Development Services	General Fund	No	\$15,000.00
SGS Economics and Planning Pty Ltd	Business case for Hawkesbury River foreshore investigation Stage 1	Strategic Planning	Manager Strategic Planning	General Fund	No	\$6,585.00
SJA Construction Services	Project Management - Hawkesbury Oasis Refurbishment	Parks and Recreation	Manager Parks and Recreation	General Funds/ External Reserve	No	\$9,800.00
Slattery Australia Pty Ltd	Amenities upgrade- Hawkesbury Oasis Refurbishment	Parks and Recreation	Manager Parks and Recreation	General Funds/ External Reserve	No	\$600.00
	Cost Plan- Upgrade of the North Richmond Community Precinct	Building Services	Manager Building Services	External Reserve	No	\$4,200.00
Spectra Financial Services Pty Limited	Investment Advisory Services Retainer July to Dec 16	Financial Services	Chief Financial Officer	General Fund	Yes	\$9,500.00
Barbara Tarnawski Architect	Architects fees - Concept stage 1 & 2 DA/CC - Glossodia BFS	Building Services	Manager Building Services	External Reserve	No	\$7,505.00

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Firm	Purpose	Branch	Authorising Officer	Funding Source	External Requirement	6 Months to 31/12/2016
Technology One Ltd	Set up/Design - Contracts Register	Information Services	Manager Information Services	General Fund	No	\$1,960.00
UmbaCo Landscape Architects Pty Ltd	Detailed Playground Design - Governor Phillip Park Stage 1 & 2	Parks and Recreation	Manager Parks and Recreation	General Fund	No	\$23,977.50
KD Wood Valuations (Aust) Pty Ltd	Valuation Report - 130 Hall St Pitt Town for stormwater easement acquisition	Strategic Planning	Manager Strategic Planning	General Fund	No	\$2,000.00
	Valuation Report - 69 Wells St Pitt Town for drainage easement acquisition	Strategic Planning	Manager Strategic Planning	General Fund	No	\$2,000.00
	Valuation Report - 125 Cattai Road, Pitt Town for part property acquisition	Strategic Planning	Manager Strategic Planning	General Fund	No	\$2,000.00
	Rental Valuation- Council owned properties	Corporate Services & Governance	Manager Corporate Services and Governance	General Fund	No	\$4,000.00
	Valuation Report - 2042 Upper Macdonald Road, Higher Macdonald for road alignment acquisition	Construction & Maintenance	Manager Construction and Maintenance	External Reserve	No	\$3,000.00
Workplace Navigation Pty Ltd	Workers Comp Case Management Jun to Nov 2016	Risk Management	Manager Risk Management	General Fund	No	\$12,900.00
Worley Parsons Services Pty Ltd	Investigations & Preparations of Draft Business Case Report - Hawkesbury dredging	Strategic Planning	Manager Strategic Planning	General Fund	No	\$9,925.00
TOTAL						\$422,135.64

Council uses a mix of resourcing options to carry out works and deliver services to achieve the strategic objectives set by Council with funding being allocated through the Annual Operational Plan adopted by Council.

The mix of resources includes Council staff, contractors and consultants. Consultants are engaged to provide professional advice or services, where the expertise required is not held by Council staff. The use of an external consultant may be stipulated by legislation or other regulatory bodies.

The cost-effectiveness of the resourcing mix and compliance to procurement and other organisational processes is tested on a regular basis through applicable scheduled and random internal audits, and annually thorough the Operational Plan process. The authorisation of all expenditure, including consultancy, is controlled through Council's delegations.

In accordance with the then Division of Local Government Circular 10/32 dated 10 December 2010, Council reports the expenditure on Consultants in the Quarterly Budget Review Statements submitted to Council within two months of the end of each quarter, except the June quarter.

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Whilst there may have been value in Council receiving the six monthly reports on consultancy expenditure at the time of the original resolution in 2005, taking into account the operational nature of the information and the robust organisational control framework in regard to procurement and authorisations of expenditure, as well as other avenues of reporting this type of expenditure, it may be timely for Council to reconsider the requirement for this report to continue.

Conformance to Community Strategic Plan

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

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

Funding

This is an information report requested by Council and costs detailed have been met within existing budgets.

RECOMMENDATION:

That:

1. The information concerning consultancies utilised by Council during the period July to December 2016 be received.
2. The six monthly reporting on the use of Consultants by Council is discontinued as from 1 January 2017.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 43 **SS - December 2016 Quarterly Budget Review Statement - (95496, 96332)**

Previous Item: 113, Extraordinary (14 June 2016)

REPORT:

Executive Summary

Within two months of the end of each quarter, Council is required to review its progress in achieving the financial objectives set out in its Operational Plan. This report and the relevant attachment provide information on Council's financial performance and financial position for the second quarter of the 2016/2017 financial year, and the resulting financial position including the Budget variations proposed.

The Quarterly Budget Review Statement - December 2016 (QBRS) recommends a number of variations that result in a balanced budgeted position being maintained.

Consultation

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

Background

Council adopted its Operational Plan for 2016/2017 on 14 June 2016.

Clause 203 of the Local Government (General) Regulation 2005 stipulates that the Responsible Accounting Officer of a council must prepare and submit to the Council a Budget Review Statement within two months after the end of each quarter (except the June quarter).

The QBRS has been prepared in accordance with the Division of Local Government Circular 10/32 dated 10 December 2010 and is attached as Attachment 1 to this report.

Financial Position

Clause 203 of the Local Government (General) Regulation 2005 requires a revised estimate of income and expenditure for the year to be prepared by reference to the estimate of income and expenditure set out in the Operational Plan for the year.

The QBRS recommends Budget adjustments that result in a balanced adjustment for the quarter, and in the opinion of the Responsible Accounting Officer, maintains a satisfactory short term financial position for Council. The Responsible Accounting Officer Statement is included in the attachment to this report.

The report and attachment provide details on the major Budget variations proposed in this QBRS and provide a list of variations requested.

The more significant items of the December 2016 QBRS include:

- ***Transfer of State Emergency Service (SES) Vehicles – Favourable Variance \$222K***

The SES has altered how it provides its services to the community, by moving the management of assets from councils to SES. As part of this re-arrangement, SES approached Council to transfer the vehicles currently under ownership and management of Council to SES. An analysis was conducted regarding the long term impact of this transfer and it was determined that it would be in Council's best interest to accept the offer from SES.

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It is estimated that the savings in depreciation would be approximately \$50K per annum; thereby improving Council's operating result. Additionally, the changeover costs, which fluctuate strongly from year to year, dependent on which vehicles are due for replacement, would no longer be borne directly by Council, thereby enabling redirection of this capital outlay to increased infrastructure renewal.

The \$222K favourable variance incorporated in this QBRs, is a result of the \$157K unbudgeted payment received from SES and the removal of the budgeted change over costs for replacement of a vehicle of \$65K. The transfer will result in a write down of assets. Based on the savings in depreciation alone, the write-down will be recovered within four years.

- **General Rates Income – Favourable Variance \$200K**

The amount budgeted for rates income for 2016/2017 was based on the number of properties and associated land values at the time the Original Budget was being developed. A favourable adjustment of \$200K has been included in this QBRs in relation to general rates income. This variance has resulted from the generation of additional rateable assessments as a result of subdivisions and new development since that time.

- **Westpool Equity Fund Distribution – Favourable Variance \$108K**

Westpool, Council's public liability insurer, closed one of its equity funds and returned these funds to member councils. Council's share of this distribution is \$108K. The receipt of these funds was not budgeted and has been included in this QBRs as a favourable variance.

- **Public Risk Insurance – Favourable Variance \$36K**

A favourable variance has been incorporated in this QBRs to reflect the lower than forecasted premium for Council's Public Risk Insurance. The Original Budget was based on Westpool projections at the time of the formulation of the Original Budget. Changes that impact on the distribution of premiums to member councils occurred afterwards, resulting in a reduction in Council's allocation of \$36K.

- **Development Services Income – Unfavourable Variance \$130K**

Unfavourable variances totalling \$130K have been incorporated in this QBRs for Development Services Income. The Original Budget estimates for Development Assessment Income and Subdivision Income included forecasts in relation to the number of lots to be released for certain developments. As a result of issues encountered with Sydney Water water connections, delays have occurred, which has impacted on this income, totalling \$73K. The number of Complying Development Certificate requests has been less than anticipated, requiring a \$36K reduction in income. In line with the projected full year result for Swimming Pool Inspections, a reduction of \$21K is required. The resourcing of this program is being reviewed, to ensure that this income does not decline further.

- **Environment and Regulatory Services Income – Unfavourable Variance \$128K**

In line with the projected end of year results, reductions in income have been made in relation to Sewerage Management Facilities (\$78K) and Car Parking Fines (\$20K). The associated programs are being reviewed to ensure that the income trend is improved over the next two quarters. Income in relation to the impounding of animals from the Penrith Council area has declined as a result of a greater number of animals being returned to homes and not brought into the Companion Animal Shelter; this has resulted in a \$30K reduction in the projected end of year result.

- **Rural Fire Fighting Fund (RFFF) Allocation Grant – Unfavourable Variance \$82K**

The 2016/2017 Original Budget relating to the RFS was developed in accordance with advice from Hawkesbury RFS as per the report considered by Council at the Ordinary Meeting on 27 October 2015. Since the formulation of the Original Budget, the RFS has changed how the RFFF allocations are determined to reduce the volatility in movements of this allocation, as advised by the RFS Commissioner in correspondence dated 7 December 2016.

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Also included in this correspondence was notification of the 2016/2017 RFFF Allocation Grant, which is \$82K less than the estimate included in the RFS report to Council in October 2015. An adjustment to decrease this income has been included in this QBRs. Council was also advised that this grant will not continue in future years. This will reduce Council's operating income by \$248K in 2017/2018, as projected in the Long Term Financial Plan, having a negative impact on the Operating Performance Ratio.

- ***Comprehensive Traffic Study Stage 1 – Unfavourable Variance \$30K***

In accordance with Council's Resolution dated 31 January 2017, a \$30K unfavourable variance has been included in this QBRs for stage 1 of a Comprehensive Traffic Study.

- ***Rental Income – Unfavourable Variance \$29K***

Due to the temporary vacancy of 325 George Street, Windsor, earlier in the financial year, an unfavourable variance of \$29K has been included in this QBRs. This vacancy is now filled.

- ***Cemetery Income – Unfavourable Variance \$25K***

In line with the current observed trend, cemetery income has been reduced by \$25K in this QBRs. The number of burials at Richmond Lawn Cemetery has been lower than 2015/2016, which was the basis of the development of the 2016/2017 Original Budget.

- ***Annual Hawkesbury Leisure Centres Subsidy – Unfavourable Variance \$25K***

The 2016/2017 Original Budget estimate for the subsidy provided for the operation of the Hawkesbury Leisure Centres was calculated prior to finalisation of the budget estimate in conjunction with the operators of the facilities. The estimate is required to be revised to reflect the finalised and agreed budget.

- ***Asset Dedications***

Adjustments totalling \$11.9M has been included in the capital expenditure budget under New Infrastructure, for assets dedicated to Council, as required under various Development Contributions Plans and Voluntary Planning Agreements. This is offset by matching adjustments to Capital Grants and Contributions, therefore has no impact on Council's projected bottom line result.

- ***Building Refurbishment Works***

Included in the 2016/2017 Original Budget was refurbishment works for the roof of the Fire Control Centre at Wilberforce. RFS are currently reviewing whether to upgrade or relocate this facility and therefore, it is prudent to defer the identified roof works. The \$95K budget for these works has been reprioritised to the refurbishment of the indoor pool floor at the Hawkesbury Leisure Centre.

- ***Grants – Additional works and programs totalling \$121K***

A number of adjustments relating to grant funding successfully secured by Council, are included in this QBRs. These adjustments have a nil effect on the budget position, as amounts included for income have a corresponding amount for expenditure. The securing of grant funding assists Council to undertake works otherwise not funded through Council's available funds.

The major adjustments relating to grant funding are outlined below:

- *Restoration and Conservation of WW1 Krupp Field Gun* – Council has received advice from the NSW Department of Justice – Liquor and Gaming that \$60K has been granted for the restoration and conservation of the WW1 Krupp Field Gun Number 153 at Memorial Park, Windsor as part of the Community Development Fund – War Memorial Grants Program.
- *Bush Regeneration of Half Moon Farm* – Approval for grant funding of \$42K has been received from the Greater Sydney Local Land Services for bush regeneration works at Half Moon Farm.

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- *Windsor Wharf Emergency Works* – Included in this QBRs is additional grant funding of \$19K to reinstate Winsor Wharf to position and complete minor repairs to chains and piles, as a result of flood damage incurred. This funding was provided by Roads and Maritime Services as part of the Boating Infrastructure Emergency Repair Pool.

- **Reserve Funded Adjustments**

The following adjustments are within internally or externally restricted funds, and consequently have nil impact on Council's overall position:

- *Section 94 Reserve* – An adjustment related to works funded from this reserve of \$56K was necessary to align with available reserve balances. An amount of \$21K has been refunded to a party who provided works-in kind in previous years. Adjustments for Section 94 Contributions received as at the end of the reporting period, \$598K, and interest income of \$119K in line with the projected reserve balance as at 30 June 2016, are included in this QBRs.
- *Section 94A Reserve* – Adjustments for additional interest income of \$45K in line with the projected reserve balance as at 30 June 2017 is included in this QBRs.
- *Section 64 Reserve* – In line with Section 64 Contributions received, an adjustment of \$435K is included in this QBRs.
- *Information Technology Reserve* – An amount of \$42K is proposed to be transferred to this reserve, reflecting deferral in expenditure during 2016/2017, while a review is undertaken on mobile devices used by Council. These funds will be used for the purchase of mobile devices and associated infrastructure, once this review has been completed.
- *Unspent Contributions Reserve* – A total of \$1.04M has been incorporated in this QBRs for the completion of building works for Tennyson RFS, Blaxlands Ridge RFS and Glossodia RFS Sheds. These works are funded from NSW RFS Grants and donations raised from the local RFS Brigades.
- *Waste Management Facility (WMF) Reserve* – In line with Council's Resolution dated 25 October 2016, an amount of \$1.02M is included for the acquisition of land within Pitt Town and the associated construction plans for drainage infrastructure, funded from an internal borrowing from the WMF Reserve.
- *Domestic Waste Management Reserve* – Included in this QBRs, is a favourable variance of \$35K in line with income received as at the end of the reporting period.
- *Stormwater Reserve* – An unfavourable variance of \$60K has been included as a result of additional maintenance required for Gross Pollutant Traps, as a result of additional rainfall.
- *Sewerage Reserves* – A review conducted of the sewer network, has recommended that a program of regular, cyclical maintenance is implemented to reduce the number of breakages and stoppages. In order to implement the recommendations, an unfavourable variance of \$595K is included for the additional cost in maintenance. In order to fund this additional expenditure, \$388K of capital works has been deferred. Due to the resulting net reduction in the end of year projected reserve balance, a reduction in interest income of \$41K is also included in this QBRs.

The QBRs includes a number of minor adjustments and reallocation of funds that have not been detailed above. Further details can be found in the attachment to this report.

Conformance to the Hawkesbury Community Strategic Plan

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

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

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Funding

Funding and budget impacts have been specified within this report and attachment.

RECOMMENDATION:

That:

1. The information contained in the report be received.
2. The Quarterly Budget Review Statement – December 2016 be adopted.

ATTACHMENTS:

AT - 1 The Quarterly Budget Review Statement – December 2016 - *(Distributed under separate cover)*

oooO END OF REPORT Oooo

Item: 44 SS - Establishment of a Budget Monitoring Committee - (95496, 96332)

REPORT:

Executive Summary

At its meeting on 11 October 2016, Council resolved to request a report regarding the possibility of establishing a Budget Monitoring Committee.

This report provides an overview of matters relevant to the establishment of a Committee as suggested and recommends the continuation of the existing Council Budget Preparation Process Committee. In addition, the report recommends the establishment of a regular quarterly briefing to the full Council in regard to Council's progress in achieving its Budget for the year and in meeting its Fit For the Future (FFTF) objectives.

Consultation

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

Background

At its meeting on 11 October 2016, Council resolved, in part, as follows:

"That:

3. *A report be provided to Council regarding the possibility of establishing a Budget Monitoring Committee.*
4. *The Committee's role would be to receive quarterly briefings from staff on Council's progress towards meeting its budget and its FFTF objectives. The Councillors on the Committee would also be invited to attend staff budget meetings each year.*
5. *The report to make a recommendation as to the membership of the Committee."*

In accordance with Council's resolution, this report discusses matters relevant to the establishment of a Budget Monitoring Committee, the suitability of a Committee structure and the optimal way to achieve the objectives of the suggested Committee.

Establishment of a 'Committee'

Council's resolution proposes that a Committee be formed.

Council has generally formed 'Committees' either through a formal structure, such as a Section 377 Committee or a Working Group/Party structure.

The resolution outlines the role of the proposed Committee to be as follows:

- receive quarterly staff briefings in regard to Council's progress towards meeting its budget
- receive quarterly staff briefings in regard to Council's progress towards meeting its FFTF objective
- be invited to attend staff budget meetings each year.

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A 'Committee' structure where only some Councillors are involved would not be ideal as the Budget and progress in achieving it, and the FFTF benchmarks and adopted strategies, are central to Council's functions and critical to Council's ongoing financial sustainability. These matters are of critical relevance to all Councillors. Such a Committee structure could be conducive to only some Budget or FFTF areas being focused on and areas of interest for Councillors not being part of the Committee being potentially disregarded.

It is essential to ensure that **all** Councillors are kept updated with Council's performance in these critical focus areas and have the opportunity to input in the same.

In regard to the third role listed above, the existing Council Budget Preparation Process Committee could continue to fulfil the role.

Objectives of proposed 'Committee'

Council's resolution outlines the objectives of the proposed 'Committee'. Reporting processes already in place and suggestions on enhanced processes that could be implemented to support these objectives are detailed below.

Objective 1 - Receive quarterly staff briefings in regard to Council's progress towards meeting its Budget

This objective could be achieved by aligning new processes with existing statutory requirements. Following the adoption of its annual Operational Plan, including the Budget, Council currently receives quarterly reports on its progress towards meeting the Budget. In accordance with Clause 203 of the Local Government (General) Regulation 2005, the Responsible Accounting Officer of a council must prepare and submit to the Council a Budget Review Statement within two months after the end of each quarter (except the June Quarter). The process of preparing this Statement currently spans over eight weeks and includes a thorough budget review by Branch Managers, Finance staff and Executive Management, prior to submission to Council.

The report and associated attachment submitted to Council on a quarterly basis, known as the Quarterly Budget Review Statement, includes the following information:

- Executive Summary detailing Council's financial performance against the adopted Budget, for the reported Quarter, and the major Budget variations proposed to maintain a balanced budget position. The Summary provides details on how Operating Revenue, Operating Expenditure, Capital Expenditure and Investments are tracking as at the end of the reported Quarter.
- Income and Expense Budget by Report Code and by CSP Theme.
- Capital Budget.
- Cash and Investments.
- Key Performance Indicators.
- Contracts awarded in the Quarter.
- Consultancy and Legal Expenses.
- Summary and Detailed list of Budget Variations.

On a six monthly basis, Council also receives a report on Council's progress towards completing the Delivery Program Activities, which essentially drive the expending of Council's Budget.

The Quarterly Budget Review Statement is lengthy and complex in nature and it generally involves the reallocation of significant amounts of money and could include the cancellation of projects and/or the

funding of new projects. Accordingly, it would be beneficial for all Councillors to be provided with an overview of the content of this report, as well as the opportunity to seek any clarifications that may be required, prior to the report being submitted to Council.

The same outcome as intended from the formation of a 'Committee' could be achieved through a briefing on the Quarterly Budget Review Statement, at a scheduled Councillor Briefing Session prior to it being reported to a Council meeting. This would also better accommodate the very tight timeframes associated with the preparation of the Quarterly Budget Review Statement.

It is recommended that a presentation providing an overview of the components of the Quarterly Budget Review Statement, and any other related matters identified by Councillors, is included in the applicable scheduled Councillor Briefing Session preceding the submission of the Quarterly Budget Review Statement to a Council Meeting.

Objective 2 - Receive quarterly staff briefings in regard to Council's progress towards meeting FFTF Objectives

In November 2016, Council adopted 20 FFTF strategies with the aim of meeting the required financial benchmarks. A number of these strategies are already underway and progress is monitored internally. It is now timely to introduce a formal reporting mechanism to facilitate Council being regularly updated on the on-going progress of the implementation of these strategies. Council's performance against the FFTF financial benchmarks, or ratios, could also be included in this reporting framework.

It is suggested that applicable from the Quarter ending March 2017, included in the proposed presentation in regard to the Quarterly Budget Review Statement, would also be an update on the progress of FFTF strategies and performance against the FFTF financial benchmarks. The latter would also be included as an addendum to the Quarterly Budget Review Statement. It is further suggested that a report is submitted to Council on a six monthly basis in regard to the progress in the implementation of the FFTF strategies. It is envisaged that a six month period is an appropriate timeframe to allow for sufficient status change in regard to the various initiatives, to warrant reporting.

It is proposed that a briefing at a scheduled Councillor Briefing Session prior to the update being reported to a Council meeting, is provided to Councillors in this regard.

Objective 3 – Committee Members be invited to attend staff budget meetings each year

Council, at its meeting on 27 September 2016 appointed the Mayor, Councillor Lyons Buckett and Councillor Conolly as Council representatives on the Council Budget Preparation Process Committee. The appointed Councillors have been invited to the meetings relating to the preparation of the Draft 2017/2018 Budget.

Summary

As detailed above, the objectives intended for the formation of a Budget Monitoring Committee can be achieved through the implementation of regular presentations to all Councillors, as detailed above, as part of scheduled Councillor Briefing Sessions, and the additional reporting in regard to the FFTF strategies and benchmarks.

Accordingly it is recommended that Council does not establish a new Committee for the purpose of monitoring Council's Budget and FFTF strategies and benchmarks.

Conformance to the Hawkesbury Community Strategic Plan

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

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

and is also consistent with the nominated strategies in the CSP being:

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- Achieve community respect through good corporate governance and community leadership and engagement
- Make decisions in ways that are transparent, fair, balanced and equitable supported by appropriate resource allocations

Financial Implications

There are no immediate direct financial implications arising from this report. The costs applicable to the proposed presentations will be predominantly in the form of staff time.

RECOMMENDATION:

That:

1. Council endorse the delivery of a presentation providing an overview of Council's progress towards meeting its Budget on a quarterly basis, as part of a scheduled Councillor Briefing Session, prior to the applicable Quarterly Budget Review Statement being submitted to the relevant Council meeting.
2. Council endorse that an update on the progress of Fit For the Future strategies is included in the presentations referred to in Part 1 above.
3. A report on the progress of the implementation of Fit For the Future strategies is submitted to Council on a six monthly basis, being June and December each year.
4. Council endorse that an update on performance against Fit For the Future benchmarks is included in the presentations referred to in Part 1 above.
5. An addendum is included within the Quarterly Budget Review Statement in regard to performance against the Fit For the Future financial benchmarks.
6. The Council Budget Preparation Process Committee, with the Councillor representatives being the Mayor, Councillor Lyons - Buckett and Councillor Conolly, attend the applicable meetings in regard to the preparation of the Draft 2017/2018 Budget.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 45 **SS - Gifts and Benefits Policy - (95496, 96333)**

Previous Item: 120, Ordinary (25 June 2013)

REPORT:

Executive Summary

Council's Gifts and Benefits Policy provides that this Policy shall be reviewed within 12 months of an Ordinary Local Government Election. The Gifts and Benefits Policy is in place to supplement and enhance Council's Code of Conduct and to provide guidelines for Councillors and staff when dealing with situations where they may be offered a gift or benefit in the course of performing their public duties.

This report responds to that requirement.

Consultation

The issues in this report concern matters which do not require community consultation under Council's Community Engagement Policy as the report only recommends minor procedural amendments to the Gifts and Benefits Policy.

Background

Council last revised its Gifts and Benefits Policy at its meeting on 25 June 2013. The Gifts and Benefits Policy is in place to supplement and enhance Council's Code of Conduct and to provide guidelines for Councillors and staff when dealing with situations where they may be offered a gift or benefit in the course of performing their public duties.

The Policy provides that it shall be reviewed as appropriate and within 12 months of an Ordinary Local Government Election.

In this regard, the Policy has recently been reviewed and, other than minor typographical, terminological and formatting changes, and a correction to the title of the (now) Office of Local Government, no amendments are required. The amended Gifts and Benefits Policy is attached as Attachment 1, to this report.

The Policy provides three levels of gifts based on the value and the appropriate action to be taken for each level. Council's Policy attracted 32 declarations in the 2012/2013 financial year, 60 declarations in the 2013/2014 financial year, 29 declarations in the 2014/2015 financial year, 26 declarations in the 2015/2016 financial year and 35 declarations in the 2016/2017 financial year up to the time of preparing this report.

Conformance to the Hawkesbury Community Strategic Plan

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

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

Financial Implications

There are no financial implications arising from this report.

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RECOMMENDATION:

That Council adopt the Gifts and Benefits Policy attached as Attachment 1 to this report.

ATTACHMENTS:

AT - 1 Gifts and Benefits Policy (*Distributed under separate cover*)

oooO END OF REPORT Oooo

Item: 46**SS - Revaluation of Properties within the Hawkesbury City Council Local Government Area - (95496, 96332)**

REPORT:**Executive Summary**

The Office of the New South Wales Valuer General (Valuer General) conducts a revaluation of each Local Government Area (LGA) approximately every three years. In accordance with the Valuer General Revaluation Cycle, a revaluation of the Hawkesbury LGA was due to take place in 2017. However, in order to facilitate the implementation of the Emergency Services Property Levy (ESPL), the Valuer General conducted a revaluation on all LGAs within New South Wales in late 2016. The Emergency Services Property Levy (ESPL) is to be collected by councils, through the inclusion of the ESPL on Rates Notices, effective from 1 July 2017.

The land values arising from the 2016 revaluation will be used for rating purposes for the first time in the 2017/2018 financial year onwards until the next revaluation.

The latest revaluation has impacted on total rateable land valuations. The purpose of this report is to provide Council with details on the effects of the 2016 revaluation on properties within the Hawkesbury LGA.

It should be noted that the values quoted in this report are based on the revaluation figures received from the Valuer General. These values are subject to further change prior to use in the 2017/2018 rate levy, due to ongoing objections by owners and subsequent reviews by the Valuer General.

Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy. The rates to be levied by Council in 2017/2018 will be subject to community consultation as part of the 2017/2018 Draft Operational Plan consultation process.

Background

The Valuer General conducts a revaluation of each LGA approximately every three years. A revaluation of the Hawkesbury LGA was previously undertaken in 2014. The land values currently used for rating have a base date of July 2014, and have been used for rating purposes since the 2015/2016 rates levy.

In accordance with the Valuer General Revaluation Cycle, a revaluation of the Hawkesbury LGA was due to take place in 2017. The revaluation was brought forward one year, in order to facilitate the implementation of the ESPL, to be effected from 1 July 2017. The land values arising from the 2016 revaluation will be used for rating purposes for the first time in the 2017/2018 financial year onwards until the next revaluation.

The Valuer General bases its land valuations on a range of factors, including, but not limited to property sales data in the area and restrictions on the property.

The Land Value for each property, as determined by the Valuer General, is used by Council to determine the general rates applicable to the property in accordance with the rating structure applicable to the respective rating categories and sub-categories thereof. Rates payable by each property will, to varying extents, be impacted by the change in the property's land value.

A summary of the impact of the 2016 Revaluation on properties in the Hawkesbury LGA is provided below. Details on all suburbs are provided as Attachment 1 to this report.

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Impact on Land Values

The land values currently used for rating purposes have a base date of July 2014, and have been used for rating purposes since the 2015/2016 rates levy. The rateable land value resulting from the 2014 valuation was \$8.43 billion. At the time of the 2016 revaluation, the 2014 rateable land value, including adjustments resulting from growth and objections, was \$8.61 billion. The change in rateable land value results from the number of properties increasing by 543 properties since the 2014 valuation.

The 2016 revaluation has resulted in the total rateable land valuations increasing from \$8.61 billion to \$12.22 billion, an average increase of 41.93% across all rating categories and sub-categories.

The following table provides a summary of the overall effects of the revaluation on land values in each rating category and sub-category.

Table 1: Land Values Summary

Category / Sub-Category	Rateable Properties	2014 Land Value	2014 Average Land Value	2016 Land Value	2016 Average Land Value
Residential	19,115	\$5,033,642,454	\$263,335	\$6,885,626,323	\$360,221
Rural Residential	4,406	\$2,382,912,500	\$540,834	\$3,777,808,700	\$857,424
Business (3 Sub-Categories)	1,509	\$688,457,559	\$456,234	\$841,760,682	\$557,827
Farmland	572	\$501,419,000	\$876,607	\$723,491,000	\$1,264,844
Total	25,602	\$8,606,431,513	\$336,162	\$12,228,686,705	\$477,646

The following chart shows the changes in land value for each rating category and sub-category.

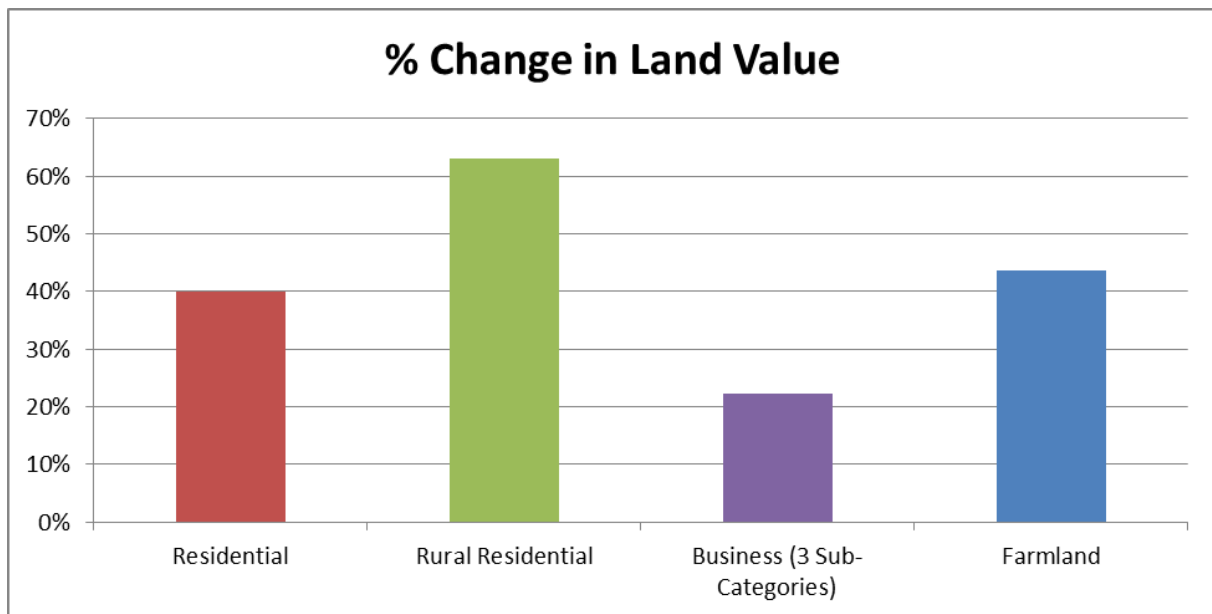


Figure 1: Valuation Changes by Category / Sub-Category between 2014 and 2016

Impact on General Rates

The increase in land valuations for land within the Hawkesbury LGA, as a result of this revaluation, does **not** result in an increase in the rate revenue available to Council. The 2017/2018 rate revenue available to be raised by Council is based upon revenue received in 2016/2017, increased by the rate-pegging, any rating structure changes and the impact of growth.

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Whilst there is no overall increase in rates revenue for Council, whenever a revaluation occurs, the rating distribution within the Council area changes. Although the total rating income generated for Council is restricted by the rate-pegging limit set for the relevant financial year, individual ratepayers will receive varying increases or decreases in their rates, dependent upon how their property has been affected by the revaluation. The extent of the impact of land revaluations depends on a council's rating structure.

In accordance with the Local Government 1993 (the Act) a council is to raise at least 50% of its rates revenue from a rating category / sub-category through the ad valorem rate (rate in the \$) applicable to the rating category / sub-category. This proportion of a council's rates revenue is calculated by applying the ad valorem rate to the land value as determined by the Valuer General. The higher the proportion of rates revenue a council collects through the ad valorem rate, the higher the impact of a land revaluation on rates payable.

Where a council has a rating structure based solely on an ad valorem rate, properties are impacted to the full extent with the applicable land revaluation changes. Where a rating structure has a reduced reliance on the ad valorem rate, such as structures including Base Amounts, the impact of a land revaluation is reduced to some extent. This applies to both increases and decreases in property land values.

The combined impact of the revaluation and the proposed Rating Structure change for the 2017/2018 financial year was provided in a report to Council at its meeting on 31 January 2017.

Impact on Suburbs in each Rating Category and Sub-Category

Tables 3 to 6 below show the changes in the average land valuation per property.

Table 3: Residential Category Selected Suburbs

Suburb	Impact on Average Land Values (%)
Bligh Park	45.90%
Bowen Mountain	11.95%
Glossodia	26.35%
Hobartville	54.98%
Kurrajong	23.62%
McGraths Hill	44.07%
North Richmond	24.78%
Oakville	130.18%
Pitt Town	44.24%
Richmond	36.98%
South Windsor	41.55%
Wilberforce	27.10%
Windsor	23.85%

ORDINARY MEETING**Meeting Date: 28 February 2017****Table 4: Rural Residential Category Selected Suburbs**

Suburb	Impact on Average Land Values (%)
Bilpin	11.72%
Bowen Mountain	24.09%
Cattai	65.46%
East Kurrajong	36.98%
Ebenezer	37.07%
Grose Vale	34.03%
Kurrajong	37.19%
Maraylya	71.12%
North Richmond	43.03%
Oakville	167.52%
Pitt Town	63.95%
Vineyard	118.79%
Wilberforce	39.92%

Table 5: Business (3 Sub-Categories) Selected Suburbs

Suburb	Impact on Average Land Values (%)
Clarendon	15.50%
Kurrajong	15.18%
Kurrajong Heights	15.16%
McGraths Hill	48.03%
Mulgrave	18.26%
North Richmond	57.90%
Oakville	116.12%
Pitt Town	34.25%
Richmond	23.58%
South Windsor	13.09%
Vineyard	56.46%
Wilberforce	20.45%
Windsor	15.89%

ORDINARY MEETING**Meeting Date: 28 February 2017****Table 6: Farmland Category Selected Suburbs**

Suburb	Impact on Average Land Values (%)
Agnes Banks	42.13%
Bilpin	15.60%
Cornwallis	37.57%
Ebenezer	41.66%
Freemans Reach	47.49%
Glossodia	44.50%
Kurrajong	35.38%
North Richmond	38.64%
Oakville	194.42%
Pitt Town Bottoms	46.01%
Richmond	44.85%
Vineyard	118.01%
Wilberforce	43.86%

Further details on all suburbs in the Hawkesbury LGA are attached as Attachment 1 to this report.

When considering the figures in the Tables above and Attachment 1, it is to be noted that they are on the basis of the “average” increase for the area indicated, and that individual properties within an area may vary from the overall average.

Conformance to the Hawkesbury Community Strategic Plan

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

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

and is also consistent with the nominated strategy in the CSP being:

- Improve financial sustainability.

Financial Implications

The income resulting from the notional yield calculated, based on the 2016 valuations, and incorporating the permissible increase for 2017/2018 of 1.5%, will be included in the 2017/2018 Draft Operational Plan.

RECOMMENDATION:

That the information concerning the revaluation of properties within the Hawkesbury Council Local Government Area be received and noted.

ATTACHMENTS:

AT - 1 2016 Revaluation Details per suburb

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AT – 1 2016 Revaluation Details per suburb

Residential Rating Category					
Suburb	Rateable Properties	2014 Average Land Value	2016 Average Land Value	Movement in Average Land Value (\$)	Movement in Average Land Value (%)
AGNES BANKS	130	258,829	371,740	112,911	43.78%
BERAMBING	20	259,650	295,200	35,550	14.62%
BILPIN	131	252,193	286,794	34,601	13.61%
BLAXLANDS RIDGE	81	349,040	465,007	115,968	33.71%
BLIGH PARK	2243	198,995	290,559	91,564	45.90%
BOWEN MOUNTAIN	565	217,370	243,476	26,106	11.95%
CATTAI	20	441,600	731,250	289,650	66.77%
CENTRAL COLO	11	230,218	253,473	23,255	10.12%
CENTRAL MACDONALD	9	345,689	352,711	7,022	7.43%
CLARENDON	24	289,288	354,808	65,521	24.68%
COLO	19	202,182	229,838	27,657	19.17%
COLO HEIGHTS	31	316,926	304,610	-12,316	-8.45%
CORNWALLIS	16	771,663	1,016,375	244,713	36.39%
CUMBERLAND REACH	68	188,838	216,618	27,779	16.47%
EAST KURRAJONG	198	364,363	507,587	143,225	40.05%
EBENEZER	203	364,768	474,621	109,852	29.25%
FERNANCES	15	137,546	122,746	-14,800	-8.05%
FREEMANS REACH	526	302,606	381,368	78,762	24.16%
GLOSSODIA	827	270,980	342,753	71,773	26.35%
GROSE VALE	198	393,919	524,441	130,522	32.60%
GROSE WOLD	99	445,182	600,626	155,444	34.30%
HIGHER MACDONALD	19	276,937	233,853	-43,084	-14.77%
HOBARTVILLE	1081	239,964	371,936	131,972	54.98%
KURMOND	192	318,307	427,411	109,104	33.11%
KURRAJONG	681	359,923	447,895	87,973	23.62%
KURRAJONG HEIGHTS	471	231,770	289,270	57,499	24.67%
KURRAJONG HILLS	142	424,092	563,796	139,704	33.20%
LEETS VALE	25	286,440	296,160	9,720	3.38%
LOWER MACDONALD	222	172,399	172,888	490	7.14%
LOWER PORTLAND	79	327,403	346,366	18,963	7.22%
MARAYLYA	20	519,800	855,900	336,100	65.88%
MCGRA THS HILL	876	245,804	353,848	107,844	44.07%
MELLONG	8	471,375	435,500	-35,875	-7.17%
MOGO CREEK	6	141,500	120,167	-21,333	-15.07%
MOUNTAIN LAGOON	14	261,429	300,500	39,071	14.91%
MULGRAVE	15	393,133	469,467	76,333	20.29%
NORTH RICHMOND	1814	248,662	307,823	59,160	24.78%
OAKVILLE	40	504,476	1,197,188	692,712	130.18%
PERRYS CROSSING	8	163,000	138,250	-24,750	-15.18%
PITT TOWN	803	413,724	603,525	189,801	44.24%
PITT TOWN BOTTOMS	23	459,865	654,435	194,570	43.92%
PUTTY	7	276,243	315,000	38,757	8.65%
RICHMOND	2146	204,261	281,105	76,845	36.98%
RICHMOND LOWLANDS	14	1,053,886	1,483,800	429,914	40.86%
SACKVILLE	57	219,614	260,421	40,807	17.86%
SOUTH WINDSOR	2246	203,204	286,526	83,322	41.55%
ST ALBANS	79	172,678	177,439	4,761	8.11%
TENNYSON	43	389,907	541,279	151,372	38.15%
THE SLOPES	75	347,707	541,240	193,533	60.03%
UPPER COLO	25	300,320	331,040	30,720	10.23%
UPPER MACDONALD	19	219,663	193,558	-26,105	-10.28%
VINEYARD	223	234,271	453,309	219,038	206.04%
WEBBS CREEK	28	216,457	237,500	21,043	10.61%
WHEENY CREEK	14	266,429	286,429	20,000	7.16%
WILBERFORCE	798	331,680	425,007	93,327	27.10%
WINDSOR	701	271,967	335,845	63,878	23.85%
WINDSOR DOWNS	334	461,659	839,545	377,886	81.92%
WISEMANS FERRY	36	154,375	140,251	-14,124	-12.95%
WRIGHTS CREEK	10	432,810	435,410	2,600	1.01%
YARRAMUNDI	187	362,110	553,474	191,364	55.88%

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Rural Residential Rating Sub-Category (to be discontinued 1 July 2017)					
Suburb	Rateable Properties	2014 Average Land Value	2016 Average Land Value	Movement in Average Land Value (\$)	Movement in Average Land Value (%)
AGNES BANKS	13	571,308	798,923	227,615	39.78%
BERAMBING	18	426,944	471,333	44,389	10.23%
BILPIN	147	457,884	512,429	54,544	11.72%
BLAXLANDS RIDGE	120	389,917	530,367	140,450	35.28%
BOWEN MOUNTAIN	21	422,238	523,095	100,857	24.09%
CATTAI	133	581,143	956,519	375,376	65.46%
CENTRAL COLO	10	288,800	318,300	29,500	10.20%
CENTRAL MACDONALD	22	331,227	353,818	22,591	8.16%
CLARENDON	16	732,000	776,063	44,063	6.62%
COLO	17	275,353	306,882	31,529	12.36%
COLO HEIGHTS	83	271,482	258,880	-12,602	-1.05%
CORNWALLIS	2	1,800,000	1,875,000	75,000	12.73%
CUMBERLAND REACH	7	752,143	804,714	52,571	7.01%
EAST KURRAJONG	460	461,115	628,430	167,315	36.98%
EBENEZER	126	593,825	811,095	217,270	37.07%
FERNANCES	3	131,600	116,600	-15,000	-9.96%
FREEMANS REACH	119	605,261	672,067	266,807	44.44%
GLOSSODIA	124	567,597	765,790	198,194	34.00%
GROSE VALE	217	543,005	727,719	184,714	34.03%
GROSE WOLD	104	587,837	800,115	212,279	36.45%
HIGHER MACDONALD	8	179,350	154,350	-25,000	-12.50%
KURMOND	103	588,854	823,922	235,068	39.53%
KURRAJONG	415	494,761	678,699	183,937	37.19%
KURRAJONG HEIGHTS	63	474,159	560,048	85,889	18.25%
KURRAJONG HILLS	102	506,078	690,618	184,539	36.79%
LEETS VALE	5	581,400	639,400	58,000	9.98%
LOWER MACDONALD	16	306,313	328,188	21,875	7.56%
LOWER PORTLAND	79	408,886	444,127	35,241	8.09%
MARAYLYA	223	564,242	965,785	401,543	71.12%
MCGRAH'S HILL	18	669,444	1,094,222	424,778	63.49%
MOGO CREEK	3	134,333	114,167	-20,167	-15.02%
MOUNTAIN LAGOON	30	398,567	458,250	59,683	14.98%
MULGRAVE	9	588,667	718,889	130,222	22.77%
NORTH RICHMOND	127	629,362	893,874	264,512	43.03%
OAKVILLE	511	608,620	1,636,677	1,028,057	167.52%
PERRYS CROSSING	2	149,500	127,000	-22,500	-15.04%
PITT TOWN	203	668,498	1,083,458	414,961	63.95%
PITT TOWN BOTTOMS	6	569,000	824,833	255,833	46.25%
RICHMOND	10	1,011,900	1,463,900	452,000	45.89%
RICHMOND LOWLANDS	7	1,561,429	2,207,143	645,714	41.88%
SACKVILLE	28	579,321	685,286	105,964	18.57%
SCHEYVILLE	1	632,000	1,070,000	438,000	69.30%
SOUTH WINDSOR	47	615,234	719,872	104,638	17.19%
ST ALBANS	38	283,074	283,600	526	-0.06%
TENNYSON	87	644,402	933,379	288,977	44.63%
THE SLOPES	29	531,069	749,724	218,655	42.24%
UPPER COLO	13	311,000	342,708	31,708	10.21%
UPPER MACDONALD	26	257,454	227,146	-30,308	-8.41%
VINEYARD	137	606,978	1,338,942	731,964	118.79%
WEBBS CREEK	13	247,385	272,231	24,846	10.05%
WHEENY CREEK	12	314,167	346,250	32,083	10.21%
WILBERFORCE	174	662,489	925,851	263,362	39.92%
WINDSOR	7	521,286	615,571	94,286	18.04%
WINDSOR DOWNS	25	651,120	1,175,920	524,800	80.06%
WISEMANS FERRY	7	319,857	351,714	31,857	9.97%
WRIGHTS CREEK	8	331,125	334,875	3,750	1.08%
YARRAMUNDI	54	672,667	817,093	144,426	22.43%

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Business Rating Category (3 Sub-Categories)					
Suburb	Rateable Properties	2014 Average Land Value	2016 Average Land Value	Movement in Average Land Value (\$)	Movement in Average Land Value (%)
AGNES BANKS	2	404,500	570,500	166,000	41.43%
BERAMBING	1	577,000	634,000	57,000	9.88%
BILPIN	6	235,833	259,167	23,333	9.90%
BLAXLANDS RIDGE	2	372,000	376,000	4,000	3.23%
BLIGH PARK	7	501,529	595,457	93,929	39.85%
BOWEN MOUNTAIN	3	306,667	374,333	67,667	20.47%
CATTAI	2	616,500	824,500	208,000	39.18%
CLARENDON	14	583,614	670,014	86,400	15.50%
COLO	3	541,333	596,333	55,000	10.16%
COLO HEIGHTS	7	139,129	144,000	4,871	-4.21%
CORNWALLIS	1	1,360,000	1,920,000	560,000	41.18%
CUMBERLAND REACH	1	350,000	378,000	28,000	8.00%
EAST KURRAJONG	3	549,167	731,333	182,167	37.64%
EBENEZER	9	631,380	808,357	176,977	28.96%
FREEMANS REACH	11	469,727	599,636	129,909	25.30%
GLOSSODIA	6	612,833	793,333	180,500	32.98%
GROSE VALE	7	676,143	884,429	208,286	25.58%
GROSE WOLD	5	2,049,000	2,764,200	715,200	34.90%
HOBARTVILLE	3	306,867	315,233	8,367	9.14%
KURMOND	11	559,818	691,182	131,364	22.79%
KURRAJONG	31	463,952	585,687	121,736	15.18%
KURRAJONG HEIGHTS	19	426,468	494,116	67,647	15.16%
KURRAJONG HILLS	4	429,250	564,500	135,250	31.37%
LOWER PORTLAND	5	722,000	825,400	103,400	16.37%
MARAYLYA	4	326,825	603,200	276,375	80.78%
MCGRATHS HILL	11	679,636	943,818	264,182	48.03%
MELLONG	1	539,000	1,000,000	461,000	85.53%
MOGO CREEK	1	940	940	0	0.00%
MULGRAVE	225	440,432	518,182	77,750	18.26%
NORTH RICHMOND	103	463,345	545,636	82,291	57.90%
OAKVILLE	8	545,013	1,171,488	626,475	116.12%
PITT TOWN	15	751,667	1,102,667	351,000	34.25%
PITT TOWN BOTTOMS	1	600,000	845,000	245,000	40.83%
RICHMOND	277	386,623	466,039	79,416	23.58%
RICHMOND LOWLANDS	3	828,000	1,261,000	433,000	49.26%
SACKVILLE	2	589,500	805,000	235,500	37.84%
SOUTH WINDSOR	300	477,537	532,503	54,967	13.09%
ST ALBANS	8	229,046	237,183	8,136	10.48%
UPPER COLO	1	450,000	496,000	46,000	10.22%
VINEYARD	75	624,533	976,560	352,027	56.46%
WEBBS CREEK	4	1,076,000	1,182,500	106,500	9.90%
WHEENY CREEK	1	8,550	9,420	870	10.18%
WILBERFORCE	60	347,227	423,297	76,070	20.45%
WINDSOR	244	405,402	484,681	79,279	15.89%
WISEMANS FERRY	1	529,000	582,000	53,000	10.02%
YARRAMUNDI	1	653,000	750,000	97,000	14.85%

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Meeting Date: 28 February 2017

Famland Rating Category					
Suburb	Rateable Properties	2014 Average Land Value	2016 Average Land Value	Movement in Average Land Value (\$)	Movement in Average Land Value (%)
AGNES BANKS	26	850,808	1,200,885	350,077	42.13%
BERAMBING	3	523,333	601,667	78,333	14.99%
BILPIN	29	587,241	676,862	89,621	15.60%
BLAXLANDS RIDGE	5	1,038,200	1,404,600	366,400	36.93%
CATTAI	3	589,000	982,000	393,000	67.09%
CENTRAL MACDONALD	2	422,000	502,000	80,000	18.96%
CLARENDON	3	1,333,000	1,591,867	258,867	20.02%
COLO HEIGHTS	1	419,000	420,000	1,000	0.24%
CORNWALLIS	20	1,047,450	1,383,350	335,900	37.57%
CUMBERLAND REACH	3	756,667	838,333	81,667	15.08%
EAST KURRAJONG	14	894,429	1,228,786	334,357	37.87%
EBENEZER	16	756,063	1,059,313	303,250	41.66%
FERNANCES	2	169,000	143,500	-25,500	-15.06%
FREEMANS REACH	85	742,647	1,077,753	335,106	47.49%
GLOSSODIA	16	774,250	1,110,250	336,000	44.50%
GROSE VALE	10	794,500	1,044,900	250,400	31.00%
GROSE WOLD	7	712,286	960,857	248,571	34.90%
HIGHER MACDONALD	3	176,333	149,667	-26,667	-15.13%
KURMOND	11	817,545	1,163,545	346,000	42.99%
KURRAJONG	9	776,111	1,049,778	273,667	35.38%
KURRAJONG HEIGHTS	7	815,429	957,571	142,143	13.41%
KURRAJONG HILLS	6	973,500	1,298,167	324,667	33.64%
LOWER MACDONALD	4	508,500	559,250	50,750	9.99%
LOWER PORTLAND	7	901,143	996,429	95,286	11.83%
MARAYLYA	6	1,027,833	2,120,667	1,092,833	93.16%
MCGRAH'S HILL	4	999,000	1,692,000	693,000	69.27%
MOUNTAIN LAGOON	4	458,750	527,500	68,750	14.98%
MULGRAVE	5	1,059,200	1,246,400	187,200	18.71%
NORTH RICHMOND	23	3,089,826	3,872,609	782,783	38.64%
OAKVILLE	32	631,125	1,878,125	1,247,000	194.42%
PITT TOWN	6	699,833	1,379,333	679,500	97.75%
PITT TOWN BOTTOMS	38	499,789	720,816	221,026	46.01%
RICHMOND	14	2,119,214	3,012,500	893,286	44.85%
RICHMOND LOWLANDS	6	1,481,667	2,191,667	710,000	47.40%
SACKVILLE	5	1,207,400	1,143,600	-63,800	-8.35%
SOUTH WINDSOR	3	798,333	947,000	148,667	17.99%
ST ALBANS	9	442,556	410,556	-32,000	-8.12%
TENNYSON	11	957,182	1,393,727	436,545	45.62%
THE SLOPES	2	2,299,500	3,215,000	915,500	48.20%
UPPER COLO	8	509,375	561,250	51,875	10.19%
UPPER MACDONALD	5	412,400	350,600	-61,800	-14.97%
VINEYARD	23	825,478	1,620,174	794,696	118.01%
WEBBS CREEK	4	443,000	488,250	45,250	10.17%
WILBERFORCE	59	701,898	981,949	280,051	43.86%
WINDSOR	4	587,000	826,000	239,000	40.70%
WINDSOR DOWNS	1	791,000	872,000	81,000	10.24%
WISEMANS FERRY	1	1,030,000	1,130,000	100,000	9.71%
YARRAMUNDI	7	733,571	912,143	178,571	26.21%

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 28 February 2017

ordinary

section 4

reports
of committees

ORDINARY MEETING
Reports of Committees

ORDINARY MEETING
Reports of Committees

SECTION 4 - Reports of Committees

ROC Local Traffic Committee - 13 February 2017 - (80245)

Minutes of the Meeting of the Local Traffic Committee held in the Small Committee Room, Windsor, on Monday, 13 February 2017, commencing at 3pm.

Present:	Ms Tina Kaur, Roads and Maritime Services Mr Shah Kshitij, Roads and Maritime Services Mr Steve Grady, Busways Mr Christopher Amit, Hawkesbury City Council (Chairman)
Apologies:	Councillor Peter Reynolds, Hawkesbury City Council Inspector Ian Woodward, NSW Police Force Sergeant Jason Cook
In Attendance:	Ms Cathy Mills - Minutes Secretary, Hawkesbury City Council

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

The Chairman Mr Christopher Amit tendered an apology on behalf of Councillor Peter Reynolds and Sergeant Jason Cook, advising that Councillor Peter Reynolds and Sergeant Jason Cook concurred with recommendations as contained in the formal agenda and had granted proxy to himself to cast votes on their behalf.

RESOLVED on the motion of Ms Tina Kaur, seconded by Mr Christopher Amit that the apologies be accepted.

SECTION 1 - Minutes

Item 1.1 Confirmation of Minutes

The Committee resolved on the motion of Ms Tina Kaur, seconded by Mr Christopher Amit that the minutes from the previous meeting held on Monday, 09 January 2017 be confirmed.

ORDINARY MEETING
Reports of Committees

Item 1.2 Business Arising

Item:1.2.1 LTC - Icely Park, Richmond - Review of Adjacent On-Street Parking (Hawkesbury) - (80245)

Previous Item: 4.1, LTC (09 January 2017)

REPORT:

Mr Christopher Amit referred to the report which was discussed at the January 2017 LTC meeting (Item 4.1) and updated the Committee on a site meeting held on Monday, 30 January 2017 with Ms Anne Neal from Hawkesbury Sports Council Inc. and representatives from the Richmond Ex-Servicemen's Soccer Club.

The information discussed at the LTC meeting was presented to those attending the site meeting. This included in particular the issues restricting the formalisation of angle parking around the Park due to the limited space available within the road reserve and satisfying the requirements of the Australian Standards. One of the options discussed at LTC was the repositioning of the perimeter fences. The feedback in relation to this is that there are restrictions to relocating the existing perimeter fences within the Park as there needs to be specific clearances for the playing area which includes a minimum buffer area of five metres.

Providing parallel parking signs would result in vehicles having to park along the surrounding streets. The representatives felt that vehicles would be parked on the adjacent cemetery land in lieu of parking further away from the Park. The representatives were of the opinion that the status quo remain as there has not been any safety incident in the past, and furthermore as they felt it is safer for parents to have their vehicles closer to the Park as in many cases they have several children participating and need to access their vehicle through the day.

The outcome from the site meeting is that the representatives acknowledged that their request to have right angle parking formalised around Icely Park cannot be undertaken. In relation to formalising parallel parking around the Park, this action was not supported. The final request was that the informal angle parking around the Park continues.

The Committee discussed this matter and based on the existing restrictions around the Park, agreed that in the short term, no changes be implemented to the parking arrangements around Icely Park, Richmond and the situation be monitored.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Ms Tina Kaur, seconded by Mr Christopher Amit.

Support for the Recommendation: Unanimous support

The information be received.

SECTION 2 - Reports for Determination

Item: 2.1 LTC - Convict 100 Mountain Biking Event 2017 - St Albans (Hawkesbury) - (80245, 85193)

REPORT:

An application has been received from Maximum Adventure Pty Ltd seeking approval (in traffic management terms) to conduct the Convict 100 Mountain Biking Event 2017 - St Albans, on Saturday 06 May 2017.

The event organiser has advised;

- The event is a Mountain Bike (Cycling) Endurance Race in and around the St Albans and Macdonald Valley areas;
- The event has been held for 12 years and was previously known as the Dirk Works 100 Kilometre Classic;
- The event gets its name from the old Convict trail it traverses;
- The event enjoys the continued support of the St Albans RFS and local community;
- The event will be undertaken between 6:30am and 6pm;
- Approximately 1,200 participants are expected for the event;
- Approximately 100 spectators and their vehicles are expected. Parking will be available on private land;
- There are three courses for the event; 100, 68 and 44 kilometres;
- The start and finish of the race will be in the town of St Albans, on Wharf Street;
- The event route is similar to previous years;
- It is proposed to close a section of Wharf Street, between Bulga Street and Wollombi Road, St Albans (100 metre long sealed section), commencing from 8am, Friday 05 May 2017, through to 6pm, Saturday 06 May 2017;
- Alternate access is available via Wollombi Road and Bulga Street;
- The event will impact on residents of Wharf Street between Wollombi Road and Bulga Street accessing their properties;
- Consultation has been undertaken with the adjoining property owners, who have provided support in writing, relating to the proposed road closure. Arrangements will be made with these residents to allow access when requested;
- Participants will compete on a two-leaf clover route format, covering approximately 100 kilometres of fire trail, single track and dirt roads through the National Parks, private properties and public roads;
- The course will be clearly marked for riders to follow;
- Marshalls with high visibility vests and radios will be positioned at junctions, warning cyclists of on-coming traffic and the track ahead;

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- Signs will be positioned throughout the course to warn other users of the event;
- The event route will cross the Macdonald River at the two points shown on the Event Route Plans contained in Attachment 1, 2 and 3. Crossing of the Macdonald River will be undertaken either by walking across if the water level is ankle deep and safe to do so or alternatively utilising a 'pontoon bridge' configuration at each location. Permission has been obtained from the adjoining property owners on either side of the River.

Discussion:

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

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

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

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

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

The event organiser has submitted the following items in relation to the event: Attachment 6 (ECM Document Set ID No. 5769549):

1. Traffic and Transport Management for Special Events – HCC: Form A – Initial Approval - Application Form,
2. Traffic and Transport Management for Special Events – HCC: Form B – Initial Approval Application - Checklist,
3. Special Event Transport Management Plan Template – RTA (Roads and Maritime Services - RMS),
4. Emergency Management Plan, and Traffic Control Plans (TCP),
5. Event Route Plans,
6. Road Closure/Detour Plan,
7. Copy of the application to the NSW Police Force,
8. Copy of Insurance Policy which is valid to 11 February 2017,
9. Copy of Property owner letters relating to the proposed road closure,
10. Copy of the Advertisement for the Event – which does not mention the proposed road closure.

COMMITTEE DISCUSSION:

Mr Shah Kshitij, RMS, advised the committee that the event organiser should document in their Risk Assessment specific details of the River Crossings to enable the participants to safely cross the river. One of the issues at hand is what safety measures are in place should a participant fall into the River. It was noted by the Committee that condition 4b requires the Risk Assessment to detail aspects of the whole event with condition 4i requiring approval from the Maritime Arm of the RMS which would have its own specific requirements relating to the Crossing as well as navigation along the River.

RECOMMENDATION TO COMMITTEE:

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/events/organising-an-event2>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Roads and Maritime Services - RMS (formerly RTA) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package.
2. The Convict 100 Endurance Mountain Biking Event 2017 - St Albans, event planned for Saturday, 06 May 2017 be classified as a "Class 2" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads and Maritime Services - RMS (formerly RTA).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted – which includes the road closure of a section of Wharf Street between Bulga Street and Wollombi Road, St Albans, commencing from 8am, Friday 05 May 2017, through to 6pm, Saturday 06 May 2017; and the following conditions:

Prior to the event:

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

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- 4b. the event organiser is to assess the risk and address the suitability of the entire route/site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the route/site by the event organiser prior to preparing the TMP and prior to the event;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; a copy of the Police Force approval to be submitted to Council;
- 4d. the event organiser is to obtain approval from the Transport Management Centre – TMC as a road closure is proposed for a section of Wharf Street between Bulga Street and Wollombi Road, St Albans commencing from 8am, Friday 05 May 2017, through to 6pm, Saturday 06 May 2017; a copy of the Transport Management Centre – TMC approval to be submitted to Council;
- 4e. the event organiser is to submit a Transport Management Plan (TMP) for the entire route/event incorporating the submitted Traffic Control Plan (TCP) to Council, the Roads and Maritime Services - RMS and the Transport Management Centre (TMC) for acknowledgement;
- 4f. the event organiser is to submit to Council a copy of its Public Liability Policy in an amount not less than \$10,000,000 noting Council and the Roads and Maritime Services - RMS (formerly RTA) as interested parties on the Policy and that Policy is to cover both on-road and off-road activities;
- 4g. as the event involves the closure of a public road and the traverse of public roads, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy and close the road;
- 4h. the event organiser is to ensure that dust along the unsealed sections of road utilised by the event participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be addressed and outlined in the TMP;
- 4i. the event organiser is to obtain the relevant approval to cross the Macdonald River from the Roads and Maritime Services - RMS (formerly NSW Maritime); a copy of this approval to be submitted to Council;
- 4j. the event organiser is to obtain the relevant approval from the Office of Environment and Heritage to access and cross the Macdonald River; a copy of this approval to be submitted to Council;
- 4k. the event organiser is to obtain approval from the National Parks and Wildlife Service (Office of Environment and Heritage) for the use the Parr State Conservation Area, Yengo National Park and the Great Northern Road; a copy of this approval to be submitted to Council;
- 4l. the event organiser is to obtain written approval from Councils' Parks and Recreation Section for the use of a Council Park/Reserve;
- 4m. the event organiser is to obtain approval from the NSW Department of Primary Industries for the use of any Crown Road or Crown Land; a copy of this approval to be submitted to Council;
- 4n. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; a copy of this approval to be submitted to Council;
- 4o. the event organiser is to advertise the event in the local press stating the entire route/extent of the event, including the proposed traffic control measures, road closure, detour route and the traffic impact/delays expected, due to the event, two weeks prior to the event; a copy of the proposed advertisement to be submitted to Council (indicating the advertising medium);

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

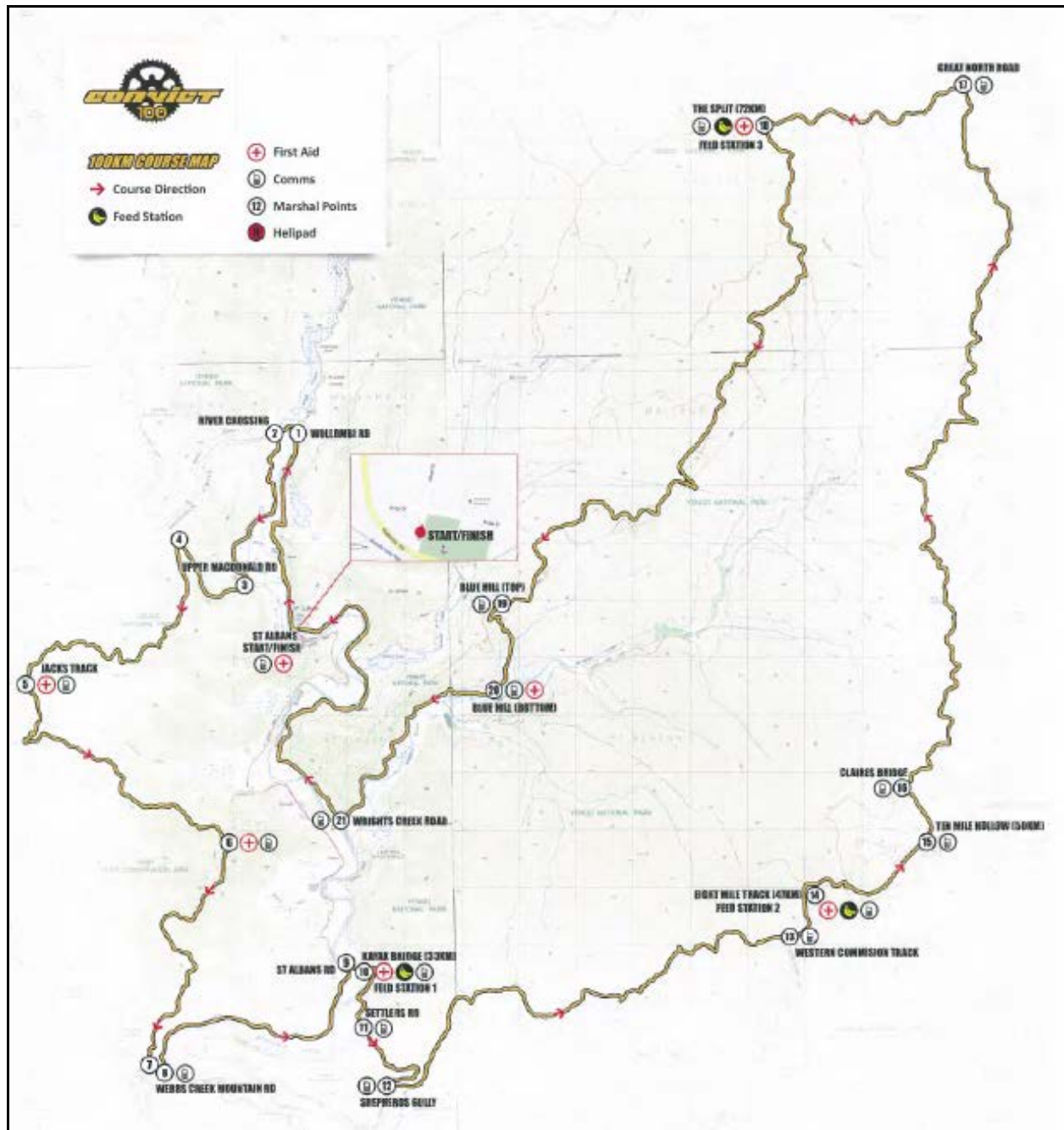
During the event:

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

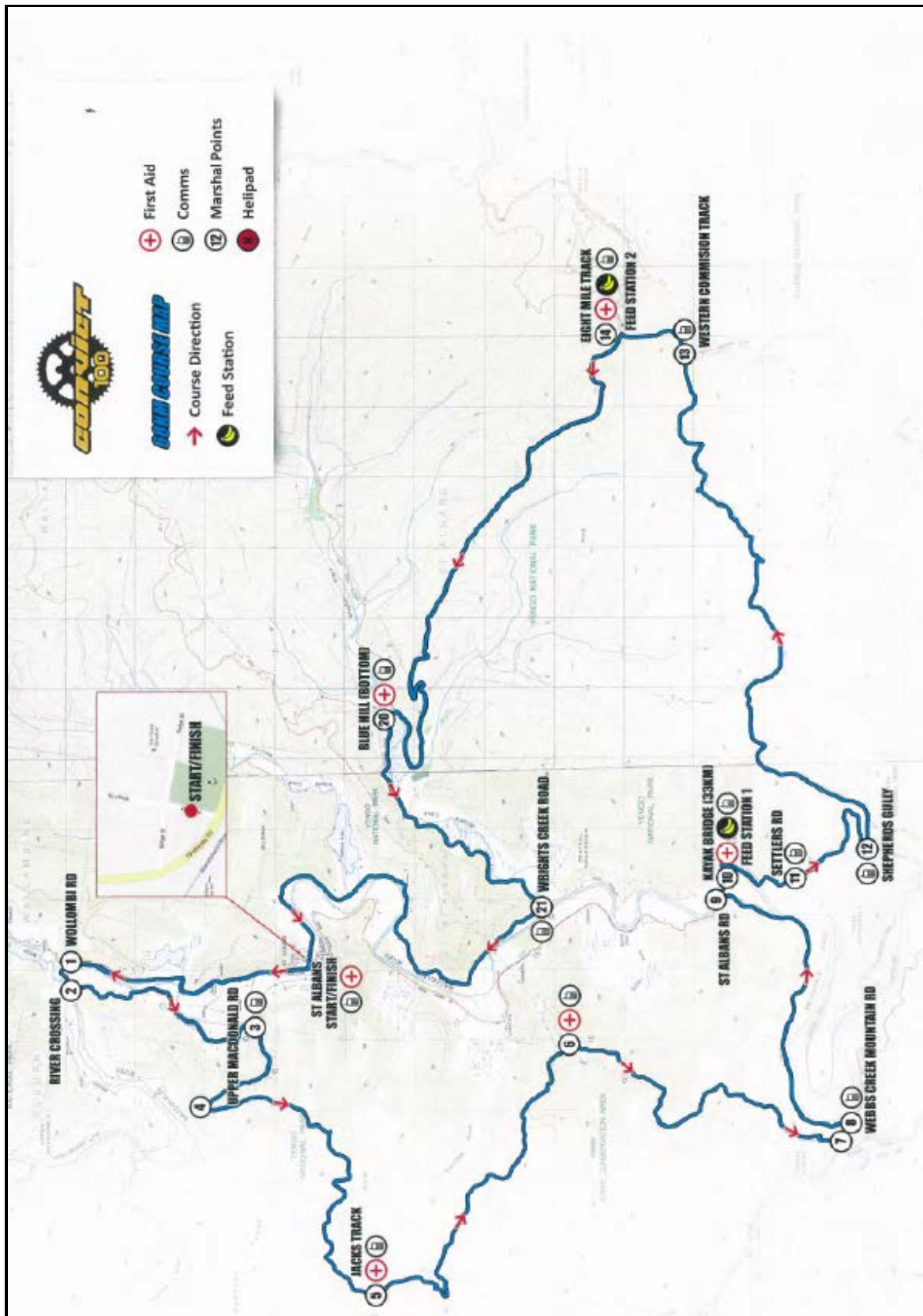
APPENDICES:

- AT - 1** Event Route Plan – 100 Kilometre Route - Convict 100 Mountain Biking Event 2017 - St Albans.
- AT - 2** Event Route Plan – 68 Kilometre Route - Convict 100 Mountain Biking Event 2017 - St Albans.
- AT - 3** Event Route Plan – 44 Kilometre Route - Convict 100 Mountain Biking Event 2017 - St Albans.
- AT - 4** Event Centre Plan - Convict 100 Mountain Biking Event 2017 - St Albans.
- AT - 5** Wharf Street Road Closure Plan - Convict 100 Mountain Biking Event 2017 - St Albans
- AT – 6** Special Event Application - (ECM Document Set ID No. 5769549) - *see attached.*

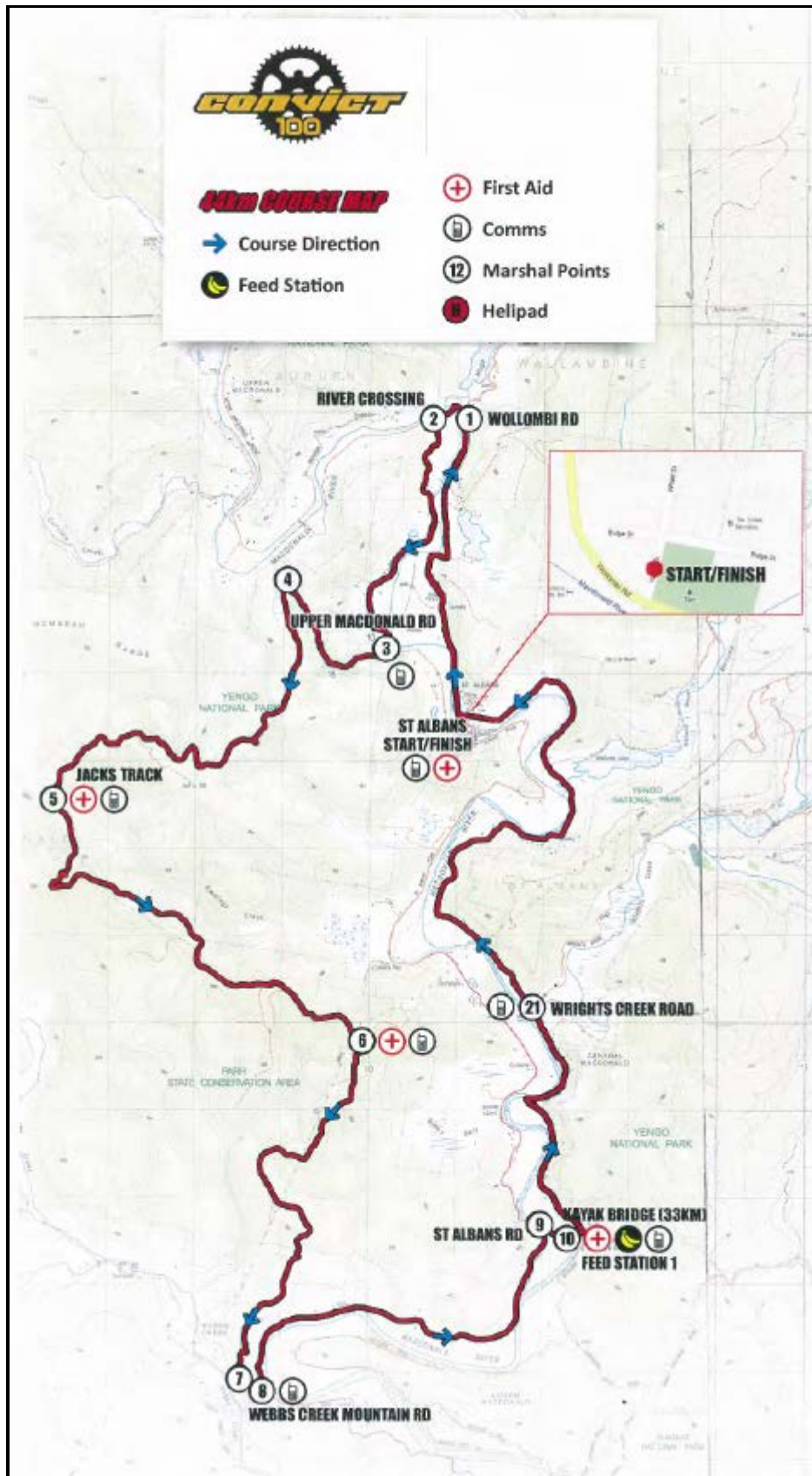
**AT – 1 Event Route Plan – 100 Kilometre Route - Convict 100 Mountain Biking Event 2017 -
St Albans**



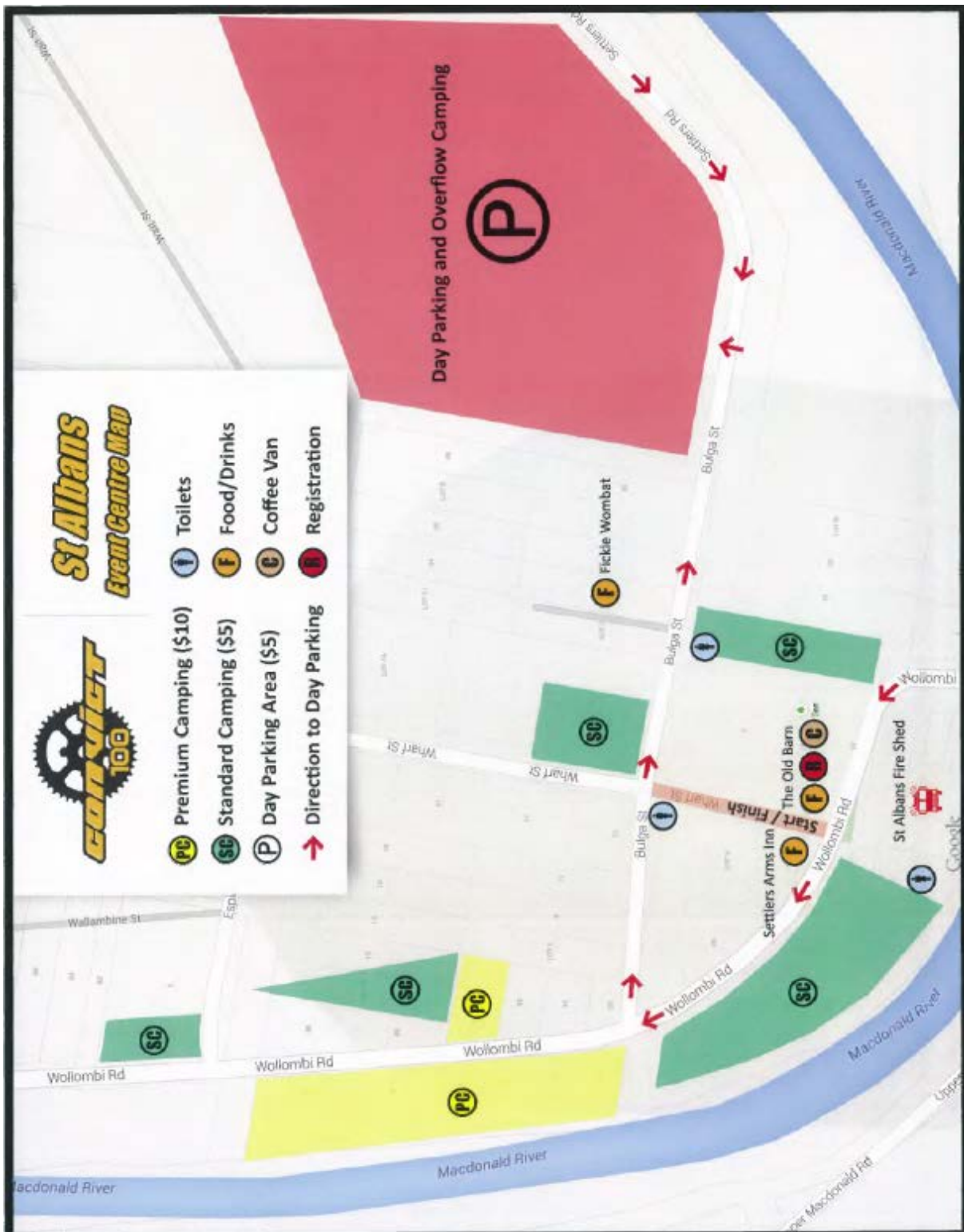
**AT – 2 Event Route Plan – 68 Kilometre Route - Convict 100 Mountain Biking Event 2017 -
St Albans**

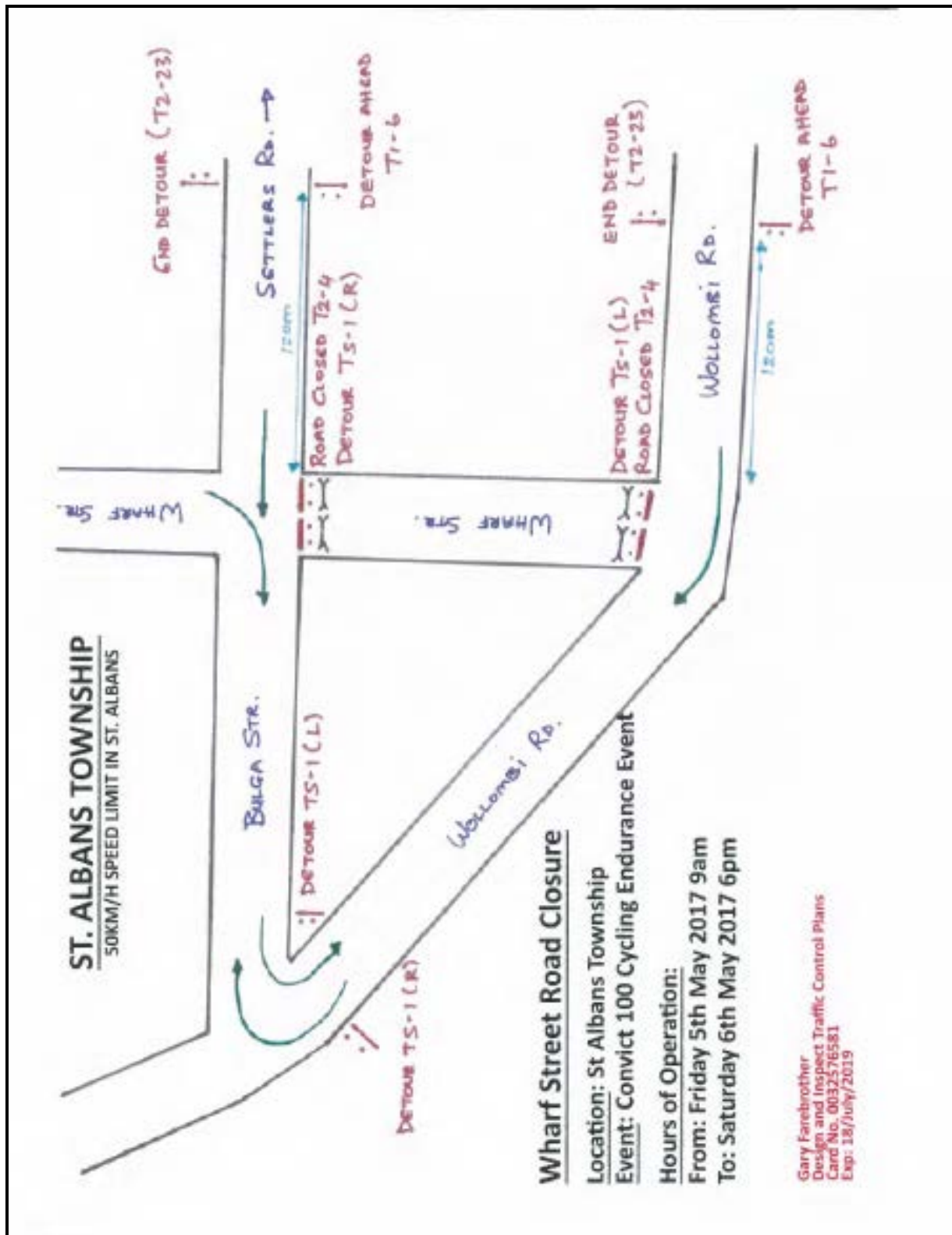


**AT - 3 Event Route Plan – 44 Kilometre Route - Convict 100 Mountain Biking Event 2017 -
St Albans**



AT - 4 Event Centre Plan - Convict 100 Mountain Biking Event 2017 - St Albans



AT - 5 Wharf Street Road Closure Plan - Convict 100 Mountain Biking Event 2017 - St Albans

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Shah Kshitij, seconded by Mr Christopher Amit.

Support for the Recommendation: Unanimous support

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/events/organising-an-event2>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Roads and Maritime Services - RMS (formerly RTA) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package.
2. The Convict 100 Endurance Mountain Biking Event 2017 - St Albans, event planned for Saturday, 06 May 2017 be classified as a "Class 2" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads and Maritime Services - RMS (formerly RTA).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted – which includes the road closure of a section of Wharf Street between Bulga Street and Wollombi Road, St Albans, commencing from 8am, Friday 05 May 2017, through to 6pm, Saturday 06 May 2017; and the following conditions:

Prior to the event:

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

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- 4d. the event organiser is to obtain approval from the Transport Management Centre – TMC as a road closure is proposed for a section of Wharf Street between Bulga Street and Wollombi Road, St Albans commencing from 8am, Friday 05 May 2017, through to 6pm, Saturday 06 May 2017; a copy of the Transport Management Centre – TMC approval to be submitted to Council;
- 4e. the event organiser is to submit a Transport Management Plan (TMP) for the entire route/event incorporating the submitted Traffic Control Plan (TCP) to Council, the Roads and Maritime Services - RMS and the Transport Management Centre (TMC) for acknowledgement;
- 4f. the event organiser is to submit to Council a copy of its Public Liability Policy in an amount not less than \$10,000,000 noting Council and the Roads and Maritime Services - RMS (formerly RTA) as interested parties on the Policy and that Policy is to cover both on-road and off-road activities;
- 4g. as the event involves the closure of a public road and the traverse of public roads, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with any associated fee, to occupy and close the road;
- 4h. the event organiser is to ensure that dust along the unsealed sections of road utilised by the event participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be addressed and outlined in the TMP;
- 4i. the event organiser is to obtain the relevant approval to cross the Macdonald River from the Roads and Maritime Services - RMS (formerly NSW Maritime); a copy of this approval to be submitted to Council;
- 4j. the event organiser is to obtain the relevant approval from the Office of Environment and Heritage to access and cross the Macdonald River; a copy of this approval to be submitted to Council;
- 4k. the event organiser is to obtain approval from the National Parks and Wildlife Service (Office of Environment and Heritage) for the use the Parr State Conservation Area, Yengo National Park and the Great Northern Road; a copy of this approval to be submitted to Council;
- 4l. the event organiser is to obtain written approval from Councils' Parks and Recreation Section for the use of a Council Park/Reserve;
- 4m. the event organiser is to obtain approval from the NSW Department of Primary Industries for the use of any Crown Road or Crown Land; a copy of this approval to be submitted to Council;
- 4n. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; a copy of this approval to be submitted to Council;
- 4o. the event organiser is to advertise the event in the local press stating the entire route/extent of the event, including the proposed traffic control measures, road closure, detour route and the traffic impact/delays expected, due to the event, two weeks prior to the event; a copy of the proposed advertisement to be submitted to Council (indicating the advertising medium);
- 4p. the event organiser is to notify the details of the event to the NSW Ambulance Service, Fire and Rescue NSW, NSW Rural Fire Service and SES at least two weeks prior to the event; a copy of the correspondence to be submitted to Council;

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

During the event:

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

Item: 2.2 LTC - EquiFest 2017 - Hawkesbury Showground, Clarendon - (Hawkesbury) - (80245, 135945)

REPORT:

Introduction

An application has been received from Equine Productions Pty Ltd seeking approval (in traffic management terms) to conduct the EquiFest 2017 event within the Hawkesbury Showground, Clarendon. The event will be held over four days from Thursday, 30 March 2017 to Sunday, 02 April 2017.

The event organiser has advised:

- This is the first time the event has been held in the Hawkesbury.
- EquiFest is a major community event, featuring competitive horse events with participation of approximately 1,000 horses, 100 trade sites and business promotions.
- The event is a multi-discipline equine competition featuring a trade village.
- The subject event is 'Equine Productions Pty Ltd' trading as 'EquiFest'.
- The event will operate over a four day period from Thursday, 30 March 2017 to Sunday, 02 April 2017.
- The event will be open to the public between 8am and 8pm each day.
- It is expected that the exhibitors, competitors and workers will start to arrive at the site from 6am daily and will come and go until approximately 9pm.
- The event is expected to attract approximately 6,000 visitors over the four days.
- The Showground is located on Racecourse Road, with the Hawkesbury Racecourse and the Clarendon Railway Station located opposite.
- It is anticipated that most visitors will travel by car. They will park within the Hawkesbury Showground car parking area, and will be directed into the site via Gate 3. Competitors arriving with horse carrying vehicles, trade site exhibitors and workers will be directed through Gate 4/5. Direction will be provided by accredited traffic controllers. Visitors will exit the Showground via Gate 3 with Gate 1 used for those with horse carrying vehicles.
- There is sufficient parking within the Showground to accommodate all vehicles attending the event.
- Pedestrians accessing the site will be directed to Gate 2.
- Pedestrians travelling by train, or walking from on street parked vehicles in the proximity of the Railway Station will be directed along the eastern side of Racecourse Road to a 'pedestrian crossing point' across Racecourse Road opposite Gate 2. This crossing will be clearly defined with 'pedestrian' directional signage.
- Vehicular and Pedestrian traffic exiting the Showground during the peak periods will be directed on to Racecourse Road under the control of a Certified Traffic Controller.

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- Traffic Controllers will be utilised to direct and control vehicular traffic within Racecourse Road, Hawkesbury Valley Way and Blacktown Road.
- Traffic congestion is likely to occur in Hawkesbury Valley Way and Racecourse Road, as vehicles queue to enter the Showground parking area. Some delays are likely to occur when vehicles are leaving the site during peak times, as vehicles queue to enter Hawkesbury Valley Way from Racecourse Road. To alleviate this congestion, vehicles will be directed along Racecourse Road to Blacktown Road.
- It is likely that Variable Message Signs (VMS) will be used on the roads leading to the event.

Discussion

Racecourse Road intersects with Hawkesbury Valley Way near the northern boundary of the showground site, and intersects with Blacktown Road approximately 3.5 kilometres to the south. Racecourse Road is a minor rural road of approximately 3.5 kilometres in length with the full length being sealed. The event organiser is anticipating that a high proportion of traffic is expected from the Hawkesbury Valley Way intersection. Both Hawkesbury Valley Way and Blacktown Road are main arterial roads.

Traffic congestion is likely to be concentrated in Hawkesbury Valley Way, from where the majority of vehicles will queue to enter Racecourse Road, and in Racecourse Road, as vehicles queue to enter parking areas. It is likely that some vehicles, to avoid the congestion at Hawkesbury Valley Way, will travel towards the intersection of Blacktown Road.

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

The event organiser has submitted the following items in relation to the event: Attachment 2 (ECM Document Set ID No: 5783068):

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

RECOMMENDATION TO COMMITTEE:

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council’s web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/events/organising-an-event2>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Roads and Maritime Services - RMS (formerly RTA) publication “Guide to Traffic and Transport Management for Special Events” (Version 3.4) and the Hawkesbury City Council special event information package.

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2. The EquiFest 2017 event within the Hawkesbury Showground, Clarendon, held over four days from Thursday, 30 March 2017 to Sunday, 02 April be classified as a "Class 2" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads and Maritime Services - RMS (formerly RTA).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted which includes the crossing point across Racecourse Road in the vicinity of Gate 2 to the Showground, and the following conditions:

Prior to the event:

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

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

During the event:

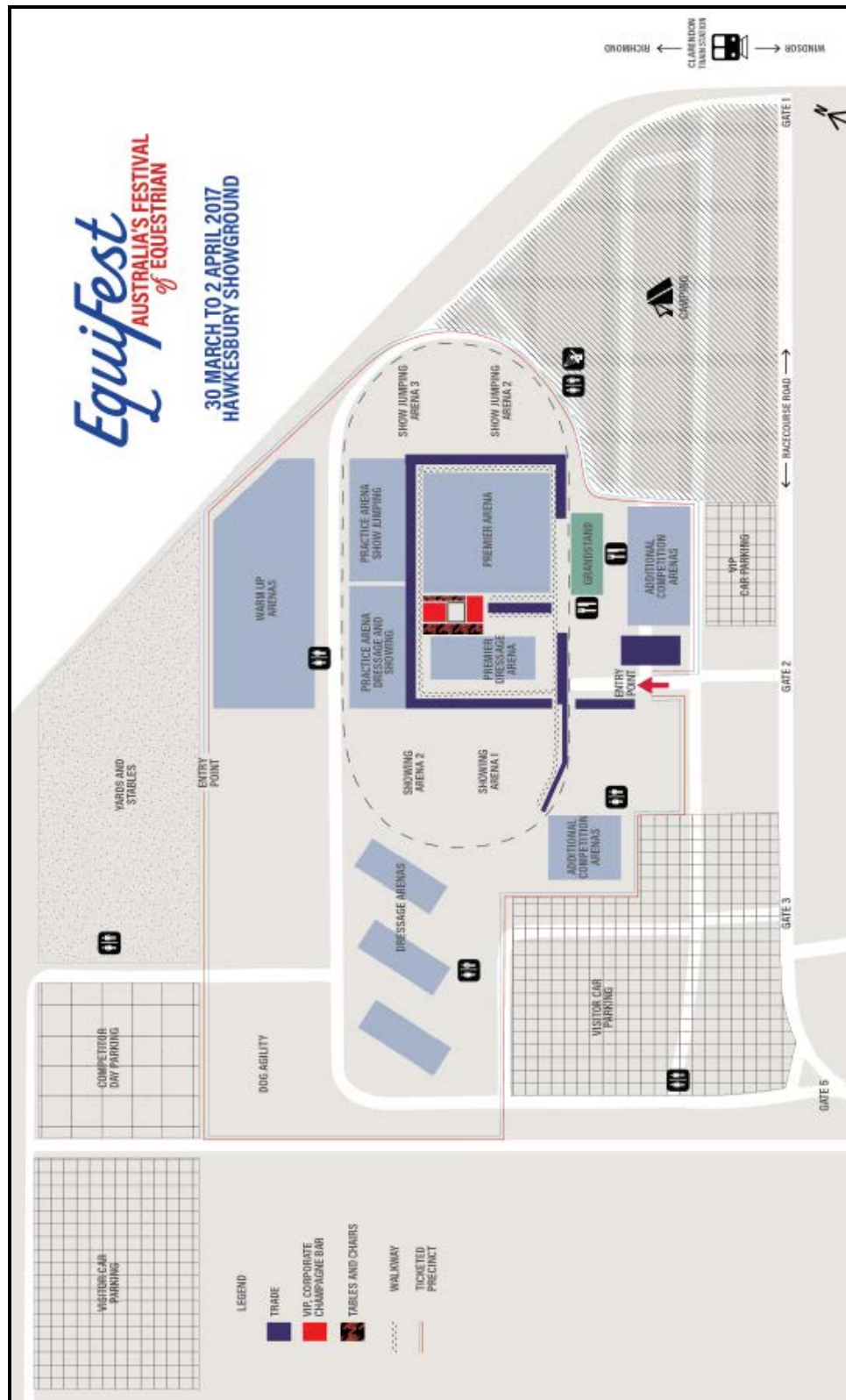
- 4m. access is to be maintained for businesses, residents and their visitors;
- 4n. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4o. all traffic controllers / marshals operating within the public road network or road related area, are to hold appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4p. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices are to be placed for the event, (including the crossing point), during the event, under the direction of a traffic controller holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4q. the participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event; and,
- 4r. 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 EquiFest 2017 - Event and Parking Layout Plan

AT - 2 Special Event Application – (ECM Document Set ID No: 5783068) - *see attached*

AT - 1 EquiFest 2017 - Event and Parking Layout Plan



COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Shah Kshitij, seconded by Mr Christopher Amit.

Support for the Recommendation: Unanimous support

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/events/organising-an-event2>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Roads and Maritime Services - RMS (formerly RTA) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package.
2. The EquiFest 2017 event within the Hawkesbury Showground, Clarendon, held over four days from Thursday, 30 March 2017 to Sunday, 02 April be classified as a "Class 2" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads and Maritime Services - RMS (formerly RTA).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted which includes the crossing point across Racecourse Road in the vicinity of Gate 2 to the Showground, and the following conditions:

Prior to the event:

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

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

During the event:

- 4m. access is to be maintained for businesses, residents and their visitors;
- 4n. a clear passageway of at least four metres in width is to be maintained at all times for emergency vehicles;
- 4o. all traffic controllers / marshals operating within the public road network or road related area, are to hold appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4p. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices are to be placed for the event, (including the crossing point), during the event, under the direction of a traffic controller holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);

<p style="text-align: center;">ORDINARY MEETING Reports of Committees</p>

- 4q. the participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event; and,
- 4r. 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.

SECTION 3 - Reports for Information

There were no Reports for Information.

SECTION 4 - General Business

There was no General Business.

SECTION 5 - Next Meeting

The next Local Traffic Committee meeting will be held on Monday, 13 March 2017 at 3pm in the Council Chambers.

The meeting terminated at 3:45pm.

oooO END OF REPORT Oooo

ordinary

section 5

notices of motion

ORDINARY MEETING

Notices of Motion

ORDINARY MEETING

Notices of Motion

SECTION 5 - Notices of Motion

NM1 Council to fly Rainbow Flag for Mardis Gras period - (79351, 105109, 138882)

Submitted by: Councillor Wheeler

NOTICE OF MOTION:

That Council:

1. Shows its support for the LGBTIQ community and reaffirms its support for marriage equality by flying the rainbow flag for the Mardi Gras Festival period each year, beginning 1 March 2017 and including the day of the annual Sydney Gay and Lesbian Mardi Gras Parade.
2. Investigates participating in the annual Sydney Gay and Lesbian Mardi Gras Festival with the aim of hosting one event each year as part of the Festival.

BACKGROUND:

The Sydney Gay and Lesbian Mardi Gras Parade is held usually in March. The parade originally started as a protest against the criminalisation of homosexuality and police brutality. Today, the parade continues to protest against on-going discrimination against the LGBTIQ community. The festival has become an internationally recognised celebration of human rights that generates an estimated \$38 million for the NSW economy.

Council previously passed motions in support of marriage equality (9 August 2016) and Safe Schools (16 December 2016). The Federal electorate of Macquarie has the 13th highest number of people who identify as being in a same-sex relationship. By flying the LGBTIQ rainbow flag each year, Council can show support to the LGBTIQ community in a visual way. This can help reduce stigma and bullying, and encourage acceptance and cohesion in the Hawkesbury Community. This Notice of Motion is consistent with our current strategic plan theme 'Looking after People and Place' and consistent with our role as a civic leader.

In the past, lack of flag pole space has been cited as a reason to prevent Council flying the rainbow flag. Council should investigate the installation of an additional flag which could be used to mark other special events. In the interim, Council could take down the Hawkesbury flag for one week in 2017 to fly the LGBTIQ rainbow flag.

Council and the Hawkesbury Community are also missing out on valuable tourist and business dollars from the LGBTIQ community. Our neighbouring council, Blue Mountains, is actively pursuing this sector with the view to cornering the market on same-sex weddings when the law changes. We must take active steps to redress the out-dated view that Hawkesbury does not welcome and respect LGBTIQ people. To that end, Council should liaise with members of the community and supportive local business, as well as the Mardi Gras organising committee to bring Mardi Gras events to the Hawkesbury.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

ORDINARY MEETING

Notices of Motion

ORDINARY MEETING
Questions for Next Meeting

QUESTIONS FOR NEXT MEETING

Councillor Questions from Previous Meetings and Responses - (79351)

REPORT:

Questions - 14 February 2017

#	Councillor	Question	Response
1	Richards	Requested on the behalf of the Colo River Valley Tourism Association that the recently reinstated rubbish bins at Colo River Bridge Park, Putty Road and Upper Colo Bridge car park areas be confirmed if they are to remain in place permanently and if they could be emptied weekly rather than fortnightly.	The Director Infrastructure Services advised that bins had been placed at both reserves due to the dumping of waste. The bins are emptied weekly.
2	Richards	Requested information on the applicable rental paid by shop owners at the Council owned Glossodia and Wilberforce shopping centres.	The Acting Director Support Services advised that details regarding rent paid by tenants at the Glossodia and Wilberforce Shopping Centres have been provided to Councillors as commercial-in-confidence information.
3	Tree	Enquired as to the provision of increased security measures, such as CCTV being put in place at the rear of the old Richmond Post Office and Richmond OOSH building, to prevent anti-social behaviour and increase safety of children using the nearby park.	The Director Infrastructure Services advised that CCTV is installed in Richmond Park, and that discussions will be held with NSW Police to review the operation of the cameras.
4	Zamprogno	Requested advice on the level of security in place at the Governor Macquarie statue in McQuade Park, Windsor and to the possible additional security measures that could be in place to the whole of McQuade Park and its associated car park areas.	The Director Infrastructure Services advised that there is no security infrastructure such as CCTV in McQuade Park, and that the issue will be referred to Hawkesbury Local Area Command for advice.
5	Kotlash	Requested that the condition of Crooked Lane, North Richmond be investigated.	The Director Infrastructure Services advised that the road would be inspected and repaired.

ORDINARY MEETING**Questions for Next Meeting**

#	Councillor	Question	Response
6	Kotlash	Requested an indication from Sydney Water regarding the number of complaints for the Kurmond-Kurrajong Investigation Area relating to water pressure over past two to three years.	The Director City Planning advised that the information has been requested from Sydney Water and Councillors will be advised when that information has been received.
7	Calvert	Requested an estimate of the cost of constructing a water park in Windsor or Richmond.	The Director Infrastructure Services advised that the cost of constructing and operating a typical water park configuration in Windsor or Richmond would be investigated and advised to Councillors.
8	Wheeler	Enquired if the bin pick up location for residents on Wheelbarrow Ridge Road could be relocated to Hebron Road, Lower Portland.	The Director City Planning advised that this matter has been previously investigated and found to be unsafe for the collection vehicle to negotiate the road leading to that point. The matter will be further investigated with a view to resolve this ongoing issue of bin storage, distance of that storage from resident properties and the safety of use of the roads by the collection vehicle.
9	Wheeler	Enquired if it is possible to receive an update on soil at the river banks on polo fields in Richmond Lowlands.	The Acting General Manager advised that this matter is currently being investigated in consultation with the Office of Water.
10	Wheeler	Enquired as to the process for targeting noxious weeds and who is responsible for required actions, including the role of the Hawkesbury River County Council, specifically at the ROCLA site on Wilberforce Road and at South Creek, near the Tollhouse.	The Director Infrastructure Services advised that a detailed response on weed management responsibilities and activities will be reported to Council.
11	Wheeler	Enquired if Council staff have received information relating to an incinerator located at Erskine Park.	The Director City Planning advised that no information has been formally received by Council.

ORDINARY MEETING**Questions for Next Meeting**

#	Councillor	Question	Response
12	Reynolds	Enquired as to why Council did not comment on or make suggestions regarding the interpretation plan associated with the Windsor Bridge Project as requested by the RMS.	The Director Infrastructure Services advised that Council staff have provided advice to RMS on issues to be addressed in both the Interpretation Strategy and Urban Design and Landscape Plan; however the Plans have not yet been released. A detailed response will be made when the Plans are exhibited.
13	Reynolds	Requested an update on the Glossodia fire shed extension.	The Director Infrastructure Services advised that a contract has been awarded for this work. It is anticipated that work will commence onsite in early April 2017.
14	Garrow	Requested that the hedge that is obstructing view on Old Northern Road, Wisemans Ferry be reviewed and attended to.	The Director Infrastructure Services advised that the matter will be referred to the Hills Shire Council for action.
15	Garrow	Requested that the external garden at the Hawkesbury Regional Museum receive maintenance.	The Director Infrastructure Services advised that the garden would be inspected and maintenance arranged.
16	Garrow	Requested that the skate ramp at Woodbury Reserve, Glossodia be maintained to remove the weeds and a possible relocation be investigated.	The Director Infrastructure Services advised that the area would be inspected and cleared. Further investigation into its use and the feasibility of relocation will be undertaken and advice provided to Councillors.
17	Rasmussen	Enquired if it is possible to name car parks and as to the process to do so.	The Director Infrastructure Services advised that car parks can be named provided this complies with Geographical Names Board requirements. Further detail on this will be provided to Councillors.
18	Rasmussen	Enquired if Council is taking any action to control the weeds growing in the area between Catalina Way and Redbank Creek.	The Director City Planning advised that the land referred to is privately owned and the matter will be investigated. Any required action resulting from this investigation, will be taken.

ORDINARY MEETING**Questions for Next Meeting**

#	Councillor	Question	Response
19	Rasmussen	Enquired if traffic calming devices could be installed in Kingsford Smith Village.	The Director City Planning advised that the roads within the Kingsford Smith Village at North Richmond are private roads and Council has no authority to undertake works on that site. Discussions have been held with the owners/operators of the site with a view to them submitting a development application to address the issue of vehicles using those roads as a thoroughfare. Council is currently waiting for that application to be lodged.

oooO END OF REPORT Oooo

ORDINARY MEETING
CONFIDENTIAL REPORTS

CONFIDENTIAL REPORTS

Item: 47 **IS - Land Acquisition - Bridge Replacement - Part 2042 Upper Macdonald Road, Higher Macdonald - (95495, 75183, 29317, 29318) 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 acquisition of property by the Council and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the Council is conducting (or proposes to conduct) business and therefore, if considered in an open meeting would, on balance, be contrary to the public interest.

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

ORDINARY MEETING
CONFIDENTIAL REPORTS

Item: 48 **IS - Legal Matter - South Windsor Sewage Treatment Plant - (95495, 112179)**
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)(g) of the Act as it relates to legal advice concerning the Prosecution by Environment Protection Authority of Hawkesbury City Council for Sewage Sludge Spills – South Windsor Sewage Treatment Plant and the information is regarded as advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.

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

ORDINARY MEETING
CONFIDENTIAL REPORTS

Item: 49 **IS - Tender No. T00051 - Reconstruction of Pavement Section of King Road, Wilberforce - (95495, 79344) 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)(d) of the Act as it relates to tender information regarding the reconstruction of failed sealed pavement sections of various roads and the information is regarded as being commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, confer a commercial advantage on a competitor of the Council, or reveal a trade secret and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.

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



ordinary
meeting

end of
business
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