



# Hawkesbury City Council

## ordinary meeting business paper

date of meeting: 10 November 2009

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”***

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SECTION 4 - Reports for Determination

CITY PLANNING

Item: 227 CP - Development Application - Extractive Industry - Quarry Rehabilitation - Lot 2 DP587166, 263 Tizzana Road, Ebenezer - (DA0893/07, 96075, 10055, 10056, 95498)

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**REPORT:**

**Introduction**

At its meeting of 13 October 2009, Council considered an application for the rehabilitation of a disused quarry on Lot 2 DP 587166, No. 263 Tizzana Road, Ebenezer. It was resolved:

*"That the matter be deferred to enable an on-site inspection to be carried out at Lot 2 DP 587166, 263 Tizzana Road, Ebenezer."*

The on-site inspection was held at 5.00pm on 2 November 2009 and attended by Councillors Bassett, Conolly, Porter, Rasmussen, Reardon, Tree, Whelan and Williams. Also attending were the Planning Manager, the applicant, the landowners and 4 neighbouring residents. The inspection involved an explanation of the areas proposed to be filled, the stages of fill and the identification of the location of the batter with re-growth.

A copy of the original planning assessment report considered at the Ordinary Meeting of 13 October 2009 is attached.

**Additional Information**

At the previous Council meeting, Councillors asked a number of specific questions about the proposal. These matters have been addressed below:

**1. How much fill has already been placed on the site?**

Documentation provided by the applicant indicates that 3975 tonnes (approximately 2208m<sup>3</sup>) of material has already been placed on site within the Stage 1 area.

**2. Can the batter fill be re-used as part of the rehabilitation?**

The applicant has indicated that the batter located along the northern boundary of the property contains approximately 3321m<sup>3</sup> of material, while the batter along the southern boundary contains approximately 2580m<sup>3</sup>. (total of 5901m<sup>3</sup>)

The applicant also submitted a report prepared by 'About Trees' dated 23 October 2009 in respect to flora and fauna.

This report concluded that:

*"The proposed work in Areas 1 – 5 may require the clearing of the Shale Transitional Forest which has regenerated on the embankments. The tree stratum of the regrowth is dominated by seedling to semi-mature trees Eucalyptus haematoma (Scribbly Gum) and Eucalyptus punctata (Grey Gum), a shrub stratum dominated by Kunzea ambigua, Persoonia sp and Banksia sp and a very sparse ground stratum."*

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*From a preliminary assessment, the use of the existing embankments could be used in the rehabilitation works without having a significant impact or threatening the existence of the Shale Transitional Forest on the site or in the local area. If this is proposed, my recommendations would be as follows*

### **Recommendations:**

- *A flora and fauna survey of the study area should be undertaken to determine the likely presence and locations of threatened species.*
- *A Seven Part Test on the proposed activity should be undertaken to determine the likely impacts on Threatened Ecological Communities."*

### **Comment:**

The use of the material within the existing batters in the rehabilitation works would contribute approximately half the material required to be imported to the site to complete one Stage. The use of this material would reduce the number of trucks required by approximately 333, potentially reduce the time taken to carry out the development and provide a landform consistent with the adjoining properties.

However, the use of the existing embankments would be subject to the applicant demonstrating that the proposed rehabilitation will have no significant adverse impact on threatened species, populations, ecological communities or their habitats in accordance with Part 5A of the Environmental Planning and Assessment Act, 1979 by submission of a flora and fauna report. However, the current Development Application would need to be amended to allow for an assessment of the potential impacts from using material from the existing embankment.

### **3. Is there a benefit in sourcing fill from within the Hawkesbury i.e. within the floodplain?**

A development application will be needed for the removal of any material from the floodplain. Currently the only activities that might generate the amounts of material needed would be excavation for a dam or possibly bank regrading.

There is no guarantee that approved extractive material would be used for landfill works. Currently screened alluvial floodplain material (a high quality fill material) can be on-sold for \$5 to \$10 per tonne. Due to its value, it is more likely that this quality of fill would be purchased as topsoil not used as base fill material.

Also, significant increases in extraction on the floodplain could result in a morphological change. These changes could impact on bank erosion, hydrodynamics, sedimentation, wetland habitats, wildlife, and water quality. It is important to note that as well as individual impacts on a site by site basis, there could also be cumulative impacts across the floodplain.

The net benefit may be negligible in relation to flood capacity but could be adverse in relation to ground extraction impacts. The potential impacts have not been examined in detail at this stage and the impacts would also vary from site to site.

### **4. Is the road width compliant with RTA requirements?**

The current width of Tizzana Road varies between 5.5 to 6.0m along the sealed carriageway. The road was built to acceptable standards of the day. However, present day standards based on RTA requirements for Two Lane Rural Road suggest a desirable lane width between 3 to 3.5m.

A recent inspection indicates that the condition of Tizzana Road varies between good to very poor in sections and some edge breaks need maintenance attention in the near future.

The average width of a truck is around 2.5m with a side mirror extension on one side around 0.22m. Accordingly, two trucks passing each other along 5.5m wide sections would be forced to track along the road edges causing damage.

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It is considered that a continuous flow of large trucks along Tizzana Road will reduce the remaining life of the road particularly along the marginal sections.

**5. What levies/bonds can Council impose regarding potential road pavement damaged?**

Road pavement deterioration can be expected with prolonged heavy traffic movements. For this reason it is recommended that consideration be given to imposing a performance damage and defects bond in the form of a cash security or Bank Guarantee to cover the costs for works within Councils road reserve. The provisions of the Roads Act, 1993 allows for such an imposition.

It is suggested that any financial security would extend for the term of the works plus six (6) months.

The following determination of the bond amount is based on:

1. Total area of pavement within Tizzana Road from the property entrance to the Sackville Road intersection.
2. An assumed failure rate of 30% of the total area.
3. A pavement rehabilitation rate of approximately \$70.00 per m<sup>2</sup>
4. An annual inflation rate of 3.5%.

Therefore, the total bond amount proposed to be levied is \$316,500.00.

In this respect, Condition 11 of Schedule 2 of the Recommendation is proposed.

**6. What will be the frequency and number of trucks permitted to operate if the hours were to be exclusive of before and after school limits?**

The table reproduced below is from the previous Council report. The highlighted row has been added to demonstrate the frequency of truck movements within the hours of 7:00am to 6:00pm and excluding the speed limited hours relating to school zones.

<b>TABLE</b>				
	<b>A</b> Calculations based on details provided with application		<b>B</b> Alternative scenarios	
Volumes of fill imported per day	743.3m <sup>3</sup>	495.6m <sup>3</sup>	79.4m <sup>3</sup>	153.8m <sup>3</sup>
Amount of fill per truck	17.7m <sup>3</sup>	17.7m <sup>3</sup>	17.7m <sup>3</sup>	17.7m <sup>3</sup>
No. of truck loads per day	42	28	4.5	8.69
No. of truck movements	84	56	10	18
Time between each truck movement (minutes) 9:00am to 5:00pm	6	8	48	27
Time between each truck movement (minutes) 9:30am to 2:30pm	3.4	5.4	30	16.6
Time between each truck movement (minutes) 7:00am to 6:00pm excluding speed limited times relating to school	5.7	8.6	48	26.6

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<b>TABLE</b>				
	<b>A</b> Calculations based on details provided with application		<b>B</b> Alternative scenarios	
<b>zones.</b>				
No. of days to complete each stage (10,000m <sup>3</sup> )	13.5	20	126 (6 months, Mon – Fri)	65 (3 months, Mon – Fri)

The calculations shown in the highlighted row represents eight hours between the hours of 7:00am to 6:00pm, excluding the time periods of 8:00am to 9:30am and 2:30pm to 4:00pm. However, the calculations reflect the frequency over eight hours as a whole period, while in reality these hours will be split into three separate periods, being:

- 7:00am to 8:00am
- 9:30am to 2:30pm
- 4:00am to 6:00pm

It should be noted that there is the potential for the concentration of truck movements within any time period. However, Condition 21 to Schedule 2 of the Recommendation prevents trucks travelling to or from the site in convoy and limits the number of truck movements to 18 per day. With the imposition of these controls it is considered that any impact from the concentration of truck movements within any of the three time periods will be minimal and short lived. As a result, Condition 18 to Schedule 2 of the Recommendation is included.

## **7. Define the difference between rehabilitation and reinstatement?**

The Oxford Dictionary provides the following definitions:

Rehabilitate *“restore to rights, privileges, reputation, or proper condition;...”*

Reinstate *“re-establish in former position or privilege (often in); restore to health or proper order.”*

Restore *“give back, make restitution of; replace, put back; repair, alter, so as to bring back as nearly as possible to original form, state, ...”*

In 2001, Council sought legal advice in respect to Condition (d) of Interim Development Consent 68A/392/69. In summary, the following was provided

- "1. On 26 August 1969 Council (then Colo Shire Council) granted consent to interim development for:

*“the establishment of an extractive industry for the purpose of winning extractive material in the form of sand.”*

*Relevantly, condition (d) of the consent provided:*

*“Reinstatement of the area of operations shall be carried out to the satisfaction of Council.”*

*“the description of development was “the establishment of an extractive industry for the purpose of winning extractive material in the form of sand”,*

*“reinstatement would be a separate development for which a new development application would need to be lodged.”*

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### 8. What was the previous decision of the Council in 1999 relating to the closure of the quarry?

A search of Council's records shows no reference to a meeting held in 1999 in relation to the quarry. It appears from discussion with Councillors and residents that this may have been an informal meeting that occurred after the Council in 1998 refused DA57/97 which sought to quarry rock from the site. Informal meetings and site inspections, unless properly constituted in accordance with the Council's Code of Meeting Practice, cannot make decisions that determine or alter development consents or bind Council to actions.

### 9. The applicant mentioned an amount of \$5000 paid by the quarry that would be returned to the land owner on rehabilitation. How is the money to be repaid by Council?

Condition (g) of Interim Development Consent 68A/392/69 required the "*Payment to Council of a levy of 2 cents per c.u. yd of extractive material won; such monies to be placed in Trust Fund to ensure the restoration of the area to the satisfaction of Council.*".

Since the quarry activity commenced operation an amount of \$5,640.72 has been paid, currently held in trust that is potentially available to contribute towards the works. However the payment would be made at the conclusion of the rehabilitation works (i.e. in a few years time) and following an inspection by Council officers.

### Conclusion

It remains, as recommended in the original assessment report to Council on 13 October 2009 (copy attached) that the proposal is recommended for deferred commencement approval. Additional Conditions 11 and 18 are proposed (as set out below in bold and italics) to ensure that flora and fauna impacts are considered, reasonable hours of operation are provided and that any associated damage to Council's road asset is borne by the proponent.

### Planning Decision

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

### RECOMMENDATION:

That:

1. The information be received.
2. Development application DA0893/07 at Lot 2 DP 587166, 263 Tizzana Road EBENEZER NSW 2756 for Quarry Rehabilitation be approved as a Deferred Commencement Consent subject to the following conditions:
  - a) Upon compliance with the conditions appearing in Schedule 1, and with the issue of confirmation to that effect in writing from Council, this "Deferred Commencement" consent shall commence to operate as a development consent inclusive of all conditions appearing in Schedule 2 pursuant to Section 80(3) of the Act.
  - b) The 'Deferred Commencement' consent will lapse in twelve months from the date of this consent unless all conditions appearing in Schedule 1 have been complied with.

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### **Schedule 1**

- A. A staged Rehabilitation Management Plan shall be submitted to, and approved by Council. The Plan shall incorporate, but not be limited to the following:
- a. Plans and details demonstrating how the filling within each stage will be blended into the next stage.
  - b. Plans clearly showing areas of existing vegetation to be retained. Methods to protect this vegetation from damage during rehabilitation works;
  - c. Sediment and erosion control measures for each stage;
  - d. Stormwater management plan for each stage;
  - e. The proposed areas for storage of fill material, topsoil and mulch for each stage;
  - f. A Dust Management Plan is to be submitted for approval identifying the potential sources of dust, addressing how monitoring of dust is to be carried out and the measure proposed to minimise dust generation and nuisance.
  - g. Location of truck waiting area on site
- B. A Landscape Plan suitable for construction is to be submitted for approval. The Landscape Plan, in particular, is to:
- i. include a more extensive range of species which are of local provenance.
  - ii. use seeds that are locally sourced to maintain genetic integrity of the site.
  - iii. detail the planting regime and the methods of revegetation (such as brush matting).
  - iv. provide plans for the progressive revegetation of each stage (or part stage);
- The revegetation of the land is to be supervised by a suitably qualified and experienced person, such as a bush regenerator. This person is also to be consulted in respect to the compilation of the Landscape Plan and the Vegetation Management Plan.
- C. A Vegetation Management Plan is to be submitted for approval detailing the proposed methods for protecting and maintaining vegetation on completion of filling for each stage (or part stage), and shall address the following:
- i. weed management;
  - ii. maintenance of revegetated areas;
  - iii. replacement planting
  - iv. irrigation

### **Schedule 2**

#### **General Conditions**

1. The development shall take place in accordance with the stamped plans, specifications and accompanying documentation submitted with the application except as modified by these further conditions.
2. This consent is limited in time and shall expire 5 years from the date of this consent.
3. No excavation, site works or building works shall be commenced prior to the issue of an appropriate construction certificate.
4. The quantity of fill material to be imported to the site over the life of this consent shall be limited to a maximum of 50,000m<sup>3</sup>. A maximum limit of 10,000m<sup>3</sup> of material shall be brought to the site in each stage/12 month period.
5. No work is permitted within the Crown Road reserve.

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6. The preceding stage is to be satisfactorily completed and revegetated prior to the commencing of the subsequent stage. A compliance certificate for each stage, to indicate that works have been satisfactorily completed, is to be obtained from Council prior to the commencement of the subsequent stage.

### **Prior to Issue of Construction Certificate**

7. Construction of the access road and earthworks are not to commence until three (3) copies of the plans and specifications of the proposed works are submitted to and approved by the Director of Environment and Development or an Accredited Certifier.
8. Payment of a Construction Certificate checking fee and a Compliance Certificate inspection fee when submitting Civil Engineering Plans for approval. A fee quote will be provided on request.
9. A traffic Guidance Scheme prepared in accordance with AS1742-3 2002 by an appropriately qualified person shall be submitted to Council. Where the works affect Roads and Traffic Authority controlled roads, the traffic guidance scheme is to be approved by the Roads and Traffic Authority before submission to Council.
10. Pursuant to section 80A(1) of the Environmental Planning and Assessment Act, 1979 and Hawkesbury City Council's Section 94A Development Contributions Plan 2006 (as amended from time to time), a contribution of \$2,450.00 shall be paid to Hawkesbury City Council.

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

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

11. ***A performance, damage and defects bond to the value of \$316,500.00 must be lodged with Council prior to the issue of the Construction Certificate. The bond is to cover all works within Council's public road reserves.***

***The bond can be in the form of an unconditional bank guarantee or cash deposit.***

***A bond lodgement and release fee is payable upon lodgement of the bond in accordance with Council's schedule of fees and charges.***

***The bond is refundable on application, six (6) months after the completion of all work subject to satisfactory performance of the works.***

***The applicant shall bear the cost of all restoration works to Council's property damaged during the course of this development. The applicant shall advise Council, in writing, of any existing damage to Council property before commencement of the development. A dilapidation survey of Council's assets, including photographs and written record, must be prepared by a suitably qualified person and submitted to Council prior to the issuing of any Construction Certificate.***

***Note: This documentation will be used to resolve any dispute over damage to infrastructure. It is in the applicant's interest for it to be as full and detailed as possible.***

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### Prior To Commencement Of Works

12. All traffic management devices shall be installed and maintained in accordance with the approved traffic guidance scheme.
13. Erosion and sediment control devices are to be installed and maintained at all times during site works and construction. The enclosed warning sign shall be affixed to the sediment fence/erosion control device.
14. The applicant shall advise Council of the name, address and contact number of the principal certifier, in accordance with section 81A 2(b) of the Environmental Planning and Assessment Act, 1979.
15. Toilet facilities (to the satisfaction of Council) shall be provided for workmen throughout the course of building operations. Such facility shall be located wholly within the property boundary.
16. A sign displaying the following information is to be erected adjacent to each access point and to be easily seen from the public road. The sign is to be maintained for the duration of works:
  - a. Unauthorised access to the site is prohibited.
  - b. The owner of the site.
  - c. The person/company carrying out the site works and telephone number (including 24 hour 7 days emergency numbers).
  - d. The name and contact number of the Principal Certifying Authority.

### During Construction

17. Site works shall be carried out only on Monday to Friday between 7:00am – 6:00pm. No works shall be permitted on Saturdays, Sundays or Public Holidays.
18. ***Trucks delivering fill material or machinery to the site shall be restricted to the hours of 7:00am to 8:00am, 9:30am to 2:30pm, and 4:00pm to 6:00pm inclusive Monday to Friday.***
19. All work shall be carried out in accordance with:
  1. the stamped approved plans;
  2. the approved Rehabilitation Management Plan;
  3. the approved Landscape Plan;
  4. the approved Vegetation Management Plan;
  5. the approved Dust Management Plan.
  - a. Implementation of the Rehabilitation Management Plan shall be supervised by an appropriately qualified person.
  - b. Implementation of the Landscape Plan and Vegetation Management Plan shall be supervised by an appropriately qualified person, such as a bush regenerator.
20. A report shall be submitted to Council's Director of City Planning every three (3) months from commencement of works detailing the amount of fill brought to the site within this timeframe and providing certification of the fill in accordance with Condition 27 of this Consent.

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21. The preceding stage is to be satisfactorily completed and revegetated prior to the commencing of the subsequent stage
  - a. The following are to be submitted to Council upon completion of each stage:
  - b. Submission of all dockets relating to filling to confirm quantities, sources and validation of all fill brought to the site for the preceding stage,
  - c. Submission of a works as executed and contoured depth of fill plan for the completed stage.
  - d. Upon submission of the above, a final inspection of the stage is required to confirm that the works have been satisfactorily completed and revegetated.
  - e. A compliance certificate for each stage, to indicate that works have been satisfactorily completed, is to be obtained from Council prior to the commencement of the subsequent stage.
22. To mitigate the impacts to surrounding properties deliveries of materials to the site are to be strictly in accordance with the following:
  - a. The maximum number of heavy vehicle movements to the site is limited to 18 per day.
  - b. No heavy vehicles are to travel in convoy to or from the site.
  - c. No heavy vehicle access from the north of the site.
23. All fill to be adequately compacted by track rolling or similar in layers not exceeding 300mm.
24. The top 300mm of fill shall be topsoil in order to ensure site revegetation.
25. The site shall be secured to prevent the depositing of any unauthorised material.
26. Dust control measures, eg vegetative cover, mulches, irrigation, barriers and stone shall be applied to reduce surface and airborne movement of sediment blown from exposed areas.
27. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
28. A ticketing system is to accompany any material being brought to the site. A register is to be kept on site to cross reference against the source records. An independent site auditor is to be engaged to undertake appropriate certification regarding the monitoring and validation of the fill material imported to the site as being sound, suitable for the proposed use and free of contamination.
29. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted.
30. Filling shall comprise only uncontaminated virgin excavated natural material. Contamination certificates for all source material shall be provided to the Principal Certifying Authority prior to placing any fill on site.
31. All natural and subsurface water-flow shall not be re-directed or concentrated to adjoining properties. Water flows shall follow the original flow direction without increased velocity.
32. The development shall be conducted in such a manner that the LA(eq) noise levels, measured at any point in accordance with the NSW EPA's Industrial Noise Policy (2000), do not exceed 5dB(A) LA(eq) above background noise levels with respect to noise amenity of residential dwellings.
33. All civil construction works required by this consent shall be in accordance with Hawkesbury Development Control Plan appendix E Civil Works Specification.

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34. Inspections shall be carried out and compliance certificates issued by Council or an accredited certifier for the components of construction detailed in Hawkesbury Development Control Plan Appendix E Civil Works Specification, Part II, Table 1.1.
35. A pavement 4m wide shall be constructed to provide suitable construction access and appropriate to the gradient of the land in accordance with the following table:

Gradient	Surface Construction
0-16%	Compacted crushed rock
17-20%	Bitumen seal
21-25%	Reinforced concrete

Driveway gradient shall not exceed 25% in any section.

### Prior to Issue of Final Compliance Certificate

36. The following are to be submitted to Council upon completion of the 5th and final stage:
- Submission of all dockets relating to filling to confirm quantities, sources and validation of all fill brought to the site,
  - Submission of a works as executed and contoured depth of fill plan for the full extent of the completed development.

Upon submission of the above, a final inspection of the stage is required to confirm that the works have been satisfactorily completed and revegetated.

A final compliance certificate for is to be issued by Council prior to indicate that the works have been satisfactorily completed in accordance with the conditions of consent.

### Advisory Notes

- \*\*\* Non-compliance with any condition of this development consent may result in a penalty notice being issued by Council.
- \*\*\* Should any Aboriginal site or relic be disturbed or uncovered during the construction of this development, all work should cease and the National Parks and Wildlife Service consulted. Any person who knowingly disturbs an aboriginal site or relic is liable to prosecution under the National Parks and Wildlife Act 1974.
- \*\* The developer is responsible for all costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed development. Such utilities include water, sewerage, drainage, power, communication, footways, kerb and gutter.

### ATTACHMENTS:

There are no supporting documents for this report.

**AT - 1** Council report - Item 217 of Ordinary Meeting of 13 October 2009

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### **AT - 1 Council report - Item 217 of Ordinary Meeting of 13 October 2009**

**ITEM: 217** CP - Development Application - Extractive Industry - Quarry Rehabilitation - Lot 2 DP587166, 263 Tizzana Road, Ebenezer - (DA0893/07, 96075, 10055, 10056, 95498)

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#### **Development Information**

**Applicant:** N F Billyard Pty Ltd  
**Owner:** Mr GJ Kirk & Mrs JA Kirk  
**Zone:** Mixed Agriculture under Hawkesbury Local Environmental Plan 1989  
**Exhibition:** 14/01/2008 - 29/01/2008  
**Date Received:** 19/12/2007

**Key Issues:** Number of truck movements  
Road safety, including pedestrian safety and safety of school children  
Loss of amenity due to traffic noise, traffic pollution, and dust generation

**Recommendation:** Deferred Commencement Approval, subject to conditions

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#### **REPORT:**

##### **1 Executive Summary**

The proposed development involves the rehabilitation of a disused quarry approximately 7.1 hectares in size. It is proposed to import 50,000m<sup>3</sup> of excavated material to the site over a five year period. The development is to be carried out in five yearly stages comprising of the importation of 10,000m<sup>3</sup> of fill material each year, as well as the revegetation of each stage. The purpose of the development is to restore the land to a more consistent topography to enable use of the land for agricultural purposes and/or for purposes ancillary to the residential use of the land. To this end, revegetation of the site will include a mix of native vegetation and pasture. The fill will be provided through one contractor, Jeffersann Excavations.

Assessment of the proposal, including matters raised in public submissions, highlights the following relevant issues for consideration in the determination of the application:

- Number of truck movements;
- Road safety, including pedestrian safety and safety of school children;
- Loss of amenity due to traffic noise, traffic pollution, and dust generation.

In response to public submissions, it is recommended that the following restrictions be imposed as conditions of consent:

- Hours of operation be limited to Monday to Friday 9:30am to 2:30pm
- Limit the number of truck movements to 18 per day (9 truck loads).
- Implementation of a staged Rehabilitation Management Plan, which includes a Dust Management Plan, Soil and Erosion Control Plan and Stormwater Management Plan.

The application provides the basic information to enable an assessment of the impacts of the proposal. However, detailed information on the proposed methods to mitigate these impacts has not been submitted. This detailed information can be provided and assessed via conditions of a 'Deferred Commencement' consent.

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

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### 2 Description of Proposal

The application seeks consent for the rehabilitation of a disused quarry on Lot 2 DP 587166, No. 263 Tizzana Road, Ebenezer.

It is proposed to rehabilitate the disused quarry site by filling and contouring the land and providing new vegetation cover in accordance with a schedule of work undertaken progressively over five years.

The rehabilitation will occur in five yearly stages. Each stage will be completed prior to the commencement of the next stage.

The amount of excavation material to be placed on the site is approximately 10,000m<sup>3</sup> per stage/year.

The application states *"This quantity of fill materials provides sufficient soil strata depth to promote substantial vegetation growth and enables the project to be self sustainable financially."*

*The final batter is indicated on the plans to provide a suitable transition slope of approximately 1:10 from the filled area levels or year 5 to the regrowth areas beginning to occur in the year 6 area. This batter is required to be carefully placed to avoid interference with any established vegetation.*

Topsoil may also be brought on site dependant on the type and composition of the fill materials and its suitability as a growing medium.

The application proposes hours of operation Monday to Saturday from 7:00am to 6:00pm.

The subject land is approximately 15.9 hectares. The disused quarry occupies approximately 7.1 hectares of the land. The property is currently used as a residence.

The application is supported by Statement of Environmental Effects, Stormwater Drainage Report, and Traffic Impact Assessment.

### 3 Background

On 29 August 1969, Colo Shire Council (File 68A/392/69) approved *'the establishment of an extractive industry for the purpose of winning extractive material in the form of sand'* on the subject land. The consent included a condition (No. (d)) requiring *"Re-instatement of the area of operations shall be carried out to the satisfaction of Council."*

Land fill was brought to the site in the beginning of 2006. The applicant was advised in letter of 10 August 2006 that the importation of large amounts of fill material did not meet the intent of the condition for rehabilitation of the site in Development Consent 68A/392/69, and that a development application was required. This was following receipt of legal advice that the importation of large amounts of fill did not constitute re-instatement of the site.

Initially the application proposed a development comprising of 7 stages, however, it was identified that the area corresponding to stages 6 and 7 supported substantial native vegetation identified as an endangered ecological community under the Threatened Species Conservation Act, 1995. As a result, a flora and fauna report, including an Assessment of Significance under Part 5A of the Environmental Planning and Assessment Act, 1979 was requested. In response, the applicants deleted stages 6 and 7 from the proposed development, and amended the plans accordingly.

### 4 History of Application

19 December 2007	Application received.
9 January 2008	Application notified 9 December 2008 to 29 January 2008, extended to 8 February 2008
6 March 2008	Letter to applicant requesting additional information in respect to a site survey, location of existing vegetation, extent/depth of fill, reduction in the amount of fill to be imported to the site, reassessment of traffic movements, importation of

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	topsoil, access road, as well as a response to the matters raised on the submissions.
5 May 2008	No response from the applicant received. Second request to applicant to provide the additional information.
16 May 2008	Letter in response to request for additional information received. Information inadequate. Council officer met a number of times with the applicant to discuss the information required for assessment of the application.
4 November 2008	No response from applicant received. Third request for additional information.
17 December 2008	Amended plans received.
3 March 2009	Site meeting with Council officers.
4 March 2009	Letter to applicant requesting additional information, including matters raised in previous letters.
15 May 2009	Amended plans and details received, and assessed.
10 July 2009	Letter to applicant advising that information provided is not detailed enough for assessment.
21 July 2009	Applicant requests site meeting.
10 August 2009	Site meeting held.

### 5 Council Policies, Procedures and Codes to Which the Matter Relates

The following planning instruments are relevant in the assessment of this application:

- Environmental Planning and Assessment Act, 1979
- Environmental Planning and Assessment Regulation, 2000
- State Environmental Planning Policy No. 44 – Koala Habitat
- State Environmental Planning Policy No. 55 – Remediation of Land
- Sydney Regional Environmental Plan No 20 – Hawkesbury Nepean River
- Hawkesbury Local Environmental Plan 1989
- Hawkesbury Development Control Plan

### 6 Section 79C Matters for Consideration

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

#### 6.1 Environmental Planning Instrument

The relevant Environmental Planning Instruments are considered below:

##### 6.1.1 Environmental Planning and Assessment Regulations, 2000

#### Designated Development

Consideration has been given to Schedule 3 of the Environmental Planning and Assessment Regulation 2000 (Regulations), which relates to designated development. Waste management facilities or works, as defined within this Schedule, include filling. It is considered that the proposed filling does not satisfy the criteria to be classified as 'designated development', for the following reasons:

- (b) The proposal will not import more than 100,000 tonnes of excavated material to the site. It has been calculated that approximately 90,000 tonnes in total will be brought to the site.
- (c) It is considered that the proposal will not have a significant adverse impact on drainage or flooding within the locality having regard to the recommendations and conclusion of the Stormwater Drainage Report submitted in support of the application.
- (d) The proposed works are not located within 100 metres of a natural waterbody, wetland or environmentally sensitive area as defined by Schedule 3 of the Regulations.

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- (e) The proposal is not considered to be in an area of high watertable, highly permeable soils, acid sulphate, sodic or saline soils.
- (f) The land is not located within a drinking water catchment.
- (g) The proposed works will not be carried out on land within a flood plain.
- (h) It is considered that the proposed development will have no significant adverse impact on the amenity of the locality or of dwellings located within 250 metres of the proposed development as discussed within this Report. There are a number of dwellings located to the east of the subject land and within 250m of the quarry site and the access driveway to the site. The closest dwellings being approximately 120m from the access driveway and 140m from the quarry site.

Hence the proposal does not require an Environmental Impact Statement and can be determined by Council.

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

The proposed land filling requires development consent under SREP 20. It is considered that the proposal is consistent with the aims of the plan as well as the general and specific planning policies, recommended strategies and development controls outlined in Parts 1, 2 and 3 of SREP No. 20 (No. 2).

### **6.1.3 State Environmental Planning Policy No. 44 - Koala Habitat Protection**

The proposed development does not require the removal of native vegetation and will therefore not disturb habitat areas within the site. Consequently, an investigation into whether or not the land is a potential koala habitat is not required for the development.

### **6.1.4. State Environmental Planning Policy No. 55 - Remediation of Land**

Where a proposed development involves a change in the use of the land, this Policy requires consideration as to whether the land is potentially contaminated. Given the use of the land as a quarry is not listed as a potentially contaminating land use under the Contaminated Land Planning Guidelines, it is considered unlikely that the land is contaminated. It is therefore considered that the land is suitable for the proposed development and that a Preliminary site investigation is not required. Material brought to the site as part of the rehabilitation works can be monitored to ensure no contaminated fill is deposited on site. In this respect Conditions 27 and 29 under Schedule 2 is included in the Recommendation.

### **6.1.5 Hawkesbury Local Environmental Plan 1989 (HLEP 1989)**

An assessment of the proposed development against the relevant Clauses of Hawkesbury Local Environmental Plan 1989 follows:

#### **Clause 2 - Aims, objectives etc,**

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

#### **Clause 5 - Definitions**

The proposed development is defined as 'Landfill' under the provisions of HLEP 1989. 'Landfill' means *"the filling of land with clean fill or demolition fill, or both, which alters the natural ground surface level or affects pre-existing drainage. This fill material may be imported to or obtained from the site, but does not include top dressing."*

#### **Clause 8 - Zones indicated on the map**

The subject land is within the Mixed Agriculture zone.

**Clause 9 - Carrying out development**

'Landfill' is permissible with development consent within the Mixed Agriculture zone.

**Clause 9A - Zone Objectives**

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

The proposed development is consistent with the objectives of the Mixed Agriculture zone as follows:

(a) *to encourage existing sustainable agricultural activities,*

**Comment:** The property is currently used for residential purposes. The rehabilitation works would enable the use of the land for agricultural purposes.

(b) *to ensure that development does not create or contribute to rural land use conflicts,*

**Comment:** It is considered that the proposed rehabilitation of the land, subject to the imposition of conditions restricting the number and times of truck movements, will not create conflicts with the use of properties in the locality for residential and/or agricultural uses. A school is located on Sackville Road, near the intersection of Sackville Road with Tizzana Road, and approximately 3 kilometres from the quarry site. Whilst trucks will travel past this school to access the subject property, it is further considered that the truck movements associated with the rehabilitation will have no significant impact on traffic safety in the locality subject to the proposed restrictions. This matter is discussed further in Section 6.8 of this Report.

(c) *to encourage agricultural activities that do not rely on highly fertile land,*

**Comment:** The proposed development will improve the potential of the land to be used for agricultural purposes.

(d) *to prevent fragmentation of agricultural land,*

**Comment:** The proposal will not result in the fragmentation of agricultural land.

(e) *to ensure that agricultural activities occur in a manner:*

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

**Comment:** It is considered that the proposed development will have not result in any significant adverse impacts on water catchments, surface and groundwater quality and flows, land surface conditions, important ecosystems, streams or wetlands. The rehabilitation works will improve land surface conditions and the revegetation of the site will enhance the vegetation community on the land, which is listed as an endangered ecological community under the Threatened Species Conservation Act, 1995.

(f) *to promote the conservation and enhancement of local native vegetation, including the habitat of threatened species, populations and ecological communities by encouraging development to occur in areas already cleared of vegetation,*

**Comment:** The revegetation of part of the land will assist in the enhancement of the vegetation community located on the land and will provide additional habitat and corridors for native fauna.

(g) *to ensure that development retains or enhances existing landscape values that include a distinctive agricultural component,*

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**Comment:** Upon completion of the works, it is considered that the proposal will be in keeping with the rural character of the locality and enhance the landscape value of the land.

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

**Comment:** The proposed development is not classified as traffic generating development under the provisions of State Environmental Planning Policy (Infrastructure) 2007.

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

**Comment:** The proposal does not involve signage.

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

**Comment:** The proposed development will not create unreasonable demands for the provision/extension of public amenities or services.

### **Specific Provisions of HLEP 1989**

#### **Clause 18 - Provision of water, sewerage etc. services**

It is considered that the existing services to the site are adequate for the proposed development.

#### **Clause 25 - Development on flood liable land**

The proposed development is to be carried out on land that is located above the 1 in 100 year flood level for the locality.

#### **Clause 27 - Heritage items**

The site does not contain any heritage items as listed in the schedule 1 of the HLEP.

#### **Clause 28 - Development in the vicinity of a heritage item**

The subject land is not located within the vicinity of heritage items

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

The subject land is identified as being located within Class 5 on the Map. The proposed works are within 500m of land within Class 4 however the proposed works will not lower the water table to below 1 metre AHD on the land within Class 4. The proposal is consistent with this Clause.

#### **Clause 40B - Use of tyres for landfill prohibited.**

The application advises that all fill to be brought to the site will be Virgin Excavated Natural Material. Certification of the material brought to the site can be required as a condition of consent to ensure that appropriate monitoring, validation and recording of the material is undertaken and that the material is suitable for the proposed use and free of contamination. In this respect Condition 27 under Schedule 2 is included in the Recommendation.

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

There are no draft environmental planning instruments relevant to this application.

### **6.3 Development Control Plan applying to the land:**

#### **Hawkesbury Development Control Plan**

An assessment of the proposal against the relevant provisions of this Plan follows:

#### **Notification Chapter**

The adjoining neighbours were notified as per the requirements of this Chapter of the Development Control Plan. Sixteen submissions were received, and are discussed further in this report.

***Erosion and Sediment Control Chapter***

Erosion and sediment control will be ensured through conditions of consent. Measures include sediment ponds, silt fencing, revegetation, shake-down bed, water trucks and maintenance of these measures.

***Landscape Chapter***

A concept Landscape Plan has been submitted with the application and is considered satisfactory with respect to the areas proposed to be revegetated with native species. However, the plant list provided is not considered to be extensive enough to achieve restoration of the ecological community found in the area. Additional species will be required and conditions of consent can be imposed in this respect. Given that this ecological community (Sandstone Shale Transition Forest) is listed as an endangered ecological community under the Threatened Species Conservation Act, 1979, it is recommended that the revegetation of the land be supervised by a suitably qualified and experienced person such as a bush regenerator. Seed used for restoration works will be required to be locally sourced to maintain genetic integrity of the site.

A Landscape Plan suitable for construction, and incorporating the above, will be required. A Vegetation Management Plan, addressing weed management, maintenance and irrigation of plants, will also be required. In this respect Conditions B and C under Schedule 1 is included in the Recommendation.

***Landfill Chapter***

The proposed development is considered to be consistent with the relevant provisions of the Landfill chapter of the Development Control Plan, as:

1. The proposed landfilling will enhance any future use of the land.
2. Council's Subdivision Engineer has provided comments on the effect on drainage. Appropriate drainage of the filled land can be achieved. A condition of consent requiring a detailed Stormwater Management Plan to be submitted for approval can be imposed. Condition A under Schedule 1 is included in the Recommendation.
3. Suitable conditions of consent can be imposed with respect to compaction. Condition 22 under Schedule 2 is included in the Recommendation.
4. Suitable conditions can be imposed with respect to erosion and sediment control devices. Condition A under Schedule 1 and Condition 12 under Schedule 2 is included in the Recommendation.
5. The proposed extent of land filling is not expected to adversely impact on the visual and scenic quality of the locality. Finished levels will be consistent with the topography of the area.
6. All material will be restricted to clean fill. The site will be revegetated with a combination of pasture and native vegetation and will not sterilise future use of this area.
7. The proposed landfilling works on the property will have no adverse impact on adjoining properties.
8. The proposed landfilling is unlikely to adversely impact on health and safety of residents.
9. The landfill will improve the potential use of the land. The fill will have no adverse impact on the rural character of the locality.
10. The proposal is not expected to affect water quality within the catchment.
11. The proposed importation of landfill is not expected to expose any acid sulphate soils, sodic soil or saline soils.

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

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

#### **6.5 Matters prescribed by the Regulations:**

There are no matters prescribed in the regulations which would affect the proposal.

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

##### **Context And Setting**

Adjoining landuses consist of a mixture of rural/residential and agricultural uses. The proposal is compatible with the existing use and character of the locality subject to restrictions on truck movements. This is further discussed in Section 6.8 of this Report.

It is considered that the proposed development will not impact on adjoining properties in terms of overshadowing, loss of visual or acoustic privacy, or loss of views and vistas. In addition, due to the size of the subject land, the location of the quarry within the land and the topography of the land, any impacts from the works can be contained and managed on the subject property.

##### **Access, Transport and Traffic**

A Traffic Impact Assessment prepared by Traffic Solutions Pty Ltd was submitted in support of the application. The Traffic Assessment recommends:

*"As well as restricting operating times to business hours the following restrictions upon the application are suggested to assist in mitigating the impacts of the proposal:*

- 1. The maximum number of truck loads per day is limited to 42 or a maximum of 745m<sup>3</sup> per day.*
- 2. No trucks to travel in convoy to or from the site.*
- 3. No heavy vehicle access from the north."*

It is considered that the proposed 42 truck loads per day (84 truck movements) will have a significant adverse impact on the amenity of the locality due to traffic generation and associated noise and safety issues. This matter is discussed in detail in Section 6.8 of this Report.

##### **Other Land Resources**

The proposed filling will enhance the use of the property in the future for agricultural or residential purposes.

##### **Water**

A Stormwater Drainage Report prepared by AKY Civil Engineering was submitted in support of the application. This Report provides the following recommendations and conclusion:

*"Any filling and rehabilitation of the quarry should be such that:*

- The proposed finished surface levels are reinstated at a level no higher than its naturalized form (i.e. pre-quarry activities).*
- The fall of the land post rehabilitation be directed to the ponds (to be retained) so that any overland flow does not get directed or redirected to the adjacent properties. The existing sediment basin should be retained and initial overland flow from the site directed to this basin.*
- The existing vegetation near the existing ponds and near/within the existing sediment basin should be retained.*

*Based on this investigation, we can conclude the proposal to rehabilitate the quarry will have no significant impacts on the drainage or flooding of the area."*

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The finished filled levels will be lower than the pre-existing levels prior to the operation of the quarry. The existing ponds and sediment basin are to be retained and no works are proposed within this area. As a result no vegetation within this area will be removed or disturbed. A Stormwater Management Plan, which provides details demonstrating how stormwater will be managed so that no overland flows will impact adjoining properties, can be required as a condition of consent. In this regard Condition A under Schedule 1 is included in the Recommendation.

### Soils

Erosion and sedimentation controls will be required during all works, and appropriate controls (including use of the existing sediment basin) can be ensured through conditions of consent.

### Air and Microclimate

To reduce the impacts of dust from the landfill area conditions can be imposed requiring monitoring of dust generation and the implementation of dust suppression measures. It is considered that these measures are satisfactory in minimising any nuisance to adjoining properties. In this respect Condition A under Schedule 1 and Condition 25 under Schedule 2 is included in the Recommendation.

### Flora and Fauna

The proposed development is located within the previously disturbed quarry area.

A vegetated area to the rear of the property is mapped as being Sandstone Shale Transition Forest, which is identified as an endangered ecological community under the Threatened Species Conservation Act, 1995. No works are proposed within this area by this application.

Some vegetation regrowth has occurred within the quarry floor, however this is minimal. Substantial regrowth has occurred on the embankment areas, mostly along the northern boundary, and this vegetation is to be retained. In addition, supplementary plantings along the northern and southern boundary (10m wide) are required to provide vegetative corridors for native fauna. Revegetation of these areas is to utilise plants commensurate with those species of the ecological community Sandstone Shale Transition Forest.

The proposal involves minimal disturbance/removal of native vegetation regrowth and weeds. It is therefore considered that the requirements of Part 5A of the EP & A Act are satisfied in that the proposed development will have no significant impact on threatened species, populations, ecological communities or their habitats.

The owners intend to use the site for small acreage agricultural uses (horses, cattle grazing) and for leisure pursuits (walking, picnics, children playing). As such, revegetation of the site will include both pasture and native vegetation.

### 6.7 Suitability of the site for the development:

The site is considered suitable for the development proposed.

### 6.8 Any submissions made in accordance with the Act or the Regulations:

The application was publicly exhibited between 18 January 2008 and 8 February 2008. As a result sixteen submissions were received. The matters raised in these submissions are addressed below:

**Traffic Safety** – The predominant concern related to road safety as a result of:

- the condition of Tizzana Road;
- the width of Tizzana road;
- safety of school children;
- poor sight distances from the driveway to the subject site,
- traffic generation;
- damage to road;
- vegetation needs to be trimmed along Tizzana Road;
- lack of footpaths for pedestrians along Tizzana Road;

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- proximity to Ebenezer Public School (Sackville Road).

The Traffic Impact Assessment submitted with the application advises that the increase in traffic resulting from the proposed development is minor and will not change the existing level of service of Tizzana Road, taking into consideration existing traffic volumes, and the width and condition of the road. It further advises that the sight distances to and from the existing access driveway to the proposed development exceed the requirements of Australian Standard AS 2890.2:2002 – Off Street Commercial Vehicle Facilities in this respect.

The Assessment also states that:

*"The site inspection also indicated that trucks generated by the proposal will travel past the Ebenezer Primary School as well as residential properties. Site observations reveal the Ebenezer Primary School has an existing 40 Km/h school zone with a supervised children's crossing across Sackville Road and the existing signposting and line marking is highly visible. Jeffsann Excavation Pty Ltd has advised that employed truck drivers (including) contractors are regularly reminded to take particular care at school zones."*

**Comment:** In addition to the above, the applicant's submission provides details in respect to the number of truck movements proposed to bring the fill material to the site. To enable comparison, these details are summarised in Column A of the table below. Column B provides some suggested scenarios to demonstrate conditions under which the impacts of truck movements can be reduced to an acceptable level.

TABLE				
	A Calculations based on details provided with application		B Alternative scenarios	
Volumes of fill imported per day	743.3m <sup>3</sup>	495.6m <sup>3</sup>	79.4m <sup>3</sup>	153.8m <sup>3</sup>
Amount of fill per truck	17.7m <sup>3</sup>	17.7m <sup>3</sup>	17.7m <sup>3</sup>	17.7m <sup>3</sup>
No. of truck loads per day	42	28	4.5	8.69
No. of truck movements	84	56	10	18
Time between each truck movement (minutes) 9:00am to 5:00pm	6	8	48	27
Time between each truck movement (minutes) 9:30am to 2:30pm	3.4	5.4	30	16.6
No. of days to complete each stage (10,000m <sup>3</sup> )	13.5	20	126 (6 months, Mon – Fri)	65 (3 months, Mon – Fri)

In view of the above calculations, it can be seen that the importation of fill at the rate of 84 truck movements over 13.5 days will have a significant adverse impact on road safety given that between the proposed hours of 9:00am to 5:00pm one truck will be entering or leaving the premises every 6 minutes. This also results in one truck passing by Ebenezer Primary School every 6 minutes.

Given each stage, requiring the importation of 10,000m<sup>3</sup> of fill, is to be carried out over a maximum twelve month period, it is not considered unreasonable that the fill be transported to the site over a minimum period of three (3) months or longer. A restriction on the hours in which trucks can travel to the property to 9:30am to 2:30pm is proposed to protect the safety of school children, as well as pedestrian and other road users. With this time restriction in place, as well as limiting truck movements to Monday to Friday, over a three (3) month period the number of trucks movements per day will be 18 movements. This equates to 1 truck movement approximately every 16 minutes. The benefits of limiting the number and times of truck movements in this way are:

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- It will ensure that trucks do not travel in a convoy. The Traffic Assessment Report proposed a restriction that no trucks travel in a convoy to or from the site. It is considered that the number of maximum truck movements per day proposed by the application (84) will make it difficult to achieve this.
- It will prevent potential queuing of trucks along Tizanna Road.
- It will reduce the impact of traffic noise on residents in the locality and the school.
- It will reduce any potential conflicts between truck movements and safety of school children, pedestrians and other road users.

### Loss of Amenity

Concern was raised in respect to the loss of amenity in relation to:

- Pollution – tracking of sediments on road,
- Noise – including hours of operation,
- Dust control;
- Excessive truck movements

**Comment:** It will be a requirement of any consent that monitoring and management of dust be implemented while landfilling and works are being carried out. A Dust Management Plan will be required and this Plan is to identify dust sources and provide measures to mitigate dust nuisance, including the tracking of sediments onto the road. In this regard Condition A under Schedule 1 and Conditions 25 and 26 under Schedule 2 is included in the Recommendation.

The applicant's submission sought overall hours of operation for both works and truck movements to be 7:00am to 6:00pm, Monday to Saturday. However as discussed, the hours in which trucks can access the locality should be limited to 9:30am to 2:30pm Monday to Friday to ensure public safety and amenity is achieved.

The hours of operation for works being carried out on site are proposed to be 7:00am to 6:00pm Monday to Saturday. Council's standard condition restricts construction works to the hours of 7:00am to 6:00pm Monday to Friday and 8:00am to 4:00pm on Saturdays. To ensure a reasonable level of amenity during site works, and to maintain consistency with the proposed restricted truck movements, it is considered that site works and truck movements only be allowed Monday to Friday. In this respect Conditions 16 and 17 under Schedule 2 is included in the Recommendation.

### 6.9 The Public Interest

The proposed rehabilitation of the disused quarry is considered to be beneficial in both improving the useability of the land and to the environment in general. Whilst the proposal, as presented, will have a short-term adverse impact on the locality in terms of amenity and traffic safety, it is considered that the imposition of restrictions on the number of trucks movements and times than can operate will mitigate these impacts. With the imposition of these restrictions the proposed development can be considered to be in the public interest.

## 7 Conclusion

The proposed development is consistent with the relevant provisions of Hawkesbury Local Environmental Plan 1989, Sydney Regional Environmental Plan No. 20, State Environmental Planning Policies No. 44 & 55, Hawkesbury Development Control Plan, and other relevant policies.

It is considered that the proposal will have no significant adverse impact on the locality, subject to the implementation of appropriate control measures. Details of these measures can be obtained via conditions of consent and in this respect, it is recommended that a Deferred Commencement Consent be granted.

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### 8 Developer Contributions

The following developer contributions apply to this development - \$2,450.00. Accordingly, a condition of consent is required to be imposed in this regard.

#### Planning Decision

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

#### RECOMMENDATION:

That development application DA0893/07 at Lot 2 DP 587166, 263 Tizzana Road, Ebenezer for Quarry Rehabilitation be approved as a Deferred Commencement Consent subject to the following conditions:

- c) Upon compliance with the conditions appearing in Schedule 1, and with the issue of confirmation to that effect in writing from Council, this "Deferred Commencement" consent shall commence to operate as a development consent inclusive of all conditions appearing in Schedule 2 pursuant to Section 80(3) of the Act.
- d) The 'Deferred Commencement' consent will lapse in twelve months from the date of this consent unless all conditions appearing in Schedule 1 have been complied with.

#### Schedule 1

- A. A staged Rehabilitation Management Plan shall be submitted to, and approved by Council. The Plan shall incorporate, but not be limited to the following:
  - a. Plans and details demonstrating how the filling within each stage will be blended into the next stage.
  - b. Plans clearly showing areas of existing vegetation to be retained. Methods to protect this vegetation from damage during rehabilitation works;
  - c. Sediment and erosion control measures for each stage;
  - d. Stormwater management plan for each stage;
  - e. The proposed areas for storage of fill material, topsoil and mulch for each stage;
  - f. A Dust Management Plan is to be submitted for approval identifying the potential sources of dust, addressing how monitoring of dust is to be carried out and the measure proposed to minimise dust generation and nuisance.
  - g. Location of truck waiting area on site
- B. A Landscape Plan suitable for construction is to be submitted for approval. The Landscape Plan, in particular, is to:
  - (i) include a more extensive range of species which are of local provenance.
  - (ii) use seeds that are locally sourced to maintain genetic integrity of the site.
  - (iii) detail the planting regime and the methods of revegetation (such as brush matting).
  - (iv) provide plans for the progressive revegetation of each stage (or part stage);

The revegetation of the land is to be supervised by a suitably qualified and experienced person, such as a bush regenerator. This person is also to be consulted in respect to the compilation of the Landscape Plan and the Vegetation Management Plan.

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- C. A Vegetation Management Plan is to be submitted for approval detailing the proposed methods for protecting and maintaining vegetation on completion of filling for each stage (or part stage), and shall address the following:
- (i) weed management;
  - (ii) maintenance of revegetated areas;
  - (iii) replacement planting
  - (iv) irrigation

### Schedule 2

#### General Conditions

1. The development shall take place in accordance with the stamped plans, specifications and accompanying documentation submitted with the application except as modified by these further conditions.
2. This consent is limited in time and shall expire 5 years from the operational date of this consent.
3. No excavation, site works or building works shall be commenced prior to the issue of an appropriate construction certificate.
4. The quantity of fill material to be imported to the site over the life of this consent shall be limited to a maximum of 50,000m<sup>3</sup>. A maximum limit of 10,000m<sup>3</sup> of material shall be brought to the site in each stage/12 month period.
5. No work is permitted within the Crown Road reserve.
6. The preceding stage is to be satisfactorily completed and revegetated prior to the commencing of the subsequent stage. A compliance certificate for each stage, to indicate that works have been satisfactorily completed, is to be obtained from the Principle Certifying Authority prior to the commencement of the subsequent stage.

#### Prior to Issue of Construction Certificate

7. Construction of the access road and earthworks are not to commence until three (3) copies of the plans and specifications of the proposed works are submitted to and approved by the Director City Planning or an Accredited Certifier.
8. Payment of a Construction Certificate checking fee and a Compliance Certificate inspection fee when submitting Civil Engineering Plans for approval. A fee quote will be provided on request.
9. A traffic Guidance Scheme prepared in accordance with AS1742-3 2002 by an appropriately qualified person shall be submitted to Council. Where the works affect Roads and Traffic Authority controlled roads, the traffic guidance scheme is to be approved by the Roads and Traffic Authority before submission to Council.
10. Pursuant to section 80A(1) of the Environmental Planning and Assessment Act, 1979 and Hawkesbury City Council's Section 94A Development Contributions Plan 2006 (as amended from time to time), a contribution of \$2,450.00 shall be paid to Hawkesbury City Council.

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

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

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### Prior to Commencement of Works

11. All traffic management devices shall be installed and maintained in accordance with the approved traffic guidance scheme.
12. Erosion and sediment control devices are to be installed and maintained at all times during site works and construction. The enclosed warning sign shall be affixed to the sediment fence/erosion control device.
13. The applicant shall advise Council of the name, address and contact number of the principal certifier, in accordance with section 81A 2(b) of the Environmental Planning and Assessment Act, 1979.
14. Toilet facilities (to the satisfaction of Council) shall be provided for workmen throughout the course of building operations. Such facility shall be located wholly within the property boundary.
15. A sign displaying the following information is to be erected adjacent to each access point and to be easily seen from the public road. The sign is to be maintained for the duration of works:
  - a. Unauthorised access to the site is prohibited.
  - b. The owner of the site.
  - c. The person/company carrying out the site works and telephone number (including 24 hour 7 days emergency numbers).
  - d. The name and contact number of the Principal Certifying Authority.

### During Construction

16. Site works shall be carried out only on Monday to Friday between 7:00am – 6:00pm. No works shall be permitted on Saturdays, Sundays or Public Holidays.
17. Trucks delivering fill material or machinery to the site shall be restricted to the hours of 9:30am to 2:30pm Monday to Friday. No truck shall pass Ebenezer Primary School prior to 9:15am or after 2:45pm.
18. All work shall be carried out in accordance with:
  - (a) the stamped approved plans;
  - (b) the approved Rehabilitation Management Plan;
  - (c) the approved Landscape Plan;
  - (d) the approved Vegetation Management Plan;
  - (e) the approved Dust Management Plan.

Implementation of the Rehabilitation Management Plan shall be supervised by an appropriately qualified person.

Implementation of the Landscape Plan and Vegetation Management Plan shall be supervised by an appropriately qualified person, such as a bush regenerator.

19. A report shall be submitted to Council's Director of City Planning every three (3) months from commencement of works detailing the amount of fill brought to the site within this timeframe and providing certification of the fill in accordance with Condition 27 of this Consent.
20. The preceding stage is to be satisfactorily completed and revegetated prior to the commencing of the subsequent stage.

## ORDINARY MEETING

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The following are to be submitted to Council upon completion of each stage:

- a. Submission of all dockets relating to filling to confirm quantities, sources and validation of all fill brought to the site for the preceding stage,
- b. Submission of a works as executed and contoured depth of fill plan for the completed stage.

Upon submission of the above, a final inspection of the stage is required to confirm that the works have been satisfactorily completed and revegetated.

A compliance certificate for each stage, to indicate that works have been satisfactorily completed, is to be obtained from Council prior to the commencement of the subsequent stage.

21. To mitigate the impacts to surrounding properties deliveries of materials to the site are to be strictly in accordance with the following:
  - a. The maximum number of heavy vehicle movements to the site is limited to 18 per day.
  - b. No heavy vehicles are to travel in convoy to or from the site.
  - c. No heavy vehicle access from the north of the site.
22. All fill to be adequately compacted by track rolling or similar in layers not exceeding 300mm.
23. The top 300mm of fill shall be topsoil in order to ensure site revegetation.
24. The site shall be secured to prevent the depositing of any unauthorised material.
25. Dust control measures, eg vegetative cover, mulches, irrigation, barriers and stone shall be applied to reduce surface and airborne movement of sediment blown from exposed areas.
26. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
27. A ticketing system is to accompany any material being brought to the site. A register is to be kept on site to cross reference against the source records. An independent site auditor is to be engaged to undertake appropriate certification regarding the monitoring and validation of the fill material imported to the site as being sound, suitable for the proposed use and free of contamination.
28. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted.
29. Filling shall comprise only uncontaminated virgin excavated natural material. Contamination certificates for all source material shall be provided to the Principal Certifying Authority prior to placing any fill on site.
30. All natural and subsurface water-flow shall not be re-directed or concentrated to adjoining properties. Water flows shall follow the original flow direction without increased velocity.
31. The development shall be conducted in such a manner that the LA(eq) noise levels, measured at any point in accordance with the NSW EPA's Industrial Noise Policy (2000), do not exceed 5dB(A) LA(eq) above background noise levels with respect to noise amenity of residential dwellings.
32. All civil construction works required by this consent shall be in accordance with Hawkesbury Development Control Plan appendix E Civil Works Specification.
33. Inspections shall be carried out and compliance certificates issued by Council or an accredited certifier for the components of construction detailed in Hawkesbury Development Control Plan Appendix E Civil Works Specification, Part II, Table 1.1.

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34. A pavement 4m wide shall be constructed to provide suitable construction access and appropriate to the gradient of the land in accordance with the following table:

Gradient	Surface Construction
0-16%	Compacted crushed rock
17-20%	Bitumen seal
21-25%	Reinforced concrete

Driveway gradient shall not exceed 25% in any section.

### Prior to Issue of Final Compliance Certificate

35. The following are to be submitted to Council upon completion of the 5th and final stage:
- Submission of all dockets relating to filling to confirm quantities, sources and validation of all fill brought to the site,
  - Submission of a works as executed and contoured depth of fill plan for the full extent of the completed development.

Upon submission of the above, a final inspection of the stage is required to confirm that the works have been satisfactorily completed and revegetated.

A final compliance certificate for is to be issued by Council prior to indicate that the works have been satisfactorily completed in accordance with the conditions of consent.

### Advisory Notes

- \*\*\* Non-compliance with any condition of this development consent may result in a penalty notice being issued by Council.
- \*\*\* Should any Aboriginal site or relic be disturbed or uncovered during the construction of this development, all work should cease and the National Parks and Wildlife Service consulted. Any person who knowingly disturbs an aboriginal site or relic is liable to prosecution under the National Parks and Wildlife Act 1974.
- \*\* The developer is responsible for all costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed development. Such utilities include water, sewerage, drainage, power, communication, footways, kerb and gutter.

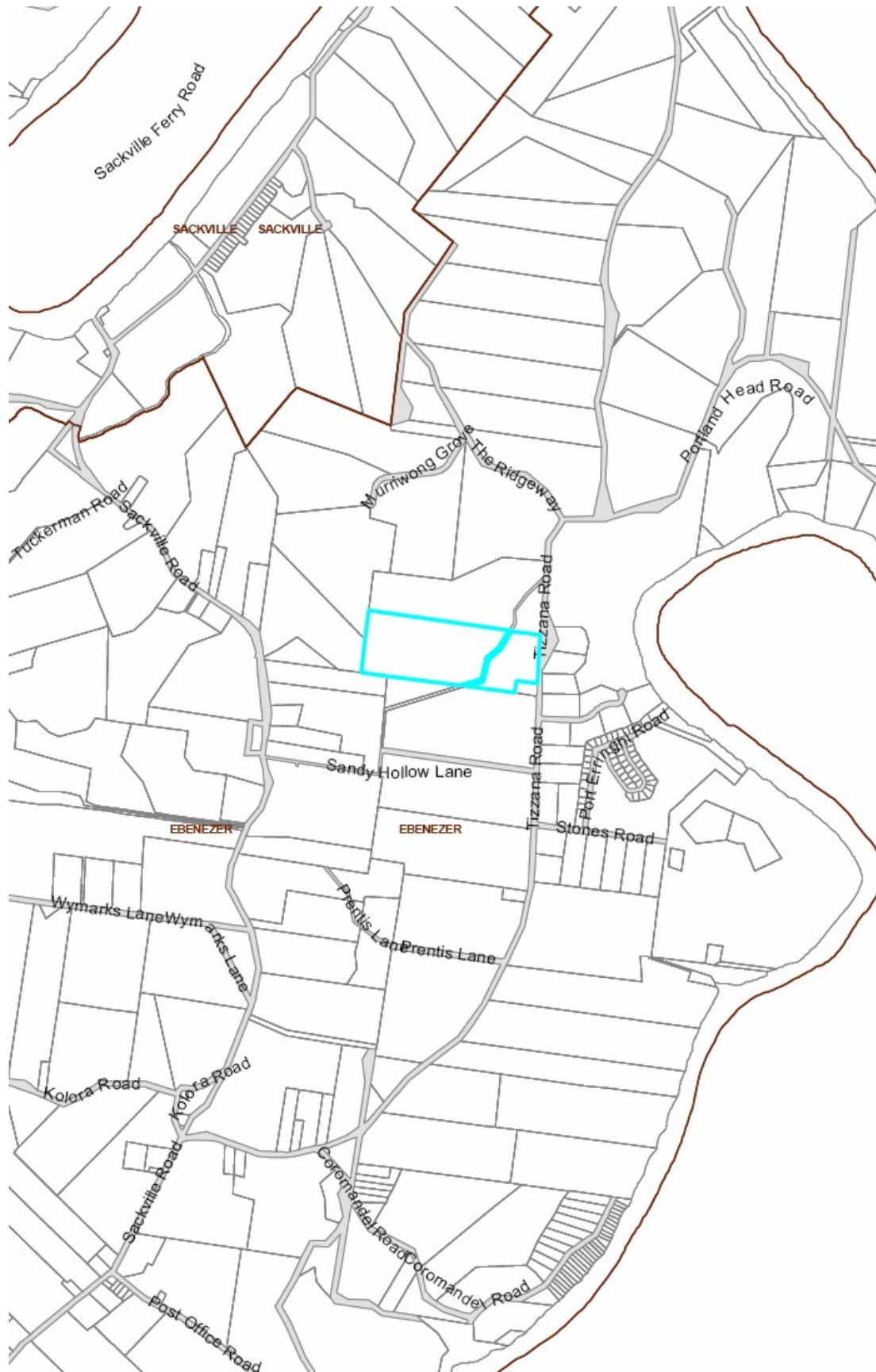
### ATTACHMENTS:

- AT - 1 Locality Plan  
AT - 2 Staging Plan  
AT - 3 Concept Landscaping Plan

ORDINARY MEETING

Meeting Date: 10 November 2009

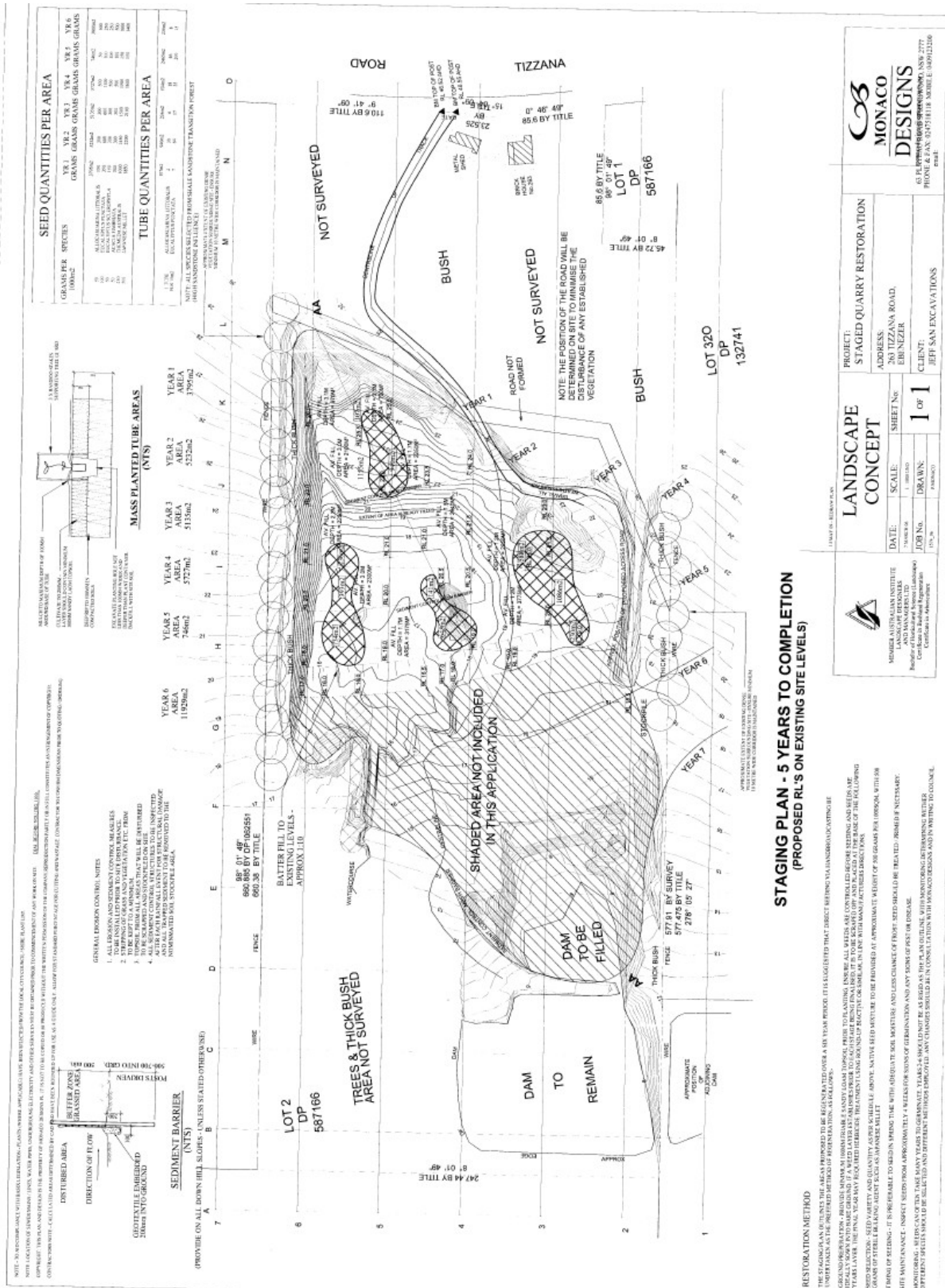
AT - 1 Locality Plan



**Meeting Date:** 10 November 2009

**STAGING PLAN - 5 YEARS TO COMPLETION**  
(PROPOSED RL'S ON EXISTING SITE LEVELS)

AT - 3 Concept Landscaping Plan



oooO END OF REPORT Oooo

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**Item: 229 CP - Request by Kurrajong Village Retailers to Support a Plastic Shopping Bag Free at the Checkout Program - (95498)**

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**REPORT:**

A request has been submitted by Helen and Warwick Lloyd-Martin, on behalf of the Kurrajong Village retailers, for Council to support a proposal to make Kurrajong Village plastic shopping bag free.

**Background**

The problem of plastic bags is adversely impacting the environment, including the waterways, roadsides and wilderness of the Hawkesbury district.

The proposed program, will make Kurrajong the first village in the Hawkesbury and Blue Mountains areas to go plastic bag free, and will raise a great deal of community awareness of not only plastic bags, but also a community in the Hawkesbury area doing something beneficial for the environment.

Recently, retail chains such as Target, Aldi, and Bunnings, made the decision to ban the giving away of free plastic shopping bags to their customers at the checkout, and many towns in Australia are now plastic bag free, as is the whole state of South Australia.

The organisers feel that it is time for Hawkesbury communities to contribute to the global efforts to help tackle one of the issues of environmental pollution.

Representatives of the retailers of Kurrajong Village met during September this year, where it was decided that Kurrajong Village will phase out the use of plastic checkout bags, encouraging the community to use reusable bags where possible, and to use compostable or recyclable paper bags if required. It is proposed that the retailers will charge (at cost only) the customer for such bags, which will encourage the use of reusable bags by the customers on their next visit.

The proposed target date for the launch of this program is January 2010.

**Publicity and Education**

For any community program such as this to work, it will be essential to gain the support of the community and provide education and information to support the cause. It is proposed to involve local schools during Term 4 2009, with such things as the design of the new reusable and compostable bags. The organisers are also going to distribute leaflets and posters in the area to raise awareness of the campaign, together with involvement from local newspapers and other media.

**Request for assistance from Council**

The organisers have asked Council to consider supporting their campaign in the following ways:

1. Publicity and Education Campaign – in the form of education flyers for the local schools and community, and posters for the local area to highlight the issues.
2. Sponsoring an initial handout of “reusable” or “compostable” bags to the community, say one for every school child, or one per household.
3. Installing signs at the entry to the village to say Kurrajong Village is proudly Plastic Shopping Bag Free.
4. Any other way that Council feels would be advantageous to the campaign.

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### Assistance from other organisations

The campaign organisers have been able to gain the assistance of Jon Dee and the "Do Something" organisation who co-initiated a very successful, similar program in Coles Bay.

Mr Dee has volunteered to meet with retailers to answer any questions they may have about banning plastic bags, help with the generation of local media campaigns and the phase out of the plastic bags, and how the retailers can communicate to and involve their customers.

### Council's assistance with the program implementation

As mentioned earlier in this report, the organisers have asked for a number of things from Council to assist the program in its implementation phase.

It would be possible to allocate part of Council's Waste Education Budget to the amount of \$500 to this project, which will assist in the production of the items required to commence the program.

The funding would be allocated to the campaign organisers on production of receipts for the expenditure on the items associated with the implementation of the Kurrajong Plastic Shopping Bag Free campaign.

### Funding

It is proposed to allocate \$500 from Council's Waste Education Budget, to provide funding assistance to the program.

### RECOMMENDATION:

That:

1. Council give "in principle" support to the proposed program to ban plastic shopping bags in the Kurrajong Village shopping area.
2. Council reimburse the organisers, upon submission of receipts to Council, for purchase of items to commence the program up to the total amount of \$500.
3. A letter of commendation be sent to Mr and Mrs Lloyd-Martin for their efforts in creating the "Kurrajong Village Plastic Shopping Bag Free" retail area.

### ATTACHMENTS:

- AT - 1** Correspondence submitted by Helen and Warwick Lloyd-Martin, on behalf of the Kurrajong Village retailers

**ORDINARY MEETING**

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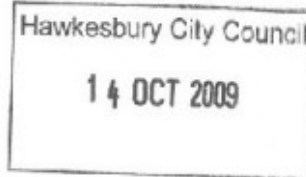
**AT - 1 Correspondence submitted by Helen and Warwick Lloyd-Martin, on behalf of the Kurrajong Village retailers**

Helen and Warwick Lloyd-Martin  
41 Coach House Place  
Kurrajong Heights NSW 2758

t: (02) 4567 7771  
e: hlm@3de.com.au

Monday, 12 October 2009

Hawkesbury City Council  
P. O. Box 146  
Windsor NSW 2756



Attention: The General Manager

**Re: Proposal for Kurrajong Village to go Plastic Bag Free at the Checkout**

Dear Sir/Madam,

The retailers of Kurrajong Village have united to support a proposal by us for Kurrajong Village to go Plastic Bag Free at the Checkout.

In doing so, Kurrajong will be the first village in the Blue Mountains to go Plastic Bag Free, and will raise a great deal of community awareness of not only plastic bags, but also a community in the Hawkesbury doing something beneficial for the environment.

The problem of plastic and particularly plastic bags is adversely impacting our environment, including the waterways, roadsides and wilderness of the beautiful Hawkesbury district.

Recently, retail chains such as Target, Aldi, Bunnings made the decision to ban plastic bags from the checkout, many towns in Australia are now plastic bag free, as is the whole State of South Australia. We feel that it time for our community to contribute to the global effort to help tackle one of the issues of environmental pollution and climate change.

Representatives of the retailers of Kurrajong Village met last month to discuss the options for Kurrajong to go Plastic Bag Free at the Checkout. We noted that many other towns around Australia which have elected to go Plastic Bag Free have had great success and the positive effects on the community as well as the environment are profound.

Proposal  
It is proposed that Kurrajong Village phase out the use of plastic checkout bags, encouraging the community to use reusable bags where possible, and to use compostable or recycled paper bags if required. It is proposed to charge (at cost only) the customer for the compostable bags, which encourages the use of a reusable bag next time.

The current target date for launch of the campaign is New Year 2010.

We are asking for Council's support and contribution to the Plastic Bag Free Kurrajong Campaign.

Publicity and Education  
For any community program such as this to work, it is essential to gain the support of the community and provide as much education and information as possible to support the cause. It is suggested that the local schools become involved during Term 4 2009, perhaps with the design of the new reusable and compostable bags, and that leaflets

## ORDINARY MEETING

Meeting Date: 10 November 2009

and posters be distributed in the area to raise awareness of the campaign. The local newspapers will be involved as well as radio, TV etc where possible.

Jon Dee from DoSomething ([dosomething.net.au](http://dosomething.net.au)) is on board, and fully supports our campaign. He has a wealth of experience in this area, and will assist us in raising the profile of the campaign in the media.

### Hawkesbury City Council's Role

We suggest that Council participate in the following ways:

- *Publicity and Educational Campaign – in the form of educational flyers for the local schools and community, and posters for the local area to highlight the issues.*
- *Sponsoring an initial handout of 'reusable' or 'compostable' bags to the community, say one for every school child, or one per household...*
- *Installation of signs at the entry to the village to say Kurrajong Village is proudly Plastic Bag Free.*
- *Any other way that Council feels would be advantageous to the campaign.*

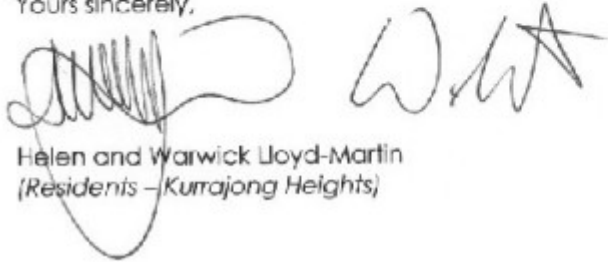
As the local community has come together to support such a worthwhile issue, we are sure that Council will see the benefits of joining us in this venture.

As time is of the essence and we see the need to 'strike while the iron is hot', we look forward to your early response.

We attach a preliminary information sheet regarding the proposal for your information.

Please contact either myself or Warwick at your earliest convenience.

Yours sincerely,



Helen and Warwick Lloyd-Martin  
(Residents – Kurrajong Heights)



## Kurrajong – A Plastic Bag Free Community

## Kurrajong – A Plastic Bag Free Community

### *"Let's Say NO to Plastic Bags"*



Residents of the Kurrajong area are proud of our village, and the beautiful surrounds of the Hawkesbury Region.

As a gateway to the Blue Mountains, Kurrajong enjoys the benefits of tourism, small business, and local produce - local businesses in Kurrajong are in an ideal position to 'say NO to plastic bags'.



As Australians we use over 4 billion plastic checkout bags a year, which are made from non-renewable fossil fuels. Mostly they are used only once, and then thrown out to end up in land fill, or flying on the wind, with many ending up in our oceans.

#### Impact on the Environment

It is estimated that 47% of litter that escapes from landfill is plastic, much of it in the form of plastic bags which are easily windborne. Plastic bags take hundreds of years to break down, and they end up polluting our waterways, roadsides, bush and backyards.



#### Threat to Wildlife

Too many bags end up in the sea, rivers and lakes. They are easily mistaken for food, and have a devastating impact on marine life such as turtles, penguins, birds, whales, seals etc.

#### DID YOU KNOW?

*Floating in the Pacific Ocean is an area perhaps twice the size of France, called the 'Great Pacific Garbage Patch'. It's a sort of marine 'soup' of plastic debris. There is 10 times more plastic in the 'soup' than plankton, which is the basis of the marine food chain. This is thought to be happening in all of the world's oceans.*

Cost to Consumers

Apart from environmental costs, according to a media report in 2002, plastic bags were costing retailers about \$100 million per year – this plastic bag cost is passed on to the consumer in their grocery bills.

What Can We Do?

We can follow the lead of major supermarket chains such as ALDI which does not give away free plastic bags. Bunnings, Nando's, IKEA and most recently Target have banned plastic bags altogether. McDonalds use only paper bags. South Australia has banned traditional plastic bags. Many small communities such as ours, including Coles Bay in Tasmania, Huskisson and Kangaroo Valley have all banned plastic bags. They now promote their towns on this fact.

It's time we take some action and follow their example.

*Kurrajong Village Says "NO to Plastic Bags"*

How Do We Go Plastic Bag Free?

There are alternatives – after all, our parents didn't have plastic bags when they were young, and they managed OK!

Alternative Options:



1.



2.



3.



1. Reusable Bags – For sale at each retailer – approx wholesale cost \$1.00 to \$1.50, depending on type, size, print, numbers ordered etc.
2. Compostable Bags – For sale at the retailer – approx wholesale cost 10c to 30c, depending on size print, numbers ordered etc.
3. Paper bags – For sale at the retailer – cost depends on size etc.
4. BYO Bags – Encourage consumers to bring their own bags, baskets, backpacks etc.

FAQ


- Aren't paper bags bad too? - after all they use valuable timber resources.

Providing the paper is recycled or derived from sustainable forestry sources, paper is a good environmental alternative - especially if the paper is FSC (Forest Stewardship Council) accredited. Paper bags are biodegradable and recyclable, but can be more costly.



- What's the difference between recycled and normal plastic bags?  
Plastic bags made from recycled plastic can cause the same damage to wildlife as normal plastic bags. They also take many years to biodegrade.
- What's the difference between compostable and normal plastic bags?  
Plastic bags are made from non-renewable fossil fuels and can take hundreds of years to break down.  
Compostable bags are made from biodegradable materials. Compostable bags that meet the Australian Standard can biodegrade within a matter of months.
- What will it cost me as a retailer?  
Nothing. The retailer passes on the cost of the bags to the consumer. This is how plastic bag bans have been implemented in towns like Coles Bay. Their experience shows that customers very quickly become used to bringing their own bags to avoid paying for more bags.
- What about bags for fruit and veg at the supermarket?  
The only bags that are proposed to be banned are the plastic check-out bags. Banning plastic bags in Kurrajong does not extend to the small fruit and veg bags.  
However, should a retailer wish to stock them, compostable fruit and veg bags are available.
- Has there been any evidence that this will adversely affect sales?  
Retailers from Coles Bay and other towns have all gone on the public record to state that their sales have not been affected by their decision to ban plastic check-out bags. Indeed, the whole state of South Australia has now banned the normal plastic check-out bags that we use in NSW.

WHAT YOU CAN DO

- Register your support for the *Kurrajong Says NO to Plastic Bags* Campaign. 
- If retailers sign up, John Dee who co-initiated the ban in Coles Bay will come and meet retailers to answer questions about banning plastic bags in Kurrajong. His Do Something organisation will help us with our plastic bag phase-out and how we communicate to and involve our customers in the campaign.
- Jon Dee and the Do Something organisation will also help us to generate local media coverage about our plastic bag phase-out. This will make sure that everyone knows that we're the first Blue Mountains community to go plastic bag free at the check-out.

*It's time for Kurrajong to go plastic bag free  
at the checkout*

*Let's get together to make it happen!*

Thank you for your support.

Kind Regards

Helen Lloyd-Martin (resident)  
02 4567 7771 hlm@3de.com.au



oooO END OF REPORT Oooo

**ORDINARY MEETING****Meeting Date:** 10 November 2009**Item: 234 CP - Community Sponsorship Program - 2009/2010 - Macquarie 2010 Seeding Grant Round - (96328, 95498)****Previous Item:** 141, Ordinary (28 July 2009)  
148, Ordinary (11 August 2009)**REPORT:**

This report has been prepared to advise Council of applications for financial assistance which require determination under the Macquarie 2010 Seeding Grants Round of the Community Sponsorship Program for 2009/2010.

**Background**

At its Ordinary Meeting 28 July 2009 Council resolved to establish a Macquarie 2010 Seed Funding Program. Council resolved:

1. Council include the additional category of "Macquarie 2010 Seed Funding Program" to the Community Sponsorship Program in accordance with the criteria outlined in this report.
2. The Macquarie 2010 Seed Funding Program be funded to an amount of \$25,000 comprising \$15,000 of Macquarie 2010 funding approved by Council in the 2009/2010 budget and an additional amount of \$10,000 from the approved 2009/2010 allocation for the existing Community Sponsorship Program.

Applications for community sponsorship under the Macquarie 2010 Seed Funding Program were advertised in the Council Notices with a closing date of 16 October 2009. Information about the Program was also forwarded to organisations who had registered an event, activity or function of Council's Macquarie 2010 on-line calendar as well as to all members of the Hawkesbury Macquarie 2010 Committee. 14 applications were subsequently received. Table 1 summarises the applications received and the proposed level of financial assistance.

Applicant	Proposal	Amount
1. Kurrajong-Comleroy Historical Society	Re-enactment of Macquarie's party passing through the Kurrajong area	1,000
2. Friends of the Hawkesbury Art Community + Regional Gallery	Art exhibition "New Visions 1810 – 2010"	600
3. St Marks Church, Freemans Reach	Floral Display and fete	1,000
4. Richmond Players Inc	Performance of "Our Country's Good"	2,000
5. Windsor Business Group Inc	Re-enactment of Macquarie's proclamation of the five towns	7,500
6. Hawkesbury City Pipe Band Inc	Solo piping competition	500
7. Macquarie Towns Arts Society Inc	"Spring Fair" exhibition + "Macquarie's Country" art competition	2,000
8. Richmond Literary Institute (Est. 1861) Inc	Celebration Dinner with speaker	1,500
9. Pitt Town Progress Assoc Inc	"Free Settlers Bicentenary Banquet"	3,155
10. Hawkesbury Artists and Artisans Trail	Exhibition "Macquarie's Footprints"	1,500
11. Pitt Town Anglican Community	Festival celebrating the town's history	1,000

**ORDINARY MEETING****Meeting Date:** 10 November 2009

<b>Applicant</b>	<b>Proposal</b>	<b>Amount</b>
Church		
12. Hawkesbury Historical Society Inc	Australia Day Dinner	500
13. Hawkesbury Model & Hobby Show Inc	Hobby Show at Hawkesbury Showground	1,000
14. The National Trust of Australia (NSW)	2010 Annual Committee Conference	1,745
<b>TOTAL</b>		<b>25000</b>

*Table 1 – Requests for financial assistance Macquarie 2010 Seeding Round of 2009-2010 Community Sponsorship Program*

The applications received were assessed against the criteria adopted by Council for the Macquarie 2010 Seed Funding Program. A more complete summary of the assessment of applications against the Program criteria is appended to this report (Attachment 1).

The total amount of funding requested from 14 applicants amounted to \$28,755 which exceeded the \$25,000 allocated by Council for the Macquarie 2010 Seed Funding Program. Consequently the application from the National Trust of Australia (NSW) was unable to be funded to the requested amount of \$5,500. The recommendation to provide a lesser amount of funding (\$1,745) than was requested by the National Trust was primarily based on the assessment that the event for which funding was being sought by the National Trust was effectively a closed event open only to members of the National Trust. All other applicants were seeking to stage events, activities or functions which were open to all residents of the Hawkesbury. In addition (although there is a Hawkesbury Branch of the National Trust) the application from the National Trust of Australia (NSW) does not fully comply with Program criteria in that it is not a 'local service' based in the Hawkesbury. It should also be noted that the 2009 National Trust of Australia (NSW) Annual Conference was staged recently in Wagga Wagga. Contact with Wagga Council indicates that Wagga Council did not provide financial assistance to the National Trust for their Annual Conference held in Wagga Wagga.

Should Council approve the provision of the proposed financial assistance, Council's standard Sponsorship Agreement will need to be executed for allocations over \$500, being Applications 1 (Kurrajong-Comleroy Historical Society), 2 (Friends of the Hawkesbury Art Community + Regional Gallery), 3 (St Marks Anglican Church, Freeman's Reach), 4 (Richmond Players), 5 (Windsor Business Group), 7 (Macquarie Towns Art Society), 8 (Richmond Literary Institute), 9 (Pitt Town Progress Association), 10 (Hawkesbury Artists & Artisans Trail, 11 (Pitt Town Anglican Community Church, 13 (Hawkesbury Model & Hobby Show) and 14 (The National Trust of Australia (NSW)). Sponsorship Agreements are not required for the other recommended applicants.

### **Funding**

Funding allocations recommended in this report are available within current budget provisions.

### **RECOMMENDATION:**

That Council:

1. Approve payments of Section 356 Financial Assistance to the organisations or individuals listed, and at the level recommended in Table 1 of this report.
2. Approve the execution of Council's standard Sponsorship Agreement for application 1, 2, 3, 5, 8, 9, 10, 11, 13 and 14 as identified in Table 1 of this report.

**ORDINARY MEETING**

**Meeting Date:** 10 November 2009

**ATTACHMENTS:**

- AT - 1**    Assessment of Applications under Macquarie 2010 Seeding Funding Round of the Community Sponsorship Program 2009-2010.

# ORDINARY MEETING

Meeting Date: 10 November 2009

## AT - 1 Assessment of Applications under Macquarie 2010 Seeding Funding Round of the Community Sponsorship Program 2009-2010

Attachment 1 - Assessment of Applications under the Macquarie 2010 Seeding Round Community Sponsorship Program 2009/2010

Applicant	Description	Assessment Criteria								Amount requested	Amount recommended	
		Local service	Not-for-profit	Not funded by State/Federal Agency	Co-contribution provided	Reflects agreed community priority	Raises awareness of Macquarie	Financially sustainable	Registered on-line Mac 2010 Program			
1. Kurrajong Comleroy Historical Society inc	Re-enactment of Macquarie passing through the Kurrajong area	✓	✓	✓	✓	✓	✓	✓	✓	1,000	1,000	
2. Friends of the Hawkes Art Community & Regional Gallery inc	Art exhibition " New Visions 1810 – 2010"	✓	✓	✓	✓	✓	✓	✓	✓	600	600	
3. St Marks Church, Freeman's Reach	Floral display and Fete	✓	✓	✓	✓	✓	✓	✓	✓	1,000	1,000	
4. Richmond Players Inc	Performance of "Our Country's Good"	✓	✓	✓	✓	✓	✓	✓	✓	2,000	2,000	
5. Windsor Business Group Inc	Re-enactment of Macquarie's proclamation of the five towns	✓	✓	✓	✓	✓	✓	✓	✓	7,500	7,500	
6. Hawkesbury City Pipe Band Inc	Solo piping competition	✓	✓	✓	✓	✓	✓	✓	✓	500	500	
7. Macquarie Towns Art Society Inc	"Spring Fair" Art & Craft exhibition/sale + "Macquarie's Country" art competition	✓	✓	✓	✓	✓	✓	✓	✓	2,000	2,000	
8. Richmond Literary Institute Inc	Celebration Dinner with speaker	✓	✓	✓	✓	✓	✓	✓	✓	1,500	1,500	
9. Pitt Town Progress Association Inc	"Free Settlers Bicentenary Banquet"	✓	✓	✓	✓	✓	✓	✓	✓	3,155	3,155	
10. Hawkesbury Artists & Artisans Trail	Exhibition "Macquarie Footprints"	✓	✓	✓	✓	✓	✓	✓	✓	1,500	1,500	
11. Pitt Town Anglican Community Church	Festival celebrating the town's history	✓	✓	✓	✓	✓	✓	✓	✓	1,000	1,000	
12. Hawkesbury Historical Society	Australia Day Dinner	✓	✓	✓	✓	✓	✓	✓	✓	500	500	
13. Hawkesbury Model & Hobby Show Inc	Hobby Show at Hawkesbury Showground	✓	✓	✓	✓	✓	✓	✓	✓	1,000	1,000	
14. The National Trust of Australia (NSW)	2010 Annual committee Conference	x	✓	✓	✓	?	?	✓	✓	5,500	1,745	
TOTAL											28,755	25,000

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## ORDINARY MEETING

Meeting Date: 10 November 2009

**Item: 235 CP - Request for Council to Manage Elizabeth Street Extended Hours Pre-School Inc - (73497, 95498)**

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### REPORT:

This report has been prepared to seek Council's assistance to facilitate the transfer of management responsibility for the Elizabeth Street Extended Hours Pre-School to Peppercorn Services Inc (PSI). Approval is requested for Council to delegate care, control and management of the pre-school building to PSI, and for Council to assume Licensee responsibilities for the pre-school service.

### Background

The Elizabeth Street Extended Hours Pre-School (ESEHPS) operates from Council premises in Elizabeth Street North Richmond. The service was established by Colo Shire Council and has been managed for many years by a parent management committee.

On July 9, 2009 the Management Committee of the ESEHPS wrote to Council to advise that the Committee was experiencing difficulties in maintaining the level of membership required to effectively manage the service (Attachment 1). The Committee requested that Council give consideration to assuming the management of the pre-school.

Council staff advised that Council had delegated management responsibility for Council auspiced child care service to Peppercorn Services Inc. and that Council no longer directly managed or operated child care services. The Committee agreed to enter into discussions with Peppercorn Services Inc. (PSI) to discuss the possibility of transferring the operations of the pre-school to PSI.

PSI Project Management met with the Committee and staff of the ESEHPS to discuss the options available to the Committee and to answer questions regarding the management of the pre-school should it be transferred to PSI. In turn PSI requested enrolment and financial records for the pre-school service to undertake a due diligence assessment before making any recommendation to the Board of PSI regarding the proposed transfer. Following these discussions, the Committee wrote to the Board of PSI to request that PSI assume the management of the pre-school.

### Future Operations of the Pre-School

In reviewing the financial records of the ESEHPS, it was noted that while the service was operating well (and had been for a number of years), it was facing some financial challenges particularly in relation to the proportion of the services income expended on staff salaries (a concern also noted by the ESEHPS auditor). Trends in the operation of child care services indicate that increases in grant and fee income have not kept pace with award increases - a structural shortfall which may be further impacted by the introduction of the National Early Childhood Development Strategy (and its focus on ensuring child care staff have at least minimum qualifications) and possible changes to DoCS licensing requirements as they affect child-staff ratios.

ESEHPS accounts suggested that the service had limited capacity to reduce expenditures under its current operating model. Accordingly there was a strong possibility that PSI would be need to review ESEHPS operations to achieve some operating efficiencies - the nature of which would depend on the outcomes of a review process which would be conducted in consultation with staff and parents.

Based on this preliminary assessment, the Board of PSI wished to make it clear to ESEHPS that there would be a likely future requirement for a review of ESEHP operations which may result in changes being made to the service. The Committee were advised in writing of possible options that would be considered by PSI as the Board did not want to convey the idea that it will continue running the service 'as is' indefinitely. The Board resolved to convey this position to ESEHPS to ensure that the Management

Committee of the pre-school were aware of the requirement and were comfortable with the proposition prior to making a final decision regarding the transfer of ESEHPS to PSI.

### **Proposed Transfer of Pre-School to Peppercorn Services**

After considering the written advice from PSI, the Board of ESEHPS indicated that they 'were pleased to continue with the proposal to integrate ESEHPS operations with Peppercorn Services Inc.' (Attachment 2).

The advice from the ESEHPS was reported to the Board of PSI at its October Meeting with the Board subsequently resolving to work with the Management Committee of ESEHPS to facilitate the transfer of the pre-school. The Board also resolved to request Council's assistance in facilitating the transfer of the pre-school.

The process for transferring of ESEHPS to PSI will require both organisations to work together to:

- a. request that the Department of Community Services transfer the child care licence for the pre-school to PSI;
- b. notify the Department of Employment, Education and Workplace Relations to advise of the transfer of authority for the payment of child-care benefit from ESEHPS to PSI;
- c. identify and implement arrangements for the transfer of financial, administrative and operational responsibilities to PSI;
- d. request that Council transfer current delegated responsibility for the care and control of the ESEHPS building to Peppercorn Services Inc.

In relation to point (a), as the funding auspice of the child care services delegated to Peppercorn Services, Council currently holds the child care licenses for these services (with the Executive Manager Community Partnership as the delegated Licensee). To facilitate the proposed transfer of ESEHPS to PSI, Council will need to request that the Licence for the pre-school be transferred from the ESEHPS Committee to Council. The Executive Manager Community Partnerships is one of the Council appointed positions which sit on the Board of Peppercorn Services. This constitutional provision ensures that Council is in a position to monitor and meet its obligations as the Licensee of the child care services delegated to Peppercorn Services. In effect, the transfer of License will see the ESEHPS operate under the same arrangements as currently apply to the other child care services managed by PSI.

In relation to point (d), the Management Committee of the ESEHPS have the current Section 377 delegation for the care, control and management of the pre-school building. To effect the transfer of the pre-school to PSI, this Section 377 delegation will need to be transferred to PSI.

It is anticipated that the transfer of the Elizabeth Street Extended Hours Pre-School to Peppercorn Services can be completed by March 2010, subject to the satisfactory completion of the tasks outlined above and Council's agreement to facilitate the transfer of the pre-school licence and Section 377 delegation.

### **Funding**

There are no funding implications arising directly from this report. The transfer of the Elizabeth Street Extended Hours Pre-School to Peppercorn Services will see the service operate as a business unit of Peppercorn Services with the income derived from its operations used to cover the costs of the service. The operations of the pre-school will be reviewed to ensure its ongoing viability.

## **ORDINARY MEETING**

**Meeting Date:** 10 November 2009

### **RECOMMENDATION:**

That Council:

1. Authorise Council staff to work with the parent committee of the Elizabeth Street Extended Hours Pre-School and the Board of Peppercorn Services Inc. to facilitate the transfer of management responsibility for the pre-school to Peppercorn Services.
2. Transfer the current Section 377 delegation for the care, control and management of the Elizabeth Street pre-school building from the ESEHPS Management Committee to Peppercorn Services Inc.
3. Request that the Department of Community Services transfer the child care licence for the Elizabeth Street Extended Hours Pre-School from the Elizabeth Street Extended Hours Pre-School Management Committee to Council, and that Council assume the Licensee responsibilities for the pre-school under the same arrangements as currently apply to PSI child care services.

### **ATTACHMENTS:**

**AT - 1** Letter from President Elizabeth St Extended Hours Pre-School Inc. dated 9 July 2009

**AT - 2** Letter from President Elizabeth St Extended Hours Pre-School Inc. dated 19 October 2009

ORDINARY MEETING

Meeting Date: 10 November 2009

**AT - 1 Letter from President Elizabeth Street Extended Hours Pre-School Inc.  
dated 9 July 2009**



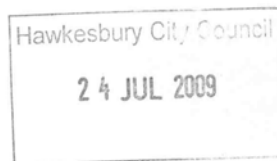
Elizabeth Street Extended Hours Pre-School Inc.

26-28 Elizabeth Street, North Richmond 2754

Ph: (02) 4571 1659 Fax: (02) 4571 3959

9th July 2009

General Manager  
Hawkesbury City Council  
PO Box 146  
WINDSOR NSW 2756



Dear Mr Jackson,

Continuation of pre-school as community based

As the president of the Management Committee, I bring to council's attention that the likelihood of a committee being elected next year seems remote, therefore the pre-school, in its current legal set-up, would be unworkable.

Council owns the building at 26-28 Elizabeth Street, North Richmond, and we run a long daycare (7.30am - 6pm) service for 29 children per day. There are three rooms, 0-2, 2-3 and 3-6

We are actively attempting to recruit parents for the committee, but find it difficult as most parents use the pre-school because they work and are unable to commit time to managing the organisation.

The financial year for the pre-school is January - December, as we are a not-for-profit organisation, and the Annual General Meeting at which the Executive Committee is elected is in March, therefore, should council consider taking over the pre-school, we firmly believe it would be in everyone's best interests that it opens in the new year under new management. This would avoid a massive upheaval in March, and the service could begin a new year under new management after the four week Christmas break.

I would be more than pleased to discuss any options that you consider viable, my home phone number is 45 713 886.

Regards,

A handwritten signature in cursive script, appearing to read "Sharon".

Sharon Lewis  
President  
Management Committee

**ORDINARY MEETING**

**Meeting Date: 10 November 2009**

**AT - 2 Letter from President Elizabeth Street Extended Hours Pre-School Inc.  
dated 19 October 2009**



Elizabeth Street Extended Hours Pre-School Inc.  
26-28 Elizabeth Street, North Richmond 2754  
Ph: (02) 4571 1659 Fax: (02) 4571 3959

19<sup>th</sup> October 2009

Kaylene Kelland  
Hawkesbury City Council  
Service Manager- Child Family & Youth Services  
PO Box 146  
WINDSOR NSW 2756

Hawkesbury City Council

23 OCT 2009

Dear Kaylene,

On behalf of the Management Committee, I confirm that we are pleased to continue with the integration to Peppercorn.

We understand that there may be changes necessary for the business to remain viable, and will support both the staff and Peppercorn during this process.

Regards

A handwritten signature in cursive script, appearing to read 'Sharon'.

Sharon Lewis  
President  
Management Committee

**oooO END OF REPORT Oooo**

## ORDINARY MEETING

Meeting Date: 10 November 2009

### INFRASTRUCTURE SERVICES

**Item: 239**      **IS - Young Men's Christian Association of Sydney (YMCA) - Proposal to Extend the Hawkesbury Oasis Aquatic Centre - (95495, 79340, 34584)**

**Previous Item:**      143, Ordinary (28 July 2009)

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#### **REPORT:**

The Young Men's Christian Association of Sydney (YMCA) is currently responsible for the management and operation of the Hawkesbury Leisure Centres, being the Oasis Aquatic Centre (Oasis) and the Hawkesbury Indoor Stadium. The YMCA has managed these Centres since 2004 and in late 2008 Council extended the management contract for a further five years to 30 June 2014.

Council at its meeting on 28 July 2009, considered a report regarding a grant received by the YMCA for a proposed extension of the Oasis Aquatic Centre, and resolved as follows:

*"That:*

1. *Council note that the YMCA will be accepting a grant of \$110,000 from the NSW Department of Community Services under the Area Assistance Scheme (AAS) 2009 for a proposed extension of the Hawkesbury Oasis Leisure Centre.*
2. *The YMCA's updated business case for the proposal to extend the existing building at the Hawkesbury Oasis Leisure Centre immediately adjacent to the current gym floor area be further evaluated when received, and that following this evaluation a report be submitted to Council to enable consideration of this proposal."*

A copy of the report considered by Council at its meeting on 28 July 2009 is attached to this report as Attachment 1.

The YMCA accepted the abovementioned grant of \$110,000 and subsequently submitted an updated business case for the proposal to extend the existing building at the Oasis Leisure Centre.

This report is based on an evaluation of the business case by Council's Chief Financial Officer (CFO) to expand the gymnasium at the Oasis Aquatic Centre.

The Oasis gymnasium has a current floor size of 185m<sup>2</sup> and generates revenue in the order of \$750,000 per year in membership fees. Additionally, there are add-on sales in swim, vending, food and merchandise.

The business case seeks to expand the gymnasium floor size by expanding the building footprint by approximately 200m<sup>2</sup> which would include enclosing part of the existing crèche area. A sketch plan of the extension is attached to this report as Attachment 2.

The report considered by Council on 28 July 2009 reported capital costs in the vicinity of \$450,000 for this project. These costs have been refined to a figure of \$337,200, and include project management costs of \$6,000 and contingency amounts of \$43,200.

The capital costs include ground-works, construction, carpets, lights, air-conditioning and painting.

The YMCA expansion base case increases the gymnasium membership by 35%. The base case was determined in reference to a detailed study of the population catchment, existing gymnasiums in the surrounding areas and YMCA benchmarks of gymnasium membership per square metre of facility.

## ORDINARY MEETING

Meeting Date: 10 November 2009

Sensitivity analyses have been prepared on alternative gymnasium membership increases of 25% (medium case) and 18% (low case). The medium case is a discount of 30% on membership increases compared to the base case, whilst the low case is a discount of 50% on membership increases compared to the base case.

An analysis of the various increases in membership cases produces the following results for the Oasis Centre:

- the base case (35% membership increase) delivers net operational savings of \$79,000 in year 1, \$167,000 in year 2, \$176,471 in year 3 and \$178,000 from year 4 onwards.
- the medium case (25% membership increase) delivers net operational savings of \$36,000 in year 1, \$94,000 in year 2, \$108,000 in year 3 and \$133,000 from year 4 onwards.
- the low case (18% membership increase) delivers net operational savings of \$7,000 in year 1, \$30,000 in year 2, \$38,000 in year 3 and \$45,000 from year 4 onwards.

Included in the net operational savings are all increases in direct operational costs, including staffing costs, electricity, building maintenance costs and the leasing costs of additional gymnasium equipment to cater for the increased membership numbers.

If Council decided to proceed with the extension, funding would need to be provided for the capital costs of approximately \$337,200.

In this regard, Council was made aware at its meeting on 28 July 2009 of a successful grant application by the YMCA for grant funding of \$110,000 from the NSW Department of Community Services Area Assistance Scheme 2009 capital funding.

The YMCA has also applied for further grant funding of \$110,000 from the State Government under the NSW Community Building Partnership Program. At the time of drafting this report, advice regarding the success or otherwise of the grant was not available. In the event that the NSW Community Building Partnership Program grant was unsuccessful, it is proposed that the amount of \$110,000 be funded from the Council's S94 Internal Reserve. This Reserve currently has \$468,000 available and all identified buildings in the Section 94 plan have been completed or are fully funded.

The remaining amount of \$117,200 is proposed to be funded from an application under Round Two of the Regional and Local Community Infrastructure Program (RLCIP). Council has been notified that it is eligible to receive \$360,000 under Round Two of the RLCIP. According to the guideline requirements, the proposed expansion at the Oasis Aquatic Centre does appear to be eligible for funding under Round Two of the RLCIP. Should the application under the RLCIP be unsuccessful, it is proposed that the amount of \$117,200 be also funded from the Council's S94 Internal Reserve.

In summary, if Council decided to proceed with the extension of the Oasis Centre, it is proposed to fund the capital costs as follows:

- |           |   |   |
|-----------|---|---|
| \$110,000 | - | YMCA from the grant previously approved under the NSW Department of Community Services Area Assistance Scheme 2009. |
| \$110,000 | - | YMCA from a grant recently applied for under the NSW Community Building Partnerships Program.                       |
|           |   | <u>OR</u>   |
|           | - | Council from Council's S94 Internal Reserve.  |
| \$117,200 | - | Council from an application under Round Two of the Regional and Local Infrastructure Program.                       |
|           |   | <u>OR</u>   |

## ORDINARY MEETING

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\$337,200 - Council from Council's S94 Internal Reserve

A Net Present Value (NPV) of funds has been prepared based on the medium case (30% discount to the base case) and based on the NSW Community Building Partnership funding and Round Two of the RLCIP both being unsuccessful. The NPV shows a cumulative positive return in year 4. This means, on a reasonably conservative basis, the capital costs are repaid in full within the current contract with the YMCA.

Should the base case membership projections be achieved, then the NPV shows a cumulative positive return in year 3. Additionally, should funding be successful under the NSW Community Building Partnership and Round Two of the RLCIP, the NPV shows a cumulative positive return in year 1, for both the base case and the medium case.

Alternatively, should the low case membership projections be achieved, the NPV shows a cumulative positive return in year 2. Under the low case projections and the funding for the NSW Community Building Partnership and Round Two of the RLCIP being unsuccessful, the NPV shows a cumulative positive return in year 10.

Council's senior management team has considered a report from the CFO on the project. The report included a risk analysis, justification, costs of the project and funding sources available. Attached to the report were a series of NPVs on various sensitivity analysis criteria and alternative funding sources, a breakdown of the capital costs and the detailed business case as prepared by the YMCA. The CFO's recommendation that a report recommending the project proceed to Council was endorsed by the senior management team.

It is considered based on the business case evaluation outlined in the report and the benefits to the community of an expanded Leisure Centre, that this proposal be approved. If approved, appropriate action will be taken to prepare and lodge a Development Application and subsequently call for tenders.

### Funding

Funding implications are identified within the report.

### RECOMMENDATION:

That:

1. The proposal to extend the Hawkesbury Oasis Aquatic Centre by approximately 200m<sup>2</sup> as outlined in the report be approved.
2. The proposal be funded as follows:
  - (a) \$110,000 from the YMCA from the grant previously approved under the NSW Department of Community Services Area Assistance Scheme 2009.
  - (b)
    - (i) \$110,000 from the grant recently applied for by the YMCA from the NSW Community Building Partnership Program, or
    - (ii) If the NSW Community Building Partnership Program grant application is unsuccessful, \$110,000 be funded from the Council's S94 Internal Reserve.
  - (c)
    - (i) \$117,200 from an application under Round Two of the Regional and Local Infrastructure Program, or

## ORDINARY MEETING

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- (ii) If the Round Two of the Regional and Local Infrastructure Program application is unsuccessful, \$117,200 be funded from Council's S94 Internal Reserve.

### ATTACHMENTS:

- AT - 1** Council report - Ordinary Meeting 28 July 2009: Item 143: SS - Young Men's Christian Association of Sydney (YMCA) - Proposal to Extend the Hawkesbury Oasis Aquatic Centre - (95496, 93787, 34584)
- AT – 2** Sketch plan of the proposed Hawkesbury Oasis Aquatic Centre extension.

## ORDINARY MEETING

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### **Attachment 1 - Council Report - Ordinary Meeting 28 July 2009 - Item 143**

#### **ITEM: 143 SS - Young Men's Christian Association of Sydney (YMCA) - Proposal to Extend the Hawkesbury Oasis Aquatic Centre - (95496, 93787, 34584)**

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##### **REPORT:**

The Young Men's Christian Association of Sydney (YMCA) is currently responsible for the management and operation of the Hawkesbury Leisure Centres, being the Oasis Aquatic Centre and the Hawkesbury Indoor Stadium.

In October 2008, the YMCA applied for a grant under the Area Assistance Scheme (AAS) 2009 for capital funding to extend the Hawkesbury Oasis Aquatic Centre.

The YMCA has recently received a letter dated 30 June 2009, from the NSW Department of Community Services advising that the abovementioned grant application has been approved subject to various conditions including the need to have an approved development application in place before the release of any funding.

The YMCA has advised that it will be accepting the grant of \$110,000 and will be returning the relevant documentation within the deadline stipulated in the letter dated 30 June 2009 from the NSW Department of Community Services, being 30 July 2009.

In the meantime, the YMCA has submitted to Council a business case for the feasibility of expanding the Health and Fitness facilities at the Hawkesbury Oasis Leisure Centre.

The YMCA's proposal involves the extension to the existing building immediately adjacent to the current gym floor area by providing additional floor space for gym activities.

The total capital cost of the proposal will depend on the size of the extension and the financial information to be provided in the YMCA's business case. However, as a guide, if a 200 square metre extension was proposed the capital cost could be in the vicinity of \$450,000 less the grant of \$110,000 received by the YMCA.

The business case submitted by the YMCA requires additional information and discussion prior to being properly assessed by Council staff. The YMCA has been requested to update its business case in this matter. When the revised business case has been received by Council it will then be assessed and a report will be submitted to Council for its consideration.

The purpose of this report is to inform the Council that the YMCA has been successful in receiving a grant of \$110,000 for the possible extension of the Oasis Leisure Centre and to note that the YMCA will be accepting the grant and that once a revised business case has been evaluated a further report will be submitted to Council to enable consideration to be given to this proposal.

##### **Conformance to Strategic Plan**

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

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

##### **Funding**

This report does not identify any funding sources and does not affect the Budget at this stage. However, the further report to Council will identify funding sources, if applicable.

## **ORDINARY MEETING**

**Meeting Date:** 10 November 2009

### **RECOMMENDATION:**

That:

1. Council note that the YMCA will be accepting a grant of \$110,000 from the NSW Department of Community Services under the Area Assistance Scheme (AAS) 2009 for a proposed extension of the Hawkesbury Oasis Leisure Centre.
2. The YMCA's updated business case for the proposal to extend the existing building at the Hawkesbury Oasis Leisure Centre immediately adjacent to the current gym floor area be further evaluated when received, and that following this evaluation a report be submitted to Council to enable consideration of this proposal.

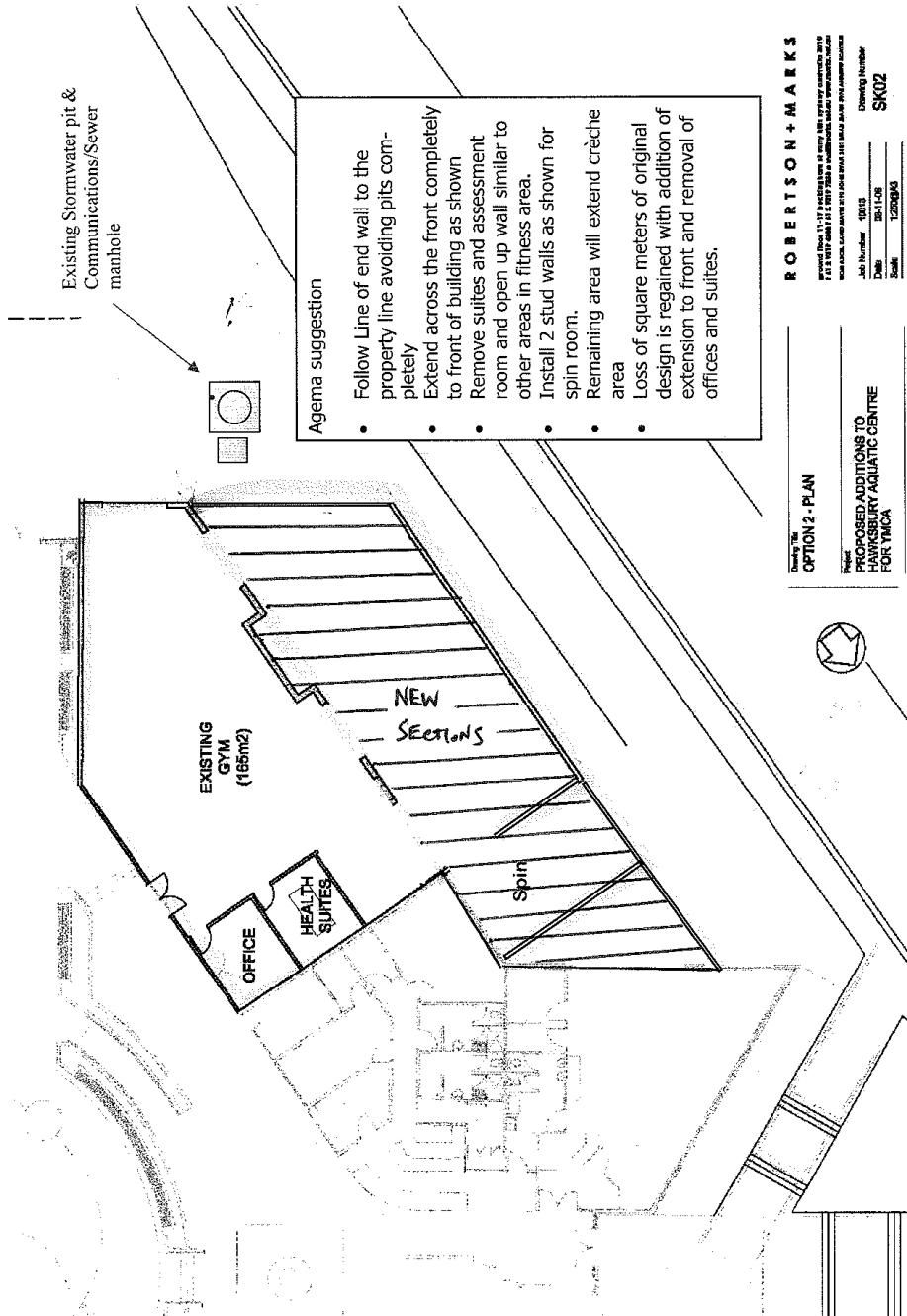
### **ATTACHMENTS:**

There are no supporting documents for this report.

# ORDINARY MEETING

Meeting Date: 10 November 2009

## Attachment 2 - Sketch Plan of the Proposed Hawkesbury Oasis Aquatic Centre Extension



**ROBERTSON + MARKS**

Ground floor 11-12 sections of the original design are shown in grey. The original design is shown in black. The new design is shown in white. The new design is shown in white. The new design is shown in white.

Project: PROPOSED ADDITIONS TO HAWKESBURY AQUATIC CENTRE FOR YACCA

Job Number: 0815

Date: 08-11-09

Scale: 1:250

Drawing Number: SK02

Author: [Name]

Check: [Name]

Drawn: [Name]

Scale: 1:250

Project: PROPOSED ADDITIONS TO HAWKESBURY AQUATIC CENTRE FOR YACCA

oooO END OF REPORT Oooo

ordinary

section 5

reports  
of committees

**ORDINARY MEETING**  
**Reports of Committees**

**SECTION 5 - Reports of Committees**

**ROC - Local Traffic Committee - 21 October 2009 - (80245)**

Minutes of the Meeting of the Local Traffic Committee held in the Large Committee Room, Windsor, on Wednesday, 21 October 2009, commencing at 3.00pm.

**ATTENDANCE**

**Present:** Councillor B Bassett (Chairman)  
Mr J Suprain, Roads and Traffic Authority  
Mr J Christie, Officers of Messrs A Shearan, MP, (Londonderry) and J Aquilina, MP, (Riverstone)  
Senior Constable B Phillips, NSW Police Service

**Apologies:** Mr R Williams, MP, (Hawkesbury)

**In Attendance:** Mr C Amit, Manager, Design & Mapping Services  
Denise Oakes, Community Safety Co-ordinator  
Bianca James, Administrative Officer, Infrastructure Services

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The Chairman tendered an apology on behalf of Mr R Williams MP, advising that Mr Williams concurred with the recommendations as contained in the formal agenda and had granted proxy to himself to cast vote(s) on his behalf.

**SECTION 1 - Minutes**

**Item 1.1 Minutes of Previous Meeting**

The Minutes of the meeting held on 16 September 2009 were confirmed.

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

**Item 1.2 Business Arising**

Nil Business Arising.

**SECTION 2 - Reports for Determination**

**Item 2.1 LTC - 21 October 2009 - Item 2.1 - Proposed Stop Signs at the Intersection of Saunders Road and Old Stock Route Road, Oakville/Box Hill - (Hawkesbury) - (80245, 73625)**

**Previous Item:** 3.1, LTC (19 August 2009)

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**REPORT:**

**ORDINARY MEETING**  
**Reports of Committees**

At the Local Traffic Committee meeting on 19 August 2009, it was reported that funding of \$50,000 has been approved by the RTA under the 2009-2010 Auslink Black Spot Programme, for the proposed intersection improvements at the intersection of Saunders Road and Old Stock Route Road, Oakville.

The Design Plan (Intersection Improvements, Saunders Road and Old Stock Route Road, Oakville - Plan No. 09002D01) has been approved by the RTA. The intersection improvement works include;

- the installation of extended lengths of raised medians in Old Stock Route Road at its approaches to Saunders Road,
- upgrading of line marking at the intersection, at all 4 approaches, including the installation of new Barrier Lines (BB's) in Saunders Road from Old Stock Route Road to Smith Road,
- changing the existing controls (signs and lines) in Old Stock Route Road at Saunders Road from 'Give Way' to 'Stop'.

The RTA has advised that a review of speed limits within the vicinity of the intersection is in progress.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Senior Constable B Phillips, seconded by Mr J Christie.

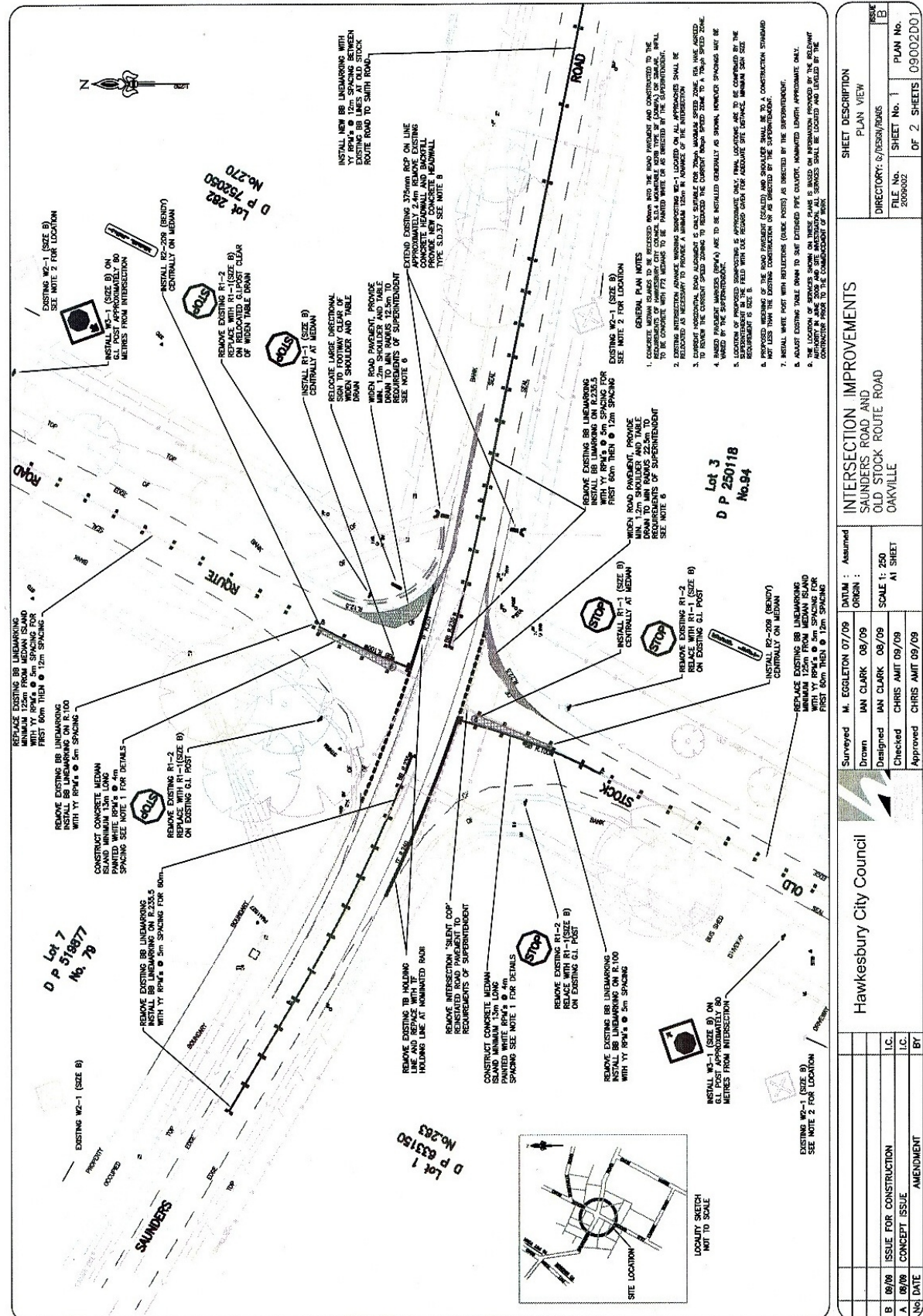
That the improvements to the intersection of Saunders Road and Old Stock Route Road, Oakville be undertaken in accordance with Plan No. 09002D01 which includes the implementation of 'Stop' signs (replacing the existing 'Give Way' signs) to control Old Stock Route Road at Saunders Road.

**APPENDICES:**

**AT – 1** Intersection Improvements; Saunders Road and Old Stock Route Road, Oakville - Plan No. 09002D01.

## Reports of Committees

## APPENDIX 1 - Intersection Improvements; Saunders Road and Old Stock Route Road, Oakville – Plan No. 09002D01



**Item 2.2      LTC - 21 October 2009 - Item 2.2 - NSW State HOG Rally - Thunder Ride 2010 -  
(Londonderry & Riverstone) - (80245, 87387)**

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**REPORT:**

An application has been received from the Blacktown Harley Owners Group (HOG) seeking approval to conduct the 2010 NSW State HOG Rally – Thunder Ride from the University of Western Sydney (UWS) Richmond Campus to Hollands Paddock/Howes Park Windsor, on Sunday, 24 January 2010 between 10.00am and 10.40am.

The following route is proposed for the Ride;

- Start at Vines Drive (UWS - Richmond Campus Driveway), turn right out of Vines Drive into Londonderry Road,
- Travel a short distance along Londonderry Road and turn left into Southee Road,
- Travel along Southee Road and turn right into Castlereagh Road,
- Travel along Castlereagh Road which then becomes Bosworth Street, across March Street which is a signalised intersection and turn right at the roundabout into Windsor Street,
- Travel along Windsor Street which becomes Hawkesbury Valley Way, towards Windsor, (across 2 signalised intersections; East Market Street and Bourke Street) and turn Left into George Street (signalised intersection),
- Travel along George Street and turn Left into Fitzgerald Street,
- Travel along Fitzgerald Street and turn Left into The Terrace before entering Hollands Paddock/Howes Park at its intersection with Johnston Street.

The proposed route consists of the following RTA and Council roads:

**RTA - State Roads:**

- Londonderry Road – Vines Drive (UWS Driveway) to Southee Road,
- Castlereagh Road – Southee Road to Lennox Street,
- Bosworth Street – Lennox Street to March Street,
- Windsor Street – East Market Street to Hobart Street,
- Hawkesbury Valley Way – Hobart Street to George Street

**Council Roads:**

- Southee Road – Londonderry Road to Castlereagh Road
- Bosworth Street – March Street to Windsor Street,
- Windsor Street – Bosworth Street to East Market Street,
- George Street – Hawkesbury Valley Way to Fitzgerald Street,
- Fitzgerald Street – George Street to The Terrace,
- The Terrace – Fitzgerald Street to Hollands Paddock/Howes Park

The event organiser has provided the following information regarding the event:

- i) The 2010 NSW State HOG Rally is being held at the UWS Richmond Campus from 22 January 2010 to 25 January 2010. The Thunder Ride is an integral part of the HOG rally which involves all rally attendees,
- ii) This is a Harley-Davidson Bike Ride from UWS Richmond to Hollands Paddock/Howes Park, Windsor with approximately 300 participants,
- iii) The ride will be undertaken under Police escort using rolling closures,
- iv) Police escort vehicles along with road captains from HOG will stop vehicles (approximately 10 minutes) at intersections to give minimal disruptions to the ride,

**ORDINARY MEETING**  
**Reports of Committees**

- v) The duration of the ride is expected to be for approximately 40 minutes between 10.00am and 10.40am,
- vi) The length of the route is approximately 11.0 kilometres,
- vii) It is anticipated that spectators will line the route to watch the bikes and that the spectators will use existing parking areas along the route,
- viii) It is anticipated that the ride could bring approximately 450 people into the central Windsor business area,
- ix) Members of the public are invited to view the bikes at the reserve,
- x) Approval for the use of Hollands Paddock/Howe Park has been granted by Council's Parks & Recreation Section,

**Discussion**

It would be appropriate to classify the event as a "Class 1" special event under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads & Traffic Authority (RTA) as it may impact on major traffic and transport systems, in particular with the road closures along the State Road network, and there may be disruption to the non-event community.

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

The event organiser has submitted the following items in relation to the event: Appendix 1 (Dataworks Document No: 3197374 and 3209007):

- i) Special Event – Traffic – Initial Approval Application Form - HCC; Details of Special Event – Traffic,
- ii) Special Event Transport Management Plan Template - RTA,
- iii) Public Liability Insurance Policy to the value of \$10,000,000, however the Policy needs to be to the value of \$20,000,000 with Council and the RTA noted as an interested party, and
- iii) Copies of correspondence to be forwarded to the Residents and Business Owners in the vicinity of Hollands Paddock/Howes Park, as well as emergency related services.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Mr J Christie, seconded by Councillor B Bassett.

That:

1. The 2010 NSW State HOG Rally – Thunder Ride event from UWS Richmond Campus to Hollands Paddock/Howes Park Windsor, on Sunday, 24 January 2010 between 10.00am and 10.40am be classified as a "**Class 1**" special event under the "Traffic and Transport Management for Special Events" guidelines issued by the RTA.
2. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
3. It is strongly recommended that the event organiser becomes familiar with the contents of the RTA publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package that explains the responsibilities of the event organiser in detail.
4. No objection be held to this event subject to compliance with the following conditions:

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#### Prior to the event:

- 4a. the event organiser is to obtain approval to conduct the event, from the NSW Police Service; **a copy of the Police Service approval to be submitted to Council;**
- 4b. the application including the TMP and the associated TCP is to be submitted to the RTA for authorisation as this is a Class 1 event;
- 4c. the event organiser is to obtain approval from the RTA as this is a **Class 1** event and the event traverses along classified roads and across Rickaby's Creek Bridge along Hawkesbury Valley Way; **a copy of the RTA approval to be submitted to Council;**
- 4d. the event organiser is to obtain approval from the RTA as road closures are proposed; **a copy of the RTA approval to be submitted to Council;**
- 4e. as the event will transverse Rickaby's Creek Bridge along Hawkesbury Valley Way and other State Roads the event organiser is to **submit to Council a copy of its Public Liability Policy** in an amount not less than \$20,000,000 **noting Council and the Roads and Traffic Authority as interested parties on the Policy** and that Policy is to cover **both on-road and off-road activity;**
- 4f. the event organiser is to advertise the event in the local press stating the entire route/extent of the event - including the road closures - 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);
- 4g. the event organiser is to notify the details of the event to the NSW Ambulance Service, NSW Fire Brigade / Rural Fire Service and SES at least two weeks prior to the event; **a copy of the correspondence has been submitted to Council;**
- 4h. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area and all the residences and businesses which may be affected by the event - including the proposed road closures - for at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; **a copy of the correspondence has been submitted to Council;**
- 4i. the event organiser is to submit the completed "Special Event - Traffic - Final Approval Application Form" to Council;

#### During the event:

- 4j. access is to be maintained for businesses, residents and their visitors;
- 4k. a clear passageway of at least 4 metres in width is to be maintained at all times for emergency vehicles;
- 4l. all traffic controllers / marshals operating within the public road network are to hold appropriate certification as required by the RTA;
- 4m. the riders/participants are to be made aware of and are to follow all the general road user rules whilst riding/travelling on public roads;
- 4n. in accordance with the submitted TMP and associated TCP, appropriate advisory signs, and traffic control devices are to be placed along the route, during the event, under the direction of a traffic controller holding appropriate certification as required by the RTA;
- 4o. the participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event; and,

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- 4p. all roads and marshalling points are to be kept clean and tidy, with all directional signs to be removed immediately upon completion of the activity.

**APPENDICES:**

**AT - 1** Special Event Application - (Dataworks Document No. 3197374 and 3209007) - *see attached.*

**SECTION 3 - Reports for Information**

**Item 3.1**      **LTC - 21 October 2009 - Item 3.1 - RTA Advice on School Zone Flashing Lights for Colo High School - (Londonderry) - (80245, 80761, 93932)**

**Previous Item:**      Item 3.1, LTC (21 March 2007)  
                              Item 4.2, LTC (16 July 2008)  
                              Item 3.1, LTC (14 January 2009)

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**REPORT:**

Advice has been received from the Roads and Traffic Authority indicating that School Zone Flashing Lights are to be installed within the vicinity of Colo High School. The information provided by the RTA is listed below (Dataworks Document No. 3196421).

*"In 2007 the NSW Government committed to the installation of flashing light systems in 400 school zones across NSW. This project is part of a 4-year commitment to improve safety around schools.*

*The program is in its second year and research suggests that flashing lights slows motorists down when entering a school zone.*

*The Roads and Traffic Authority (RTA) is pleased to advise the school zone(s) covering the following school(s) within your LGA have been included as one of the next 25 sites to receive school zone flashing lights.*

- *Colo High School*

*It is anticipated that the 25 school zones will be progressively installed with flashing lights between mid-September and December 2009.*

*Any enquiries relating to this project should be directed to Tom Praseuth, Project Manager, School Zone Alert System Sites on (02) 8337 0320. Additional information on the RTA's road safety initiatives can be found at [www.rta.nsw.gov.au](http://www.rta.nsw.gov.au) "*

Further to the information provided above by the RTA, the following schools within the Hawkesbury Local Government Area have School Zone Flashing Lights:

1. Pitt Town Public School,
2. Cattai Public School,
3. Bilpin Public School,
4. Colo Heights Public School,
5. Richmond High School.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Mr J Suprain, seconded by Senior Constable B Phillips.

That the information be received.

**APPENDICES:**

There are no supporting documents for this report.

**Item 3.2      LTC - 21 October 2009 - Item 3.2 - RTA Response to Council Concerns relating to the Proposed changes to Traffic Flow at the intersection of Macquarie Street and Brabyn Street, Windsor - (Riverstone) - (80245, 80761, 73625)**

**Previous Item:**      4.1, LTC (17 January 2007)  
                             4.2, LTC (21 March 2007)  
                             4.2, LTC (18 July 2007)  
                             3.2, LTC (15 July 2009)

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**REPORT:**

Advice received from the Roads and Traffic Authority - (Dataworks Document No. 3131953) indicating changes to the traffic flow at the intersection of Macquarie Street (RTA) and Brabyn Street (HCC), Windsor was reported to the Local Traffic Committee meeting on 15 July 2009.

Following recommendation by the Local Traffic Committee, Council, at its meeting held on 28 July 2009 resolved:

*"That:*

- 1.      the information be received;*
- 2.      correspondence be forwarded to the RTA requesting that the Authority re-consider providing;*
  - a)      Traffic lights at the intersection of Brabyn Street and Macquarie Street, Windsor*
  - b)      The right turn from Hawkesbury Valley Way into Macquarie Street for vehicles heading North along Macquarie Street."*

Correspondence has been received from the Roads and Traffic Authority (Dataworks Document No. 3207815) advising the following:

*"I refer to your letter dated 5 August 2009 regarding the proposed changes to Traffic Flow at the Intersection of Macquarie Street and Brabyn Street, Windsor and advise the following:*

- 1.      No Right Turn signs at the intersection of Brabyn Street and Macquarie Street, Windsor**  
*The Roads and Traffic Authority (RTA) engaged Aurecon to prepare a concept plan of the preferred traffic management option for the Macquarie Street/ Brabyn Street intersection to address the safety at this intersection. A number of options were considered for this intersection which included installing traffic lights, providing a round-a-bout, and banning certain traffic movements.*

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*The installation of the traffic signals at this intersection was not favoured due to the following reasons:*

- *Could encourage traffic to use Mileham/ Brabyn Streets to avoid delays at the Macquarie Street/ Hawkesbury Valley Way intersection and would potentially increase through traffic volumes along local roads such as Mileham Street, Brabyn Street and Cox Street.*
- *Could increase the delays for the vehicles travelling along Macquarie Street. This would potentially divert traffic from Macquarie Street onto George Street. This would have the potential to impact on the performance of the Hawkesbury Valley Way/ George Street Intersection.*
- *The removal of some of the existing on-street parking would be required to provide right turn bays on Macquarie Street.*
- *Could have the potential to cause rear-end type collision due to limited sight distance since the sight lines to traffic signals would be obscured by the railway bridge which is located south of Brabyn Street.*

*As per Aurecon's recommendation the following movements were banned during mid August 2009, after a four week public information period,*

- *Right turn movements from Macquarie Street (North) onto Brabyn Street (West)*
- *Right turn movements from Brabyn Street (West) onto Macquarie Street*

*The new No Right Turn signs installed at the Brabyn St/ Macquarie Street intersection have no adverse impact to the traffic from the industrial estate south of Hawkesbury Valley Way along Mileham Street wanting to head north; vehicles are still able to turn right out of Brabyn Street onto Macquarie Street. As some right turn movements are banned, now the intersection would provide better intersection performance for the turning vehicles.*

*No adverse public responses received from local public during the public information period. Queries received from Hawkesbury City Council during this period were responded by RTA in a timely manner.*

*It is predicted that the above movement restrictions would have the potential to reduce crashes at the intersections and vehicle conflicts. However, the effectiveness of these safety measures would be monitored for a two year period and further safety measures would be considered, if these measures would not reduce the crashes substantially at this intersection.*

#### **2. No Right Turn from Hawkesbury Valley Way into Macquarie Street for Vehicles heading north along Macquarie Street**

*The banning of right turn movements from Hawkesbury Valley Way into Macquarie Street was deemed necessary due to the following safety and intersection operation concerns:*

- *Vehicles (in particular heavy vehicles) turning left from Mileham Street would need to cross two lanes within a short distance to access a right turn bay. This would have the potential to cause rear-end collision at this location.*
- *The potential inefficiencies from a four way signal operation (instead of three ways) were noted and it was considered appropriate to restrict some movements to assist with intersection performance of the Macquarie Street/ Hawkesbury Valley Way intersection.*

*The traffic along Hawkesbury Valley Way that wishes to head North along Macquarie Street is able to turn right at the Hawkesbury Valley Way/ Day street ramp intersection. Existing signage at this intersection will be reviewed and modified, if required."*

#### **COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Mr J Christie, seconded by Senior Constable B Philips.

That the information be received

**APPENDICES:**

There are no supporting documents for this report.

**Item 3.3**      **LTC - 21 October 2009 - Item 3.3 - Proposed Roundabout at the Intersection of Boundary Road and Old Pitt Town Road, Oakville/Box Hill - Project Update - (Hawkesbury) - (80245, 112333)**

**Previous Item:**      4.1, Local Traffic Committee (15 April 2009)

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**REPORT:**

At the Local Traffic Committee meeting on 15 April 2009, Councillor Basset advised that funding of \$500,000 has been approved by the RTA under the 2009-2010 Auslink Black Spot Programme, for the proposed Roundabout at the intersection of Boundary Road and Old Pitt Town Road, Oakville.

Although this is a joint project with The Hills Shire Council, the project was submitted and is being managed by The Hills Shire Council. Both Councils will be involved in the co-ordination of design and construction.

Advice has been received from The Hills Shire Council (*Dataworks Document No. 3209088*) which includes the Fauna and Flora Report as well as the Line marking and Signage Plan (AB1368). The final Engineering Plans are nearing completion with minor works such as property adjustments expected to commence during October 2009.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Senior Constable B Phillips, seconded by Mr J Christie.

That the information be received.

**APPENDICES:**

**AT - 1** Line marking and Signage Plan – Plan No. AB1368



**ORDINARY MEETING**  
Reports of Committees

**Item 3.4      LTC - 21 October 2009- Item 3.4 - RTA Response on Speed Review, West Portland Road, Sackville - (Hawkesbury) - (80245, 73625, 73932)**

**Previous Item:**      Item 4.4, LTC (19 May 2004)  
                             Item 4.1, LTC (21 May 2008)  
                             Item 2.2, LTC (20 August 2008)  
                             Item 4.1, LTC (18 March 2009)

**REPORT:**

**Introduction**

At the Local Traffic Committee Meeting held on 20 August 2008, the results of traffic counts undertaken along West Portland Road during July 2008 were reported as outlined below;

Traffic Counts, West Portland Road; 2004 and 2008

Location along West Portland Road	Chainage from Sackville Road (m)	April 2004		July 2008	
		85 % Speed (kph)	ADT	85 % Speed (kph)	ADT
No. 351(1km South of Irwins Bridge)	3500	89	717	88	643
No. 593 (Nth of Laws Farm Rd)	5900	84	371	85	278
South of Packer Road (100m)	7750	93	306	89	262
North of Packer Road (200m)	8050	83	461	76	388

Based on the results of the July 2008 traffic count, the Committee considered it appropriate to request the RTA to re-assess the speed limit for the full length of West Portland Road including the sealed section of Greens Road for a length of 500 metres from Wheelbarrow Ridge Road.

The recommendation of the Committee as adopted by Council on 09 September 2008 was:

*That:*

1.    *The RTA be requested to consider reducing the regulatory speed limit on West Portland Road:*
  - a.   *from Sackville Road (Ch 00) to Ch 2300 from 80 kph to 70 kph,*
  - b.   *from Ch 2300 to Ch 6100 from 80 kph to 60 kph,*
  - c.   *from Ch 6100 to Wheelbarrow Ridge Road (Ch 13250) from 80 kph to 70 kph.*
2.    *The RTA be requested to consider reducing the regulatory speed limit on the 500 metre long sealed section of Greens Road starting from Wheelbarrow Ridge Road from 80 kph to 70 kph.*

Correspondence has been received from the Roads and Traffic Authority dated 7 October 2009 (Dataworks Document No. 3219694) advising, in part, the following:

*"the RTA has undertaken a speed limit review on West Portland Road and other Local Roads in the area.*

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*As a result of the review, the following speed limit changes are proposed:*

- *West Portland Road (between Sackville Road and 3.1km north of Sackville Road) - 70km/h*
- *West Portland Road (between 3.1km north of Sackville Road and 200 meters west of Laws Farm Road) - 60km/h*
- *West Portland Road (between 200m west of Laws Farm Road and Wheelbarrow Ridge Road) - 70km/h*

*The following Local Roads were also reviewed, with the following speed limits being proposed:*

- *Greens Road - 50km/h*
- *Laws Farm Road - not currently signposted - 70km/h*
- *Packer Road - not currently signposted - 60km/h*
- *Lower Colo Road (between West Portland Road and Putty Road) - not currently signposted - 50km/h*
- *Wheelbarrow Ridge Road - not currently signposted - 60km/h (between West Portland Road and 2.8km east of Putty Road) and 80km/h (between 2.8km east of Putty Road and Putty Road)*

*In association with the speed limit changes on West Portland Road and Laws Farm Road curve advisory signage will also be upgraded at some locations. “*

The speed limit changes proposed by the RTA are generally in keeping with the recommendations of the Local Traffic Committee, as adopted by Council on 09 September 2008. The RTA anticipates that these changes will be implemented by late November 2009.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Mr J Suprain, seconded by Senior Constable B Phillips.

That the information be received.

**APPENDICES:**

There are no supporting documents for this report.

**SECTION 4 - General Business**

**Item 4.1      LTC - 21 October 2009 - QWN 4.1 - Intersection of Chapel and March Street, Richmond - (79958)**

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**REPORT:**

Correspondence was table (*DataWorks No. 3232032*) by Councillor B Bassett on behalf of Mr R Williams, MP, requesting that consideration be given to the installation of traffic lights at the intersection of Chapel Street and March Street, Richmond.

**ORDINARY MEETING**  
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Mr C Amit advised that this matter has been raised with the RTA previously whereby the RTA advised that the provision of traffic signals at the intersection is not feasible. This information will be forwarded to Mr R Williams, MP.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Councillor B Bassett, seconded by Mr J Suprain.

That the information be received

**APPENDICES:**

There are no supporting documents for this report.

**Item 4.2      LTC - 21 October 2009 - QWN 4.2 - Traffic Safety - Traffic Manoeuvres at traffic Island in Groves Avenue opposite Industry Road, Mulgrave - (79958)**

**Previous Item:**    LTC - 17 June 2009  
                         LTC - 15 July 2009

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**REPORT:**

Councillor B Bassett on behalf of Mr R Williams, MP advised that vehicles are undertaking illegal traffic manoeuvres by turning right from Groves Avenue into Industry Road adjacent to the traffic island in Groves Avenue.

Mr J Suprain advised that the RTA is currently investigating a possible solution to this problem. The measures being proposed include increasing the length of the traffic island, removal of the painted chevron on the western side of Groves Avenue which will result in the possible loss of parking in this vicinity due to increase of the 'No stopping' zone.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Councillor B Bassett, seconded by Senior Constable Brad Phillips.

That the information be received

**APPENDICES:**

There are no supporting documents for this report.

**ORDINARY MEETING**  
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**Item 4.3      LTC - 21 October 2009 - QWN 4.3 - Traffic issues in Spinks Road at the Sydney Water Sewerage Scheme site compound - (Hawkesbury) - (80245, 113868)**

**Previous Item:**      LTC – 20 May 2009

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**REPORT:**

Senior Constable B Phillips advised that the Police have held a meeting with Sydney Water representatives in relation to drivers overtaking the trucks in Spinks Road. They are looking to measures that could be implemented within the road and are willing to fund any possible solutions including placement of VMS and Speed Checks. The choice of site and its access point off a regional road is possibly not the best option. The Police are aware that the speed limit has been reduced to 60km/h and barrier line has been provided adjacent to the site.

Mr J Suprain advised that they Sydney Water will need to consult a traffic consultant to assess the area and provide advice.

Ms D Oakes advised that this site is currently been looked as part of the Local Government Road Safety Program for 2009/2010.

**COMMITTEE RECOMMENDATION:**

RESOLVED on the motion of Senior Constable Brad Phillips, seconded by Mr J Suprain.

That the information be received

**APPENDICES:**

There are no supporting documents for this report.

**SUPPLEMENTARY REPORTS**

**Item 4.4      LTC - 21 October 2009 - Late Item 2.3 - Proposed Temporary changes to Bus Zones in Windsor (Riverstone) - (80245, 104540)**

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**REPORT:**

Representation has been received from the management of Westbus requesting changes to the existing layout of Bus Zones in the Windsor business district. The changes are based on buses not operating along George Street from Hawkesbury Valley Way (HVW) to Fitzgerald Street, Windsor as a result of safety issues raised by their drivers. The Transport Workers Union (TWU) representing the Westbus drivers have indicated that if buses are to travel along George Street – with its current parking layout- the Windsor Marketplace will not be serviced resulting in buses terminating at Windsor Station.

To alleviate the industrial action proposed from 11 October 2009, the Ministry of Transport (MOT) - now known as NSW Transport & Infrastructure, approved the change from George Street to Macquarie Street

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**Reports of Committees**

for all bus operators in the area. The MOT advice was provided to Council by correspondence dated 8 October 2009. This has resulted in the circulation pattern changing whereby buses are travelling from Windsor Station, into Macquarie Street, via George Street and HVW, turning left into Fitzgerald Street, right into The Terrace, right into Kable Street and back onto Macquarie Street.

To facilitate these new bus movements, the following changes were requested to the existing bus zones:

1. Kable Street; the existing bus zone on the western side of Kable Street in the vicinity of George Street and Union Lane (approximately 55 metres in length) be relocated to the eastern side of Kable Street, across the frontage of the Windsor Marketplace (currently 1 hour parking - approximately 50 metres in length), with the existing bus zone being converted to 1 hour parking.
2. George Street/Fitzgerald Street; the existing bus zone on the northern side of George Street between Fitzgerald Street and Johnston Street adjacent to the Windsor Home Store (approximately 29 metres in length) be relocated into Fitzgerald Street, north of George Street (currently 1 hour parking – approximately 28 metres in length), with the existing bus zone being converted to 1 hour parking.

It is proposed that the other existing bus zones along George Street, not being utilised, be converted to 1 hour parking zones until such time as the bus routes in the Windsor Town Centre are finalised. The finalisation of the new bus route is subject to public consultation, which is to be undertaken by the MOT.

The proposed changes to the bus zones and 1 hour parking zones will not result in any loss of street parking.

The changes requested for Kable Street were implemented on 11 October 2009 to ensure that the travelling public were not disadvantaged by not having a designated bus zone within the Windsor town centre.

Temporary bus zones have been provided in Macquarie Street subject to final approval by the RTA.

**COMMITTEE RECOMMENDATION:**

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

That the following temporary changes to bus zones and 1 hour parking zones be implemented:

1. Kable Street; the existing bus zone on the western side of Kable Street in the vicinity of George Street and Union Lane (approximately 55 metres in length) be relocated to the eastern side of Kable Street, across the frontage of the Windsor Town Centre (currently 1 hour parking - approximately 50 metres in length), with the existing bus zone being converted to 1 hour parking.
2. George Street/Fitzgerald Street; the existing bus zone on the northern side of George Street between Fitzgerald Street and Johnston Street adjacent to the Windsor Home Store (approximately 29 metres in length) be relocated into Fitzgerald Street, north of George Street (currently 1 hour parking – approximately 28 metres in length), with the existing bus zone being converted to 1 hour parking.
3. The existing bus zones along George Street, not being utilised, be converted to 1 hour parking.
4. The proposed changes listed as items 1, 2 & 3 be reversed as necessary in the event that the buses return to George Street.

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**APPENDICES:**

There are no supporting documents for this report.

**SECTION 5 - Next Meeting**

The next Local Traffic Committee meeting will be held on Wednesday 18 November 2009 at 3.00pm in the Large Committee Room.

The meeting terminated at 3.35pm.

**oooO END OF REPORT Oooo**



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