



Hawkesbury City Council

ordinary meeting business paper

date of meeting: 24 April 2012

location: council chambers

time: 6:30 p.m.



mission statement

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

How Council Operates

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

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

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

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

Meeting Procedure

The Mayor is Chairperson of the meeting.

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

Public Participation

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

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

A Point of Interest

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

Planning Decision

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

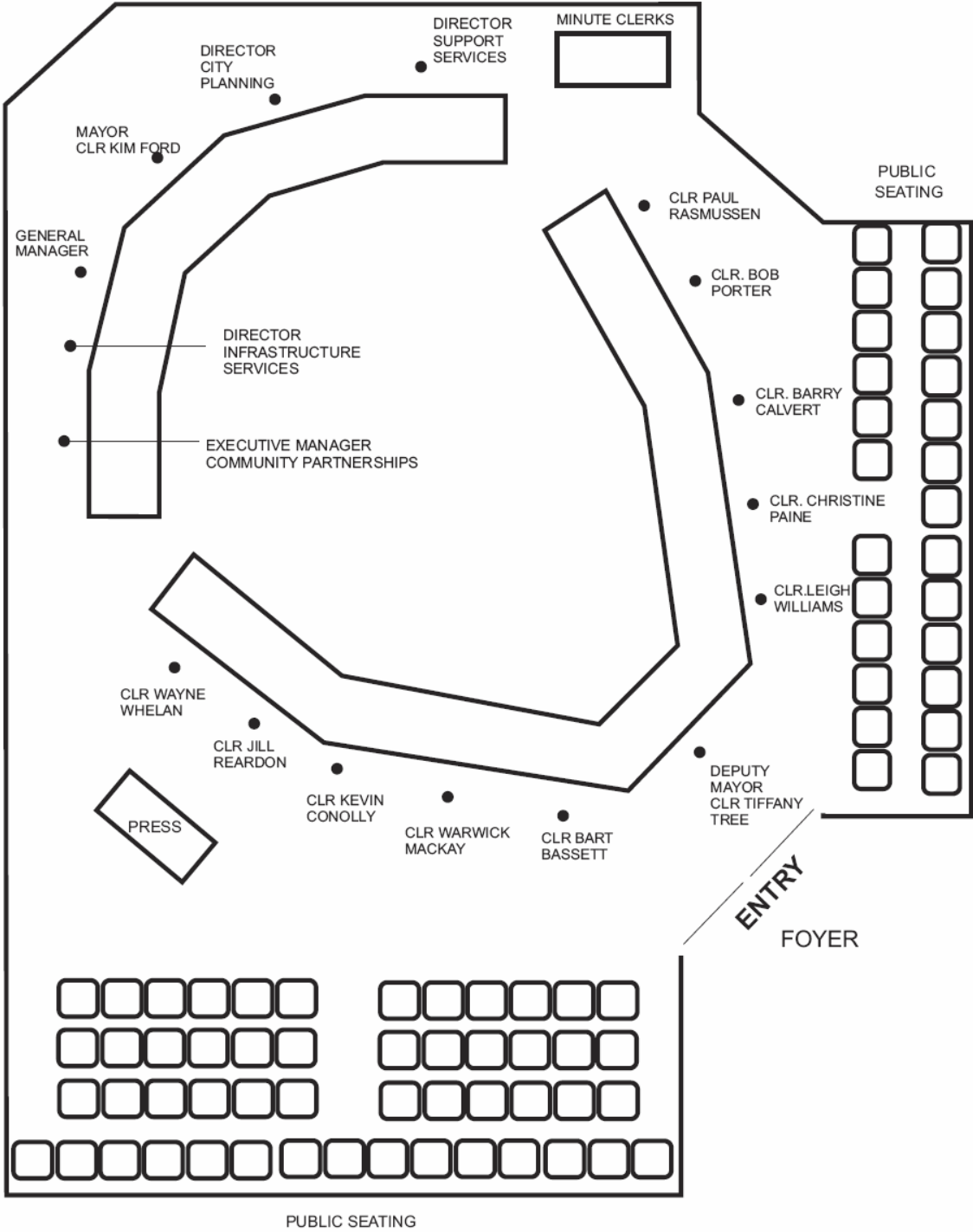
Website

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

Further Information

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

council chambers



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section 1

confirmation of minutes

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SECTION 1 - Confirmation of Minutes

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notices of motion

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Notices of Motion

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Notices of Motion

SECTION 3 - Notices of Motion

NM - Possible Closure of Francis Street, Richmond which passes through Smith Park - (111627)

Submitted by: Councillor Tiffany Tree

NOTICE OF MOTION:

That a report be submitted to Council regarding the possible closure of the section of Francis Street, Richmond which passes through Smith Park for incorporation into the park and the possible subsequent upgrade of park amenities, such as BBQs, toilets, playground equipment. etc., with a view to enhancing the park in a similar fashion to the community funded park development undertaken by Orange City Council.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

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Notices of Motion

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reports
for determination

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SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 45 **GM - North West Rail Link - Options for Future Extension in Planning for North West Sydney - Public Transport Needs - (79351)**

Previous Item: MM2, Ordinary (8 April 2008)
 MM, Ordinary (26 August 2008)
 MM, Ordinary (11 November 2008)

REPORT:

Executive Summary

Council has, on a number of occasions in the past, considered the issue of the North West Rail Link (NWRL) and has indicated its support for the project and lobbied for its construction and extension.

In October, 2008 the then Minister for Transport announced the deferral of the NWRL project by the former State Government in favour of the South West Rail Link. The current State Government has recommenced the NWRL Project and has recently released a Discussion Paper titled "Northwest Transport Options – Planning North West Sydney's Future Public Transport Needs" (the Discussion Paper) which details two possible options for the future extension of transport corridors associated with the NWRL.

The Discussion Paper proposes two options for possible future extension of the NWRL transport corridors, namely:

- Option A – Cudgegong Road to Schofields and Marsden Park
- Option B – Cudgegong Road to Riverstone

Submissions on the Discussion Paper close on 18 May 2012 and it is recommended that Council make a submission in response to the Discussion Paper supporting Option A.

Consultation

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

Background

Council has, on a number of occasions in the past, considered the issue of the NWRL and has indicated its support for the project and lobbied for its construction and extension.

As a result of an announcement by the then Premier of NSW in March, 2008 regarding proposals for the NWRL a Mayoral Minute was considered by Council at its meeting held on 8 April, 2008 when it was resolved:

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"That Council:

1. *Make representations to the Premier of NSW, the Hon. M lemma, seeking a commitment from the State Government that, in line with previous statements concerning a north-west rail link, that the proposed North-West Metro Line will be extended to the Vineyard area by 2020 thus ensuring access to this new facility from the Richmond line.*
2. *Also request that plans also be developed to extend the proposed metro line through the western line at Penrith to the proposed South Western Line.*
3. *Request the local State Members of Parliament and WSROC to support Council's representations on this matter in view of its importance and significance of the link for the local community.*
4. *Request that the State Government, as a matter of priority, identify and acquire the land corridor required for a rail link between Rouse Hill and the Richmond Line in the vicinity of Vineyard.*
5. *Continue to support the Richmond line upgrade and request that the work on this proceed as soon as possible."*

As a result of subsequent developments, a Mayoral Minute was considered by Council at its meeting held on 26 August, 2008 when it was resolved:

"That in respect of proposals for the construction of the North West Metro Line, Council continue to support and encourage the extension of the line to Vineyard, and ultimately through to the main western line, and that for the purposes of further discussion Council indicate its in principal support for the location of a facility to house and maintain rolling stock in the Vineyard area if the North West Metro Line was extended to this location."

In October, 2008 the then Minister for Transport announced the deferral of the NWRL project by the former State Government in favour of the South West Rail Link. This announcement was the subject of a Mayoral Minute to the meeting of Council held on 11 November 2008 when it was resolved:

"That Council:

1. *Write to the Premier of NSW and the Minister for Transport:*
 - a) *Expressing Council's disappointment with the recent decision to defer the North West Metro project;*
 - b) *Indicating that Council will continue to advocate the provision of a rail infrastructure link, be it heavy rail or metro style, to service the expanding North West Region, and that this link should be extended to Vineyard, thus ensuring access from the Richmond line; and*
 - c) *Indicating that Council continues, in principal, to support for the location of a facility to house and maintain rolling stock in the Vineyard area if a rail infrastructure link was extended to this location.*
 - d) *Expressing Council's concern regarding the announcement of the deferral of the Richmond line duplication project to vineyard and call for the project, due to its importance, to be immediately reinstated.*
2. *Also write to and seek the support of the local state members of parliament and WSROC in this regard."*

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The current State Government has since recommenced the NWRL Project and has recently released a Discussion Paper titled "Northwest Transport Options – Planning North West Sydney's Future Public Transport Needs" (the Discussion Paper) which details two possible options for the future extension of the NWRL transport corridors. The full Discussion Paper can be accessed at the website www.northwestoptions.com.au. A Fact Sheet has also been produced in relation to the Discussion Paper, a copy of which is included as Attachment 1 to this report.

The Discussion Paper proposes two options for possible future extension of the NWRL transport corridors, namely:

- Option A – Cudgegong Road to Schofields and Marsden Park
- Option B – Cudgegong Road to Riverstone

The Discussion Paper provides the following advice, in part, in relation to "What is this report all about?"

"This document provides an overview of future public transport corridors within the North West Growth Centre.

Working across a number of key Government agencies, Transport for NSW has identified two potential future public transport corridors. They are:

- *Option A – Cudgegong Road to Schofields and Marsden Park: from the end of the North West Rail Link heading west to Schofields Station then further on to Marsden Park, about 6.8km.*
- *Option B – Cudgegong Road to Riverstone: from the end of the North West Rail Link heading northwest to the Richmond Line south of Riverstone Station, a distance of about 3.3km*

Together with further environmental, land use and engineering investigations, your comments on these corridors will help us confirm a final alignment to preserve for future public transport infrastructure.

Following consultation, it is intended that the selected corridor will be given statutory protection under the relevant planning instrument/s. This will provide greater certainty for the community and land owners within the North West Growth Centre.

A transport mode (heavy rail, bus or light rail) for the corridor has not been determined at this stage. This will be subject to further analysis to ensure the most appropriate mode is selected that best serves the corridor and the region in the longer term.

A future mode will also be considered as part of the Long Term Transport Master Plan currently under development by Transport for NSW."

Effectively, this Discussion Paper is not committing to a time frame for future transport provision within the extension of the NWRL transport corridor but is suggesting that a framework be put in place by way of a "dedicated public transport corridor" to provide for the expansion of a transport mode within the NWRL transport corridor at an appropriate stage in the future. Provision of a "dedicated public transport corridor" is an appropriate approach to be taken to provide for the future expansion of transport services in association with long term planning and the NWRL and should be supported.

It will be noted that Council's previous resolutions regarding the NWRL have supported the possibility of the line being extend to Vineyard ensuring access to the new line from the Richmond line. This position would be achieved by both options. Option A would appear to be able to achieve this by way of a potential "interchange" that could be incorporated at Schofields and by what would appear to be a direct link at Riverstone with Option B.

A further aspect highlighted by Council's previous resolution of 26 August, 2008 was to encourage and provide for any extension of the NWRL to ultimately proceed through to the main western line. Option A

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would also appear to provide this opportunity. Specifically, the Discussion Paper at page 16 when referring to Option A makes the following comments in respect of this possibility:

“Beyond Marsden Park, opportunities to extend further west will be investigated to support growth in the longer term and improve access to existing centres such as Mt Druitt, St Marys or Penrith.”

Option A would also appear to provide a potential opportunity for a link between the Richmond line and the development (residential, retail, industrial and commercial) that is planned to occur in the Growth Centre Areas around Schofields and Marsden Park. Easier access to these areas by way of public transport would be of benefit to residents of the Hawkesbury LGA.

Submissions on the discussion paper close on 18 May, 2012 and it is recommended that Council make a submission in response to the discussion Paper supporting Option A.

Conformance to Community Strategic Plan

The proposal is consistent with the Linking the Hawkesbury Directions statement;

- Have a comprehensive system of transport connections which link people and products across the Hawkesbury and with surrounding regions.

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

- Facilitate the integration of a transport network.
- Lobby State government to improve transport networks.

Financial Implications

No financial implications are applicable to this report.

RECOMMENDATION:

That Council make a submission to the Discussion Paper dated March 2012 and titled “Northwest Transport Options – Planning North West Sydney’s Future Public Transport Needs” supporting Option A as outlined in this document as this option can provide for a link between the North West Rail Link and the Richmond rail line and has potential opportunities for further extension of the transport link to the main Western rail line.

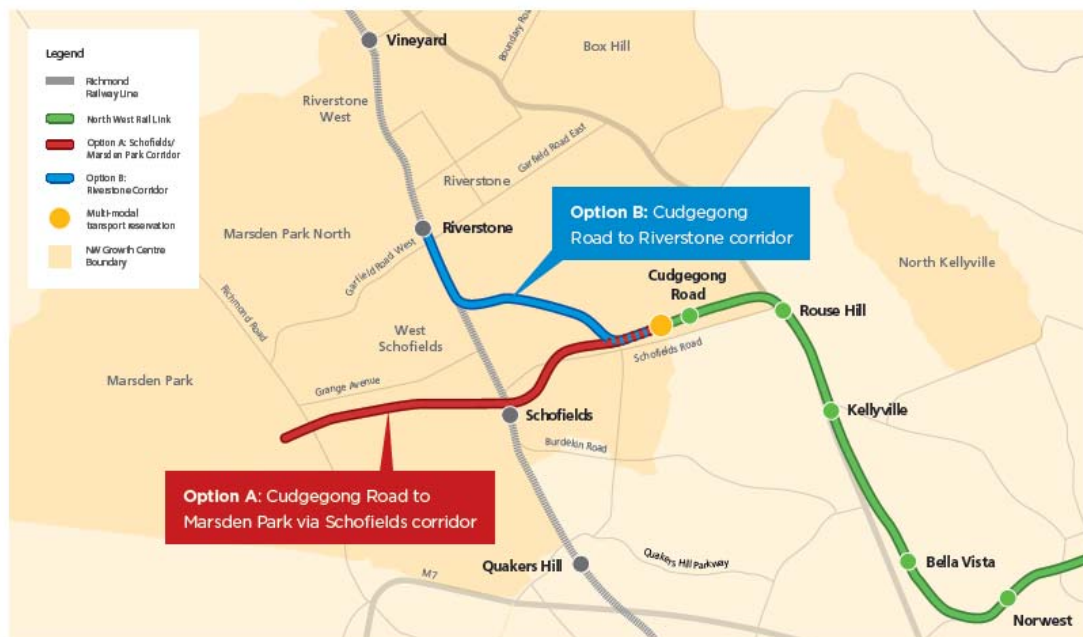
ATTACHMENTS:

AT - 1 Northwest Options – Fact Sheet, March 2012.

AT - 1 Northwest Options – Fact Sheet, March 2012.



Planning North West Sydney's future public transport needs



Planning ahead

Sydney's population continues to grow, and the greater Sydney region is expanding.

The North West Growth Centre is expected to be home to an extra 200,000 people over the next 25 to 30 years – that's about 70,000 new homes.

To meet the needs of this growing region, the NSW Government has announced it will secure a dedicated public transport corridor through the

North West Growth Centre.

This gives certainty to the region's families and businesses.

The transport corridor will run from the end of the proposed North West Rail Link at Cudgong Road and will future-proof the region's public transport needs.

Two proposed corridors are being considered.

Securing a corridor now will reduce the cost of providing transport infrastructure in the future. It ensures

a better fit between essential services such as transport and the design of town centres as well as the location of key community facilities such as schools.

The NSW Government is planning ahead by securing this public transport corridor – to ensure an effective public transport system can be developed when the time comes.

This fact sheet outlines the two proposed corridor options and how you can have your say.

Transport for the North West



The NSW Government has already identified the North West Rail Link as its priority public transport infrastructure commitment.

Planning for the 23 kilometre link between Epping and Rouse Hill is well advanced, and two Environmental Impact Statements will be exhibited this year.

Pictured above is an artist's impression of the proposed North West Rail Link at Rouse Hill.

The North West Rail Link is planned to provide stations at Cherrybrook, Castle Hill, Hills Centre, Norwest, Bella Vista, Kellyville, Rouse Hill Town Centre and Cudgegong Road, Rouse Hill. A major commuter car park is planned for Cudgegong Road, while a transport interchange will be provided at the Rouse Hill Town Centre, linking to both rail and the T-Way.

Construction of the North West Rail Link will commence in 2014.

In addition, the NSW Government has expanded the capacity of the existing Richmond Rail Line by duplicating the line to Schofields and building a new railway station at Schofields.

The North West T-Way and other priority bus corridors will continue to provide a major public transport link, as will the region's arterial roads system.

Option A:

Cudgegong Road to Marsden Park via Schofields



The Cudgegong Road to Marsden Park via Schofields corridor would cross First Ponds Creek immediately west of the stabling facility for North West Rail Link.

The corridor then heads west along the northern side of Schofields Road for approximately 2 kilometres, passing Boundary, Schofields Farm and Junction roads.

It crosses Schofields Road approximately 300 metres east of the Richmond Line before reaching Schofields Station and the future Schofields Town Centre.

West of the Schofields Town Centre, the corridor continues alongside the planned western extension of Schofields Road, passing Veron Road and over Eastern Creek towards Carnarvon Road. The corridor then continues alongside South Street until crossing Richmond Road and reaching the site of the future Marsden Park Town Centre.

The corridor between Cudgegong Road and the future Schofields

Town Centre is approximately 2.5 kilometres long, and a further 3.3 kilometres west to the site of the future Marsden Park Town Centre.

What transport mode

A public transport mode for the corridor – for example, heavy rail, bus or light rail – has not been determined at this stage. A decision on what mode will be based on detailed analysis to ensure the most appropriate mode is selected that best serves the region. To ensure a corridor is protected for future public transport, the route of the corridor is being designed to accommodate a range of feasible modes including heavy rail, bus or light rail. A future mode will also be considered as part of the Long Term Transport Master Plan currently under development by Transport for NSW.

Option B:

Cudgegong Road to Riverstone corridor



The Cudgegong Road to Riverstone corridor would cross First Ponds Creek immediately west of the planned stabling facility for North West Rail Link.

The corridor then heads north west for approximately 1 kilometre, passing Boundary Road, Schofields Farm Road, St Albans Road, Westminster Street and Kensington Park Road.

It curves in a westerly direction before heading north west and meeting the Richmond Line and Railway Terrace corridor near Riverstone Road, approximately 800 metres south of Riverstone Station.

The corridor between Cudgegong Road and Riverstone is approximately 3.3 kilometres long.

The North West Rail Link will end at the stabling yards at Tallawong Road. This corridor planning does not propose an extension of the North West Rail Link. Rather, it identifies a public transport corridor for future use through the North West Growth Centre.

NSW Long Term Transport Master Plan

Planning is now underway for Sydney's future transport needs as part of the NSW Long Term Transport Master Plan. This will be a comprehensive and integrated strategy for all modes of transport across NSW.

The master plan will address key challenges on population growth, job creation and the need for a freight and public transport network that maximise the benefits to the economy and aligns with land use strategies.

The final plan will be released in late 2012.

A discussion paper has been released and further details are available via: www.transportmasterplan.nsw.gov.au

Why preserve a corridor?

Securing a corridor now will reduce the cost of providing transport infrastructure in the future. It ensures a better fit between essential services such as transport and the design of town centres as well as the location of key community facilities such as schools.

By planning ahead, we also provide greater certainty for landowners and future development adjoining any protected corridor.

Infrastructure, services and urban development can be developed as required without the risk of major disruption in the future.

The North West Rail Link is planned to terminate at a stabling yard near Tallawong Road, Rouse Hill. This stabling yard is approximately 2 kilometres east of the existing Richmond rail line.

It makes good planning sense to examine options for a new transport corridor to link both rail routes, and to future proof the region's longer term transport needs by identifying and preserving a future transport corridor.

Transport for NSW is the NSW Government agency responsible for the planning, delivery and operation of the State's transport system.

What this means

Existing planning policies and powers will be used to protect the corridor for future public transport use.

This protection means any development within or near the corridor will not be allowed to impact the viability of the corridor's future use for public transport.

No land will be acquired at this stage.

The NSW Government will eventually acquire all land required for public infrastructure purposes when a specific project has been approved.

How transport corridors work

It makes good transport and planning sense to identify and reserve transport corridors before they are needed.

Identifying the need and location for a transport corridor early allows for the orderly development of suburbs and regions, and paves the way for suitable developments to occur around transport corridors.

This allows planners to ensure the location of community facilities including town centres, schools and hospitals that people will need have been carefully considered long before the first houses in new suburbs are built.

It also ensures that proposed employment centres have easy access to public transport corridors and that facilities such as distribution centres have good access to road networks.

Sydney's Orbital Motorway Network, including the M2 and the M7, is an example of transport corridor planning at work.

These corridors were first identified and set aside in the County of Cumberland Planning Scheme as early as 1944.



From transport corridor to motorway: the M7 Motorway in Sydney's west.

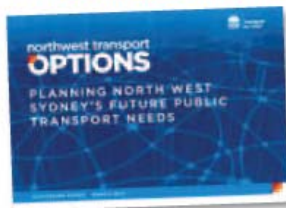
By setting aside the land for the Orbital Motorway Network, road builders were able to progressively add new components of the network as funding and travel demand allowed.

The location of these transport corridors also helped dictate the location of important facilities such as industrial sites and goods distribution centres, like those in the Eastern Creek area which are close to the M7.

The Sydney Orbital Motorway Network was completed in 2007 with the opening of the Lane Cove Tunnel.

Once a transport corridor has been endorsed, it can be preserved by the Department of Planning and Infrastructure through a State Environmental Planning Policy, also known as a SEPP.

What happens next?



Transport for NSW has developed a discussion paper, "North West Transport Options" which describes the two options in greater detail.

Submissions are now being sought from the community as well as other key groups including councils, major land holders, transport groups and service providers.



Have your say

You can have your say and make a submission on the options by:

- Going to www.northwestoptions.com.au
- Filling in a submission form on www.northwestoptions.com.au
- Emailing us at yoursay@transport.nsw.gov.au
- Coming to our public information session at Rouse Hill Town Centre on Saturday March 31, 2012 between 10am and 2pm at the Vinegar Hill Memorial Community Centre, Level 1 (opposite the Library)
- Calling us on 1800 467 179
- Writing to us at: PO Box K659, Haymarket, NSW 1240

You can read a copy of the options paper at:

Transport for NSW, Level 6, 18 Lee Street, Chippendale (near Central Station)

Department of Planning and Infrastructure, Level 5,
10 Valentine Avenue, Parramatta

Blacktown City Council, 62 Flushcombe Road, Blacktown

North West Rail Link Community Information Centre,
299 Old Northern Road, Castle Hill

Submissions close on May 18, 2012

oooO END OF REPORT Oooo

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Item: 46 GM - Release of Joint Study on Aviation Capacity for the Sydney Region (79351)

Previous Item: Item 22, Ordinary (23 February 2010)
Item 23, Ordinary (23 February, 2010)

REPORT:

Executive Summary

The Australian and NSW Governments were presented with the report of the *Joint Study on aviation capacity for the Sydney region* (Joint Study) on Friday, 2 March 2012. The Joint Study's preparation is part of the Aviation White Paper process, which was started in 2009 (though briefly mentioned in the Aviation White Paper). It is also indicated that the Joint Study is also to inform:

- infrastructure planning and investment by the Australian Government and the NSW Government and industry, and
- enable the proper integration of future airport operations with surrounding state land use planning and surface transport networks (i.e. NSW Government's Transport Blue Print).

The overall purpose of the Joint Study is to address the ongoing second Sydney region airport issue, with a view to identifying the best site and progress a commitment to the site sooner rather than later. The Joint Study reconfirms the Badgerys Creek site is still the best site for the second Sydney airport with a newly identified Wilton site as the next best. The purpose of this report is to outline Council's previous resolutions regarding the RAAF Base Richmond and provide brief details of the Joint Study.

Consultation

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

Background

The Australian and NSW Governments were presented with the report of the *Joint Study on aviation capacity for the Sydney region* (Joint Study) on Friday, 2 March 2012. The decision to undertake the Joint Study was announced on 16 December 2009 by the Minister for Infrastructure and Transport, the Hon. Anthony Albanese MP, when launching the National Aviation Policy White Paper – the Australian Government's policy position for the next 30 years (long-term).

The Executive Summary of the Joint Study is included as Attachment 1. It outlines the committee members, key findings and directions, as well as the 20 Recommendations. The Terms of Reference for the Joint Study are included in Attachment 2. It outlines the objectives and scope. Councillors are directed to the full Joint Study for greater detail. Of note, a number of potential second Sydney airport sites were considered in proximity to Hawkesbury local government area.

The parts to the Joint Study are as follows:

- Part One Joint Study process
- Part Two Sydney now and in the future]
- Part Three Demand for aviation in the Sydney region
- Part Four Capacity of existing airports to cope with forecast demand
- Part Five Impacts if demand is not met
- Part Six Options to better utilise Sydney (Kingsford-Smith) Airport to gain capacity to meet forecast demand

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- Part Seven Options to better utilise other existing infrastructure to gain capacity to meet forecast demand
- Part Eight Options to develop new infrastructure to gain capacity to meet forecast demand
- Part Nine Future use of the Commonwealth-owned Badgerys Creek site
- Part Ten Summary of findings and key points
- Part Eleven Strategies for meeting Sydney's aviation infrastructure needs
- Part Twelve Appendices

The overall purpose of the Joint Study is to address the ongoing second Sydney region airport issue, with a view to identifying the best site and progress a commitment to the site sooner rather than later. The Joint Study reconfirms the Badgerys Creek site is still the best site for the second Sydney airport with a newly identified Wilton site as the next best.

Since receiving the report the Australian Government has indicated that the Badgerys Creek site is not supported and the Wilton site is the preferred site; and the government has started progressing the matter with the NSW Government and in the media. The NSW Government has indicated that it does not support the Badgerys Creek or the Wilton sites; with the Premier indicating a preference for the Canberra Airport being the site of the second Sydney airport with a very fast train (which has also been considered by the Australian government in another arena).

RAAF Base Richmond has been considered in the Joint Study as:

- (a) the site for the second airport; and
- (b) a Defence airfield with greater civil General Aviation (GA) and Regular Public Transport (RPT) access to supplement forecasted aviation needs out of Kingsford Smith Airport and a second Sydney airport. It should be noted that the Joint Study indicates a second airport at the potential Wilton site would not be operational for 30 years.

The Joint Study indicates that RAAF Base Richmond is critical to both Australia's military response capability and the Sydney aviation growth mix in the next 20 years; and that it should be retained as a RAAF Base. However, the Study notes a balance between RAAF operations and other aviation users would need to be achieved if there were greater civil access (investment in existing runway). Some brief comment is made about the impact on suburbs/ communities near RAAF Base Richmond, including additional exposure to aircraft noise; the need for environmental assessment under Commonwealth law; and the need for curfews for GA and RPT services at the airfield.

The Joint Study has 20 Recommendations and Recommendation 14 relates to RAAF Base Richmond. In summary the Australian Government is advised to start action to open RAAF Base Richmond to a civil traffic using the existing runway. Commonwealth processes are mentioned in the Joint Study and a proposed tri-government strategic planning review to address issues for the use of the airfield to Defence operations and RPT services.

The Joint Study is a lengthy document, some 426 pages, and the matters it has addressed are broad and complex. While the Joint Study is focused on identifying a second Sydney airport site and it would appear that RAAF Base Richmond has been discounted from this role, RAAF Base Richmond is very much a part of the Sydney aviation delivery model from this point onwards with greater GA and RPT services being flagged, especially in the build phase of the second Sydney airport. It is not clear what the role of RAAF Base Richmond might be if the site of the second Sydney airport is not resolved.

Council resolutions history

The following Council resolutions track matters related to RAAF Base Richmond.

Council at its meeting held on 2 October 2008, in regard to RAAF Base Richmond, resolved:

"Council continue to support the need for the retention of the Richmond RAAF Base as both an important defence facility for the Nation and as an integral part of the local region's

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economy and community and the retention and continued operation of the Airlift Group out of RAAF Base Richmond."

In Council's submission to the Discussion Paper on "Key Questions for Defence in the 21st Century", a step in the Defence White Paper process, the following submission was made:

"Council requests that as an outcome of the National Aviation Policy White Paper that the Government ensures RAAF Base Richmond is not an option in any other policies of Government and is retained as a strategic Defence facility. "

The above Resolution was followed up with a Mayoral Minute on RAAF Base Richmond, at the Council meeting on 24 November 2009, where it was resolved (in part):

"That:

Council once again make representations to the Prime Minister, Minister for Defence, Minister for Infrastructure, Transport, Regional Development and Local Government and Local State and Federal Members of Parliament (Greenway and Macquarie), requesting their continued support for Richmond to continue as a permanent operational facility for defence purposes in line with the commitment that was made prior to the last Federal election."

The above Mayoral Minute was actioned and Council's representations referenced the then Shadow Minister for Defence's advice on RAAF Base Richmond (26 September 2007) being:

"Labour has no plans to alter the status of RAAF Base Richmond, and should we be elected to Government later this year Richmond will continue as a permanent operational facility."

A response to Council's representations was received from The Hon. Anthony Byrne MP, Parliamentary Secretary to the Prime Minister dated 18 January 2010 (amongst others) which states (in part):

"The government will continue to use the Airforce Base Richmond as a Defence operational facility, consistent with its pre-election commitment."

Council at its meeting on 23 February 2010 addressed the Defence White Paper and resolved:

"That:

- 1. The information concerning the Defence White Paper 2009 be received.*
- 2. Council continue to advocate its position on RAAF Base Richmond whenever the opportunity arises and be part of any invited process/ committees to remind the Government of the impact of its decisions on local communities."*

Council at its meeting on 23 February 2010, addressed the National Aviation White Paper and resolved:

"That:

- 1. The information concerning the Aviation White Paper 2009 be received.*
- 2. Council continue to advocate its position on RAAF Base Richmond whenever the opportunity arises and be part of any invited process/committees to remind the Government of the impact of its decisions on local communities."*

Council at its meeting on 13 September 2011, addressed the Royal Australian Air Force's review into the Civil Aviation Access to Air Force Airfields (RAAF Review) and resolved:

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"That:

- 1. The information regarding the Royal Australian Air Force – Review of Civil Aviation Access to Air Force Airfields (RAAF Review) be received.*
- 2. Council make a submission to the RAAF Review in regard to proximity to shared Defence airfields near large urban centres, RAAF Base Richmond and the National Aviation Policy based on the position indicated in previous resolutions in this regard.*
- 3. The Minister for Infrastructure and Transport be requested to advise on how the RAAF Review will be addressed in the National Aviation White Paper to ensure priority military capability at Defence airfields are not compromised by any shared Defence airfields.*
- 4. The Minister for Defence be requested to advise on how the RAAF Review will be addressed in Defence policy and how Defence will progress priority military needs at Defence airfields in the National Aviation White Paper.*
- 5. Any submission made by Council reinforce Council's desire for the Airlift Group to be retained at the RAAF Base Richmond."*

The above resolution was actioned and acknowledgment letters were received from the Ministers Departments. It would appear that the RAAF Review was not made available to the Joint Study committee. It will be of interest as to whether the RAAF Review will be addressed in future Commonwealth processes and by the indicated tri-government strategic planning review. This document did not support civil aviation at defence airfields near large urban populations. It is also noted that the Australian Government has stated it is committed to allowing some access to all Defence airfields.

Information regarding the Joint Study is submitted for Council's information and consideration.

Conformance to Community Strategic Plan

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

- Maintain its independent identity and voice through strong local government and community institutions.
- Plan a range of industries that build on the strengths of the Hawkesbury to stimulate investment and employment in the region.

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

- Have ongoing engagement and communication with our community, governments and industries.
- Develop economic development strategy that promotes local industry in a regional context.

It will also contribute to Goals:

- Work together with community to achieve a balanced set of decisions that integrate jobs, housing, infrastructure, heritage and environment.
- Jobs across a greater range of industry sectors.

Financial Implications

There are no funding implications for considering the report on the Joint Study.

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RECOMMENDATION:

That the information regarding the Joint Study on the aviation capacity in the Sydney region be received.

ATTACHMENTS:

AT - 1 Aviation Strategic Plan for the Sydney Region - Terms of Reference.

AT - 2 Joint Study on Aviation Capacity in the Sydney region - Executive Summary. Released 2 March 2012 - *Distributed Under Separate Cover.*

AT - 1 Aviation Strategic Plan for the Sydney Region - Terms of Reference.

AVIATION STRATEGIC PLAN FOR THE SYDNEY REGION

TERMS OF REFERENCE

CONTEXT

The NSW Government has initiated a comprehensive review of its metropolitan land use strategy and its infrastructure plans for the Sydney region. This will provide long term strategic planning for the provision of economic and social infrastructure for the region.

Aviation infrastructure is critical to economic development and employment in the Sydney region.

The Commonwealth and NSW Governments have agreed to undertake a joint study to develop an Aviation Strategic Plan (the Strategic Plan) for the Sydney region. This will form a key part of the NSW planning and investment strategy for the Sydney region.

The Strategic Plan will determine the long term aviation infrastructure requirements for the region. The strategic plan will form an integral part of the NSW Government's land use and transport planning strategies for the Sydney region.

Both governments have also agreed to jointly consider the future planning, zoning and release of land at the Commonwealth's Badgerys Creek site to facilitate further economic development in South Western Sydney. Consideration will be given to how the site is best integrated with future employment locations, infrastructure needs, and the overall NSW planning strategies for the region.

Both governments will continue to work with key stakeholders, to develop better integrated transport solutions for Kingsford Smith Airport, including improved public transport links and roadways. This work will be incorporated with strategic investment and transport planning being done by NSW for land transport corridors and operations in the Sydney region.

OBJECTIVES AND SCOPE

Additional Aviation Capacity for the Sydney Region

The Strategic Plan will:

1. Consider the immediate (10 year) aviation infrastructure requirements for the Sydney region and the capacity of the existing aviation infrastructure and the land transport network linkages to meet forecast demand.
2. Determine the long-term (25+ years) aviation infrastructure requirements for the Sydney region and the capability of the existing aviation assets serving the region to meet the forecast market demand in passenger and freight transport and general aviation sectors of the industry. This would include consideration of:
 - current airport capacity;
 - the implications of future long term (25 to 50+ year) demand forecasts for

- aviation services;
 - the planning of future economic infrastructure, including long term spatial with land use planning for employment for the region;
 - the location and nature of future urban growth in the Sydney region; and
 - key linkages between existing aviation infrastructure and other transport networks.
3. Review existing investment strategies for the civil and Defence airport facilities in the region, including an assessment of their capacity to meet the Sydney region's future aviation requirements.
4. Identify strategies and locations to meet the aviation infrastructure needs of the Sydney region, through examining:
- current and future state land use and land transport planning strategies;
 - Sydney's future requirements for transport and economic infrastructure, including Sydney's future employment nodes;
 - existing and required transport infrastructure to support additional aviation capacity for the region;
 - the need for other supporting infrastructure (energy, communications, gas, water etc);
 - the availability and application of off-airport protection measures to ensure existing and future airport capacity is protected from inappropriate development which may limit its effective long-term operations and growth;
 - the interaction between airports in the region, including Sydney (Kingsford Smith) Airport;
 - economic investment and environmental opportunities and challenges associated with future land use; and
 - existing airport policy and legislative requirements.
5. Identify any other matters that will need to be considered, in delivering additional aviation capacity for the Sydney region.

Future use of the Badgerys Creek Site

1. The Commonwealth and the State will develop a joint proposal for the future use of the Badgerys Creek site, by giving due consideration to:
- current state land use and land transport planning strategies;
 - the demand for land at Badgerys Creek for future employment and economic development purposes e.g. strategic manufacturing investment and business park opportunities;
 - zoning requirements;

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- existing and required transport infrastructure to support future employment generation land use;
- the need for other supporting infrastructure (energy, communications, gas, water etc); and
- the appropriate land release strategies which maximise long-term employment opportunities in South Western Sydney.

TIMING

The Aviation Strategic Plan is due to be completed by mid 2011 and will form part of the NSW Government's Transport Blueprint.

oooO END OF REPORT Oooo

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CITY PLANNING

Item: 47 **CP - Development Application - Request Modification of Consent - Tourist Facility - 30 Tourist Cabins - Lot 77 DP 211935 and Lot 2 DP 1080830, Chaseling Road North, Webbs Creek - (95498, 27637, 27638, 102260)**

Development Information

File Number: DA0026/11A
Property Address: Lot 77 DP 211935 and Lot 2 DP 1080830, Chaseling Road North, Webbs Creek
Applicant: Montgomery Planning Solutions
Owner: Bebrovo Holdings Pty Limited
Proposal Details: Deletion of Condition No 16 (Developer Contributions) of Development Consent No. DA0026/11
Estimated Cost: \$3,000,000
Current Zone: Environmental Protection - Mixed Agriculture under Hawkesbury Local Environmental Plan 1989
Draft Zone: E4 Environmental Living under DRAFT Hawkesbury Local Environmental Plan 2011
Date Received: 9 March 2012
Advertising: Not required under HDCP 2002

Key Issues: ♦ S94A development contributions

Recommendation: Refusal

REPORT:

Executive Summary

This S96 application has been submitted requesting the amendment of Development Consent No. DA0026/11 by deleting Condition 16. Condition 16 requires the payment of Development Contributions fees consistent with Councils Section 94A Development Contributions Plan 2006. Based on the development's estimated cost of \$3 million the required contribution amount is \$30,000.00.

A contribution was levied on DA0026/11 under the Contributions Plan introduced in 2006. Previous applications for development were not levied as a Contributions Plan did not apply at that time.

Council's Section 94A Development Contributions Plan 2006 does not provide a provision to waive, discount or modify any contribution rate that has been levied. Hence the proposed modification is not supported.

Description of Proposal

The application proposes the deletion of condition 16 of Development Consent DA0026/11 which reads as follows:

16. 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 \$30 000.00 shall be paid to Hawkesbury City Council.

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

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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.

This condition was imposed on the development consistent with the requirements of Hawkesbury City Council Section 94A Development Contributions Plan 2006.

It is noted that the issues relating to DA0026/11 were reported to Council's Ordinary meeting of 13 September 2011 for the consideration of a variation to the flood controls contained under Hawkesbury local Environmental Plan 1989. Council resolved as follows:

That:

1. *The objection under SEPP No. 1 be supported.*
2. *Upon receipt of the issue of a Bushfire Safety Authority, or otherwise, from the NSW Rural Fire Service the determination of Development Application No. DA0026/11 at Lot 77 DP 211935 Lot 2 DP 1080830, Chaseling Road North Webbs Creek for Tourist Facility - Thirty (30) tourist cabins be delegated to the General Manager."*

The matter was reported to Council to obtain Council's resolution to support the SEPP 1 objection (relating to flood heights for floor levels) only and not for the determination of the development application. The determination of the application was delegated to the General Manager in this case due to the need to obtain the RFS requirements prior to determination.

Following the receipt of a Bushfire Safety Authority for the development an assessment report was prepared by planning staff based on the report presented to Council and the comments from the NSW Rural Fire Service. The assessment report noted that while the report presented to Council indicated that contribution fees were not applicable to the development, a check of Council's contributions plan found that the development was not exempt from contribution fees. Accordingly a condition of consent was recommended in the planning report approved by the Director of City Planning under the delegation of the General Manager

Assessment against Section 96(1) of the Environmental Planning and Assessment Act 1979

The proposal has been submitted pursuant to Section 96(1) of the Environmental Planning and Assessment Act 1979, which allows Council to modify an application based on the following:

- (1) ***Modifications involving minor error, misdescription or miscalculation***
A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify a development consent granted by it to correct a minor error, misdescription or miscalculation. Subsections (1A), (2), (3), (5) and (6), section 96AB and Division 8 do not apply to such a modification.

Comment:

Council has the authority to modify the consent under Section 96 (1) of the Act should it be found that the imposition of condition 16 was made in error. However, as described above the development was found not to be exempt from the contributions plan levy and the contribution should be imposed. In this case it is considered that this modification request does not fulfil the requirements under Section 96(1) and should not be supported.

Assessment against Section 94A of the Environmental Planning and Assessment Act 1979

The modification sought is to delete condition No. 16 of Development Consent DA0026/11, which requires payment of a \$30 000.00 contribution under Section 94A of the Environmental Planning and Assessment Act, 1979. Contribution fees were imposed as part of the original consent consistent with the requirements

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of Hawkesbury City Council Section 94A Development Contributions Plan 2006. The primary purposes of this contributions plan are:

- to authorise the imposition of a contribution on development consents and complying development certificates requiring the payment of a contribution pursuant to section 94A of the Environmental Planning and Assessment Act, 1979;
- to assist the council to provide the appropriate public facilities which are required to maintain and enhance amenity and service delivery within the area; and,
- to publicly identify the purposes for which the levies are required.

It should be noted that the proposal does not fall under any of the exemptions highlighted under this policy or under any relevant Acts or Regulations. Accordingly Council does not have the authority to waive or discount contributions levied in accordance with the adopted Development Contributions Plan.

Should Council have the desire to fund the contribution fees applicable to this development this could be done via another avenue, such as establishing a Community Sponsorship Program. However, it should be noted that the Community Sponsorship Program does not allow for the provision of financial assistance to a commercial or for-profit entity.

The submission received argues that the contribution fees should be waived based on the following:

1. *The development is not new development, rather the consent simply allows cabins to be built onsite, instead of being manufactured off site and delivered in sections.*

Comment: The proposal to construct new buildings on the subject site falls under development that is required to be levied under Councils Section 94A contributions plan, the Environmental Planning and Assessment Regulation 2000 and the Environmental Planning and Assessment Act 1979.

2. *Development Consent DA0140/77 (as modified) permits the installation of cabins on the 30 sites.*

Comment: Previous approvals which apply to the land did not involve the development of the caravan sites only the use of the land for temporary camping or parking of vehicles/moveable homes. The current application proposes the construction of new permanent buildings and was submitted after the introduction of Councils S94A Contributions Plan in 2006. While Council has previously considered the use of the land for other activities this application seeks to change the intensity of development on the land with the construction of 30 permanent cabins. In essence this proposal is no different to a proposal to construct a commercial (tourist use) structure on a vacant allotment of land which would be subject to the imposition of a S94A contribution.

3. *Development Consent DA0140/77 approved, inter alia, 30 short term caravan sites on the subject land. A modification application pursuant to S96 of the Act was submitted on 6 June 2002 seeking to relocate these sites to their current location.*

The modification was approved on 12 February 2003, however contained a condition restricting the use of the sites for "Only tents, caravans or campervans, or moveable dwellings that are capable of being registered under the Road Transport (Vehicle Registration) Act 1997 may be installed on the sites"

A subsequent modification was approved on 7 October 2010 which reinstated the permissibility of cabins on the 30 relocated dwelling sites.

Comment: Refer to previous comments. Again the imposition of the S94A levy applies to construction works and not to the use of land.

4. *The usual procedure for a Council to consider constructing buildings on site is for the applicant to lodge an Objection under Section 82 of the Local Government Act, 1993. However a discussion was held with Councils City Planning Director and the relevant planning and regulatory staff on 11*

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November 2010. Council advised that it prefers to deal with the matter as a development application under the Environmental Planning and Assessment Act, rather than an application pursuant to S68 and an objection under S82 of the Local Government Act.

Comment: While Council may be able to consider the construction of the proposed tourist cabins under the Local Government Act 1993, the applicant has submitted the application for approval under the Environmental Planning and Assessment Act 1979. It is noted that the option to submit an application under the Local Government Act 1993 is still available to the applicant should the applicant choose to surrender the current application.

5. *My client has spent some 50 years in developing a high quality tourist park and resort at Del Rio. In doing so, he has expended significant funds on completing the northern end of Chaseling Road along the river, constructing and sealing some 1km of Chaseling Road between Bicentenary Road and the Resort. A section of approximately 1.5km of Bicentenary Road which runs through the property was also dedicated to Council free of charge.*

My client now intends to invest \$3M in local tradespeople and sourcing local construction materials. It is submitted that Del Rio has over many years made significant contributions in terms of public infrastructure and the promotion of local tourism.

Comment: It is noted that previous works have been undertaken in relation to the surrounding locality however these works were not undertaken as part of any works in kind agreement or under any planning agreement or draft planning agreement under Section 93F of the Environmental Planning and Assessment Act, 1979.

Council has the authority under the Environmental Planning and Assessment Act 1979 or the Environmental Planning and Assessment Regulation 2000 to accept works-in-kind in lieu of a cash payment. Whilst a works-in-kind agreement could have been made, this would normally occur before works are done, have an agreed value and occur by signed agreement between the parties. No works-in-kind agreement is in place for this development.

6. *The entitlement to place cabins on the 30 sites has been in existence since 1977. No additional public infrastructure improvement was identified at the time. No S94A contributions were placed on the modification approved in 2010. Imposing contributions on the latest development consent is therefore considered to be both unnecessary and inequitable. My client will now be spending \$3M in the local area on tradespeople and materials, rather than paying for the manufacture of the buildings off-site and outside of the Hawkesbury LGA. The \$30 000 contribution is effectively a penalty for spending locally.*

Comment: It is noted that at the time of approval of the caravan sites there was no contributions plan in place for public infrastructure and that the modification approved in 2010 did not generate the need for contribution fees to be levied under Councils current S94A contributions plan. Whilst the caravan sites have been in existence prior to the introduction of Councils contributions plan it is development of the caravan sites proposed under DA0026/11 (i.e., the construction works) which generates the need for contribution fees to be levied under Councils contributions plan.

Assessment against Section 79C of the Environmental Planning and Assessment Act 1979

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:

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a. The provisions of any:

i. Environmental Planning Instrument:

The modification proposed does not change the nature of the development with respect to the following provisions:

- State Environmental Planning Policy No. 1 – Development Standards;
- State Environmental Planning Policy No. 44 - Koala Habitat Protection;
- Sydney Regional Environmental Plan 20. (No.2 - 1997) - Hawkesbury - Nepean River; and,
- Hawkesbury Local Environmental Plan 1989 (HLEP 1989).

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

DRAFT Hawkesbury Local Environmental Plan 2011 applies to the subject land. The proposal is not contrary to the matters for consideration under this plan.

iii. Development Control Plan applying to the land:

Hawkesbury Development Control Plan 2002 applies to the proposal. The proposal is consistent with the requirements of this plan with no physical changes proposed as part of the modification.

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

The applicant has not proposed any planning agreement or draft planning agreement under Section 93F of the Environmental Planning and Assessment Act, 1979.

v. Matters prescribed by the Regulations:

Part 4 of the Environmental Planning and Assessment Regulation 2000 provides the requirements for the levying of Section 94A developer contributions. Hawkesbury City Council S94A Contributions Plan 2006 was created in accordance with the regulations and a development contribution of \$30,000.00 is required to be imposed.

It is considered that the deletion of the s94A contribution fee based on the reasons submitted would be inconsistent with the provisions of the Environmental Planning and Assessment Regulation 2000 and Environmental Planning and Assessment Act 1979.

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

Council has previously considered the likely environmental impacts the development would have on the locality and it is considered that the modification does not change the potential environmental impacts of the proposed development.

c. Suitability of the site for development:

Council has previously considered the suitability of the site for development and it is considered that the modification does not change the suitability of the land for the proposal.

d. Any submissions made within accordance with the Act or the Regulations:

The application is considered to be a modification pursuant to Section 96 (1) of the Environmental Planning and Assessment Act and is not required to be notified under this Act or under Hawkesbury Council Development Control Plan 2002.

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e. The Public Interest:

The proposal is inconsistent with Hawkesbury City Council Section 94A Development Contributions Plan 2006. This plan has been established to assist Council in providing appropriate public facilities within the Hawkesbury. Supporting a proposal contrary to the Councils S94A contributions plan is considered to be contrary to the general public interest.

Conclusion

Based upon the assessment of the application in this report, it is considered that the modification not be supported.

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 the modification application be refused for the following reasons:

1. The proposed modification request is not consistent with the provisions of Section 96(1) of the Environmental Planning and Assessment Act 1979 as imposition of a development contribution was not a minor error, misdescription or miscalculation.
2. Requests to waive, discount or otherwise vary a development contribution are not available under the provisions of the Hawkesbury City Council Section 94A Development Contributions Plan 2006.
3. The modification request would not be in the public interest as waiving of the contribution could result in the loss of potential financial support for public facilities.
4. Support of a modification request contrary to Councils S94A contributions plan for a private, commercial development would set an undesirable precedent.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

INFRASTRUCTURE SERVICES

Item: 48 IS - LGSA Discussion Paper - Review of Local Government Engagement with the NSW Rural Fire Service - (79016)

REPORT:

Executive Summary

The NSW Rural Fire Service is the responsible agency for rural fire management and operates with the support of local government.

The Local Government and Shires Association of NSW (LGSA) have prepared a discussion paper in response to a number of concerns raised by NSW Councils.

Whilst there is a highly successful partnership between Council, the RFS and the local brigades within the Hawkesbury, there has been a gradual change in the RFS administration and financial arrangements, which has impacted on Council financial planning and budgets. This has occurred due to State level decision making increasing Councils costs through the application of a statutory contribution rate.

A number of options have been proposed by the LGSA, and of these it is recommended that qualified support be given to the option of retracting local government's operational responsibilities.

This qualified support is dependent on:

- Further stakeholder consultation particularly local brigades.
- Development of long term financial and operational expenditure plans.
- Establishment of local committees to ensure local input into decision making.

Consultation

The issues raised in this report concern matters which constitute a trigger for Community Engagement under Council's Community Engagement Policy. The community engagement process proposed in this report meets the criteria for the minimum level of community engagement required under Council's policy, with the report recommending that the proposed Council position on this discussion paper be subject to further engagement with affected stakeholders.

Due to the short period available for Council's response (Council was notified on 22 March, 2012, with response due 26 April, 2012), it was not practicable to engage with stakeholders in a meaningful manner.

Background

In response to the concerns raised by various Councils in NSW, the Local Government and Shires Association of NSW (LGSA) have prepared a discussion paper on key issues and options relating to Local Government and its engagement with the NSW Rural Fire Service (RFS).

Input and comment has been sought from individual Councils in order to develop a new policy position. The LGSA has indicated that such a policy would be the subject of consideration at the annual conference. A copy of the discussion paper has been distributed under separate cover.

Discussion

In summary, the discussion paper identified that throughout NSW, different Councils hold a variety of often conflicting views about both the structure and relationship between councils and the RFS. Council has a successful longstanding relationship with the RFS and the local brigades and volunteers, however ongoing changes have limited Council's administration role, whilst continuing to increase financial liabilities for RFS head office decisions.

Since 1997, operational arrangements have principally been the responsibility of the RFS, with Fire Control Officers and overall control of operations being transferred from Councils.

Further changes occurred in 2009 with the consolidation of the Fire Service Levy into the Emergency Services Levy (ESL). Local Council's share of funding is 11.7%. (It should be noted that the LGSA is not proposing any change or discussion on the ESL as it has an already adopted position on this, which is that the ESL should be replaced by a broad based property levy with exemption from rate pegging.)

Future Relationship of Local Government with Rural Fire Service

The discussion paper canvasses a number of options for local government's role in rural fire management, ranging from divestment of responsibility, to improvements to current arrangements, and through to local government reassuming principal responsibility.

Within the Hawkesbury district there are approximately 1500 volunteers in the RFS, and any discussion on the future of rural fire management must be cogniscent of the key role that these volunteers and the local brigades play in planning and onground activity. Further, the community spirit and value that arises from these groups is considered to be significant. It follows that no final decisions should be made without local brigade and volunteer input.

The discussion paper indicates that across NSW there is some concern amongst the RFS membership at the centralisation and growth of administration and middle management at RFS Head Office.

Five options were put forward in the LGSA discussion paper.

Option 1 – Retract Local Governments operational involvement with the RFS

Option 1A – Merging the two fire services

Option 2 – Retaining current arrangements with process improvements

Option 3 – Local Government recovering bushfire responsibilities

Option 4 – Maintain status quo

Of the options put forward in the discussion paper, the preferred model from Councils financial and administrative perspective is Option 1 – Retract Local Governments operational involvement with the RFS.

This support however is highly qualified and is subject to:

- Further consultation being undertaken with all stakeholders, and in particular local brigades to ensure that the essential qualities of a volunteer service are maintained.
- A transparent long term financial plan for operational and capital expenditure being developed to provide certainty over local government financial contributions.
- Establishment of appropriate local bushfire management committees to ensure local input into district and regional strategies and activities. These committees should have substantial local community and council membership.

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The discussion paper also identified a number of specific current and potential issues. The following table details suggested responses to these.

Issue	Proposed Council Response
Facilities – Standards and Imposed Requirements by RFS	A long term capital and operational plan should be developed for each district, in consultation with local councils and brigades and embodied in an overall State Plan to ensure consistency and equity of facility standards.
Equipment – responsibility for acquisition and replacement	Equipment and acquisition including tankers and passenger vehicles should be undertaken by the State, in accordance with a long term fleet operation and management plan developed in consultation with each district.
Bushfire Management Committee – Council Representation	No change is considered necessary as long as Council is able to continue to represent itself (as land managers) and advocate on behalf of their local community.
Reimbursement of Council costs during events/emergencies	Whilst Council does receive reimbursement of some costs, <u>all</u> costs (other than staff costs normally directed to fire management) should be reimbursed (including ordinary hours wages) to ensure that there is no further cost shifting or diminution of other Council services.
Ownership of land and improvements <u>if</u> responsibility for fire management is taken over by a central authority.	Whilst the LGSA has proposed a reimbursement payment to Councils should centralisation of operations occur, there are facilities on a range of land tenures and ownership and many facilities have been funded and provided by Council for this specific purpose. If a change were proposed, a working party including local government should be formed to establish an equitable transfer of assets.
Financial Arrangements – budget and contribution advice delays.	There have been a number of difficulties over recent years with both calculation and notification of Council contributions for inclusion in Council's budget. A simplified arrangement based on a long term financial and operational plan would remove these issues.
Planning Controls and Advice on developments in bushfire prone areas.	Councils and private certifiers are responsible, under planning legislation, for approval of developments in all but the most extreme categories of Bushfire Attack Levels. Due to concerns over the expertise required, training, assessment tools and certification requirements need to be reviewed.

Conformance to Community Strategic Plan

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

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

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

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

Financial Implications

There are no direct financial implications arising as a result of this report.

RECOMMENDATION:

That Council:

1. Support a continuing dialogue and discussion over future engagement with the RFS to ensure optimum fire management services are provided to the community.
2. Forward a submission to the LGSA as outlined in the report in response to its discussion paper.

ATTACHMENTS:

- AT - 1** LGSA Discussion Paper: Review of Local Government Engagement with the RFS - *(to be distributed under separate cover)*.

oooO END OF REPORT Oooo

ORDINARY MEETING**Meeting Date:** 24 April 2012**SUPPORT SERVICES****Item: 49 SS - Monthly Investments Report - March 2012 - (96332, 95496)****Previous Item:** 144, Ordinary (29 June 2010)**REPORT:****Executive Summary**

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

This report indicates that Council held \$41.30 million in investments at 31 March 2012.

It is recommended that this report be received and noted.

Consultation

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

Background

The following table indicates that Council held \$41.30 million in investments as at 31 March 2012. Details of the financial institutions with which the investments were made, date investments were taken out, the maturity date (where applicable), the rate of return achieved, the credit rating of the institutions both in the short term and the long term, and the percentage of the total portfolio, are provided below:

Investment Type	Institution Short Term Rating	Institution Long Term Rating	Lodgement Date	Maturity Date	Interest Rate %	Principal \$	Percentage of Portfolio	Total \$
On Call								
ANZ	A1+	AA-	31-Mar-12		5.75%	2,600,000	6.29%	
ANZ	A1+	AA-	31-Mar-12		5.75%	400,000	0.97%	
CBA	A1+	AA-	31-Mar-12		4.75%	350,000	0.85%	3,350,000
Term Investments								
ANZ	A1+	AA-	18-May-11	16-May-12	6.35%	500,000	1.21%	
ANZ	A1+	AA-	23-Mar-12	17-Oct-12	6.00%	400,000	0.97%	
ANZ	A1+	AA-	16-Dec-11	16-May-12	6.00%	1,500,000	3.63%	
Bankwest	A1+	AA-	13-Dec-11	11-Apr-12	6.00%	1,500,000	3.63%	
Bankwest	A1+	AA-	22-Feb-12	22-Aug-12	5.85%	1,200,000	2.91%	

ORDINARY MEETING

Meeting Date: 24 April 2012

Investment Type	Institution Short Term Rating	Institution Long Term Rating	Lodgement Date	Maturity Date	Interest Rate %	Principal \$	Percentage of Portfolio	Total \$
Bankwest	A1+	AA-	07-Mar-12	05-Sep-12	5.85%	2,000,000	4.84%	
Bankwest	A1+	AA-	21-Mar-12	05-Sep-12	5.90%	500,000	1.21%	
CUA	A-2	BBB	07-Mar-12	06-Feb-13	6.05%	250,000	0.61%	
NAB	A1+	AA-	29-Nov-11	11-Apr-12	5.89%	2,000,000	4.84%	
NAB	A1+	AA-	22-Feb-12	22-Aug-12	5.85%	1,000,000	2.42%	
NAB	A1+	AA-	11-Jan-12	16-May-12	6.09%	2,000,000	4.84%	
NAB	A1+	AA-	27-Jul-11	25-Jul-12	6.29%	1,000,000	2.42%	
NAB	A1+	AA-	06-Jul-11	05-Jul-12	6.25%	2,000,000	4.84%	
NAB	A1+	AA-	16-Nov-11	16-May-12	5.72%	1,000,000	2.42%	
NAB	A1+	AA-	07-Dec-11	11-Apr-12	5.90%	2,000,000	4.84%	
NAB	A1+	AA-	25-Jan-12	25-Jul-12	5.91%	2,000,000	4.84%	
NAB	A1+	AA-	25-Jan-12	25-Jul-12	5.91%	1,800,000	4.39%	
St George	A1+	AA-	09-Feb-12	08-Aug-12	5.93%	1,000,000	2.42%	
St George	A1+	AA-	24-Feb-12	05-Sep-12	6.01%	800,000	1.94%	
Westpac	A1+	AA-	26-Oct-11	26-Apr-12	5.80%	1,000,000	2.42%	
Westpac	A1+	AA-	16-Nov-11	26-Apr-12	5.72%	1,000,000	2.42%	
Westpac	A1+	AA-	10-Aug-11	08-Aug-12	6.00%	2,000,000	4.84%	
Westpac	A1+	AA-	17-Aug-11	15-Aug-12	6.00%	1,000,000	2.42%	
Westpac	A1+	AA-	23-Nov-11	09-May-12	5.75%	3,000,000	7.26%	
Westpac	A1+	AA-	06-Dec-11	06-Jun-12	6.00%	2,500,000	6.05%	
Westpac	A1+	AA-	06-Dec-11	20-Jun-12	6.00%	3,000,000	7.26%	37,950,000
TOTAL INVESTMENT AS AT 31 MARCH 2012								41,300,000

Bench Marking

Bench Mark	Bench Mark %	Actual %
UBS 90 Day Bank Bill Rate	4.26%	5.95%
Reserve Bank Cash Reference Rate	4.25%	5.65%

Performance by Type

Category	Balance \$	Average Interest	Difference to Benchmark
Cash at Call	3,350,000	5.65%	1.40%
Term Deposit	37,950,000	5.95%	1.69%
Total	41,300,000	5.93%	1.67%

ORDINARY MEETING

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Restricted/Unrestricted Funds

Restriction Type	Amount \$
External Restrictions - S94	7,352,545
External Restrictions - Other	9,855,568
Internal Restrictions	13,773,552
Unrestricted	10,318,335
Total	41,300,000

Funds subject to external restrictions cannot be utilised for any purpose other than that specified in line with legislative requirements. Externally restricted funds include funds relating to S94 Contributions, Domestic Waste Management, Stormwater Management and Grants.

Internal restrictions refer to funds allocated through a Council Resolution, for specific purposes or to meet future known expenses. Whilst it would 'technically' be possible for these funds to be utilised for other purposes, such a course of action, unless done on a temporary internal loan basis, would not be recommended, nor would it be 'good business practice'. Internally restricted funds include funds relating to Tip Remediation, Plant Replacement, Risk Management and Election.

Unrestricted funds may be used for general purposes in line with Council's adopted budget.

Investment Commentary

The investment portfolio decreased by \$1.40 million for the month of March, 2012. During March, various income was received totalling \$3.96 million, including rate payments amounting to \$2.07 million, while payments to suppliers and staff costs amounted to \$5.68 million.

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

As at 31 March 2012, Council has invested \$7.25 million with 2nd tier financial institutions, with the remaining funds being invested with 1st tier institutions. Council's adopted Investment Policy allows Council to invest funds with 2nd tier Authorised Deposit Taking Institutions that are wholly owned subsidiaries of major Australian trading banks, subject to conditions stipulated in the Policy.

As at 31 March 2012, Council also had \$0.25 million invested with a 2nd tier institution that is not a wholly owned subsidiary of a major Australian trading bank. This amount is fully covered under the Financial Claims Scheme (FCS) for Authorised Deposit-taking Institutions (ADIs). The FCS protects depositors by guaranteeing deposits (up to the cap) held in ADIs incorporated in Australia, and allows quick access to deposits if an ADI becomes insolvent. A permanent guarantee cap, per account holder, per ADI, of \$250,000, has been in place since 1 February 2012. This investment complies with Council's adopted Investment Policy.

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

Council's investment portfolio complies with Council's Investment Policy, adopted on 28 June 2011.

Investment Certification

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

ORDINARY MEETING

Meeting Date: 24 April 2012

Conformance to Community Strategic Plan

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

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

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

- Maintain and review a sustainable long term financial framework.

Financial Implications

Funds have been invested with the aim of achieving budgeted income in 2011/2012.

RECOMMENDATION:

The report regarding the monthly investments for March 2012 be received and noted.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

Item: 50 SS - Pecuniary Interest Returns - (95496, 96333)

REPORT:**Executive Summary**

The Local Government Act, 1993 details the statutory requirements in respect of the lodgement of Disclosure of Pecuniary Interests and Other Matters Returns by Councillors and Designated Persons. This Report provides information regarding four Returns recently lodged with the General Manager by four Designated Persons. It is recommended that Council note that the Disclosure of Pecuniary Interests and Other Matters Returns lodged with the General Manager have been tabled in accordance with the Local Government Act 1993.

Consultation

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

Background

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

"450A Register and tabling of returns:

1. *The general manager must keep a register of returns required to be lodged with the general manager under section 449.*
2. *Returns required to be lodged with the general manager under section 449 must be tabled at a meeting of the council, being:*
 - (a) *in the case of a return lodged in accordance with section 449 (1)—the first meeting held after the last day for lodgement under that subsection, or*
 - (b) *in the case of a return lodged in accordance with section 449 (3)—the first meeting held after the last day for lodgement under that subsection, or*
 - (c) *in the case of a return otherwise lodged with the general manager—the first meeting after lodgement."*

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

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

ORDINARY MEETING

Meeting Date: 24 April 2012

With regard to Section 450A(2)(a), the following Section 449(1) Returns have been lodged:

Position	Return Date	Date Lodged
Rates Team Leader	09/01/12	29/03/12
Director Infrastructure Services	17/01/12	24/01/12
Visitor Information Coordinator	17/01/12	19/03/12
Compliance Officer - Parking	23/01/12	30/01/12

The Returns have been lodged prior to the due dates for the receipt of the Returns, being three months after the return dates. The above details are now tabled in accordance with Section 450A(2)(a) of the Act and the Returns are available for inspection if requested.

Conformance to Community Strategic Plan

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

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

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

- Have ongoing engagement and communication with our community, governments and industries.

Financial Implications

No financial implications applicable to this report.

RECOMMENDATION:

That the information be received and noted.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 24 April 2012

Item: 51 **SS - Review of Windsor Mall Policy and Outdoor Dining & Footpath Trading Policy - (95496, 96333)**

Previous Item: 75, Ordinary (24 April 2007)
 190, Ordinary (9 September 2008)

REPORT:

Executive Summary

At the meeting of Council, held on 24 April 2007, Council adopted a "Outdoor Dining and Footpath Trading Policy" which covered all footpath trading activities, including dining, across the whole of the Hawkesbury Local Government Area (Hawkesbury LGA) excluding Windsor Mall.

At the meeting of Council, held on 9 September 2008, Council adopted a "Windsor Mall Policy" which covered most activities likely to be undertaken in Windsor Mall.

The "Outdoor Dining and Footpath Trading Policy" excludes Windsor Mall, the "Windsor Mall Policy" does not adequately cover outdoor dining or footpath trading and, instead, refers to the provisions of the "Outdoor Dining and Footpath Trading Policy".

A review of each Policy has been undertaken and minor amendments are proposed.

The report recommends the amended Policies be placed on public exhibition and the matter be reported back to Council at the conclusion of the exhibition period.

Consultation

In order to enable all relevant parties the opportunity to review and comment on the Policies, each Policy should be placed on exhibition for a period of no less than 28 days prior to its adoption by Council.

Background

At the meeting of Council, held on 24 April 2007, Council adopted a "Outdoor Dining and Footpath Trading Policy" which covered all footpath trading activities, including dining, across the whole of the Hawkesbury LGA excluding Windsor Mall.

At the meeting of Council, held on 9 September 2008, Council adopted a "Windsor Mall Policy" which covered most activities likely to be undertaken in Windsor Mall.

The "Outdoor Dining and Footpath Trading Policy" excludes Windsor Mall, the "Windsor Mall Policy" does not adequately cover outdoor dining or footpath trading and, instead, refers to the provisions of the "Outdoor Dining and Footpath Trading Policy".

Given the conflicting references and the difference in the area of Windsor Mall, as opposed to the majority of footpaths in the Hawkesbury LGA, the policies are not currently cohesive, effective or easily understood by the users of the footpaths or the Mall.

A review of each Policy has been undertaken and minor amendments are proposed involving the complete exclusion of Windsor Mall from the "Outdoor Dining and Footpath Trading Policy", and an expansion of the "Windsor Mall Policy" to clearly outline permitted uses, including outdoor dining and footpath trading. Further clarification has been provided in regard to food permitted in the Mall. Additionally, the relevant application forms have been included within each Policy, as an attachment.

ORDINARY MEETING

Meeting Date: 24 April 2012

With the exception of grammatical or formatting errors, any amendments or additions to either Policy have been underlined, whilst any deletions have been crossed out.

It is considered that these minor amendments will ensure that both Policies will be clearer to any prospective users of Windsor Mall and anyone wishing to use footpaths for outdoor dining and footpath trading. The amended Policies will also ensure that Council staff can manage and assess any requests or issues that may arise.

Copies of the subject Policies, which have been updated to reflect the necessary amendments, are attached to this report as Attachments 1 and 2. The proposed amended Policies, as attached, are recommended for public exhibition and report back to Council at the conclusion of the exhibition period.

Conformance to Community Strategic Plan

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

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

and is also consistent with the strategy in the Community Strategic Plan being:

- Have ongoing engagement and communication with our community, governments and industries.

Financial Implications

The cost of advertising the Policies would be met from Component 22 - Administrative Services of the 2011/2012 Adopted Budget.

RECOMMENDATION:

That:

1. The amended "Outdoor Dining and Footpath Trading Policy" attached as Attachment 1 to the report, be placed on public exhibition for a period of 28 days, and that the matter be reported back to Council at the conclusion of the exhibition period.
2. The amended "Windsor Mall Policy" attached as Attachment 2 to the report, be placed on public exhibition for a period of 28 days, and that the matter be reported back to Council at the conclusion of the exhibition period.

ATTACHMENTS:

- AT - 1** Amended "Outdoor Dining and Footpath Trading Policy" - (*Distributed under separate cover*)
AT - 2 Amended "Windsor Mall Policy" - (*Distributed under separate cover*)

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 24 April 2012

CONFIDENTIAL REPORTS

Item: 52 **SS - Property Matter - 37 Macquarie Street, Windsor - (95496, 112106, 74060)**
CONFIDENTIAL

Reason for Confidentiality

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

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

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

ORDINARY MEETING

Meeting Date: 24 April 2012

Item: 53 **SS - Property Matter - Assignment of Lease from Wayne and Leanne Gerahty to Jessica L'Estrange Pty Ltd - Shop 6, Glossodia Shopping Centre - (95496, 112106, 8999, 77895, 119464, 119465, 113095) CONFIDENTIAL**

Reason for Confidentiality

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

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

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

ordinary

section 5

reports
of committees

ORDINARY MEETING
Reports of Committees

SECTION 5 - Reports of Committees

ROC - Local Traffic Committee - 16 April 2012 - (80245)

Minutes of the Meeting of the Local Traffic Committee held in the Large Committee Room, Windsor, on 16 April 2012 commencing at 3.00pm.

ATTENDANCE

Present: Councillor Kim Ford (Chairman)
Mr Richard McHenery, Roads and Maritime Services
Mr Kevin Conolly, MP, (Riverstone)

Apologies: Mr Ray Williams, MP, (Hawkesbury)
Mr Bart Bassett, MP, (Londonderry)
Snr Constable Brad Phillips, NSW Police Force
Mr Carlos DeSousa, Hawkesbury Valley Bus Service

In Attendance: Mr C Amit, Manager, Design & Mapping Services

The Chairman tendered an apology on behalf of Snr Constable Brad Phillips, NSW Police Force, Mr Ray Williams, MP, (Hawkesbury) and Mr Bart Bassett, MP, (Londonderry), advising that Snr Constable Brad Phillips, (NSW Police Force), Mr Ray Williams, MP, (Hawkesbury) and Mr Bart Bassett, MP, (Londonderry), concurred with recommendations as contained in the formal agenda and had granted proxy to himself to cast vote(s) on their behalf.

SECTION 1 - Minutes

Item 1.1 Confirmation of Minutes

The Committee resolved on the motion of Mr Richard McHenery, seconded by Councillor Kim Ford, that the minutes from the previous meeting held on 12 March_2012 be confirmed.

Item 1.2 Business Arising

There was no business arising from the previous minutes.

SECTION 2 - Reports for Determination

Item 2.1 LTC - 16 April 2012 - Item 2.1 - Proposed No Parking zone adjacent to No. 20 Fitzgerald Street, Windsor - (Riverstone) - (80245)

REPORT:

Introduction

Representation has been received requesting that a section of the existing No Stopping zone along the frontage to the Medical Centre at No. 20 Fitzgerald Street, Windsor, be converted to a No Parking zone.

Provision of the No Parking zone will allow for the pick up and drop off of patients as no off street parking is available at this facility.

Discussion

The Medical Centre is located at No. 20 Fitzgerald Street, Windsor, (corner property with Union Lane) on the north-eastern side of Fitzgerald Street between Union Lane and Pulsford Lane. The No Stopping zone on the north-eastern side of Fitzgerald Street extends from Union Lane to Pulsford Lane.

Picking up and dropping off patients in a No Stopping zone is not permitted. For a No Stopping zone, as stated in the Australian Road Rules – Rule No. 167 (ARR167), a driver must not stop on a length of road or in an area to which a No Stopping sign applies.

Picking up and dropping off patients in a No Parking zone is permitted. In accordance with Australian Road Rule 168 (ARR168), the driver of a vehicle must not stop on a length of road or in an area to which a No Parking sign applies unless the driver is dropping off, or picking up passengers or goods, which must be completed within 2 minutes and does not leave the vehicle unattended (driver stays within 3 metres of the vehicle). In affect a No Parking zone is a drop off and pickup area.

To facilitate the provision of a pick up and drop off area for the Medical Centre would necessitate converting a section of the existing No Stopping zone adjacent to their frontage to a No Parking zone.

The current regulatory speed limit on Fitzgerald Street in this vicinity is 50 kph. This road is a local road. The road width between kerbs in Fitzgerald Street is 8.0 metres, which would make it feasible to convert a section of the existing No Stopping zone to No Parking adjacent to the Medical Centre, whilst not compromising the movement of traffic along Fitzgerald Road.

Fire and Rescue NSW - Windsor (Fire Station) is located on the opposite side of Fitzgerald Street (No.19 Fitzgerald Street) which has a No Stopping zone across its frontage. The No Stopping zone on both sides of Fitzgerald Street provides access for the fire truck in and out of the Fire Station, and is not impeded by parked vehicles. The main access point to the Fire Station is positioned towards the south-eastern end of the property boundary. There is an opportunity to convert a section of the existing No Stopping zone, adjacent to the Medical Centre, to No Parking without compromising access for the fire truck. The No Parking zone will need to be positioned north-west of the main access point of the Fire Station.

Changes to the No Stopping zone in front of the Medical Centres has been discussed with the Captain of the Fire Station who is supportive of the change on the basis that the No Stopping zone directly opposite the access point to the Fire Station is retained.

ORDINARY MEETING
Reports of Committees

It is proposed to convert a 7.0 metre section of the existing No Stopping zone on the north-eastern side of Fitzgerald Street between Union Lane and Pulsford Lane. The proposed 7.0 metre No Parking zone, on the north-eastern side of Fitzgerald Street, is to commence at a point 10.0 metres south-east, from the south-eastern kerb line in Union Lane and extend in a south-easterly direction, ensuring that the No Stopping zone directly opposite the main access point to the Fire Station is retained.

An alternate option to the changes in Fitzgerald Street is to utilise Union Lane. The pavement width in Union Lane, which is adjacent to the Medical Centre, is 4.5 metres. Union Lane is restricted to Parking with No Parking zones on both sides of the road, extending from Fitzgerald Street to Kable Street. Utilisation of the No Parking zone is available for patients, however being a One-Way street in the direction of Kable Street to Fitzgerald Street, access to Union Lane is only available from Kable Street. Changing the existing No Parking zone in Union Lane to short term parking is not possible due to the pavement width of 4.5 metres. A minimum width of 5.4 metres is required for a parking lane and travelling lane. Street parking (1 hour) is available in Fitzgerald Street between Union Lane and The Terrace.

The conversion of a 7.0 metre section of the existing No Stopping zone to a No Parking zone will not affect or result in the loss of any street parking.



APPENDICES:

There are no supporting documents for this report.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Kevin Conolly, MP seconded by Mr Richard McHenery.

That a 7.0 metre section of the existing No Stopping zone on the north-eastern side of Fitzgerald Street, Windsor, adjacent to No. 20 Fitzgerald Street, between Union Lane and Pulsford Lane be converted to a No Parking zone. The proposed 7.0 metre No Parking zone, on the north-eastern side of Fitzgerald Street, is to commence at a point 10.0 metres south-east from the south-eastern kerb line in Union Lane and extend in a south-easterly direction, ensuring that the No Stopping zone directly opposite the main access point to the Fire Station is retained.

Item 2.2 LTC - 16 April 2012 - Item 2.2 - St Albans Horse Endurance Ride 2012 ("Careflight at St Albans") - (Hawkesbury) - (80245, 99601, 114819)

REPORT:

Introduction:

An application has been received from the St Albans Committee seeking approval (in traffic management terms) to conduct the St Albans Horse Endurance Ride (also known as "Careflight at St Albans"), in and around the St Albans and Macdonald Valley areas. The event will be held on Saturday 9 and Sunday 10, June 2012.

The event organiser has advised:

- This is an annual event which has been held for over 30 years.
- The Endurance Horse Ride is a timed event and not a race.
- The ride will be run as a fund raiser for Careflight
- As part of the event a Training Horse Ride which is non-competitive will also be undertaken.
- The event will be undertaken between 6.00am and 5.00pm each day.
- There will be approximately 120 horse riders participating.
- There will be approximately 50 spectators.
- Start and end point for the event will be within the St Albans village.
- Event Schedule:

Saturday 9, June 2012:

ORDINARY MEETING
Reports of Committees

- Training Horse Ride: 35 kilometres (Leg 2)
- Social Ride: 20 Kilometres

Sunday 10, June 2012:

- Endurance Horse Ride: 80 kilometres (Legg 1 & 2).
 - Training Horse Ride: 35 kilometres (Leg 2).
 - Social Ride: 20 Kilometres.
- The Endurance Ride will have a maximum riding time of 9 hours, with the Training Ride and Social Ride having a maximum riding time of 5 hours.
 - Route/Course for the Rides:

Endurance Ride: 80 Kilometres:

- Leg 1 (50 Kilometres): Riders will leave St Albans and travel up Wollombi Road to Johnny's Hill, along the Transmission Road, down Blue Hill and Wrights Creek Road, right into Settlers Road and back to Town (St Albans).
- Leg 2 (35 Kilometres): Riders will leave St Albans and travel up Wollombi Road to Joe's Crossing, left into Upper Macdonald Road (Branch Road), turning right up Jack's Track, then turning right onto the Woomerah Path and right down McKechnie's, right into the Upper Macdonald Road (Branch Road), left over Joe's Crossing, right into Wollombi Road and back to Town (St Albans).

Training Ride: 35 Kilometres:

- Leg 2 (35 Kilometres): Riders will leave St Albans and travel up Wollombi Road to Joe's Crossing, left into Upper Macdonald Road (Branch Road), turning right up Jack's Track, then turning right onto the Woomerah Path and right down McKechnie's, right into the Upper Macdonald Road (Branch Road), left over Joe's Crossing, right into Wollombi Road and back to Town (St Albans).

Social Ride: 20 Kilometres:

- Riders will leave St Albans and travel up Wollombi Road where they will be turned around at the Common after 10 Kilometres and head back to Town (St Albans).
- Road Inventory
The route/course of the ride is predominantly on the tracks within the Parr State Recreational Area, Yengo National Park, private farmlands and on the following public roads;
 - Bulga Street – Sealed section
 - Settlers Road – Sealed and Unsealed Road
 - Upper Macdonald Road – Unsealed Road
 - Wharf Street – Sealed Road
 - Wollombi Road – Sealed and Unsealed Road
 - Wrights Creek Road - Unsealed Road
 - Crossing of the Macdonald River at various locations.
- The event is also traversing along the Great Northern Road, which is under the care and control of the National Parks and Wildlife Service (Office of Environment and Heritage).

ORDINARY MEETING

Reports of Committees

- St Albans Bridge, which is under the care and control of the Roads and Traffic Authority, will only be used in the event of flooding of the Macdonald River. All riders will be instructed to walk over the bridge.
- Road closures are not required.
- Parking of vehicles will be predominantly on private land,
- Warning signage shall be in place on all approaches to inform traffic of Horse and Riders ahead,
- All riders will be instructed to keep to the left hand side of the road and obey road rules,
- All riders wear bibs with reflective cloth tape stitched onto them. On the front the colour is white/silver and on the back the colour is red.
- When riding in the dark on public roads all riders are required to either wear head lights on their helmets or carry torches.
- Wicenis are at all checkpoints on the course, who will communicate with the ride base on the progress of all riders as they follow the course. This communication is also used to convey an emergency on the course.

Details of the Event Course Maps for the Endurance Horse Ride, Training Horse Ride and Social Ride are contained in Attachments 1 to 4.

Discussion:

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

The event organiser has submitted the following items in relation to the event: Attachment 5 (ECM Document Nos: 3996281 & 4037515):

1. Traffic and Transport Management for Special Events – HCC: Form A – Initial Approval - Application Form,
2. Traffic and Transport Management for Special Events – HCC: Form B – Initial Approval Application - Checklist,
3. Special Event Transport Management Plan Template – RTA (Roads and Maritime Services - RMS),
4. Traffic Management Plan (TMP) and Traffic Control Plans (TCP),
5. Event Course Maps,
6. Public Liability Insurance to the value of \$20,000,000, which expires on 01 January 2013,
7. Copy of the application to the NSW Police Force,
8. Copy of the Advertisement to be placed in the Forgotten Valley News and Hawkesbury Gazette,
9. Copy of the correspondence to be forwarded to the Residents and Businesses,
10. Copy of correspondence forwarded to the NSW Police.

Reserve Matters:

The event organiser has made application with Councils Parks and Recreation Section to utilise St Albans Reserve.

Authorisation for the use of St Albans Bridge is required from the Roads and Maritime Services - RMS (formerly RTA).

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Kevin Conolly, MP, seconded by Mr Richard McHenery.

That:

1. The St Albans Horse Endurance Ride event (also known as Careflight at St Albans), in and around the St Albans and Macdonald Valley areas, planned for Saturday 9 and Sunday 10, June 2012 be classified as a “**Class 2**” special event, in terms of traffic management, under the “Traffic and Transport Management for Special Events” guidelines issued by the Roads and Maritime Services - RMS (formerly RTA).
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 Roads and Maritime Services - RMS (formerly RTA) publication “Guide to Traffic and Transport Management for Special Events” (Version 3.4) and the Hawkesbury City Council special event information package that explains the responsibilities of the event organiser in detail.
4. It is strongly recommended that the event organiser visits Council’s web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/organising-an-event>, and refers to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they are familiar with the contents and requirements of this information. The approval conditions listed below relate only to matters relating to the traffic management of the event.
5. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted and the following conditions:

Prior to the event:

- 5a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health & Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation’s web site at <http://www.dsr.nsw.gov.au>; additionally council has an events template which can be provided to assist in identifying and controlling risks);
- 5b. the event organiser is to assess the risk and address the suitability of the entire route as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the route / site by the event organiser prior to the event;
- 5c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; **a copy of the Police Force approval to be submitted to Council;**
- 5d. the event organiser is to obtain approval from the Roads and Maritime Services - RMS (formerly RTA) as the event may traverse across the St Albans Bridge; **a copy of the Roads**

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and Maritime Services - RMS (formerly RTA) approval to be submitted to Council;

- 5e. the Event organiser is to ensure that dust along the unsealed sections of road utilised by the event participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be addressed as outlined in the TMP;
- 5f. the event organiser is to obtain the relevant approval to conduct the event from the Roads and Maritime Services - RMS (formerly NSW Maritime); **a copy of this approval to be submitted to Council;**
- 5g. the event organiser is to obtain the relevant approval from the Office of Environment and Heritage to cross the Macdonald River; **a copy of this approval to be submitted to Council;**
- 5h. the event organiser is to obtain approval from the National Parks and Wildlife Service (Office of Environment and Heritage) for the use of the Parr State Recreational Area, Yengo National Park and the Great Northern Road; **a copy of this approval to be submitted to Council;**
- 5i. the event organiser is to obtain written approval from Councils' Parks and Recreation Section for the use of a Council Park/Reserve;
- 5j. the event organiser is to obtain approval from the NSW Department of Primary Industries for the use of any Crown Road or Crown Land; **a copy of this approval to be submitted to Council;**
- 5k. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; **a copy of this approval to be submitted to Council;**
- 5l. the event organiser is to obtain any necessary approvals from adjoining Councils; **a copy of this approval to be submitted to Council;**
- 5m. the event organiser is to advertise the event in the local press stating the entire route/extent of the event, and the traffic impact/delays expected, due to the event two weeks prior to the event; **a copy of the proposed advertisement has been submitted to Council;**
- 5n. the event organiser is to notify the details of the event to the NSW Ambulance Service, Fire and Rescue NSW, NSW Rural Fire Service and SES at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council;**
- 5o. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, and the traffic impact/delays expected, due to the event for at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council;**
- 5p. the event organiser is to directly notify all the residences and businesses which may be affected by the event, and the traffic impact/delays expected, due to the event 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;**
- 5q. the event organiser is to **submit** the completed " Traffic and Transport Management for Special Events – **Final Approval Application Form (Form C)**" **to Council;**

During the event:

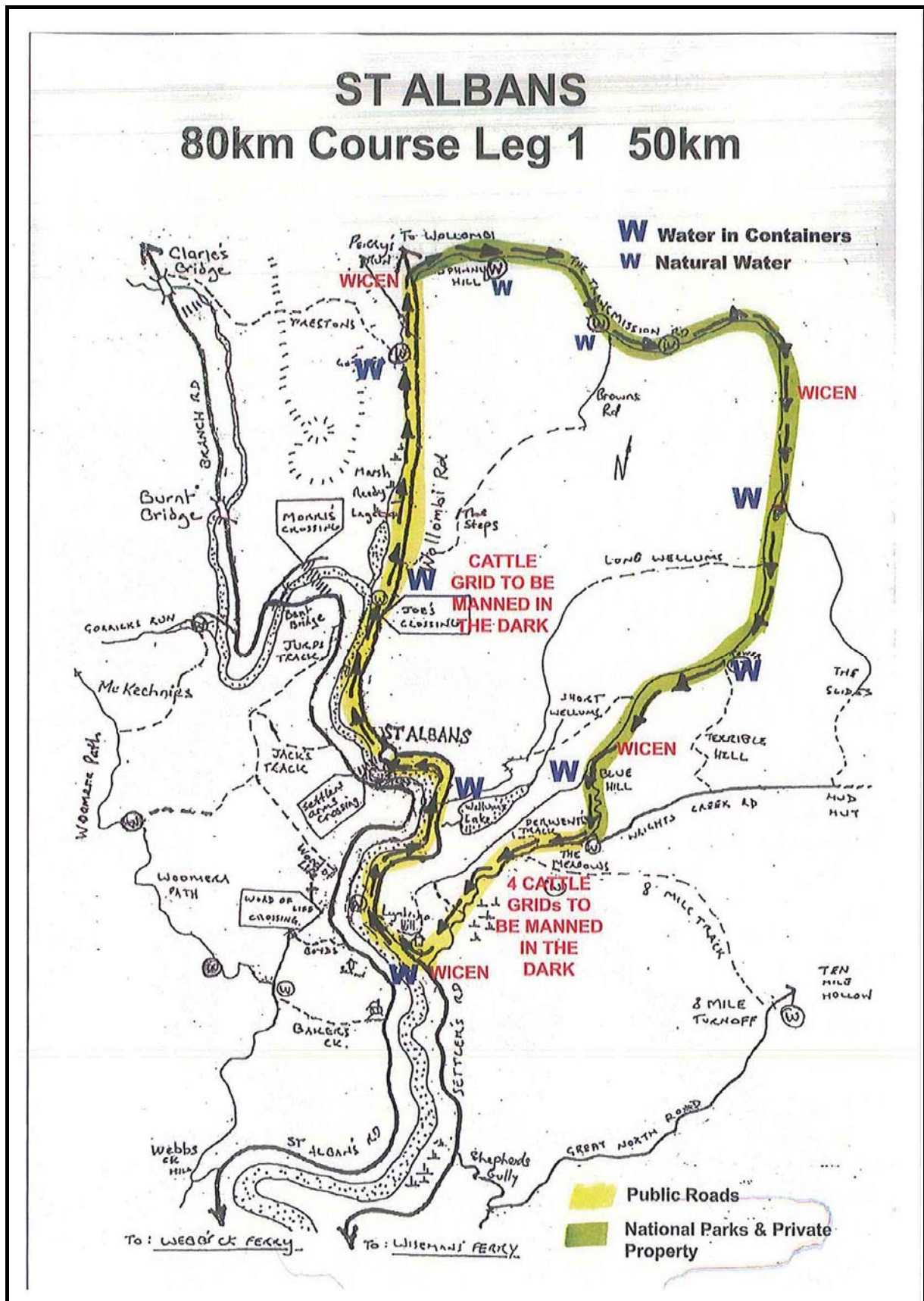
- 5r. access is to be maintained for businesses, residents and their visitors;
- 5s. a clear passageway of at least 4 metres in width is to be maintained at all times for

- emergency vehicles;
- 5t. all traffic controllers / marshals operating within the public road network are to hold appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
 - 5u. the riders are to be made aware of and are to follow all the general road user rules whilst riding on public roads;
 - 5v. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices are to be placed along the route, during the event, under the direction of a traffic controller holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
 - 5w. the competitors and participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event;
 - 5x. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity, and,
 - 5y. the Event organiser is to ensure that dust along the unsealed sections of road utilised by the event participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be undertaken as outlined in the TMP.

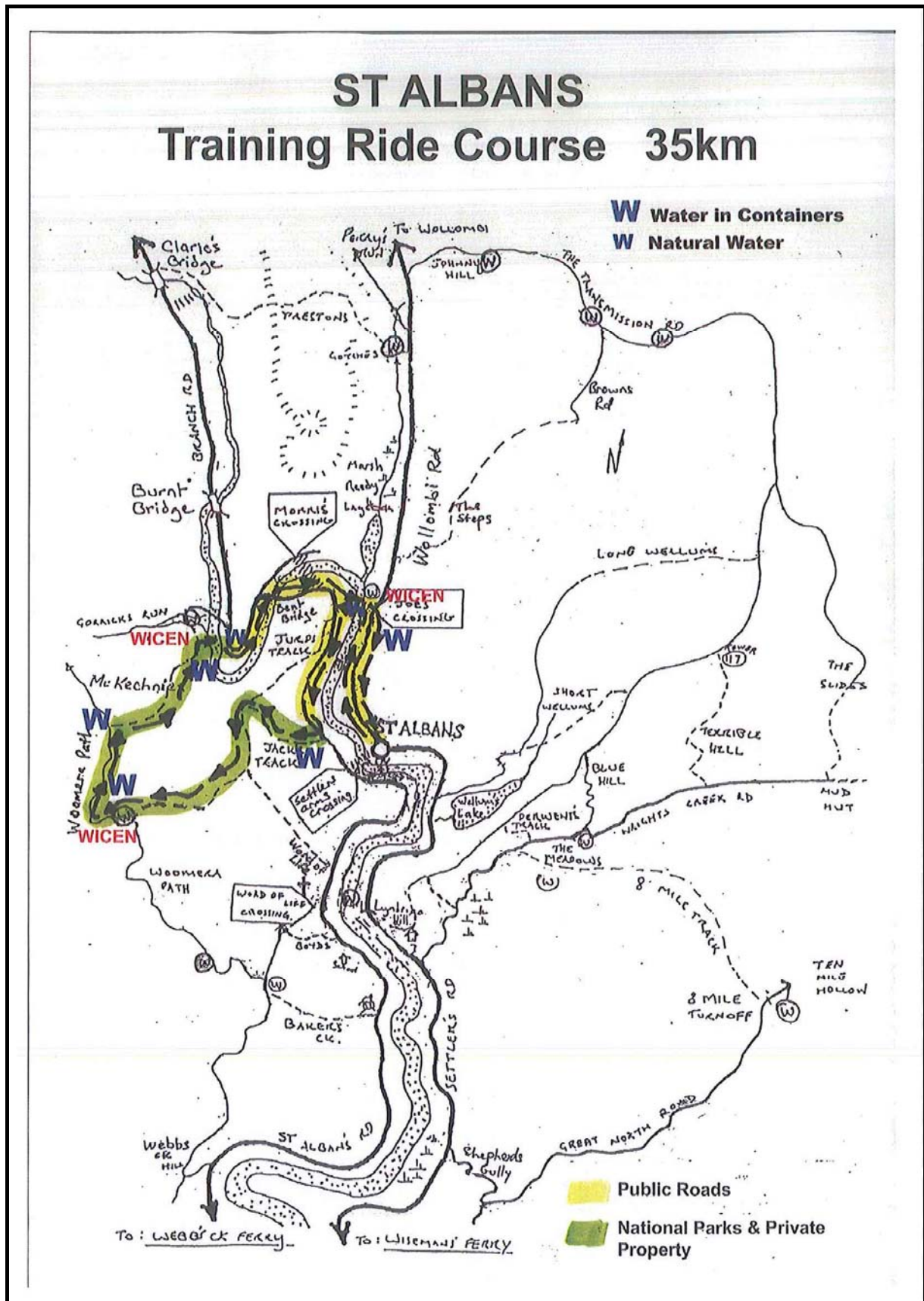
APPENDICES:

- AT – 1** Event Course Map - Endurance Horse Ride: 80 kilometres - Leg 1 (50 Kilometres).
- AT - 2** Event Course Map - Endurance Horse Ride: 80 kilometres - Leg 2 (35 kilometres).
- AT - 3** Event Course Map - Training Horse Ride: 35 kilometres.
- AT - 4** Event Course Map - Social Ride: 20 Kilometres.
- AT – 5** Special Event Application - (ECM Document Nos: 3996281 & 4037515) - *see attached*

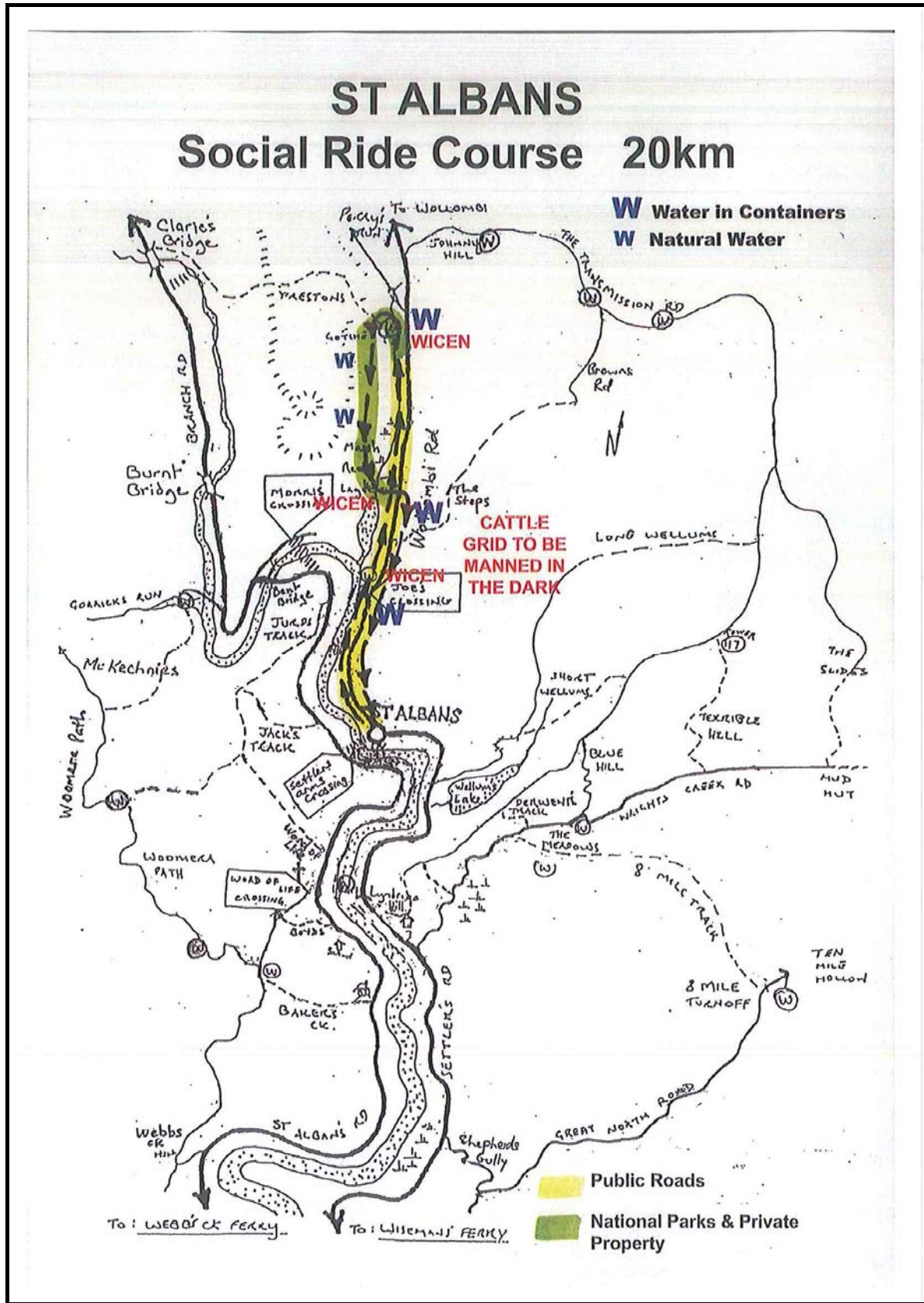
AT – 1 Event Course Map - Endurance Horse Ride: 80 kilometres - Leg 1 (50 Kilometres)



AT - 3 Event Course Map - Training Horse Ride: 35 kilometres.



AT - 4 Event Course Map - Social Ride: 20 Kilometres.



SECTION 3 - Reports for Information

Item 3.1 **LTC - 16 April 2012 - Item 3.1 - Advice on School Zone Flashing Lights for Freemans Reach PS, Hawkesbury High School, Kuyper Christian School, Kurrajong East PS and Bede Polding College - (Hawkesbury, Londonderry & Riverstone) - (80245, 73621)**

Previous Item: Item 3.1, LTC (21 September 2011)

REPORT:

Advice has been received from the Roads and Maritime Services - RMS (formerly RTA) indicating that School Zone Flashing Lights are to be installed within the vicinity of Freemans Reach Public School, Hawkesbury High School, Kuyper Christian School, Kurrajong East Public School and Bede Polding College. The information provided by RMS in part is listed below (ECM Document No. 4021318).

"As part of the NSW Government's \$13 million project announced in August 2011, the Roads and Maritime Services (RMS) is delivering school zone flashing lights to 540 school zones across NSW in four years.

The lights operate automatically when school zone 40km/h speed limits are in force and increase drivers' awareness of school zones.

RMS is pleased to advise that schools to benefit from the latest roll-out include the following schools within your LGA.

- *Hibberts Lane at Freeman's Reach Public School and Hawkesbury High School,*
- *Redbank and Greggs Road at Kuyper Christian School,*
- *East Kurrajong Road at Kurrajong East Public School,*
- *Rifle Range Road at Bede Polding College.*

It is not possible to provide you with a date for the installation of the flashing lights, however, it is expected that the work will start in mid March 2012 and all school zones in this roll-out should be fitted with the flashing lights by June 2012."

School Zone Flashing Lights were previously installed along the Kurmond Road frontage at Freemans Reach Public School and Hawkesbury High School in early 2011.

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

1. Arndell Anglican College at Wolseley Road, Oakville,
2. Bilpin Public School at Bells Line of Road, Bilpin,
3. Cattai Public School at Cattai Road, Cattai,
4. Colo Heights Public School at Putty Road, Colo Heights,
5. Colo High School at Bells Line of Road, North Richmond,
6. Ebenezer Public School at Sackville Road, Ebenezer,
7. Freemans Reach Public School at Kurmond Road, Freemans Reach,
8. Grose View Public School at Grose Wold Road, Grose Wold,
9. Hawkesbury High School at Kurmond Road, Freemans Reach,
10. Kurmond Public School at Bells Line of Road, Kurmond,
11. Kurrajong North Public School at Bells Line Of Road, Kurrajong Hills,
12. Kurrajong Public School at Grose Vale Road, Kurrajong,
13. Oakville Public School at Oakville Road, Oakville,

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14. Pitt Town Public School at Buckingham Street, Pitt Town,
15. Richmond High School at Castlereagh Road and Lennox Street, Richmond,
16. Richmond North Public School at Grose Vale Road, North Richmond,
17. Richmond Public School at Francis Street and Windsor Street, Richmond,
18. St Monica's Catholic Primary School at Francis Street, Richmond,
19. Windsor High School at Mulgrave Road, Mulgrave,
20. Windsor Public School at George Street, Windsor.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Kevin Conolly, MP, seconded by Mr Richard McHenry.

That the information be received.

APPENDICES:

There are no supporting documents for this report.

SECTION 4 - General Business

Item 4.1 LTC - Change of Date - Bridge to Bridge 2012 - Power Boat Time Trial Event from Brooklyn to Windsor (Hawkesbury, Londonderry & Riverstone) - (80245, 73829)

Previous Item: Item 2.2, LTC (9 January 2012)

REPORT:

Mr C Amit advised the Committee that correspondence had been received from the Upper Hawkesbury Power Boat Club, advising that due to the recent flooding of the Hawkesbury River, the dates for the Bridge to Bridge Power Boat Race have been changed from the approved dates of 5 and 6 May 2012 to 26 and 27 May 2012, in the interest of the safety of their competitors.

COMMITTEE RECOMMENDATION:

That the Information be received.

SECTION 5 - Next Meeting

The next Local Traffic Committee meeting is proposed to be held on Monday, 14 May 2012 at 3.00pm in the Large Committee Room.

The meeting terminated at 4.45pm.

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Questions for Next Meeting

QUESTIONS FOR NEXT MEETING

Questions from Previous Meetings and Responses - (105109)

REPORT:

Questions – 27 March 2012

#	Councillor	Question	Response
1	Bassett	Requested that before renewing Council's membership to Hawkesbury Radio, that council seek clarification with regard to how much of the membership fees and income goes towards the maintenance of the facility.	The General Manager advised that the request has been noted and will be actioned at the appropriate time.
2	Williams	Advised that there is a mattress downstream of Currency Creek and requested its removal.	Director City Planning advised arrangements have been made with the Depot for the removal of the mattress.
3	Paine	Advised that the Hollands Paddock where the Sand Sculpting Competition was conducted hasn't been restored and requested that some turf be laid before the weather gets too cold.	Director Infrastructure Services advised that turfing has recently been undertaken by the event organisers and the area will continue to be monitored and any necessary further works undertaken to ensure satisfactory grass cover is achieved.
4	Paine	Asked for a update on the Old Hospital Building.	Director Support Services advised that the Old Hospital Building has not been leased to date. There have recently been preliminary enquiries and inspections of the Building by two prospective tenants; however no formal lease proposals have been received. The leasing of the Building continues to be marketed by Council's two appointed agents, and also by Council through the Internet, signage and direct mailouts.
5	Calvert	Asked for an update on the installation of solar panels on the roof of the Council Administration Building.	Director Infrastructure Services advised that quotations are currently being sought for the installation of solar panels. It is anticipated that a successful contractor will be engaged within the coming month.
6	Calvert	Requested to be advised of the status of the proposed new "off leash" area following an email from local residents congratulating	Director Infrastructure Services advised that orders have been placed for the fencing of the dog off leash area at Peel Park, North Richmond. It is anticipated

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Questions for Next Meeting

#	Councillor	Question	Response
		Council on the additional area.	that the "off leash" area will be operational by the end of May 2012.
7	Porter	Asked for an update in relation to studies associated with the possible dredging of parts of the rivers.	<p>Director City Planning advised that Council prepared a brief, in accordance with the terms of the grant approval, and sought quotations from the open market to undertake the investigation works and preparation of the review of environmental factors (REF) of the 7 priority sites as identified by the Floodplain risk Management Advisory Committee. (The REF is required for licence applications to undertake the works.) Four submissions were received, however, the prices quoted by the companies exceeded the project budget.</p> <p>Following discussion by senior management the project scope has been divided into stages as follows:</p> <p>Stage 1 - Sediment sampling and analysis at seven priority locations between Windsor and Sackville Ferry, including dredge design bed profiles, estimated cost of dredging, sediment extraction quantity, reuse potential, revenue from potential sale and infill rate.</p> <p>Stage 2 - Review of Environmental Factors (REF) to be carried out at locations identified as viable for dredging.</p> <p>Stage 3 - Following the successful outcome of the REF funding to be secured for dredging works.</p> <p>Stage 4 - Dredging project tender documentation, evaluation and implementation process.</p> <p>The available budget for this project will enable the completion of stage one and part of stage two of the above. Prior to the commencement of stage one, due to the recent increased river flows in March this year, Council staff are working with Roads and Maritime Services staff to recheck the current data available on the river bed profiles.</p>

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#	Councillor	Question	Response
8	Porter	Asked if the Canoe Club pay for the use of Phillip Park and also for the equipment they store there.	Director Infrastructure Services advised that the Canoe Club have access to a small shed at the end of the toilet block in Macquarie Park, and a container on the site to store equipment. The Club is not being charged for this usage.
9	Rasmussen	Asked for an update on Yarramundi Lane and Kurrajong Road intersection.	Director Infrastructure Services advised that it is anticipated that the RMS will finalise the traffic study in May/June 2012.
10	Tree	Wanted to pass on her thanks for the removal of graffiti on the rear wall of the Auto One building.	Director Infrastructure Services advised that the appreciation has been noted and forwarded to Rotary, who undertook the removal.

ATTACHMENTS:

There are no supporting documents for this report.

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