



Hawkesbury City Council

ordinary meeting business paper

date of meeting: 27 August 2013

location: council chambers

time: 6:30 p.m.



mission statement

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

How Council Operates

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

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

Ordinary Meetings of Council are generally held on the second Tuesday of each month (except January), and the last Tuesday of each month (except December), meeting dates are listed on Council's website. The meetings start at 6.30pm and are scheduled to conclude by 11:00pm. These meetings are open to the public.

When an Extraordinary Meeting of Council is held, it will usually also be held on a Tuesday and start at 6.30pm. These meetings are also open to the public.

Meeting Procedure

The Mayor is Chairperson of the meeting.

The business paper contains the agenda and information on the items to be dealt with at the meeting. Matters before the Council will be dealt with by an exception process. This involves Councillors advising the General Manager by 3:00pm on the day of the meeting, of those items they wish to discuss. A list of items for discussion will be displayed at the meeting for the public to view.

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

Public Participation

Members of the public can request to speak about an item raised in the business paper at the Council meeting. You must register to speak at a Council meeting. To register you must lodge an application form with Council prior to 3:00pm on the day of the meeting. The application form is available on the Council's website, from the Customer Service Unit and by contacting the Manager - Corporate Services and Governance on (02) 4560 4426 or by email at council@hawkesbury.nsw.gov.au.

The Mayor will invite registered persons to address the Council when the item is being considered. Speakers have a maximum of five minutes to present their views. The Code of Meeting Practice allows for three speakers on the Proponent side (i.e. in support) and three for the Respondent side (i.e. in objection). If there are a large number of speakers for one item, speakers will be asked to organise for three representatives to address the Council for either the Proponent or Respondent side (six speakers in total).

Voting

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

Planning Decision

Under Section 375A of the Local Government Act 1993, voting for all Planning decisions must be recorded individually. Hence, the Chairperson will ask Councillors to vote with their electronic controls on planning items and the result will be displayed on a board located above the Minute Clerk. 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. This electronic voting system was an innovation in Australian Local Government pioneered by Hawkesbury City Council.

Business Papers

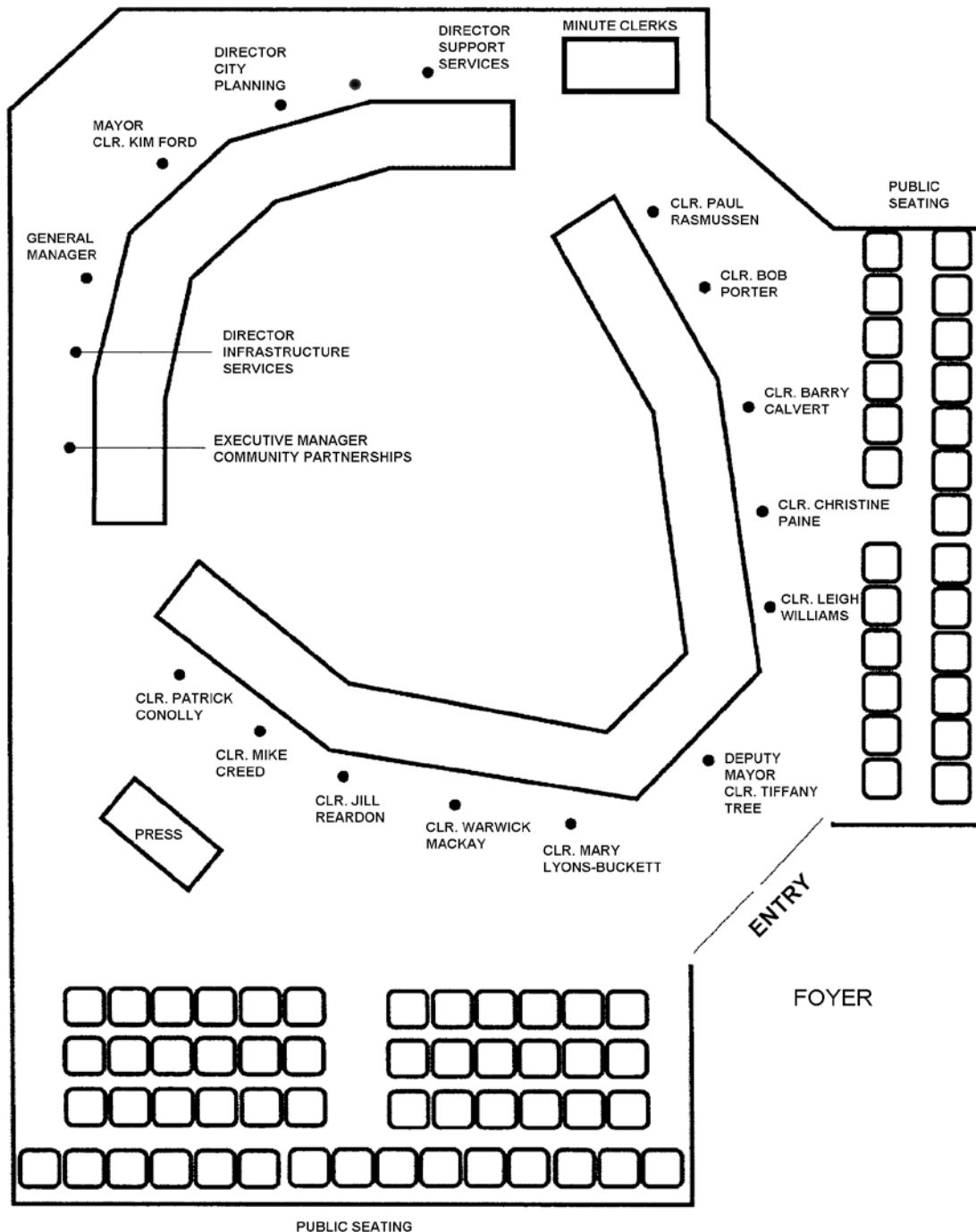
Business papers can be viewed online from noon on the Friday before the meeting on Council's website: <http://www.hawkesbury.nsw.gov.au>

Hard copies of the business paper can be viewed at Council's Administration Building and Libraries after 12 noon on the Friday before the meeting, and electronic copies are available on CD to the public after 12 noon from Council's Customer Service Unit. The business paper can also be viewed on the public computers in the foyer of Council's Administration Building.

Further Information

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

Hawkesbury City Council



ORDINARY MEETING

Table of Contents

Meeting Date: 27 August 2013.

AGENDA

- **WELCOME / EXPLANATIONS / PRAYER**
- **APOLOGIES**
- **DECLARATION OF INTERESTS**
- **SECTION 1 - Confirmation of Minutes**
- **AGENDA ITEMS SUBJECT TO PUBLIC ADDRESS**
- **SECTION 2 - Mayoral Minutes**
- **SECTION 3 - Notices of Motion**
- **EXCEPTION REPORT - Adoption of Items Not Identified for Discussion and Decision**
- **SECTION 4 - Reports for Determination**

General Manager

City Planning

Infrastructure Services

Support Services

- **SECTION 5 - Reports of Committees**
- **QUESTIONS FOR NEXT MEETING**

ORDINARY MEETING

Table of Contents

Meeting Date: 27 August 2013.

ORDINARY MEETING**Table of Contents****Meeting Date:** 27 August 2013.**TABLE OF CONTENTS**

ITEM	SUBJECT	PAGE
SECTION 1 - Confirmation of Minutes		3
SECTION 3 - Notices of Motion		7
NM1 -	Proposed Closure of Demonstration and Research Farm UWS - (79351, 125612)	7
NM2 -	Proposed Closure of Windsor Court House - (79351, 80104)	8
NM3 -	Advertisement - 2013/2014 Rate Structure - (79351, 125612)	9
NM4 -	Removal of Security Barrier during Council Meetings - (79351, 80106)	10
NM5 -	Report on Rebate for Rate Increase - (79351, 80106)	11
NM6 -	Position of Mayor and Deputy Mayor Determination - (79351, 80093)	12
NM7 -	Consultation with Community - Redbank and/or Jacaranda Ponds Development - (79351, 80093)	13
NM8 -	Resumption of Adjourned Council Meetings - (79351, 80105)	14
SECTION 4 - Reports for Determination		17
GENERAL MANAGER		17
CITY PLANNING		17
Item: 167	CP - DA0280/13 - 69 Blacktown Road and 121A Batchelors Wharf Road, Freemans Reach - Lot 7 251845 and 1-5 262394 -Intensive Plant Agriculture - (95498, 90477, 114078, 85782)	17
Item: 168	CP - Investigations to Dredge Parts of the Hawkesbury River - (95498)	31
Item: 169	CP - Delivery Program 2012 - 2016 - End of Financial Year Progress Report 1 July 2012 - 30 June 2013 - (95498)	39
INFRASTRUCTURE SERVICES		41
Item: 170	IS - Hawkesbury International Sand Sculpting Championship 2014 - (95495, 128023)	41
Item: 171	IS - Proposed Markets at Richmond Park and McQuade Park - (95495)	46
SUPPORT SERVICES		48
Item: 172	SS - Monthly Investments Report - July 2013 - (96332, 95496)	48
Item: 173	SS - Carryovers Report - 2012/2013 Operational Plan - (96332, 95496)	52
Item: 174	SS - Code of Meeting Practice - (95496, 79337)	60

ORDINARY MEETING**Table of Contents****Meeting Date:** 27 August 2013.

ITEM	SUBJECT	PAGE
Item: 175	SS - Policy for Payment of Expenses and Provision of Facilities to Councillors - (95496)	72
CONFIDENTIAL REPORTS		75
Item: 176	IS - Tender No. 00930 - Supply and Installation of Variable Speed Blowers - South Windsor Sewage Treatment Plant - (95495, 112179) CONFIDENTIAL	75
Item: 177	SS - Property Matter - Lease to Wayne Edwards Holdings Pty Limited - 37 Macquarie Street, Windsor (112106, 25587, 95496) CONFIDENTIAL	76
Item: 178	SS - Property Matter - Lease to Amos Leighton - Cafe within Deerubbin Precinct, Windsor - Part Lot 50 in DP 1035291 - (95496, 112106, 111401, 120258) CONFIDENTIAL	77
SECTION 5 - Reports of Committees		81
ROC -	Development Application Monitoring Advisory Committee - 18 July 2013 - (79351)	81
ROC -	Floodplain Risk Management Advisory Committee - 22 July 2013 - (86589)	84
ROC -	Local Traffic Committee - 12 August 2013 - (80245)	94
QUESTIONS FOR NEXT MEETING		117
Councillors Questions from Previous Meetings and Responses - 30 July 2013 and 13 August 2013 - (79351)		117

ordinary

section 1

confirmation of minutes

ORDINARY MEETING
Confirmation of Minutes

ORDINARY MEETING
Confirmation of Minutes

SECTION 1 - Confirmation of Minutes

ORDINARY MEETING
Confirmation of Minutes

ordinary

section

3

notices of motion

ORDINARY MEETING

Notices of Motion

ORDINARY MEETING

Notices of Motion

SECTION 3 - Notices of Motion

NM1 - Proposed Closure of Demonstration and Research Farm UWS - (79351, 125612)

Submitted by: Councillor M Lyons-Buckett

NOTICE OF MOTION:

That Council make representations to the relevant State Minister regarding the importance of the Demonstration and Research Farm facility at the University of Western Sydney and seek details of the reasons for the intended closure of the facility.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

ORDINARY MEETING

Notices of Motion

NM2 - Proposed Closure of Windsor Court House - (79351, 80104)

Submitted by: Councillor C Paine

NOTICE OF MOTION:

That Council make representations to the relevant State Minister regarding the proposed closure of the Windsor Court House, requesting that this decision be reviewed, to enable this valuable service to be retained for the Hawkesbury community.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

ORDINARY MEETING

Notices of Motion

NM3 - Advertisement - 2013/2014 Rate Structure - (79351, 125612)

Submitted by: Councillor M Lyons-Buckett

NOTICE OF MOTION:

That Council resolve to place a full page advertisement in the Hawkesbury Gazette detailing how the rate restructure was carried out, and advising ratepayers of avenues of rate review and options for those who may be suffering financial hardship from the changes.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

ORDINARY MEETING

Notices of Motion

NM4 - Removal of Security Barrier during Council Meetings - (79351, 80106)

Submitted by: Councillor P Rasmussen

NOTICE OF MOTION:

That Council ascertain which Councillors wish to have the security fence in the Gallery surrounding them and remove it from the other Councillors who do not wish to be fenced off from the residents and others attending the Council meeting.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

ORDINARY MEETING

Notices of Motion

NM5 - Report on Rebate for Rate Increase - (79351, 80106)

Submitted by: Councillor P Rasmussen

NOTICE OF MOTION:

That Council investigate and submit a Report on the options available for rebating to affected house, business and other land owners the massive rate increase amounts above the 3.4%.

BACKGROUND:

1. Council's redistribution of the rates burden across the City properties is causing significant financial stress and harm on affected businesses, home owners and other property owners in the Hawkesbury LGA.
2. Many families are affected by this massive redistribution and the reported increases of 47% and more above the previous year's rates will result in intolerable financial hardship and in some cases potentially foreclosures. Many of these families have young school age children, many are single income families and many are retired households on low or fixed incomes. Such a huge financial impost and hike is unsustainable for these families and the distress this redistribution is causing across the entire community is devastating.
3. Council needs to investigate urgently ways of mitigating this massive financial impact on Hawkesbury households, small businesses and other property owners before many are forced to sell at less than optimum market prices.
4. Several business owners are reporting rate increases of 100% compared to last year's rates. The small business environment is very difficult and to impose such massive local tax burden on these small businesses is simply unacceptable, unsustainable and local economy destroying. Council must urgently investigate options for rebating and otherwise mitigating these massive local tax hikes before the local economy collapses and many local jobs are lost.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

ORDINARY MEETING

Notices of Motion

NM6 - Position of Mayor and Deputy Mayor Determination - (79351, 80093)

Submitted by: Councillor B Calvert

NOTICE OF MOTION:

That Council provide a report on the possibility of having the positions of Mayor and Deputy Mayor determined on a merit basis in future, eg. determined by a community based panel.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

ORDINARY MEETING

Notices of Motion

NM7 - Consultation with Community - Redbank and/or Jacaranda Ponds Development - (79351, 80093)

Submitted by: Councillor B Calvert

NOTICE OF MOTION:

That Council staff organise a meeting with members of the community who have made submissions in regard to the Redbank and/or Jacaranda Ponds developments so that they have the opportunity to fully explain the content of their submissions. This meeting is to take place before the Council prepares a response to the submissions.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

ORDINARY MEETING

Notices of Motion

NM8 - Resumption of Adjourned Council Meetings - (79351, 80105)

Submitted by: Councillor L Williams

NOTICE OF MOTION:

That Council resolves that where an Ordinary Meeting is adjourned because of time constraints or any other reason, it shall be recommenced at 6.30 pm on the following Tuesday evening, the Ordinary Meeting to take precedence over any previously scheduled matters including briefings.

BACKGROUND:

Councillors generally keep Tuesday evenings free for Council matters, and the public expect that meetings will commence at 6.30pm. This resolution will prevent confusion over meeting times and allow Councillors and the public to know in advance what the arrangements will be if a meeting is discontinued for any reason.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

ordinary

section 4

reports
for determination

ORDINARY MEETING

Meeting Date: 27 August 2013

ORDINARY MEETING

Meeting Date: 27 August 2013

SECTION 4 - Reports for Determination

CITY PLANNING

Item: 167 **CP - DA0280/13 - 69 Blacktown Road and 121A Batchelors Wharf Road, Freemans Reach - Lot 7 251845 and 1-5 262394 -Intensive Plant Agriculture - (95498, 90477, 114078, 85782)**

Development Information

File Number: DA0280/13
Property Address: 69 Blacktown Road and 121A Batchelors Wharf Road, Freemans Reach
Applicant: Urban City Consulting Pty Limited
Owner: Huang Brother Pty Limited
Proposal Details: Intensive Plant Agriculture – Use of the properties for intensive plant agriculture (horticulture), the construction of an agricultural farm shed and the installation of igloos
Estimated Cost: \$400,000
Zone: RU2 Rural Landscape and E2 Environment Conservation
Date Received: 4 June 2013
Advertising: 25 June to 25 July 2013

Recommendation: Refusal

REPORT:

Executive Summary

This application seeks the consent of Council to construct an agricultural farm shed, install igloos and operate a market garden at 69 Blacktown Road and 121A Batchelors Wharf Road, Freemans Reach. The sites are currently being used for this agricultural purpose and accordingly retrospective approval is sought.

The subject property immediately adjoins the regionally significant Bushells Lagoon. The nature of the use and the proximity to Bushells Lagoon necessitate a focus on the market garden's environmental impacts. In this regard the application fails to demonstrate that development will have an acceptable impact as the submitted details on a range of matters is deficient. Also fundamental requirements have not been met such as owner's consent to access 121A Batchelors Wharf Road. Hence Council is unable to support the application as submitted.

The refusal of the development is therefore recommended.

There has been a range of unauthorised activities on the site, including illegal immigrants residing within the existing agricultural farm shed. Separate compliance action is and will be undertaken either by Council or other relevant government authorities separate to the consideration of this application.

The application has been referred to Council due to the number of submissions received and the fact that the previous, withdrawn, application (DA0526/10) was called to Council by Councillor Porter.

ORDINARY MEETING

Meeting Date: 27 August 2013

Key Issues

- Unauthorised use
- Environmental Impacts – Bushells Lagoon
- Noise and Amenity Impacts
- Visual Appearance

Description of Proposal

Pursuant to Clause 78A(1) of the Environmental Planning and Assessment (EP&A) Act 1979 (as amended) this application seeks the consent of Council to construct an agricultural farm shed, install igloos and operate a market garden. The growing of Chinese vegetables is nominated for the site.

The development specifically involves the following:

- The construction of an agricultural farm shed at 69 Blacktown Road with a total (ridge) height of 6.5m and a gross floor area (GFA) of 990m². The structure is to be used for the packing and storage of vegetables, as well as provide staff facilities such as offices, toilets and a kitchen.
- The installation of up to one-hundred and sixty-two (162) igloos for the protection and cultivation of vegetables. These igloos may be moved around the site as required, with a maximum of 60 igloos nominated for the southern allotments at 121A Batchelors Wharf Road. The submitted documentation indicates that the igloos will be variable in size, with lengths ranging from 20m to 100m, widths of 3m to 8m and heights of 2m to 4m.
- Retrospective approval is sought for 38 existing igloos located at 69 Blacktown Road.
- Retrospective approval is sought for the intensive plant agriculture activities currently being undertaken over both 69 Blacktown Road and 121A Batchelors Wharf Road.
- The creation of 40m wide buffer zones either side of Bushells Lagoon.

Documentation submitted with the application indicates the farm will operate between the hours of 7:00am to 10:00pm seven days a week, although the loading of the delivery truck may extend beyond this time. The application further indicates that a single truck will deliver produce to the markets at 2:00am to 3:00am.

Site and Locality Description

The land subject to this application comprises of a total of six allotments; the northern allotment known as 69 Blacktown Road (Lot 7 DP: 251845) and five southern allotments which are collectively known as 121A Batchelors Wharf Road (Lots 1 – 5 DP: 262394). The northern and southern allotments are divided by the Bushells Lagoon wetland.

69 Blacktown Road is accessible via Brewers Lane and has an area of approximately 10.12Ha. This portion of the land currently contains a dwelling house and garage adjoining Blacktown Road and an agricultural farm shed and igloos to the south. The site is being used for the cultivation of Chinese vegetables.

121A Batchelors Wharf Road, which has a combined area of approximately 14.523Ha, is accessible from the northern allotment via an existing dirt track through Bushells Lagoon. This part of the site is vacant save for some minor farm structures and is also being used for the cultivation of vegetables.

ORDINARY MEETING

Meeting Date: 27 August 2013

Documentation submitted with the application and photographic records indicate that both properties were previously used as turf farms.

Bushells Lagoon is Crown land but care, control and management of this area is vested in Council. The consent of the Crown has not been sought for the use of the access via Bushells Lagoon.

Surrounding development consists of rural residential properties and farms.

Development History

Development applications submitted for the land include:

APPLICATION	DATE	PROPOSAL	DECISION
MA0267/98	18/09/1998	Construction of agricultural farm shed	Approved
DA0040/99	19/03/1999	Operation of turf farm	Approved
MA0216/00	24/03/2000	Installation of gazebo	Approved
DA0469/02	12/06/2002	Alterations and addition to dwelling house	Approved
DA0526/10	15/12/2010	Operation of market garden (intensive agriculture)	Withdrawn
DA0619/11	24/07/2012	Operation of market garden (intensive agriculture)	Withdrawn

Previous consents were noted in the assessment of this application.

Prior to the operation of the unauthorised market garden, Development Consent No. DA0040/99 approved the use of 69 Blacktown Road as a turf farm. This consent specifically refers to turf farming, a broader definition has not been used.

It should also be noted that Condition 17 of Development Consent No. MA0267/98 prohibits the use of the agricultural farm shed for habitable purposes. Investigations of the site have revealed that workers are living within this building.

Retrospective approval for the unauthorised use of the site as a market garden was previously sought with the submission of Development Application No's DA0526/10 and DA0619/11. Each of these applications were withdrawn by the Applicant to allow for the provision of additional information.

Complaints continue to be received from neighbours and other stakeholders in relation to the current operation of the market garden and Council Orders have been ignored.

Council Policies, Procedures and Codes to Which the Matter Relates

- Hawkesbury Local Environmental Plan 2012 (HLEP 2012)
- Hawkesbury Local Environmental Plan 1989 (HLEP 1989)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP No. 55)
- Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (SREP No. 20)
- Hawkesbury Development Control Plan 2002 (HDCP 2002)

Section 79C Matters for Consideration

The following is an assessment of the application with regard to the heads of consideration under the provisions of Section 79C(1) of the EP&A Act.

(a)(i) Environmental Planning Instruments

Hawkesbury Local Environmental Plan 2012

The subject property is partly zoned RU2 Rural Landscape and E2 Environment Conservation. The majority of the site is zoned RU2 Rural Landscape, with the portion of the land that is zoned E2 Environment Conservation comprising of Bushells Lagoon.

The objectives of the RU2 Rural Landscape and E2 Environment Conservation zones are as follows:

RU2 Rural Landscape

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

E2 Environment Conservation

- *To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.*
- *To prevent development that could destroy, damage or otherwise have an adverse effect on those values.*
- *To protect wetland areas from development that could adversely affect their preservation and conservation.*
- *To preserve wetland areas as habitats for indigenous and migratory wildlife.*

The market garden use falls under the definition of 'horticulture', which is a form of 'intensive plant agriculture'. Intensive plant agriculture is permissible within the RU2 Rural Landscape zone.

Intensive plant agriculture is prohibited within the E2 Environment Conservation zone. Agricultural activities are not to be undertaken within the area of the site that is within the E2 Environmental Conservation zone.

Bushells Lagoon is identified as a wetland under the HLEP 2012 and as an endangered ecological community under the Threatened Species Conservation Act 1995. Section 6.4 of the HLEP 2012 provides the following assessment criteria for development within the vicinity of wetlands:

- (3) *Before determining a development application for development on land to which this clause applies, the consent authority must consider:*

ORDINARY MEETING

Meeting Date: 27 August 2013

- (a) *whether or not the development is likely to have any significant adverse impact on the following:*
 - (i) *the condition and significance of the existing native fauna and flora on the land,*
 - (ii) *the provision and quality of habitats on the land for indigenous and migratory species,*
 - (iii) *the surface and groundwater characteristics of the land, including water quality, natural water flows and salinity,*
 - (iv) *the growth and survival of native fauna and flora,*
 - (v) *any wetlands in the vicinity of the development, and*
 - (b) *any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*
- (4) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:*
- (a) *the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
 - (b) *if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
 - (c) *if that impact cannot be minimised—the development will be managed to mitigate that impact.*

A Flora and Fauna Report, Wastewater Balance Report and Farm Management Plan have been submitted in support of the application. However, the Flora and Fauna Report only analyses the area within the property boundaries and does not address the significance of or potential impacts to Bushells Lagoon. Having reviewed the report, Council's Land Management Officer has also identified that the Flora and Fauna Report fails to consider migratory bird species that have been recorded at Bushells Lagoon.

The submitted plans and documentation fail to demonstrate that runoff from the farm will be adequately captured and treated prior to disposal to Bushells Lagoon. Recent inspections of the site further indicate that inadequate management and operational practices are in place to mitigate the impacts generated by the market garden.

Having considered the provisions of Section 6.4(3) and (4) of the HLEP 2012 it is considered that the development will generate unacceptable environmental, water quality and flora and fauna impacts.

The development is contrary to the objectives of the RU2 Rural Landscape and E2 Environment Conservation zones and therefore fails to satisfy the provisions of the HLEP 2012.

State Environmental Planning Policy No. 30 – Intensive Agriculture

Not applicable. State Environmental Planning Policy No. 30 – Intensive Agriculture (SEPP No. 30) applies to cattle feedlots, piggeries and composting facilities/works only.

State Environmental Planning Policy No. 44 – Koala Habitat Protection

Council's mapping system does not indicate that the site contains 'potential koala habitat' as defined by State Environmental Planning Policy No. 44 – Koala Habitat Protection (SEPP No. 44) and the site is devoid of vegetation that is likely to support koalas (*Phascolarctos cinereus*).

State Environmental Planning Policy No. 55 – Remediation of Land

Clause 7(1) of SEPP No. 55 outlines a consent authority *“must not consent to the carrying out of any development on land unless:*

- (a) it has considered whether the land is contaminated, and*
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose”.*

Council’s records and information supplied by the Applicant indicate that the site has a long history of agriculture use. The continued use of the property for agricultural purposes is considered suitable within respect to the provisions of SEPP No. 55.

Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River

The subject land falls within the boundary of SREP No. 20. This Policy aims *“to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context”.*

The proposed market garden use would be defined as an ‘intensive horticultural establishment’. SREP No. 20 defines an intensive horticultural establishment as the *“use of a place to grow a commercial crop of plants or fungi, whether under cover or in the open, using intensive agricultural systems such as hydroponics or a sprinkler system (but not use of a place to grow produce for personal household consumption or enjoyment)”.* Development consent is required where the use has the potential to impact significantly on the total water cycle.

Development consent is already required under HLEP 2012.

The Applicant contends that consent for an intensive horticultural establishment has already been obtained for 69 Blacktown Road with the approval of Development Consent No. DA0040/99. However, this consent specifically refers to a turf farm and accordingly it does not cover the use of the site as a market garden.

The documentation submitted in support of the current application fails to demonstrate that the market garden can operate without causing unacceptable environmental and amenity impacts, in particular with respect to the regionally significant Bushells Lagoon.

The property is located within an identified scenic corridor and area of regional significance. The provision of up to two-hundred plastic igloos is expected to detract from the scenic quality of the area. Views from Gorricks Lane will be particularly affected.

The development is inconsistent with the specific planning policies and recommended strategies outlined in SREP No. 20, in particular with respect to environmentally sensitive areas, wetlands, water quality, flora and fauna, riverine scenic quality and agriculture. It is therefore considered that the development fails to satisfy the objectives of SREP No. 20 and will negatively impact on the environment of the Hawkesbury-Nepean River in a local and regional context.

(a)(ii) Draft Environmental Planning Instruments

Not applicable.

(a)(iii) Development Control Plans

Hawkesbury Development Control Plan 2002

Part A Chapter 3 – Notification

The proposal was notified in accordance with Part A Chapter 3 of the HDCP 2002. Twenty-two (22) submissions were received and are discussed later in this report.

Part D Chapter 8 – Erection of Rural Sheds

The construction of an agricultural farm shed is proposed with a ridge height of 6.5m and GFA of 990m². The structure is to be used for the packing and storage of vegetables, as well as provide staff facilities such as offices, toilets and a kitchen. The shed is to be green in colour to match the existing agricultural farm shed.

Whilst the structure exceeds the height and area controls of Part D Chapter 8 of the HDCP 2002, the provisions of this plan do not strictly apply to buildings used for an agricultural purpose. Such non-compliances may be considered when the structure is to be used in association with a market garden.

The structure is to be located adjacent to the existing agricultural farm shed and it is considered that this structure will not have a significant visual impact, in particular when viewed from Gorricks Lane. It is recognised that the size of the proposed shed could be reduced if the existing agricultural farm shed wasn't being used for the unauthorised accommodation of workers, however the size and height of the proposed structure is not seen to be grounds for refusal.

Instead it is felt that the numerous igloos will have a more negative visual impact.

(a)(iia) Planning Agreements

There are no planning agreements applicable to the development.

(a)(iv) Matters Prescribed by the Regulations

These matters have been considered in the assessment of this application.

Access to the southern allotments that comprise 121A Batchelors Road is only available via a track through Bushells Lagoon. It should also be noted that a pump shed used by the farm is located on this Crown land. The Department of Lands are the owners of Bushells Lagoon and accordingly their written consent is required under Clause 49(1)(b) of the EP&A Regulation 2000 for the use of this track.

No evidence has been provided with the application indicating that the Department of Lands consent to the use of this existing track by the operators of the farm. Without legal access and the consent of the relevant owners Council is unable to consider a development application for the southern allotments.

Should the application be supported the EP&A Regulation will require the proposed farm structures to comply with the Building Code of Australia (BCA) and require payment of Section 94A Development Contributions.

(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

These matters have been considered in the assessment of this application.

Documentation submitted with the application indicates the plantation, picking and harvesting of vegetables will occur from 7:00am to 9:00pm seven days a week, with the cleaning and packing of vegetables within the agricultural farm sheds continuing until 9:30pm. A delivery truck will be moved onsite at 10:00pm however the prepared Farm Management Plan does not detail when the loading of the vehicle will cease.

ORDINARY MEETING

Meeting Date: 27 August 2013

Whilst the need for a truck delivery to the markets in the early hours of the morning is understood, the proposed hours of operation are considered excessive given the presence of dwelling houses within the vicinity.

Council's Environmental Health Officer has identified a number of deficiencies in the submitted Acoustic Report. Furthermore, numerous noise complaints have been received from neighbours in relation to the activities being undertaken into the night. In response to these complaints and the unauthorised use of the site, Council served an Order under Section 121B of the EP&A Act to restrict the market garden's hours of operation to 7:00am to 7:00pm. Council investigations and the receipt of further complaints indicate that the operators are not complying with this Order. It is therefore considered that the development will generate unacceptable noise impacts if it was permitted to operate at night time.

A Wastewater Balance Report has been submitted in support of the development application. This report makes a number of recommendations including a proposed stormwater 'treatment train' that includes:

- Grassy swales around the perimeters of the market garden;
- Grassy buffer areas downslope of the market garden; and
- Two existing onsite dams.

With the implementation of these recommendations the Wastewater Balance Report suggests that the treatment train will provide adequate pollutant removal. However, the recommendations and works required are not detailed in the submitted site plans and conflict with the recommendations of the Flora and Fauna Report and Vegetation Management Plan.

The Environmental Health Officer has raised a number of concerns with the prepared Wastewater Balance Report. In particular a detailed drainage plan incorporating contours would be required for a development of this nature. The plan would need to demonstrate how all stormwater runoff (including irrigation) will be directed to suitably sized catchment dams or treatment systems prior to entering Bushells Lane or adjoining properties.

Further to the above, a recent inspection indicates that the southern grass area on 69 Blacktown Road, which immediately adjoins Bushells Lagoon and acts as an effective buffer for runoff, has recently been poisoned. This is seen as evidence that it is questionable if the current operators of the farm are capable of effectively managing the site.

Until such time that these matters are satisfactorily addressed a 'precautionary principle' approach is recommended. Bushells Lagoon is a regionally significant wetland and the current development application does not provide sufficient evidence that the risks associated with the market garden can be effectively mitigated or managed.

(c) Suitability of the site for the development

These matters have been considered in the assessment of this development application.

A Salinity Report submitted in support of the development concludes that "*a combination of over irrigation and heavy rainfall could raise the watertable bringing salt closer to the surface*". The report does not identify any strategies and recommendations to minimise and prevent increased salinity.

For this and other reasons identified in this report, the application fails to demonstrate that the development is suitable within the context of the locality.

(d) Submissions

The application was publicly exhibited in accordance with Part A Chapter 3 of the HDCP 2002 between 25 June to 25 July 2013. A total of twenty-two (22) submissions were received in response to this notification.

ORDINARY MEETING

Meeting Date: 27 August 2013

The matters raised in these submissions include:

- *The development will significantly impact on the Bushells Lagoon ecosystem, threatened species and migratory birds.*
- *Runoff and pollution from the site will impact on the water quality of Bushells Lagoon.*
- *The hours of operation are excessive and will result in unreasonable noise impacts.*
- *The igloos are unsightly and will detract from the visual character of the area.*
- *The existing igloos are not maintained and are breaking down and creating rubbish.*
- *Discarded waste, packaging and containers litter the site, detracting from the appearance of the locality and ending up as rubbish in Bushells Lagoon.*
- *The development produces light overspill.*
- *The existing agricultural farm shed is being used for habitable purposes.*

The submissions have been considered in the assessment of this application and the concerns raised are generally supported.

As an aside, a number of the submissions also raised the issue of illegal immigrants working and living at the property. This matter was raised with the Department of Immigration who subsequently investigated the property. The Department of Immigration have confirmed that they are investigating the site.

Internal referrals are discussed later in this report.

(e) The Public Interest

Whilst the development is permissible under the HLEP 2012, the application fails to demonstrate that the market garden could operate without causing unacceptable environmental and amenity impacts. Furthermore the current activities being undertaken onsite are not being effectively managed despite the service of Council Orders.

The approval of the development is therefore seen to be contrary to the public interest.

Internal Referrals

Environmental Health – Council's Environmental Health Officer has reviewed the prepared Wastewater Balance Report, Acoustic Report, Salinity Report and Farm Management Plan and has identified a number of deficiencies as detailed elsewhere.

In addition, the current activities are seen to be reflective of the proposal:

- The storage of organic fertiliser under plastic covers will likely result in odour impacts and would be unsightly.
- An inspection of the site associated with a previous development application revealed there are a number of existing aboveground fuel tanks onsite. These tanks are not bunded and any spillages eventually make their way to Bushells Lagoon. The current application proposes the installation of bunding around these tanks however insufficient information has been provided for assessment.

Environment – Council's Land Management Officer has identified that the Flora and Fauna Report only analyses the area within property boundaries and does not address potential impacts upon Bushells Lagoon.

Integrated Development

Bushells Lagoon is an identified wetland. The Applicant contends that the establishment of 40m buffers around Bushells Lagoon prevents the development from being classified as 'integrated development'. Accordingly the Applicant has taken the position that a referral to the Office of Water is not required. This view is not supported on the basis that access goes through and the farm drains to Bushells Lagoon.

ORDINARY MEETING

Meeting Date: 27 August 2013

Furthermore the Applicant's position ignores the fact that an identified water course passes through a number of the allotments that make up 121A Batchelors Wharf Road.

As a result the application is defined as integrated development and a referral to the NSW Office of Water is required. As this referral has not been undertaken Council cannot be satisfied that the appropriate approvals can be issued under the Water Management Act 2000.

Financial Implications

Based on the supplied estimated value-of-works of \$400,000 a Section 94A Development Contribution fee of \$4,000 would be payable should the application be approved.

Conclusion

The application has been assessed in accordance with the provisions of the EP&A Act with all matters specified under Section 79C(1) having been taken into consideration. Based on the supplied documentation and investigations of the current activities the market garden is expected to generate unreasonable environmental, amenity and scenic quality impacts.

The development is therefore recommended for refusal.

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:

- A. Council as the consent authority pursuant to Clause 80(1)(b) of the Environmental Planning and Assessment Act 1979 (as amended) refuse Development Application No. DA0280/13 for intensive plant agriculture (horticulture), the construction of an agricultural farm shed and the installation of igloos on Lot 7 DP: 251845 and Lots 1 – 5 DP: 262394, known as 69 Blacktown Road and 121A Batchelors Wharf Road, Freemans Reach, for the reasons listed below.
- B. Council continue compliance action with respect to the unauthorised use of the land.

Reasons for Refusal:

- 1. The development is inconsistent with the objectives of the RU2 Rural Landscape zone in that it will result in land use conflict, detract from the existing rural character, adversely impact upon water catchments and important ecosystems.
- 2. The development is inconsistent with the objectives of the E2 Environmental Conservation zone in that it will adversely impact on the preservation and conservation of Bushells Lagoon and indigenous and migratory wildlife.
- 3. The development is not designed, sited or managed to avoid adverse environmental impacts to Bushells Lagoon.
- 4. The development is inconsistent with Section 6.5 of the Hawkesbury Local Environmental Plan 2012 in that it will generate adverse impacts on the condition and significance of Bushells Lagoon, which acts as habitat for indigenous and migratory species.

ORDINARY MEETING

Meeting Date: 27 August 2013

5. The development is inconsistent with the specific planning policies and recommended strategies outlined in Section 6 of Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River, in particular with respect to environmentally sensitive areas, water quality, flora and fauna, riverine scenic quality and agriculture.
6. Inadequate management and operational practices are proposed to mitigate the impacts generated by the development.
7. The development will generate unreasonable noise and amenity impacts.
8. The hours of operation are excessive within the context of the locality.
9. The prepared Acoustic Report fails to demonstrate that the activities of the market garden may be undertaken without negatively impacting on the amenity of neighbours.
10. The number and extent of the proposed igloos is excessive and will detract from the scenic character of the locality.
11. The development will generate unreasonable odour impacts.
12. The prepared Salinity Report indicates that a combination of over irrigation and heavy rainfall could raise the watertable bringing salt closer to the surface however no strategies or recommendations have been nominated to alleviate this issue.
13. The consent of the Department of Lands, as the owner of the Bushells Lagoon (Lot 7013 DP: 1026224), has not been obtained for the use of the access track through this property as required by Clause 49(1)(b) of the Environmental Planning and Assessment Regulation 2000.
14. Legal access to the southern properties at 121A Batchelors Wharf Road (Lots 1 – 5 DP: 262394) has not been demonstrated.

ATTACHMENTS:

AT - 1 Locality Map

AT - 2 Aerial Map

AT - 3 Plans of the Proposal

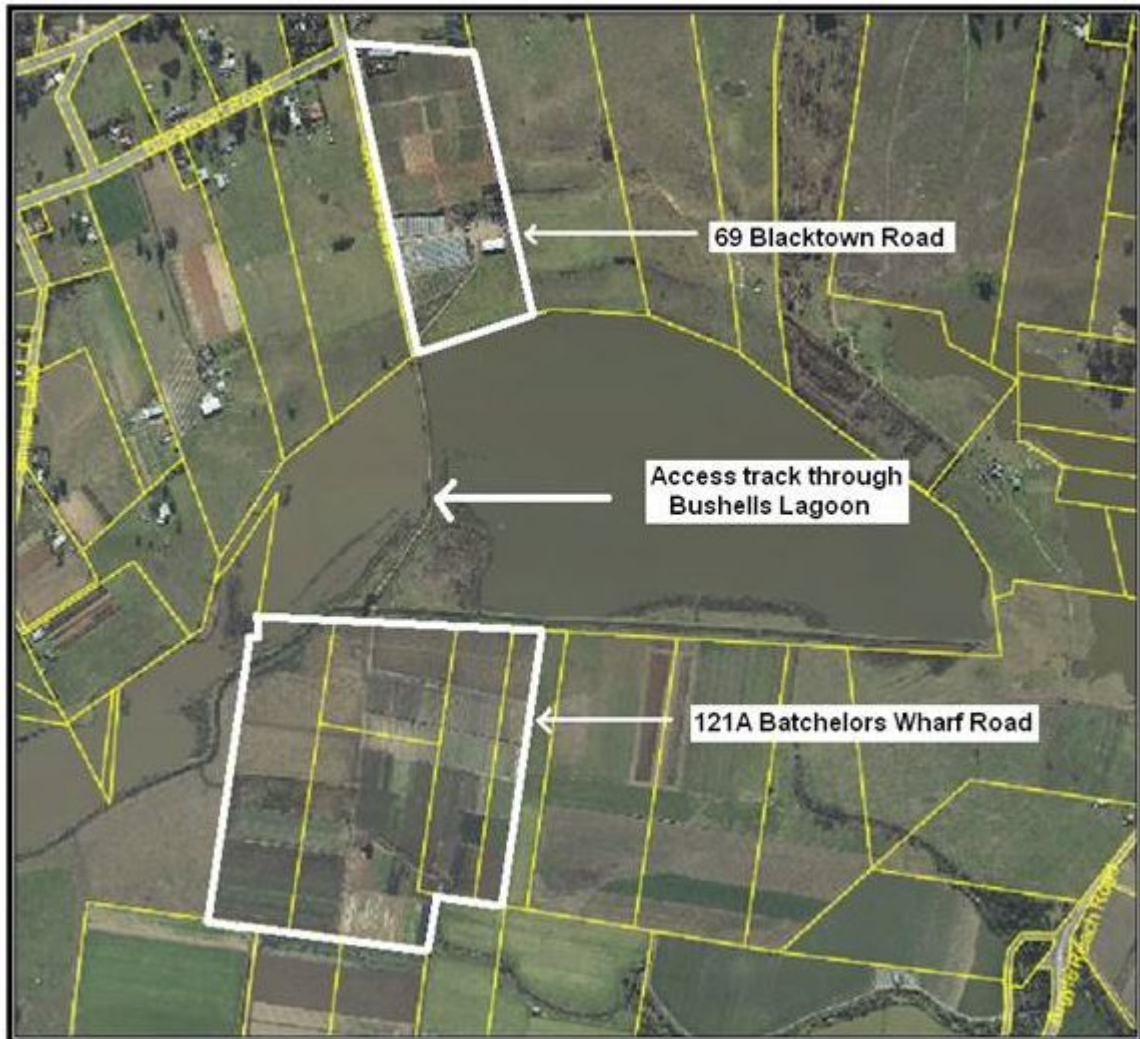
Meeting Date: 27 August 2013

[illegible]

ORDINARY MEETING

Meeting Date: 27 August 2013

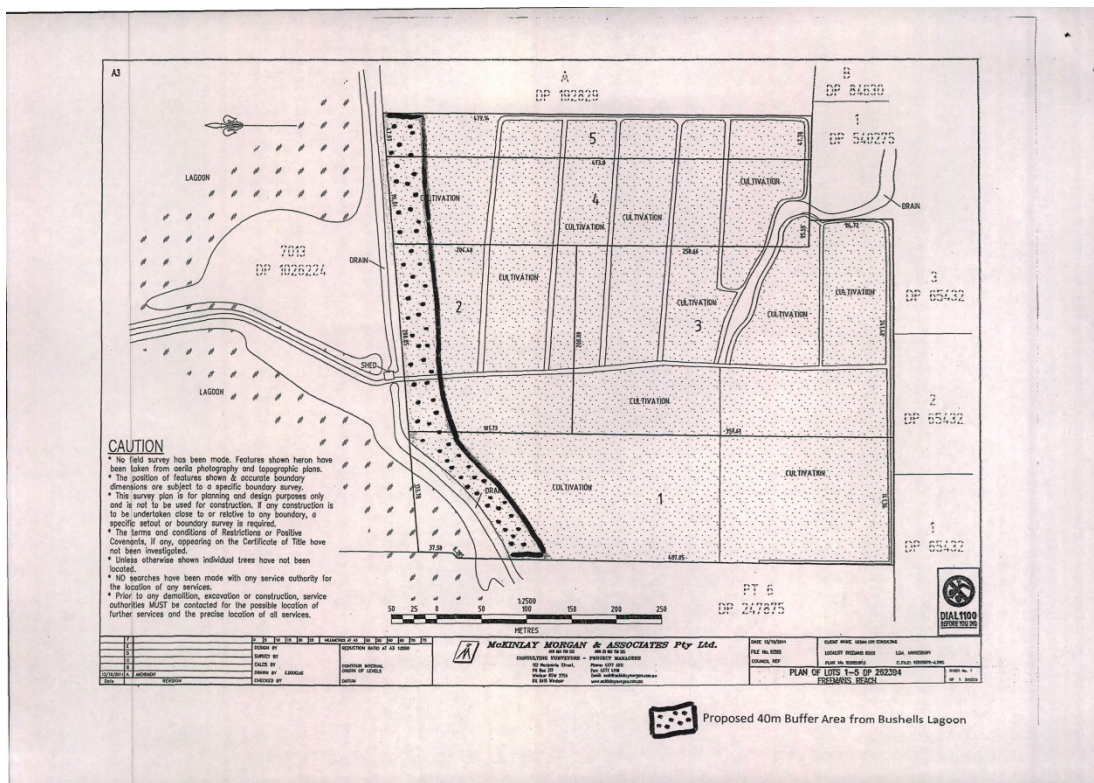
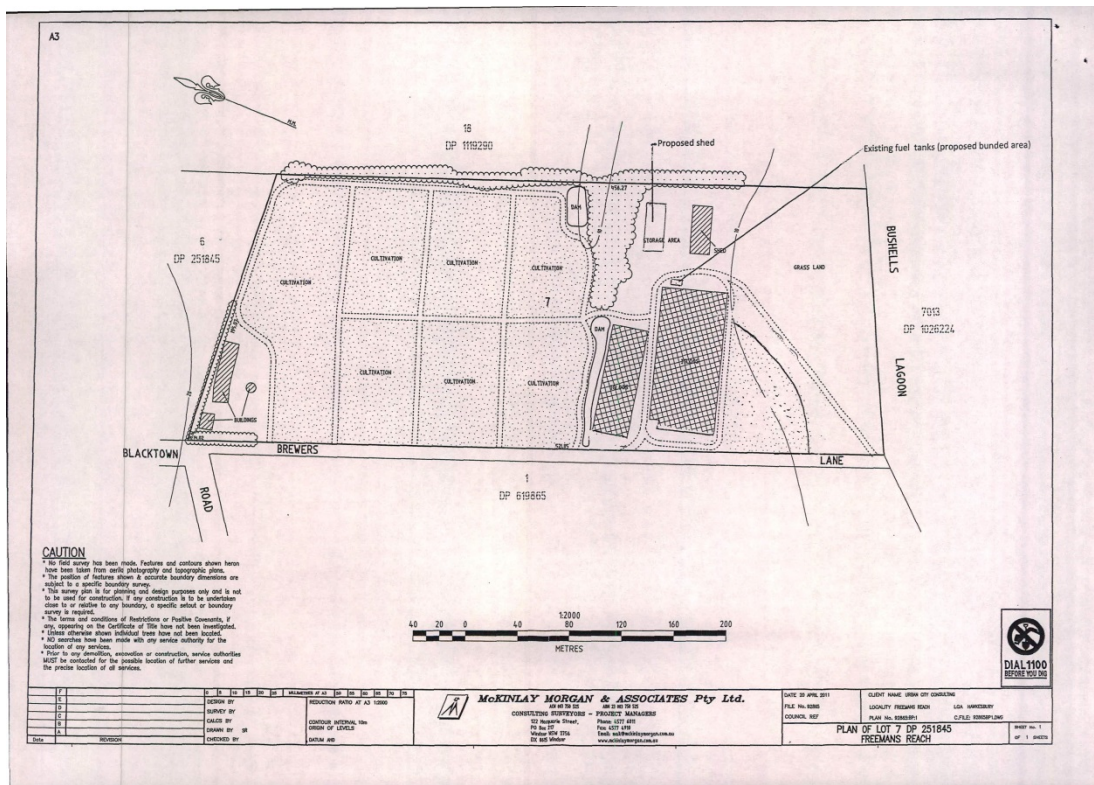
AT - 2 Aerial Map



ORDINARY MEETING

Meeting Date: 27 August 2013

AT - 3 Plans of the Proposal



oooO END OF REPORT Oooo

Item: 168 CP - Investigations to Dredge Parts of the Hawkesbury River - (95498)

REPORT:**Executive Summary**

The purpose of this report is to advise Council of the work required in order to make an application for a "license to dredge" parts of the Hawkesbury River. A variety of licences, permits and development consent is required before an application for a license or lease can be made to the Crown for the use/occupation of the river to dredge.

This report outlines work to date and proposes a framework to work towards the making of a successful application.

Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy. However, should the required investigations be completed and a development application be lodged, that application will be subject to the statutory public exhibition processes applicable to that development application.

Background

In March 2012 Council engaged WorleyParsons consultants to undertake preliminary investigations of the Hawkesbury River dredging at seven priority locations. Those locations were identified by Council's Floodplain Risk Management Advisory Committee at the meeting of 18 April 2011 as follows:

- Sackville Ferry
- Sackville Gorge
- Ebenezer Church
- Pitt Town Bottoms
- Sandy Point
- Cattai Creek
- Bens Point

The WorleyParsons report from that investigation, *"Hawkesbury River Pre-dredging Investigations between Windsor and Sackville Ferry"* concluded that, from a navigation perspective, dredging was not required at any of the locations *"Based on available data and assumptions for navigation requirements of a 50 m to 100 m fairway, with an acceptable channel bed level of -1.9 m to -2.1 m AHD and below (i.e. a minimum functional water depth of 1.8 m)"*.

The report also concluded the following:

"If an alternative minimum functional water depth of 3.0 m were to be adopted, along with a required fairway width of 50 m to 100 m, dredging would be required at Sackville Ferry, Cattai Creek, Pitt Town Bottoms and Bens Point. Dredging in these areas would require planning approval and other licences."

This report also contained cross sections of the identified areas based on historical data from 1978 - 1980 and from 1987 - 1988 and the hydrographic survey undertaken by Sydney Water in late 2011. The specific cross sections identified for dredging were as follows:

- Sackville Ferry (Cross sections 1, 2 and 3)
- Cattai Creek (Cross section 3)

ORDINARY MEETING

Meeting Date: 27 August 2013

- Pitt Town Bottoms (Cross sections 2 and 5)
- Ben's Point (Cross sections 1, 2 and 3)

(Note: The cross section refers to WorleyParsons report, dated 17 August 2012, Appendix I)

The report also concluded that given the dynamic nature of the River, the navigation markers continue to be monitored and adjusted in response to shoaling and scouring occurring in the River.

The WorleyParsons report, dated 17 August 2012 was considered by Council on 28 August 2012 when it was resolved:

"That:

- 1. The Hawkesbury River Dredging Investigations Report prepared by WorleyParsons dated 17 August 2012 be received and noted.*
- 2. Further work on this matter will proceed upon completion of the Estuary Management Plan currently being prepared by Council and due for completion and adoption by Council prior to September 2013."*

Work continued on the Upper Hawkesbury Estuary Management Plan but has been delayed due to staff resignations. That management plan is now expected to be completed by approximately April 2014.

At its meeting on 13 November 2012, Council considered a Notice of Motion in relation to this matter and resolved:

"That:

- 1. Council investigate the dredging of the Hawkesbury River at the seven points previously identified as having a sediment build up.*
- 2. The \$46,000 previously allocated for this purpose be used to identify; volumes, types of dredged material and suitable storage locations.*
- 3. Council make application to the State Government for a licence to dredge before 30 September 2013."*

In accordance with part one and two of the 13 November 2012 resolution and as the next stage of the consultancy from March 2012, WorleyParsons consultants were instructed to carry out Pilot Sediment Core Sampling and Analysis at the seven priority locations. The sediment testing has generated baseline geochemical data and indicated that the sediments do not seem to be contaminated above environmental guideline concentrations. However, this testing was only one sample at each location and it is stated that additional sediment sampling would be required to fulfil the minimum sampling criteria to satisfy the regulatory authority requirements for dredging. Note: the sample numbers were limited to one sample per site in order to provide Council with the type of material and likely contamination of the sediment at each location as a guide to dredging and disposal options. (A copy of the Pilot Sediment Investigation report is attached to this report).

A preliminary review of locations along the river for potential processing and storage sites indicates that apart from the Australian Pioneer Village site at Wilberforce, Council does not own or control any suitable sites along the river for that purpose. Land based dredging operations are not a permitted use in Council owned or controlled parks that are classified as Community Land as it would be inconsistent with the Plan of Management for those parks. Should those parks prove to be suitable, the park would need to be reclassified from Community to Operational Land. It is unlikely that this reclassification would be supported by the Minister.

There are a number of privately owned properties along the river between Windsor and Sackville Ferry that have the potential for the use as a land base for dredging operations. However, this would be subject to

ORDINARY MEETING

Meeting Date: 27 August 2013

separate negotiations between the land owner and Council for either the purchase or long term lease of that land. Given that dredging operations, once commenced, require ongoing operation to maintain the dredged river profile, it would be more advantageous for Council to purchase that land. No investigation into individual properties has been undertaken to date in this regard, but, it is assumed, based on current property values, that this cost would be significant.

In relation to part three of the 13 November 2012 resolution there is no single "licence to dredge", as there are a number of licences and approvals required to undertake dredging. There are licences or leases to use Crown Land (the river bed is Crown Land and requires a licence to use or occupy) that has a number of matters that need to be considered in that application. These matters are listed as:

- Crown Lands and other government policies
- Land assessment requirements
- Native title
- Site inspection
- Development consent
- Valuations
- Drafting and negotiating terms and conditions.

With any application for this license, plans detailing exactly where the licence or lease is proposed to apply are required, e.g. Sackville Ferry location would be defined by the location of the cross sections and distances upstream and downstream from the ferry.

The principal matter that must be obtained prior to the application for a licence or lease of the Crown Land is development consent/planning approval. An outline of these requirements is set out as follows:

Environmental Planning and Assessment Act 1979

The NSW EP&A Act 1979 imposes requirements for controlling development under two schemes.

- Part 4 - Development Assessment of the Act controls development that requires consent or is prohibited under an environmental planning instrument.
- Part 5 - Environmental Assessment of the Act imposes requirements for assessing the impact of an "activity" that does not require consent under Part 4 of the Act.

Dredging is generally a matter that requires a Part 4 (Development Application) approval. As per the EP&A Regulations, Extractive Industries (including dredging) *"That obtain or process for sale, or reuse, more than 30,000 cubic metres of extractive material per year"* fall into the category of Designated Development. It is likely that dredging of any of the identified seven locations will fall into the category of Designated Development. Council would usually be the consent authority; however, if Council was the proponent then the Consent Authority would be the State Government, likely the Joint Regional Planning Panel (JRPP).

The Regulations provide that *"extractive industries undertaken in accordance with a plan of management (such as river, estuary, land or water management plans)"* are not Designated Development if undertaken in accordance with guidelines approved by the Director-General. In this regard that work may fall under the provisions of Part 5 of the Act. Should Council have such a plan, e.g. Estuary Management Plan, that specifies that dredging is required, then such dredging would be a Part 5 activity that does not require development consent. However, similar investigations to a development application would still apply.

The dredging proposed at the seven locations is likely to require a Part 4 approval and would also likely be Designated Development.

ORDINARY MEETING

Meeting Date: 27 August 2013

State Environmental Planning Policy (Infrastructure) 2007

The proposed dredging does not fit under Division 13 - Port, Wharf or Boating Facilities, Clause 68(2) which enables dredging activity without consent. However, under Cl. 69(3) dredging is permitted with consent.

In relation to this SEPP dredging is permitted but development consent must first be obtained.

Sydney Regional Environmental Plan No 9 - Extractive Industry

Clause 7 permits dredging with consent for part of the identified area.

Summary

Dredging would require Development Consent from the determining authority (Hawkesbury Council and The Hills Shire*) under Part 4 of the EP&A Act. (The proposed dredging for navigation would constitute 'capital dredging'. As no dredging had been undertaken previously for navigation purposes such activity would require consent under Part 4 of the EP&A Act.) It is also likely that the dredging would be Designated Development and, if Council is the proponent, the consent authority would be the Joint Regional Planning Panel (JRPP).

* Note: for dredging locations where boundary is shared between Hawkesbury Council and The Hills Shire Council.

Land Zoning

Out of the four potential dredging locations, two (Pitt Town Bottoms and Ben's Point) are situated entirely within the Hawkesbury LGA and the other two (Cattai Creek and Sackville Ferry) are situated within a shared boundary between HCC and The Hills Shire Council. The sites where the boundary is shared HCC and The Hills (or the JRPP) would be the determining authority for DA consent.

Land upstream of the Windsor Bridge is zoned W1 Natural Waterways, and all land downstream of Windsor bridge, within the project area, is zone as W2 - Recreational Waterways under both council's LEP.

Environmental Protection and Biodiversity Conservation (EPBC) Act 1994

As the proposed dredging is likely to have significant impact on a matter of national environmental significance (flora and fauna) a referral and approval from the Minister is required under the Act.

Fisheries Management Act 1994

Under Part 7 - Protection of Aquatic Habitat, a Fisheries Permit is required.

Protection of Environment Operations (POEO) Act 1997

Proposed dredging is a scheduled activity under Schedule 1, Part 19, Extractive activities as it involves the extraction of more than 30,000 cubic metres per year of extractive materials. As such an environmental protection licence would be required.

Crown Lands Act 1989

A licence or lease is required for the use of Crown Land and removal of certain minerals (Sect 49) including gravel, sand, stone shells or other substances.

There are two existing licences (old permissive occupancy (PO)) that exist within the project area:

1. Licence No 74/3. Windsor - Rocla. Land at Windsor Hawkesbury River.
2. Licence No 82/14, Windsor - Breen Holding P/L, Hawkesbury River, Pitt Town.

ORDINARY MEETING

Meeting Date: 27 August 2013

These licenses may need to be revoked through an application to the Crown Lands.

Section 50 of the Crown Lands Act states the following:

1. *A licence may be granted subject to the payment of such rent, royalty, fees or other amount as the Minister may determine in respect of the licence.*
2. *The conditions attached to a licence may include such provisions for the determination or redetermination of any rent, royalty, fee or other amounts as the Minister thinks fit.*

In this regard the amount of royalties or rent cannot be determined until a proper application, including development consent and other required information, is submitted.

In order to satisfy the above requirements the tasks set out in Table 1 would be required to be carried out prior to making an application for dredging.

(NOTE: The costs shown in the following table 1 are an estimate only and have not been verified via formal quotations. The costs have been estimated based on the assumptions listed at the end of the table. A change in the size of the investigation area will have a proportional increase in the cost estimates.)

Table 1

Item	Description	Cost Estimate (approximate)
1	Detailed hydrographic survey at four dredging locations to ascertain more accurately river bed profile and dredging volume. (This is assuming a restricted area around each of the four identified locations.)	\$10,000
2	Additional sediment sampling and analysis based on end use of the dredged sediments. Land based reuse sediments would need to be tested and classified under NSW Waste Classification Guidelines	\$50,000
3	Planning Approvals: DA application fee to HCC and The Hills Shire including referrals to other relevant agencies and Environmental Assessment	\$5,000
	Environmental Assessment preparation of EIS/SEE or REF (Consultants) NOTE: This estimate <u>does not</u> necessarily include specific specialist environmental studies such as flora and fauna reports.	\$50,000
	Crown Land Licence and existing PO revocation application for use of land under water	\$3,000
	Referral to the Federal Minister for approval under the EPBC Act	?
	Fisheries Permit application and assessment fee	\$3,500
	POEO Act - Licence for dredging >30,000 m3 per year	\$1,000
	EPA – Consent	?

ORDINARY MEETING

Meeting Date: 27 August 2013

Item	Description	Cost Estimate (approximate)
	Other permits and approvals identified in the EIS/SEE or REF	\$5,000
4	Other unforeseen localised studies.	\$10,000
TOTAL		\$137,500

NOTES

The above estimate of costs has been based on the following assumptions:

1. *Average dredging work at any one location is estimated to be about 500m in length and 100m in width and 1.5m deep below existing river bed level*
2. *Based on above, estimated average volume per 1.0m length of river dredging = 100m X 1.5m X 1m length = 150m³*
3. *Estimated unit cost of dredging about \$10/m³*
4. *Site establishment and de-establishment = \$200,000*
5. *No estimate has been made for the purchase or lease of the land component for the establishment of the land base operation.*

Based on the above estimate the following table summarises approximate costs for dredging a 500 lineal metre section:

Table 2

Item	Description	Est. Cost
1	Site establishment and de-establishment	\$200,000
2	Dredging cost 500m X 150m ³ /m at \$10/m ³	\$750,000
3	Project management including site supervision at 2%	\$19,000
4	Environmental and Engineering controls at 2.5%	\$23,750
5	Sub-Total	\$992,750
6	Contingency/Incidental at 5% of 5	\$49,650
7	Compliance and monitoring survey at 1.5% of 5	\$14,890
8	Final reporting and audit at 1% of 5	\$9,910
Total average dredging cost for a 500 lineal metre of river		\$1,067,200

Work to Date

In the last twelve months the following work has been undertaken to progress investigations into dredging;

1. Application to NSW Land and Property Information for \$ for \$ grant funding up to \$120,000. Although followed up to date no response to this application has been received,
2. Raise issue of river dredging with the consultant and workshops in the preparation of the Upper Hawkesbury Estuary Management Study and Plan,
3. Engaged consultant to undertake Pilot Sediment Investigation of the seven identified sites for potential dredging. This involved writing of brief, review and approval of sediment and analysis Plan (Plan of methodology and testing regime) and review of sampling plan,
4. Research and discussion with other councils as to the process they undertook when gaining approvals for dredging in their localities,

ORDINARY MEETING

Meeting Date: 27 August 2013

5. Review of legislative requirements in Environmental Planning and Assessment Act 1979 (EP&A Act), State Environmental Planning Policies and Regional Environmental Planning Policies, Environmental Protection and Biodiversity Conservation (EPBC) Act 1994, Fisheries Management Act 1994, Protection of the Environment Operations (POEO) Act 1997, Crown Lands Act 1989. This also involved checking of the legislative requirements in these Acts with relevant Authorities and other Councils.
6. Preliminary discussions with consultants to obtain estimates of costs to undertake required studies and work. Much of this is very approximate as greater detail, such as more detailed cross sections (hydrographic survey) additional sediment testing, etc, is required in order to provide firmer cost estimates. Costs of application fees for the various applications have also been sourced,
7. Preliminary discussions with Crown Lands officers in an attempt to obtain some estimate of rent, royalties or fees that may be applicable in relation to the material extracted and sold. The responses (verbal) to these enquiries have been that this detail would form part of the conditions of a licence, if issued, under Section 50 of the Act, as additional detail would be required as to the type of material, reuse or sale of the dredged material is relevant to those deliberations. The detail that is required for the application, e.g., development consent, may also be required,
8. Preliminary desktop assessment of the locality in regards to potential locations for a land base for the dewatering and storage of dredged material. As mentioned in this report, the only potential land under Council control may be at the Australian Pioneer Village land at Wilberforce. This land is zoned RE2 Private Recreation in the Hawkesbury LEP 2012. In this regard, for the land to be utilised as a land base for dredging operations it will require a rezoning to permit that use. In relation to other land in the locality, other suitable land parcels would be in private ownership and would require separate purchase or lease negotiations. That land would also require rezoning to permit such use. Note: Details of land base for dredging is required for the preparation of a development application or other lease or licence applications.

Next Steps

As indicated above additional investigation work and development approval is required before an application for a "licence to dredge" can be made. In addition, it is considered that completion of the Estuary Management Plan is anticipated by approximately April 2014 and would assist and facilitate this process. However, due to the requirements detailed in this report and the costs involved it is apparent that the date referred to in Council's resolution of 13 November 2012 can't be achieved without compromising the possibility of a successful application.

Council currently has approximately \$73,000 in the 2013/2014 budget for dredging investigations work. It is recommended that a formal quotation be sourced for obtaining the hydrographic survey details and additional sediment sampling and analysis at Sackville Ferry, Cattai Creek, Pitt Town Bottoms and Bens Point as identified in points 1 and 2 in Table 1. At the same time a more detailed assessment of the costs for the remaining investigation work also be obtained to determine if Council will need to call for Tenders for this work.

Upon obtaining more formal cost estimates for the above the matter will be reported to Council to advise whether formal Tenders are to be called and to ascertain where additional funding is to be obtained to progress this matter to obtain the necessary approvals. It is also recommended that the resolution of that future report also determine if Council intends to purchase or enter into a long term lease of a property or properties for use as the land base for dredging operations (dewatering and storage) as details of a land base will be required for any development application or licence application with the Crown.

Conformance to Community Strategic Plan

The proposal is consistent with the Caring for Our Environment Directions statement;

- Work with our communities and businesses to use our resources in a sustainable way and employ best practices and technologies that are in harmony with our natural environment

ORDINARY MEETING

Meeting Date: 27 August 2013

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

- Effective management of our rivers, waterways, riparian land, surface and groundwaters, and natural eco-systems through local action and regional partnerships

Financial Implications

The investigations required for the application to dredge will require significant staff time as well as a number of environmental and engineering studies as discussed previously in this report. The investigation work costs may be in the vicinity of \$137,000 based on the assumptions specified in this report with an amount of \$73,000 being available in the 2013/2014 budget.

The finalisation of a land base for dredging operations will require a separate costing based on Council's desire to either purchase or enter into a long term lease for the use of a property or properties for the dewatering and storage of dredge material. Depending on this decision the financial implications of that decision can be significant.

RECOMMENDATION:

That:

1. Council receive and note the information in this report including the impacts of this on Council's resolution of 13 November 2012.
2. Part three of Council's resolution of 13 November 2012 be amended to the following:
"Council continue to pursue the required information and approvals for the dredging of parts of the Hawkesbury River as previously identified by Council."
3. Formal quotations be obtained from suitably qualified persons/companies to complete the work specified in Table 1 of this report.
4. Upon receipt of the quotations requested in part 3, a report on the full costing of the investigation work required for obtaining approval to dredge be brought to Council.

ATTACHMENTS:

- AT - 1** WorleyParsons report *"Hawkesbury River Dredging Investigations, Pilot Sediment Investigation."*
Dated 22 May 2013 - (Distributed under Separate Cover)

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 27 August 2013

Item: 169 **CP - Delivery Program 2012 - 2016 - End of Financial Year Progress Report 1 July 2012 - 30 June 2013 - (95498)**

REPORT:

Executive Summary

The purpose of this report is to inform Council of progress in implementing Council's Delivery Program 2012 – 2016 for the period 1 July 2012 to 30 June 2013.

Consultation

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

Background

Council's Delivery Program 2012 – 2016 details the principal activities to be undertaken by Council over a four year period to implement the strategies of the Hawkesbury Community Strategic Plan 2010 - 2030. The Operational Plan expands on the Delivery Program four year principle activities and specifies the annual actions proposed to achieve those four year principle activities.

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

The Delivery Program 2012 – 2016 and the Operational Plan 2012/2013 commenced on 1 July 2012. The table attached to this report shows the progress in achieving the Delivery Program activities for the period 1 July 2012 – 30 June 2013.

Conformance to Community Strategic Plan

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

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

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

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

Financial Implications

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

RECOMMENDATION:

That this report be received.

ORDINARY MEETING

Meeting Date: 27 August 2013

ATTACHMENTS:

AT - 1 Delivery Program 2012 – 2013 Progress Report: 1 July 2012 – 30 June 2013 - *(Distributed Under Separate Cover)*.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 27 August 2013

INFRASTRUCTURE SERVICES

Item: 170 **IS - Hawkesbury International Sand Sculpting Championship 2014 - (95495, 128023)**

REPORT:

Executive Summary

An application has been received from Sandstorm Events Pty Ltd on behalf of Heart of the Hawkesbury to host the 'Hawkesbury International Sand Sculpting Competition 2014' within McQuade Park, Windsor.

The event is proposed to be held from 26 December 2013 to 27 January 2014 commencing at 10am and finishing at 7pm daily. The event is expected to attract up to 45,000 people over the entire event.

The event was previously held at Howe Park where it has run for the last two years. The event includes sand sculptures, vendors and buskers and an admission fee will be charged to cover the costs of running the event.

Due to the event running longer than three days, the provisions of the Local Government Act 1993 require that the community needs to be notified of the event and all submissions need to be considered by Council.

It is recommended that the community be notified of the event in accordance with the Local Government Act 1993.

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.

It is proposed that the event be advertised for a 28 day consultation period in accordance with the Local Government Act 1993.

Background

The Hawkesbury International Sand Sculpting Competition is proposed to be held in Windsor from 26 December 2013 to 27 January 2014 commencing at 10am and finishing at 7pm daily. The event will bump in between the 13 -25 December 2013 and bump out between 28 January - 7 February 2014.

It is anticipated that up to 45,000 people will attend over the entire event period. This will be the third time the event has been held in the Hawkesbury and is held under the auspices of Heart of the Hawkesbury, and Sandstorm Events Pty Ltd.

The event is proposed to be staged within McQuade Park and will include:

- Sand Sculptures – approximately 15.
- Vendors, including food and drink.
- Sand workshops and activities.

The event is being moved from Howe Park where it had run for the last two years. The area is proposed to be fenced off and an admission fee will be charged to cover the costs of running the event.

ORDINARY MEETING

Meeting Date: 27 August 2013

The exclusive use of McQuade Park, eastern side of the lake area (see attached map), requires a resolution of Council. Based on Council's fees and charges for exclusive use, a fee of \$44,752 would apply (inclusive of event and set up/removal times).

The event is still new and thus the organisers have requested that the exclusive use fees and charges be waived until the event is better established. Council recently waived the fees and charges for the Sydney Blues and Roots Festival at Hollands Paddock for similar reasons and a similar response is recommended. Should Council determine to waive the fees, it is recommended that the organisers acknowledge this by identifying Council as a major sponsor of the event.

There will be approximately 350 tonnes of sand utilised within McQuade Park. Due to potential damage to the grassed area, an appropriate bond would be allocated to cover any damage during the event. To ensure the site is repaired as quickly as possible, the organisers would be asked to remove all materials and repair any damage within a two week period after the conclusion of the event. Failure to do this would result in Council staff undertaking any repairs and recouping the expense from the bond.

The event organisers propose to use part of the McQuade Park (west of the lake) as a car park (see attached map).

Due to the event running longer than three days, Council is required to notify the community of the event in accordance with the Local Government Act 1993. Following the notification period of 28 days, Council must consider all applications prior to giving a lease or licence.

The applicant has requested a five year approval for this site. To give the event some security it is recommended that a five year approval be considered. This approval would be subject to community feedback from the public notification, condition variances and Council's fees and charges.

The event is unique in NSW and has the potential to attract many tourists to the Hawkesbury, provide substantial economic benefit and raise the profile of the area.

Conformance to Community Strategic Plan

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

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

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

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

Financial Implications

Waiving of the fees estimated at \$44,752 will result in a loss of potential income; however this amount has not been included in the budgeted income for 2013/2014.

ORDINARY MEETING

Meeting Date: 27 August 2013

RECOMMENDATION:

That:

1. Community notification of the Hawkesbury International Sand Sculpting Championship 2014 to be held in McQuade Park, between 26 December 2013 – 27 January 2014, be carried out in accordance with the Local Government Act 1993.
2. The notification is to identify that the application seeks an approval for a five year period.
3. Following the closure of the notification period, the matter with any feedback, be re-reported to Council.

ATTACHMENTS:

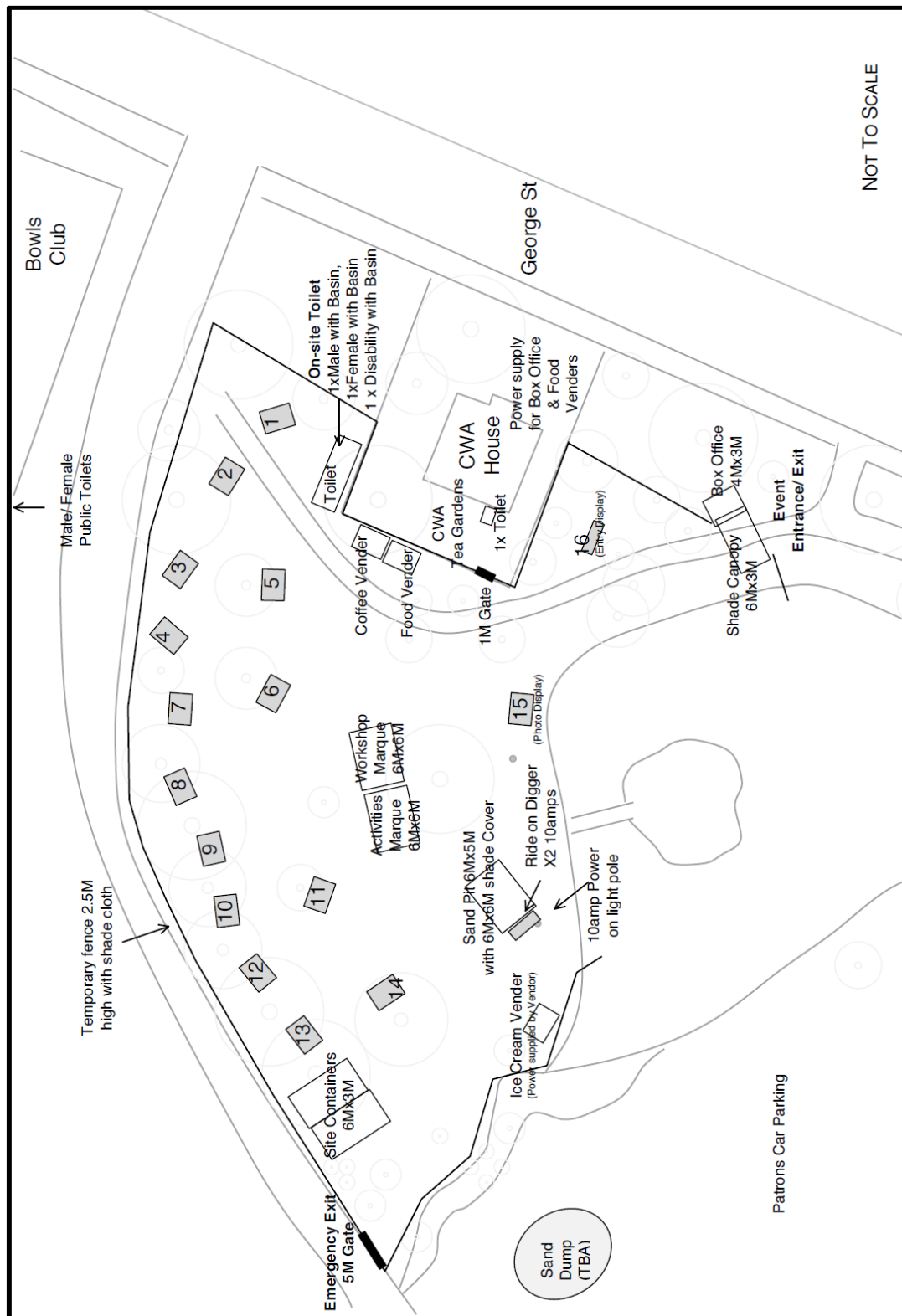
AT - 1 Hawkesbury International Sand Sculpting Championship 2014 Event Plan

AT - 2 Hawkesbury International Sand Sculpting Championship 2014 Parking Plan

ORDINARY MEETING

Meeting Date: 27 August 2013

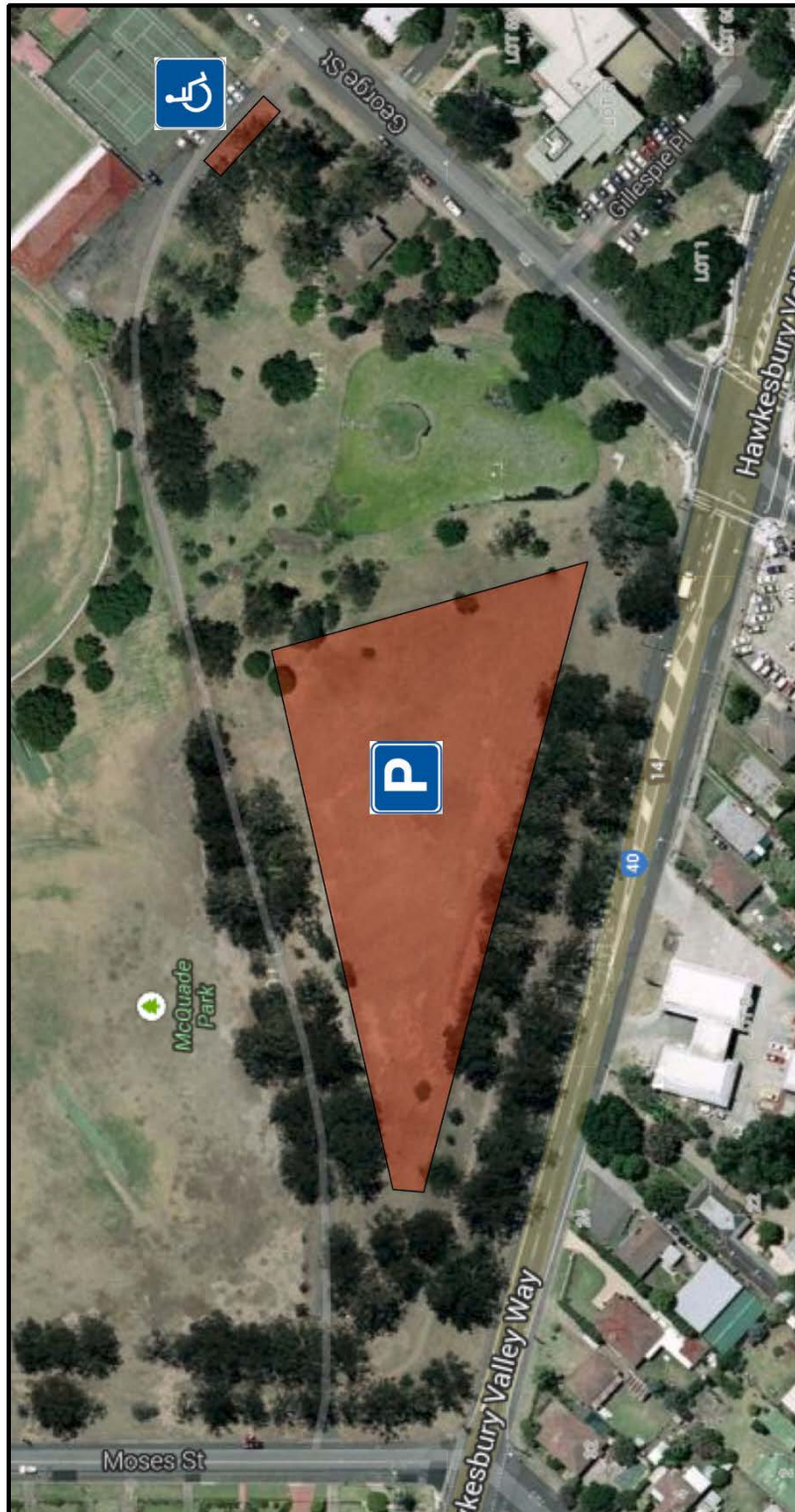
AT - 1 Hawkesbury International Sand Sculpting Championship 2014 Event Plan



ORDINARY MEETING

Meeting Date: 27 August 2013

AT - 2 Hawkesbury International Sand Sculpting Championship 2014 Parking Plan



oooO END OF REPORT Oooo

Item: 171 IS - Proposed Markets at Richmond Park and McQuade Park - (95495)

REPORT:

Executive Summary

Council has received applications for weekly growers markets to be held at both Richmond Park and McQuade Park. The markets plan to sell local produce and both the Richmond Park and McQuade Park Plans of Management allow for such usage.

This report recommends that the markets be approved for an initial period of one year.

Consultation

The proposed use of the sites for markets are in accordance with the exhibited and adopted Plans of Management and therefore do not trigger a requirement for further community engagement.

Background

Councils 'Markets – Commercial and Non Profit Policy' was adopted in 1999, and states that:

'Proposals by groups wishing to operate markets or the like on a commercial or non-profit basis are to be referred to the full Council for consideration. Requests for alterations of original consents for markets are also to be referred to Council.'

Council received an application from Richmond Fresh Food to hold weekly growers markets at Richmond Park and this was followed up by an application from Hawkesbury Farm Gate Market to hold similar markets at McQuade Park. Both markets propose selling local produce including a range of fruit, vegetable, beef, poultry and dairy grown locally. The Richmond Markets would commence in March 2014 with the McQuade Park markets commencing sometime this year. Both markets are proposed to run from 8am – 12pm with set up from 6am on Saturdays.

Both the Richmond Park and McQuade Park Plans of Management allow for such usage.

Richmond Park has a history of markets running within its grounds. The Richmond Lions Club was the last group to hold markets within the Park but this ceased when Richmond Park was upgraded in 2010. The Richmond Park Plan of Management requires cars not to drive within the Park except for emergencies or for setting up in the oval and thus any approval would require stall holders to load/off load to the road verge. The new applicants for Richmond Park are aware of the condition and advise that the condition does not affect their markets.

Whilst both parks can hold a range of events during the year, McQuade Park holds more events that could potentially conflict with a Saturday market and these include weddings, car shows, circuses etc. To ensure that the markets do not dominate over other usage, they would not be given exclusive use of each site and part of their conditions would allow other events to take place.

Due to sport being played in Richmond Park, there is potential for conflict to occur between incompatible events such as cricket and the markets. Discussions with the Hawkesbury Sports Council have determined that there will be no conflict as the markets will finish prior to cricket commencing at 12.30pm.

Council does not have a policy as to how many markets are allowed and whilst these two markets may compete against each other they may provide good competition and offer the potential to expand the market for produce sales within the Hawkesbury.

ORDINARY MEETING

Meeting Date: 27 August 2013

Fees and charges have been adopted for markets. For commercial markets there is a fee of \$600 per day and for community (income generating) there is a fee of \$200. Both markets would be seen as commercial and would therefore be charged \$600 per day.

It is recommended that both markets be approved for an initial one year period subject to conditions. Assessment of the operations would be undertaken prior to any renewal.

Conformance to Community Strategic Plan

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

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

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

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

Financial Implications

No financial implications applicable to this report.

RECOMMENDATION:

That:

1. Richmond Fresh Food be given approval to hold a weekly growers market on Saturdays at Richmond Park for a period of one year commencing on 1 March 2014.
2. Hawkesbury Farm Gate Market be given approval to hold a weekly growers market at McQuade Park for a period of one year.
3. The approvals be subject to the following:
 - a. Council's general park conditions.
 - b. Council's Fees and Charges.
 - c. The Richmond Park and McQuade Park Plans of Management.
 - d. Satisfactory management of conflict with other users.
 - e. Council reserving the right to suspend the use where conflicts of use arise.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING**Meeting Date:** 27 August 2013**SUPPORT SERVICES****Item: 172 SS - Monthly Investments Report - July 2013 - (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 \$39.03 million in investments at 31 July 2013.

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 \$39.03 million in investments as at 31 July 2013. 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-Jul-13		4.25%	4,200,000	10.79%	
CBA	A1+	AA-	31-Jul-13		2.75%	320,000	0.86%	
Total On-call Investments								4,520,000
Term Investments								
ANZ	A1+	AA-	24-Oct-12	23-Oct-13	4.62%	1,000,000	2.56%	
ANZ	A1+	AA-	17-Apr-13	07-Aug-13	4.45%	1,000,000	2.56%	
ANZ	A1+	AA-	24-Apr-13	06-Nov-13	4.40%	1,000,000	2.56%	
ANZ	A1+	AA-	08-May-13	06-Nov-13	4.30%	2,000,000	5.12%	
ANZ	A1+	AA-	26-Jun-13	29-Oct-13	4.25%	1,500,000	3.84%	
ANZ	A1+	AA-	26-Jun-13	20-Nov-13	4.25%	1,500,000	3.84%	

ORDINARY MEETING

Meeting Date: 27 August 2013

Investment Type	Institution Short Term Rating	Institution Long Term Rating	Lodgement Date	Maturity Date	Interest Rate %	Principal \$	Percentage of Portfolio	Total \$
ANZ	A1+	AA-	03-Jul-13	28-Jan-14	4.25%	500,000	1.28%	
CUA	A-2	BBB	06-Feb-13	15-Jan-14	4.40%	250,000	0.64%	
NAB	A1+	AA-	30-Jan-13	19-Dec-13	4.42%	1,500,000	3.84%	
NAB	A1+	AA-	16-Jan-13	15-Jan-14	4.43%	1,000,000	2.56%	
NAB	A1+	AA-	30-Jan-13	29-Jan-14	4.42%	2,000,000	5.12%	
NAB	A1+	AA-	06-Feb-13	05-Feb-14	4.35%	2,000,000	5.12%	
St George	A1+	AA-	15-Aug-12	21-Aug-13	5.15%	2,000,000	5.12%	
St George	A1+	AA-	22-Aug-12	18-Sept-13	5.16%	2,000,000	5.12%	
St George	A1+	AA-	22-Aug-12	16-Oct-13	5.16%	1,500,000	3.84%	
Westpac	A1+	AA-	20-Feb-13	19-Feb-14	4.30%	1,500,000	3.84%	
Westpac	A1+	AA-	20-Mar-13	19-Mar-14	4.35%	1,000,000	2.56%	
Westpac	A1+	AA-	20-Mar-13	19-Mar-14	4.35%	2,000,000	5.12%	
Westpac	A1+	AA-	08-Apr-13	08-Apr-14	4.60%	1,000,000	2.56%	
Westpac	A1+	AA-	08-Apr-13	08-Apr-14	4.60%	2,000,000	5.12%	
Westpac	A1+	AA-	15-May-13	15-May-14	4.15%	1,000,000	2.56%	
Westpac	A1+	AA-	22-May-13	28-May-14	4.20%	2,000,000	5.12%	
Westpac	A1+	AA-	03-Jul-13	19-Dec-13	4.30%	1,000,000	2.56%	
Westpac	A1+	AA-	24-Jul-13	15-Jan-14	4.25%	2,260,000	5.79%	
Total Term Investments								34,510,000
TOTAL INVESTMENT AS AT 31 JULY 2013								39,030,000

Performance by Type

Category	Balance \$	Average Interest	Bench Mark	Bench Mark %	Difference to Benchmark
Cash at Call	4,520,000	4.14%	Reserve Bank Cash Reference Rate	2.75%	1.39%
Term Deposit	34,510,000	4.48%	UBS 90 Day Bank Bill Rate	2.74%	1.74%
Total	39,030,000	4.45%			

Restricted/Unrestricted Funds

At the time of preparing the report, finalised Reserves balances were not available as year end accounting adjustments were still in progress.

ORDINARY MEETING

Meeting Date: 27 August 2013

Investment Commentary

The investment portfolio decreased by \$5.03 million for the month of July 2013. During July 2013, income was received totalling \$3.41 million, including rate payments amounting to \$1.57 million, while payments to suppliers and staff costs amounted to \$8.61 million. Payments are generally higher in the first month of the financial year due to annual payments.

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 July 2013, Council has invested \$5.5 million with second tier financial institutions, that are wholly owned subsidiaries of major trading banks, and \$0.25 million invested with a second tier institution that is not a wholly owned subsidiary of a major Australian trading bank, with the remaining funds being invested with first tier institutions. Council's adopted Investment Policy allows Council to invest funds with second tier Authorised Deposit-taking Institutions that are wholly owned subsidiaries of major Australian trading banks, subject to conditions stipulated in the Policy. Investments in second tier financial institutions, that are not wholly owned subsidiaries of major trading banks, are limited to the amount guaranteed under the Financial Claims Scheme (FCS) for Authorised Deposit-taking Institutions (ADIs), in line with Council's Investment Policy.

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.

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 25 June 2013.

Investment Certification

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

Conformance to 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 the 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 2013/2014.

RECOMMENDATION:

The report regarding the monthly investments for July 2013 be received and noted.

ORDINARY MEETING

Meeting Date: 27 August 2013

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

Item: 173 SS - Carryovers Report - 2012/2013 Operational Plan - (96332, 95496)

REPORT:**Executive Summary**

The purpose of this report is to seek Council's approval to carry over unspent funds into the 2013/2014 financial year for works approved within the 2012/2013 Operational Plan and subsequent Quarterly Budget Reviews that were not fully expended as at 30 June 2013.

In the past this process has been completed as part of the June quarterly review. However, this particular review is no longer required under the new Integrated Planning and Reporting requirements. As such this report is required to address the regular issue of carryovers previously dealt with in the June quarterly review.

Consultation

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

Background

Council adopted its Operational Plan for 2012/2013 on 19 June 2012 which was amended as necessary via Quarterly Budget Reviews adopted by Council throughout the year. The 2012/2013 Operational Plan and subsequent amendments included funding for projects that as at 30 June 2013 were not fully expended.

Clause 211 of the Local Government (General) Regulation 2005, allows for approved expenditure votes not to lapse at the end of the financial year, provided approved unspent votes relate to funds that have been committed and works have commenced. Whilst the vast majority of unspent funds relate to projects falling within the scope of this Clause, some unspent funds relate to projects that whilst not contractually committed, have been committed through an undertaking by Council through community consultations and/or Council resolutions.

For the year ending 30 June 2013, income and expenditure overall were in line with the adopted 2012/2013 Operational Plan, including subsequent Quarterly Budget Reviews. The end of year financial result, after the necessary end of year accounting adjustments, but subject to audit, includes the amounts being requested to be carried over.

As at the end of the 2012/2013 financial year Council's overall position compared to the Full Year Budget is a balanced position. An end of year accounting entry reflecting an increase in the value of Council's share in Westpool's equity has led to a final surplus amount of \$0.3M.

Total income from continuing operations including rates, fees and charges, grants, contributions and other revenue is \$76.4M, exceeding the Budget by \$14.4M. This variance has mostly resulted from an amount of \$11.4M included in grants and contributions provided for capital purposes in relation to non-cash contributions, which are offset by corresponding capital expenditure. The positive variance is also contributed to by better than budgeted interest earned on investments and an advance payment of part of the 2013/2014 Financial Assistance Grant.

Total operating expenditure, excluding depreciation is \$50.8M compared to a budget of \$55.3M. During 2012/2013 Council has spent \$13.6M of a \$23.9M capital works program. Unspent amounts relating to Reserve funded programs remain in the respective Reserves.

ORDINARY MEETING

Meeting Date: 27 August 2013

The Income and Expenses Statement for the period 1 July 2012 to 30 June 2013 is included as Attachment 1 to this report.

Unspent funds for works committed, commenced or undertaken, included in the adopted 2012/2013 Operational Plan and subsequent Quarterly Budget Reviews are submitted for Council's consideration to be carried over into the 2013/2014 financial year. A list relating to projects to be funded from these funds is included as Attachment 2 to this report.

The total value of the 2012/2013 Carryover is \$11.6M, of which \$2.1M relates to projects funded by Section 94/94A, \$3.2M funded by grants and contributions, \$2.5M funded by Reserves and \$3.8M from the general fund.

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 the nominated strategy in the Community Strategic Plan being:

- Maintain and review sustainable long term financial framework

Financial Implications

Funding to be carried over to the 2013/2014 financial year was adopted as part of the 2012/2013 Operational Plan and subsequent Quarterly Budget Reviews. The amounts carried over, will be added on to the adopted 2013/2014 Operational Plan.

RECOMMENDATION:

That the funding for projects detailed within the Carryovers Report for the financial year ended 30 June 2013 included as Attachment 2 to this report, be carried over into the 2013/2014 financial year.

ATTACHMENTS:

AT - 1 Income and Expenses Statement for the period 01 July 2012 to 30 June 2013

AT - 2 Carryovers Report for the financial year ended 30 June 2013

ORDINARY MEETING

Meeting Date: 27 August 2013

AT - 1 Income and Expenses Statement for the period 01 July 2012 to 30 June 2013



Hawkesbury City Council

Attachment 1

Income and Expenses Statement for the period 01 July 2012 to 30 June 2013

Actuals 2012	\$'000	Original Budget 2013	APPROVED Budget 2013	Actuals 2013
Income from Continuing Operations				
<i>Revenue:</i>				
38,900	Rates & Annual Charges	40,925	40,596	40,420
5,082	User Charges & Fees	4,846	5,085	5,271
2,791	Interest & Investment Revenue	1,941	1,933	2,174
3,562	Other Revenues	3,321	3,283	4,902
9,368	Grants & Contributions provided for Operating Purposes	6,438	6,455	8,508
17,161	Grants & Contributions provided for Capital Purposes	837	4,687	14,750
<i>Other Income:</i>				
-	Net gains from the disposal of assets	-	-	9
212	Entities using the equity method	-	-	340
77,076	Total Income from Continuing Operations	58,307	62,039	76,374
Expenses from Continuing Operations				
21,284	Employee Benefits & On-Costs	17,702	18,463	18,526
538	Borrowing Costs	550	628	35
17,513	Materials & Contracts	18,363	22,337	19,853
18,407	Depreciation & Amortisation	18,890	18,468	18,236
10,736	Other Expenses	12,088	13,908	12,404
289	Net Losses from the disposal of assets	-	-	-
69,767	Total Expenses from Continuing Operations	67,593	73,804	69,054
8,308	Net Operating Result for the Year	(9,286)	(11,765)	7,320
(8,853)	Net Operating Result for the year before Grants and Contributions provided for Capital Purposes	(10,122)	(16,451)	(7,430)
Capital Funding and Expenditure				
<i>Source of Capital Funding (excluding reserves)</i>				
758	Proceeds from the sale of capital assets	729	1,169	1,198
18,379	Depreciation	18,890	18,468	18,214
17,161	Grants & Contributions provided for Capital Purposes	837	4,687	14,750
36,297		20,455	24,323	34,162
<i>Application of Capital Funding</i>				
8,356	Land & Land Improvements	149	198	9,004
1,324	Buildings	2,192	3,204	842
16,404	Infrastructure	6,532	11,749	10,671
2,785	Plant & Equipment	2,598	5,642	3,485
2,189	Other	1,639	3,107	945
31,057		13,110	23,901	24,947
5,240	Net Capital Expenditure	7,345	422	9,216
Net Reserve Transfers & Capital Movements				
38,050	Transfers from Reserves	29,667	47,380	39,007
35,899	Transfers to Reserves	26,890	31,350	40,453
(2,151)		(2,777)	(16,030)	1,446
(1,459)	Retained surplus/(deficit) available for general funding purposes	0	0	340

ORDINARY MEETING

Meeting Date: 27 August 2013

AT - 2 Carryovers Report for the financial year ended 30 June 2013

Hawkesbury City Council

Attachment 2

Carryovers Report

for the financial year ended 30 June 2013

Project	Carryovers
Operational Projects	
000031 City Planning Consultancy Fees	28,590
000032 Road Safety Officer Programs	10,555
000036 Car Parking Employment Agencies	7,424
000046 Works Program - Building M&R	95,002
000063 Visitor Information Centre Printing & Stationery Costs	1,761
000241 Local Carer's Award Ceremonies	413
000348 Waste Education Expenses	103,873
000365 Roads Network condition assessment	13,750
000386 Online Sustainable Living Guide	8,000
000388 National Dredging Investigations	73,833
000427 Hawkesbury Tourism	24,857
000444 Lower Portland Ferry Overhaul Ferry	200,000
000446 Hardware Maintenance	20,950
000447 11/12 Local Priority Grant - Promotional Activities	41,750
000448 12/13 Local Priority Grant - Library Outreach	25,000
000484 Audit Work	22,006
000493 Flood Mgmt Study-Lower MacDonald River	30,000
000500 Lib Programs & Promotions Development Project	10,055
000575 Cultural Planning Programs	16,000
000608 RSO GLS Workshops	1,038
000615 Road Safety Proj-Speeding in the Hawkesbury	1,831
000616 Disability Access Plan	6,684
000902 H'bury Oasis Swimming Ctr Sth Windsor	77,839
000933 Australian Poineer Village Wilberforce	5,059
000968 Indoor Sports Stadium South Windsor	28,875
001054 Deerubbin Centre Plant	81,247
001056 Hawkesbury Regional Museum-Baker St Windsor	54,000
001138 Berger Park Plan of Management	30,000
001139 Chain of Ponds restoration	3,397
001206 Leisure Centre Annual Subsidy	8,543
001263 Holmes Drive - (Cumberland Reach)	7,506
001281 Road Restore Telstra Other Road Items	2,443
001282 Road Restore Intergral Other Road Items	31,785
001283 Road Rest. Waterboard Other Road Items	8,877
001284 Road Restorations AGL Other Road Items	2,977
001290 Reg Rds-Traffic Facilities RTA Block BUO	8,343
001352 Conservation & Collections Management Expenses	4,840
001364 Bins/Furniture replacement in parks	151,591
001375 State of the Environment Report	15,000
001381 Holmes Drive Reserve, Lower Portland	6,920
001385 Estuary Management Program	16,414
001397 Macquarie 2010 - Customer Service Signage	9,919
001398 Climate Change Risk Assessment	10,000
001400 Sustainable Event Management Policy	8,000
001402 Garden Organics Standard	11,362

ORDINARY MEETING**Meeting Date: 27 August 2013****Hawkesbury City Council****Attachment 2****Carryovers Report**

for the financial year ended 30 June 2013

Project	Carryovers
001403 Primary School Waste Education Prog	10,002
001404 High School Environment Mgmt Plan	20,599
001406 Water Conservation Program	63,768
001411 Condition Audits & Reporting	52,410
001430 Woodbury Reserve	2,773
001432 Hawkesbury River Restoration	101,785
002250 Estuary Management Program	75,000
002251 Bowen Mountain	24,696
002293 McQuade Park-Plan of Management	8,517
002418 Drink Drive Program Exps	1,069
002700 Half Moon Farm Lagoon	7,937
002702 Riparian Zone - Glossodia	2,899
002722 Gate repair - Sackville Mission	3,963
002727 2013-2015 Multiyear Program Funding-Gallery	42,145
002728 2013-2015 Multiyear Program Funding-Museum	30,920
002861 Road Restoration - Infrastructure Extension for NBN	20,777
002869 Digital L/Govt Prog-Online Learning Service	290,560
002934 Safety Exp & Training	52,589
002969 Section 94 Plan Review	20,680
002979 Greenhills LDC South Windsor	6,068
003170 Threatened Species Recovery	21,735
003180 Nat Disaster Reg Rds-Const & Mtce Feb13 (RMS A10889)	129,399
003184 WASIP: Education Preschools & Childcare	14,971
003185 WASIP: Education Illegal Dumping	40,000
003186 WASIP: Compost & Worm Farm Workshop	20,000
003187 WASIP: Audit of Multi Unit Dwellings	2,000
003188 WASIP: Domestic Kerbside Waste & Recycling Audit	45,000
003189 WASIP: Reusable Bags	7,000
003207 Bike Safety - Keep Your Lid On	4,545
003210 Instream Revegetation & Bank Stabilisation	30,477
003341 Microfiche Project	7,622
003367 Cemetery Strategy & Implementation	28,403
Total Carryovers for Operational Projects	2,518,619

Capital Projects

001548 Waste Plant 133 - Garbage Truck	365,000
001553 P/W Plant 142-Dutro 4.5 tonne tipper P&G	92,579
001716 Signage Programs	2,465
001719 Redgum Crescent, Bowen Mountain	93,136
001725 Purchase of Land	50,000
001732 Aerial Photography-Hawkesbury LGA	60,000
001734 Boat Ramp upgrades	3,339
001741 Pathway renewals	14,506
001745 Digital Media	28,000
001750 Fiction Books	5,467

ORDINARY MEETING**Meeting Date: 27 August 2013****Hawkesbury City Council****Attachment 2****Carryovers Report**

for the financial year ended 30 June 2013

Project	Carryovers
001755 Local Studies	12,029
001779 Administration Building Windsor	10,000
001789 Council Depot Wilberforce	4,505
001821 Windsor Mall Windsor	32,575
001823 H'bury Oasis Swimming Ctr Sth Windsor	116,313
001828 Misc. Signs Miscellaneous	12,608
001843 St Albans Cemetery St. Albans	30,663
001853 Indoor Sports Stadium South Windsor	6,335
001873 Management Planning	26,184
001874 Customer Request Management System	82,392
001875 Colo Reserves in general	18,931
001876 Navua Reserve	7,680
001884 Hanna Park Shelter	40,000
001885 S94- Powell Park Picnic Shelter- R RBC1	12,680
001890 Kurrajong Memorial Park	2,394
001893 Peel Park (Previously Redbank Creek Reserve)	7,001
001896 Richmond Park	15,544
001898 McQuade Park	4,517
001901 Macquarie Park	96,676
001902 Freemans Reach Tennis Courts	5,135
001907 St Albans Park	4,657
001911 Yarramundi Reserve	15,000
001915 Memorials/Monuments - Parks	4,749
001951 Richmond Park Lighting	5,500
001952 Benson's Lane Landscaping	50,000
001955 Skate Facility Bligh Park/Sth Windsor	150,000
001959 Construct fencing/gates	49,158
001974 Church Rd, Wilberforce	44,074
001975 Rds to Rec'y - Slopes Road	83,926
001994 Clear drainage structures/channels, pipes & pits	3,636
001997 Brennans Dam, Old Stock Route & Commercial Rds	1,024
001999 Bridge construction-various locations	49,738
002002 Remote Site IT Improvement & Connectivity	48,970
002005 PDA Moblie Work, Telework, Instant Messaging	56,488
002007 Internet & Security Third Party Audit	27,698
002008 22 Price Ln Agnes Banks-Replace low flow drain	26,734
002014 E-Commerce Initiatives	105,254
002015 Intranet Enhancements	47,960
002016 Hawkesbury Internet Site Enhancements	184,873
002017 Network Infrastructure Upgrade	242,713
002018 Business Continuity & Disaster Recovery Plan	86,950
002020 Bins/Furniture replacement in parks	20,478
002026 Senior Citz Centre Extention	488,254
002029 Ham Common	17,145
002036 Install bus shelters-Variou	5,324
002037 Nat Disaster-U/Macdonald Rd-replace bridge (RMS A/09979)	1,480,068
002038 Reconstruct failed footpaving-various locations	11,971
002040 Purchase of furniture and fittings	31,577

ORDINARY MEETING**Meeting Date: 27 August 2013****Hawkesbury City Council****Attachment 2****Carryovers Report**

for the financial year ended 30 June 2013

Project	Carryovers
002042 Sports Council Capital Contribution	140,000
002043 Asset Management System	56,580
002056 Virtualisation Project	30,476
002065 Yarramundi Res Carpark	2,102
002082 Flood Evac Bligh Park - Reconstruct Laneways	55,413
002174 Hawkesbury Regional Gallery Site	1,310
002176 Old Sackville Road Cottage Wilberforce	5,000
002177 Windsor Function Centre Windsor	2,500
002178 Windsor Function Centre Windsor	20,000
002180 Deerubin Centre - Chapters Cafe Site	8,557
002181 Toilets-Macquarie St Winsdor	225,580
002209 Memorial Park Kurrajong Rotunda	190,066
002210 Richmond Park	81,248
002211 Senior Citz Centre Extention	963,683
002213 Toilets-Macquarie St Winsdor	9,000
002214 Argyle Bailey Memorial Reserve	18,680
002215 Holmes Drive Reserve, Lower Portland	50,000
002227 Fuel Tanks Monitoring Facilities	1,295
002228 52 Berger Road Bligh Park	2,000
002240 Exhibitions	1,500
002252 P/W Plant 904 - Silvan Spray Unit	3,500
002282 Natural Disaster-Construct & Mtce-Stage 1 (RMS A09857)	10,954
002296 Stannix Park Road Bridge Replacement	57,875
002298 Upper Colo Bridge No.7	163,865
002300 Upper Macdonald Rd Bridge	9,100
002301 West Portland Road Bridge	16,334
002302 Wrights Creek Bridge	18,783
002367 Nat Disaster-West Portland Rd Embankment (RMS A09979)	142,324
002373 Woodbury Park Amenities Glossodia	2,500
002743 Senior Citizens Centre Richmond	4,000
002848 Wilberforce Cemetery Wilberforce	11,940
002850 Disability Equipment at Oasis	8,000
002855 Gas Well Flaring	522,000
002893 Admini Bld-Data Centre Works	163,703
002922 Tourist Information Ctre, Clarendon	9,300
003009 Purchase of Blower - Sewer	125,000
003014 Sewer Plant 125-Truck	160,000
003015 Sewer Plant 126-Truck	160,000
003084 Sewer pipe relining program	232,634
003117 Richmond Pool	9,153
003143 Tiningi Comm'y Ctr Bligh Park	2,500
003153 South Windsor Family Centre I&II	11,145
003158 Hawkesbury Oasis - Lighting to Carpark	22,500
003164 Cox/Evans Monument Richmond	2,500
003171 High Reflector Fittings-Wilberforce Depot	11,088
003183 Howe Park	20,000
003192 Grose Vale Footpath Improvement (opposite Kurrajong P.S)	58,036
003196 Bligh Park Revitalisation Project	118,134

ORDINARY MEETING**Meeting Date: 27 August 2013****Hawkesbury City Council****Attachment 2****Carryovers Report**

for the financial year ended 30 June 2013

Project		Carryovers
003201	Smith Park Amenities	33,000
003253	Woodlands Pony Club Wilberforce	16,000
003254	Crown Reserve Amen Wilberforce	6,000
003255	Smith Park Amenities Richmond	146,027
003256	Woodlands Pk Amens Changerooms W'force	12,500
003264	APV Sewer	197,723
003370	Purchase of Chains of Office	15,000
003274	Wilberforce Offices Wilberforce	20,000
003275	W'force School of Arts Hall Wilberforce	25,000
003276	Wilberforce Shopping Centre Wilberforce	16,500
003277	Australiana Pioneer Village Wilberforce	65,000
003278	Sewer Rehab'n Reticulation Mns General	22,000
003369	Bellbird Lookout Amenities, Kurrajong Heights	12,000
Total Carryovers for Capital Projects		9,131,181
Total Carryovers		11,649,800

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 27 August 2013

Item: 174 **SS - Code of Meeting Practice - (95496, 79337)**

Previous Item: 72, Ordinary (30 April 2013)
 NM2, Ordinary (5 February 2013)

REPORT:

Executive Summary

Following a Notice of Motion, at the Council Meeting held on 5 February 2013, Council resolved to undertake a review of Council's Code of Meeting Practice (the Code). This matter was presented at a Councillor Briefing Session on 2 April 2013, and the subject of a report to the Council meeting of 30 April 2013. At the Council Meeting on 30 April 2013, Council resolved to amend the Code and place the amended Code on public exhibition.

Subsequently, the amended Code was placed on public exhibition, concluding on 15 August 2013. The report provides an overview of submissions received regarding the exhibited Code.

Consultation

Any substantial amendments to the Code of Meeting Practice are required to be placed on exhibition for a minimum period of 28 days with submissions being received not less than 42 days after the date on which the Code is placed on public exhibition.

Accordingly, the amended Code of Meeting Practice was placed on public exhibition from 4 July 2013, through to 15 August 2013. A number of submissions were received in response to the exhibition, which are outlined in this report.

Background

Council's Code of Meeting Practice was adopted by Council on 12 October 2010. Under Section 360(2) of the Local Government Act, 1993 (the Act), Council may adopt a Code of Meeting Practice that incorporates the relevant provisions of the Act and Regulations. Council meetings must be conducted in accordance with the adopted Code of Meeting Practice.

Council, at its meeting on 5 February 2013 considered a Notice of Motion regarding the Code and resolved as follows:

"That following discussion at a Councillor Briefing Session a report be submitted to Council reviewing the Council's Code of Meeting Practice with a view to improving the efficient and effective functioning of Council meetings."

Subsequently, this matter was discussed at a Councillor Briefing Session on 2 April 2013.

The amended Code was then reported back to Council on 30 April 2013 (Copy of report attached as Attachment 1), when Council resolved as follows:

"That Council amend its Code of Meeting Practice to:

- 1. Include amendments as outlined in the report and numbered 1, 2, 3, 4, 5 (Speakers per item - three "For" and three "Against"), 6 (Time limit of three minutes per speaker with no extension), 7 (Questions to and answers from speakers limited to 2 minutes per speaker) and 12.*

ORDINARY MEETING

Meeting Date: 27 August 2013

2. *Provide for the following:*
 - a. *Members of the public being welcome to address the Council on any items of business in the Business Paper other than the Confirmation of Minutes; Mayoral Minutes; Responses to Questions from Previous Meeting, Notices of Motion (including Rescission Motions); Mayoral Elections; Deputy Mayoral Elections; Committee Elections and Annual Committee Reports.*
 - b. *Councillors must leave the Council Chambers when speaking with members of the public. Members of the public must not approach Councillors or Council Staff whilst around the Council tables. No communication between Councillors and members of the public is permitted once the meeting has commenced, unless they have left the Council Chambers.*
 - c. *Only persons who have completed the registration form and clearly indicated their intention to speak for or against a recommendation or proposition in the business paper may address the Council. Speakers who do not speak in accordance with their stated intention shall forfeit the right to continue speaking. If the speaker fails to cease speaking or fails to resume their seat, the Mayor may adjourn the meeting.*
 - d. *Speakers representing an organisation or group must show written consent to speak on behalf of that group when registering to speak by way of letter to the General Manager within the registration timeframe.*
 - e. *All speakers must state their name, organisation if applicable (after producing written authorisation from that organisation) and their interest in the issue before speaking.*
 - f. *Speakers to address the nominated item in the Business Paper in the order in which the item is listed in the Business Paper.*
 - g. *Removal of the section regarding Questions with Notice.*
3. *Provide for the Order of Business for Ordinary Council Meetings to be as follows:*
 - 1) *Welcome*
 - i *Prayer*
 - ii *Acknowledgement of Indigenous Heritage*
 - 2) *Apologies and Leave of Absence*
 - 3) *Declaration of Interests*
 - 4) *Confirmation of Minutes*
 - 5) *Acknowledgement of Official Visitors to the Council*
 - 6) *Mayoral Minutes*
 - 7) *Exception Report – Adoption of Items Not Identified for Discussion and Decision*
 - 8) *Reports for Determination*
 - *Planning Decisions*
 - *General Manager*
 - *City Planning*
 - *Infrastructure Services*
 - *Support Services*
 - 9) *Receipt of Minutes of Other Committees*
 - 10) *Notices of Motion*
 - 11) *Responses to Questions from Previous Meeting*
 - 12) *Questions for Next Meeting*

ORDINARY MEETING

Meeting Date: 27 August 2013

13) Reports Proposed to be discussed in Confidential Session

4. *The amended Code of Meeting Practice be placed on public exhibition, and open for submissions and comments, in accordance with Section 361 of the Local Government Act 1993.*
5. *A further report be provided to Council at the conclusion of the public exhibition period."*

Amendments to the Code, reflecting the above resolution were made and the Code was then placed on public exhibition from 4 July 2013 to 15 August 2013. A copy of the amended Code of Meeting Practice as placed on public exhibition, is attached as Attachment 2 to this report. In response, Council received a total of 36 submissions (from a total of 33 people): 35 submissions objected to the proposed changes, and one submission supported the proposed changes. The issues raised in the submissions are outlined below:

Relevant Clause	Issue	Comment if applicable
2.3.5	Suggestion that this clause confirm if the business paper will continue to be 'available on the Council's website at 12 midday on the Friday before the meeting'.	There are no planned changes to the release timeline for the business paper.
2.3.6	Objection to changes in the Order of Business; specifically moving Notices of Motion and Rescission Motions to the end of Council meetings 'making it highly unlikely that the public would attend a meeting having to wait until after 10pm in some cases to hear these items'.	
2.3.6	Support changes to the Order of Business; specifically planning items being heard first to avoid having to return on another night in an adjourned meeting.	
Previous cl. 3.3.7	Objection to deletion of Questions with Notice.	
3.3.7	Objection to limiting the items that members of the public can speak on.	Many objections refer to the number of speakers at Council meetings being reduced on items. The number of speakers on each item remains at 3 'for' and 3 'against' an item, with a 3 minute time limit and no extension. The proposed changes do not limit the number of items a person can speak on.
3.3.7 (1)	Suggestion that the application to speak process be amended as follows: <ul style="list-style-type: none"> Applications lodged by 12 midday, on the day prior to the meeting, eg. Monday 	The current provision for applications to be submitted by 3pm on the day of the meeting is sufficient for administrative

ORDINARY MEETING

Meeting Date: 27 August 2013

Relevant Clause	Issue	Comment if applicable
	<ul style="list-style-type: none"> Application to be assessed by the Mayor or delegated person, and determine if allowed for presentation 'The presentation is then amended' 'The amended document is given to the speaker when they arrive at the meeting' 'To ensure that nothing other than what has been accepted by the Mayor is spoken, ...custodian of the microphone switch has a copy of the speech and if the speaker deviates from the speech he shuts the microphone down'. 	<p>purposes.</p> <p>The public microphone has an on/off switch at the fixed desk adjacent to the lecturn, but is ultimately controlled by the sound/ recording system at the minute taker desk.</p>
3.3.7 (2)	Objection to the decrease in time for public address from 5 minutes (with 2 minute extension), to 3 minutes.	
3.3.7 (2)	Support the decrease in time for public address from 5 minutes (with 2 minute extension), to 3 minutes.	
3.3.7 (3)	Support the requirement for organisations to authorise speakers when appearing/speaking on its behalf.	
3.3.7 (6)	Objection to items subject to public address being heard in the order they appear in the Business Paper.	
3.3.7 (12)	Objection to 2 minute time limit for Councillors to ask questions, and speakers to provide answers.	
3.3.7 (12)	Support for the 2 minute time limit for Councillors to ask questions, and speakers to provide answers.	
3.3.8	Suggestion that a time limit be placed on matters deferred/resolved for inspection: specifically 'that a date be set for inspection before the next Council meeting and that the item be reported to the next meeting'.	
3.3.12	Objection to the lack of provision for contact or exchange of information between members of the gallery and Councillors once a meeting has started.	

ORDINARY MEETING

Meeting Date: 27 August 2013

Relevant Clause	Issue	Comment if applicable
3.3.12	Support for the proposed changes to communication between Councillors and the public.	
General Objections	<p>Objections to proposed changes in the Code on the following basis:</p> <ul style="list-style-type: none"> Restricting/stifling community input Elected members are there to listen to constituents Community will suffer Proposed changes 'further disengage' residents and is in 'direct conflict with the Hawkesbury Community Strategic Plan at Shaping Our Future Together... and the Community Engagement Policy' Proposed changes are unfair and do not represent a 'collective vision' Proposed changes exclude the community/ take away the rights to speak and the transparency of local government Proposed changes are 'undemocratic' and limit 'freedom of speech' Proposed changes are in 'direct contradiction to the Principles stated in the Introduction to Hawkesbury City Council's Code of Practice and the DLG Open Meeting Guidelines'. 	
Suggestions	<ul style="list-style-type: none"> 'If the 5 minute rule was applied to Councillors by the Mayor the meetings would be reduced in time'. 'No communication between Councillors and members of the public is permitted within the Council Chambers, once the meeting has commenced" as long as it means all 	<p>Clause 3.2.8 'Limitation As To Number of Speeches' provides that Councillors can only speak once on a motion or an amendment, and for no longer than 5 minutes at any one time. However, the Chairperson may permit a Councillor who claims to have been misrepresented or misunderstood to speak further.</p>

ORDINARY MEETING**Meeting Date:** 27 August 2013

Relevant Clause	Issue	Comment if applicable
	forms of communication: texting, open telephones, emails, etc'. <ul style="list-style-type: none">• Respondents speak first and applicants speak last when addressing Council; specifically in relation to planning items as this will 'allow the applicant to address any matters raised by respondents and also allows the Councillors to question the applicant in relation [to] possible alterations to resolve matters of concern. Perhaps the two minutes right of reply could be better used for additional questions and answers by applicant.'	
Questions	'How does one sign the undertaking when sending an email?' 'Why would the speakers state their name when they have already been introduced?'	Submission of an online form is considered the equivalent of signature, i.e. declaration not to defame etc.

In summary, Council received a total of 36 submissions in response to the public exhibition of the amended Code of Meeting Practice. The issues raised in the submissions are outlined above together with comments, if applicable. This matter is now referred to Council for consideration.

Conformance to Community Strategic Plan

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

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

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

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

Financial Implications

There are no financial implications associated with this report.

RECOMMENDATION:

That the report regarding Council's amended Code of Meeting Practice be considered by Council.

ORDINARY MEETING

Meeting Date: 27 August 2013

ATTACHMENTS:

AT - 1 Report to Council Meeting on 30 April 2013 - Code of Meeting Practice.

AT - 2 Amended Code of Meeting Practice (*Distributed under separate cover*).

ORDINARY MEETING

Meeting Date: 27 August 2013

AT - 1 Report to Council Meeting on 30 April 2013 - Code of Meeting Practice.

ITEM: SS - Code of Meeting Practice - (95496, 79337)

Previous Item: NM2, Ordinary (5 February 2013)

REPORT:

Executive Summary

This report has been prepared as a result of a Notice of Motion adopted at the Council Meeting held on 5 February 2013, regarding a review of Council's Code of Meeting Practice (the Code), with a view to improving the efficient and effective functioning of Council meetings. This matter was also discussed at a Councillor Briefing Session on 2 April 2013.

The report provides an overview of various suggested amendments to the Code that may improve the efficiency and effectiveness of Council meetings.

Consultation

Any amended Code of Meeting Practice, unless the amendments are not substantial, will be placed on public exhibition for a minimum period of 28 days with submissions being received not less than 42 days after the date on which the Code is placed on public exhibition. All submissions received will then be considered in a report back to Council.

Background

Council's Code of Meeting Practice was adopted by Council on 12 October 2010.

Under Section 360(2) of the Local Government Act, 1993 (the Act), Council may adopt a Code of Meeting Practice that incorporates the relevant provisions of the Act and Regulations.

Council meetings must be conducted in accordance with the adopted Code of Meeting Practice. One of the key principles of the Code is that Council meetings should be conducted in an orderly and efficient manner. Orderly and efficient meetings contribute to good governance, open and transparent public decision-making, and increase Council's accountability to the community.

Council, at its meeting on 5 February 2013, adopted the following Notice of Motion:

"That following discussion at a Councillor Briefing Session, a report be submitted to Council reviewing the Council's Code of Meeting Practice with a view to improving the efficient and effective functioning of Council meetings."

Initially, Council staff reviewed the Code and identified some minor typographical and grammatical improvements, and also confirmed that there were no new legislative amendments required to the Code.

In accordance with the above resolution, this matter was discussed at a Councillor Briefing Session on 2 April 2013, where a number of suggestions by management and Councillors were made to amend the Code of Meeting Practice to improve the efficient and effective functioning of Council meetings. These suggestions are outlined below and are divided into amendments to the Code that were generally agreed by Councillors at the Briefing Session, and options that did not have a consensus.

ORDINARY MEETING

Meeting Date: 27 August 2013

Generally Agreed Amendments to the Code of Meeting Practice

1. Minor Improvements

Minor typographical and grammatical improvements to the Code identified by staff.

2. Reference to Speakers

Amend to how public speakers are referred to as "For" or "Against" a motion or recommendation to Council.

Currently, public speakers are referred to as a "Proponent" or a "Respondent".

3. Exception Report - Adoption of Items Not Identified for Discussion and Decision

- Allow Reports (Minutes) of Committees to be adopted on "Block" should no Councillors identify the Report for discussion and decision and no public speakers wish to address Council on the Report.
- Allow Confidential Items to be adopted on "Block" within the Confidential Session of the Council Meeting, should no Councillors identify the Item for discussion and decision.

Currently, both Reports (Minutes) of Committees and Confidential Items cannot be adopted on "Block".

4. Planning Decisions

Move items that have been identified as Planning Decisions, including matters relating to development applications, environmental planning instruments and development control plans, to after "Mayoral Minutes" of the Order of Business for Council Meetings.

Currently items identified as Planning Decisions are considered either as part of public address items, or Reports for Determination, which are further down the Order of Business for Council Meetings.

Other Options for Amendments to the Code of Meeting Practice that did not have Consensus

5. Reduce the Number of Public Speakers

Reduce the number of public speakers to a maximum of two speakers for, and two speakers against, each item that the public can address Council.

Currently, the Code allows for a maximum of three public speakers for (proponent) and three speakers against (respondent) each item, that the public can address Council.

For comparative purposes, other councils allow the following public speakers:

Blacktown Council	2 speakers for each subject
Blue Mountains Council	Up to 3 speakers for each opposing view point
Gosford Council	The number of speakers on any one item is to be balanced by speaker(s) in support of the proposal and speaker(s) against the proposal
The Hills Council	1 speaker in support and 1 speaker opposing

ORDINARY MEETING**Meeting Date: 27 August 2013**

Newcastle Council	2 speakers for each item
Penrith Council	3 speakers in support and 3 speakers in opposition
Port Macquarie-Hastings Council	2 speakers for and 2 speakers against any item
Ryde Council	No limit on the number of speakers
Shoalhaven Council	No speakers at meetings, unless approved for an urgent matter that has not been before a Committee
Wollongong Council	2 speakers for and 2 speakers against any item

6. Eliminate Extension of Time for Public Speakers

Eliminate the two minute extension that is currently available to each public speaker.

Currently, each public speaker is given up to a maximum of five minutes to speak on each item. At meetings where applications for fewer than 20 addresses to Council have been received, the Chairperson may, with the consent of the members, grant a two minute extension.

For comparative purposes, the following table outlines how other councils deal with the amount of time allowed for public speakers.

Blacktown Council	3 minutes per speaker with no extension
Blue Mountains Council	3 minutes per speaker with no extension
Gosford Council	3 minutes per speaker with extensions
The Hills Council	5 minutes per speaker with 1 minute extension
Newcastle Council	No time limit
Penrith Council	5 minutes per speaker with no extension
Port Macquarie-Hastings Council	5 minutes per speaker with no extension
Ryde Council	3 minutes per speaker with no extension
Wollongong Council	5 minutes per speaker with no extension

7. Limit the Time for Questions to Speakers

Limit the amount of time allowed for Councillor questions to public speakers, and speaker answers, to a maximum of five minutes for each speaker.

Currently, Councillors may ask questions of members of the public who address Council, in order to clarify their understanding of the speaker's view or seek specific additional information with no time limit.

ORDINARY MEETING

Meeting Date: 27 August 2013

For comparative purposes, the following table outlines how other councils deal with Councillor questions to public speakers:

Blacktown Council	No questions
Blue Mountains Council	Councillor questions allowed
Port Macquarie-Hastings Council	Each question be limited to 30 seconds and each answer be limited to 2 minutes
Ryde Council	No questions

8. Eliminate or Restrict Questions to Public Speakers

Eliminate questions from Councillor to public speakers or quantify the number of Councillor questions to public speakers.

Currently, Councillors may ask questions of members of the public who address Council, in order to clarify their understanding of the speaker's view or seek specific additional information with no time limit and no restriction on the number of questions asked.

9. Questions from the Public

Allow questions from the public to Councillors and Council staff.

Currently, there is no provision in the Code for questions from the public to Councillors and Council staff.

10. Hold More Council Meetings or Hold Council Meetings During the Day

Hold additional Ordinary Council Meetings or hold Ordinary Council Meetings during the day.

Currently, Ordinary Council Meetings are held on the second Tuesday of every month, except January and/ or the last Tuesday of every month except December, and except following a public holiday.

Currently, Ordinary Council Meetings commence at 6.30pm and finish at 11.00pm, unless Council resolves to extend the Meeting.

During 2012, 17 Ordinary Council Meetings were held with an average duration time of approximately 3 hours and 50 minutes.

11. Separate Development Application Committee

Establish a Development Application Committee to consider development applications that would normally be considered at Ordinary Council Meetings.

12. Notices of Motion

Move Notices of Motion to after "Reports for Determination" of the Order of Business for Council Meetings.

Currently, Notices of Motion are considered earlier in the Order of Business for Council Meetings.

ORDINARY MEETING

Meeting Date: 27 August 2013

It is recommended that Council adopt the amendments to the Code numbered 1 to 4 outlined above, and give consideration to the other amendments to the Code numbered 5 to 12 above.

Should Council resolve to amend the Code as outlined in the report, the amended Code is to be placed on public exhibition for a minimum period of 28 days, with submissions being received not less than 42 days after the date on which the Code is placed on public exhibition. A further report would be provided to Council at the conclusion of the public exhibition period.

Conformance to Community Strategic Plan

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

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

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

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

Financial Implications

There are no financial implications associated with this report.

RECOMMENDATION:

That:

1. Council amend the Code of Meeting Practice to include amendments numbered 1 to 4, as outlined in the report.
2. Council give consideration to the suggested amendments numbered 5 to 12, as outlined in the report.
3. The amended Code of Meeting Practice be placed on public exhibition, and open for submissions and comments, in accordance with Section 361 of the Local Government Act, 1993.
4. A further report be provided to Council at the conclusion of the public exhibition period.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 27 August 2013

Item: 175 **SS - Policy for Payment of Expenses and Provision of Facilities to Councillors - (95496)**

Previous Item: 181, Ordinary (9 October 2012)

REPORT:

Executive Summary

Councils are required to adopt a Policy on the provision for the payment of expenses and the provision of facilities to Councillors by the Local Government Act 1993 (LGA). The LGA requires that the Policy be reviewed and adopted annually, and be publicly exhibited prior to the Policy being adopted.

The annual review of Council's Policy has been undertaken and the following minor amendments are proposed:

- Update current legislation references
- Further note relevant reimbursement clause from the Local Government Act 1993
- Minor typographical corrections.

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

Consultation

The LGA generally requires the Policy to be placed on public exhibition for a period of 28 days prior to its adoption as follows:

"Section 253 Requirements before Policy concerning expenses and facilities can be adopted or amended:

- (1) A council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.*
- (2) Before adopting or amending the policy, the council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment."*

Regardless of the minor nature of the proposed amendments, i.e. they are not considered to be substantial, public exhibition is required in accordance with Section 253 of the LGA and as outlined in the Division of Local Government Circular 11-27 'Findings from Review of Councillor Expenses and Facilities Policies'.

ORDINARY MEETING

Meeting Date: 27 August 2013

Background

Section 252 of the LGA requires each council, within five months after the end of each financial year, to adopt a policy in this regard. Section 253 of the LGA also details requirements to be complied with prior to such a policy being adopted or amended and is in the following terms:

- "(1) A council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.*
- (2) Before adopting or amending the policy, the council must consider any submissions made within the time allowed for submission and make any appropriate changes to the draft policy or amendment.*
- (3) Despite subsection (1) and (2), a council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the council is of the opinion that the proposed amendment is not substantial.*
- (4) Within 28 days after adopting a policy or making an amendment to a policy for which public notice is required to be given under this section, a council is to forward to the Director-General:*
 - (a) a copy of the policy or amendment together with details of all submissions received in accordance with subsection (1), and*
 - (b) a statement setting out, for each submission, the council's response to the submission and the reasons for the council's response, and*
 - (c) a copy of the notice given under subsection (1).*
- (5) A council must comply with this section when proposing to adopt a policy each year in accordance with section 252(1) even if the council proposes to adopt a policy that is the same as its existing policy."*

A review of the Council's Policy has been undertaken and the following minor amendments are proposed to the Policy:

- Update current legislation references
- Further note relevant reimbursement clause from the Local Government Act 1993
- Minor typographical corrections.

A copy of the existing Policy has been updated to reflect the above proposed changes, and is attached to this report as Attachment 1. All proposed additions are shown in bold font, and any proposed deletions have a line through them. The proposed amended policy, as attached, is recommended for public exhibition and report back to Council.

Conformance to Community Strategic Plan

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

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

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

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

ORDINARY MEETING

Meeting Date: 27 August 2013

Financial Implications

The proposed amendments to the Policy have no financial impact on Council's Adopted 2013/2014 Operational Plan. However, the public exhibition costs associated with the Policy will be paid from Service Account 122 – Administrative Services of the 2013/2014 Adopted Operational Plan.

RECOMMENDATION:

That the amended Policy for Payment of Expenses and Provision of Facilities to Councillors, attached as Attachment 1 to the report, be placed on public exhibition for a period of at least 28 days and that the matter be reported back to Council at the conclusion of the exhibition period.

ATTACHMENTS:

AT - 1 Amended Policy for Payment of Expenses and Provision of Facilities to Councillors - (*Distributed Under Separate Cover*).

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 27 August 2013

CONFIDENTIAL REPORTS

Item: 176 **IS - Tender No. 00930 - Supply and Installation of Variable Speed Blowers - South Windsor Sewage Treatment Plant - (95495, 112179) CONFIDENTIAL**

Reason for Confidentiality

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

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

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

ORDINARY MEETING

Meeting Date: 27 August 2013

Item: 177 **SS - Property Matter - Lease to Wayne Edwards Holdings Pty Limited - 37 Macquarie Street, Windsor (112106, 25587, 95496) CONFIDENTIAL**

Previous Item: 155, Ordinary (30 June 2013)

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: 27 August 2013

Item: 178 **SS - Property Matter - Lease to Amos Leighton - Cafe within Deerubbin Precinct, Windsor - Part Lot 50 in DP 1035291 - (95496, 112106, 111401, 120258)**
CONFIDENTIAL

Previous Item: 212, Ordinary (31 August 2010)

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: 27 August 2013

ordinary

section 5

reports
of committees

ORDINARY MEETING
Reports of Committees

ORDINARY MEETING
Reports of Committees

SECTION 5 - Reports of Committees

ROC - Development Application Monitoring Advisory Committee - 18 July 2013 - (79351)

Minutes of the Meeting of the Development Application Monitoring Advisory Committee held in Council Chambers, Windsor, on Tuesday, 27 August 2013, commencing at 5:00pm.

Present: Councillor Kim Ford, Chairperson
 Councillor Mike Creed, Deputy Chairperson
 Councillor Warwick Mackay
 Councillor Bob Porter
 Councillor Tiffany Tree

Apologies: Nil

In Attendance: Mr Peter Jackson, General Manager
 Mr Matthew Owens, Director City Planning
 Ms Shari Hussein, Manager Planning

REPORT:

SECTION 3 - Reports for Determination

**ITEM: 1 Formation of Development Application Monitoring Advisory Committee (DAMAC)
 and Election of Deputy Chairperson**

RECOMMENDATION TO COMMITTEE:

That:

1. An election for the position of Deputy Chairperson of the Development Application Monitoring Advisory Committee for the 2013/2014 term of the Committee be carried out.
2. The objectives and role of the Development Application Monitoring Advisory Committee as set out in the report be noted.
3. The Development Application Monitoring Advisory Committee meet on a quarterly basis at the conclusion of each quarter of the financial year.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Bob Porter, seconded by Councillor Warwick Mackay.

ORDINARY MEETING
Reports of Committees

That Councillor M Creed be appointed as the Deputy Chairperson of the Committee for the 2013/2014 Term.

RESOLVED on the motion of Councillor Warwick Mackay, seconded by Councillor Bob Porter.

That the objectives and role of the Development Application Monitoring Advisory Committee as set out in the report be noted.

RESOLVED on the motion of Councillor Kim Ford, seconded by Councillor Warwick Mackay.

That the Development Application Monitoring Advisory Committee meet on a quarterly basis at the conclusion of each quarter of the financial year or as called by the Chairperson.

SECTION 4 - Reports for Information

ITEM: 2 Development Application Process Improvements and Utilisation of Technology

RECOMMENDATION TO COMMITTEE:

That:

1. The information regarding the development application processing improvements and utilisation of technology be received and noted.
2. A further report be provided to the next DAMAC meeting to provide a status on the proposed NSW planning system changes and the process improvements projects listed in this report.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Mike Creed, seconded by Councillor Bob Porter.

That:

1. The information regarding the development application processing improvements and utilisation of technology be received and noted.
2. A further report be provided to the next DAMAC meeting to provide a status on the proposed NSW planning system changes and the process improvements projects listed in this report.

ORDINARY MEETING
Reports of Committees

ITEM: 3 Development Application (DA) Processing and Requirements for Riverfront Land/Properties

RECOMMENDATION TO COMMITTEE:

That the information regarding the development application processing and requirements for riverfront land/properties be received and noted.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Bob Porter, seconded by Councillor Warwick Mackay.

That the information regarding the development application processing and requirements for riverfront land/properties be received and noted.

ITEM: 4 Development Application Statistics July 2012 - June 2013

RECOMMENDATION TO COMMITTEE:

That the information regarding the Development Application Statistics for the period 1 July 2012 - 30 June 2013 be received and noted.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Councillor Warwick Mackay, seconded by Councillor Mike Creed

That the information regarding the development application processing and requirements for riverfront land/properties be received and noted.

The meeting terminated at 6:15pm.

Submitted to and confirmed at the meeting of the Development Application Monitoring Advisory Committee held - meeting to be determined.

oooO END OF REPORT Oooo

ORDINARY MEETING
Reports of Committees

ROC - Floodplain Risk Management Advisory Committee - 22 July 2013 - (86589)

The meeting commenced at 4.03pm in Council Chambers.

Present: Councillor Bob Porter, Chairperson
Councillor Jill Reardon, Hawkesbury City Council
Mr Harry Panagopoulos, Office of Environment and Heritage
Mr Kevin Jones, SES
Mr Ted Books, Community Representative
Mr Damian Moon, Community Representative
Mr Les Sheather, Community Representative
Mr Trevor Devine, Community Representative
Mr Geoffrey Bessell, Community Representative

Apologies: Councillor Warwick Mackay, Hawkesbury City Council
Councillor Tiffany Tree, Deputy Chairperson
Councillor Mike Creed, Hawkesbury City Council
Mr Robert Bowman
Mr Peter Cinque, SES
Mr Kevin Conolly MP - Member for Riverstone
Mr Ray Williams MP, Member for Hawkesbury
Councillor Kim Ford

In Attendance: Mr Matthew Owens, Hawkesbury City Council
Mr Chris Amit, Hawkesbury City Council
Mr Phil Pleffer, Hawkesbury City Council
Councillor Christine Paine, Hawkesbury City Council
Councillor Mary Lyons-Buckett, Hawkesbury City Council
Ms Rebekah Faith – Office of Mrs Louise Markus MP
Ms Kirstan Smelcher - RAAF
Mr Bart Bassett MP - Member for Londonderry
Mr Ross Davidson
Ms Robyn Kozjak, Minute taker

REPORT:

RESOLVED on the motion of Councillor Reardon and seconded by Mr Les Sheather that the apologies be accepted.

CONFIRMATION OF MINUTES

RESOLVED on the motion of Councillor Reardon and seconded by Mr Ted Books that the Minutes of the Floodplain Risk Management Advisory Committee held on the 3 June 2013 be confirmed.

ORDINARY MEETING
Reports of Committees

The (inadvertent) omission of the attendance record of the meeting of 15 April 2013 (page 4 of the previous minutes) was noted.

CHANGE TO ORDER OF BUSINESS

The item from General Business of the Business Paper relating to dredging was brought forward to accommodate Mr Ross Davidson of Davidson Dredging.

ORDINARY MEETING
Reports of Committees

Member	11/02/13	03/06/13	15/04/13	22/07/13	
Councillor Bob Porter	✓	✓	✓	✓	
Councillor Mike Creed	✓	A	✓	A	
Councillor Jill Reardon	✓	✓	✓	✓	
Councillor Warwick Mackay	A	A	A	A	
Councillor Tiffany Tree	✓	✓	A	A	
Mr Peter Cinque OAM - (SES Sydney Western Division)	✓	A	A	A	
Mr Harry Panagopoulos - (Office of Environment and Heritage)	✓	✓	✓	✓	
Mr Chris Ransom - (Dept of Defence)	X	X	X	✓	
Snr Inspector Robert Bowman - (Industry & Investment NSW) -Primary Industries	X	✓	X	A	
Mr Kevin Jones - (SES Headquarters)	✓	✓	✓	✓	
Mr Les Sheather - (Community Member)	✓	✓	✓	✓	
Mr Geoffrey Bessell - (Community Member)	✓	A	✓	✓	
Mr Damian Moon (Community Member)	A	✓	✓	✓	
Mr Trevor Devine (Community Member)	✓	✓	✓	✓	
Mr Ted Books (Community Member)	✓	A	✓	✓	

A = Formal Apology

✓ = Present

X = Absent - no apology

Comment [RK1]: Attendance list for 15/04/13 meeting added post-meeting on 03/06/13

Comment [RK2]: Kieran Smelcher in lieu

ORDINARY MEETING
Reports of Committees

Mr Davidson, (Civil Engineer, Member of Institute of Engineers, Fellow of Macquarie Institute of Australia), commenced his presentation.

History of Operations:

- Early 1950's family commenced dredging operations.
- Extensive knowledge of dredging and processing of sand especially in Hawkesbury Valley.
- Operated lease on Hawkesbury River which extended downstream from Windsor Bridge to below South Creek. Lease currently held by Rocla Quarry Products.
- Operated lease on Hawkesbury River downstream from Richmond Bridge. Sand from lease transported to Marsden Park for processing.
- Early 1970's Davidson washed sand was largest independent supplier of sand producer in Sydney metropolitan area.
- 1972 Davidson washed sands sold all of its deposits to Moniers, and concentrated on contract dredging Australia wide. Various projects including consultants for Rocla's current lease below Windsor Bridge.
- Ross Davidson was Operations Manager for dredging work undertaken under Flood Mitigation Program for Hawkesbury City Council.
- Currently operates dredge and sand processing plant Rockhampton, Shellharbour and quarry in Victoria owned by the Barro Group.

Projects / Environmental Benefits:

- Botany Bay - Worked with MSB in the development of sand re-nourishment at Botany Bay to prevent inundation of sea water into fresh water environment.
- Lane Cove River - Department of Fisheries were concerned re low oxygen levels and lack of marine life and observed the oxygen level grew post-dredging works below Fullers Bridge.
- Port Melbourne - Contracted to dredge leachate material from lake alongside disbanded fuel depot. Fuels sitting on top of water table were floated off and passed through processing plant, material pumped into storage areas, vapours collected and material destroyed. Major benefit to the Port around Melbourne.

Economic Benefits:

- Receipt of royalties by Council for the sale of sand. Mr Davidson advised in most instances contractors take out the license to dredge and pay royalties to Council. Mr Davidson recommended Council obtain the license to dredge and thus become the controlling body.

ORDINARY MEETING
Reports of Committees

Summation:

- Mr Davidson reported he was aware of several places in the Hawkesbury River that were becoming non-navigable and understood at some low tides Sackville ferry grounds when it has a load on. Mr Davidson advised he believed silting of rivers was a manmade problem and dredging would keep the rivers free for safe navigation and for use as a conduit for getting rid of flood waters. Mr Davidson reported studies undertaken overseas (Holland) and in Queensland (Brisbane River) had proven that if those rivers had been dredged prior to the flooding events, floods would not have reached the heights they did. Mr Davidson added major hurdles included overcoming negative public opinion and obtaining approvals for dredging. Mr Davidson reported approvals were only obtained in extenuating circumstances, and in the case of the Hawkesbury River, he believed there were extenuating circumstances in that the current condition of the river was a safety issue due to very shallow areas of the river and the river would benefit being dredged in order to mitigate flood related damage and to afford the public a safe navigable waterway

Mr Davidson invited questions from the Committee:

Questions:

- Mr Devine asked how many years dredging work would be available in the Hawkesbury River.

Mr Davidson responded Council would need to establish how much sand they wanted to remove, how deep to dredge and at what locations. Mr Davidson advised Council needed to determine how long it wanted the operations to go on for.

- Mr Owens asked what type of dredges were used and recommended.

Mr Davidson responded this was dependent upon the depth of dredging, where dredging was to be performed, and access to shore. Mr Davidson added cutter suction or suction dredges were previously used in the Hawkesbury River.

- Mr Owens enquired how much land was required if operations were land based.

Mr Davidson responded there were restrictions relating to the return of water to the river. Conventional suction or cutter suction dredges pump water and sand through a pipeline to a shore installation and the quantity of sand was usually 25%, which results in a great deal of water to dispose of. Mr Davidson reported it was not permissible to allow water back into the river if its carrying more than 50 parts per million of solids, in which case a settling area was required. Mr Davidson indicated the Rocla lease operations near Windsor bridge has a settling pond on the other side of the road and further up the river, there was the possibility of a utilising a property that has a settling pond license already in place. Mr Davidson added he had been involved in dredging operations performed by a floating excavator on a barge, which operated within a silt curtain and solids loaded directly onto a barge, offloaded elsewhere and transported to a disposal area.

- Mr Owens asked if Mr Davidson had been involved with land based operations and what costs were applicable.

ORDINARY MEETING
Reports of Committees

Mr Davidson responded he would envisage approximately \$200,000 for a land based set up, settlement ponds and equipment, which in his case the company owned the relevant dredging and sand processing equipment. Mr Davidson emphasised total costs would depend upon the size of the operation.

- Mr Moon referred to Shellharbour Council's operations and asked what income that Council made per year in royalties.

Mr Davidson responded Shellharbour sells approximately 12,000 tonne of sand per month. Mr Davidson's added the cost of dredging was approximately \$7-8 per tonne which was sold at \$21 per tonne, estimating approximately \$1 million per year turnover.

- Mr Moon asked of the outlay Shellharbour Council expended.

Mr Davidson responded the Council was required to have a study prepared and obtained the necessary approvals to dredge. Mr Davidson added they supplied their own front end loader and utilised their own weighbridge.

- Mr Moon asked if the sand quality of the Hawkesbury material was better than that of Shellharbour.

Mr Davidson advised Hawkesbury sand was sought after and known for its good grade, however, it tended to have the consistency of charcoal which is detrimental in concrete works. Mr Davidson reported in the past he was able to get rid of charcoal by adding a small amount of coarser material, resulting in a very good concrete sand. Mr Davidson advised the material was also highly suited to golf courses, horse racing circuits and turf farmers.

- Mr Bessell asked if dredging the river would increase its velocity / flow.

Mr Davidson responded in theory there would be an increase of volume of water if the river didn't have sand in it, adding the main constriction becomes Sackville gorge because it is narrow. Mr Davidson added Sackville gorge should be made to take more volume of water and that, together with an increase in volume of the river itself by dredging, would carry a lot more water as well.

Mr Davidson left the meeting at 4.46pm.

SECTION 3 - Reports for Determination

ITEM: 1 Declarations of Interest

DISCUSSION:

- Mr Devine asked if a response had been received from the Department of Local Government (DLG) in relation to exemptions for members of the Committee, citing a number of members have an interest and if required to declare such interest the Committee would not be able to function due to lack of quorum.

ORDINARY MEETING
Reports of Committees

- Mr Owens responded notwithstanding attempts to obtain a response from the DLG, no formal response had been received to date.

RECOMMENDATION TO COMMITTEE:

That:

1. General disclosures of interest listed in this report be received.
2. Other specific disclosures of interest be declared if deemed appropriate.

MOTION:

RESOLVED on the motion of Councillor Reardon, seconded by Mr Damian Moon.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That:

1. General disclosures of interest listed in this report be received.
2. Other specific disclosures of interest be declared if deemed appropriate.

SECTION 5 - General Business

- **Flood insurance in the Hawkesbury**

The Chair advised a resident of Wilberforce reported she was not able to obtain any insurance whatsoever as Wilberforce was deemed a high flood risk. After investigations with the Insurance Council, she was informed it was due to access and egress issues, (notwithstanding the resident's home was built at 95 metres). The Chair further reported many similar complaints had been received from residents of Bligh Park and McGraths Hill, citing one resident of South Windsor was quoted \$32,000 for insurance. The Chair suggested Council's policies be reviewed as it appeared if one's access and egress was below 1:100, it was deemed to be high flood risk.

Mr Moon suggested insurance companies may have accessed Council's *Development of Flood Liable Land Policy* dated 31 July 2012 where at Clause 3, no. 4, reference was made to matters to be taken into consideration during assessment of applications, including access and egress and the effect of isolation of the land by flooding.

ORDINARY MEETING

Reports of Committees

Mr Owens reported that policy was based on Clause 25 of the previous (old) LEP 1989. Mr Owens added at the previous meeting Karl Sullivan from the Insurance Council advised individual Council changes made to development controls were not taken into consideration and it was not possible to respond to individual Councils in this regard. Mr Owens advised Council's controls have not changed, and the Policy is of a lower standard than the LEP clause.

Mr Moon referred to Mr Sullivan's request for mapping from Council and Mr Owens advised he had spoken to the Insurance Council in this regard and has not released the maps.

Mr Devine asked if the maps could be purchased over the customer service counter and Mr Owens responded basic pdf versions were available on Council's website and contour maps for specific properties could be purchased.

Mr Devine suggested insurance companies may be obtaining those maps from Council's website and pulling information they (believe they) require. Mr Devine made reference to correspondence received from NRMA Insurance where flood coverage was previously accepted under a business insurance policy for South Windsor Shopping Centre (built at 22 metres) and is now no longer available.

Query was raised as to why climate change was included in the LEP 2012 (Flood Planning 6.3 - 1b) and Mr Owens responded Council did not write that clause, it was a standard instrument clause imposed by the Government. Mr Devine suggested Council make representations to the State Government to remove that clause. Mr Sheather added recommendations in the FRMS&P from consultants reported climate change would have no effect in the Hawkesbury Valley.

The Chair referred to Clause 4 of Council's Flood Policy and asked if he could be provided with the wording in the previous LEP from which the Policy came out of as he believed insurance companies may be misinterpreting access and egress matters. Mr Owens responded he would forward that information to the Committee and added access and egress matters related to subdivision.

Mr Owens advised Council did not have any record of complaints regarding a rise in insurance premiums and asked if he could be provided with copies of those complaints. The Chair responded he would collate the information (from Real Insurance) and provide it to Mr Owens, as he was concerned insurance companies were raising premiums due to misinterpreting information.

- Sackville Gorge

Mr Sheather referred to the previous meeting where debate arose regarding the location of Sackville Gorge and the subsequent motion put forward to write to relevant Ministers and local members requesting consideration not be given to widening Sackville Gorge and highlighting issues with the Webb McKeown study. Mr Sheather reiterated the importance in being precise with the information provided to the Minister as to the location of the Gorge, as he believed the drawings in the FRMS&P (Mitchell McCotter reports) showed Sackville Gorge to be in a different location to the part of the river the Committee has referred to. The Chair noted Mr Sheather's comments.

ORDINARY MEETING
Reports of Committees

Mr Bassett left the meeting at 5.30pm

Mr Sheather referred to Councillor Mackay's email comment regarding the 4.00pm commencement time of the meeting and asked if Councillor Mackay's concern referred to the current meeting or future meetings.

Tabled Correspondence – Mr Moon

LETTERS | Water Engineering Australia

Dredge rivers to mitigate floods

The articles "Floodwaters could rise in Sydney" (March 2013) and "Flood lessons from overseas" (April 2013), have covered the 2011 and 2013 floods in Queensland and NSW, but have not suggested any procedure to reduce the level of the next flood.

There is a widespread misunderstanding that floods are natural events, out of our human control. The heavy rain which precedes the flood is a natural event, but the damage done through inundation is very much a man-made disaster, which cries out for a man-made solution. Flood damage occurs when the water is prevented from escaping to the sea, where that water belongs.

In order to protect our coastal riverside cities from inundation, the simple answer is to dredge each river by removal of silt. This should double the depth of the river over the middle half of its width. The dredging should continue from the river's mouth to the limit of its tidal range.

This recommendation is expanded in my two submissions to the Queensland Floods Commission of Inquiry, which can be found at <www.floodcommission.qld.gov.au>. If the advice which I gave then had been applied to the Burnett River, then the 2013 devastating inundation of North Bundaberg could have been significantly reduced and perhaps avoided

altogether.

The flow capacity which I recommend should be applied to many rivers including the Brisbane, Mary, Burnett and Fitzroy Rivers in Queensland; the Manning, Clarence, Hunter, Hastings, Nepean and Macleay Rivers in NSW; and the Mississippi River in the US, which may be the world's most silted river.

The recommendations which I give mainly cover the deepening of the Brisbane River by cutting a trench, (generally similar to the navigation shipping channel in the lower reaches), in the middle of the river, up as far as the junction with the Bremer River, a distance of approximately 70km. The trench will not be seen by

the public nor affect the appearance of the river and will leave a wide area of the riverbed unaltered, where any bottom-living creatures will be unaffected.

With careful design of the dredging equipment, disturbance to the river bottom can be minimised, so as to reduce the turbidity during dredging.

The Brisbane River is no longer a natural floodplain, as it is mostly suburban or industrial development. The benefit of inundation by flood waters has now been lost by alterations made by mankind. Little of the Brisbane area was ever a floodplain of the natural type.

Much of it was of volcanic origin and has been

Your letters are welcome, but not all can be published. They may be edited for legal, length or other reasons. Unpublished letters cannot be acknowledged or returned. Email the editor at kretzsov@engineersmedia.com.au.

eroded from a sedimentary plain. There are many environmentally responsible options to dispose of silt, such as expansion of Brisbane Airport and Port of Brisbane. Alternatively, silt can be used to protect low-lying areas against predicted sea level rise or fill in old mines as part of rehabilitation procedures.

Alex Stoney, FIEAust
MIMechE CPE (retired)
Epping, NSW

Desal views uninformed

It was disappointing that the cover story in the February issue of WEA magazine presented a one-sided and uninformed viewpoint, particularly with respect to the longevity of desalination plants and their capacity to adapt technology changes over time. In the case of the Victorian Desalination Project, all of the plant's elements that have a 50+ year design life are technology independent. I refer to the site itself and the buildings, the intake and outlet tunnels and structures, the seawater lift pump station, the pre-treatment facilities, the treated water storage ponds, the 84km long water delivery pipeline

and its transfer and booster pump stations, and lastly the 87km long AC underground HV power line and associated electrical facilities. These elements represent some three-quarters of the total investment in the VDP.

Indeed, a lot of planning was undertaken during the plant's design development stage to ensure that the components which are potentially subject to technological obsolescence, such as the reverse osmosis membranes, are capable of adapting to and/or being replaced by new technology as it becomes available including new membrane technology and other efficiency developments.

Any good water management plan is, of course, going to incorporate the best available options that are proven to work at the time. Desalination provides a rainfall independent, high quality water supply and in AquaSure's opinion, is a critical component of any water management plan if that plan is going to guarantee security of supply for current and future generations, in the face of a changing and unpredictable climate and increasing population demands.

Chris Herbert
CEO, AquaSure

ORDINARY MEETING
Reports of Committees

ROC - Local Traffic Committee - 12 August 2013 - (80245)

Minutes of the Meeting of the Local Traffic Committee held in the Large Committee Room, Windsor, on Monday, 12 August 2013, commencing at 3.00pm.

ATTENDANCE

Present: Mr Richard McHenry, Roads and Maritime Services
Mr Kristian Calcagno, Roads and Maritime Services
Snr Constable Debbie Byrnes, NSW Police Force

Apologies: Councillor Kim Ford (Mayor)
Councillor Mike Creed
Mr Bart Bassett, MP (Londonderry)
Mr Kevin Conolly, MP (Riverstone)
Mr Ray Williams, MP (Hawkesbury)
Snr Constable Romelda McInerny, NSW Police Force
Mr Phil Davies, Westbus
Ms Jill Lewis, NSW Taxi Council
Mr Carlos DeSousa, Hawkesbury Valley Bus Service

In Attendance: Mr C Amit, Manager, Design & Mapping Services (Acting Chairman)
Ms J Wong, Community Safety Coordinator
Ms Laurel Tweedie, Administrative Officer, Infrastructure Services

Mr Christopher Amit advised the Committee that the Chair (Mayor Kim Ford) and Alternate Chair (Councillor Mike Creed) were unable to attend the meeting and had requested that Mr Amit be the Acting Chair. The Acting Chair position is to be undertaken in accordance with the RMS (formerly RTA) Guidelines "*Delegation to Councils for the Regulation of Traffic*" Section 5.3 which states that the meeting is to be convened by a Council representative, either voting or non-voting.

The Acting Chairman Mr Amit tendered an apology on behalf of Mr Kevin Conolly MP (Riverstone), advising that Mr Kevin Conolly MP (Riverstone) concurred with recommendations as contained in the formal agenda and had granted proxy to himself to cast vote(s) on his/their behalf.

SECTION 1 – Minutes

Item 1.1 Confirmation of Minutes

The Committee resolved on the motion of Snr Constable Debbie Byrnes, seconded by Mr Richard McHenry, that the minutes from the previous meeting held Monday 8 July 2013 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 - 12 August 2013 - Item 2.1 - Proposals to Restrict Vehicle/Traffic Movements in the Windsor Town Centre, Windsor (Riverstone) - (80245, 123265)

Previous Item: 151, Ordinary (12 July 2012)

REPORT:

The results of the Windsor Town Centre Traffic Study were reported to Council on 12 July 2011, where the following resolution, in part, was adopted:

"That:

4. *The left turn restriction for vehicles over 8.0 metres from George St into Johnston St, Windsor be investigated to achieve the change.*

6. *The proposed restriction of traffic at the intersection of The Terrace, Moses St and Tebbutt St to left turn out of The Terrace be the subject of public consultation and further consideration by Council."*

To facilitate the proposal to alter the traffic flow at these locations, a number of actions have been undertaken which include; public consultation, compilation of a Traffic Management Plan, and approval from the RMS (formerly RTA).

Background Information:

The Windsor Town Centre Traffic Study undertaken by Christopher Hallam & Associates Pty Ltd outlined proposals for the intersections of George/Johnston Streets and The Terrace/Moses/Tebbutt Streets, which resulted in the Council resolution as outlined above.

Details of the proposed intersection restrictions are listed below:

Proposal to restrict vehicles over 8.0 metres from George Street into Johnston Street, Windsor:

Representations have been made by the Management of the Royal Exchange Hotel, advising that large trucks turning left from George Street into Johnston Street have hit their awning. The Royal Exchange Hotel situated at 203 George Street and located on the north-west corner of George Street and Johnston Street, is a listed heritage item under Council's Local Environmental Plan.

These incidents have only occurred as a result of the Riverview Shopping Centre operating. These trucks are generally travelling to the Loading Dock of the Riverview Shopping Centre. Trucks turning right from George Street into Johnston Street have a larger swept path which is evident in how the delivery truck for the Hotel can access Johnston Street.

The carriageway width of Johnston Street at George Street is 5.2 metres, with George Street being 9.9 metres wide at this point. The largest size vehicle which can, with some limitations, use Johnston Street is a Medium Rigid Vehicle of 8.8 metres. As a result of swept path plots for this intersection, the following results were found:

- Left turn from George Street, starting within centreline of George Street: Vehicle overhangs kerb on eastern side of Johnston Street.
- Left turn from George Street, starting on southern side of George Street: Truck can complete manoeuvre within kerbs.
- Right turn from George Street from southern (correct) side of George Street: Truck can complete manoeuvre within kerbs.
- a 12.5m long Heavy Rigid Vehicle will impact on one or other of the Johnston Street kerbs with any left or right-turn manoeuvre.

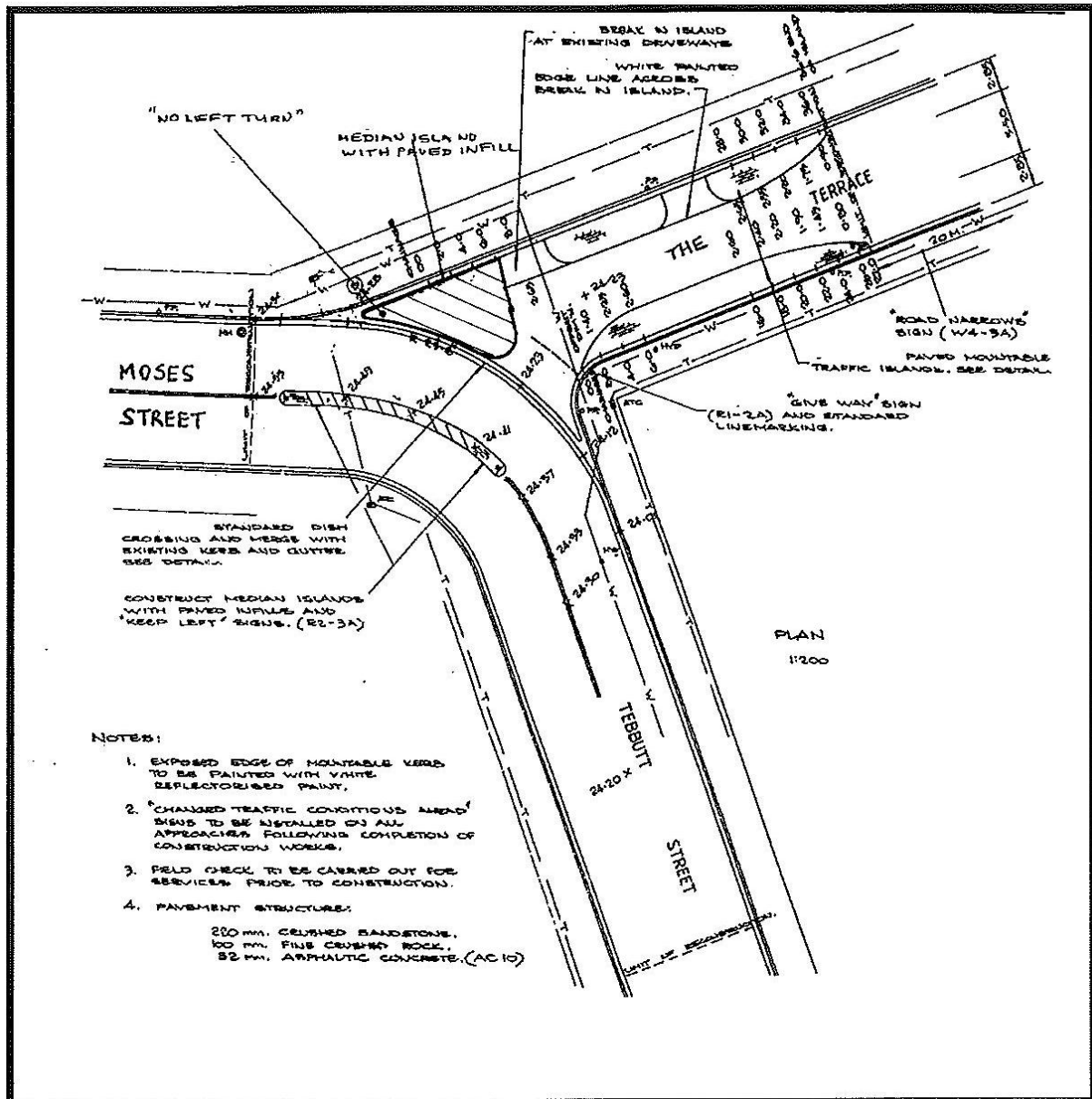
The recommendation from the Study is to impose a "No Left Turn" ban for vehicles over 8.0 metres turning from George Street into Johnston Street. The following comments are an extract from the Windsor Town Centre Traffic Study:

- "Some service vehicle access is required to service the hotel, so provision needs to be made for such vehicles. With on-street parking in the town centre in high demand, options that require the loss of parking are not favoured."
- "The treatment options, not including changes to the hotel awning, are:
 1. *Impose "No Left Turn, Vehicles Over 8m" at the corner.*
 2. *Extend the north-west kerb into the intersection, to tighten up the throat of the intersection and force left-turning vehicles to move closer to the eastern kerb of Johnston Street."*
- "Option 1 would deal directly with the issue. The disadvantage is that it would require some procedures to be followed, to show that the restriction would not adversely affect other locations. In terms of peak hour traffic flows, the left turn from George Street into Johnston Street is a low volume movement, with 1 veh/hr in the AM peak and 11 veh/hr in the PM peak."
- "The very small number of vehicles affected would have to make an alternative left turn at Fitzgerald Street, and hence go around a small block to access the Riverview Centre loading dock."
- "It is assumed that truck drivers servicing the Royal Exchange Hotel know the situation, and know that they need to make a right turn from George Street, instead of a left turn."
- "Option 2 would theoretically address the problem, but would force trucks towards the eastern kerb of Johnston Street. Even if starting from a position on the southern – "wrong" – side of George Street, the swept path plot shows that they would then overhang the eastern kerb. This might resolve one issue but create another."
- "If the alteration to the hotel awning is not an acceptable option, then the best option is Option 1."

Proposal to restrict traffic at intersection of The Terrace, Moses & Tebbutt Streets, Windsor:

The traffic movements along The Terrace were found to be higher than what would be desired for a residential collector street with residential frontages, with the observed speeds being below the posted speed limit of 50kph. The Terrace can be categorised into to 2 sectors; Residential from Moses Street to New Street and Commercial for New Street to Thompson Square. The following comments are an extract from the Windsor Town Centre Traffic Study:

- “The Moses Street-The Terrace route not only functions as an access street to adjoining residential, sporting and heritage land uses. It also functions as a minor ring-road along the northern side of Windsor town centre, particularly past those sections of the Windsor Mall.”
- “...the section of The Terrace west of New Street is carrying traffic flows in excess of the maximum for a Local Residential Street. The section of The Terrace between Moses and New Streets has been heavily traffic managed, to reduce traffic speeds, but high traffic flows still occur. The level of traffic remains a concern. In order to reduce traffic flows in this section of The Terrace, an option that is recommended for further investigation is the partial closure of The Terrace at its junction with Moses Street, to restrict movement to only left-turn out of The Terrace, with a sub-option being to allow all westbound movement but prohibit eastbound movement from both Moses Street and Tebbutt Street.”
- “Figure (below) presents a schematic layout of the option, with The Terrace traffic restricted to left turn into Tebbutt Street only. This option would clearly reduce traffic in The Terrace between Moses Street and New Street. Since it would have significant accessibility implications, further traffic studies and public consultation would be required.”



Public Consultation

Public consultation was undertaken during May/June 2012, whereby the views of stakeholders who may be immediately affected by the proposal to alter the traffic flow was sought. The consultation package included commentary on the 2 proposals, with a separate Questionnaire and Plan for each of the 2 locations. The restriction to traffic was outlined as follows for each Location;

- Proposed left turn restriction for vehicles over 8.0 metres from George Street into Johnston Street, Windsor.
- Proposed restriction of traffic at the intersection of The Terrace, Moses Street and Tebbutt Street to left turn out of The Terrace, Windsor.

Comments received from the public consultation are summarised below;

1. George Street and Johnston Street Intersection;

- 4 – Object,
- 13 – Support,

In general, there is support for this proposal without any specific comments made in the questionnaires returned.

2. The Terrace, Moses Street and Tebbutt Street Intersection;

- 27 – Object,
- 8 – Support,

In general, there is objection to this proposal with the following comments;

Object:

- increase in traffic to surrounding streets such as Little Church, Tebbutt and Catherine due to a potential 'rat-run' to get back onto The Terrace,
- Little Church Street cannot handle more traffic,
- the adjacent schools and church will suffer with the increase in traffic,
- this option will help residence in The Terrace but will be at a disadvantage to others,
- open the Mall and the traffic along The Terrace will disappear,
- would prefer to see the left turn restriction from Hawkesbury Valley Way into Moses Street,
- people need to cope with a certain amount of traffic. Have not experienced congestion problems along The Terrace which is proposed to be closed off,
- local residents will be restricted too much.

Support:

- increased traffic along The Terrace due to the upgrade of the Coles and Woolworths Shopping Centre upgrades.
- The Terrace has become a 'rat-run', the restriction will stop trucks using the road.
- concerned with the traffic in Moses Street and The Terrace – would like to see Moses Street closed at Hawkesbury Valley Way.

One of the common points made in relation to the proposed restrictions at The Terrace, Moses Street and Tebbutt Street is to only allow the left turn out of Moses Street into Hawkesbury Valley Way (State Road). This will allow the free flow of traffic at the intersection of The Terrace, Moses Street and Tebbutt Street whilst eliminating the 'rat-run' through The Terrace between Hawkesbury Valley Way and the Windsor Town Centre.

Traffic movement restrictions at the intersection of Hawkesbury Valley Way (HVW), Moses Street and Cox Street were referred to in the Windsor Town Centre Traffic Study. It is noted in the Study that any changes or restrictions at this intersection will be at the expense to efficiencies at the George Street and Macquarie Street intersections with HVW. Currently these 2 intersections are operating at capacity.

Traffic Management Plan:

Based on the comments received from the Public consultation for the 2 Locations, it was proposed to proceed with the restriction to traffic from George Street into Johnston Street only.

A Traffic Management Plan (TMP) was prepared in accordance with the Guidelines set by the Roads and Maritime Services - RMS (formerly RTA) "Procedures for use in the Preparation of a Traffic Management Plan (TMP)". In formulating the TMP, the findings and recommendations from the actions undertaken through the public consultation and traffic study were included. The TMP was forwarded to the RMS for their approval on 10 July 2012.

Approval from RMS:

Correspondence has been received from the Roads and Maritime Services dated 1 July 2013 (ECM Doc. No. 4480850) advising that the Traffic Management Plan for the left turn restriction for vehicles over 8.0 metres from George Street into Johnston Street, Windsor is approved:

Implementation Process:

As a result of the approval received from the RMS to alter the traffic flow in George Street into Johnston Street, the implementation of the traffic changes is expected to be undertaken during September/October 2013.

The stakeholders who were consulted during the public consultation process in May/June 2012 will be notified in writing of the outcomes for the intersections of George/Johnston Streets and The Terrace/Moses/Tebbutt Streets, Windsor.

Summary:

Based on the findings and recommendations of the Windsor Town Centre Traffic Study, the public consultation results and the RMS approval, the following measures are proposed:

- The left turn restriction for vehicles over 8.0 metres from George Street into Johnston Street, Windsor; be implemented.
- The restriction of traffic at the intersection of The Terrace, Moses Street and Tebbutt Street, to left turn out of The Terrace, Windsor; Not proceed.

ORDINARY MEETING
Reports of Committees

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Snr Constable D. Byrnes, seconded by Mr R. McHenery

Support for Recommendation: Unanimous.

That:

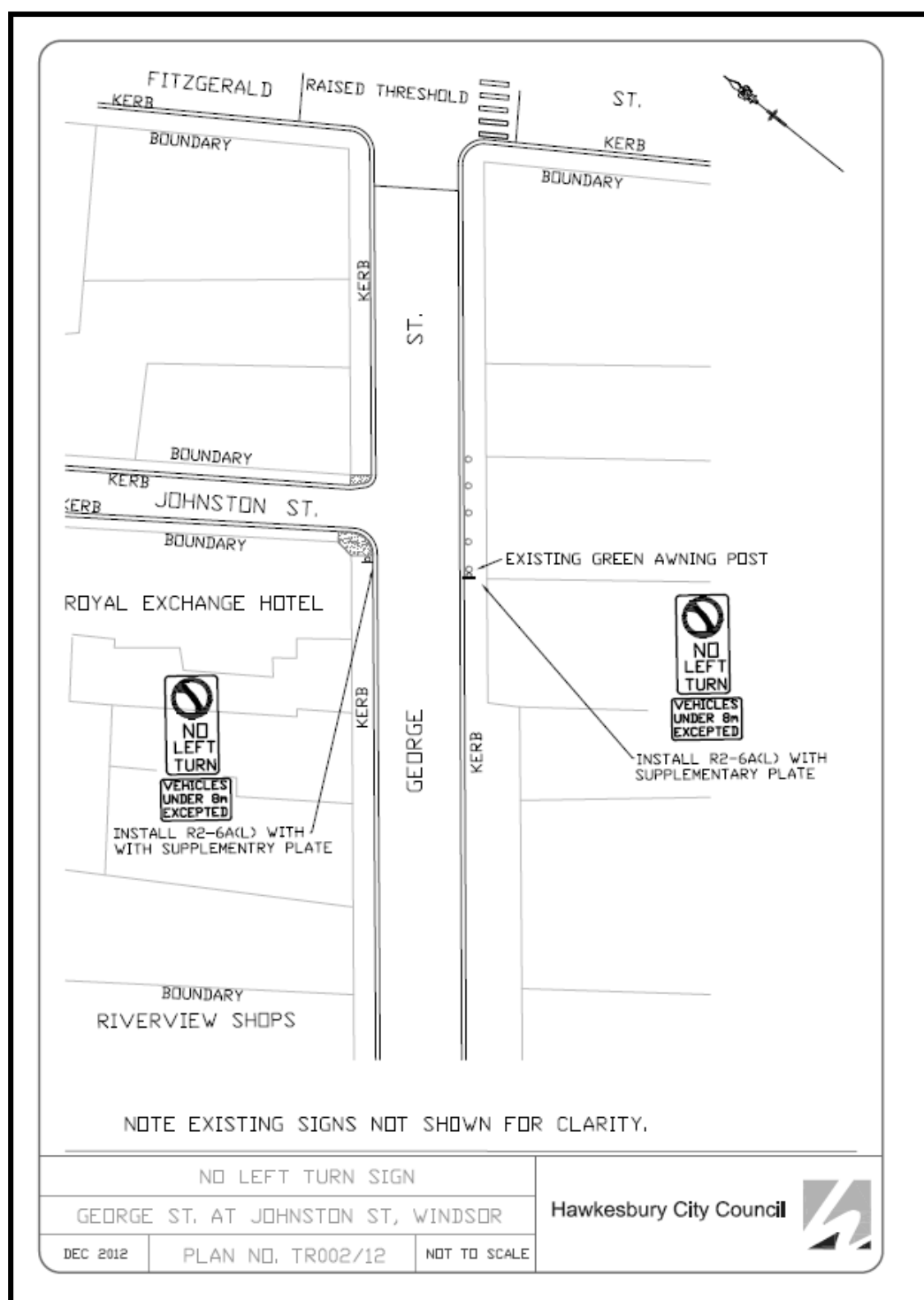
1. the left turn restriction for vehicles over 8.0 metres from George Street into Johnston Street, Windsor be implemented.
2. the restriction of traffic at the intersection of The Terrace, Moses Street and Tebbutt Street to left turn only out of The Terrace not proceed.

APPENDICES:

AT - 1 No Left Turn Sign – George Street at Johnston Street, Windsor – Plan TR002/2012

ORDINARY MEETING
Reports of Committees

AT - 1 No Left Turn Sign – George Street at Johnston Street, Windsor – Plan TR002/2012



Item 2.2 LTC - 12 August 2013 - Item 2.2 - Sydney Blues and Roots Festival - Windsor 2013 - (Riverstone) - (80245, 114164)

REPORT:

Introduction:

An application has been received from the promoters of the Sydney Blues and Roots Festival, seeking approval (in traffic management terms) to conduct the Sydney Blues and Roots Festival – Windsor 2013, in Holland's Paddock, Windsor from Friday 25 October 2013 to Sunday 27 October 2013.

The event organiser has advised:

- This is an annual event which has been held for the last 4 years.
- The Sydney Blues and Roots Festival is a music festival to be held, for the first time, in Holland's Paddock, Windsor. Previously the event has been held in Thompson Square Park and around the Windsor Town Centre.
- The Festival is being run between Friday evening and Sunday evening during the following times:
 - Friday 25 October 2013 – 7.00pm to 10.30pm
 - Saturday 26 October 2013 – 12.30pm to 10.30pm
 - Sunday 27 October 2013 – 12.30pm to 9.30pm.
- The Festival will be a ticketed event.
- Based on attendances at the previous Festivals, it is expected that approximately 1000 patrons per day will attend the Festival in 2013.
- No road closures are required as a result of the event relocating from Thompson Square to Holland's Paddock.
- Due to the proximity of the venues and the amount of pedestrian traffic that will be generated, several risk assessments have been conducted and the results have indicated that no road closures are required for the control and monitoring of pedestrian traffic because the Festival is to be located in the township of Windsor and the performance stages will be located within the park and surrounded by temporary fencing.
- Pedestrians will have adequate facilities to traverse through and around the festival site at all times thus ensuring pedestrian safety at all times. Certified Traffic Controllers will be made available however during busy peak times to minimise any issues with vehicular traffic.
- Local parking arrangements will be made available. There is ample parking available in town centre roads and local parks parking areas.

ORDINARY MEETING
Reports of Committees

- Arrangements have been made with the Hawkesbury Sports Council for camping at Deerubbin Park.
- Emergency vehicles will be given priority at all times.

Refer to Attachment 1 - Sydney Blues and Roots Festival Site.

Discussion

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

The event organiser has submitted the following items in relation to the event: Attachment 2 (ECM Document No: 4486196):

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) that only gives a brief outline of the event,
5. Event Site Plan for Holland’s Paddock.

Council resolved to grant exclusive use of Holland’s Paddock for the event at its meeting on 30 July 2013.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr R. McHenery, seconded by Snr Constable D. Byrnes

Support for Recommendation: Unanimous.

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council’s web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/organising-an-event>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Roads and Maritime Services - RMS (formerly RTA) publication “Guide to Traffic and Transport Management for Special Events” (Version 3.4) and the Hawkesbury City Council special event information package.
2. The Sydney Blues and Roots Festival - Windsor 2013 event, located in Holland’s Paddock, Windsor from Friday 25 October 2013 to Sunday 27 October 2013 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).

ORDINARY MEETING
Reports of Committees

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

Prior to the event:

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

- 4i. the event organiser is to advertise the event in the local press stating the entire extent of the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, two weeks prior to the event; **a copy of the proposed advertisement to be submitted to Council** (indicating the advertising medium);
- 4j. 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**;
- 4k. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council**;
- 4l. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; **a copy of the correspondence to be submitted to Council**;
- 4m. 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:

- 4n. access is to be maintained for businesses, residents and their visitors;
- 4o. a clear passageway of at least 4 metres in width is to be maintained at all times for emergency vehicles;
- 4p. 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);
- 4q. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices are to be placed for the event, during the event, under the direction of a traffic controller holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4r. the participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event; and,
- 4s. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity.

ORDINARY MEETING
Reports of Committees

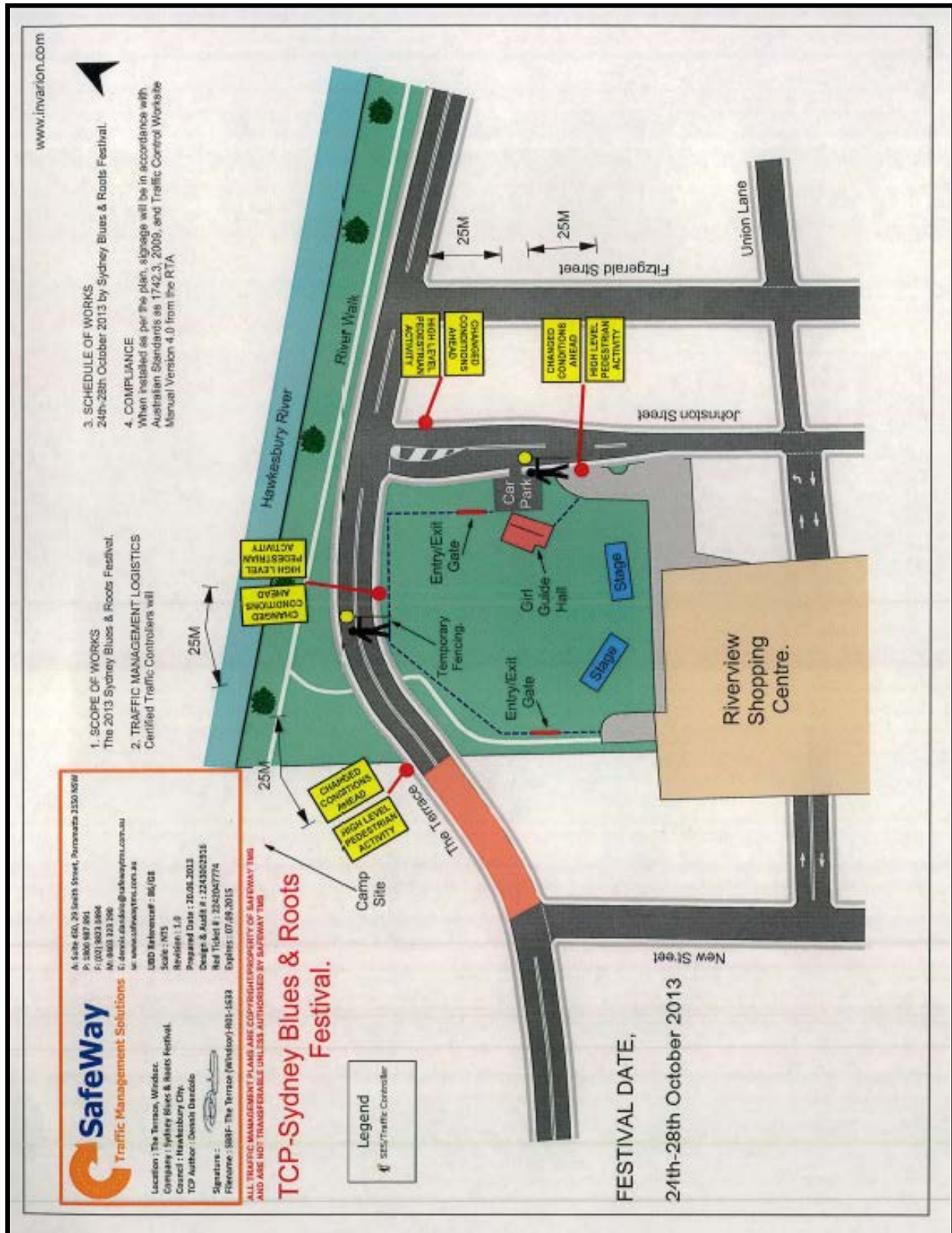
APPENDICES:

There are no supporting documents for this report.

AT - 1 Sydney Blues and Roots Festival Site Plan

AT - 2 Special Event Application - (ECM Document No. 4486196) - *see attached.*

AT 1 - Sydney Blues and Roots Festival Site Plan



Item 2.3 LTC - 12 August 2013 - Item 2.3 - Wisemans Ferry Anzac Memorial Cross Country Run Del Rio, Webbs Creek (Wisemans Ferry) - (80245, 27638, 127840)

REPORT:

An application has been received from the Wisemans Ferry Anzacs seeking approval (in traffic management terms) to conduct the Wisemans Ferry Anzac Memorial Cross Country Run at Webbs Creek, on Saturday 28, September 2013.

The event organiser has advised;

- This is a 10 kilometre Cross Country charity run to raise funds to build the Wisemans Ferry Anzac Day 2015 War Memorial;
- This is the first year the event is being run;
- Approximately 1000 participants are expected for the event;
- Approximately 400 spectators are expected;
- This is a fun run and not a race;
- The start and finish point for the event will be from the Del Rio Riverside Resort, Webbs Creek;
- The event will be conducted between 2.00pm and 4.30pm;
- Participant and spectator vehicles will be parked at the Del Rio Riverside Resort, Webbs Creek;
- Details of the course, which is 10 kilometres in length (10,000 metres), is as follows:
 - Commence at the Del Rio Riverside Resort entering Chaseling Road North and proceed along Chaseling Road North to Bicentenary Road for a distance of 1,500 metres,
 - Turn left at Bicentenary Road, and proceed along Bicentenary Road for a distance of 2,900 metres,
 - At this point enter the adjacent property at No 1218 Bicentenary Road (turning left), owned by the Del Rio Riverside Resort, and traverse to the finish point contained within the Resort for the remaining distance to complete the 10,000 metres.
- The safety of the event will be improved with the removal of through traffic to sections of Bicentenary Road and Chaseling Road North. The road closures will be part road closures as outlined below;

Road Closure Details:

- Chaseling Road North between the entrance to the Del Rio Riverside Resort located at No. 77B Chaseling Road North and Bicentenary Road, Webbs Creek. 1,500 metres of Sealed Road

ORDINARY MEETING
Reports of Committees

- Bicentenary Road from Chaseling Road North to a point 2,900 metres south-west of Chaseling Road North, Webbs Creek. 2,900 metres of Unsealed Road.
- Road Closures will be between 2.00pm and 4.30pm.
- Adjoining property owners have been consulted and are supportive of the event. There are 2 driveways along the section of Chaseling Road North required for the Route and written support has been provided. There are no driveways along the section of Bicentenary Road required for the Route.

Details of the event course are contained in Attachment 1 - Wisemans Ferry Anzac Memorial Cross Country Run - Event Course Plan.

Discussion:

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

The Transport Management Plan (TMP) and the associated Traffic Control Plan (TCP) is to be submitted to the Roads and Maritime Services - RMS (formerly RTA) for authorisation due to the proposed road closures.

Event Road Closure Details:

The road closures for the event along Chaseling Road North and Bicentenary Road will be part road closures and generally utilising the lane in the direction of travel. The details of the road closures will need to be provided in the TMP and TCP.

Road Closures for Saturday 28, September 2013 between 2.00pm and 4.30pm;

- Chaseling Road North, between the entrance to the Del Rio Riverside Resort located at No. 77B Chaseling Road North and Bicentenary Road, Webbs Creek. 1,500 metres of Sealed Road.
- Bicentenary Road from Chaseling Road North to a point 2,900 metres south-west of Chaseling Road North (adjacent to No 1218 Bicentenary Road), Webbs Creek. 2,900 metres of Unsealed Road.
- Road Closures will be between 2.00pm and 4.30pm and only half road width permitted.
- The speed limit for Chaseling Road North is 60 kph. There is no posted speed limit for Bicentenary Road as it is an unsealed road which would revert to the state limit of 100 kph,
- There are 10 properties along the Route which are either Privately owned, National Park or owned by the Resort. There are 2 driveways along the section of Chaseling Road North required for the Route and written support has been provided. There are no driveways along the section of Bicentenary Road required for the Route. There will be minimal affect to the adjoining property owners.

ORDINARY MEETING
Reports of Committees

The event organiser has submitted the following items in relation to the event: Attachment 2 (ECM Document No: 4494320):

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

COMMITTEE RECOMMENDATION:

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

Support for Recommendation: Unanimous.

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/organising-an-event>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Roads and Maritime Services - RMS (formerly RTA) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package.
2. The Wisemans Ferry Anzac Memorial Cross Country Run event planned for Saturday 28, September 2013, with a start and end point at Del Rio Riverside Resort, Webbs Creek, be classified as a "**Class 2**" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads and Maritime Services - RMS (formerly RTA).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted, the following road closures and traffic control measures;
 - Road Closure; Chaseling Road North, between the entrance to the Del Rio Riverside Resort located at No. 77B Chaseling Road North and Bicentenary Road, Webbs Creek. Length = 1,500 metres of Sealed Road.
 - Road Closure; Bicentenary Road from Chaseling Road North to a point 2,900 metres south-west of Chaseling Road North (adjacent to No 1218 Bicentenary Road), Webbs Creek. Length = 2,900 metres of Unsealed Road

ORDINARY MEETING
Reports of Committees

- Road Closures only permitted for Saturday 28, September 2013, between 2.00pm and 4.30pm and only half road width.
- No other road closures are permitted.

and the following conditions:

Prior to the event:

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health & Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally council has an events template which can be provided to assist in identifying and controlling risks);
- 4b. the event organiser is to assess the risk and address the suitability of the entire route/site as part of the risk assessment considering the possible risks for all participants (in particular the section of the Course which includes Bicentenary Road which is unsealed – an alternate route may need to be sought based on the condition of the pavement surface on the day of the event). This assessment should be carried out by visual inspection of the route/site by the event organiser prior to preparing the TMP and prior to the event;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; **a copy of the Police Force approval to be submitted to Council;**
- 4d. the event organiser is to obtain approval from the Roads and Maritime Services - RMS (formerly RTA) as road closures are proposed; **a copy of the Roads and Maritime Services - RMS (formerly RTA) approval to be submitted to Council;**
- 4e. the event organiser **is to submit a Transport Management Plan (TMP) for the entire route/event incorporating a Traffic Control Plan (TCP) to Council and the Roads and Maritime Services - RMS (formerly RTA)** for acknowledgement. The TCP should be prepared by a person holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA) to satisfy the requirements of the relevant Work Cover legislation;
- 4f. the event organiser is to **submit to Council a copy of its Public Liability Policy** in an amount not less than **\$10,000,000 noting Council and the Roads and Maritime Services - RMS (formerly RTA) as interested parties on the Policy** and that Policy is to cover **both on-road and off-road activities;**

ORDINARY MEETING
Reports of Committees

- 4g. As the event involves the closure and the traverse of public roads, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with the associated fee, to occupy and close the road;
- 4h. the event organiser is to ensure that dust along the unsealed sections of road utilised by the event participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be addressed and outlined in the TMP;
- 4i. the event organiser is to obtain approval from the National Parks and Wildlife Service (Office of Environment and Heritage) should there be a need for the use of the Parr State Recreational Area; **a copy of this approval to be submitted to Council;**
- 4j. the event organiser is to obtain written approval from Councils' Parks and Recreation Section for the use of a Council Park/Reserve;
- 4k. the event organiser is to obtain approval from respective Land Owners for the use of their land for the event; **a copy of this approval to be submitted to Council;**
- 4l. the event organiser is to advertise the event in the local press stating the entire route/extent of the event, including the proposed traffic control measures, road closures, detour routes and the traffic impact/delays expected, due to the event, two weeks prior to the event; **a copy of the proposed advertisement to be submitted to Council** (indicating the advertising medium);
- 4m. 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;**
- 4n. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures, road closures, detour routes and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council;**
- 4o. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures, road closures, detour routes and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; **a copy of the correspondence to be submitted to Council;**
- 4p. 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:

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

ORDINARY MEETING
Reports of Committees

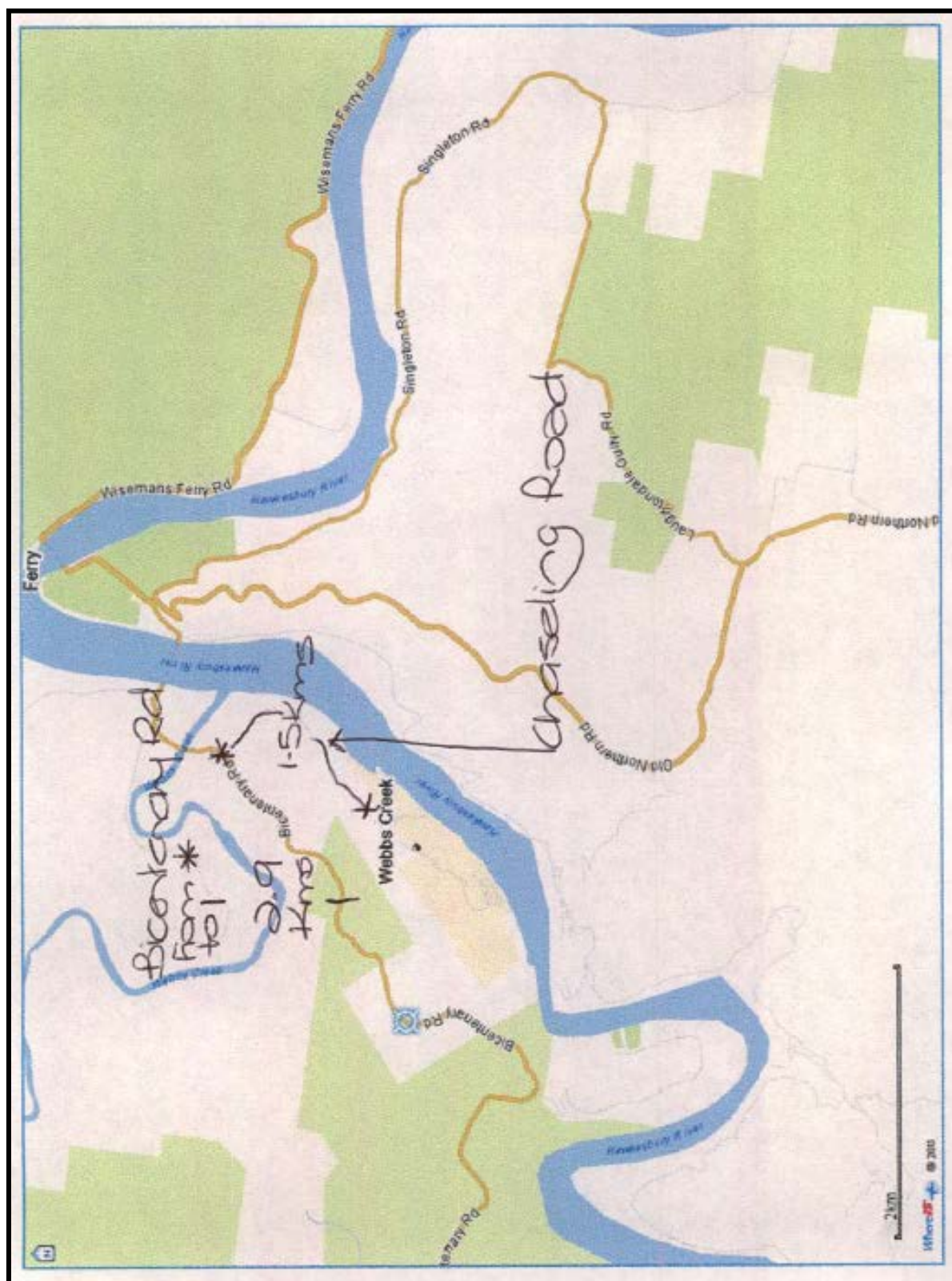
- 4s. all traffic controllers / marshals operating within the public road network are to hold appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4t. in accordance with the submitted TMP and associated TCP, appropriate advisory signs and traffic control devices are to be placed along the route (including the road closure points), during the event, under the direction of a traffic controller holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4u. the competitors and participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event;
- 4v. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity, and,
- 4w. the event organiser is to ensure that dust along the unsealed sections of road utilised 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 Wisemans Ferry Anzac Memorial Cross Country Run - Event Course Plan.

AT - 2 Special Event Application - (ECM Document No: 4494320) - *see attached*.

AT – 1 Wisemans Ferry Anzac Memorial Cross Country Run - Event Course Plan.



ORDINARY MEETING
Reports of Committees

SECTION 3 - Reports for Information

There were no Reports for Information.

SECTION 4 - General Business

There was no General Business.

SECTION 5 - Next Meeting

The next Local Traffic Committee meeting will be held on 9 September 2013 at 3.00pm in the Large Committee Room, Council Chambers.

The meeting terminated at 4.15pm.

oooO END OF REPORT Oooo

ORDINARY MEETING**Questions for Next Meeting****QUESTIONS FOR NEXT MEETING**

Councillors Questions from Previous Meetings and Responses - 30 July 2013 and 13 August 2013 - (79351)

REPORT:**Questions – 30 July 2013**

#	Councillor	Question	Response
1	Reardon	Asked if signs could be posted in Pughs Lagoon, Smith Park on the approach from Francis Street stating that it was the watering place for the town and that Francis Street was the principle exit route for travelling west.	<p>The Director Infrastructure Services advised that interpretative signage will be investigated in accordance with the Smith Park Plan of Management, and Council's Interpretive Signage and Public Art Policy.</p> <p>Consideration will also be given to establishing signage as part of the 'Explore the Hawkesbury Heritage Walks', which is currently being developed for the Richmond area, in consultation with Council's Local Studies Librarian and the Heritage Committee.</p>
2	Lyons-Buckett	Asked if Council could write to the State Government outlining the importance of the Demonstration and Research Farm at the University of Western Sydney and the reasons why they intend to close the facility.	<p>The General Manager advised that requests such as this should be made by way of a Notice of Motion. A Notice of Motion has since been submitted regarding this matter and is included on the agenda for this meeting.</p>

ORDINARY MEETING**Questions for Next Meeting**

#	Councillor	Question	Response
3	Lyons-Buckett	Asked if Council had received any complaints regarding the mushroom composting factory at Mulgrave.	<p>The Director City Planning advised that Council has received a number of complaints from members of the public in the past months which have all been referred on to the Environment Protection Authority (EPA) who are the Appropriate Regulatory Authority (ARA) for this facility.</p> <p>The EPA has recently completed an odour survey of the area surrounding this facility and other possible odour producing facilities in the general vicinity of Mulgrave. The results are currently being compiled.</p> <p>It is unknown at this stage whether the EPA will release the findings of the survey, or whether they will only be used for their own compliance and enforcement purposes.</p>
4	Paine	Asked if residents could be better informed that it is illegal to block the footpath whilst parked in a driveway.	<p>The Director City Planning advised that under the Australian Road Rules Section 197(1) states that "A driver must not stop on a bicycle path, footpath, shared path or dividing strip, or a nature strip adjacent to a length of road in a built up area"</p> <p>To better inform the general public of their responsibilities in relation to the above a media release will be prepared and sent to the local media outlets with the intention of it being published in our local newspapers. However, there is no guarantee that such a release will be published.</p>

ORDINARY MEETING**Questions for Next Meeting**

#	Councillor	Question	Response
5	Paine	Requested clarification with regard to legislative changes for water carters and their responsibilities in relation to equipment.	<p>The Director City Planning advised that the changes relate to the requirement for water carters to keep records of their deliveries and the washing of their equipment. This is a reporting requirement for these business operations to NSW Health.</p> <p>As Council is not a potable water supplier or a licensing Authority in these matters, Council has no authority or responsibility. This is a matter of a business and reporting responsibility of the water carters to NSW Health.</p>
6	Paine	Asked what the current and future status of the Toll House is, near Windsor Bridge.	<p>The Director Infrastructure Services advised that the Toll House building has been externally preserved however it is not in a habitable condition with no services connected and no internal flooring or linings. There is currently no identified use for the building. Any possible future use would be subject to extensive works, funding availability and compliance with heritage guidelines.</p>
7	Paine	Requested Council write to the Members for Parliament regarding the closure of Windsor Court House.	<p>The General Manager advised that requests such as this should be made by way of a Notice of Motion. A Notice of Motion has since been submitted regarding this matter and is included on the agenda for this meeting.</p>

ORDINARY MEETING**Questions for Next Meeting**

#	Councillor	Question	Response
8	Calvert	Asked if Council could write to Fairfield Council requesting their feedback in relation to a recent trial they conducted in which Taxis were able to pick up/ set down in Bus Zones.	<p>The Director Infrastructure Services advised that advice has been received from Fairfield Council indicating that they have not been trialling the use of Bus Zones for Taxi drivers to utilise, however they have provided "No Parking Buses Excepted" restrictions (in Railway Parade, Cabramatta) to allow joint use of bus parking areas. This restriction allows all drivers (including taxi drivers) to pick up and set down passengers at this location, subject to the following time and proximity restrictions.</p> <ul style="list-style-type: none">• The drop off and pick up to be completed within two minutes.• The driver of the vehicle should be within three metres from the closest point of the vehicle. <p>It should be pointed out that No Parking zones can be used to drop off and pick up passengers by all motorists including Taxi drivers subject to the above restrictions.</p>
9	Porter	Asked when the Estuary Management Study will be completed.	<p>The Director City Planning advised that the Upper Hawkesbury Estuary Management Study and Plan is proposed to be completed in April 2014.</p>

ORDINARY MEETING
Questions for Next Meeting

Questions – 13 August 2013

#	Councillor	Question	Response
1	Paine	Asked what the current situation is with Macquarie House.	The Director Support Services advised that Macquarie Park House is location on crown land, which Council is the Trust Manager for. The building is currently leased to PNB Holdings Pty Ltd with the lease to expire on 30 September 2015. The current tenant has temporarily closed the restaurant due to extenuating circumstances and expects to re-open the restaurant in late September 2013.
2	Paine	Asked if Council could obtain information from Windsor Police regarding the recent increase in break-ins and robberies in the district.	The General Manager advised that comment will be sought from Windsor Police and when received will be forwarded to the Councillors for their information.
3	Mackay	Asked if Council could repair a connection to storm water pipes near No. 37 Holborrow Avenue, Hobartville following kerb and gutter works recently undertaken.	The Director Infrastructure Services advised that any necessary repairs would be undertaken.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Questions for Next Meeting



ordinary
meeting

end of
business
paper

This business paper has
been produced
electronically to reduce
costs, improve efficiency
and reduce the use of
paper. Internal control
systems ensure it is an
accurate reproduction of
Council's official copy of
the business paper.