



Hawkesbury City Council

ordinary meeting business paper

date of meeting: 10 December 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 11pm. These meetings are open to the public.

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

Meeting Procedure

The Mayor is Chairperson of the meeting.

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

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

Public Participation

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

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

Speakers representing an organisation or group must provide written consent from the identified organisation or group (to speak on its behalf) when registering to speak, specifically by way of letter to the General Manager within the registration timeframe.

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

Voting

The motion for each item listed for discussion will be displayed for Councillors and public viewing, if it is different to the recommendation in the Business Paper. The 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

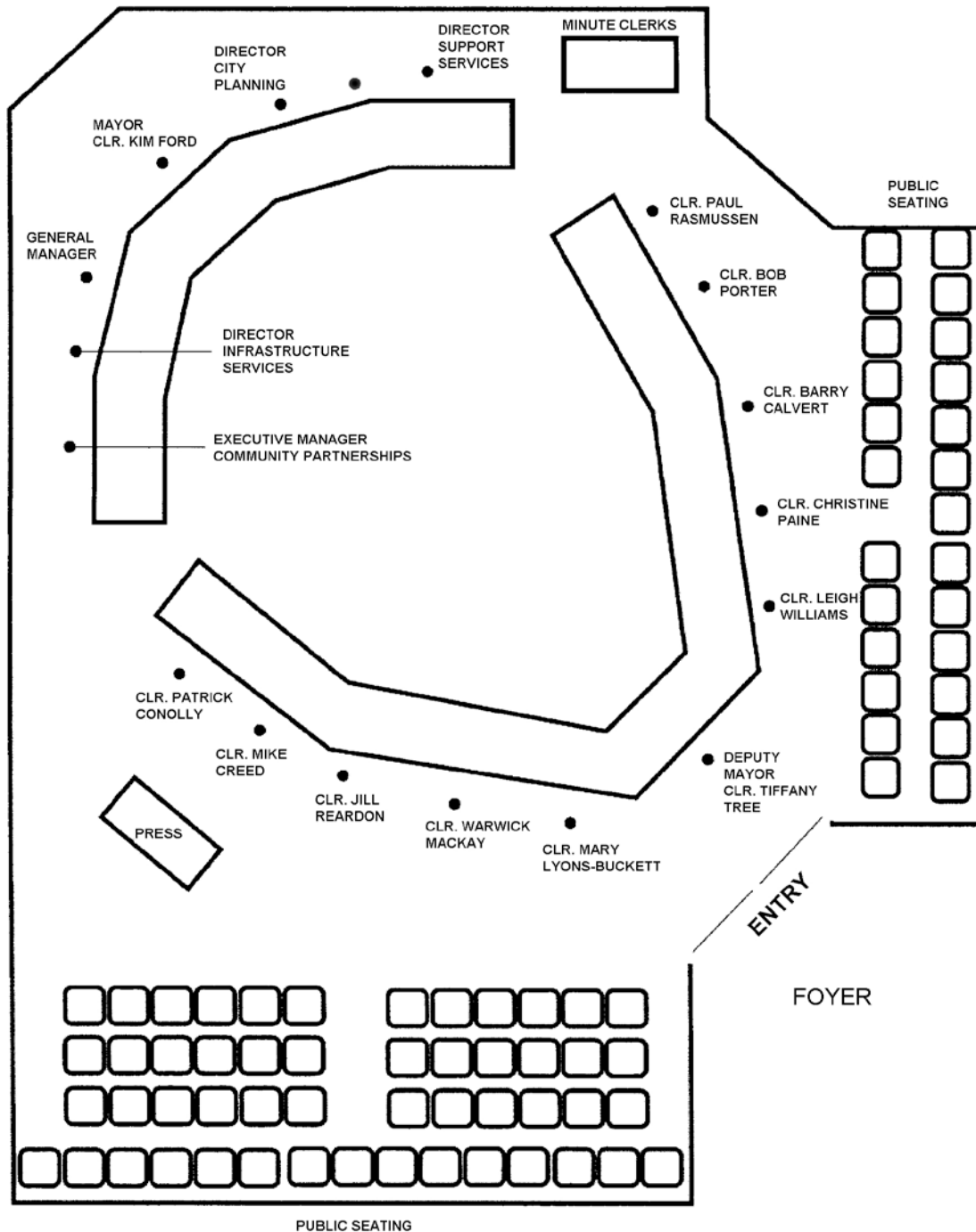
Business papers can be viewed online from noon on the Friday before the meeting on Council's website: <http://www.hawkesbury.nsw.gov.au>

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 4444.

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SECTION 3 - Reports for Determination

PLANNING DECISIONS

Item: 241 CP - Planning Proposal - Jacaranda Ponds, Glossodia - (95498)

REPORT:

Executive Summary

The purpose of this report is to advise Council of submissions received due to the public exhibition and public authority consultation relating to a planning proposal to rezone 185 hectares of land at Spinks Road, James Street and Derby Place, Glossodia; Kurmond Road, Freemans Reach and Kurmond Road, North Richmond, collectively known as Jacaranda Ponds.

It is recommended that, subject to amendments discussed in this report, the planning proposal, to rezone approximately 185.3ha of land at Glossodia for large lot residential development, be forwarded to the Department of Planning and Infrastructure (DP & I) for finalisation and gazettal.

Background

Council received a planning proposal from E J Cooper & Son Pty Ltd in April 2010 to rezone approximately 185.3ha of land at Glossodia for large lot residential development. The application relates to a number of parcels of land, as follows:

- Lot 2 DP 533402, known as 103 Spinks Road, Glossodia;
- Lot 52 DP 1104504, known as 123 Spinks Road, Glossodia;
- Lot 20 DP 214753, known as 213 Spinks Road, Glossodia;
- Lot 75 DP 214752, known as 361 Spinks Road, Glossodia;
- Lot 3 DP 230943, known as 11 James Street, Glossodia;
- Lot 44 DP 214755, known as 3 Derby Place, Glossodia;
- Lot 50 DP 751637, known as 746A Kurmond Road, Freemans Reach; and
- Lots 1, 2 and 3DP 784300, known as 780A, 780B and 780C Kurmond Road, North Richmond.

For the purposes of the application EJ Cooper & Son Pty Ltd were initially represented by EG Property Group (EGPG) and are now represented by Diverse Property Solutions (DPS).

The rezoning application was reported to Council on a number of occasions in 2011 and 2012 and at the meeting of 27 March 2012 where Council resolved as follows:

"That:

1. *Council support the preparation of a Planning Proposal for the land comprising of:*

Lot 2 DP 533402 and Lot 52 DP 1104504, 103 Spinks Road, Glossodia

Lot 20 DP 214753, 213 Spinks Road, Glossodia

Lot 75 DP 214752, 361 Spinks Road, Glossodia

Lot 3 DP 230943, James Street, Glossodia

Lot 44 DP 214755, 3 Derby Place, Glossodia

Lot 50 DP 751637, 746A Kurmond Road, Freemans Reach

Lots 1, 2 and 3DP 784300, 780A - 780C Kurmond Road, North Richmond

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- to rezone the land primarily for large lot residential and/or residential development.*
2. *The concept plan titled "Jacaranda Ponds Planning Proposal Concept Plan, November 2011" and plan titled "Glossodia - Jacaranda Ponds Proposed Layout and Recreational Areas", reference number 9420/SK07 A, prepared by J. Wyndham Prince attached to this report be adopted for the purposes of preparing the planning proposal.*
 3. *EG Property Group, in consultation with Council staff, be requested to provide Council with a planning proposal consistent with resolution 1 and 2 and Department of Planning and Infrastructure's "A guide to preparing planning proposals".*
 4. *The planning proposal be forwarded to the Department of Planning and Infrastructure for a "gateway" determination.*
 5. *If the Department of Planning and Infrastructure determines that the planning proposal is to proceed, Council commence Voluntary Planning Agreement negotiations with EG Property Group and any other relevant party.*
 6. *The Department of Planning and Infrastructure and EG Property Group be advised that in addition to all other relevant planning considerations being addressed, final Council support for the proposal will only be given if Council is satisfied that satisfactory progress has been made:*
 - a. *Towards resolving the existing traffic problems.*
 - b. *Replacement of the Windsor Bridge.*
 - c. *Measures to upgrade local roads affected by the proposal."*

Accordingly, a planning proposal was prepared by Council staff having regard to information provided by EGPG's planning consultant Urbis Pty Ltd (Urbis). The planning proposal was supported by a range of specialist reports.

On 2 July 2012 the planning proposal was submitted to the Department of Planning and Infrastructure's Gateway for determination under Section 56 of the Environmental Planning and Assessment Act 1979 (EP&A Act). The Gateway Determination was issued on 27 July 2012 and provided that the planning proposal should proceed subject to conditions. Primarily the determination required that prior to commencement of public exhibition the Council was required to:

- a) undertake an assessment of the traffic impact in consultation with Roads and Maritime Services (RMS) regarding the impact of the proposal on peak performance of key intersections and bridge capacities at both Richmond and Windsor;
- b) review the Bushfire Prone Land Map for the LGA and consult the NSW Rural Fire Service. The outcome of the review is to be reflected in the proposed zoning for the site; and
- c) undertake an assessment of the economic impact of the cessation and removal of the chicken raising and egg production enterprises and demonstrate the cost-benefit of replacing the existing use with residential development.

Following completion of the work required by the above conditions and prior to community consultation, the Gateway Determination also required Council to revise the planning proposal to reflect the outcome of the above and provide a copy of the proposal and other relevant information to the Department's regional office.

The Gateway Determination required that once the planning proposal was revised, appropriate community consultation be undertaken in accordance with Sections 56(2)(c) and 57 of the EP&A Act. It also required that Council undertake consultation under Section 56(2)(d) of the EP&A Act with the following agencies:

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- Transport for NSW
- Transport for NSW – Roads and Maritime Services (RMS)
- Sydney Water
- NSW Aboriginal Land Council
- Hawkesbury-Nepean Catchment Management Authority
- NSW Rural Fire Service

The planning proposal was amended in accordance with the conditions of the Gateway determination and the Department of Planning and Infrastructure's guideline A guide to preparing planning proposals, dated July 2009 (updated October 2012). The following additional reports have also been prepared in support of the amended planning proposal:

- Jacaranda Ponds Glossodia Traffic and Transport Assessment, prepared by ARUP on behalf of the applicant, Issue 3, dated 13 March 2013.
- Proposed Jacaranda Ponds Residential Development Traffic and Transport Review, prepared by Gennaoui Consulting for the Department of Planning and Infrastructure, December 2012.
- Glossodia Proposed Land Rezoning Economic Impact, prepared by Hill PDA for the applicant, October 2012.
- Glossodia: Proposed Land Rezoning Economic Impact Peer Review, prepared by MacroPlanDimasi for the Department of Planning and Infrastructure, February 2013.

Intention of the Planning Proposal

In summary, the planning proposal comprises:

- Creation of approximately 580 large lot residential and residential allotments.
- Retention of the two large dams on the site (which will provide aquatic and bird- life habitat).
- Creation of a new public open space surrounding the largest dam, located in the north-eastern corner of the site that could potentially accommodate walking and cycling tracks, picnic and entertainment areas.
- Planting and rehabilitation of an extensive riparian corridor along the southern boundary (Currency Creek). This corridor will enhance the site's walking and bicycle tracks.
- Creation of three contiguous north-south ecological corridors and an east-west ecological corridor. Vegetation species to be planted within the corridors will be selected to enhance existing ecological communities on the site.
- New infrastructure opportunities for the town, with more than \$23,000,000 to be made available for new and improved local infrastructure.

The planning proposal is accompanied by an offer by the applicant to enter into a voluntary planning agreement (VPA) for the delivery of local and regional infrastructure. This is the preferred strategy of both Council and the applicant for the delivery and implementation of development contributions for the project. It provides for contributions towards local infrastructure to support the development and its future population, as well as contributions towards the upgrading of the regional road network.

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The draft VPA offer provides for the payment of a total of \$23,200,000 (\$40,000 per lot) in development contributions. In addition to road upgrades and improvements the developer, through 'works in kind' is to provide community facilities. These facilities include landscaping to surrounds of proposed parks, picnic areas and general community facility works.

The VPA will operate in lieu of a Section 94 or Section 94A developer contributions.

While the RMS raised no objection for the proposed residential development at Jacaranda Ponds being placed on public exhibition, formal agreement is still required to the inclusion in the VPA of proposed works affecting RMS assets. Negotiations on this matter are ongoing with the State Government and will be discussed in the future report to Council dealing with the VPA.

Objectives or Intended Outcomes of the Planning Proposal

The objectives of the planning proposal are to:

- Rezone the land for primarily large lot residential and low density residential development
- Ensure that future development on the site creates a natural expansion of the town of Glossodia allowing for a seamless southward extension.
- Create a riparian corridor along Currency Creek.
- Preserve and enhance other environmentally significant areas within the site in a manner that achieves a harmonious relationship between the site and its surrounds.
- Ensure the development includes new local infrastructure that will benefit the community.

Explanation of proposed LEP amendments

The effect of the planning proposal would be to amend LEP 2012. Proposed amendments include amendment to the Land Zoning Map, Height of Buildings Map, Lot Size Map and Lot Averaging Map of LEP 2012. Other map amendments may be required and possibly the inclusion of a special clause(s) into LEP 2012. The actual amendments to LEP 2012 will be prepared by the DP&I and the NSW Parliamentary Counsel.

The proposed zones to be applied to the subject land are consistent with those contained within LEP 2012 and are as follows:

- R2 Low Density Residential
- R5 Large Lot Residential
- RE1 Public Recreation
- SP2 Infrastructure (Sewerage system)

The draft zoning map, lot size map, lot averaging map and height of buildings map as exhibited are attached to this report.

Minimum lot sizes of 2,000m² and 4,000m² are proposed in the R5 zone. A minimum lot size of 1,000m² is proposed in the R2 zone.

The proposed RE1 Public Recreation zone will allow for the creation of a network of open space not only for the site but also the existing community. It incorporates land within the site that has a critical drainage function, as well as those areas of environmental significance.

It is also proposed that the site be identified as an “urban release area” and that an appropriate clause be inserted into Part 6 of LEP 2012 to require satisfactory arrangements be made for the provision of designated State public infrastructure, to satisfy needs that arise from development of the site, before the land is developed intensively for urban purposes.

Consultation

In accordance with the relevant statutory and the “gateway determination” requirements the relevant public authorities and the community were consulted on the planning proposal and the outcome of the consultation is discussed in this report.

Consultation with Public Authorities

The planning proposal was referred to the following public authorities:

- Transport for NSW
- Transport for NSW – Roads and Maritime Services (RMS)
- Sydney Water
- NSW Aboriginal Land Council
- Deerubbin Local Aboriginal Land Council
- Hawkesbury-Nepean Catchment Management Authority
- NSW Rural Fire Service
- Department of Education and Communities
- NSW Department of Primary Industries (Agriculture)
- NSW Department of Primary Industries (Fisheries)
- Department of Trade and Investment
- Office of Environment and Heritage (OEH)

Written responses were received from Department of Primary Industries (Fisheries), NSW Rural Fire Service, Department of Trade and Investment, Office of Environment and Heritage, Transport for NSW and RMS, Department of Primary Industries (Agriculture).

Issues raised by the public authorities and an assessment of those issues and staff responses are discussed below.

Department of Primary Industries – Fisheries NSW

The Department of Primary Industries – Fisheries NSW has reviewed the planning proposal and has raised no objections to the proposed rezoning and layouts.

Staff Comment:

Noted.

Department of Primary Industries – Agriculture

The Department of Primary Industries (Agriculture) has advised that it considers the proposal is not consistent with Clause 6 (8)(b) of the SREP NO.20 (No.2 1997) which seeks to ensure zone objectives and minimum lot sizes support the continued agricultural use of Class 1, 2 and 3 Agricultural Land ... and of any other rural land that is currently sustaining agricultural production. Furthermore, it considers that the land is suitable for agriculture and food production and considers that the capacity of existing residential land at Glossodia to provide more housing opportunities should be investigated before this site is removed from agricultural use.

The Department also noted the potential for land use conflict between the new residential development and existing agricultural uses within the locality.

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Staff Comment:

The Hawkesbury Residential Land Strategy (HRLS) has already given consideration to the issue of the loss of productive agricultural land and has identified both the site and Glossodia Village as a future residential expansion area, in accordance with Council's requirement to meet the needs of future growth in dwelling numbers in the period 2006 to 2031.

In addition, it is noted that the investigations by GSS Environmental which accompany the planning proposal reveal that soils on site are generally of fair (Class 3) to poor (Class 4) agricultural quality. They are not ideally suitable for cultivation or cropping and are highly susceptible to erosion. On this basis, it is considered that the proposed rezoning of the site for residential purposes will not diminish the Hawkesbury's overall stock of high quality agricultural land.

It is considered the potential for incorporating buffer areas adjacent to or setbacks from adjoining rural land can be further considered in the draft VPA review and in future development applications.

NSW Rural Fire Service

The RFS noted that the site is categorised as bush fire prone land (primarily vegetation category 2) according to Council's Bush Fire Prone Land Map and raised no concerns to the planning proposal.

Staff Comment:

No further action is required at this stage. Development applications for development on bush fire prone land are required to comply with either Section 79B of the EP&A Act or Section 100B of the Rural Fires Act 1997, depending on the nature of the proposed development and will be assessed against the provisions of Planning for Bush Fire Protection 2006.

Department of Trade and Investment

The Department of Trade and Investment (Mineral Resources Branch) raised no objection to the proposal, but noted that the proposal area is within approximately 2.1 km of an identified sand resource.

Staff Comment:

Given the physical distance between the site and the abovementioned sand resource, it is considered unlikely that the proposed development of the site for residential purposes will restrict access to the deposits of extractive material.

Sydney Water

Sydney Water advised that there is adequate capacity in the Glossodia Reservoir to service the site. The developer will be required to fund and construct all water main extensions throughout the site.

It also noted that the planning proposal includes the construction of a privately owned and operated sewage treatment plant to produce recycled water for non-drinking residential uses and irrigation.

Staff Comment:

No further action is required at this stage and the developer will be required to apply for a Section 73 Certificate from Sydney Water at the development application and subdivision stage.

Transport for NSW / RMS

Transport for NSW advised that both it and RMS reviewed the proposal and raise no objection to the planning proposal.

RMS has been consulted in relation to the draft VPA and has recently advised that it is satisfied with the proposed developer contribution of \$5.8million (\$10,000 per Lot) as a contribution to State road network improvements.

Staff Response:

Noted.

Office of Environment and Heritage – Biodiversity

The OEH indicated that the Cumberland Plain Woodland (CPW) and River Flat Eucalypt Forest (RFEF) that has been identified to be retained on site will not be adequately protected given the proposed land uses within these areas. OEH recommends that a greater area of CPW be conserved and adequate protection and management measures be put in place to ensure the protection of CPW and RFEF.

OEH recommended that Council not pursue rezoning of the Jacaranda Ponds until it can be demonstrated that every effort has been made to reduce the impacts on CPW on the site, the vegetation retained on site has been given an adequate level of protection and it can be demonstrated that offsets for clearing of vegetation can be achieved.

Staff Comment:

Clause 6.4 of Hawkesbury LEP 2012 and accompanying Terrestrial Biodiversity Map afford sufficient protection of significant vegetation on the site. The Terrestrial Biodiversity Map identifies areas within the site which contain “significant vegetation” and “connectivity between significant vegetation”. Under Clause 6.4, before determining a development application Council must consider whether the development:

- is likely to have any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and
- is likely to have any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and
- has any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and
- is likely to have any adverse impact on the habitat elements providing connectivity on the land.

Further, under clause 6.4 Council cannot approve the development unless it is satisfied that:

- the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or
- if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or
- if that impact cannot be minimised—the development will be managed to mitigate that impact.

The question of what vegetation will be retained or removed is a matter that will be finalised at development application subdivision stage. At that stage, the question of whether biodiversity offsets will be required can be determined in consultation with the OEH and the applicant.

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Office of Environment and Heritage – Aboriginal Heritage

OEH has raised concern that the report prepared by Godden McKay Logan (GML) in relation to Indigenous and Non-Indigenous Heritage was prepared prior to the release in 2010 of the Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 and has suggested that the consultation process be started again from the beginning in accordance with the requirements set out in the Guidelines.

Staff Comment:

OEH's advice in this regard is noted. However, based on the information contained in the GML report, it is considered that the relevant indigenous groups, including the Darug Aboriginal Cultural Heritage Assessments, Darug Custodian Aboriginal Corporation and the Darug Tribal Aboriginal Corporation were consulted during the preparation of the planning proposal. It is noted that these groups have not to date, raised any objection to the proposal.

Furthermore, given the longevity of the proposed rezoning / planning proposal and the extensive community consultation already undertaken, it is considered unreasonable to recommence the consultation process, particularly since the site investigations revealed only two isolated mudstone artefacts of low significance. Notwithstanding, if future development occurs in areas of moderate or high archaeological potential (hill crest and creek line) an Aboriginal archaeological test program should be undertaken in accordance with OEH guidelines.

Office of Environment and Heritage – Flood Risk Management

OEH advised that the following issues need to be addressed in relation to flood risk management for the site:

- the impact of flooding on the proposed development;
- the impact of the development on flood behaviour including any management measures to mitigate adverse flood impacts;
- the impact of flooding on the safety of people / users of the development including isolation and evacuation; and
- the impact of increased rainfall intensities due to climate change.

OEH also advised that the SES should be consulted on how the proposal may impact on its emergency management procedures particularly the evacuation of properties.

Staff Comment:

The site is not subject to flood water inundation from the Hawkesbury River. The extent of any localised flooding from Currency Creek is currently unknown. However, preliminary advice provided by EGPG suggests that the 1 in 100 year flood event level extends approximately 70m from the top of Currency Creek's bank into the site. This generally equates to the boundary between the proposed RE1 zoned and SP2 zoned land.

It should be noted that clause 6.3 of LEP 2012 ensures that appropriate consideration is given to flood planning matters at the development application stage and, if considered necessary, a local flood study could be provided with any future development application

The Gateway determination did not require that consultation with the SES be undertaken. However, it is considered appropriate that the SES be consulted at the development application stage regarding any specific requirements it may have.

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Summary

In general, it is considered that issues raised by agencies can either be addressed at the detailed development application stage or can be addressed by the provisions contained in the existing Hawkesbury LEP and proposed VPA.

Community Consultation

The planning proposal and supporting documentation, including the draft VPA, was publically exhibited for the period 12 July – 14 August 2013. Notices were placed in the Hawkesbury Courier and letters were sent to adjoining and nearby landowners and occupiers advising of the proposal and the exhibition period. The planning proposal was available on Council's website and at Council's Main Administration Building.

A total of 42 submissions were received from the public (including one petition comprising 4,207 signatories). 33 submissions raised concerns or objected to the proposal and nine submissions supported the proposal (including a petition from local shopkeepers comprising six signatories).

Issues raised during the consultation and an assessment of those issues and proposed response are discussed below.

In summary, the main concerns raised in the submissions (including the petition) objecting to the planning proposal were:

Traffic and Access

- There is already significant traffic congestion in the area and the proposal will exacerbate traffic conditions and traffic safety
- Development should not proceed until recommended local and regional traffic upgrades are implemented

Provision of Infrastructure

- There is insufficient infrastructure to support the development, including both physical and social infrastructure as well as emergency services
- Public transport west of the river is inadequate
- Water demand will further impact on inadequate water pressure
- Limited local employment means most people will have to drive to access jobs
- Existing telephone services are unreliable

Adequacy of VPA

- Contributions detailed in the draft VPA are not adequate to address infrastructure needs
- Timing and implementation of road improvements as proposed in VPA are not adequate
- Monies should not be spent on repair of existing roads, but directed at upgrading roads
- Monies should be directed to resourcing other facilities and services

Strategic planning

- Incompatible land uses will result in local conflicts
- Additional residential development in Hawkesbury LGA should be provided east of the Hawkesbury-Nepean River

Environmental impacts

- The proposal will adversely impact on the rural amenity and scenic quality of the area
- Additional runoff from the development will adversely impact on stormwater into Currency Creek and adjoining properties

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- Impact on Cumberland Plain Woodland and other threatened species and endangered ecological communities

Dwelling density

- Proposed small lot sizes are not appropriate in this location – should be larger

Matters raised in support of the proposal in the public submissions include:

Housing supply and choice

- Proposal will help meet existing demand for housing including both supply and housing choice
- Average lot size consistent with traditional urban form supported by the community

Social and Economic impacts

- Positive economic impacts including job generation and support for local businesses
- Will generate demand for new community facilities and services as well as upgrading of existing facilities / services
- Will improve viability of existing schools (local Glossodia primary school and high school at Richmond)
- Increase in Council's rate base will improve provision of local services

Provision of infrastructure

- Development to provide for infrastructure to benefit wider community
- Will bring improvements to local road infrastructure
- Will contribute to passenger numbers and will result in improved public transport services

The following section is a summary and assessment of the key issues of concern raised in the submissions relevant to the planning proposal.

Issue A: Traffic and access

The overriding concern raised in submissions related to the traffic impacts of the development and the adequacy of road and bridge infrastructure. Submissions pointed to existing traffic congestion on the surrounding local and regional road network and in crossing the Hawkesbury-Nepean River. There appears to be a general view that existing traffic congestion needs to be remedied before any additional development is approved in the area.

Many submissions were sceptical that the proposed road infrastructure improvements will adequately address traffic problems and traffic safety. A number of submissions also raised concerns regarding the safety of pedestrians and cyclists with the additional traffic arising from both the Jacaranda Ponds and Redbank planning proposals.

Other traffic issues raised included:

- Travel times during peak periods
- The cumulative traffic impact of both the Jacaranda Ponds and Redbank planning proposals
- Heavy vehicle traffic during the construction phase of the project and the impact on amenity of the existing development in the locality

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Staff Comment

The Gateway Determination for the original planning proposal required that an assessment of the traffic impact of the proposal on peak performance of key intersections and bridge capacities at both Richmond and Windsor be undertaken in consultation with the RMS.

To assess the impact of the proposal, an amended traffic report was prepared by ARUP for the applicant, which was the subject of an independent peer review by Gennaoui Consulting on behalf of the DP&I and Council. In summary, both reports confirm that:

- all roads servicing the subject site would remain well within their capacity following completion of the proposed development. However, upgrading of a number of intersections in the locality will be required either to address existing traffic issues or as a result of additional traffic generated by the proposal; and
- Windsor and Richmond Bridges are currently operating at or near capacity and will require major upgrading in the short to medium terms given the cumulative impacts of the Jacaranda Ponds and Redbank developments.

RMS has confirmed that it is planning the replacement of Windsor Bridge, which will be constructed to a higher flood level. RMS is also investigating options for short and long term measures to improve traffic flow between Richmond and North Richmond prior to possible future works to Richmond Bridge. The RMS have advised that there is a funding allocation of \$18,000,000 expected to permit the commencement of work to upgrade intersections on Bells Line of Road in 2014 / 2015 and also for work to commence for the replacement of Windsor Bridge, upon issue of the approval from the State Government.

While the aforementioned traffic reports confirm that the proposed road network is capable of accommodating the proposed development, some upgrading works to two state road intersections will also be required (Wilberforce Road / Freemans Reach Road and Grose Vale Road / Terrace Road / Bells Line of Road).

To assist in the delivery of these works, contributions are proposed by the applicant in the VPA of \$10,000 per allotment (\$5,800,000) which to be used for upgrading of the State road network.

The draft VPA offer provides for the payment of a total of \$23,200,000 in development contributions with \$19,239,000 to be spent by the developer through 'works in kind' on roadworks. In addition to road upgrades and improvements the developer, through 'works in kind' is to provide some community facilities. These facilities include landscaping to surrounds of proposed parks, picnic areas and general community facility works.

Having regard to the above and the recommendations contained within the relevant traffic reports (which will be included as consent conditions on any future subdivision application) it is considered that the road network is capable of accommodating the proposed development subject to the staged implementation of the identified upgrade works. Identified works are to be provided as works in kind through the VPA with the exception of the proposed \$5,800,000 additional contribution towards the upgrading of State road network.

Furthermore, it is noted that in response to the public exhibition to the planning proposal, Transport for NSW has advised that both it and the RMS do not raise any objections to the proposal. More recently, extensive negotiations have been held with the RMS regarding the provisions contained in the draft VPA.

It is considered that the traffic reports prepared in respect of the planning proposal demonstrate that the traffic impact of the redevelopment of the land for residential purposes can be appropriately mitigated through both contributions and the implementation of identified works in kind to support the development.

Issue B: Provision of Infrastructure

The inadequacy of physical infrastructure was highlighted in a number of submissions, particularly problems associated with water supply, stormwater management, wastewater treatment and inadequacies in the telephone network.

In particular questions were raised regarding the ownership, operation and type of the proposed sewerage system and its potential environmental impacts. Questions were also raised regarding the potential risks to/obligations of Council, the financial viability of the system and whether or not Council would take over the system if the operator became insolvent.

Many submissions raised concerns about the lack and inadequacy of both social and physical infrastructure to support the proposal. The capacity of existing schools, inadequate public transport, health and emergency facilities (police, fire and ambulance) as well as shops and recreation facilities in the area west of the Hawkesbury-Nepean River were noted as major concerns. Many objectors stated that new housing should be focussed in areas east of the River where supporting infrastructure was available. The view was also expressed that the lack of employment opportunities in the area means that people will be forced to commute (and predominantly drive) to employment centres.

Staff Comment

With regard to water and electricity networks, it has been confirmed by relevant service agencies that there is sufficient capacity within the existing systems to cater for the proposed development. Future augmentation of power and water is available as required, to be supplied by Integral Energy and Sydney Water.

The planning proposal includes the construction of a privately owned and operated package sewer plant system for the site, including a Sewage Treatment Facility to efficiently treat waste, and several hectares of land to be made available for irrigation purposes and wet-weather storage. The system will also allow for water recycling through an independent pipe connection to homes for use in toilets and gardens, thereby reducing potable water consumption. This system will require a Water Industry Competition Act (WICA) licence from IPART. In determining whether or not to grant a licence IPART will consider such matters as the suitability of the system, the potential environmental impacts, the financial capacity of the operator, and proposed operation, management and emergency procedures. In the event that the operator was to become insolvent the system could be sold to another private operator or, in emergency situations, Sydney Water or Council could take over the operation and maintenance of the system. However, this is unlikely due to the rigorous licensing assessment undertaken by IPART at the commencement of the development.

As is the usual practice, Council will require evidence that stormwater will be appropriately managed and appropriate services are available to the site prior to approval of any development applications relating to the subject land.

With regard to public transport, the site is serviced by a regular private bus service that provides direct links to the Richmond and Windsor town centres. The future residential population generated by development of the site will support the viability of existing services and can reasonably be expected to encourage additional public transport services to the area. Richmond and Windsor railway stations are located a short distance from the site (approx. 6 and 9 km respectively), which provide connections to the Sydney CBD and the wider metropolitan area via the western line rail service.

Council staff have, as part of the assessment of this planning proposal, prepared a Social Impact Assessment (SIA) to measure the likely change that the proposed development may have on the Glossodia study area. The SIA makes a number of recommendations for the locality, some being the direct result of the proposal and others of a more general nature. The SIA was considered by the Human Services Advisory Committee and the Committee has formed a working party to further consider the SIA recommendations. The aim of the SIA assessment is to provide recommendations for social and community infrastructure for consideration in the VPA for the development. It is expected that this work will be completed shortly and the amendments to the draft VPA will be reported to Council in February 2014. Further discussion regarding the VPA is provided later in this report.

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It is anticipated that the project will create some new jobs locally however it is recognised that the majority of residents will need to access employment elsewhere. The Traffic Reports have taken this into account in identifying necessary road infrastructure to address the traffic impacts of the project.

Issue C: Adequacy of Voluntary Planning Agreement

The amount and nature of contributions proposed in the Voluntary Planning Agreement was raised as an issue of concern in many submissions. Some stated that there was a significant shortfall in funding proposed and that the VPA favoured the developer over residents. The adequacy of the infrastructure commitments in the draft VPA was questioned as was the possibility that the works will not be undertaken.

Concern was raised regarding the timing of provision with many submissions arguing that the infrastructure, such as the proposed bridge, should be provided much earlier on in the development than proposed. (Note: These submissions were made as combined submissions with the recently determined Redbank at North Richmond proposal, hence the reference to the proposed bridge.)

A number of submissions suggested that the contributions should be directed at other facilities and services including the Rural Fire Service and SES; kerb and guttering in the existing Glossodia township; footpath along the length of Golden Valley Drive to improve pedestrian safety; new cycleway and pathways to improve connections between existing town and proposed development; subsidised rent for existing shopkeepers until the development is complete; upgrade facilities at local primary school; and specific regional and district road works.

Staff Comment

The draft VPA that was placed on public exhibition contained a works program that was intentionally biased towards undertaking road upgrades and intersection improvements. The focus on road improvements was the result of community consultation undertaken by Council (community survey) and the applicant at a number of community meetings, letterbox drops and community surveys.

The contribution offered by the applicant in the Voluntary Planning Agreement is \$40,000 per new allotment. This contribution was based on the State Government cap set for Greenfield development of \$30,000 per lot plus an additional \$10,000 per lot as an additional offer from the applicant. In this regard the applicant has been clear that the offer of \$40,000 per lot (CPI indexed) is not open to additional negotiation. However, the content of the works program in the draft VPA can be reviewed to include additional works, but must be at the expense of an existing program. This is a reasonable condition from the applicant given that a Section 94 contributions plan, should that be pursued in lieu of a VPA, would be limited to \$30,000 per lot and the fact that the VPA is "voluntary" in that the contribution cannot be forced by either party. It should also be noted that the VPA does not itemise all the works to be undertaken as part of the development. Most of the service infrastructure, internal and adjoining roads, sewer, water, electricity, telecommunications, internal footpaths, etc, are standard development requirements as part of any development consent.

The VPA, upon finalisation, will also be registered on the title of the land. In this regard, the provisions of the VPA, and the works and contributions required by the VPA, would then apply to any developer of the site regardless of the ownership.

As mentioned previously in this report, a SIA is currently being considered in relation to the provision of additional community infrastructure, such as footpath linking development with existing areas, etc. When those works are fully prioritised the works program in the draft VPA will be revised. That revision will need to consider the removal of some proposed road works to accommodate that additional infrastructure. When that revision is completed the draft VPA will be reported to Council prior to being placed on public exhibition again.

Some of the submissions during public exhibition suggested that contributions should also be made to the RFS, SES and local school, etc. Council contributes to emergency services including RFS and SES through an annual State emergency management contribution and additional discretionary funding totalling in the order of \$900,000. It should be noted that the RFS, SES and school education facilities are the

responsibility of the State Government and are funded via State revenue. It is not supported that additional funds be directed to these State funded operations at the expense of funding much needed local infrastructure. The State operations regularly review population growth and adjust their funding and service provision to match that growth. In the case of Council the initial funding of local infrastructure is limited and can only be raised via Section 94 contributions or a VPA during the initial growth phase. Should Council decide to redirect funds to these operations it will need to decide which local road, footpath or community facility should be deleted from the VPA to raise those funds.

It should also be noted that it is proposed that the site be identified as an “urban release area” and that an appropriate clause be inserted into Part 6 of LEP 2012 to require satisfactory arrangements be made for the provision of designated State public infrastructure, to satisfy needs that arise from development of the site, before the land is developed intensively for urban purposes. This means that, should the planning proposal be supported, as the site is developed the development is referred to the State Government to ensure that adequate arrangements are in place for the provision of State infrastructure (Emergency services, schools, etc.) for the development.

Issue D: Strategic Planning

There was a widely held view expressed in the submissions that new housing should be located east of the Hawkesbury-Nepean River where there is existing infrastructure and less environmental impacts.

A small number of submissions asserted that residential redevelopment of the site would be incompatible with existing land uses (larger agricultural holdings) and will result in potential conflicts, such as trespassing where future population seek shortcuts across paddocks, potentially resulting in property damage (fences) or disruption to stock.

Staff Response

DP&I's North West Subregion Draft Subregional Strategy (Subregional Strategy) and Council's Hawkesbury Residential Land Strategy (HRLS) identifies the demand and need to provide up to 6,000 new homes in the Hawkesbury LGA by 2031. There is limited capacity within existing residential zoned land of the LGA to accommodate more dwellings, hence, new dwellings will need to be provided from greenfield sites / extension of the footprint of existing urban villages.

Housing in the Hawkesbury LGA is largely constrained by the Hawkesbury - Nepean floodplain, with limited capacity for additional growth to the south (east) of the Hawkesbury River due to the risk of flooding. This has been confirmed by Council's preparation of the Hawkesbury Residential Land Strategy and the Hawkesbury Floodplain Risk Management Study and Plan. The Subregional Strategy assumes that the majority of future housing growth within the LGA will need to occur on land located predominantly to the north (west) of the River, in association with existing local centres. Other constraints to development include State and National Parks and other significant vegetated areas, agricultural land values, flooding, bushfire and aircraft noise.

The other identified release areas in the Hawkesbury LGA are North Bligh Park, Pitt Town and Vineyard. While Vineyard has recently been released by the State Government, it is only in the early stages of planning and actual lot production is not likely to occur for some years. Development of Pitt Town is currently underway however North Bligh Park is on hold pending resolution of flooding and flood evacuation issues. Jacaranda Ponds is therefore an important addition to the LGA's housing supply. It is not only relatively free from the constraints identified above, but it also adjoins an existing urban area. It has therefore been identified as a 'High Priority Future Investigation Area' for urban release.

The site presents the opportunity to provide approximately 580 residential dwellings within the timeframe of the Metropolitan Plan, Subregional Strategy and HRLS. The site as a whole would contribute approximately 12% of the projected housing requirements that are set for the LGA in those documents.

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The potential for land use conflicts has been considered in the proposed distribution of land uses and vegetation/riparian corridors. The provision of a riparian area along the southern boundary, wildlife corridor along the western boundary and the proposed minimum lot size of 4,000m² to the east will limit the future dwellings adjacent to existing agricultural pursuits and minimise the potential for land use conflicts.

Issue E: Environmental Impacts

A number of submissions raised concern that the proposed rezoning is out of character with the existing scenic rural setting and that the rural amenity and character of the area will be destroyed.

Concerns were also raised regarding the impact of the proposal on Cumberland Plain Woodland and the measures to be put in place to protect threatened species and endangered ecological communities recorded on the site.

A small number of submissions raised concern regarding the loss of native flora and fauna as a result of replacing open fields with housing.

Staff Response

With respect to the impact on the visual quality and rural outlook, it is acknowledged that the proposal will inevitably alter the character of the area. However, the proposal will provide for an extensive open space and landscape/vegetation network that is responsive to the ecological features and physical characteristics of the site.

It is considered that the proposed Land Zoning arrangement has been designed to complement the surrounding land uses and settlement patterns and to ensure that the future development of the site forms a natural extension to the existing township of Glossodia.

Recreation links, such as the proposed cycle paths, parks and walking trails will improve the connectivity of the site with the existing township of Glossodia and permeability through the development itself.

Furthermore, a range of measures are proposed to be in the revised VPA that are designed to minimise visual impacts and ensure that the development reflects the rural-residential character of the locality, which may including the following requirements:

- The planting of street trees along all roads
- The alignment of roads to frame views of key landscape and topographic features
- The avoidance of buildings directly on top of ridges
- The retention of individual native mature trees where possible

The planning proposal does not include any environmental conservation zones, however it will provide for the protection and preservation of the riparian buffer areas and ecological corridors identified in the Flora and Fauna Constraints Assessment report which accompanies the planning proposal by zoning these parts of the site RE1 Public Recreation. This arrangement will provide a clear separation between areas suitable for future residential development and areas of ecological significance.

It is considered that the proposed strategy being put forward by the proponent for managing critical habitat or threatened species, populations or ecological communities or their habits, is satisfactory. The planning proposal includes the following key initiatives in terms of the retention of existing vegetation within the site:

- restoration and enhancement of riparian buffers along the Currency Creek corridor and one unnamed watercourse located in the north-western corner of the site (incorporating the River-Flat Eucalypt Forest vegetation);
- creation of three contiguous north-south ecological corridors and one east-west ecological corridor. Vegetation species to be planted within the corridors will be selected to enhance existing ecological communities on the site;

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- retention of two existing large dams

Some small areas of Cumberland Plain Woodland may need to be removed, however, the question of what vegetation will be retained or removed is a matter that will be finalised at subdivision stage. It will be at that stage that the question of whether biodiversity offsets will be required will be determined in consultation with the OEH and the applicant.

It is envisaged that ongoing ecological site management would be addressed in future subdivision applications and would be managed in the form of a Vegetation Management Plan.

Issue F: Housing Density

Concern was raised in a number of submissions that the housing density was too high and the lot sizes would be out of character with the surrounding village and rural / residential nature of the area.

In particular the owners of 355 Spinks Road were concerned about the density of development (1,000m² blocks) on 361 Spinks Road and suggested that a 20 metre green belt along the common boundary of 351 and 366 Spinks Road be provided with a minimum lot size of 2,000m² beyond.

Finally, the owner of 10 James Street was concerned about potential land use conflict between the future residential development and the existing wholesale nursery on 10 James Street and recommended that setbacks should be considered.

Staff Response

The proposed minimum lot size for the R2 Low Density Residential Zone is 1,000m² and in the R5 Large Lot Residential Zone is 2,000m² and 4,000m². It is considered that the range of lot sizes and proposed zoning plan will result in a development that is of an appropriate scale and density having regard to the location of the site, its context and physical constraints.

The proponent has advised that they do not object to the proposed minimum lot size on 361 Spinks Road being increased to 2,000m² and it is recommended that the minimum lot size be amended accordingly.

The potential for incorporating buffer areas adjacent to or setbacks from adjoining rural land can be further considered in preparation of the VPA and assessment of future development applications.

Voluntary Planning Agreement

The Gateway Determination for the Jacaranda Ponds planning proposal required, amongst other conditions, the inclusion of the draft VPA with the public exhibition documents for the planning proposal. The draft VPA that was placed on public exhibition from 14 June to 14 August 2013 was a draft concept document for exhibition to obtain public comment prior to finalising. The purpose of that draft VPA was to inform the planning proposal exhibition of the intent of infrastructure provision for the development and to form the basis for further discussion between the relevant parties, including the Roads and Maritime Services (RMS). There are usually changes to a planning proposal or other development following public exhibition and for this reason the draft VPA could not be a complete and final document at that time.

As mentioned previously in this report, the draft VPA is currently being reviewed in relation to the public submissions received (extent and type of community and road infrastructure proposed) and the ongoing discussions with the RMS and DP&I in relation to the proposed contribution of \$10,000 per new allotment to the RMS for works on the Grose Vale Road/Bells Line of Road intersection and the Wilberforce Road/Freemans Reach Road intersection.

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Other matters are currently being considered in the review of the draft VPA so that there would not be a need to prepare a separate Development Control Plan for the site. (Note: Despite this Council's current DCP would still apply to development on the site). These matters include the following:

- Buffer to surrounding intensive agriculture land uses
- Development / road plan
- Water management
- Local flooding investigation
- Vegetation Management Plan
- Slope
- The planting of street trees along all roads
- The alignment of roads to frame views of key landscape and topographic features
- The retention of individual native mature trees where possible

It is likely that the above matters could be included in the VPA in the form of maps, diagrams and statement of commitments. When these reviews are completed the draft VPA will be reported to Council prior to placing on public exhibition again. This is expected to be reported in February 2014.

Conclusion

While the issues raised in submissions from the public and by public authorities are wide ranging, the above assessment indicates that there will be adequate safeguards in place to adequately address the impacts of the planning proposal. In summary, it is considered that the proposal meets Council's strategic objectives and should be supported for the following reasons:

- It is adjacent to the existing community of Glossodia
- The proposed upgrading of the road network, utilities and community facilities will ensure appropriate infrastructure is in place to meet the needs of future residents
- Improved accessibility will be achieved through improvements to the road network
- Additional resident population can reasonably be expected to improve the viability of existing public transport services and potentially result in increased services
- The significant open space areas to be provided as part of the development, together with the protection of the riparian zone along Currency Creek will ensure the amenity of the area is protected
- A traffic report has been prepared in accordance with the DP&I's Gateway direction and has been independently reviewed by Gennaoui Consulting on behalf of the DP&I. The report indicates that the traffic impact of the development can be addressed with appropriate infrastructure upgrades. Transport for NSW has advised that both it and the RMS do not raise any objections to the proposal. Furthermore, RMS has confirmed that the proposed \$5.8 million contribution to State road upgrades as detailed in the draft VPA is acceptable.
- The amended planning proposal provides for extensive passive and active open space and landscape/vegetation network that is responsive to the ecological and physical features of the site.
- The site is relatively free from constraints evident in other future urban investigation sites and presents the opportunity to provide approximately 580 residential dwellings, contributing approximately 12% of the housing needs for the LGA to 2031.

To ensure that adequate infrastructure is provided, the developer will be required to deliver a range of works, make funding contributions, dedicate land and carry out maintenance in accordance with a VPA to be signed between the developer and Council. The VPA would then be registered on the title of the land to ensure that development of the site adheres to the VPA provisions and requirements. The draft VPA is

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currently being finalised before being publicly exhibited in accordance with the requirements of the EP&A Act and will be reported to Council prior to additional public exhibition in February 2014.

Conformance to Community Strategic Plan

Council's consideration and approval of the Planning Proposal would be consistent with the following Community Strategic Plan Themes and Direction statements:

Looking after People and Place

- Offer residents a choice of housing options that meets their needs whilst being sympathetic to the qualities of the Hawkesbury.
- Population growth is matched with the provision of infrastructure and is sympathetic to the rural, environmental, heritage values and character of the Hawkesbury.
- Have development on both sides of the river supported by appropriate physical and community infrastructure.
- Have future residential and commercial development designed and planned to minimise impacts on local transport systems allowing easy access to main metropolitan gateways.
- Caring for our Environment
- Be a place where we value, protect and enhance the cultural and environmental character of Hawkesbury's towns, villages and rural landscapes.
- Take active steps to encourage lifestyle choices that minimise our ecological footprint.

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

- Upgrade the necessary physical infrastructure and human services to meet contemporary needs and expectations

A key intent of the Integrated Planning and Reporting regime, which has the Community Strategic Plan (CSP) as the prime Strategy, is to prepare and implement Council's strategic plans. The Hawkesbury Residential Land Strategy (HRLS) was adopted by Council on 10 May 2011 and that Strategy has incorporated the relevant Directions contained in the CSP in relation to provision of housing, infrastructure and community development.

Consideration of the Planning Proposal is consistent with the requirements of the CSP and HRLS.

Financial Implications

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

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.

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RECOMMENDATION:

That:

1. The planning proposal as described in the report be forwarded to the Department of Planning and Infrastructure for making of the Plan, subject to the following amendment:
 - a) The minimum lot size for subdivision on 361 Spinks Road being increased to 2,000m².
2. The Department of Planning and Infrastructure be requested to consider the inclusion of an appropriate clause into Part 6 of the LEP 2012 to require satisfactory arrangements be made for the provision of designated State public infrastructure prior to the determination of a development application for urban subdivision.
3. The Voluntary Planning Agreement be finalised in relation to the matters raised in the "Voluntary Planning Agreement" section of this report and, when finalised, be reported to Council prior to public exhibition. This report is to be provided to Council as soon as possible and prior to the gazettal of the planning proposal for the site.

ATTACHMENTS:

AT - 1 Gateway Determination

AT - 2 Draft Zoning Map, Lot Size Map, Lot Averaging Map and Height of Buildings Map as exhibited

AT - 3 Summary of submissions

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AT - 1 Gateway Determination

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Planning &
Infrastructure

Contact: Michael Druce
Phone: (02) 9860 1560
Email: Michael.Druce@planning.nsw.gov.au
Postal: GPO Box 39 Sydney NSW 2001

Our ref: PP_2012_HAWKE_003_00 (12/11016)
Your ref:

Mr Peter Jackson
General Manager
Hawkesbury City Council
PO Box 146
WINDSOR NSW 2756

Dear Mr Jackson,

Planning Proposal to amend the draft Hawkesbury LEP 2012

I am writing in response to your request for a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to rezone 185 ha of land at Spinks Road, James Street and Derby Place, Glossodia; Kurmond Road, Freemans Reach; and Kurmond Road, North Richmond from rural to residential.

As delegate of the Minister for Planning and Infrastructure, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway Determination.


I have also agreed that the planning proposal's inconsistencies with S117 Direction 4.1 Acid Sulfate Soils and 4.3 Flood Prone Lands are of minor significance. No further approval is required in relation to these Directions.

The amending Local Environmental Plan (LEP) is to be finalised within 24 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the Planning Proposal within four (4) weeks from the week following this determination. Council's request for the Department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Michael Druce of the Regional Office of the Department on 02 9860 1560.

Yours sincerely,


Sam Haddad
Director-General
27/1/2012



Gateway Determination

Planning Proposal (Department Ref: PP_2012_HAWKE_003_00): to rezone 185 ha of land at Spinks Road, James Street and Derby Place, Glossodia; Kurmond Road, Freemans Reach; and Kurmond Road, North Richmond from rural to residential

I, the Director General, Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the draft Hawkesbury Local Environmental Plan 2012 to rezone 185 ha of land at Spinks Road, James Street and Derby Place, Glossodia; Kurmond Road, Freemans Reach; and Kurmond Road, North Richmond from rural to residential should proceed subject to the following conditions:

1. Prior to the commencement of public exhibition the council is to:
 - (a) Undertake an assessment of the traffic impact, in consultation with Roads and Maritime Services regarding the impact of the proposal on peak performance of key intersections and bridge capacities at both Richmond and Windsor.
 - (b) Review the Bushfire Prone Land Map for the LGA and consult the NSW Rural Fire Service. The outcome of the review is to be reflected in the proposed zoning for the site.
 - (c) Undertake an assessment of the economic impact of the cessation and removal of the chicken raising and egg production enterprises and demonstrate the cost benefit of replacing the existing use with residential development.
 - (d) Update the planning proposal to reflect the results – outcomes of the requirements of condition 1(a), (b) and (c) and provide the department's Sydney Region West team with a copy of the revised planning proposal.
2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for **28 days**; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Transport for NSW
 - Transport for NSW – Roads and Maritime Services
 - Sydney Water
 - NSW Aboriginal Land Council
 - Hawkesbury – Nepean Catchment Management Authority
 - NSW Rural Fire Service

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

HAWKESBURY PP_2012_HAWKE_003_00 (12/11016)

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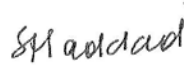
Meeting Date: 10 December 2013



Planning & Infrastructure

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
5. The timeframe for completing the LEP is to be **24 months** from the week following the date of the Gateway determination.

Dated 27th day of July 2012.

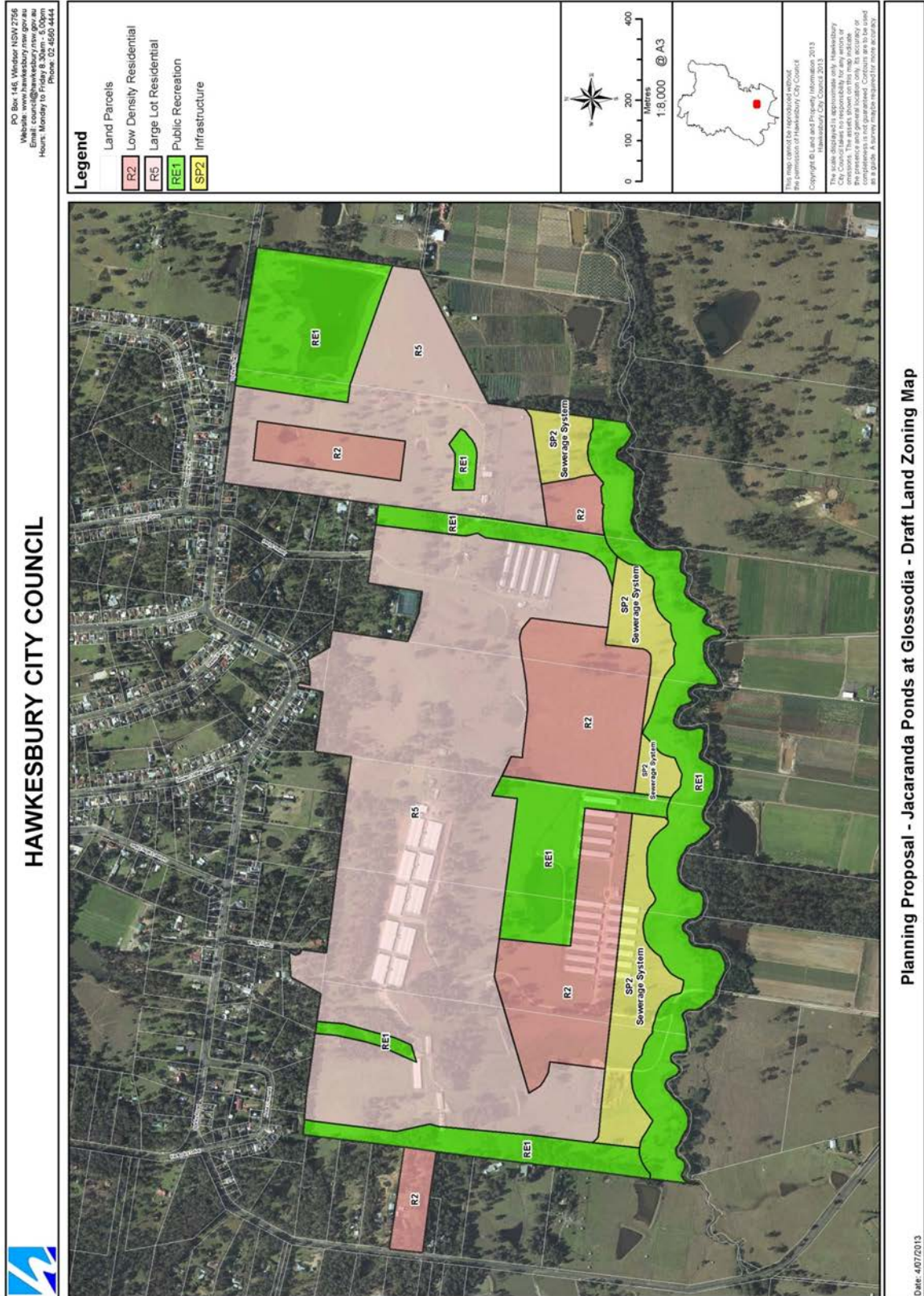

Sam Haddad
Director-General
Delegate of the Minister for Planning and Infrastructure

HAWKESBURY PP_2012_HAWKE_003_00 (12/11016)

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AT - 2 Draft Zoning Map, Lot Size Map, Lot Averaging Map and Height of Buildings Map as exhibited

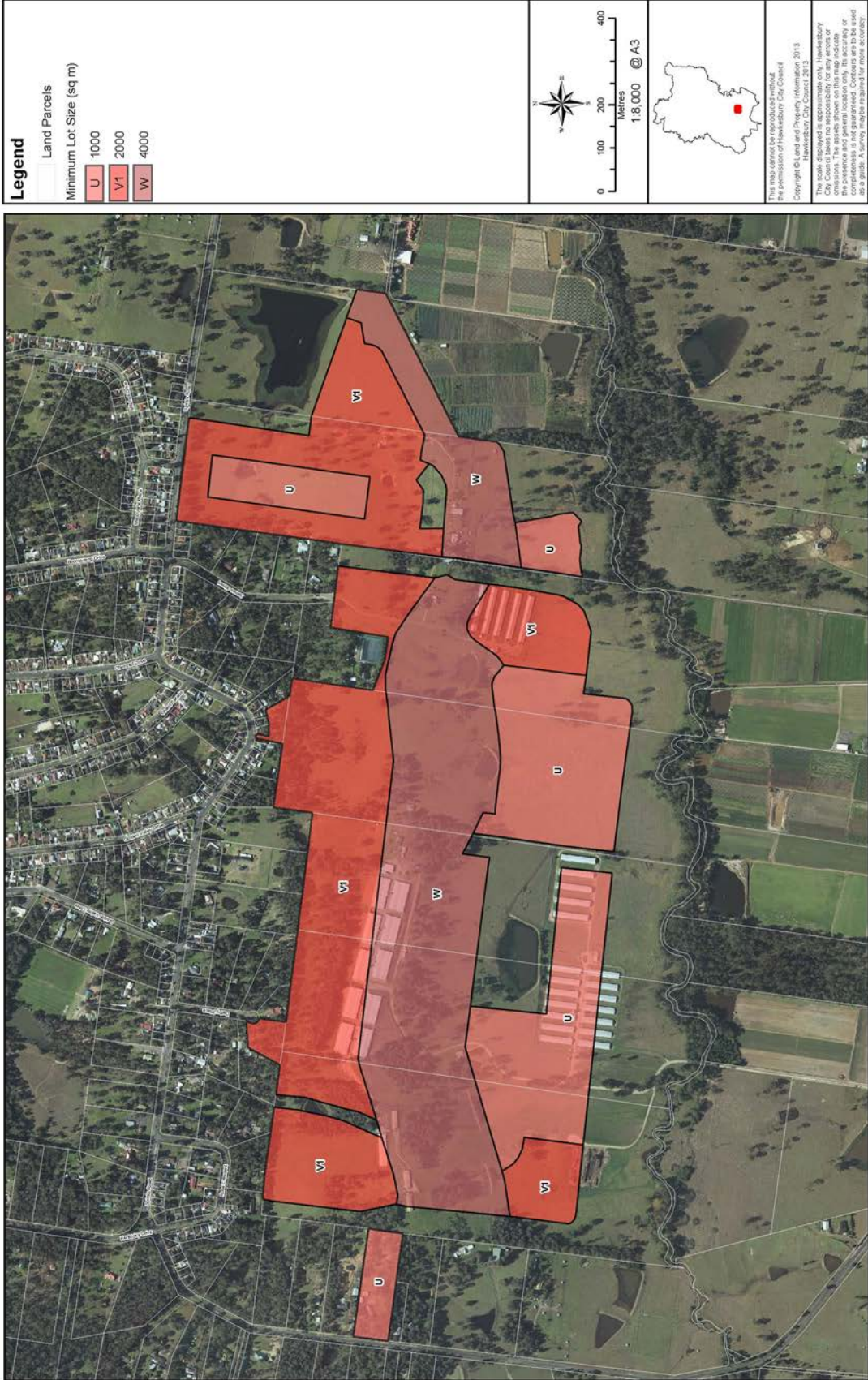


ORDINARY MEETING

Meeting Date: 10 December 2013

PO Box 146, Windsor NSW 2756
Website: www.hawkesbury.nsw.gov.au
Email: info@hawkesbury.nsw.gov.au
Hours: Monday to Friday 9.30am - 5.00pm
Phone: 02 4600 4444

HAWKESBURY CITY COUNCIL

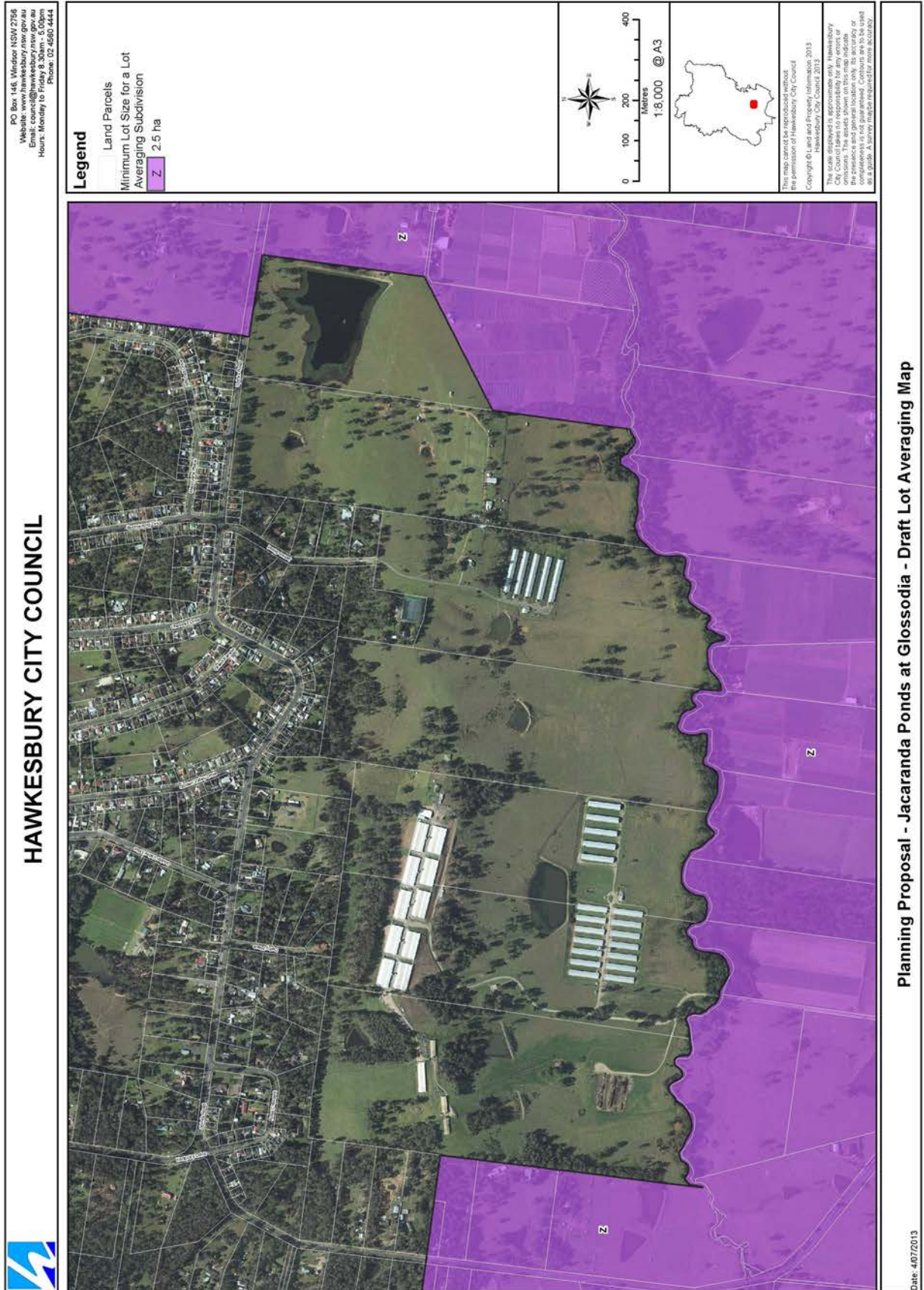


Planning Proposal - Jacaranda Ponds at Glossodia - Draft Lot Size Map

Date: 4/07/2013

ORDINARY MEETING

Meeting Date: 10 December 2013



ORDINARY MEETING

Meeting Date: 10 December 2013

PO Box 146, Windsor NSW 2756
Website: www.hawkesbury.nsw.gov.au
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HAWKESBURY CITY COUNCIL



Planning Proposal - Jacaranda Ponds at Glossodia - Draft Height of Buildings Map

Date: 4/07/2013

AT - 3 Summary of submissions

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| Jacaranda Ponds Planning Proposal - Summary of Submissions | | |
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| Ref. No. | Name | Summary of Individual Submission |
| 1 | Doug Wiggins (Glossodia) | <p>Objections / Concerns include:</p> <p>Insufficient water pressure. Water tower and main diameter cannot accommodate expansion</p> |
| 1A | Doug Wiggins (Glossodia) | <p>Objections / Concerns include:</p> <p>Insufficient infrastructure, particularly local roads, river crossings and water supply</p> <p>Infrastructure needed before development approved</p> <p>Impact on traffic capacity and infrastructure of 1450 additional cars</p> <p>Additional water supply required before development</p> |
| 2 | Jane and Graham Uff (Kurrajong Hills) | <p>Objections / Concerns include:</p> <p>Jacaranda Ponds developer should contribute to infrastructure at North Richmond because of cumulative impacts of proposal</p> <p>Infrastructure needed before development approved</p> <p>Consider impact on community before developers proposal</p> <p>Impact of development on North Richmond infrastructure</p> <p>Incorrect assumption Glossodia residents use only Windsor Bridge</p> |
| 3 | Graeme Jay (Glossodia) | <p>Objections / Concerns include:</p> <p>Significant upgrade of Windsor and North Richmond Bridge should precede any development</p> <p>VPA shouldn't be used to pay for road repairs that should be part of bridge upgrade</p> <p>VPA funds should be used for emergency services (RFS and SES)</p> <p>VPA funds should be used for the "40 acres" and should include bike and walking tracks, picnic areas, rehabilitation of bush and grassland</p> <p>VPA funds should be used to kerb and gutter Glossodia township</p> <p>VPA funds should be used to link paths in "40 acres" with shops and schools, new park and community facilities</p> <p>VPA funds should be used for footpath along Golden Valley Drive</p> <p>VPA funds should be used to upgrade Glossodia primary school</p> <p>VPA funds should be used to subsidise shop keepers until all lots sold</p> <p>Available \$5 million from Windsor Bridge could be used to pay for works at and around Glossodia instead of VPA</p> <p>\$5 million to be spent on other Glossodia roads works - intersection Freemans Reach Road and Wilberforce Road Intersection</p> |

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Meeting Date: 10 December 2013

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| Ref. No. | Name | Summary of Individual Submission |
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| | | <p>\$5 million to be spent on other Glossodia works including intersection Bells Line of Road/Grose Vale Road/Terrace Road</p> <p>\$5 million to be spent on other works required include regional road safety upgrade and improvements</p> <p>\$5 million to be spent on roadworks at Gorricks Lane and Freemans Reach Road</p> <p>\$5 million to be spent on roadworks from Wire Lane from Kumond Road to Terrace Road including widening carriageway and seal road shoulders</p> <p>\$5 million to be spent on roadworks from Kurmond Road (Wire Lane to Terrace Road)</p> <p>Fair distribution of VPA funds to Glossodia residents</p> <p>Petitions number 200 with 3480 signatures and 654 online petitioners</p> <p>4134 petitioners do not support Council approving rezoning west of the river until there has been a significant upgrade in infrastructure</p> <p>There have been no significant upgrade of infrastructure by the state or local government to ease traffic congestion</p> <p>State government will not be providing any money for infrastructure for the development</p> <p>Council will not be providing money for infrastructure for development</p> |
| 4 | Michael Want (NRDCAA) | <p>Petitions number 201 with 3498 signatures and 654 online petitioners</p> <p>4152 petitioners do not support Council approving rezoning west of the river until there has been a significant upgrade in infrastructure</p> <p>Traffic congestion will not be eased by upgrade of Windsor Bridge</p> <p>No government commitment to spend money on easing traffic congestion prior to development proceeding</p> <p>Lack of infrastructure availability as identified in the Potential Home Sites Project Evaluation Report for North Richmond must apply to Glossodia</p> <p>Glossodia must rate poorly (like North Richmond in the Home Sites Project Evaluation Report) for accessibility and liveability</p> <p>Request to meet with NRDCAA</p> <p>Petition number 199 with 4150 signatures</p> <p>Upgrade infrastructure prior to rezoning west of the river</p> <p>Initial upgrade works immediately</p> <p>Development submission does not address works to be undertaken immediately</p> <p>Council and state government have not identified any future spending on infrastructure</p> |
| 4a | Michael Want (NRDCAA) | |
| 4b | Michael Want (NRDCAA) | |

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| 4c | Michael Want (NRDCAA) | Petition number 202 with 4172 signatures with 656 online |
| 4d | Michael Want (NRDCAA) | Author refers to Hawkesbury Residential Land Strategy. Glossodia subject to transport, access, traffic and road infrastructure crossing the river issues |
| 4e | Michael Want (NRDCAA) | Petition number 203 with 4189 signatures with 656 online |
| 4f | Michael Want (NRDCAA) | Request for consultation regarding proposed rezonings west of the river |
| | | Petition number 204 with 4207 signatures with 656 online |
| | | Proposal is not consistent with the local land strategy and strategic plan |
| | | Proposal does not satisfy Community Strategic Plan's goal to have development on both sides of the river supported by physical and community infrastructure |
| | | New Windsor bridge will not ease traffic congestion. Plans to upgrade Richmond bridge are long term, 7-10 years away |
| | | Request for constructive and productive partnerships with residents, community groups and institutions |
| | | Council to be subject to close scrutiny from the community |
| | | Request for Council staff to meet with NRDCAA |
| 4g | Michael Want (NRDCAA) | Traffic congestion west of the River |
| 5 | Dianne Lanham (Glossodia) | <p>Objections / Concerns include:</p> <p>Maybe forced to sell horse breeding property because of encroaching residential development</p> <p>Ancillary businesses and the land that it supports are not recognised</p> <p>Limited number of other agistment businesses available close to Sydney</p> <p>Increased traffic numbers, parking outside properties and congestion</p> <p>Poor condition of the existing roads, narrow, potholes and unsealed edges</p> <p>Spinks Road only road in and out of site</p> <p>3000 additional vehicles from two developments</p> <p>Inadequacy of the water and sewerage system to cope with additional population. Provide services before development approval.</p> <p>Rural identity threatened by increased development</p> <p>Project approval will create a precedent of small block development</p> <p>Decrease in property values in Glossodia because of over supply</p> <p>Developer should provide infrastructure and community facilities. HCC not residents should monitor service provision.</p> |

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| 6 | Ralph Warren (Wilberforce) | <p>Retain the rural atmosphere of the western side of the river</p> <p>Objections / Concerns include:</p> <p>Significant upgrade of Windsor and North Richmond Bridge should precede any development</p> <p>VPA shouldn't be used to pay for road repairs that should be part of bridge upgrade</p> <p>VPA funds should be used for emergency services (RFS and SES)</p> <p>VPA funds should be used for the "40 acres" and should include bike and walking tracks, picnic areas, rehabilitation of bush and grassland</p> <p>VPA funds should be used to kerb and gutter Glossodia township not completed</p> <p>VPA funds should be used to link paths in "40 acres" with shops and schools, new park and community facilities</p> <p>VPA funds should be used for footpath along Golden Valley Drive</p> <p>VPA funds should be used to upgrade Glossodia primary school</p> <p>Available \$5 million from Windsor Bridge could be used to pay for works at and around Glossodia instead of VPA</p> <p>\$5 million to be spent on other Glossodia roads works - intersection Freemans Reach Road and Wilberforce Road</p> <p>Intersection</p> <p>\$5 million to be spent on other Glossodia works including intersection Bells Line of Road/Grose Vale Road/Terrace Road</p> <p>\$5 million to be spent on other works required include regional road safety upgrade and improvements</p> <p>\$5 million to be spent on roadworks at Gorricks Lane and Freemans Reach Road</p> <p>\$5 million to be spent on roadworks from Wire Lane from Kumond Road to Terrace Road including widening carriageway and seal road shoulders</p> <p>\$5 million to be spent on roadworks from Kurmond Road (Wire Lane to Terrace Road)</p> <p>Fair distribution of VPA funds to Glossodia residents</p> <p>Objections / Concerns include:</p> <p>Object to location of entry road, path and cycleway on adjacent block</p> <p>16 X 10002m blocks located along property side boundary</p> <p>Issues from 16 adjoining neighbours including fencing</p> <p>Author proposes an alternative of 20 metre green belt along property length and 2000m2 blocks</p> <p>Number of blocks proposed. Figures increased from 178 to 480 to 580 properties. 300% increase</p> <p>Traffic congestion</p> |
| 7 | Alf and Jenny Babazogli (Glossodia) | |

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| 8 | Peter Gooley (Glossodia) | Supporting comments include: Development will help generate business at the local shopping centre Current shop rent is high and patronage low. Vacant shops Decreasing or stagnating property values as centre declines Development may bring increased services including doctor | |
| 9 | Paul Matthews (Tennyson) | Supporting comments include: Proposal is consistent with existing development and will encourage growth and development in and around Glossodia Traffic impacts minor and upgrades of local roads to be completed as part of Windsor Bridge upgrade Primary and high school have sufficient capacity for expansion The proposal should permit mixed use zoning for lots greater than 4000m2 Mixed use zoning in the Hawkesbury is in high demand because people can live and operate small businesses on the land 2000 to 8000m2 blocks could be created to permit resident and light commercial on the same block Higher rates should be charged for mixed use properties | |
| 10 | Elizabeth Rowan (Bowen Mountain) | Objections / Concerns include: Increased traffic congestion, particularly around Windsor and Richmond Bridges Increased travel times Environmental impact on animals, birds No increased services planned - hospital, police, emergency, community Planning agreement biased to developer not residents No infrastructure planned for the area, road upgrade or Windsor Bypass Rural atmosphere of area not upheld Lack of Federal and State Government support No rezoning of land Subdivision of land for 5 acre lots could be permitted | |
| 11 | Barry and Lesley Bellotti (Glossodia) | Objections / Concerns include: Traffic congestion on Terrace Road, Bells Line of Road North Richmond Road at Richmond, North Richmond and Windsor not adequate for existing development No available police, ambulance, hospital on western side of river Infrastructure needed before development approved | |

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| Ref. No. | Name | Summary of Individual Submission |
| 12 | John Messina (Glossodia) | Weekend traffic congestion, particularly around Polo Fields, Inalls Lane Objections / Concerns include: Stormwater runoff from roads and drainage from proposal Supporting comments include: Proposal will have positive impact on dying town including school, shops Young families will help to revitalise the area Bridge, road and public transport require upgrading Limited availability of rental properties in area Community has been kept well informed Great opportunity for Glossodia |
| 13 | Roslyn White (Glossodia) | Objections / Concerns include: Opposition to development west of the River Inadequate road system, particularly roads at North Richmond Support for the large lot sizes Double North Richmond bridge capacity and approaches Areas close to infrastructure should be Gateway developments instead of 'cheap' rural land Supporting comments include: Opportunity for people to live in the Hawkesbury Opportunity for businesses to expand into the region More money will be spent in the region Benefits to Council from additional infrastructure and rates Traffic congestion during peak not significant |
| 14 | Cathy Tindale (Kurrajong) | Objections / Concerns include: Lack of infrastructure for development west of the River Existing traffic congestion at Windsor and North Richmond river crossings during Monday to Saturday peak Additional traffic congestion from proposal Impact on semi rural lifestyle Can existing water pressure and water infrastructure cope with development? Existing community should be involved in VPA spending Will VPA only be spent on Glossodia? Bridge crossing and bypass need to be addressed prior to development approval |
| 15 | Nicole Kanawati (North Richmond) | |
| 16 | Fred Hastings (Glossodia) | |

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| Ref. No. | Name | Summary of Individual Submission |
| 17 | Peter and Roslyn Stewart (Freemans Reach) | Consider alternative low density development Objections / Concerns include: Development should not proceed until access roads improved Traffic congestion at Windsor, Richmond and North Richmond Impacts of additional 1000 cars on traffic congestion Increased traffic using the Pace Farm access road Width and quality of the access road for construction traffic Existing farm access road should not be access road to development Access road should be closed at Currency Creek to prevent public access |
| 18 | Libby Hyett (North Richmond) | Objections / Concerns include: Disappointed at the loss of beautiful land but recognise the need for progress Would like to see the development as an opportunity for the community to flourish Funding should be allocated to emergency services Shops are the heart of the community and vacant shops should be let Recognition of the valuable bus service in the area |
| 19 | Jane Uff (HARC Richmond) | Objections / Concerns include: Jacaranda Ponds developer should contribute to infrastructure at North Richmond because of cumulative impacts of proposal Infrastructure needed before development approved Consider impact on community before developers proposal Impact of development on North Richmond infrastructure Incorrect assumption Glossodia residents use only Windsor Bridge. They do use North Richmond bridge |
| 20 | Jenny Fey (no address provided) | Objections / Concerns include: Infrastructure needed before development approved Existing traffic congestion No need for small blocks with large houses in the Hawkesbury |
| 21 | Tim Parmenter (Glossodia) | Objections / Concerns include: Not against the development but wants to see the current area of Glossodia improved, in the ways set out below, along with this development. Existing Windsor bridge congestion |

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| 22 | Viki Thomas (Freemans Reach) | Upgrade Windsor bridge will not remove traffic congestion |
| | | Proposal will create increased traffic congestion |
| | | Inadequate recreational facilities in VPA |
| | | Recreational facilities on Plans but not in VPA |
| | | VPA does not include funding for local schools |
| | | VPA does not include funding for local emergency services |
| | | VPA does address upgrade of Glossodia shops |
| | | Glossodia shops below maximum occupancy |
| | | VPA does not include funding for community centre |
| | | Community centre is not a hub of activity for Glossodia |
| | | VPA should address upgrade of existing recreational facilities |
| | | VPA does not address the provision of kerb and walking paths to join Spinks Road to shops and school |
| | | Golden Valley is an inadequate access road |
| | | A Social Impact Assessment has not been undertaken for the development |
| | | Issues relating to water supply to the area |
| | | Objections / Concerns include: |
| | | Existing infrastructure is currently inadequate |
| | | Impact of proposal on existing roads and bridges |
| | | Bridges are at saturation point |
| | | Sewerage almost at maximum capacity |
| | | Water mains are at capacity |
| | | Road infrastructure needed before development approved |
| | | Dual lane roads and dual carriageway on bridges required |
| | | \$23 million offered by developer for improved infrastructure is inadequate |
| | | Traffic congestion between Richmond and North Richmond causing long time delays |
| | | Availability of youth services |
| | | Hawkesbury Hospital and medical facilities at capacity |
| | | Infrastructure needed before any development approved west of river |
| | | Grasslands opposite owned by same developer |
| | | The number of allotments may increase between project approval and actual development |
| | | Retain the rural atmosphere |

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| Ref. No. | Name | Summary of Individual Submission |
| | | Impact of proposal on whole area not just Glossodia Councillors promised no development west of the river Additional consultation required |
| 23 | Jane Walker (Glossodia) | <p>Objections / Concerns include:</p> <p>Significant upgrade of Windsor and North Richmond Bridge should precede any development</p> <p>VPA shouldn't be used to pay for road repairs that should be part of bridge upgrade</p> <p>VPA funds should be used for emergency services (RFS and SES)</p> <p>VPA funds should be used for the "40 acres" and should include bike and walking tracks, picnic areas, rehabilitation of bush and grassland</p> <p>VPA funds should be used to kerb and gutter Glossodia township not completed</p> <p>VPA funds should be used to link paths in "40 acres" with shops and schools, new park and community facilities</p> <p>VPA funds should be used for footpath along Golden Valley Drive</p> <p>Available \$5 million from Windsor Bridge could be used to pay for works at and around Glossodia instead of VPA</p> <p>\$5 million to be spent on other Glossodia roads works - intersection Freemans Reach Road and Wilberforce Road Intersection</p> <p>\$5 million to be spent on other Glossodia works including intersection Bells Line of Road/Grose Vale Road/Terrace Road</p> <p>\$5 million to be spent on regional road safety upgrades and improvements</p> <p>\$5 million to be spent on roadworks from Wire Lane from Kumond Road to Terrace Road including widening carriageway and seal road shoulders</p> <p>\$5 million to be spent on roadworks on Kurmond Road Wire Lane to Terrace Road</p> <p>Fair distribution of VPA funds to Glossodia residents</p> |
| 24 | Robyn Phillips (Glossodia) | <p>Objections / Concerns include:</p> <p>Significant upgrade of Windsor and North Richmond Bridge should precede any development</p> <p>VPA shouldn't be used to pay for road repairs that should be part of bridge upgrade</p> <p>VPA funds should be used for emergency services (RFS and SES)</p> <p>VPA funds should be used for the "40 acres" and should include bike and walking tracks, picnic areas, rehabilitation of bush and grassland</p> <p>VPA funds should be used to kerb and gutter Glossodia township not completed</p> |

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| 26 | Barrie and Donna Jones (Freemans Reach) | <p>Objections / Concerns include:</p> <p>The impact on existing and future generations</p> <p>Number of small blocks proposed. Lot numbers increased from 179 to 580.</p> <p>Loss of semi rural lifestyle</p> <p>No feedback consultation form received</p> <p>Danger of high volume of traffic turning right out of Spinks Road</p> <p>Low visibility along Spinks Road</p> <p>People don't conform to 60km/h speed limit over hill at Spinks Road</p> <p>Congestion in and out of Windsor and North Richmond</p> <p>Potholed conditions of existing roads</p> <p>1160 additional cars from the development</p> <p>Questions the traffic forecasts for additional Windsor Bridge users</p> <p>Cumulative impacts from North Richmond development on lights, bridge, feeder roads, peak hour traffic</p> <p>Limited public transport options. Long travel time to train station. Limited bus service.</p> <p>High traffic volumes which feed onto existing roads</p> <p>Impact of additional dwellings on speed and reliability of phone/internet network. Currently unreliable particularly during wet weather.</p> <p>Impact of increased people and small lot sizes on existing residents and neighbours</p> |
| 27 | John and Colleen Peters (Glossodia) | <p>Objections / Concerns include:</p> <p>Consideration of infrastructure by State Government Development guidelines prior to development (not just upgrade of Windsor and North Richmond Bridges)</p> <p>VPA should be used to upgrade local roads, kerb and gutter remaining streets in Glossodia</p> <p>VPA funds should be used for upgrade and equipment for emergency services (RFS and SES)</p> <p>VPA funds should be used to link "40 acres", Woodbury Reserve, school, shops and community centre to new development</p> <p>VPA funds should be used for footpath and widening of Golden Valley Drive to provide safe access</p> <p>VPA funds should be used to convert "40 acres" to reserve with tracks and picnic areas and rehabilitated grasslands</p> <p>VPA funds should be given to local shops to ensure their survival</p> <p>VPA funds should be used to upgrade local roads at Freemans Reach, North Richmond due to extra traffic from development</p> |

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| Ref. No. | Name | Summary of Individual Submission |
| | | <p>VPA funds should be used for a traffic study at each intersection at Glossodia considering safety and congestion</p> <p>Development is opportunity to correct past planning and road maintenance, infrastructure and emergency services issues</p> <p>Proposed development will increase dwellings in Glossodia by 50-60%</p> <p>Glossodia has been neglected in the past</p> <p>State Government should be involved in the development process for Glossodia</p> <p>Windsor and North Richmond bridges are at capacity</p> <p>Infrastructure on the western side of the River should be put in place before development</p> <p>Objections / Concerns include:</p> <p>The future use and land zoning of Lot 2 DP 230943</p> <p>Potential land use conflicts of the Wholesale Nursery with the proposed development</p> <p>Consideration of a buffer between the Nursery and development</p> <p>Traffic capacity at Bridge/George Street and Bridge/Macquarie Street intersections. Traffic congestion is at the intersections not bridges</p> |
| 28 | Werner Hoecker (Glossodia) | <p>Objections / Concerns include:</p> <p>Some horizontal alignments and sightlines do not comply with Ausroad guidelines</p> <p>Spinks Road intersection does not comply with Ausroad vertical alignments. Hill needs to be reduced and water main needs to be lowered</p> <p>Increased traffic from the development will further increase traffic congestion at North Richmond and Windsor</p> <p>Proposed developer budget for road works is inadequate</p> <p>Ownership, operation and management responsibilities of the sewerage treatment system</p> <p>Type of sewerage reticulation system to be used. No infiltration system will reduce treatment costs</p> <p>Specific treatment, operation and maintenance costs of the sewerage system</p> <p>Mandatory sewerage connection. Owner provide own onsite system if costs too high</p> <p>Current pH and salt levels in shale soils along creek. Ongoing monitoring</p> <p>Impacts of effluent on creek edge and downstream</p> <p>Suitability of creek for children to play if effluent disposal area</p> <p>Preparation of Plan of Management for treated effluent should be prepared and approved by Department of Health and Council</p> <p>Council should may have a responsibility if illness is caused from contact with effluent</p> |
| 29 | Sandra Cheetham (Freemans Reach) | |

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| | | <p>Is it cost effective to pump the effluent to Richmond sewerage treatment works?</p> <p>Possibility of sewerage treatment plant being sold to a new operator or going out of business</p> <p>Cost impacts on property owners if sewerage treatment plant goes out of business</p> <p>Calculation of costs and profit of the treatment plant. Determination of appropriate profit</p> <p>Future implications if Council needs to take over the operation of the treatment plant</p> <p>Residents should be advised of the sewer costs and possible long term costs (filter replacement)</p> <p>Treatment system service issues including call outs and reaction times during night/day/weekend</p> <p>Liability for treatment system fines by the EPA</p> <p>Impact of the development on the Cumberland Woodland</p> <p>Stormwater mitigation measures to minimise impact from significant storm events. Current flooding experienced downstream</p> <p>Impact on threatened species, populations and endangered ecological communities - Cumberland Plain Woodland, River Flat Eucalypt Forest, East-coast Freetail bat, Eastern Bentwing bat and Largefooted Myotis, possibly Cumberland Plain Land Snail and <i>Pimelea spicata</i></p> |
| 30 | John Jose (Glossodia) | <p>Objections / Concerns include:</p> <p>Increased river crossings over the Hawkesbury required before any further development</p> <p>The replacement of Windsor bridge will not improve traffic flow</p> <p>North Richmond and Windsor bridges are at capacity. Extra 1000 cars increase traffic congestion</p> <p>Developer contribution and contribution to third traffic lane will not ease traffic congestion as two lanes at Bridge Street</p> <p>Windsor Bypass is only option to ease traffic congestion</p> <p>Requests name change for the development suggested from Jacaranda which is likely to be on the weed list in the future</p> |
| 31 | Skye McDonagh (Glossodia) | <p>Objections / Concerns include:</p> <p>Significant upgrade of Windsor and North Richmond Bridge should precede any development</p> <p>VPA shouldn't be used to pay for road repairs that should be part of bridge upgrade</p> <p>VPA funds should be used for emergency services (RFS and SES)</p> <p>VPA funds should be used for the "40 acres" and should include bike and walking tracks, picnic areas, rehabilitation of bush and grassland</p> <p>VPA funds should be used to kerb and gutter Glossodia township not completed</p> |

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| | | <p>VPA funds should be used to link paths in "40 acres" with shops and schools, new park and community facilities</p> <p>VPA funds should be used for footpath along Golden Valley Drive</p> <p>VPA funds should be used to subsidise rent for shopkeepers until final lot sold</p> <p>VPA funds should be used to upgrade primary school</p> <p>Available \$5 million from Windsor Bridge could be used to pay for works at and around Glossodia instead of VPA</p> <p>\$5 million to be spent on other Glossodia roads works - intersection Freemans Reach Road and Wilberforce Road Intersection</p> <p>\$5 million to be spent on other Glossodia works including intersection Bells Line of Road/Grose Vale Road/Terrace Road</p> <p>\$5 million to be spent on regional road safety upgrades and improvements</p> <p>\$5 million to be spent on roadworks on Kurmond Road Wire Lane to Terrace Road</p> <p>\$5 million to be spent on roadworks at Gorriks Lane and Freemans Reach Road from Kurmond Road to Wilberforce Road</p> <p>Fair distribution of VPA funds to Glossodia residents</p> |
| 32 | Trevor Devine (Windsor) on behalf of Mr and Mrs Jeffrey (Glossodia) | <p>Objections / Concerns include:</p> <p>Concern that second part of the planning proposal will not be met which is "Ensure that future development on the site creates a natural expansion of the town of Glossodia for a seamless southward extension"</p> <p>There cannot be a southward extension because of acreages between two residential subdivisions</p> <p>Private property trapped between two separate residential subdivisions and will be used as a thoroughfare.</p> <p>Concerned about potential for trespass and vandalism.</p> <p>Future rural use of the land is restricted or stopped by residential development</p> <p>Access to the proposed development is via 3 Derby Place. Derby Place is currently a quiet street and will be impacted by increased traffic volumes</p> <p>Rural land between Spinks Road and proposed development is R2 Low Density Residential and should be developed before further rezoning creating connectivity between Spinks Road and existing Glossodia residential area</p> |
| 33 | P Strachan (Glossodia) | <p>Objections / Concerns include:</p> <p>Work on the roads and bridges at Windsor and North Richmond Bridge should precede any development</p> |

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| | | <p>Written guarantee should be provided that there will be no further reduction in block sizes in the future as the large blocks are highly valued</p> <p>Increased traffic on Spinks Road will result in increased noise and safety issues</p> <p>Increased noise created by trucks needing to slow down to use the roundabout at Spinks Road</p> <p>Objections / Concerns include:</p> <p>Traffic generated from the development should be considered inconjunction with the traffic generated from Redbank development. Redbank study did not take into account proposed Jacaranda development either</p> <p>No plans to upgrade North Richmond bridge or state roads by RMS. New Yarramundi bridge may not be approved. Additional traffic congestion from proposed developments with no increased road and bridge capacity from North Richmond is bad planning.</p> <p>Peak flow across Windsor Bridge from Glossodia development 283 veh/hr south bound in morning and north bound in afternoon peak</p> <p>Windsor Bridge upgrade is for two lane bridge deck with capacity for a third lane for south bound travel only</p> <p>Reviewed Hawkesbury River bridge peak hour travel demand</p> <p>Capacity of travel lanes on Windsor and Richmond bridges as 1400 veh/hr per lane. 2021 levels base flow 1520 veh/hr per lane. Adding flow with proposed development it would be 1803 veh/hr. Even with Windsor Bridge upgrade not enough bridge capacity for new development.</p> <p>\$5 million developer contribution to Windsor bridge upgrade won't help because bridge upgrade won't increase capacity and state government will fund the bridge</p> <p>Assess the Redbank and Jacaranda Ponds development together to determine collectively the road and bridge requirements. If road network cannot be provided development should not proceed</p> <p>Assess proposed replacement of Windsor Bridge including Rickabys Line two lanes over the River</p> <p>Supporting comments include:</p> <p>Recognition that Glossodia needs development to grow as there are vacant shops, reduction in numbers at schools and sporting clubs</p> <p>Recognition that Sydney Water does have adequate capacity to support the development</p> <p>Block sizes are adequate. Proposed housing isn't too dense</p> <p>Services from the proposed development would be available to Glossodia residents</p> <p>Development would require provision of new facilities including medical centre, ATM, recreational, NBN</p> |
| 34 | Chris Hallam (Kurrajong) | |
| 35 | Glossodia Community Information and Neighbourhood Centre (Glossodia) | |

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|--|---------------------------------------|---|
| Ref. No. | Name | Summary of Individual Submission |
| | | <p>Existing facilities require upgrading - expansion of community centre, childcare, OOHS, Rural Fire Brigade stations at Glossodia and Freemans Reach, emergency services</p> <p>Review bus timetables, provide additional services both bus and taxi</p> <p>Upgrade Spinks and Kumond and other roads on shoulders including kerb and guttering. Review speed restrictions in residential areas. Create high visibility at entry and exit points</p> <p>Extension to public school and childcare facilities with 153 extra preschoolers and 174 primary schoolers</p> <p>Additional allocated funds and staff for the Hawkesbury Hospital and Hawkesbury Community Health Centre</p> <p>As a result of additional homes at Glossodia and Redbank Council should support additional bypass at Windsor, upgrade of Bells Line of Road and North Richmond Bypass</p> <p>Council should work for the community not developers</p> <p>Objections / Concerns include:</p> <p>Loss of rural spacious lifestyle from proposed large density development</p> <p>\$19 239,000 in VPA for 'works in kind' for roads. The timing, staging and repairs on roads will need to be monitored. The final condition of the roads after the construction phase</p> <p>Existing condition of the roads, potholes and infrequent repairs and impact of rain</p> <p>Proposed works may include entrance road upgrades but Freemans Reach Road, Gorricks Lane and Creek Ridge Road also require upgrading. The additional cars will lead to further deterioration</p> <p>Requirement for a ongoing road maintenance after the development</p> <p>Upgrade of Windsor and Richmond Bridges should precede any development. Upgrade should include additional bridge capacity</p> <p>Traffic congestion and timing at Windsor Road, Pitt Town Road and Windsor Road, Macquarie Street. Drivers using the back streets of Court, Arndell and George to get right of way onto Windsor Bridge causing congestion.</p> <p>The creation of a gated estate around the new development</p> <p>Remove the name Jacaranda Ponds to better blend development into Glossodia</p> <p>Draft VPA should better specify what will be included in parks and picnic area. Need for linking footpaths between exiting community and new development. Recreational opportunities for children and teenagers.</p> <p>Adequacy of schools to accommodate 1160 new children. Department of Education has said they won't update schools until after development</p> <p>Adequacy of childcare centres to cope with additional children</p> |
| 36 | Residents Wattle Crescent (Glossodia) | |

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|--|-----------------------------|---|
| Ref. No. | Name | Summary of Individual Submission |
| | | <p>Improvements to existing shops and community centre are needed.</p> <p>Project justification which identifies supporting and growing local businesses is flawed as it cannot be predicted where people will shop or how they show support</p> <p>The proposed development will create a requirement for new jobs not the new jobs. The construction phase will bring workers into the area and is not expected to use local workers.</p> <p>Additional residents will only marginally increase retail business employment</p> <p>Proposal does not address how new jobs will be created in the area</p> <p>Glossodia will no longer have its village atmosphere</p> <p>There needs to be upgrade of facilities or funding for RFS</p> <p>A type of wildlife corridor currently exists at Currency Creek. Replacing this with 580 homes will not have a positive impact on the environment</p> <p>City commute is inadequate with trains only every 30 minutes</p> <p>Currently infrequent train service which will be at capacity with development. Trains at capacity until Schofields from City</p> <p>If development to proceed Windsor and Richmond bridges upgrades should be complete and provide better traffic movement</p> <p>If the development is to proceed local roads need to be upgraded and maintained. Widen road shoulders of roads leading to Glossodia</p> <p>If development is to proceed new development should be blended with the existing town by providing kerb and footpaths, improve fields, public land behind shops</p> <p>If development is to proceed RFS should be upgraded</p> <p>Project justification - why was Glossodia selected as a site to upgrade when it doesn't seem cost effective?</p> |
| 37 | Cheryl Hastings (Glossodia) | <p>Objections / Concerns include:</p> <p>Opposes development on the western side of the River</p> <p>Attracted to the area's rural lifestyle and small community</p> <p>Inadequacy of the town water and reticulated sewerage system to support the development</p> <p>Traffic congestion, particularly at North Richmond.</p> <p>Traffic congestion from single bridge crossing at North Richmond</p> <p>Lack of support for progress and development of the area</p> |
| 38 | Peter Bartetzko (Glossodia) | <p>Objections / Concerns include:</p> <p>Significant upgrade of Windsor and North Richmond Bridge should precede any development</p> |

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|--|--------------------------------------|--|---------------|
| Ref. No. | Name | Summary of Individual Submission | |
| | | <p>VPA funds should be used on projects which will benefit the Glossodia Community and not pay for roads that should be upgraded as part of bridge upgrade projects</p> <p>VPA funds should be used for emergency services (RFS and SES)</p> <p>VPA funds should be used for the "40 acres" and should include bike and walking tracks, picnic areas, rehabilitation of bush and grassland</p> <p>VPA funds should be used to kerb and gutter Glossodia township not completed</p> <p>VPA funds should be used to link paths in "40 acres" with shops and schools, new park and community facilities</p> <p>VPA funds should be used for footpath along Golden Valley Drive</p> <p>VPA funds should be used to subsidise rent for shopkeepers until development complete and occupied</p> <p>Available \$5 million from Windsor Bridge could be reallocated to pay for emergency services, community facilities, paths, recreational areas, road upgrades and subsidising shops</p> <p>Fair distribution of VPA funds to Glossodia residents</p> <p>Further community consultation is required before development progresses further</p> | |
| 39 | Peter Gooley (Freemans Reach) | <p>Supporting comments include:</p> <p>Author provided signed support from local shop owners expressing their support for the proposal (6 signatures)</p> <p>Proposal will create additional economic activity, increased customers and activity in Glossodia which will support local shops</p> | |
| 40 | Renae Mcdonagh (no address provided) | <p>Objections / Concerns include:</p> <p>Significant upgrade of Windsor and North Richmond Bridge should precede any development</p> <p>VPA funds should be used for emergency services (RFS and SES)</p> <p>VPA funds should be used for the "40 acres" and should include bike and walking tracks, picnic areas, rehabilitation of bush and grassland</p> <p>VPA funds should be used to kerb and gutter Glossodia township not completed</p> <p>VPA funds should be used to link paths in "40 acres" with shops and schools, new park and community facilities</p> <p>VPA funds should be used for footpath along Golden Valley Drive</p> <p>VPA funds should be used to subsidise rent for shopkeepers until development complete and occupied</p> <p>Available \$5 million from Windsor Bridge could be used to pay for works at and around Glossodia instead of VPA</p> | |

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| Ref. No. | Name | Summary of Individual Submission |
| 41 | Michael McDonagh (no address provided) | \$5 million to be spent on other Glossodia roads works - intersection Freemans Reach Road and Wilberforce Road Intersection |
| | | \$5 million to be spent on other Glossodia works including intersection Bells Line of Road/Grose Vale Road/Terrace Road |
| | | \$5 million to be spent on other works required include regional road safety upgrade and improvements |
| | | \$5 million to be spent on roadworks at Gorricks Lane and Freemans Reach Road from Kurmond Road to Wilberforce Road |
| | | \$5 million to be spent on roadworks from Wire Lane from Kumond Road to Terrace Road including widening carriageway and seal road shoulders |
| | | \$5 million to be spent on roadworks from Kurmond Road (Wire Lane to Terrace Road) |
| | | Fair distribution of VPA funds to Glossodia residents |
| | | Objections / Concerns include: |
| | | Significant upgrade of Windsor and North Richmond Bridge should precede any development |
| | | VPA funds should be used for emergency services (RFS and SES) |
| | | VPA funds should be used for the "40 acres" and should include bike and walking tracks, picnic areas, rehabilitation of bush and grassland |
| | | VPA funds should be used to kerb and gutter Glossodia township not completed |
| | | VPA funds should be used to link paths in "40 acres" with shops and schools, new park and community facilities |
| | | VPA funds should be used for footpath along Golden Valley Drive |
| | | VPA funds should be used to subsidise rent for shopkeepers until development complete and occupied |
| | | Available \$5 million from Windsor Bridge could be used to pay for works at and around Glossodia instead of VPA |
| | | \$5 million to be spent on other Glossodia roads works - intersection Freemans Reach Road and Wilberforce Road Intersection |
| | | \$5 million to be spent on other Glossodia works including intersection Bells Line of Road/Grose Vale Road/Terrace Road |
| | | \$5 million to be spent on other works required include regional road safety upgrade and improvements |
| | | \$5 million to be spent on roadworks at Gorricks Lane and Freemans Reach Road from Kurmond Road to Wilberforce Road |

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|--|---|---|
| Ref. No. | Name | Summary of Individual Submission |
| | | \$5 million to be spent on roadworks from Wire Lane from Kumond Road to Terrace Road including widening carriageway and seal road shoulders |
| | | \$5 million to be spent on roadworks from Kurmond Road (Wire Lane to Terrace Road) |
| | | Fair distribution of VPA funds to Glossodia residents |
| 42 | Aaron Dailey and Jessica Pronk (no address provided) | <p>Objections / Concerns include:</p> <p>The use of prime agricultural land for housing. A new farm was recently established in close proximity to the development site</p> <p>Loss of prime agricultural land in the Sydney basis</p> <p>The alternative use of less viable farming land for development like east of the Putty Road or north of East Kurrajong Road</p> |

oooO END OF REPORT Oooo

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Item: 242 **CP - Planning Proposal to Rezone Lot 201 DP 801533, 36 Argyle Street, South Windsor - (95498)**

REPORT:

Executive Summary

The purpose of this report is to advise Council of submissions received due to the public exhibition and public authority consultation relating to a planning proposal affecting Lot 201 DP 801533, 36 Argyle Street, South Windsor.

It is recommended that Council proceed with the planning proposal to amend Hawkesbury Local Environmental Plan 2012 (HLEP 2012) to rezone the land to allow future development of part of the land, which is surplus to the needs of the Windsor RSL Club, for light industrial purposes.

Background

On 11 December 2012 Council considered a report to rezone Lot 201 DP 801533, 36 Argyle Street, South Windsor from RE2 Private Recreation to IN2 Light Industrial under HLEP 2012 to allow future development of part of the land surplus to the needs of South Windsor RSL Club (the Club) needs for light industry uses and resolved as follows:

"That:

- 1. A Planning Proposal to rezone Lot 201 DP 801553, 36 Argyle Street, South Windsor from RE2 Private Recreation to IN2 Light Industrial under Hawkesbury Local Environmental Plan 2012 be prepared and forwarded to the Minister for Planning and Infrastructure for a Gateway Determination.*
- 2. Upon receipt of notification of the Gateway Determination to proceed, Council consult the public authorities and the public on the Planning Proposal in accordance with the requirements of the Gateway Determination and the Environmental Planning and Assessment Act, 1979."*

In accordance with the Council's resolution the planning proposal was forwarded to the Department of Planning and Infrastructure (DP & I) on 31 January 2013.

On 8 March 2013 a "gateway determination" advising Council to proceed with the planning proposal subject to a number of conditions was received. In condition 1 of the gateway determination was a suggestion to include part of Mileham Street in the planning proposal as follows:

- "1. Council may add part of Mileham Street adjoining the subject land to the planning proposal, if agreed."*

The DP&I encouraged Council to rezone part of Mileham Street (road reserve) abutting the subject site from R3 Medium Density Residential to IN2 Light Industrial to ensure consistency with IN2 Light Industrial zoning of the street to the north east of the site.

The amended planning proposal extending the proposed rezoning into part of Mileham Street adjoining the subject land in line with the gateway determination was forwarded to the DP& I on 4 July 2013.

Delegation to Make the Plan

The Minister for Planning and Infrastructure delegated his plan making powers to Council in October 2012. In response, Council on 11 December 2012 resolved as follows:

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"That:

1. *Council accept the plan-making delegations as described in Circular PS 12-006, dated 29 October 2012, and the Director-General be advised of this acceptance.*
2. *These delegations be delegated to the General Manager subject to the following conditions:*
 - (a) *Exercise of the delegations can be used without the need for a subsequent report to Council following public exhibition of a planning proposal only if no submissions are received, or,*
 - (b) *Where public submissions are received following public exhibition of the planning proposal, a report addressing the submissions is to be brought to council for determination prior to the use of the delegations."*

The gateway determination has provided an authorisation for Council to exercise delegation to make this plan under Part 3 of the *Environmental Planning and Assessment Act, 1979* (the Act).

The next step in the plan making process is to request the Parliamentary Counsel's Office (PCO) to prepare a draft local environmental plan to give effect to the planning proposal. Following receipt of the advice from the PCO that the plan can be made, Council's delegate will request the Minister for Planning and Infrastructure to make the plan.

Objectives or Intended Outcomes of the Planning Proposal

The primary objective of the planning proposal is to rezone the subject land from RE2 Private Recreation to IN2 Light industrial under LEP 2012.

The intended outcomes of the planning proposal are:

- To allow future development of part of the land which is surplus to the needs of the Club.
- To enable the Club to sell the surplus land with future development potential for industrial purposes.
- To finance planned alterations and additions to the existing Club premises in order to provide an improved facility for its members.
- To ensure the zoning of part of Mileham Street, which abuts the site, is consistent with the current IN2 Light Industrial zoning of the road to the north east of the land.

Explanation of Proposed LEP Amendments

The planning proposal as exhibited proposed to:

- a) Amend the Land Zoning Map of HLEP 2012 to change the current RE2 Private Recreation and R3 Medium Density Residential zonings of the land and part of Mileham Street to IN2 Light Industrial as shown in Images 1 and 2:

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Image 1: Extract from the Current Land Zoning Map

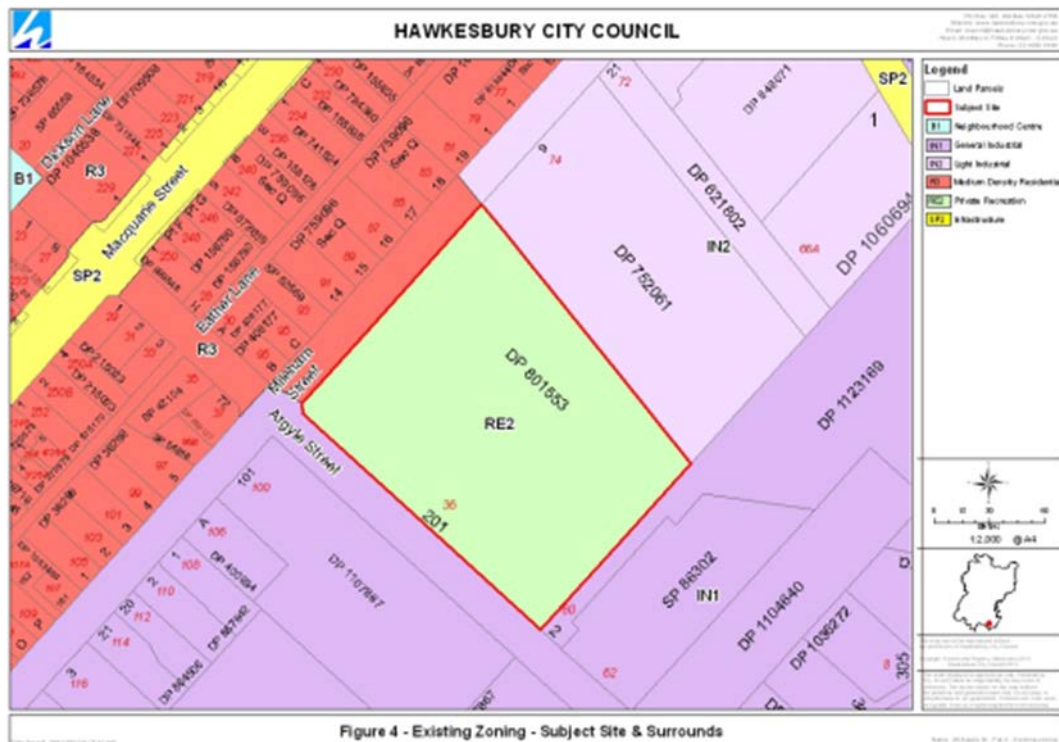
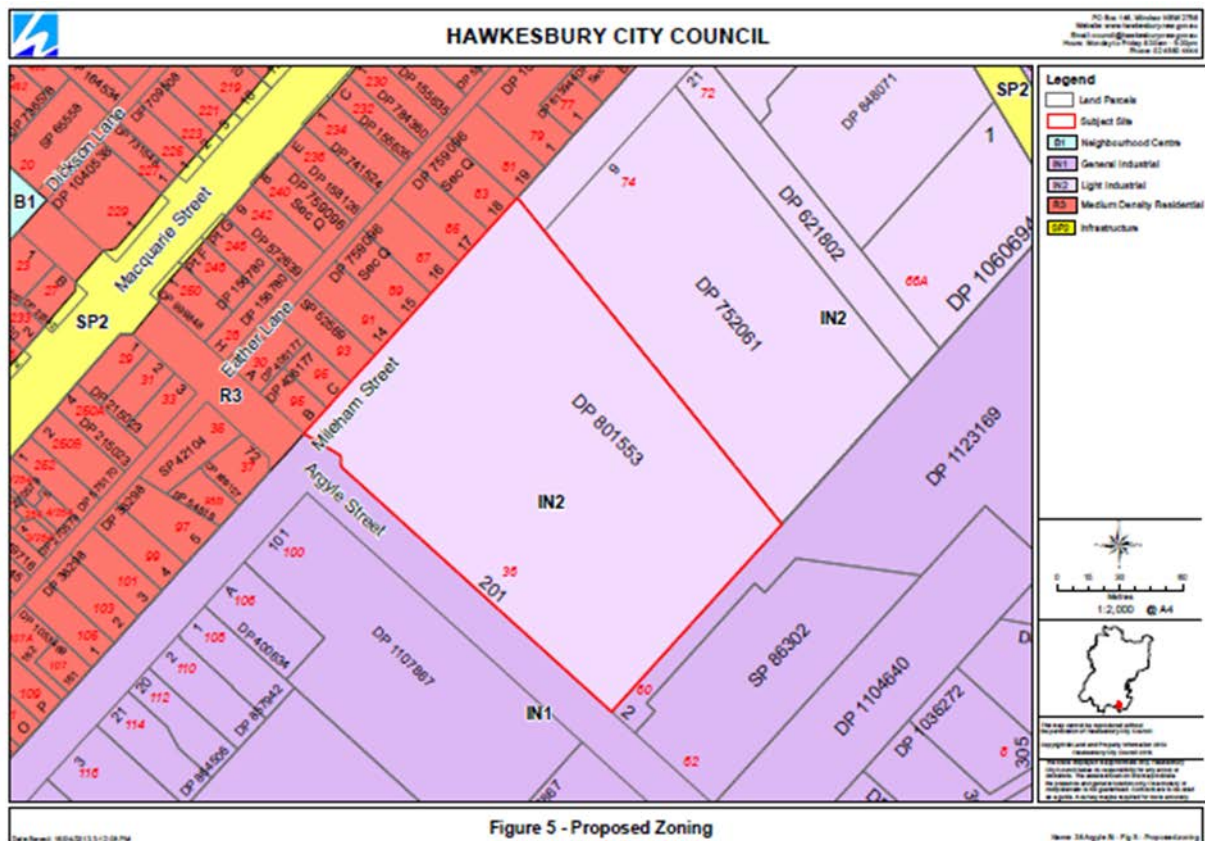


Image 2: Extract from the Proposed Land Zoning Map HLEP 2012 Zone Map



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- b) Amend the Height of Buildings Map of HLEP 2012 to remove the current 10m maximum permissible height provision applying to part of Mileham Street to which the planning proposal applies to ensure consistency with IN2 zoned street section to the north- east of the site as shown in Images 3 and 4 below:

Image 3: Extract from the Current Height of Buildings Map

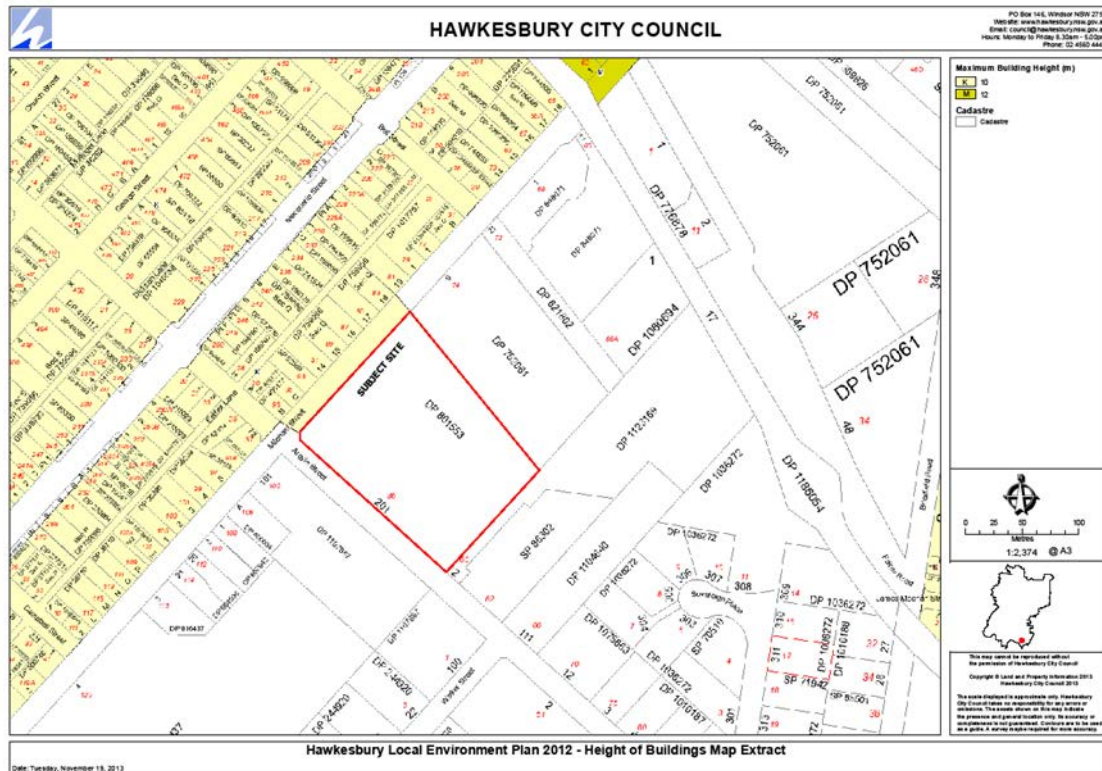


Image 4: Extract of the draft Height of Buildings Map



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- c) Amend the Lot Size Map of HLEP 2012 to remove the current 450m² minimum lot size provision applying to part of Mileham Street to which the planning proposal applies to ensure consistency with IN2 zoned street section to the north- east of the site as shown in Images 5 and 6 below:

Image 5: Extract from the Current Lot Size Map

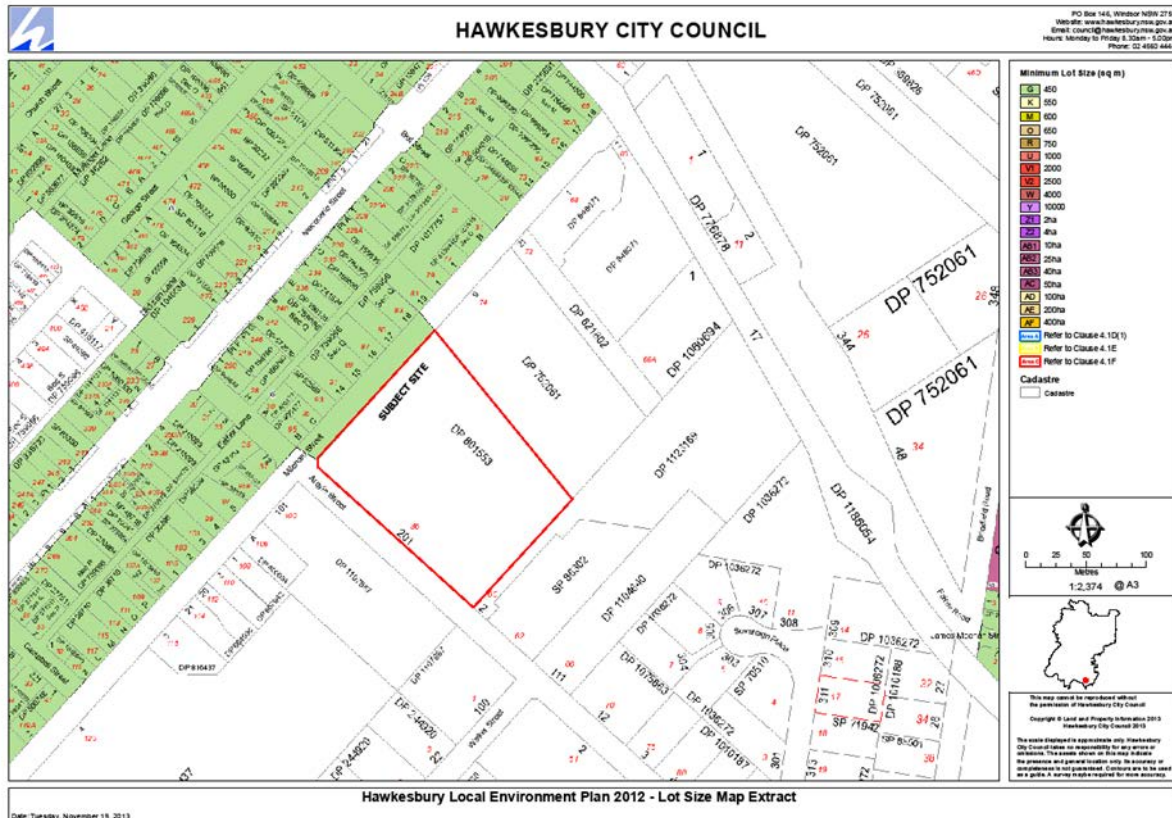


Image 6: Extract from the draft Lot Size Map



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Consultation

In accordance with the relevant statutory and the “gateway determination” requirements relevant public authorities and the community were consulted on the planning proposal and the outcome of the consultation is discussed in this report.

Consultation with Public Authorities

The planning proposal was referred to the following public authorities:

- Hawkesbury - Nepean Catchment Management Authority
- Office of Environment and Heritage (OEH)
- State Emergency Service

Given a small part of land is affected by the Richmond RAAF Australian Noise Exposure Forecast (ANEF) 2014 Map the planning proposal was also referred to the Department of Defence for comment.

Responses were received from OEH and Department of Defence. These are discussed below:

OEH

Comment:

Hawkesbury Council has recently adopted its Flood Risk Management Study and Plan for the Hawkesbury River. Proposed planning controls in the plan were not adopted and are subject to further community consultation and outcomes from the Government's White Paper. Nevertheless Council is encouraged to consider the proposed DCP flood risks provisions, where possible, with respect to this planning proposal.

The large portion of the land lies within the 1 in 50 year ARI flood extent and is also subject to extensive rear flooding. As a result flood conditions are highly hazardous and Council should ensure any future development is suitable in those conditions. Council should also ensure that this location does not act as a floodway under any flooding condition; otherwise the development is not permitted under the Ministerial Direction S117 – 4.3 Flood Prone Land. The proposal acknowledges that SES will be consulted and this is supported by OEH.

In summary, Hawkesbury Council is advised to:

- *Consider the flood risk for the full range of floods up to PMF for existing and post development conditions.*
- *Council should ensure that the rezoning of recreation land (private or public) is permitted under Ministerial Direction S 117 direction, clause 4.3, Flood Prone land.*
- *Ensure the proposal complies with Council's LEP 2012, Clause 6.3 (Flood Planning) and their “Development of Flood Liable Land Policy” of 31 July 2012.*
- *Consider in consultation with the SES a flood emergency response plan to ensure safe refuge or evacuation of occupiers in times of flood is possible.*
- *Consider the cumulative impacts from potential full development condition.*
- *Consider the impact of any potential cut/fill operations on the site.’*

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Staff Response

The Hawkesbury Floodplain Risk Management Study and Plan divided flood prone land into five flood risk categories i.e., Extreme, High, Medium, Low and Very Low and suggest that industrial development is suitable in all but the Extreme Flood Risk area. The Extreme Flood Risk area is defined as all land below the 1 in 20 year flood event level.

The planning proposal is not consistent with Direction 4.3 Flood Prone Land and the planning proposal forwarded to DP&I for a “gateway determination” stated that:

The proposed rezoning from RE2 Private Recreation to IN2 Light Industrial is not consistent with this direction. It is considered this inconsistency is of minor significance because:

- *The land is not public recreation zoned land.*
- *The land is surplus to the club's requirements and will be underutilised and undeveloped if the land is not rezoned.*
- *The land provides opportunity to provide additional industrial employment land adjacent to the established South Windsor industrial area to strengthen the role of the industrial area in the LGA and provide increased job opportunities within a walking distance to the surrounding residential population consistent with both State and Local Government strategic frameworks.*
- *The land, with or without the rezoning, can be developed in accordance with the provisions of Clause 6.3 of HLEP 2012 and Council's "Development of Flood Liable Land Policy", 13 July 2012.'*

The “gateway determination” dated 13 March 2013 received from DP&I stated that:

The planning proposal's inconsistencies with S117 Directions 4.1 Acid Sulfate Soils and 4.3 Flood Prone Land are of minor significance. No further approval is required in relation to these Directions.'

Given the abovementioned comment in the “gateway determination” the proposed rezoning is permitted under Direction 4.3, Flood Prone land and no further approval is required in relation to this matter.

Any future development applications for the land will need to comply with Clause 6.3 of HLEP 2012 and Council's “Development of Flood Liable Land Policy”, 13 July 2012. This will ensure the flood risk to life for the subject property and surrounding development will be minimal.

Department of Defence

The submission received from the Department of Defence raised no objection to the making of the plan. The submission suggests that any future light industrial developments are to be comprised of non-reflective building materials. It also suggests that the amount of upward light emitted in specific areas near airfields must be controlled and all outdoor lighting design associated with any future light industrial development on the land is to comply with the requirements of the Civil Aviation Safety Authority Manual of Standards Part 139 Aerodromes.

Given these circumstances any future light industrial development for the land will be referred to the Department of Defence for comment.

Community Consultation

The planning proposal and supporting documentation was publically exhibited for the period 9 August 2013 to 9 September 2013. Exhibition notices were placed in the Hawkesbury Courier on 8 and 22 August 2013 and letters were sent to adjoining and nearby landowners and occupiers advising of the proposal and the exhibition period. The planning proposal was available on Council's website and at Council's Main Administration Building throughout the exhibition period.

Council received three submissions. Two of these submissions, opposing the planning proposal, were received from adjoining property owners and one submission was received from Roads and Maritime Services (RMS). The RMS raised no objection to the making of the plan. Copies of submissions were forwarded to the applicant, Urban City Consulting (UCC) for comment.

The issues raised in the submissions and a subsequent comment from UCC and Council staff are outlined below:

Traffic Impact

Respondent 1 stated that any light Industry development on the land would increase traffic in Mileham Street. The respondent advised that in the afternoons patrons of the Windsor RSL Club park their vehicles on this street section and was concerned how the future increase in traffic will be effectively managed to ensure the amenity of the locality, safety of the local residents, adequate onsite parking and safe vehicular movements within such a small lot. Concern was raised regarding the potential heavy vehicle use of the site for delivery and collection of goods, the impact of early morning deliveries, and families with young children in the street will be in danger due to large vehicles entering and exiting the site.

The respondent 1 requested a traffic impact assessment be undertaken to assess the likely impact on the residents and Mileham Street.

UCC Response

Mileham Street is a local street that services the current industrial zoned land and is also used as an alternative or short cut route to avoid Macquarie Street traffic.

The current zoning of the property RE2 allows a number of uses that also have the potential to generate traffic along Mileham Street. Some of the current permitted uses in the RE2 zone (Private Recreation) are childcare centres, food and drink premises (restaurants/café or take away food), educational facilities (schools), markets, various recreational facilities and clubs and these uses have the potential to generate significant traffic movements and volumes and in some cases it could be said more traffic volumes than a light industrial development.

The additional likely traffic volumes if the land was rezoned IN2 is considered to be small when it is compared to the current traffic volumes along this section of Mileham Street.

The provision of parking and turning would be considered with any further development application for the site and would need to meet the Council controls that are applicable at the time of the lodgement of any application for development of the site. The subject site is not considered to be small and has adequate opportunity to provide for any required parking and turning areas needed for any future development on the site and not rely on Mileham Street.

Given the potential minor increase in traffic volumes when compared to the current traffic volumes in this section of Mileham Street a Traffic Impact Statement is not considered necessary'.

Staff Response

There may be some impacts from the future development of the site on the local and regional road network and the amenity of the area. These impacts can be assessed when Council receives future development applications and where required appropriate conditions can be imposed to ensure the impacts are minimised and acceptable.

The Hawkesbury Development Control Plan 2002 (the DCP) makes provision to ensure that adequate space is provided to accommodate easy and convenient off street parking facilities for all vehicles generated by future industrial development on the land and enable safe traffic and pedestrian movements and manoeuvring of vehicles with no adverse impacts on the amenity of the immediate vicinity. Where Council is of the opinion that likely increase of traffic and any heavy vehicle use of the site for delivery and collection of goods is likely to impact on the residential amenity of the area appropriate restricted operating hours can be imposed to ensure that development operates in a manner compatible with adjoining land uses.

Acoustic and Visual Amenity

Respondent 1 stated that 77 Mileham Street was bought recently and one of the attractive features of this property is that it is located adjacent to the subject site zoned for recreational purposes. The respondent is of the opinion that development of the site for much needed recreational facilities like tennis courts would add value to the community. Rezoning of the land to IN2 Light Industrial will facilitate industrial development which will not be compatible with the residential streetscape and adversely affect the acoustic and visual amenity of the adjoining residents. The respondent stated that there will be significant noise and disturbance from the use of industrial tools and equipment.

Respondent 2 objected to the planning proposal and stated that the proposal contained very limited information on the likely impact of the proposal on neighbouring residential properties.

UCC Response

The current zone of the site would allow a number of uses that have the potential to impact on the current acoustic environment of the locality. Some of the proposed uses may have the potential to generate a greater impact in terms of noise when compared to a light industrial development or use. The nature of the IN2 zone is to prevent significant noise generating industrial developments from establishing opposite residential areas.

Given the location of the existing industrial area that adjoins and is adjacent to the residential properties it is likely that the area currently experiences a different acoustic environment compared to a residential area surrounded only by residential development and the potential increase to the current acoustic environment caused by noise generated by a future industrial use is considered to be minimal. The nature of the IN2 zone is to prohibit uses that have the potential to generate significant noise and impact on the surrounding area.

Any future application for the use of the property lodged with Council will be assessed and the potential noise impact will be considered as part of the assessment process.

Any future development of the site will require compliance with the Council controls in terms of landscape front setbacks and architectural design. The objectives of the controls are to reduce the potential impact including the visual impact on the streetscape and adjoining properties. Any development of the site will be subject to these controls and guidelines.'

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Staff Response

The IN2 Light Industry permits a number of land uses such as light industry and warehouse and distribution centres. However, it does not permit land uses such as general industries, hazardous storage establishments, heavy industries, offensive storage establishments, sawmill or log processing works or vehicle body repair workshops. In general terms it is considered that future development of the land for permitted uses within the IN2 zone can be developed accommodated on the site without significant adverse impacts on the amenity of residential development to the north and north-west of the site.

A detailed assessment of potential acoustic and visual amenity impacts will be made upon receipt of future development applications for the land.

Overshadowing

Respondent 1 noted that the planning proposal seeks to remove the maximum building height and minimum lot size provisions applying to that part of Mileham Street abutting the site and was concerned that the removal of these restrictive provisions will facilitate development that will cause overshadowing of residential properties, thus adversely affecting amenity of the land and raising health concerns.

UCC Response

The location of the residential area opposite the site and the likely setbacks that will be required will ensure that there will be no overshadowing of the adjoining residential properties caused by any future development.

Staff Response

The current Height of Buildings Map of HLEP 2012 applies to part of Mileham Street abutting the site but it does not apply to the subject land and the current IN2 zoned Mileham Street section to the north-east of the site (see Image 3). Therefore the planning proposal seeks to amend this Map to ensure consistency with IN2 zoned street section to the north-east of the site as shown in Image 4. Note the maximum permissible height provisions do not currently apply to the subject land and the planning proposal does not seek to change this provision. The likely overshadowing impact of any future development can be assessed when determining development applications for the land.

Financial Matters

Respondent 1 stated that the rezoning of the land to enable the planned alterations and additions to the South Windsor RSL Club should not be done at a cost to the adjoining owners and the proposed IN2 zoning of the land will adversely affect residential property values in the area as no-one wants to live or buy land directly opposite an industrial area.

Respondent 2 stated that prior to purchasing 87 Mileham Street investigations/research were undertaken on the property and the surrounding area and Council was contacted to find out the zoning of the vacant land adjacent the property. The property was purchased after knowing the permissible land uses including uses of community interest in the adjacent RE2 Private Recreation zoned land. The proposed IN2 zoning for the land will cause negative impacts such as increased traffic, noise and pollution on neighbouring properties and thus result in lower property values.

UCC Response

The submission has provided no evidence to support this claim.

Staff Response

The value of any property is governed by a range of factors such as demographics, prevailing local, national and international economic environments, money supply, interest rates, peoples' borrowing capacities, investors and speculators, demand and supply situation, location, accessibility, facilities and amenities, quality of environment and neighbourhood, cost and quality of construction, legislative/planning controls, competition for living and business spaces and emerging trends. The respondent claimed that rezoning of the land to IN2 Light Industrial will affect or lower property values is a general statement with no specific supporting evidence.

Strategic Planning Framework*Metropolitan Plan for Sydney 2036 and Draft North West Subregional Strategy*

Respondent 1 stated that the planning proposal provides a significant weight to justify the rezoning of the land citing that the proposal will enable economic activity, investment and employment consistent with the Metropolitan Plan for Sydney 2036 (the Metro Plan) and the draft North West Subregional Strategy (dNWSS). Respondent stated that it fails to adequately balance this with what are equally important considerations for encouraging affordable, diverse and quality housing solutions in serviced areas which are also included in these plans/strategies, in particular Strategic Direction D Housing Sydney's Population of the Metro Plan which states that local planning controls need to ensure more low rise medium density housing in and around smaller local centres. Respondent also stated that the planning proposal relies heavily on the dNWSS to support the rezoning which is a draft.

Staff Response

Given the site is located within the established South Windsor Industrial Area with good access to services and Windsor Road which in turn provides access to regional transport network via the M7 and M2 Motorways, predominant IN1 General Industrial and IN2 Light Industrial land uses in the immediate vicinity and compatibility of the proposed IN2 zoning with the adjoining industrial uses, the proposal has site specific merit. Therefore, it is considered that IN2 is the most appropriate alternative zoning for the land that will ensure local economic activity, investment and jobs in the right location.

The dNWSS is the NSW Government's long term land use plan for the North West Subregion, which contains policies and actions designated to cater for the region's projected housing and employment growth over the period to 2031 and applies to five local government areas including Hawkesbury. When preparing a planning proposal the Department Guidelines requires Council to consider the relationship between the planning proposal and the applicable strategies including the exhibited draft strategies. As the dNWSS is an exhibited draft strategy the planning proposal must demonstrate the compliance of the proposal with the dNWSS and that it is consistent with the Department Guidelines.

Zone Objectives

Respondent 1 stated that the proposal fails to take into account the objectives of the current R2 and R3 zoning of the residential land adjacent to the subject site and the purpose of the rezoning of part of Mileham Street abutting the subject site from R3 Medium Density Residential to IN2 Light Industrial is to legitimise development of the land for light industrial purposes. The respondent claimed that the rezoning would not only adversely affect every land owner of this section of Mileham Street but also contravene the objectives of both R2 and R3 zones and therefore strongly objected to the proposal.

Respondent 1 stated that their property is zoned R2 Low Density Residential and the objectives of this zoning are to protect the character of traditional residential development and streetscapes, ensure that new development retains and enhances the character and enable development for purposes other than residential only if it is compatible with the character of the living area and has a domestic scale. Concern was raised how the IN2 zoning can satisfy these objectives and enable continued joy of their current R2 zoned property. The respondent also stated that IN2 zoning is also not consistent with the objectives of the R3 zoning.

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UCC Response

The submission indicates that the planning proposal is to rezone part of Mileham Street from R3 to IN2. The planning proposal as submitted on behalf of Windsor RSL is to rezone the RE2 land to IN2.

Staff Response

The main aim of the planning proposal is to rezone the land from RE2 Private Recreation to IN2 under HLEP 2012. As part of the planning proposal, part of Mileham Street abutting the site is also proposed to be rezoned from R3 Medium Density Residential to IN2 Light industrial. This is merely to ensure consistency with IN2 Light Industrial zoning of the street section to the north east of the site. In compliance with the requirements of the Act and the Department Guidelines an adequate level of information has been included and the required criteria and issues have been addressed in the exhibited planning proposal and there is no requirement to address zone objectives of adjacent land.

As previously mentioned part of Mileham Street zoned R3 Medium Density Residential is proposed to be rezoned to IN2 Light Industrial as recommended in the “gateway determination” to ensure consistency with IN2 Light Industrial zoning of the street section to the north east of the site. This does not mean that the road reserve will be developed as there is no intention to change the use of the road reserve to anything but for the use as a road.

Hawkesbury Employment Land Strategy

Respondent 1 stated that the Hawkesbury Employment Land Strategy (ELS) did not recommend this site for investigation as a potential site for additional industrial land supply to address future employment growth in South Windsor and this is possibly due to its close proximity to residential land and the need to balance the objectives of IN2 zoning with the objectives of residential zonings. The better way of generating funds to carry out the planned alterations and additions to the Club is to develop the land consistent with the current zoning for the benefit of the community.

Respondent 2 claimed that throughout Mulgrave and South Windsor there are a number of properties zoned IN1, IN2, B5 and B6 that are above 1 in 100 year flood level, away from residential properties and able to meet the objectives of the Metro Plan and develop at low cost. While these properties are more suited for development and remain vacant there is no requirement for an increase in the supply of industrial land.

Staff Response

The ELS acknowledges that in industrial areas vacant land is often unserviced, with threshold costs limiting development, or has poor access to key transport routes. The proposed rezoning represents a minor increase in the South Windsor Industrial Area and given the site’s good access to services and Windsor Road which in turn provides access to regional transport network via the M7 and M2 Motorways and its location within already established South Windsor Industrial Area the proposal to rezone that land to IN2 Light Industrial is considered suitable and justifiable.

Conclusion

The submissions received from the public and the relevant public authorities do not warrant any changes to the exhibited planning proposal or the abandonment of the proposal and therefore it is recommended that Council proceed with the planning proposal to amend HLEP 2012 to rezone the land to allow future development of part of the land which is surplus to the needs of the Windsor RSL Club for light industrial purposes.

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Conformance to Community Strategic Plan

The proposal is consistent with the Supporting business and local jobs Directions statement;

- Plan for a range of industries that build on the strengths of the Hawkesbury to stimulate investment and employment in the region.
- Offer an increased choice and number of local jobs and training opportunities to meet the needs of Hawkesbury residents and to reduce their travel times.

Financial Implications

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

Planning Decision

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

RECOMMENDATION:

That Council:

1. Proceed with the planning proposal for Lot 201, DP 801533, 36 Argyle Street, South Windsor and adjoining portion at Mileham Street to:
 - a) Amend the Land Zoning Map of Hawkesbury Local Environmental Plan 2012 to change the current RE2 Private Recreation and R3 Medium Density Residential zonings of the land and part of Mileham Street to IN2 Light Industrial.
 - b) Amend the Height of Buildings Map of Hawkesbury Local Environmental Plan 2012 to remove the current 10m maximum permissible height provision applying to part of Mileham Street to which the planning proposal applies to ensure consistency with IN2 zoned street section to the north- east of the site.
 - c) Amend the Lot Size Map of Hawkesbury Local Environmental Plan 2012 to remove the current 450m² minimum lot size provision applying to that part of Mileham Street to ensure consistency with IN2 zoned street section to the north- east of the site.
2. Request Parliamentary Counsel's Office to prepare a draft Local Environmental Plan to give effect to the planning proposal.
3. Upon receipt of advice from Parliamentary Counsel's Office that the plan can be made, request the Minister for Planning and Infrastructure that the plan be made.

ATTACHMENTS:

AT - 1 Gateway Determination

ORDINARY MEETING

Meeting Date: 10 December 2013

AT - 1 Gateway Determination



**Planning &
Infrastructure**

Office of the Director General

Mr Peter Jackson
General Manager
Hawkesbury City Council
PO Box 146
WINDSOR NSW 2756

Hawkesbury City
13 MAR 2013

Contact: Chris Browne
Phone: (02) 9860 1560
Email: Chris.Browne@planning.nsw.gov.au
Postal: GPO Box 39, Sydney NSW 2001

Our ref: PP_2013_HAWKE_001_00 (13/03054)
Your ref: LEP89001/12

Dear Mr Jackson,

Planning proposal to amend Hawkesbury Local Environmental Plan 2012

I am writing in response to Council's letter dated 31 January 2013 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to rezone land at 36 Argyle Street, South Windsor from RE2 Private Recreation to IN2 Light Industrial.

As delegate of the Minister for Planning and Infrastructure, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed the planning proposal's inconsistencies with S117 Direction 4.1 Acid Sulfate Soils and 4.3 Flood Prone Land are of minor significance. No further approval is required in relation to these Directions.

It is noted that part of Mileham Street, which adjoins the subject site, is not proposed to be rezoned to IN2 Light Industrial. Council is encouraged to consider extending the light industrial zoning to include this adjoining land, to be consistent with the industrial zoning of the road to the north east of the site. If agreed, the planning proposal can be amended to include the adjoining land.

Council is to ensure that land owners adjoining the subject site are consulted with directly, as part of the public exhibition of this planning proposal.

The Minister delegated his plan making powers to councils in October 2012. It is noted that Council has now accepted this delegation. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan. Council should contact the regional planning team of the department should it require assistance in relation to the exercise of its delegation, including assistance with access to GIS support.

The amending LEP is to be finalised within 12 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the department for administrative purposes.

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The NSW State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Chris Browne of the regional office of the department on 02 9860 1560.

Yours sincerely,


Richard Pearson
A/Director General

8/3/13



Planning & Infrastructure

Gateway Determination

Planning proposal (Department Ref: PP_2013_HAWKE_001_00): to rezone land at 36 Argyle Street, South Windsor for light industrial purposes.

I, the Acting Director General, Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Hawkesbury Local Environmental Plan (LEP) 2012 to rezone land at 36 Argyle Street, South Windsor from RE2 Private Recreation to IN2 Light Industrial should proceed subject to the following conditions:

1. Council may add part of Mileham Street adjoining the subject land to the planning proposal, if agreed.
2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for **28 days**; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A Guide to Preparing LEPs (Department of Planning & Infrastructure 2012)*.
3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Hawkesbury – Nepean Catchment Management Authority
 - Office of Environment and Heritage
 - State Emergency Service

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
5. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated

8

day of

March

2013.


 Richard Pearson
 A/Director General
 Delegate of the Minister for Planning and
 Infrastructure

HAWKESBURY PP_2013_HAWKE_001_00 (13/03054)

ORDINARY MEETING

Meeting Date: 10 December 2013



Planning & Infrastructure

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Hawkesbury City Council is authorised to exercise the functions of the Minister for Planning and Infrastructure under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

| Number | Name |
|----------------------|--|
| PP_2013_HAWKE_001_00 | Planning proposal to rezone land at 36 Argyle Street, South Windsor from RE2 Private Recreation to IN2 Light Industrial. |

In exercising the Minister's functions under section 59, the Council must comply with the Department's "A guideline for the preparation of local environmental plans" and "A guide to preparing planning proposals".

Dated 8 March 2013

A handwritten signature in black ink, appearing to be "R. Pearson", written over a large, stylized "Z" or "P" shape.

Richard Pearson
A/DIRECTOR GENERAL
Department of Planning and Infrastructure

ORDINARY MEETING

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Attachment 5 – Delegated plan making reporting template**Reporting template for delegated LEP amendments****Notes:**

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

Table 1 – To be completed by the department

| Stage | Date/Details |
|-------------------------------------|----------------------|
| Planning Proposal Number | PP_2013_HAWKE_001_00 |
| Date Sent to Department under s56 | 31/01/2013 |
| Date considered at LEP Review Panel | 28/02/2013 |
| Gateway determination date | 08/03/2013 |

Table 2 – To be completed by the RPA

| Stage | Date/Details | Notified Reg Off |
|---|--------------|------------------|
| Dates draft LEP exhibited | | |
| Date of public hearing (if held) | | |
| Date sent to PCO seeking Opinion | | |
| Date Opinion received | | |
| Date Council Resolved to Adopt LEP | | |
| Date LEP made by GM (or other) under delegation | | |
| Date sent to DP&I requesting notification | | |

Table 3 – To be completed by the department

| Stage | Date/Details |
|-------------------------------|--------------|
| Notification Date and details | |

Additional relevant information:

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 10 December 2013

CITY PLANNING

Item: 243

CP - Request to Vary Positive Covenant - Lot 271 DP1156792 Being 108 Grose Vale Road, North Richmond - (95498)

REPORT:

Executive Summary

A request has been received for the placement of Council's Seal on a document to permit the variation of a positive covenant in Council's favour. The covenant is over Lot 271 in DP1156792, and was imposed as part of the Rural Fire Service (RFS) requirements for development approval DA0852/08 granted for an aged care facility and independent living units at 108 Grose Vale Road, North Richmond.

The covenant request is related to a minor boundary adjustment that is permitted as exempt development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

It is recommended that Council support the release and recreation of the positive covenant.

Consultation

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

Background

The covenant was imposed to ensure that an asset protection zone (APZ) was created on the title of the land (now Lot 271) when the lots were created. The covenant exists to ensure the burdened lot maintains an area of land 100 metres wide as an APZ and fire trail for bushfire protection.

The covenant will be reinstated as part of a boundary adjustment.

The applicant is requesting release of the covenant to facilitate an application for a boundary adjustment to the lot boundaries on the site. The boundary adjustment is minor and merely fine tunes the lot layout to the completed construction on the site. It does not vary the current lot boundaries by more than about ten metres.

The boundary adjustment is exempt development under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, Subdivision 38 – Subdivision (SEPP). Under the provisions of the SEPP a development application to Council is not required. As part of the boundary adjustment, the covenant will be reinstated under the same terms to reflect the amended lot boundaries.

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.

Financial Implications

No financial implications applicable to this report.

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RECOMMENDATION:

That Council agree to the variation to the positive covenant and agree to the affixing of the Seal of Council to the variation.

ATTACHMENTS:

There are no supporting documents for this report.

AT - 1 Extracts from DP1156792 showing wording of positive covenant and location of APZ within Lot 271

ORDINARY MEETING

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AT - 1 Extracts from DP1156792 showing wording of positive covenant and location of APZ within Lot 271

Instrument setting out terms of Easements or Profits à Prendre intended to be created or released and of Restrictions on the Use of Land or Positive Covenants intended to be created pursuant to Section 88B Conveyancing Act 1919.

Plan: Plan of Subdivision of Lot 27 DP1042890 covered by Subdivision Certificate No. 12008

Full name and address of the owner of the land: BD NSW (MR) PROJECT 0007 Pty. Ltd.
Suite 1, Level 3
28 Honeysuckle Drive
Newcastle 2300.

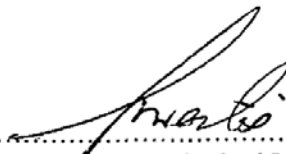
(Sheet 1 of 2 Sheets)

Part 1 (Creation)

| Number of item shown in the intention panel on the plan | Identity of easement, profit à prendre, restriction or positive covenant to be created and referred to in the plan | Burdened lot(s) or parcel(s): | Benefited lots(s), road(s), bodies or Prescribed Authorities: |
|---|--|-------------------------------|---|
| 1 | Right of Carriageway variable width (E1) | 273 272 | 272 273 |
| 2 | Easement for Services variable width (E2) | 273 | 272 |
| 3 | Easement for services 2 wide (E3) | 272 | 273 |
| 4 | Right of Carriageway 20 wide (E5) | 271 | 272 & 273 |
| 5 | Positive Covenant 100 wide & var. (P1) | 271 | Hawkesbury Council |
| 6 | Positive Covenant (P2) | 272 | Hawkesbury Council |

Part 2 (Terms)**1. Terms of Positive Covenant (P1) numbered five in the abovementioned plan**

The owner of the Lot burdened must maintain the area designated (P1) on the abovementioned plan as an asset protection zone and fire trail as identified on attachment 'A' of the bush fire report prepared by ABPP Pty. Ltd. No. B08836-4 dated 10.10.2008. The asset protection zone shall be managed as an inner protection area as outlined within Planning for Bush Fire Protection 2006 and the Rural Fire Service's document "Standards for Asset Protection Zones".


.....
Authorised Person
Hawkesbury Council

DP1156792

legal/40014536_1

Item: 244**CP - Reporting of Granted Variations to Development Standards - (95498)**

REPORT:**Executive Summary**

In accordance with the Department of Planning and Infrastructure (DPI) Planning Circular PS 08-14, councils are required to report granted variations to development standards for development applications, which relied upon either:

1. State Environmental Planning Policy No. 1 - Development Standards (SEPP 1) under Hawkesbury Local Environmental Plan 1989 (HLEP 1989); or
2. Clause 4.6 of the Standard Instrument under Hawkesbury Local Environmental Plan 2012 (HLEP 2012).

The purpose of this report is to report the list of variations granted since Council's last report (28 February 2012). It is recommended that Council receive and note this information.

Consultation

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

Discussion

The background to the reporting requirement for variations to development standards was detailed in the report to Council dated 28 February 2012. The report also included a list of development applications determined from July 2010 to December 2011 involving SEPP 1 variations under HLEP 1989.

HLEP 2012 was gazetted on 21 September 2012. This report provides a list of development applications determined, by Council and under delegated authority involving variation to a development standard under Clause 4.6 of the HLEP 2012. This list was also recently reported to DPI as required by the circular provisions. It should be noted that unlike HLEP 1989, the standard template provisions of HLEP 2012 have a 'cap' on the upper limit for some variations such as rural subdivision where a maximum of 10% variation applies.

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

Financial Implications

No financial implications applicable to this report.

RECOMMENDATION:

That the report regarding the reporting of granted variations to development standards under Hawkesbury Local Environmental Plan 1989 and Hawkesbury Local Environmental Plan 2012 be received and noted.

ORDINARY MEETING

Meeting Date: 10 December 2013

ATTACHMENTS:

- AT - 1** Reporting SEPP 1 Variations to Development Standards under HLEP 1989 – January 2012 to 20 September 2012
- AT - 2** Reporting Variations to Development Standards under Clause 4.6 of HLEP 2012 - 21 September 2012 to October 2013

ORDINARY MEETING

Meeting Date: 10 December 2013

AT - 1 Reporting SEPP 1 Variations to Development Standards under HLEP 1989 -

January 2012 to 20 September 2012

| Council DA reference number | Street Number | Street Name | Suburb / Town | Zoning of land | Development standard to be varied | Justification of variation/Delegate | Extent of variation | Date DA determined |
|--|---------------|----------------|---------------|--------------------------------|--|---|---------------------|--------------------|
| 1. DA0583/11 - animal establishment and the construction of a covered horse arena and animal training/stables building | 21 | Rickaby Street | South Windsor | Rural Living | Clause 25(2) – minimum land level – new building construction in flood liable land | Non-habitable and will be generally vacant, designed to withstand prolonged immersion, expected to be a low risk to human life – Council meeting 9 October 2012 | 40% | 19/10/2012 |
| 2. DA0740/11 - Recreational Establishment – Electric Kart track, Mini bike track and two (2) laser skirmish parks | 303 | Windsor Road | Vineyard | Rural Living | Clause 25(2) – minimum land level – new building construction in flood liable land | Non-habitable use and open structure immediately adjoining evacuation path onto main road (Windsor road) - Council Meeting 29 May 2012 | 35%-77% | 14/06/2012 |
| 3. DA0745/11 - Subdivision – Staged Torrens Title subdivision to create two (2) allotments and partial road dedication | 54 & 66 | Wells Street | Pitt Town | Rural Housing and Rural Living | Clause 11(2) – Minimum lot size – rural subdivision | The majority of the new allotment (Lot 1) is zoned Rural Housing and complies with the zone's minimum allotment size requirements (2,000m ²). The subdivision layout generally corresponds with the Pitt Town Development Plan - Council meeting 10 July 2012 | 96% | 21/11/2012 |

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| Council DA reference number | Street Number | Street Name | Suburb / Town | Zoning of land | Development standard to be varied | Justification of variation/Delegate | Extent of variation | Date DA determined |
|---|---------------|---------------|----------------|--|---|---|---------------------|--------------------|
| 4. DA0039/12 - Three lot Torrens Title re-Subdivision | 37-39 | Gorricks Lane | Freemans Reach | Part Environmental Protection - Agriculture Protection (EPA) and Part 7(a) Environmental Protection (Wetlands) | Clause 11(2) - Minimum lot size - rural subdivision Clause 11(6) - Available land area requirement above 1 in 100 year flood level | The proposal results in a significant environmental benefit by protecting and preserving the wetland in one allotment, is generally consistent with the objectives of the Environmental Protection - Agriculture Protection zone and 7(a) Environmental Protection (Wetlands) zone, the creation of a lot for agricultural purpose only is consistent with Draft HLEP 2011 which is imminent and certain - Council meeting 10 July 2012 | 47% & 71% | 30/08/2012 |
| 5. DA0117/12 - Two Lot Title Subdivision | 19 | Price Lane | Agnes Banks | Environmental Protection - Agricultural Protection (Scenic) and Rural Living | Clause 11(2) - Minimum lot size - rural subdivision | Better outcome in relation to flooding, access, lot layout, width to depth ratio, Suitable area available for rural residential use - Council meeting 10 July 2012 | 45% - 88.2% | 16/08/2012 |

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| Council DA reference number | Street Number | Street Name | Suburb / Town | Zoning of land | Development standard to be varied | Justification of variation/Delegate | Extent of variation | Date DA determined |
|--|---------------|---------------------|---------------|--|--|--|---------------------|--------------------|
| 6. DA0236/12 - Recreation Area - Staged alterations and additions to create grandstand and associated facilities | 698 | George Street | South Windsor | 6(a) Open Space (Existing Recreation) | Clause 25(4) - floor level - existing building | Floor level matches that of existing building (with exception of dugouts) and building will be used for non-habitable purposes - Council meeting 28 August 2012 | 13% | 7/09/2012 |
| 7. DA0273/12 - Two Storey Dwelling | 60 | James Meehan Street | Windsor | R2 Low Density Residential | Clause 25(2) - minimum land level - new building construction in flood liable land | Habitable rooms above 1 in 100 year flood level, non-habitable areas below 1 in 100 year flood level, designed to withstand prolonged immersion - Council meeting 9 October 2012 | 35%-77% | 16/10/2012 |
| 8. DA0281/12 - Recreation Establishment - Outdoor recreational tree top facility and associated amenities | 167-213 | Springwood Road | Yarramundi | 7(d) Environmental Protection (Scenic) | Clause 25(2) - minimum land level - new building construction in flood liable land | Small scale development, non-habitable use, ample flood warning time to be provided - Council meeting 13 November 2012 | 12.6% | 20/11/2012 |
| 9. DA0403/12 - Three lot Torrens Title Subdivision | 30 | Douglas Farm Road | Kurrajong | Rural Living | Clause 11(2) - Minimum lot size - rural subdivision | Minor variation to minimum lot size - Council meeting 9 July 2013 | 12% | 22/08/2013 |

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| Council DA reference number | Street Number | Street Name | Suburb / Town | Zoning of land | Development standard to be varied | Justification of variation/Delegate | Extent of variation | Date DA determined |
|--|---------------|---------------|----------------|----------------|--|---|---------------------|--------------------|
| 10. DA0413/12 - Tourist Facility - Retrospective Application | 93 | Walmsley Road | Lower Portland | Rural Village | Clause 25(2) – minimum land level – new building construction in flood liable land Clause 25(3) – minimum floor level – habitable room in flood liable land | Low scale infill development, short term accommodation, ample flood warning time – Director City Planning* (*only variations >10% for rural subdivision are determined by Council) | 22.16% - 25.67% | 1/10/2013 |

ORDINARY MEETING

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AT - 2 Reporting Variations to Development Standards under Clause 4.6 of Hawkesbury Local Environmental Plan 2012 - 21 September 2012 to October 2013

| Council DA reference number | Street Number | Street Name | Suburb / Town | Zoning of land | Development standard to be varied | Justification of variation/Delegate | Extent of variation | Date DA determined |
|--|------------------|--------------------|-------------------|---------------------------|---|---|------------------------|-----------------------|
| DA0048/13 Two Lot Title Subdivision | 58 & 68A | Royerdale Place | East Kurrajong | RU1 Primary Production | Clause 4.1 – minimum allotment size | Best managing of existing endangered ecological community – Planning Manager * (*only variations >10% for rural subdivision are determined by Council) | 10% | 11/04/2013 |

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 10 December 2013

INFRASTRUCTURE SERVICES

Item: 245 **IS - Draft Windsor Foreshore Parks Plan of Management - (95495, 79354)**

Previous Item: 342, Ordinary (29 September 2009)
 118, Ordinary (30 June 2009)

REPORT:

Executive Summary

A Draft Plan of Management for seven foreshore parks within Windsor has been developed to address management issues and strategies for Macquarie Park, Deerubbin Park, Howe Park, Hollands Paddock, Thompson Square, Windsor Wharf Reserve and Governor Phillip Park.

The Draft Plan was placed on public exhibition with four submissions received.

This report recommends adoption of the Plan, with a number of minor changes.

Consultation

The Draft Plan of Management was placed on public exhibition for the mandatory 28 day consultation period, with a further 14 day period for the acceptance of written submissions.

Background

A Draft Plan of Management for seven foreshore parks within Windsor has been developed in accordance with the Local Government Act 1993. The Plan addresses management issues and strategies for Macquarie Park, Deerubbin Park, Howe Park, Hollands Paddock, Thompson Square, Windsor Wharf Reserve and Governor Phillip Park.

The Draft Plan was reported to Council and at its Ordinary meeting on 13 August 2013, Council resolved:

"That:

- 1. The Draft Windsor Foreshore Parks Plan of Management be placed on public exhibition along with an addendum clarifying aspects of Appendix 1, for the mandatory 28 day consultation period, with a further 14 day period for the completion of written submissions.*
- 2. Council write to local business owners outlining and clarifying aspects of Appendix 1 of the Draft Windsor Foreshore Parks Plan of Management relating to the works proposed to be undertaken in Thompson Square."*

Local business owners were consulted and the Draft Plan was placed on public exhibition in accordance with Councils resolution. A copy of the exhibited Plan of Management is attached as Attachment 1. Four submissions were received.

ORDINARY MEETING**Meeting Date:** 10 December 2013

The first submission related to Deerubbin Park:

| Draft Plan of Management | Submission | Recommendation |
|--|--|---|
| Figure 7.2 (Pg. 116) -The draft plan looked to formalise the dog training area at Deerubbin Park by fencing off an area away from the sporting fields. | The submission states that there would be insufficient space in the area located as the program has grown, they did not require a fenced off area and the area was too far away from their storage area. | Amend the Deerubbin Park Concept Plan to allow the Hawkesbury Sports Council to allocate space as required to the Dog Training School. Council has previously resolved to place a dog off leash area at Macquarie Park and this would meet the local residents needs for an off leash area. |

The second submission relates to Thompson Square and the Windsor Bridge:

| Draft Plan of Management | Submission | Recommendation |
|---|---|-----------------------|
| | The submission relates to a number of minor changes to a paragraph or sentence, word and date changes including the replacement of RTA with RMS, DECC with Office of Environment and Heritage (OEH) | These changes be made |
| Table 3.5 (page 57): Under the European Heritage section of the draft plan, it refers to the upgrade of Windsor Wharf within Thompson Square | Suggesting that comments on the wharf be placed in the Windsor Wharf Reserve information rather than Thompson Square. | These changes be made |

ORDINARY MEETING

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The third submission relates to Hollands Paddock:

| Draft Plan of Management | Submission | Recommendation |
|--|--|--|
| <p>Section 7.1 (Pg. 113):</p> <p>Hollands Paddock Landscape Plan Landscape / improvement plan for Hollands Paddock to consider:</p> <ul style="list-style-type: none"> • landscape treatment of edge to shopping centre • improve pedestrian crossing / access to Howe Park • Inclusion of a performance stage • Upgrade of fencing around reserve, to remain low key and informal | <p>The landscape treatment needs to be carefully considered to ensure any plantings and works do not impact on the flooding and stormwater disposal from the shopping centre.</p> <p>The location of the stage does not provide an attractive backdrop as the audience will be looking at the loading dock area, the stage orientation will mean performers will be looking into the sun, the location does not make best use of the topography of the park and existing structures such as the observation deck. It is suggested that the stage be moved to the north western corner of the park.</p> | <p>Noted</p> <p>Locating the stage in the north western corner of the park would reduce the issues identified however would require a number of trees to be removed. Recommended to change the location of the stage, within the master plan, to the north western corner of the park with advanced trees to be planted to replace those removed</p> |
| <p>Section 3.8 (Pg. 49) – Leases and licences</p> <p>The area is to remain free of private advertisements</p> | <p>Requested to have shopping centre identification signage at the end of the proposed shade shelter as the construction of the structure is likely to result in potentially obscuring the existing building identification signage.</p> <p>The draft plan contradicts the lease over the water tanks which states 'no signage is permitted unless permitted by the landlord'</p> <p>The plan should reflect the same wording which allows Council the opportunity to consider any proposed signage and have the final say in the matter</p> | <p>The water tanks are within Hollands Paddock making them part of the park</p> <p>Advertising is not allowed within parks.</p> <p>The shopping centre runs the length of Hollands Paddock and thus there is the opportunity to move or place new building identification signage on other parts of this frontage rather than on Council owned property.</p> <p>No change to be made</p> |

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The fourth submission relates to Macquarie Park:

| Draft Plan of Management | Submission | Recommendation |
|--|--|--|
| Section 3.8 (pg. 48): This Plan of Management authorises the development of a meeting room/club house to be attached to storage facilities for the Windsor Canoe Club, within Macquarie Park, as shown in the Master Plan. Ideally, public toilets are to be integrated into the building to allow for removal of the existing amenities building | Supporting the proposed location for Windsor Canoe Club House and other proposed upgrades for the park | Noted |
| Section 6: Optimise opportunities for disability access to all parks and reserves Define water access points along foreshore in Governor Phillip Park and Macquarie Park in consultation with user groups Establish kayak and canoe launching facilities near beach at Macquarie Park | Request that a suitable pathway from the parking area to the river be provided to allow disabled access. | Noted – the plan allows for such works to occur subject to future funding. |

It is recommended that the Draft Windsor Foreshore Parks Plan of Management be adopted with the amendments as identified above.

Conformance to Community Strategic Plan

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

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

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

- Recognise, protect and promote the values of indigenous, natural and built heritage through conservation and active use.

Financial Implications

No financial implications applicable to this report.

RECOMMENDATION:

That the Draft Windsor Foreshore Parks Plan of Management as exhibited be adopted incorporating the amendments recommended within this report.

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ATTACHMENTS:

AT 1 Exhibited Draft Windsor Foreshore Parks Plan of Management - *(To be distributed under separate cover)*

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 10 December 2013

Item: 246 **IS - Freemans Reach Rural Fire Brigade - Proposed Station Relocation - (95495, 73591)**

Previous Item: 162, Ordinary (13 August 2013)

REPORT:

Executive Summary

The Hawkesbury Rural Fire Service (HRFS) is seeking to construct a new Brigade Station at Freemans Reach Reserve. The Freemans Reach Fire Brigade has outgrown their existing location and there are also safety issues when accessing and exiting their current Station.

As such, the use of Freemans Reach Reserve for this purpose requires an amendment to the “permitted uses” of the Reserve.

The proposal was advertised for community comment and correspondence was received by one resident, raising no objection to the proposal.

This report recommends that a request be sent to Crown Lands to amend the purpose of Lot 7007 DP 1032928 to allow the building of a Fire Brigade Station.

Consultation

The proposal was advertised for a period of 28 days from 19 September to 18 October 2013.

Background

The Hawkesbury Rural Fire Service (HRFS) have previously requested “in principle” approval for a proposed Brigade Station to be located at Freemans Reach Reserve. The Reserve is located at the intersection of Kurmond Rd and Gorricks Lane (see attached site plan). It is proposed to setback the building from the road by eight metres, facing the hard standing gravel drive, which is shared by the users of the tennis courts. It is a Category 2B Station. Width across the front from the plans is 13.960 metres and depth is 15.260. This is not inclusive of a water tank at the rear of the Station or clearing required to establish an asset protection zone.

A report was considered by Council at its meeting of 13 August 2013 and it was resolved:

"That the proposal to seek amendment to the permitted uses in Freemans Reach Reserve to permit, subject to future development approval, a Rural Fire Service Brigade Station be advertised for a period of 28 days and be further reported to Council for consideration."

The proposal was subsequently advertised for 28 days and feedback was received from one resident, a volunteer who does bush regeneration on the site, stating that he had no objection to the proposed development. He did however raise other concerns regarding the Reserve which will be investigated separately.

Freemans Reach Reserve is Crown Land under Council's care and control. The 'purpose' of the land is Public Recreation and the proposed development would not meet this purpose, however, the Crown does have the option to either excise the area of land from the park or alternatively add a “purpose” (bush fire brigade station) to the park description.

Following the public notification and consistent with the intent of the proposal, as considered previously by Council, it is recommended that a request be sent to Crown Lands to amend the purpose of Lot 7007 DP 1032928 to allow the building of a Fire Brigade Station.

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Conformance to Community Strategic Plan

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

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

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

- Upgrade the necessary physical infrastructure and human services to meet contemporary needs and expectations.

Financial Implications

There are no financial implications to Council

RECOMMENDATION:

That a request be sent to Crown Lands to amend the purpose of Lot 7007 DP 1032928 to allow the building of a Rural Fire Brigade Station.

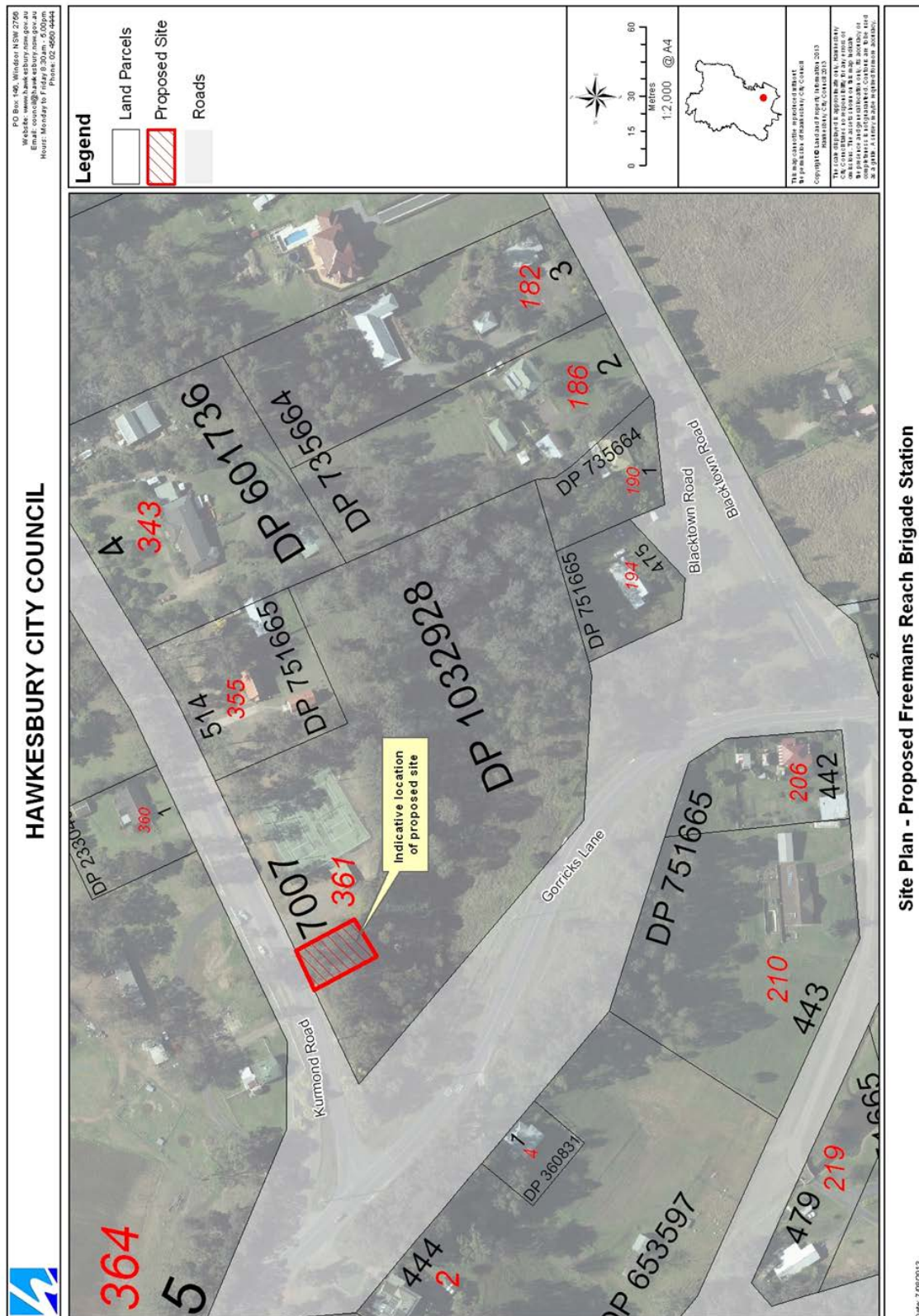
ATTACHMENTS:

AT- 1 – Site Plan - Proposed Freemans Reach Brigade Station

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AT - 1 – Site Plan - Proposed Freemans Reach Brigade Station.



oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 10 December 2013

Item: 247 **IS - Rural Fire Service Bid and Estimates 2014/2015 - Hawkesbury District - (95495, 79016, 73835)**

REPORT:

Executive Summary

Council provides funding contributions to the Hawkesbury Rural Fire Service (RFS) through both a statutory charge and additional discretionary funding to support the operation of the district service and facilities.

Hawkesbury RFS seeks Council endorsement of its budget submissions for the next financial year at this time of year in order to align with the State Budget process. Council receives the Budget Estimates from the State in March to allow further consideration as part of Council's Budget Process.

The report recommends the endorsement of the proposed budget.

Consultation

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

Background

Under the provisions of the Rural Fires Act 1997, Local Government provides a statutory contribution to the cost of the NSW RFS. Additional statutory contributions are also made to NSW Fire and Rescue as well as the State Emergency Service.

Hawkesbury RFS has now submitted its estimates for the 2014/2015 financial year for Council's consideration. The attached estimates consist of two components, the Rural Fire Fighting Fund (RFFF) bid, which is submitted to the NSW RFS, and a 'Council Bid' which is presented to Council for consideration. Council is statutorily required to contribute 11.7% of the RFFF budget. The "Council Bid" component is discretionary and it is for Council to determine the appropriate funding commitment. There is also an amount identified as "Provided by Council" which is the cost identified directly related to the Service Level Agreement between Council and the RFS which includes insurance of stations (\$10,000) and Council rates (\$12,500), totalling \$22,500.

The 2014/2015 RFFF estimates include a bid for a major program of tanker replacement at a cost of \$1.103M. This is the major contributing item to an increased bid of \$2.497M, up from \$1.657M in 2013/2014. Council is required to contribute 11.7% of the actual plant purchase cost.

Within the RFFF bid is a contribution to state wide programs and insurances and this has been estimated at an amount of \$2M whilst this also attracts an 11.7% contribution. Reimbursement of 11.7% of these program charges can be sought as part of the budget process and this has been included within the documentation. This reimbursement amount is included within the RFS bid for the district budget.

The submission seeks to maintain an additional Council funding component for a range of programs totalling \$215,000, plus any Council budgeted building works for the RFS. Although this figure is slightly lower than that which has been provided in previous years (2013/2014 - \$246,500), the saving in this area would partly offset the increase in the statutory component, which will increase from \$535,271 (2013/2014) to \$636,248 (2014/2015). The net additional cost to Council should the RFFF bid be approved in whole by NSW RFS is \$46,630. Confirmation of this amount will be undertaken as part of Council's budget process.

Conformance to Community Strategic Plan

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

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

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

- Upgrade the necessary physical infrastructure and human services to meet contemporary needs and expectations.

Financial Implications

Consideration of funding will be required as part of the 2014/2015 Budget preparation. Should the bid be accepted /approved in its entirety, the total cost to Council is estimated at \$636,248 which is an increase of \$46,330 over the current budget.

RECOMMENDATION:

That the 2014/2015 Rural Fire Fighting Fund estimates as submitted by the Hawkesbury Rural Fire Service be endorsed in principle.

ATTACHMENTS:

AT - 1 Rural Fire Service Estimates 2014/2015

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AT - 1 Rural Fire Service Estimates 2014/2015

| HAWKESBURY RURAL FIRE DISTRICT BID & ESTIMATES 2014-2015 | | | |
|---|-----------------------|---------------------|---------------------|
| ACTION | RFS BID | COUNCIL BID | PROVIDED BY COUNCIL |
| Station maintenance & repair | \$35,000.00 | | |
| Radio repairs | \$20,000.00 | | |
| Fuel | \$80,000.00 | | |
| PMR Site Costs | \$16,000.00 | | |
| GRN radio access fees | \$132,016.00 | | |
| Vehicle maint & repair | \$100,000.00 | \$25,000.00 | |
| Telephone calls | \$10,000.00 | | |
| Telephone rental | \$15,000.00 | | |
| Electrical Tagging & Fire Extinguisher Maint | | \$5,000.00 | |
| Part Time Wages - Cleaning | | \$25,000.00 | |
| Wages - Casual | | \$40,000.00 | |
| Printing & Stationery | | \$20,000.00 | |
| Equipment (Council General) | | \$5,000.00 | |
| Catering | | \$15,000.00 | |
| Group Officer vehicle replacement (2) | | \$45,000.00 | |
| Field Day | | \$15,000.00 | |
| Training | | \$18,000.00 | |
| Mitigation works | | \$2,000.00 | |
| Council rates | | | \$12,500.00 |
| Insurance stations | | | \$10,000.00 |
| Insurance vehicles | \$55,813.00 | | |
| Station upgrades | \$400,000.00 | | |
| Electricity & Water - stations | \$65,000.00 | | |
| Electricity & Water - Fire Control / WOOSH / Wilberforce Station / Stores | | | |
| Staff vehicle changeovers (1) | \$14,500.00 | | |
| Personnel Carrier | \$58,000.00 | | |
| Computer replacements | \$11,000.00 | | |
| Travel expenses | \$3,000.00 | | |
| Vehicle running costs | \$51,000.00 | | |
| Staff Phones | \$6,000.00 | | |
| Network Provision (Communications Platform) | \$4,697.00 | | |
| Protective equipment | \$100,000.00 | | |
| Tanker Replacement Programme (inc. trade-ins) | \$1,103,000.00 | | |
| Equipment (Firefighting) | \$100,000.00 | | |
| Community Education Activities | \$2,000.00 | | |
| Information Services & GIS Contribution | \$72,299.00 | | |
| Recertification of Defibrillators | \$13,260.00 | | |
| District Staff "Other" (CABA Protective Clothing) | \$30,000.00 | | |
| TOTALS | \$2,497,585.00 | \$215,000.00 | \$22,500.00 |
| Plus RFS Staff Wages | \$706,434.00 | | |
| TOTAL | \$3,204,019.00 | | |
| Plus RFS Programme Charges (EST) | \$2,000,000.00 | | |
| TOTAL | \$5,204,019.00 | | |
| Reimbursement of Council 11.7% Programme Charges [13/14] | \$234,000.00 | | |
| TOTAL BID to RFS (EST) | \$5,438,019.00 | | |
| Councils Statutory Contribution 11.7% (EST) [14/15] | | \$636,248.22 | |
| COUNCIL CONTRIBUTION (EST) | | \$873,748.22 | |
| Less Reimbursement of 11.7% [13/14] Programme Charges(EST) | | \$234,000.00 | |
| TOTAL COUNCIL CONTRIBUTION (EST) | | \$639,748.22 | |

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 10 December 2013

SUPPORT SERVICES

Item: 248 **SS - Amendment to Constitution - Hawkesbury Disability Advisory Committee - (95496, 96328, 124569)**

Previous Item: 165, Ordinary (13 July 2010)
 266, Ordinary (29 November 2011)
 87, Ordinary (10 May 2011)
 35, Ordinary (12 March 2012)

REPORT:

Executive Summary

This report has been prepared to seek Council's approval to amend the Constitution of the Hawkesbury Disability Advisory Committee. The Constitution is required to be amended following the adoption by Council of the Access and Inclusion Policy, which has broadened the direction and objectives of the Disability Advisory Committee.

Consultation

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

Background

In July 2010, Council established the Hawkesbury Disability Advisory Committee (HDAC) with the primary role of drafting a Disability Action Plan for public exhibition and adoption. In May 2011, Council endorsed proposed terms of reference (developed by the HDAC) for a community planning process to prepare a draft Disability Action Plan for Council's consideration. The first step in this process required the HDAC to review Council's existing Equity and Access Policy settings. A working party was established to prepare a revised Access Policy.

In October 2011, the HDAC endorsed the revised Policy prepared by the working party, and proposed that the Policy should be called the Access and Inclusion Policy to better capture the broader intent of the draft Policy. Following on from this, the Committee also resolved to rename the proposed Disability Action Plan as an Access and Inclusion Plan. The Draft Access and Inclusion Policy was reported to Council in November 2011 and placed on public exhibition. The Access and Inclusion Policy was adopted in March 2012, with Council also resolving to change the name of the Hawkesbury Disability Advisory Committee to the Hawkesbury Access and Inclusion Advisory Committee (HAIAC).

Current Situation

In May 2013, Council re-established the Hawkesbury Access and Inclusion Advisory Committee. Prior to its re-establishment, the Committee had not yet reviewed the Constitution of the Hawkesbury Disability Advisory Committee, in order to re-align its objectives and roles to reflect the intent of the adopted Access and Inclusion Policy (and Council's resolution to change the name of the HDAC to the Hawkesbury Access and Inclusion Advisory Committee).

The HAIAC met on 28 November 2013. Included in the business paper for the Committee meeting was a report advising the Committee of the need to review its Constitution. The Committee has reviewed its Constitution and a copy of the proposed amended Constitution is appended to the report (Attachment 1). The attachment highlights the proposed changes to the previous Constitution of the Hawkesbury Disability Advisory Committee, with proposed deleted wording shown with strikethroughs and new wording being highlighted.

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It is proposed that Council ratify the amended Constitution to enable the Committee to complete the preparation of a draft Access and Inclusion Plan, and to broaden its mandate to reflect the intent of Council's adopted Access and Inclusion Policy.

Conformance to Community Strategic Plan

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

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

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

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

Financial Implications

There are no financial implications arising from this report.

RECOMMENDATION:

That Council approve the amended Constitution for the Hawkesbury Access and Inclusion Advisory Committee attached as Attachment 1 to the report.

ATTACHMENTS:

AT - 1 (Amended) Constitution - Hawkesbury Access and Inclusion Advisory Committee.

Attachment 1: (Amended) Constitution - Hawkesbury Access and Inclusion Advisory Committee

Hawkesbury Disability Access and Inclusion Advisory Committee (DAIAC) (HAIAC)

Constitution

1. Name

The Advisory Committee, as appointed under the provisions of section 377 of the Local Government Act 1993, shall be known as the Hawkesbury Disability Access and Inclusion Advisory Committee, and is hereinafter referred to as the 'Advisory Committee'.

2. Objectives

- (a) To advise and assist Hawkesbury City Council staff in the drafting of a Hawkesbury Disability Action Access and Inclusion Plan to improve access to services and facilities for people with disabilities and promote their inclusion and participation in community and civic life to eliminate barriers which may prevent residents and visitors from accessing services and facilities and participating fully in community and civic life;
- (b) To provide advice to Hawkesbury City Council staff on consultative strategies for inviting submissions and comments in relation to the draft Hawkesbury Disability Action Access and Inclusion Plan and other Council Plans;
- (c) To provide advice to Hawkesbury City Council staff on the planning and design of the built environment and public domain to ensure that people with disabilities are not restricted from accessing services and facilities application of 'good practice' access and inclusion principles as they apply to the design of buildings and public spaces and the delivery of services;
- (d) Provide advice to Hawkesbury City Council staff on the design of footpaths, pedestrian crossings, kerb ramps, and transition zones, and the elimination of barriers which may be required to ensure that as far as possible new developments and plans of management for Council's parks and open spaces include provision for disability access and social inclusion;
- (e) To provide advice and guidance to Hawkesbury City Council staff strategies to raise community awareness about disability, access and inclusion issues impacting on residents of the City of Hawkesbury and , where required, to recommend actions for Council's consideration in relation to these matters;
- (f) To prepare and submit, at least on an annual basis, a schedule of identified rectification works (which are broadly consistent with the priorities and work schedules with the Hawkesbury Disability Action Access and Inclusion Plan and the Hawkesbury Mobility Plan) which would improve access for people with disabilities and/or address barriers preventing people with disabilities from accessing services and facilities, which can be considered by Council in conjunction with the preparation of Council's Management Plan;
- (g) To provide a mechanism through which Council can be informed of disability, access and inclusion issues where Council may be in a position to seek a resolution or advice regarding these issues through representations, lobbying and/or advocating to government agencies and/or elected representatives;
- (h) To consider and undertake such projects, subject to the availability of resources, which would generally assist residents and visitors people with disabilities to access service and facilities and promote their inclusion and participation in community and civic life.

3. Role and Authorities

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- (a) Whereas the Advisory Committee is appointed by the Hawkesbury City Council under the terms of the Local Government Act 1993, the Advisory Committee is to abide at all times with the terms of reference of this clause, and with the authorities delegated under this clause whilst remaining in force (unless otherwise cancelled or varied by resolution of Council).
- (b) The Advisory Committee shall have the following authorities delegated to it in accordance with the provisions of section 377 of the Local Government Act 1993:
 - (i) To recommend to Council, policies and processes drawn up by professional staff for :
 - the design, location, maintenance and repair of footpaths, shared cycleways/paths, pedestrian crossings, kerb ramps, transition zones and other ~~disability~~ access infrastructure (in accordance with relevant standards and building codes);
 - the design, implementation and review of strategies and for improving physical access and eliminating barriers to services and facilities by people with disabilities consistent with Council's responsibilities with regard to equity and access as set down in state and federal legislation;
 - the design and delivery of promotional activities to raise awareness of disability, access and inclusion needs, and the design and implementation of projects which would assist people with disabilities to access service and facilities and promote their inclusion and participation in community and civic life
 - (ii) To bring to Council's attention, by way of recommendation, any item requiring a policy decision outside the authority granted to the Advisory Committee under section 377;
- (c) The Council retains the responsibility for all budgetary considerations;
- (d) The General Manager (or his/her delegate) retains, and shall be entirely responsible for the appointment and dismissal of staff (either permanent or temporary) with respect to the objectives and functions of the Hawkesbury Disability Access and Inclusion Advisory Committee in accordance with the Local Government Act 1993;
- (e) The General Manager (or his/her delegate) retains all responsibility for the direction of any staff member, including any disciplinary action, be it for permanent, temporary or part time staff. The Advisory Committee will, however, have the right to bring to the attention of the Director of the Department within Council responsible for the Hawkesbury Disability Access and Inclusion Advisory Committee, any issues which, in its opinion, require disciplinary action; and
- (f) Any authorities conferred upon the Advisory Committee under this Constitution may be varied by Council.

4. Term

The Advisory Committee members' term shall be for four years to coincide with Council's term of office. Advisory Committee members shall cease to hold office at the expiration of three months after the Ordinary election of the Council, but be eligible for re-appointment, subject to the condition that the Advisory Committee may be dissolved by Council at any time.

5. Structure and Membership

- (a) The structure and membership of the Advisory Committee shall be as follows, and all the undermentioned appointments will have voting rights:
 - (i) 2 Councillors of the Hawkesbury City Council;

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- (ii) 9 community appointments, with expertise and/or knowledge of disability, access and inclusion issues appointed by Council following the calling of applications as detailed in clause 6(b) of this Constitution; and,
- (iii) Representatives of the District Health Service and/or Area Health Service.
- (b) Whereas the appointments detailed in clause 5(a) will form the Advisory Committee, the Executive Manager Community Partnerships and the Community Programs Co-ordinator will be required to attend meetings of the Advisory Committee;
- (c) The General Manager of Hawkesbury City Council may also appoint up to four Council staff to attend meetings of the Advisory Committee, for all or part of an Advisory Committee meeting, as may be required to progress the objectives and functions of the Committee, including, but not limited to, the Manager Construction and Maintenance, Manager Design and Mapping Services, the Manager Planning, and Manager Building Services (or their delegates);
- (d) The Director of the Department charged with the responsibility for the Hawkesbury Disability Access and Inclusion Advisory Committee within the Hawkesbury City Council may attend meetings;
- (e) The Advisory Committee shall, at its first meeting following appointment, and each twelve (12) month period thereafter, elect the Councillor delegate appointed under clause 5 (a) (i) to be the Chairperson of the Advisory Committee, and one of its members appointed under Clause 5 to be Deputy Chairperson, who shall act in the absence of the Chairperson;
- (f) The position of Deputy-Chairperson shall not be held by the same person for any longer than three (3) consecutive years.
- (g) No staff member of Hawkesbury City Council shall be elected as Chairperson or Deputy Chairperson of the Advisory Committee;
- (h) Each member of the Advisory Committee entitled to vote shall only have one vote except that of the casting vote of the Chairperson in the case of equality of votes;
- (i) The Advisory Committee may co-opt additional members from time to time, at its discretion, to provide specialist advice or assistance, but such co-opted members shall only serve on the Advisory Committee for the period of time required, and will not, whilst serving in the position of co-opted member, have any voting rights; and
- (j) The Advisory Committee may invite as observers citizens or other representatives for the purpose of clarifying certain matters as decided by the Advisory Committee. Such observers will not be permitted to vote.

6. Appointment and Election of Members

- (a) 2 Councillors will be appointed to the Advisory Committee in accordance with practices and procedures of the Council;
- (b) The Council shall, in the month of October following the quadrennial election place advertisements in appropriate newspapers inviting nominations from members of the community for membership to the Advisory Committee;
- (c) The Council shall select and appoint the community representatives to the Advisory Committee;
- (d) The Advisory Committee shall have the power to fill casual vacancies at its discretion;

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

7. Procedures and General

- (a) Ordinary meetings of the Advisory Committee shall be held no less than four times per year. Special meetings may be convened at the discretion of the Chairperson, or, in his/her absence, the Deputy Chairperson;
- (b) The Executive Manager Community Partnerships shall be the Executive Officer to the Advisory Committee, and will be responsible for preparation of specialist reports, and any and all correspondence associated with the Advisory Committee;
- (c) The Council will provide a Minute Clerk for the purpose of recording the Minutes of the Advisory Committee meetings and for the distribution of Minutes following meetings of the Advisory Committee;
- (d) No meeting of the Advisory Committee shall be held unless three (3) clear days notice thereof has been given to all members;
- (e) The Minute Clerk shall forward a copy of the Minutes of each Advisory Committee meeting to all Advisory Committee members, as well as to Council, for submission to the appropriate Standing Committee, as soon as possible following such Advisory Committee meeting;
- (f) At any meeting of the Advisory Committee, the Chairperson, or the person acting in the position of Chairperson, shall, in addition to his or her ordinary vote, have a casting vote where such a situation occurs where there is an equality of votes;
- (g) The rules governing meetings and the procedures of the Advisory Committee shall, so far as they apply, be those covered by the Hawkesbury City Council's Code of Meeting Practice, as may be altered from time to time by resolution of the Council;
- (h) A quorum of the Advisory Committee shall be constituted by 50% + 1 of appointed members being present at meetings;
- (i) Any members having a pecuniary interest in any matters being discussed by the Advisory Committee shall declare such interest at the meeting of the Advisory Committee and refrain from voting or discussion thereon.
- (j) The requirements applying to pecuniary interests for members as detailed in clause 7(i) above shall apply equally to any other appointed or invited observers or co-opted members, and also to the Executive Officer/Secretary;

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- (k) Any recommendations of the Advisory Committee shall, as far as adopted by the Council, be resolutions of the Council, provided that recommendations or reports of the Advisory Committee shall not have effect unless adopted by the Council;
- (l) It shall be competent for the Advisory Committee to appoint a sub-committee or specific work groups comprised of members or non-members to exercise and carry out specific investigations for the Advisory Committee, and then to report back to the Advisory Committee. These appointed sub-committees or work groups may be dissolved by the Advisory Committee at any time;
- (m) Any appointed sub-committees or work groups have no power to make any decisions whatsoever on behalf of the Advisory Committee, and any recommendations of any sub-committee or work group will only have effect once adopted by the Advisory Committee, or by the Council, as the case may be;
- (n) The Executive Manager Community Partnerships shall prepare an Annual Report of the Hawkesbury Disability Advisory Committee's activities for submission to the Advisory Committee, who will, in turn, present such report to the Council.

LAST CLAUSE

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 10 December 2013

Item: 249 **SS - Community Sponsorship Program - 2013/2014 - Round 2 - (96328, 95496)**

Previous Item: 145, Ordinary (30 July 2013)

REPORT:

Executive Summary

This report has been prepared to advise Council of applications for financial assistance to be determined under Round 2 of the 2013/2014 Community Sponsorship Program. The report lists the applications received, the proposed level of financial assistance, and those that will require the execution of Council's standard Sponsorship Agreement.

Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy. Applications for Community Sponsorship can be received by Council at any time and are reported to Council up to four times a year. Information about the Community Sponsorship Program is placed on Council's website.

Background

On 13 March 2007, Council resolved to adopt a Sponsorship Policy prepared in accordance with the guidelines issued by the Independent Commission Against Corruption. Criteria and administrative arrangements for the Community Sponsorship Program (CSP) were subsequently developed with implementation commencing in 2007/2008.

The CSP provides the opportunity for community groups and individuals to seek assistance from Council. The CSP currently provides for five categories of assistance:

- Minor assistance (MA) – up to \$500.
- Event Sponsorship (ES) – for up to three years.
- Seeding Grants (SG) – for community based programs.
- Access to Community Facilities (ACF) – to subsidise the cost of hire of community facilities.
- Improvements to Council Facility (ICF) – reimbursement of DA fees for renovations and additions to Council owned buildings or facilities.

The adopted budget for 2013/2014 includes an allocation of \$68,131 for the CSP. At its Ordinary Meeting on 30 July 2013, Council approved Round 1 of the Community Sponsorship 2013/2014 Program.

Community Sponsorship Program 2013/2014

| | |
|---|-----------------|
| Allocation for Financial Year 2013/2014 | \$68,131 |
| Round 1 2013/2014 | <u>\$47,226</u> |
| Balance remaining | \$20,905 |

Community Sponsorship Program (2013/2014) – Round 2

In accordance with Council's Community Sponsorship Policy, applications for community sponsorship were called for and closed on 29 November 2013. 18 applications were received. Table 1 summarises the applications received and the proposed level of financial assistance to be provided.

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| | Applicant | Type | Proposal | Amount requested \$ | Amount proposed \$ |
|--------------|---|-------------|--|--------------------------------|-------------------------------|
| 1 | Hawkesbury Valley Baptist Church | ES | Carols in the Park – Hanna Park, North Richmond | 3,000 | 1,500 |
| 2 | Zara Yari | MA | Representative Softball | 100 | 100 |
| 3 | Brendan Hunt | MA | Representative Obstacle Course Racing | 100 | 100 |
| 4 | Hawkesbury District Health Service | MA | Christmas Tree Lighting | 500 | Nil |
| 5 | Shanaye Kuntze | MA | Representative Soccer | 100 | 100 |
| 6 | Megan Bertenshaw | MA | Representative Touch Football | 100 | 100 |
| 7 | Ashleigh Hill | MA | Representative Karate | 100 | 100 |
| 8 | James Hill | MA | Representative Karate | 100 | 100 |
| 9 | Western Sydney United Aboriginal Rugby League | MA | Representative Rugby League | 500 | 500 |
| 10 | TRI Community Exchange Inc. | ES | Annual ZEST Awards | 1,000 | 1,000 |
| 11 | St Albans Dirt Road Choir | MA | Choral workshops for local residents | 500 | 500 |
| 12 | Windsor Preschool Association Inc. | SG | Purchase of educational equipment | 1,200 | 1,200 |
| 13 | Comleroy Road Public School P&C Association | SG | Install an aquaponics system | 500 | 500 |
| 14 | Hawkesbury Cancer Support Network | MA | Annual Christmas party | 500 | 500 |
| 15 | Golden Valley Children's Learning Centre | MA | Purchase gift vouchers to use in fundraising | 500 | 500 |
| 16 | Hawkesbury Hornets BMX Club | SG | "Come and Try BMX Day" | 1,000 | 1,000 |
| 17 | Hawkesbury Skills Inc. | SG | Upgrade toilet facilities | 3,000 | 3,000 |
| 18 | North West Disability Services Inc. | SG | Reimbursement of DA fees – Pound Paddock, Richmond | 3,000 | 3,000 |
| TOTAL | | | | 15,800 | 13,800 |

MA= Minor Assistance; ES = 3 Year Event Sponsorship; SG = Program + Activity Seeding Grant; CF = Access to Community Facilities; ICF = Improvements to Council owned community facilities

Table 1 – Requests for financial assistance Round 2 of 2013/2014 Community Sponsorship Program

All the applications were assessed against the applicable criteria outlined in Council's Community Sponsorship Program. These reflect the provisions of Council's adopted Community Sponsorship Policy and the amounts recommended for approval are consistent with the Policy. A more complete summary of the assessment of applications against the Community Sponsorship Program is appended to the report.

Applications not recommended for funding

Application 4 – Hawkesbury District Health Service (amount requested \$500). Applicant has requested funds to assist the purchase of additional lights for a Christmas tree lighting ceremony. Council has already provided a \$500 contribution for this activity as part of its Christmas Lighting Program.

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Applications recommended for partial funding

Application 1 - Hawkesbury Valley Baptist Church (amount requested \$3,000 per year for a Three Year Event Sponsorship: amount recommended \$1,500). Applicant has requested funds to stage community Christmas Carols in Hanna Park, North Richmond. The amount recommended is comparable to similar Christmas Carol programs where Council has made a funding contribution including Richmond Rotary Club (Carols in Richmond Park \$1,500) , Kurrajong Anglican Church (Carols in Memorial Park, Kurrajong \$500), Heart of the Hawkesbury (Carols in Holland's Park, Windsor \$1,500) and Bridgewater Church (Carols in Hanna Park, North Richmond \$1,000).

There are sufficient funds to cover the total recommended amount of \$13,800 - under Round 2 of the 2013/2014 Community Sponsorship Program leaving \$7,105 for allocation in further rounds.

Conformance to Community Strategic Plan

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

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

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

- Broaden the resources and funding available to our community by working with local and regional partners as well as other levels of government.

Financial Implications

There are no funding implications arising from this report. The proposed allocations for sponsorship are available within current budget provisions.

RECOMMENDATION:

That Council:

1. Approve payments under Section 356 Financial Assistance to the organisations or individuals listed, and at the level recommended in Table 1 of this report.
2. Approve the execution of Council's standard Sponsorship Agreement for applications 1, 10, 12, 16, 17 and 18 identified in Table 1 of this report.

ATTACHMENTS:

AT - 1 Assessment of Applications under Round 2 of Community Sponsorship Program 2013/2014

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Attachment 1: Assessment of Applications under Round 2 of Community Sponsorship Program 2013/2014

Attachment 1 - Assessment of Applications under Round 1 Community Sponsorship Program 2013/2014

| Applicant | Sponsorship Type (1) | Description | Assessment Criteria | | | | | | | | Amount requested (or ES Sponsorship) | Amount recommended | Comments |
|------------------------------------|----------------------|--|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------------------|--------------------|---|
| | | | Local service | Not-for-profit | Not funded by State/Federal Agency | Co-contribution provided | Reflects agreed community priority | Meets sponsorship criteria | Financially sustainable | Documentation provided | | | |
| Hawkesbury Valley Baptist Church | ES | Carols in the Park – Hanna Park, North Richmond | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 3000 | 1500 | Recommended amount is comparable to previous fundings for Christmas Carols |
| Zara Yari | MA | Representative Softball, NSW PSSA Girls Softball Tournament, Penrith | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | n/a | <input checked="" type="checkbox"/> | 100 | 100 | Meet requirements for Minor Assistance category |
| Brendan Hunt | MA | Representative Obstacle Course Racing, Spartan Obstacle Race World Championships, Vermont, USA | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | n/a | <input checked="" type="checkbox"/> | 100 | 100 | Meet requirements for Minor Assistance category |
| Hawkesbury District Health Service | MA | Christmas Tree Lighting at Hawkesbury Hospital | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 500 | Nil | Ordinary Meeting 24 September Item 196 Council resolved to donate \$500- to the activity on the recommendation of the Hawkesbury City Chamber of Commerce |
| Shanaye Kuntze | MA | Representative Soccer, Australian Schools Invitational Football Tour, United Kingdom | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | n/a | <input checked="" type="checkbox"/> | 100 | 100 | Meet requirements for Minor Assistance category |
| Megan Bertenshaw | MA | Representative Touch Football, Oztag World Cup, New Zealand | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | n/a | <input checked="" type="checkbox"/> | 100 | 100 | Meet requirements for Minor Assistance category |
| Asleigh Hill | MA | Representative Karate, Australian Karate federation National Championships, Tasmania | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | n/a | <input checked="" type="checkbox"/> | 100 | 100 | Meet requirements for Minor Assistance category |

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| | | | | | | | | | | | | | | |
|---|----|--|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|------|-------|---|
| James Hill | MA | Representative Karate, Australian Karate federation National Championships, Tasmania | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | n/a | <input checked="" type="checkbox"/> | 100 | 100 | Meet requirements for Minor Assistance category |
| Western Sydney United Aboriginal Rugby League | MA | Representative Knockout Rugby League, Raymond Terrace | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | n/a | <input checked="" type="checkbox"/> | 500 | 500 | Meet requirements for Minor Assistance category |
| TRI Community Exchange Inc | ES | Annual ZEST Awards | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 1000 | 1000 | Meet requirement for Three Year Event Sponsorship |
| St Albans Dirt Road Choir | MA | Choral workshops for local residents and members of the choir | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | n/a | <input checked="" type="checkbox"/> | 500 | 500 | Meet requirements for Minor Assistance category |
| Windsor Preschool Association Inc | SG | Purchase of iPads and other equipment for use by children with special needs | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 1200 | 1200 | Meet requirements for Seeding Grant category |
| Comleroy Road Public School P&C Association | SG | Install and operate an aquaponics system to teach sustainability | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | n/a | <input checked="" type="checkbox"/> | 500 | 500 | Meet requirements for Minor Assistance category |
| Hawkesbury Cancer Support Network | MA | Annual Christmas party to support cancer patients and carers | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | n/a | <input checked="" type="checkbox"/> | 500 | 500 | Meet requirements for Minor Assistance category |
| Golden Valley Children's Learning Centre | MA | Purchase of gift vouchers to use as raffle prizes for fundraising | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | n/a | <input checked="" type="checkbox"/> | 500 | 500 | Meet requirements for Minor Assistance category |
| Hawkesbury Hornets BMX Club | SG | Staging of a "Come and Try BMX" Day February 2014 | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 1000 | 1000 | Meet requirements for Seeding Grant category |
| Hawkesbury Skills Inc | SG | Upgrade of toilet facilities at 23 Bosworth Street, Richmond | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 3000 | 3000 | Meet requirements of Seeding Grant category |
| North West Disability Services Inc | SG | Reimbursement of DA fees for development of a disability service centre at Pound Paddock, Richmond | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 3000 | 3000 | |
| TOTAL | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | 13800 | |

(1) MA = Minor Assistance ES=3 Year Event Sponsorship SG = Seeding Grant CF = Access to Community Facilities ICF = Improvements to Council owned Community Facilities

oooO END OF REPORT Oooo

Item: 250**SS - Proposal to Re-establish Alcohol-Free Zones - (95496, 79337)**

REPORT:**Executive Summary**

The object of an Alcohol-Free Zone (AFZ) is an early intervention measure to prevent the escalation of irresponsible street drinking to incidents involving serious crime. Once an AFZ is established, it is an offence to drink alcohol at any time, on any street, or footpath, where the zone exists for the period of up to four years.

The current AFZs, located within the Hawkesbury Local Government Area, expire on the 31 December 2013. This report recommends that Council agree to re-establish all alcohol-free zones in the Hawkesbury Local Government Area, with approved outdoor dining and/or footpath trading areas being excluded, for a minimum period of four years.

Background

The object of an Alcohol-Free Zone (AFZ) is an early intervention measure to prevent the escalation of irresponsible street drinking to incidents involving serious crime. Once an AFZ is established, it is an offence to drink alcohol at any time, on any street, or footpath, where the zone exists for the period of up to four years.

The irresponsible consumption of alcohol on/in roads, footpaths and carparks, can compromise the safe use of the same by members of the public, and the establishment of an AFZ assists in the prevention of incidents associated with irresponsible street drinking.

Once an AFZ is established, it applies 24 hours per day, seven days per week, for the full four years.

The current AFZs, located within the Hawkesbury Local Government Area, expire on the 31 December 2013.

In accordance with the provisions of the Local Government Act, 1993, and the Ministerial Guidelines on Alcohol-Free Zones (the Guidelines), Council must now consider the re-establishment of the AFZs in the Hawkesbury Local Government Area.

As required under the Guidelines, the public consultation process has been undertaken, and included the following:

- A published notice of the proposal in the Hawkesbury Courier on 31 October 2013, allowing inspection of the proposal and inviting representations or objections within 30 days (from the date of publication). The notice referred to the specific location of the proposed AFZs and the place and time at which the proposal may be inspected.
- Copies of the proposals were sent to Hawkesbury Local Area Command (Police) as well as all liquor licensees, secretaries of registered clubs and principals of local schools, whose premises border on, or adjoin, or are adjacent, to the proposed zones, inviting representations or objections within 30 days (from the date of sending the copy of the proposal).
- Other Departments such as Nepean Migrant Access Inc, Deerubbin Local Aboriginal Land Council, and NSW Drug Awareness Council, have also been informed with a copy of the proposal for the re-establishment of the AFZs within the Hawkesbury Local Government Area, inviting representations or objections within 30 days (from the date of sending the copy of the proposal).

The current location of the Alcohol-Free Zones, proposed to be re-established from the period of 1 January 2014 to 31 December 2017, as indicated on the attached maps, are as follows:

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- **The roads and footpaths of the following blocks having boundaries of:**

- Francis Street, West Market Street, Windsor Street and Bosworth Street, Richmond - including Coles Car Park in Richmond.
- East Market Street, Windsor Street, West Market Street and March Street, Richmond.
- George Street, Campbell Street, Mullinger Lane and Argyle Street, South Windsor - including the roads, footpaths and carparks of South Windsor Shopping Centre.
- Charles Street, Elizabeth Street, Grose Vale Road and William Street, North Richmond

- **The roads and footpaths at the following locations:**

- East Market Street, Richmond - between Francis Street and Windsor Street, Richmond.
- Toxana Street, Richmond - between Francis Street and Windsor Street, Richmond.
- Windsor Street, Richmond - between East Market Street and Paget Street, Richmond.
- West Market Street, Richmond - between Lennox Street and March Street, Richmond.
- East Market Street, Richmond - between March Street and Lennox Street, Richmond.
- March Street, Richmond – between East Market Street and Paget Street, Richmond
- Paget Street, Richmond – between March Street and Windsor Street, Richmond
- George Street, Windsor - from the roundabout in Thompson Square to the corner of Arndell Street, Windsor.
- Eldon Street, Pitt Town - between Grenville Street and Chatham Street, Pitt Town.
- Along The Terrace, Windsor - adjoining Howe Park.
- Windsor Mall, George Street, Windsor.

- **The carparks and service roads at the following locations:**

- Corner of Bells Line of Road and Pitt Lane, North Richmond.
- Glossodia Shopping Centre at 162 Golden Valley Drive, Glossodia.
- McGraths Hill Shopping Centre at Phillip Place McGraths Hill - being the block bounded by Phillip Place, Redhouse Crescent and McGraths Hill Community Centre.
- Wilberforce Shopping Centre at 15 King Road, Wilberforce.
- Kurmond Village Shopping Centre 519 – 521 Bells Line of Road, Kurmond
- Woodhills Carpark, Richmond.

As at the closing date, being 30 October 2013, the Hawkesbury Local Area Command (Police) had confirmed support of the re-establishment of AFZs, and one submission was received from a licensee operating within an AFZ.

Whilst the submission was not an objection to the proposed re-establishment of AFZs, it did raise issues regarding the impact an alcohol free zone may have on a licensed venue with an approved outdoor dining and/or footpath trading permit. The issues raised were considered in line with Council's Windsor Mall Policy and the Guidelines applicable to AFZs which state, as follows:

Windsor Mall Policy:

"7.2 Alcohol Free Zone

Windsor Mall is an Alcohol Free Zone. Activities requiring the service of alcohol need to be approved by Council and will be subject to a resolution to temporarily suspend the Alcohol Free Zone."

Ministerial Guidelines on Alcohol Free Zones:

"Alcohol-Free Zones and Alfresco Dining

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In some circumstances an alcohol-free zone may be proposed for an area that includes footpath alfresco dining areas for cafés and restaurants which fall within the zone. When a council issues a licence for the use of public footpaths for such dining use in an alcohol-free zone, it must impose conditions on the licensee (eg restaurant operator) about the requirements of the zone, including clear delineation and control of the licensed area from the alcohol-free zone."

Although the object of an AFZ is to prevent irresponsible street drinking, it is acknowledged that they currently also prevent licensed premises, with an approved outdoor dining and/or footpath trading area, to serve alcohol within the approved areas and maximise the potential use of their outdoor areas.

It is further acknowledged that outdoor dining areas increase the potential of a business and enhance the vibrancy of an area and, as such, options should be available for alcohol to be served and consumed within an approved outdoor dining area, associated with a licensed premise.

Council has the power to suspend or cancel, either in full or in part, an AFZ during its period of operation, to respond to a situation which may arise within the area of the AFZ. Such suspension or cancellation would, however, require the resolution of Council.

Where Council resolves to exclude an area within an AFZ (by way of a suspension or cancellation, in part), to enable the patrons of a licensed premises to consume alcohol within the approved outdoor dining area, it must impose conditions on the licensee about the requirements of the AFZ, including clear delineation and control of the licensed area from the AFZ. Appropriate signage, indicating the exclusion from an area within an AFZ, must also be clearly displayed.

Accordingly, it is recommended that Council re-establish the AFZ's currently located within the Hawkesbury Local Government Area, however, include a provision which enables areas to be excluded from within an AFZ, where an approved outdoor dining and/or footpath trading area applies to a licensed premise and that the Windsor Mall Policy be updated to reflect the same.

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:

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

Financial Implications

This proposal will require that current signage be updated (i.e. dates) and these minor costs involved in relation to this proposal can be funded from Service Account 158 of the 2013/2014 Operational Plan.

RECOMMENDATION:

That:

1. In accordance with the provisions of the Local Government Act 1993, the consumption of alcohol in the areas outlined in the report, be prohibited for the period from 1 January 2014 to 31 December 2017, by the re-establishment of the Alcohol Free Zones in the Hawkesbury Local Government Area, with the following exclusion:

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- a) In accordance with the Ministerial Guidelines on Alcohol Free Zones, Council exclude approved outdoor dining and/or footpath trading areas associated with appropriately licensed venues from the relevant alcohol free zones, subject to:
 - i. Appropriate development consent;
 - ii. Appropriate approval/licensing by the relevant liquor authority;
 - iii. Clear delineation and control of the licensed area from the AFZ by the licensee;
 - iv. Appropriate signage, indicating the exclusion from an area within an AFZ, to be clearly displayed;
 - v. The Windsor Mall Policy and the Outdoor Dining and Footpath Trading Policy, being adhered to.
2. Public notification (including erection of signage and an advertisement in the Hawkesbury Courier) be given for the re-establishment of the Alcohol Free Zones, for the period from 1 January 2014 to 31 December 2017, as indicated in the report.
3. The Windsor Mall Policy (Clause 7.2) be amended to enable the exclusion to apply to approved outdoor dining and/or footpath trading areas, as outlined in part 1(a) above.
4. Council provide written advice to the respondent of Council's decision.

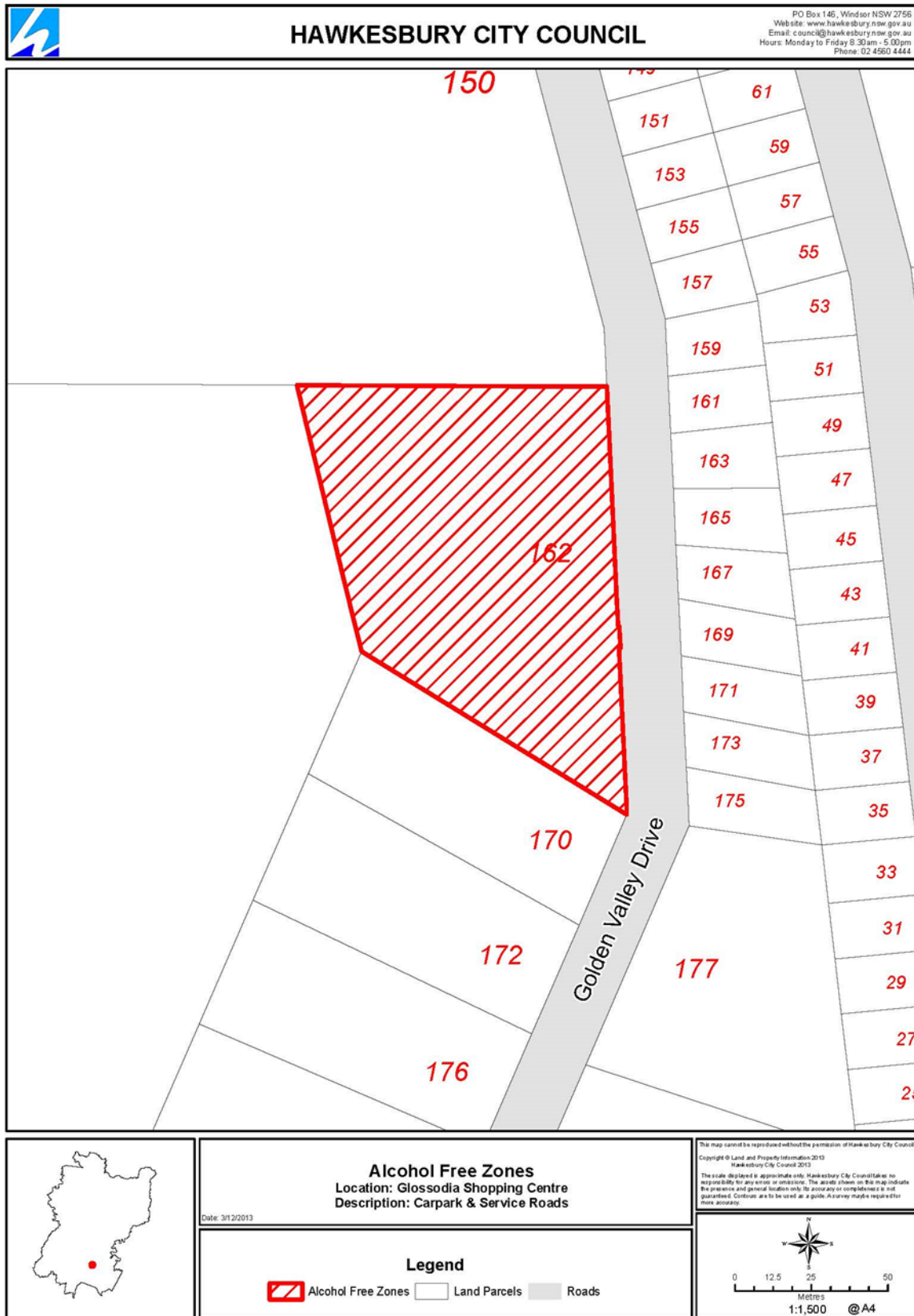
ATTACHMENTS:

- AT - 1** Map of Glossodia identifying the location of the Alcohol Free Zones.
- AT - 2** Map of Kurmond identifying the location of the Alcohol Free Zones.
- AT - 3** Map of McGraths Hill identifying the location of the Alcohol Free Zones.
- AT - 4** Map of North Richmond identifying the location of the Alcohol Free Zones.
- AT - 5** Map of Pitt Town identifying the location of the Alcohol Free Zones.
- AT - 6** Map of Richmond identifying the location of the Alcohol Free Zones.
- AT - 7** Map of South Windsor identifying the location of the Alcohol Free Zones.
- AT - 8** Map of Wilberforce identifying the location of the Alcohol Free Zones.
- AT - 9** Map of Windsor identifying the location of the Alcohol Free Zones.

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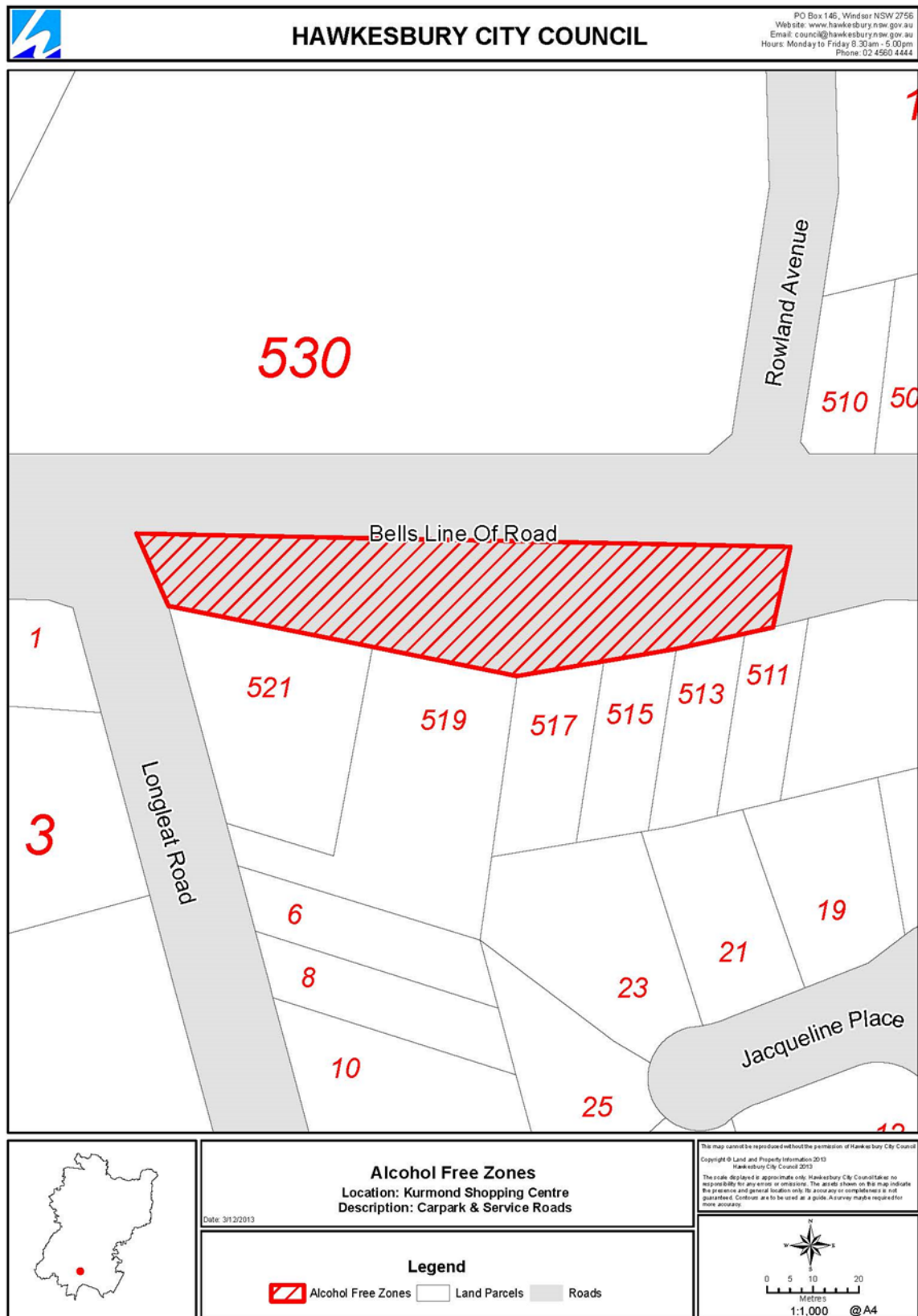
AT - 1 Map of Glossodia identifying the location of the Alcohol Free Zones.



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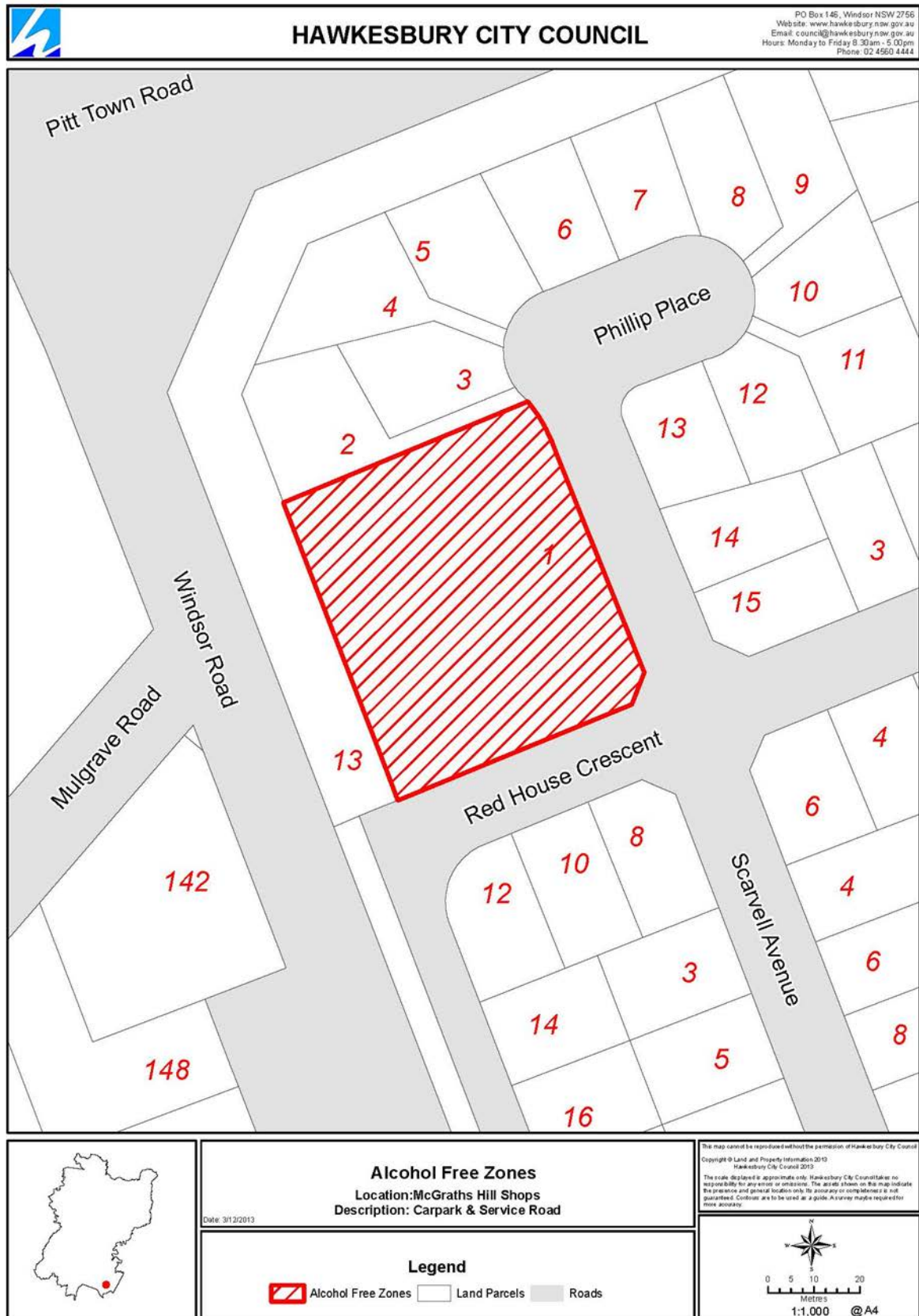
AT - 2 Map of Kurmond identifying the location of the Alcohol Free Zones.



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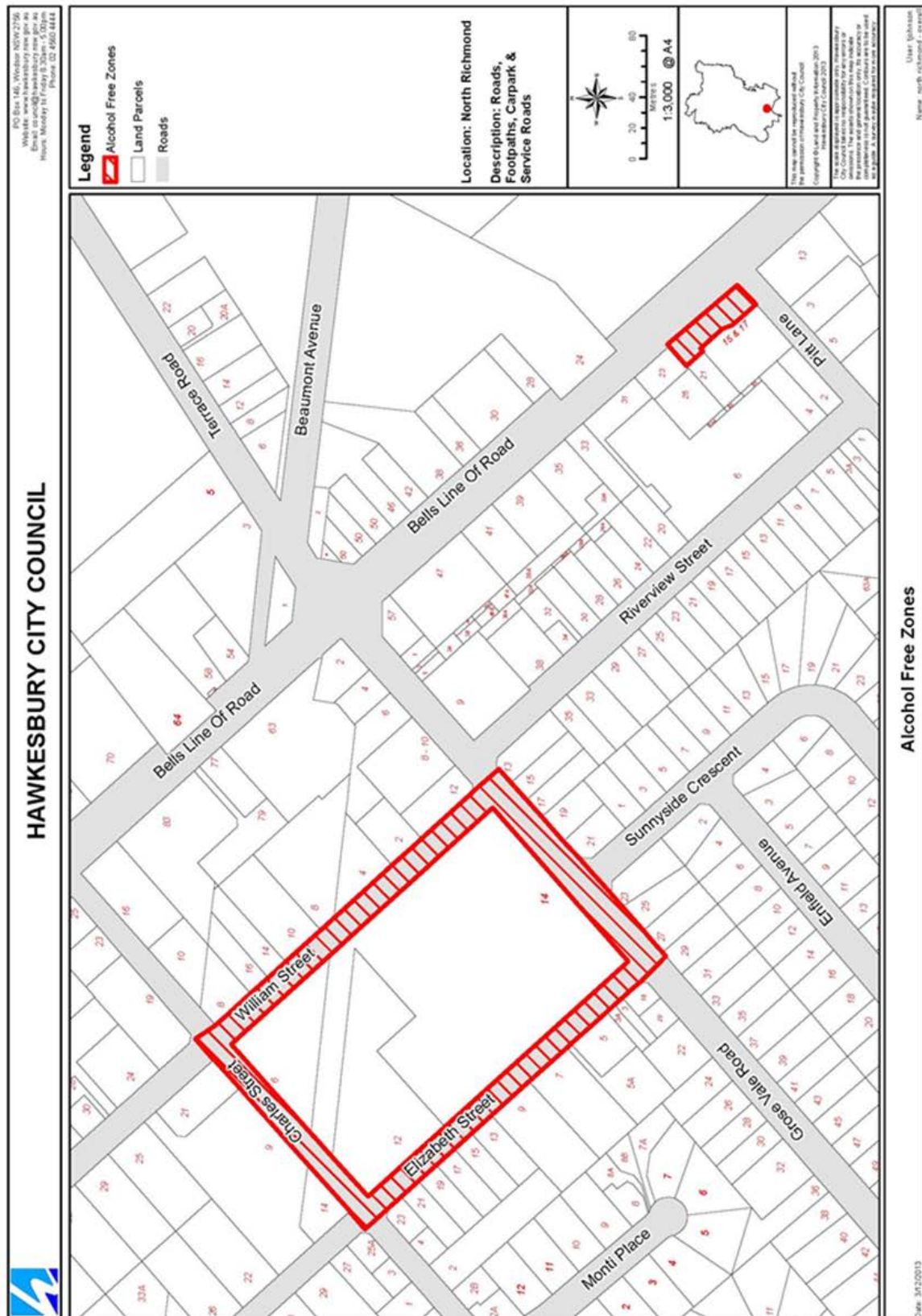
AT - 3 Map of McGraths Hill identifying the location of the Alcohol Free Zones.



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AT - 4 Map of North Richmond identifying the location of the Alcohol Free Zones.



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AT - 5 Map of Pitt Town identifying the location of the Alcohol Free Zones.



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Legend

- Alcohol Free Zones
- Land Parcels
- Roads

Location: Richmond
Description: Roads, Footpaths, Carparks & Service Roads

Scale: 1:4,500 @ A4
 0 35 70 140 Metres

Map Details:
 This map cannot be reproduced without the permission of Hawkesbury City Council.
 Copyright © Land and Property Information 2013
 The map is prepared by LPI © Copyright Hawkesbury City Council. No responsibility for any error or omission is accepted by the Council. The map is for general information only. Its accuracy for any specific purpose is not guaranteed. Colours are to be used as a guide only. The map is not to be used for any other purpose without the written permission of the Council.

Alcohol Free Zones:
 Richmond Train Station
 Richmond Market Place
 Woodhills Carpark
 Magnolia Mall Carpark

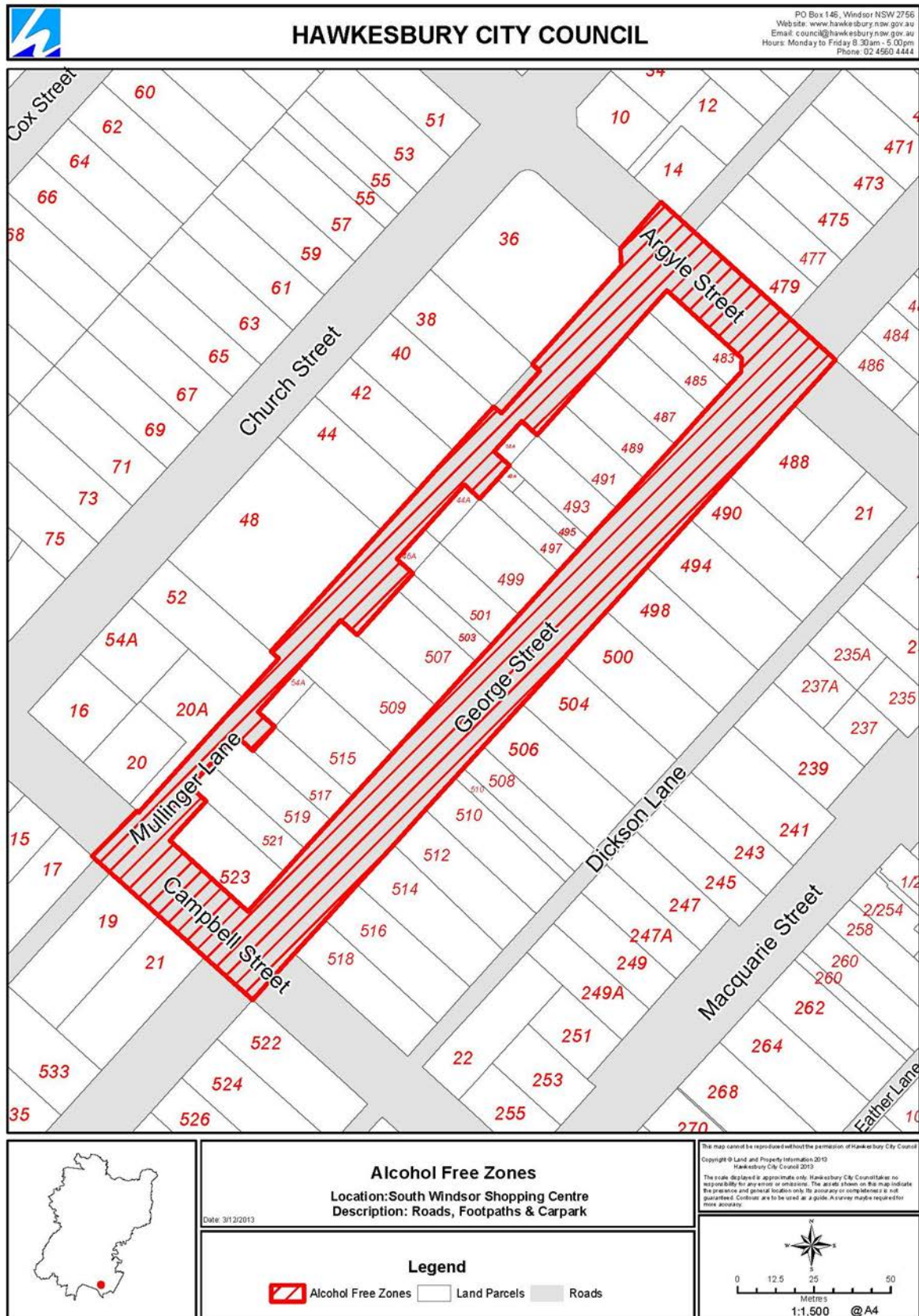
Streets:
 Benson Lane, Francis Street, Windsor Street, West Market Street, Musson Lane, Bosworth Street, East Market Street, March Street, Paget Street, Burgess Street, Toxana Street, Grose Street, Lennox Street, Chapel Road, Williams Street, Moore Street

Other Labels:
 Richmond Park, 140

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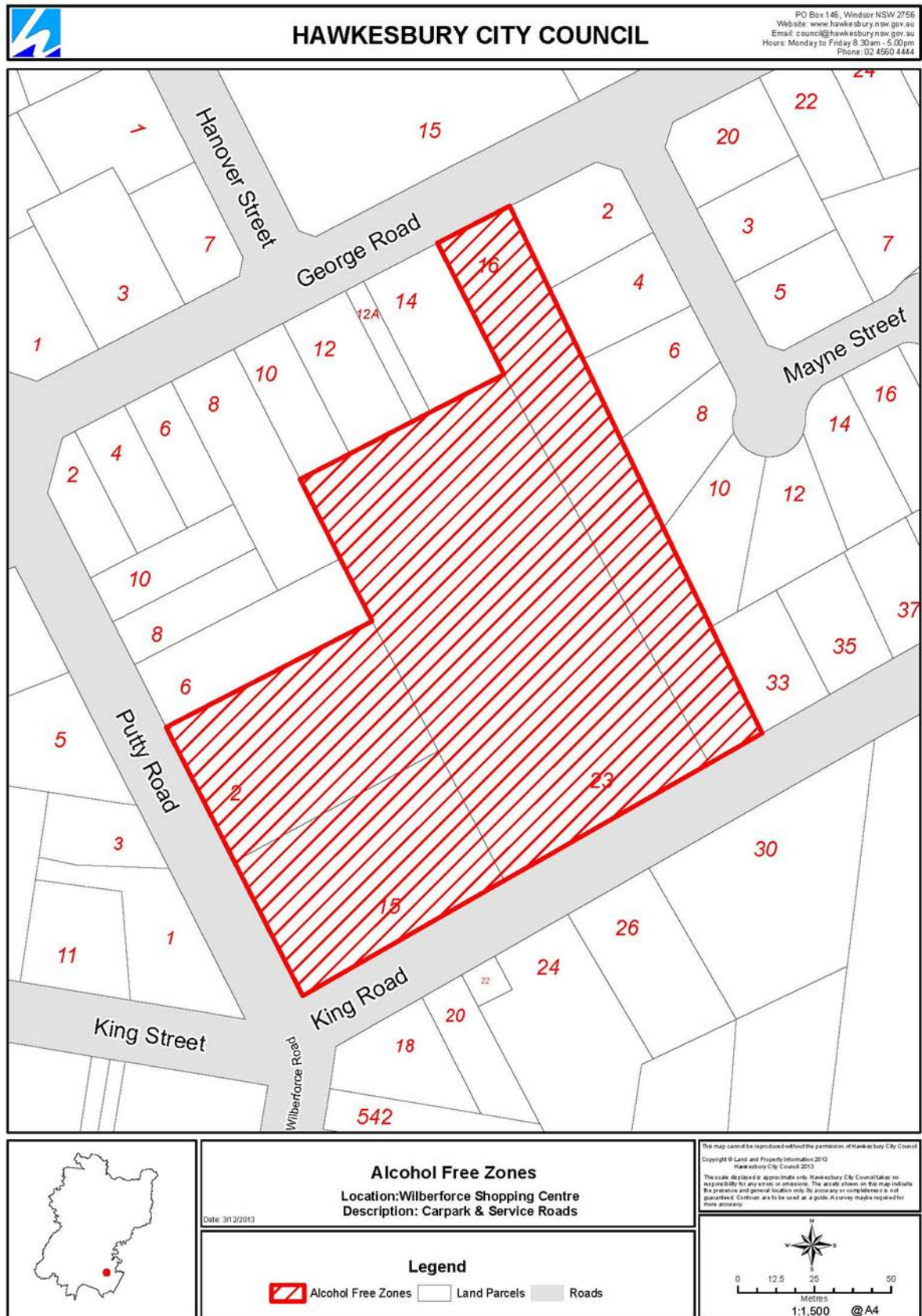
AT - 7 Map of South Windsor identifying the location of the Alcohol Free Zones.



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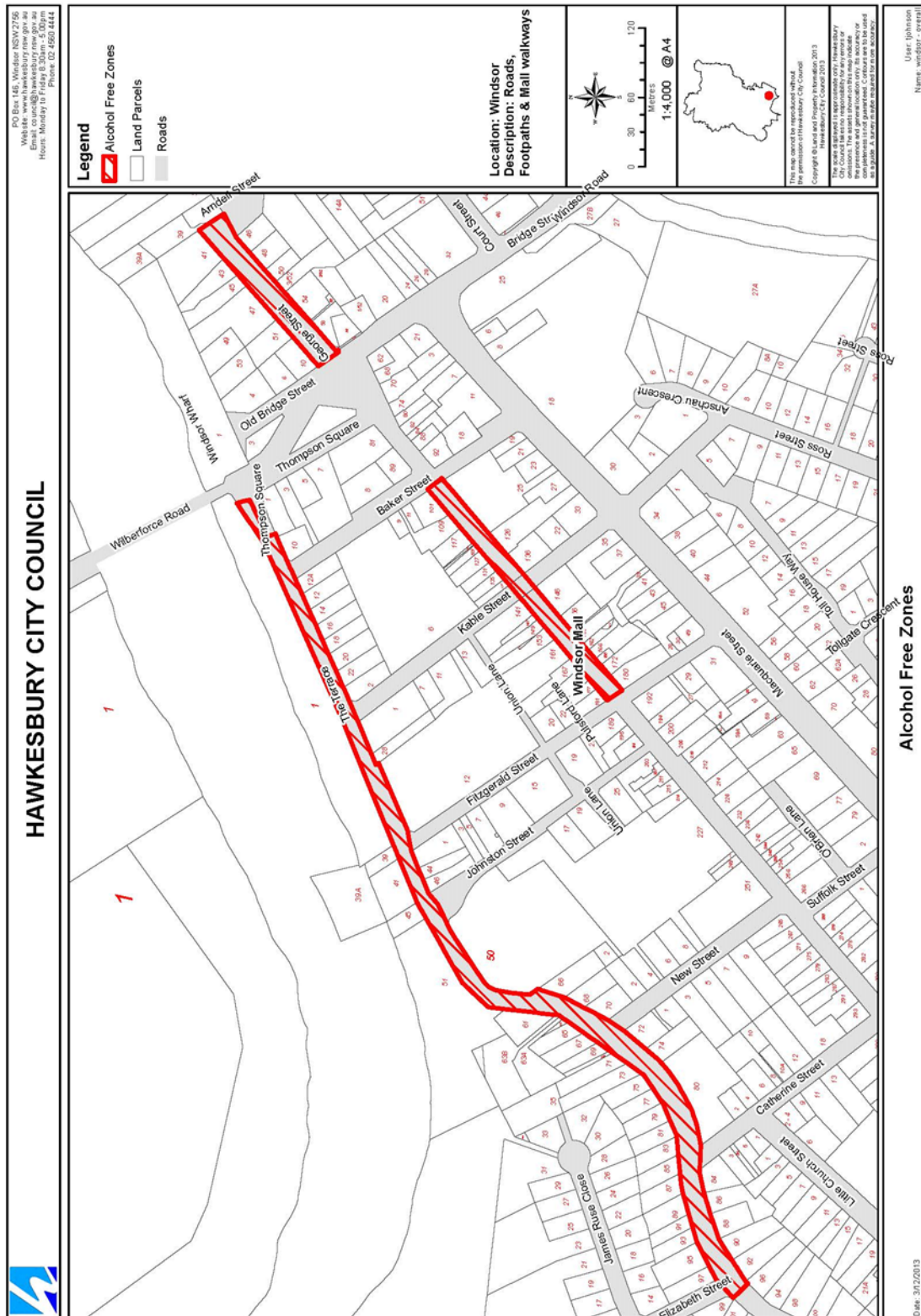
AT - 8 Map of Wilberforce identifying the location of the Alcohol Free Zones.



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AT - 9 Map of Windsor identifying the location of the Alcohol Free Zones.



oooO END OF REPORT Oooo

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ordinary

section 4

reports
of committees

ORDINARY MEETING
Reports of Committees

ORDINARY MEETING
Reports of Committees

SECTION 4 - Reports of Committees

ROC - Development Application Monitoring Advisory Committee - 31 October 2013 - (127794)

The meeting commenced at 5pm.

| | |
|-----------------------|---|
| Present: | Councillor Kim Ford, Chairperson Councillor Warwick Mackay Councillor Bob Porter |
| Apologies: | Councillor Mike Creed, Deputy Chairperson Councillor Tiffany Tree |
| In Attendance: | Mr Peter Jackson, Hawkesbury City Council Mr Matthew Owens, Hawkesbury City Council Ms Shari Hussein, Hawkesbury City Council |

REPORT:

RESOLVED on the motion of Councillor Bob Porter and seconded by Councillor Warwick Mackay that the apology be accepted.

CONFIRMATION OF MINUTES

RESOLVED on the motion of Councillor Bob Porter and seconded by Councillor Warwick Mackay that the Minutes of the Development Application Monitoring Advisory Committee held on the 18 July 2013, be confirmed.

ITEM 1: DEVELOPMENT APPLICATION PROCESS IMPROVEMENTS AND UTILISATION OF TECHNOLOGY

Previous Item: 2, DAMAC (18 July 2013)

RECOMMENDATION TO COMMITTEE:

That:

1. The information regarding the development application processing improvements and utilisation of technology be received and noted.

COMMITTEE RECOMMENDATION:

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

That:

1. The information regarding the development application processing improvements and utilisation of technology be received and noted.

ORDINARY MEETING
Reports of Committees

ITEM 2: DEVELOPMENT APPLICATION PROCESSING AND REQUIREMENTS FOR RIVERFRONT LAND/PROPERTIES

Previous Item: 3, DAMAC (18 July 2013)

Councillor Porter declared a pecuniary interest in this matter as he is part owner of one of the properties referred to in the report. He left the meeting during consideration of this item and did not take part in discussion or voting on the matter. As a result, a quorum was not present for this item.

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 Kim Ford, seconded by Councillor Warwick Mackay.

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

ITEM 3: DEVELOPMENT APPLICATIONS STATISTICS 1 JULY 2013 - 30 SEPTEMBER 2013

Previous Item: 4, DAMAC (18 July 2013)

RECOMMENDATION TO COMMITTEE:

That the information regarding the Development Application Statistics for the period 1 July 2013 – 30 September 2013 be received and noted.

COMMITTEE RECOMMENDATION:

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

That the information regarding the Development Application Statistics for the period 1 July 2013 – 30 September 2013 be received and noted.

The meeting terminated at 5:32pm.

Submitted to and confirmed at the next meeting of the Development Application Monitoring Advisory Committee to be scheduled.

oooO END OF REPORT Oooo

ORDINARY MEETING
Reports of Committees

ROC - Human Services Advisory Committee - 31 October 2013 - (123486)

The meeting commenced at 9:34am.

| | |
|-----------------------|--|
| Present: | Councillor Barry Calvert, Chairperson Ms Vickie Shackley, Deputy Chairperson Councillor Mary Lyons-Buckett Mr Glenn Powers, Community Representative |
| Apologies: | Councillor Warwick Mackay Mr Nick Sabel, Wentworth Community Housing Mr Douglas Carbery, Community Representative Ms Denise Handcock, Peppercorn Services Mr Matt Randell, Community Representative Ms Jane Uff, HARC |
| In Attendance: | Mr Matthew Owens, Hawkesbury City Council Mr Joseph Litwin, Hawkesbury City Council Mr Michael Laing, Hawkesbury City Council Ms Megan Ang, Hawkesbury City Council Ms Robyn Kozjak - Minute Taker, Hawkesbury City Council Ms Birgit Walters, HARC Ms Jacquie Menzies, Glossodia Community Centre |

REPORT:

The Chair opened the meeting by welcoming the Committee and advising the Committee of Mr McAlpine's resignation.

The Chair subsequently handed the meeting over to Mr Owens for the conduct of Election of Chairperson and Deputy Chairperson.

ORDINARY MEETING
Reports of Committees

Attendance Register of Human Services Advisory Committee

| Member | 3-1/10/13 | | | | |
|-----------------------------------|-----------|--|--|--|--|
| Councillor Barry Calvert - Chair | ✓ | | | | |
| Ms Vickie Shackley - Deputy Chair | ✓ | | | | |
| Councillor Mary Lyons Buckett | ✓ | | | | |
| Councillor Warwick Mackay | A | | | | |
| Ms Denise Handcock | A | | | | |
| Mr Matt Randell | A | | | | |
| Mr Douglas Carbery | A | | | | |
| Mr Nick Sabel | A | | | | |
| Mr Glenn Powers | ✓ | | | | |

Key: A = Formal Apology ✓ = Present X = Absent - no apology

SECTION 3 - Reports for Determination

ITEM 1: Election of Chairperson and Deputy Chairperson

Mr Owens called for nominations for the position of Chairperson, one nomination was received, being:

ORDINARY MEETING
Reports of Committees

Councillor Calvert Nominated by Ms Shackley

MOTION:

RESOLVED on the motion of Ms Shackley

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That an election for the position of Chairperson of the Human Services Advisory Committee for the 2013/2014 term of the Committee be carried out.

Mr Owens declared Councillor Calvert elected as the Chairperson of the Human Services Advisory Committee for the 2013/2014 term of the Committee.

Mr Owens called for nominations for the position of Deputy Chairperson, one nomination was received, being:

Ms Shackley Nominated by Councillor Calvert

MOTION:

RESOLVED on the motion of Councillor Calvert

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That an election for the position of Deputy Chairperson of the Human Services Advisory Committee for the 2013/2014 term of the Committee be carried out.

Mr Owens declared Ms Shackley elected as the Deputy Chairperson of the Human Services Advisory Committee for the 2013/2014 term of the Committee.

Mr Owens handed the meeting over to the Chair.

The Chair addressed the Committee, thanking members for their support and welcoming guests Ms Menzies, Centre Co-ordinator and Manager of Glossodia Community Centre, Ms Walters (HARC) and introduced Councillor representative Mary Lyons Buckett.

The Chair referred to the resignation of Chris McAlpine and enquired as to the process to fill vacancies.

Mr Litwin responded the Committee may appoint to fill casual vacancies and suggested Expressions of Interest be sought by way of advertising in the Council Notices section of the Courier Newspaper. Mr Litwin advised the Committee may then consider those applications at a future meeting.

APOLOGIES:

RESOLVED on the motion of Ms Shackley and seconded by Councillor Calvert that the apologies be accepted.

CONFIRMATION OF MINUTES

ORDINARY MEETING
Reports of Committees

RESOLVED on the motion of Ms Shackley and seconded by Councillor Calvert that the Minutes of the Human Services Advisory Committee held on 29 August 2013, be confirmed.

ITEM 2: Social Impact Assessment of Jacaranda Ponds, Glossodia

DISCUSSION:

- Mr Owens addressed the Committee, advising the Social Impact Statement (SIA) was a draft, working document not yet adopted by Council, and therefore was not for general distribution.
- Mr Laing advised the purpose of the SIA was to analyse demographics as well as a range of human services to help understand the potential impacts the proposed project may have on the community and serves as a useful tool to identify gaps in service and provisions.
- It was agreed the working party previously formed to discuss the SIA for the Redbank proposal was very productive and it was determined a further working party be formed to meet with staff to explore Jacaranda Pond's SIA in detail. Councillor Lyons-Buckett, Ms Shackley, Ms Walters and Ms Menzies volunteered to be included in the working party and Mr Laing suggested a meeting date be set for two weeks' time. *(Mr Laing to communicate tentative dates to members).*

Comments/issues raised by the Committee to be discussed at the Working Party:

- Need connectivity between the existing infrastructure in Glossodia and the new infrastructure - currently no footpaths, limited access to services such as schools etc. It was suggested to investigate potential to negotiate improvements to existing infrastructure.
- Childcare - figures in the SIA do not appear to correlate with the population projection. Currently a waiting list for childcare, and with 500 extra homes and both parents likely to be working, more childcare facilities would be required.
- Survey indicated residents deemed road infrastructure, lighting, kerb and guttering as high priorities. Other issues included fire brigade upgrade, access to ambulance and police services, lack of medical services (no GP) and lack of ATM facility.
- Concern for Freemans Reach residents - were they given an opportunity for input.
- Whole community needs to be enlivened and infrastructure such as shared pathways needed to reduce isolation. Important to integrate old estate with the new.

MOTION:

RESOLVED on the motion of Mr Powers, seconded by Councillor Lyons-Buckett

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That the:

1. Information be received.

ORDINARY MEETING

Reports of Committees

2. HSAC provide comments to Council staff for consideration in the development of the Voluntary Planning Agreement (VPA) between Council's senior planners and the development Proponents (E J Cooper & Sons Pty Ltd).
3. Committee form a provisional SIA working party and approach other members not in attendance to ascertain their interest in attending an SIA working party meeting (date yet to be set).

SECTION 5 - General Business

- Mr Laing referred to the previous working party formed to discuss the Redbank proposal (North Richmond) advising two meetings were held where the Committee's comments on the Redbank SIA were deliberated and preliminary costing considered. Mr Laing reported at those meetings considerable thought was given to ways to connect the new development with the existing development.
- Ms Walter asked Mr Owens if a meeting had yet been held with the developer.

Mr Owens responded a meeting had been held with RMS to discuss Bells Line of Road, and a further meeting was scheduled with the developer and staff on 13 November 2013.

- Mr Laing distributed flyers advising the next Homeless Hub was to be held on 28 November 2013.
- The Chair added the issue of homelessness was discussed at the recent Council meeting, where Council resolved to make representations to the Minister to express its support of the Project 40 Program, and to advocate for its retention post June 2014.

The Chair suggested homelessness be included in the agenda for the next meeting in February, asking the Committee to think about feedback to recommend to Council to address the homelessness situation. The Chair suggested affordable housing also be included on that agenda.

- Next meeting - to be advised. Ms Kozjak to arrange a date towards end of February 2014.

The meeting closed at 10:45am.

oooO END OF REPORT Oooo

ORDINARY MEETING
Reports of Committees

ROC - Sustainability Advisory Committee - 18 November 2013 - (126363)

The meeting commenced at 5:16pm in Council Chambers.

| | |
|-----------------------|---|
| Present: | Mr John Street - Community Representative Ms Vickii Lett - Community Representative Councillor Mary Lyons-Buckett - Hawkesbury City Council Ms Jen Dollin - University of Western Sydney |
| Apologies: | Councillor Leigh Williams - Hawkesbury City Council |
| In Attendance: | Mr Matthew Owens - Hawkesbury City Council Mr Phil Pleffer - Hawkesbury City Council Ms Suzanne Stuart - Hawkesbury City Council Ms Robyn Kozjak - Minute Taker |

REPORT:

APOLOGIES:

RESOLVED on the motion of Mr Street and seconded by Councillor Lyons-Buckett that the apology be accepted.

Mr Owens addressed the Committee by welcoming members to the inaugural meeting of the Sustainability Advisory Committee and extended apologies for the protracted process in recruiting membership. Mr Owens added further expressions of interest have been called for to cover remaining vacancies.

Mr Owens proceeded to conduct an Election of Chairperson and Deputy Chairperson.

SECTION 3 - Reports for Determination

ITEM: 1 Election of Chairperson and Deputy Chairperson

Mr Owens called for nominations for the position of Chairperson, one nomination was received, being:

Councillor Lyons-Buckett Nominated by Mr Street

MOTION:

RESOLVED on the motion of Mr Street

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That an election for the position of Chairperson of the Hawkesbury Sustainability Advisory Committee for the 2013/2014 term of the Committee be carried out.

ORDINARY MEETING
Reports of Committees

Mr Owens declared Councillor Lyons-Buckett elected as the Chairperson of the Hawkesbury Sustainability Advisory Committee for the 2013/2014 term of the Committee.

Mr Owens called for nominations for the position of Deputy Chairperson, one nomination was received, being:

Ms Dollin

Nominated by Mr Street

MOTION:

RESOLVED on the motion of Mr Street

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That an election for the position of Deputy Chairperson of the Hawkesbury Sustainability Advisory Committee for the 2013/2014 term of the Committee be carried out.

Mr Owens declared Ms Dollin elected as the Deputy Chairperson of the Hawkesbury Sustainability Advisory Committee for the 2013/2014 term of the Committee.

Mr Owens handed the meeting over to the Chair.

ITEM: 2 Hawkesbury Sustainability Advisory Committee Constitution

DISCUSSION:

- Mr Street made reference to various objectives of the Constitution and made comment on the following:

Objective 2b) - (re information sharing/education) - Suggested to hold a flagship environmental event to demonstrate Council's commitment to sustainability. Mr Street advised 'World Environment Day' was to be held on 5 June 2014 and suggested an event could be held in partnership / conjunction with other organisations and the State government.

Ms Dollin added the UWS Planning Committee was currently working on organising a River Festival in April 2014 and suggested that could be used as a launch pad for the Committee's event. Ms Dollin reported the UWS had formed a number of partnerships with other organisations from which the Committee could benefit.
- Objective 6d) - (re filling casual vacancies) - Suggested targeting two other members.

Mr Owens responded the vacancies have been advertised in the Courier newspaper and on Council's website.

Members suggested organisations / institutions such as Rotary, Bede Polding College (co-ordinator of environment group), UWS etc be targeted for membership.
- Ms Lett suggested an article be placed in the Hawkesbury Gazette to make the community aware of the Committee's existence and purpose.

ORDINARY MEETING
Reports of Committees

Mr Owens responded he would confer with Council's Communications Manager to discuss the possibility of issuing a Press Release to the Gazette.

- Mr Street raised concern the Constitution provided for only two meetings per year and recommended the Committee meet four times per year as he was concerned projects may lose momentum should the Committee convene less frequently.

Mr Owens responded although Clause 7 of the Constitution does state meetings shall be held no less than two times per year, that Clause does not limit the number of meetings held and advised the Committee may meet more regularly if required, and added sub group meetings may also be held.

Ms Kozjak advised at this stage two dates had been set for 2014, i.e. 24 March and 20 October and advised those dates would be emailed to members. Mr Owens added further dates could be set in due course as the need arises.

- Mr Owens suggested the Committee take time to consider other aspects of sustainability (not included in the Constitution) such as financial and social sustainability.
- The Chair enquired if other departments were intending to participate in the Committee.

Ms Kozjak responded Maria Rickert from the Office of Environment and Heritage had advised whilst she was keen to follow the Committee's work, unfortunately she was not in a position to become a regular member of the Committee. Ms Rickert agreed to agendas being forwarded to her and should specific matters requiring her assistance arise, she would then provide input.

RECOMMENDATION TO COMMITTEE:

That the Constitution of the Hawkesbury Sustainability Advisory Committee be noted and discussed.

MOTION:

RESOLVED on the motion of Mr Street, seconded by Ms Lett

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That the Constitution of the Hawkesbury Sustainability Advisory Committee be noted and discussed.

ITEM: 3 Development of Sustainability Indicators

Ms Stuart delivered her presentation to the Committee.

DISCUSSION:

- Ms Stuart referred to funding previously received for a Risk Management Assessment for Council operations to identify areas that may be vulnerable to the impacts of climate change. Ms Stuart advised a consultant commenced the process and Council was to subsequently develop a Natural Hazards Resilience Study. Ms Stuart reported the Study would deal with consequences of the impacts of climate change and ways to mitigate those impacts. Mr Owens added the next step was to undertake an economic cost benefit analysis.

ORDINARY MEETING
Reports of Committees

Mr Owens advised a copy of the Risk Management Assessment (*'Planning for Climate and Natural Hazards Risk Assessment Report' - May 2012*) would be provided at the next meeting.

- Mr Street referred to sustainability indicators relating to "Caring for our Environment" of the Community Strategy Plan, emphasising there was a substantial amount of measures to be developed which would require input from experts in various fields. Mr Street advised baselines would need to be set in order to measure the current situation and subsequent progress. Mr Street suggested the Institute of Sustainable Futures might assist in this regard.

Mr Owens responded the cost (estimated up to \$20,000) of enlisting that organisation would need to be taken into consideration.

- Ms Dollin asked if water monitoring programs were currently undertaken by Council.

Mr Owens responded water monitoring was currently only undertaken at the Sewage Treatment Plant.

- It was advised Sydney Water and the Sydney Catchment Authority undertake water monitoring through a Streamwatch Program where groups investigate and take action on water quality and ecosystem health, of which data was readily available. It was suggested academics in this area be invited to a Committee meeting to discuss the role of that group.
- Ms Lett suggested communities living near the river, kayakers etc. be engaged and their knowledge drawn on to help identify riverine issues. It was also suggested the Sydney Bass Fishing Club be approached as they run a bass catch program and collect data re numbers and health of the fish which is sent to NSW Fisheries. It was subsequently determined Ms Lett would contact Alan Izzard from the Bass Club to further discuss.
- It was suggested data could also be captured through UWS and Western Sydney institute of TAFE students undertaking research projects.
- Mr Street referred to the various data sources available and suggested the Committee might consider some measures which could be acquired more easily than others (e.g. pollutant measures, perception measures), as a starting point. Ms Dollin recommended three published articles (authors Pinto/Maheshwari) relating to community perceptions would be beneficial to the Committee and advised she would email same.
- Ms Dollin added she would also email details of the Riverfest event.

RECOMMENDATION TO COMMITTEE:

That the Committee receive the presentation on the Council adopted Sustainability Principles.

MOTION:

RESOLVED on the motion of Ms Lett, seconded by Ms Dollin

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That the Committee receive the presentation on the Council adopted Sustainability Principles.

SECTION 5 - General Business

ORDINARY MEETING
Reports of Committees

- Mr Street referred to budget estimates (p.35 of Council's Delivery Program) asking how those amounts were divvied up into the different areas of the Community Strategic Plan (CSP) and queried if it was appropriate for the Committee to recommend a greater allocation to be put towards actions as identified by the Committee (for the 'Caring for Our Environment' component of the CSP).

Mr Pleffer responded under the Integrated Planning and Reporting requirements the Division of Local Government stipulates that we establish elements of the CSP and are to identify budgets (based on an assumption) for activities to be undertaken in that year. Mr Owens added staff endeavour to define those budgets based on actions outlined in the Delivery Program and the implementation of those actions to achieve the commitments made in the Delivery Program.

The meeting closed at 6:43pm

oooO END OF REPORT Oooo

ordinary

section 5

notices of motion

ORDINARY MEETING

Notices of Motion

ORDINARY MEETING

Notices of Motion

SECTION 5 - Notices of Motion

NM - Hawkesbury Heritage Descriptive Plaques - (80093)

Submitted by: Councillor Calvert

NOTICE OF MOTION:

That a report be developed by staff on the strategies, costs and processes that would be involved in:

1. Having descriptive plaques provided and erected on all Hawkesbury Heritage sites;
2. Numbering or codifying the plaques in some manner that will enable a 'Heritage Walk' or similar concept to be developed; and
3. Building the concept into the Council budget over time, so that the plaques could be progressively provided and/or seeking funding from other sources.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

ORDINARY MEETING

Notices of Motion

ORDINARY MEETING
Questions for Next Meeting

QUESTIONS FOR NEXT MEETING

Councillor Questions from Previous Meetings and Responses - (79351)

REPORT:

Questions - 26 November 2013

| # | Councillor | Question | Response |
|---|------------|--|---|
| 1 | Calvert | Advised that he was submitting a Notice of Motion for plaques on historic buildings for the next Ordinary Meeting to be held on 10 December 2013. | The General Manager advised that the Notice of Motion is on the Business Paper for this meeting. |
| 2 | Paine | Requested that a hole in the road on The Terrace, Windsor near Riverview be repaired. | The Director Infrastructure Services advised that repairs have been completed. |
| 3 | Paine | Requested that the provision of a signalised pedestrian crossing be considered for George Street, Windsor, near Bligh Park and the matter be raised with the RMS at a Local Traffic Committee meeting. | The Director Infrastructure Services advised that the matter will be referred to the Local Traffic Committee. |
| 4 | Williams | Requested if he could be provided with additional information regarding Windsor Wharf, specifically: a) Who is responsible for the cost of repairs to the wharf and how much will it cost, and b) A copy of the Accessibility Requirements and grant conditions. | The Director Infrastructure Services advised that the information requested would be forwarded to all Councillors. |
| 5 | Reardon | Requested an update on the "Hawkesbury City Council" sign that is to be installed out the front of Administration Building. | The Director Support Services advised that a development application for the sign is currently being prepared. It is anticipated that subject to development approval, the works will be completed by March 2014. |

oooO END OF REPORT Oooo

ORDINARY MEETING

Questions for Next Meeting

ORDINARY MEETING
CONFIDENTIAL REPORTS

CONFIDENTIAL REPORTS

Item: 251 **IS - Tender No. 00936 - Provision of a New Data Centre at Council
Administration Building 366 George Street, Windsor - (95495, 79340)**

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
CONFIDENTIAL REPORTS

Item: 252

**IS - Tender No. 00933 - Provision of Repainting Various Council Sites
2013/2014 - (95495, 79340**

Reason for Confidentiality

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

Specifically, the matter is to be dealt with pursuant to Section 10A(2)(c) of the Act as it relates to (details concerning tenders for the supply of goods and/or services to Council/details concerning 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
CONFIDENTIAL REPORTS

Item: 253

IS - Tender No. 00932 - Tender for the Selective Maintenance of Roads and Drainage - (95498, 79344)

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
CONFIDENTIAL REPORTS

Item: 254 **SS - Property Matter - Extinguishment of Lease to C and A Wallace Pty Limited and Lease to Ngoc Minh Chau Nguyen - Shop 4 McGraths Hill Shopping Centre - (112106, 95496, 124598, 74292)**

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 remove brackets) 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

end of
business
paper

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