



Hawkesbury City Council

ordinary meeting business paper

date of meeting: 01 February 2011

location: council chambers

time: 6:30 p.m.



mission statement

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

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Notices of Motion

SECTION 3 - Notices of Motion

NM3 - Roberts Creek Road Creek Crossing - (80105)

Submitted by: Councillor Williams

NOTICE OF MOTION:

That:

1. A report be brought to council indicating the most cost-effective way of providing an effective road crossing where Roberts Creek Road crosses Roberts Creek.
2. Consideration be given to providing funding in the 2011/2012 budget to provide a low cost, environmentally effective crossing of the creek.

BACKGROUND:

There has been great concern in the East Kurrajong - Blaxlands Ridge area for some time regarding the Roberts Creek Road/Roberts Creek crossing, a crossing which is best described as essentially "un-constructed". Council has for many years been in the practice of depositing coarse gravel in the creek bed to provide a crossing. It is estimated that there are currently 100 plus vehicles per day using the crossing, including water trucks carrying loads to Blaxlands Ridge from the hydrants at Glossodia.

The downside of this is that any "flush" in the creek washes the gravel away and down the creek, requiring more gravel to be installed to reopen the crossing. Additionally, vehicles fording the creek push a wash ahead of them which surges up the unsealed road and then runs back carrying large amounts of turbidity back into the creek, made worse by water pouring from the vehicles underside. It is an unacceptable environmental situation and needs to be addressed.

It is also a social justice issue, as residents vehicles suffer from suspension, brake and steering problems because of ingress of water into the lower parts of vehicles.

Attached are photographs of a "national park" type crossing as an example of a simple, low-cost, low maintenance type of crossing commonly used in our National Parks and which Councillor Williams believes would be suitable for Roberts Creek. Councillors will see from the photos it is a slab laid across the creek bed with "ag-lines" installed underneath, ducts formed in the upper surface of the crossing to allow low-flows to pass through without requiring the vehicle to get wet and blockwork keyed to the sides to provide safety markers for times when higher flows occur.

ATTACHMENTS:

AT - 1 Photographs of a "national park" type crossing

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Notices of Motion

AT - 1 Photographs of a “national park” type crossing



oooO END OF NOTICE OF MOTION Oooo

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SECTION 4 - Reports for Determination

CITY PLANNING

Item: 4 **CP - Development Modification - 10 Bed Extension to Existing Nursing Home - Lot 100 DP793048 and Lot 5 DP596107, 116 March Street, Richmond - (DA0781/09A, 91720, 3996, 95498)**

Previous Item: 84, Ordinary (11 May 2010)

Development Information

File Number: DA0781/09A
Property Address: 116 March Street RICHMOND NSW 2753, Lot 5 DP 596107 & Lot 100 DP 793048
Applicant: Urban City Consulting
Owner: Richmond Club Limited
Proposal Details: Modification of Condition No. 34 of Development Consent Notice DA0781/09 - Residential Care Facility - Ten bed extension to existing Nursing Home
Estimated Cost: Not applicable
Zone: 5 (a) Special Use under Hawkesbury Local Environmental Plan 1989
Draft Zoning: R2 Low Density Residential under Draft Hawkesbury Local Environmental Plan 2009.
Date Received: 29 December 2010
Advertising: Not required under HDCP 2002
Key Issues: ♦ Timing of agreement finalisation
Recommendation: Approval

REPORT:

Executive Summary

The application seeks to modify condition number 34 of Development Consent DA0781/09, which gave approval for a Residential Care Facility - Ten bed extension to the existing Nursing Home at Lot 100 in DP793048 and Lot 5 in DP596107 No. 116 March Street Richmond.

The original application was determined by Council at its ordinary meeting on the 11 of May 2010. As part of the approval of the application it was resolved that:

"Council enter into legal arrangements with the developer in order to formalise the use of 20 parking spaces on Council owned land located on Lot 101 DP793048, Lot 2 DP 575929, Lot 6 DP560899, Lot 4 DP561147 and Lot 2 DP560898 at No.114, 110, 110A, 110B and 110C March Street, Richmond."

Subsequently, a condition of development consent was issued requiring that the legal agreements be finalised prior to the issue of an interim occupation certificate for the building.

The application seeks to change the stage in which this condition is required to be satisfied by requiring the condition to be met prior to the issue of a final occupation certificate, as opposed to an interim certificate.

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It is intended that the proposed modification will allow for an interim occupation certificate to be issued for the building so that the new portion of the nursing home can be occupied whilst the carparking agreement between Council and the developer is finalised.

It is considered that the proposed modification will not change the nature in which the development is proposed and it is therefore recommended that the application be supported.

This application is being reported to Council as the proposal involves Council owned land at Lot 101 DP793048, Lot 2 DP 575929, Lot 6 DP560899, Lot 4 DP561147 and Lot 2 DP560898 at No.114, 110, 110A, 110B and 110C March Street, Richmond.

Description of the proposal

The application involves a modification to condition 34 of Development Consent DA0781/09 which reads as follows:

34. *Prior to the issue of the Interim Occupation Certificate submission of evidence, to the Principle Certifying Authority, that legal arrangements have been made between Hawkesbury City Council and the owners of 116 March Street, Richmond in respect to the continued use of 20 carparking spaces located on adjoining Council owned Land at Lot 101 DP793048, Lot 2 DP 575929, Lot 6 DP560899, Lot 4 DP561147 and Lot 2 DP560898 at 114, 110, 110A, 110B and 110C March Street, Richmond.*

The modification involves the change of wording of the condition so that the word 'interim' is replaced with the word 'final'.

Council is the principal certifying authority for the development and the works approved as part of DA0781/09 are nearing completion. To date, the legal agreement for the use of the parking spaces is in the final stages of negotiation between Council and the developer.

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

The proposed development is considered to be a modification made to Section 96(1A) of the Environmental Planning and Assessment Act 1979, relating to modifications having minor environmental impact. This section provides that the consent authority may modify the consent if:

- (a) *it is satisfied that the proposed modification is of minimal environmental impact, and*

Comment: It is considered that the proposed modification is of minimal environmental impact as the proposal does not seek to change the intended use or intensity of development of the subject site.

- (b) *it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and*

Comment: The proposed modification remains consistent with the original approval granted under Development Consent No. DA0781/09.

- (c) *it has notified the application in accordance with:*
- (i) *the regulations, if the regulations so require, or*
 - (ii) *a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*

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Comment: Notification not required under Hawkesbury Development Control Plan 2002.

- (d) *it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.*

Comment: No submissions were received in respect to the subject application.

Matters for Consideration under Section 79C of the Environmental Planning and Assessment Act 1979

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

a. The provisions of any:

i. Environmental Planning Instrument:

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

The proposed modification is consistent with the provisions of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

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

The proposed modification is consistent with the aims, objectives and recommended strategies of SREP No. 20.

Hawkesbury Local Environmental Plan 1989 (HLEP 1989)

The proposal is considered satisfactory having regard to the provisions of HLEP 1989. The proposed modification does not propose the change in use of the site and will remain consistent with the overall objectives of the zone.

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

DRAFT Hawkesbury Local Environmental Plan 2009 applies to the subject land

This draft plan was publicly exhibited between 5 February 2010 and 12 April 2010. Under this Plan the subject land is proposed to be zoned R2 Low Density Residential.

The proposed modification is consistent with the provisions of this draft plan.

iii. Development Control Plan applying to the land:

Hawkesbury Development Control Plan 2002

The proposal is consistent with the requirements of this plan with no physical works proposed as part of the modification.

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

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

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v. Matters prescribed by the Regulations:

None applicable

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

It is considered unlikely that the proposed modifications will have any detrimental social, economic or environmental impact on the locality.

c. Suitability of the site for development:

Council, as part of the granting of the original approval, has previously agreed that the carpark be used by the Nursing home subject to an agreement being entered into. The proposed amendments simply allow the building to be occupied in the interim until the agreement is finalised.

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

After consultation with Council's Property Department it was found that the legal agreement for the use of Council owned land for car parking was in the final stages of negotiations and that there were no objections to the proposed modification.

e. The Public Interest:

Public interest will be served, as the proposed development will be able to provide additional aged care for the community earlier than what is currently required as set in the current conditions of consent.

Hawkesbury Section 94A Development Contributions Plan 2006

The proposed modification does not involve changes to the development under Councils Contributions Plan.

Conclusion

Based upon the assessment of the application as described in this report, it is considered that the modification be supported.

Planning Decision

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

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RECOMMENDATION:

That the modification application be approved subject to the following amendments:

1. Condition No 34 be deleted:
2. Addition of condition:
 - 42a. Prior to the issue of the Final Occupation Certificate submission of evidence, to the Principal Certifying Authority, that legal arrangements have been made between Hawkesbury City Council and the owners of 116 March Street, Richmond in respect to the continued use of 20 carparking spaces located on adjoining Council owned Land at Lot 101 DP793048, Lot 2 DP 575929, Lot 6 DP560899, Lot 4 DP561147 and Lot 2 DP560898 at 114, 110, 110A, 110B and 110C March Street, Richmond.

ATTACHMENTS:

- AT - 1** Locality Plan
- AT - 2** Aerial Photograph
- AT - 3** Amended List of Conditions

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AT - 2 Aerial Photograph



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AT - 3 Amended List of Conditions

General

1. The development shall take place in accordance with the stamped plans, specifications and accompanying documentation submitted with the application except as modified by these further conditions.
2. No excavation, site works or building works shall be commenced prior to the issue of an appropriate Construction Certificate.
3. The approved use shall not commence until all conditions of this Development Consent have been complied with.
4. The extension shall not be used or occupied prior to the issue of an Occupation Certificate.
5. The development shall comply with the provisions of the Building Code of Australia at all times.
6. Occupation of the accommodation in this development is restricted to those people identified within Clause 18 (1) - Restrictions on occupation of seniors housing allowed under this Chapter of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

Prior to Issue of Construction Certificate

The following conditions in this section of the consent must be complied with or addressed prior to the issue of any Construction Certificate relating to the approved development, whether by Council or an appropriately accredited certifier. In many cases the conditions require certain details to be included with or incorporated in the detailed plans and specifications which accompany the Construction Certificate. **The Construction Certificate shall be obtained prior to the commencement of any earth works or building works.**

7. Pursuant to section 80A(1) of the Environmental Planning and Assessment Act 1979 and Hawkesbury City Council's Section 94A Development Contributions Plan 2006 (as amended from time to time), a contribution of \$13,880.00 shall be paid to Hawkesbury City Council.

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

The contribution is to be paid prior to the issue of the Construction Certificate and copies of receipts(s) confirming that the contribution has been fully paid are to be provided to the Principal Certifying Authority.

8. A report is to be prepared by an appropriately qualified Acoustic Engineer with the Construction Certificate, certifying that noise levels within the proposed building will not exceed the requirements contained in AS2021-2000 Acoustics - Aircraft Noise Intrusion: Building Siting and Construction having regard to aircraft noise as the site is situated in the 20 - 25 ANEF Contour and satisfy the NSW Environment Protection Authority's guidelines "Environmental Criteria for Road Traffic Noise".

This report is to recommend appropriate materials to be utilized within the building so as to ensure that the acceptable internal noise level criteria are provided.

9. The location of the proposed and existing essential services to the new and existing building shall be provided to the Principle Certifying Authority for assessment and approval.

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Prior to Commencement of Works

10. Erosion and sediment control devices are to be installed and maintained at all times during site works and construction. The enclosed warning sign shall be affixed to the sediment fence/erosion control device.
11. The building shall be set out by a Registered Surveyor. The Survey Certificate of the building showing the position of the external walls under construction and in compliance with the approved plans shall be lodged with the Principal Certifying Authority. Any easements must be shown on the Survey Certificate.
12. A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 shall be supplied to the Principal Certifying Authority prior to commencement of works.
13. A copy of receipt of payment of Long Service Levy shall be provided to the Principal Certifying Authority prior to any works commencing on site. Payments can be made at Long Service Corporation offices or most councils.
14. At least two days prior to commencement of works, notice is to be given to Hawkesbury City Council, in accordance with the Environmental Planning and Assessment Regulation.
15. Toilet facilities (to the satisfaction of Council) shall be provided for workmen throughout the course of building operations. Such facility shall be located wholly within the property boundary.
16. A sign displaying the following information is to be erected adjacent to each access point and to be easily seen from the public road. The sign is to be maintained for the duration of works:
 - (a) Unauthorised access to the site is prohibited.
 - (b) The owner of the site.
 - (c) The person/company carrying out the site works and telephone number (including 24 hour 7 days emergency numbers).
 - (d) The name and contact number of the Principal Certifying Authority.
17. A qualified Structural Engineer's design for all reinforced concrete and structural steel shall be provided to the Principal Certifying Authority prior to any works commencing on site.
18. The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped.

For Quick Check agent details, please refer to the web site www.sydneywater.com.au, see Building Developing and Plumbing then Quick Check or telephone 13 20 92.

The consent authority or a private accredited certifier must either:

- Ensure that Quick Check agent/Sydney Water has appropriately stamped the plans before the issue of any Construction Certificate; or
- If there is a combined Development/Construction Certificate application or Complying Development, include the above condition as one to be met prior to works commencing on site.

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During Construction

19. Dust control measures, eg vegetative cover, mulches, irrigation, barriers and stone shall be applied to reduce surface and airborne movement of sediment blown from exposed areas.
20. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
21. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted.
22. All natural and subsurface water-flow shall not be re-directed or concentrated to adjoining properties. Water flows shall follow the original flow direction without increased velocity.
23. External colours and material of the new work are to match the existing.
24. Site and building works (including the delivery of materials to and from the property) shall be carried out only on Monday to Friday between 7am – 6pm and on Saturdays between 8am – 4pm.
25. During the demolition and construction period, the person responsible for the site is to retain records of waste disposal (waste receipts or dockets, recycling processor receipts etc.) in a Waste Data File. The Waste Data File must be provided to Council officers on request to demonstrate that the approved Waste Management Plan is being implemented.
26. The site shall be kept clean and tidy during the construction period and all unused building materials and rubbish shall be removed from the site upon completion of the project. The following restrictions apply during construction:
 - (a) Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path or easement, natural watercourse, footpath, kerb or road surface and shall have measures in place to prevent the movement of such material off site.
 - (b) Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken only within the site.
 - (c) Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a Waste Disposal Depot.
27. Erosion and sediment control devices are to be installed and maintained until the site is fully stabilised in accordance with the approved plan and Hawkesbury Development Control Plan chapter on Soil Erosion and Sedimentation.
28. Mandatory inspections shall be carried out and Compliance Certificates issued only by Council or an accredited certifier for the following components of construction:

Note: Structural Engineer's Certificates, Drainage Diagrams and Wet Area Installation Certificates are NOT acceptable unless they are from an accredited person.

- (a) Piers;
- (b) Internal stormwater lines prior to covering;
- (c) Steel reinforcement prior to pouring concrete;
- (d) External stormwater lines, prior to backfilling;
- (e) Framework, after installation of all plumbing, drainage and electrical fixtures, and after the external cladding and roof covering has been fixed prior to fixing of internal linings and insulation;

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- (f) Wet area flashing, after the installation of bath and shower fixtures;
 - (g) Prior to occupation of the building;
 - (h) On completion of the works.
29. All materials and components used in the building shall comply with the early fire hazard indices stipulated in Specification C1.10 of the BCA. A separate schedule detailing such materials and their respective indices and approved in writing prior to the acquisition, installation or fitting of such materials.
30. Portable fire extinguisher/s containing an extinguishing agent suitable for the risk being protected shall be installed in accordance with AS 2444 E1.6.
31. All civil construction works required by this consent shall be in accordance with Hawkesbury Development Control Plan appendix E Civil Works Specification.
32. Appropriate legal arrangements are to be made for the provision of common drainage and the disposal of storm water from the site.
33. The existing adjacent carpark at the north east of the nursing home shall be upgraded to provide 24 off-street carparking spaces.

The works shall include provision for two (2) disabled parking spaces, line marking and vehicle wheel stops. Access manoeuvring and turning areas are to comply with the requirements of AS2890.1:2004.

Prior to Issue of Interim Occupation Certificate

34. Condition Deleted (S96 Modification DA0781/09A).

35. A Fire Safety Certificate shall be issued addressing the requirements of the Fire Safety Schedule.
36. A Certificate from a telecommunications carrier confirming that provision has been made for services to the development shall be submitted to the Principal Certifying Authority.
37. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

38. Written clearance from Integral Energy shall be submitted to the Principal Certifying Authority.
39. A 'Restriction as to User' against the title of the property, in accordance with section 88E of the Conveyancing Act 1919, limiting accommodation to those people identified within Clause 18 (1) - Restrictions on occupation of seniors housing allowed under this Chapter of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, is to be registered. Evidence of this registration is to be submitted to the Principle Certifying Authority prior to the issue of any Occupation Certificate.

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Prior to Issue of Final Occupation Certificate

40. Compliance with all conditions of this consent.
41. A Surveyor's Certificate stating that all existing buildings on the lots are contained within the subject property shall be submitted to Hawkesbury City Council.
- 41a. Prior to the issue of the Final Occupation Certificate submission of evidence, to the Principal Certifying Authority, that legal arrangements have been made between Hawkesbury City Council and the owners of 116 March Street, Richmond in respect to the continued use of 20 carparking spaces located on adjoining Council owned Land at Lot 101 DP793048, Lot 2 DP 575929, Lot 6 DP560899, Lot 4 DP561147 and Lot 2 DP560898 at 114, 110, 110A, 110B and 110C March Street, Richmond.

New Condition (S96 Modification DA0781/09A).

The Use of the Site

42. No internal or external alterations shall be carried out without prior approval of Council.
43. All waste materials shall be regularly removed from the property.
44. The subject development, including landscaping, is to be maintained in a clean and tidy manner.
45. No advertising signs or structures shall be erected, displayed or affixed on any building or land without prior approval.
46. No advertising signs or structures shall be displayed on the footpaths, pedestrian ways, roadways or on any land other than the approved development site.
47. All fire safety equipment and fixtures shall be regularly serviced and maintained. The owner or their agent shall certify annually that each of the fire safety measures specified in this statement has:
 - (a) been assessed by a properly qualified person, and
 - (b) found, when it was assessed, to be capable of performing to at least the standard required by the current Fire Safety Schedule for the building for which the certificate is issued.

oooO END OF REPORT Oooo

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Item: 7 **CP - Implementing the Integrated Planning and Reporting Framework - (95498)**

Previous Item: 255, Ordinary (24 November 2009)

REPORT:

Executive Summary

The NSW Division of Local Government introduced a new planning and reporting framework for NSW local government via the *Local Government Amendment (Planning and Reporting) Act 2009* (the Act), on 9 October 2009. Councils were required to nominate a group for the timeframe to complete the implementation of the changes and at the meeting of 24 November 2009 Council nominated to be in Group 3.

The Division of Local Government has given councils the opportunity to amend their nominations and requested that the Group 2 and Group 3 councils amend or re-confirm their nominations. The purpose of this report is to obtain a Council resolution that re-confirms Council's previous nomination for inclusion in Group 3.

Consultation

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

Background

On 24 November 2009 Council considered a report on the implementation of the Integrated Planning and Reporting framework (*See attachment 1*). The resolution of that meeting was as follows:

"That the Division of Local Government be advised that Council nominates to be included in "Group 3: Community Strategic Plan and Delivery Program adopted by 30 June 2012", for the implementation of the integrated planning and reporting framework."

Group 1 councils completed the implementation work in July 2010 and the Division of Local Government recently wrote to all councils in Groups 2 and 3 to provide the opportunity for those councils to amend their nominated timeframes. (*See attachment 2*). The Division's letter also requires Council to re-confirm the nominated timeframe via a resolution of Council.

Council has completed the Community Strategic Plan and is currently working on the development of the Resourcing Strategy, Delivery Program and the amended Operational Plan. Whilst this work is proceeding it is recommended that Council remain in Group 3. This requires the work to be finalised for adoption by Council in June 2012.

Conformance to Community Strategic Plan

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

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

and is also consistent with all the Directions and Strategies in the Community Strategic Plan as the process of implementation of the Integrated Planning and Reporting is the process that requires the preparation and implementation of the Community Strategic Plan and all the associated Directions and Strategies.

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Financial Implications

Funding for some of the required work is already included in the current budget as the work will essentially involve modifications to current practices. As the need for additional budget allocations are identified, the proposed changes will be developed and reported via future Quarterly Budget Reviews and the Draft 2011/2012 Budget.

RECOMMENDATION:

That the Division of Local Government be advised that Council re-confirms its nomination to be included in "*Group 3: Community Strategic Plan and Delivery Program adopted by 30 June 2012*", for the implementation of the integrated planning and reporting framework.

ATTACHMENTS:

- AT - 1 Council report from Ordinary Meeting of 24 November 2009
- AT - 2 Letter from NSW Division of Local Government dated 30 December 2010)

AT - 1 Council Report from Ordinary Meeting of 24 November 2009

Implementing the Integrated Planning and Reporting Framework

REPORT:

Introduction

The NSW Division of Local Government has introduced a new planning and reporting framework for NSW local government. The *Local Government Amendment (Planning and Reporting) Act 2009* (the Act), was assented to on 9 October 2009. The purpose of this report is to further advise Council of the requirements of the amendment to the Act, and to nominate a Group for the timeframe to complete implementation of the changes.

Division of Local Government's - Planning for a Sustainable Future: Integrated Planning and Reporting Framework

The reforms replace the former Management Plan and Social Plan with an integrated framework, consisting of a hierarchy of documents which include a long-term Community Strategic Plan, a Resourcing Strategy and a Delivery Program for each elected council term. An Operational Plan is then developed for each year to outline the specific details of Council's activities and budget and report on the progress of its activities to the community through the Annual Report.

The Division of Local Government (DLG) released for public consultation, in May 2009, the Integrated Planning and Reporting Legislation and Guideline Exposure Draft Local Government Amendment (Planning and Reporting) Bill 2009, and the Local Government (General) Amendment (Planning and Reporting) Regulation 2009. The draft legislation was supported by draft Planning and Reporting Guidelines (compliance is mandatory), and a draft Planning and Reporting Manual (supporting information to assist councils).

The Bill was tabled in the NSW Parliament in early July 2009 and was assented to (commenced) on 9 October 2009.

Councils will be required to address all essential elements of the legislation in their plans and prepare a compliance report in accordance with the Act. The following diagram shows the basic structure of the proposed new planning and reporting system.

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The contents of the Manual are not mandatory requirements. However, councils are required to consider the content of the Manual when they are making decisions on the transition to the new planning and reporting system.

The implementation of the new requirements will be staged, to comply with the requirements of the legislation. However, all councils by 2012 will need to have in place the following planning processes:

- a community engagement strategy that sets out how each council will engage its community when developing or reviewing its Community Strategic Plan,
- a Community Strategic Plan,
- a Resourcing Strategy that includes a long term financial plan, a workforce management strategy and an asset management policy, strategy and plans,
- a Delivery Program,
- an Operational Plan, including a statement of revenue policy, and a detailed annual budget.

To comply with the requirements of the legislation and the *Planning and Reporting Guidelines for local government in NSW*, councils will also need to have in place the following reporting processes:

- an Annual Report outlining achievements against the Delivery program,
- a State of the Environment Report as part of the Annual Report, which outlines achievements in relation to the environmental objectives in the Community Strategic Plan,
- audited financial statements as part of the Annual Report,
- an end of term report by each outgoing council outlining the achievements in implementing the Community Strategic Plan presented to the final meeting of that council.

The implementation of the new integrated planning framework is proposed over a three year period. The Division of Local Government wrote to Council on 14 October 2009 (copy attached) requiring Council to nominate, by resolution, its choice of Group for the implementation of the new requirements. The timeframe groups are as follows:

- Group 1: Community Strategic Plan and Delivery Program adopted by 30 June 2010.
- Group 2: Community Strategic Plan and Delivery Program adopted by 30 June 2011.
- Group 3: Community Strategic Plan and Delivery Program adopted by 30 June 2012.

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The Division has suggested that Councils should consider the following matters in determining which Group to nominate:

- its capacity to meet the new legislative requirements within the timeframe,
- if there is sufficient time to effectively engage the community in preparing the relevant plans,
- the status of its Resource Strategy development. The Council should have an asset management strategy developed that identifies how it will manage its assets and how and over what timeframe it will develop asset management plans for all classes of assets.

The letter from the Division also states that if councils are well progressed, or have already adopted, a Community Strategic Plan, that consideration should be given to nominating for Group 1, i.e., to be completed by 30 June 2010.

As Council is aware, the Hawkesbury Community Strategic Plan was adopted at the meeting of 13 October 2009. Notwithstanding, there is a significant amount of work still required prior to Council fully implementing the legislative requirements. These include Resource Strategy matters, such as asset management processes, preparation and budgeting, Delivery Plan preparation and necessary amendments to Council operations and development of Council processes to enable the necessary reporting regime.

The adoption of the Community Strategic Plan will ensure that Council is well placed to embrace and comply with the planning reform requirements. However, given the amount of work required and the impact this work will have on Council's limited resources, it is recommended that Council nominate for Group 3, i.e., implementation of the requirements by 30 June 2012.

Conformance to Strategic Plan

The implementation of the Integrated Planning and Reporting framework is a legislative requirement. However, it should also be noted that this framework involves the development and implementation of strategic policy throughout Council and its operations. The first part of this strategic policy has been the development and adoption of the Community Strategic Plan. All future decisions of Council will need to be consistent with, or flow from, the directions and strategies articulated in the Community Strategic Plan.

Funding

Funding for some of the required work is already included in the current budget as the work will essentially involve modifications to current practices. As the need for additional budget allocations are identified, the proposed changes will be developed and reported via the usual budget process.

RECOMMENDATION:

That the Division of Local Government be advised that Council nominates to be included in "*Group 3: Community Strategic Plan and Delivery Program adopted by 30 June 2012*", for the implementation of the integrated planning and reporting framework.

ATTACHMENTS:

AT - 1 Correspondence from the Division of Local Government dated 14 October 2009.

ORDINARY MEETING

Meeting Date: 1 February 2011

AT - 1 Correspondence from the Division of Local Government dated 14 October 2009



Department of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541

OUR REFERENCE
YOUR REFERENCE
CONTACT

A195960
IPR team
02 4428 4220

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

Hawkesbury City Council

20 OCT 2009

14 October 2009

Dear Mr Jackson

Implementation of the integrated planning and reporting framework

As advised in Circular to Councils 09-37, the *Local Government (Planning and Reporting) Amendment Act 2009* was assented to on 9 October 2009.

Group nomination:

As you would be aware, the Amendment Act includes transitional provisions to enable general purpose councils to select when they will commence under the new Integrated Planning and Reporting framework. To facilitate this, Council is asked to advise in writing its choice of Group for the implementation of the new requirements. Please note that Group choice will need to be determined by Council resolution.

Nominations for Group 1 will be formally Gazetted by Ministerial Order, with these councils required to meet the timeframes that are set out in Schedule 8 of the Amendment Act.

The timeframes are as follows:

- Group 1: Community Strategic Plan and Delivery Program adopted by 30 June 2010.
- Group 2: Community Strategic Plan and Delivery Program adopted by 30 June 2011.
- Group 3: Community Strategic Plan and Delivery Program adopted by 30 June 2012.

Councils are required to submit their completed Community Strategic Plan to the Division of Local Government, Department of Premier and Cabinet, within 28 days of it being endorsed by Council.



SCANNED

T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E dlg@dlg.nsw.gov.au W www.dlg.nsw.gov.au ABN 99 567 863 195



ORDINARY MEETING

Meeting Date: 1 February 2011

2

When determining which one of the three Groups it will participate in, Council should consider:

- its capacity to meet the new legislative requirements within the timeframe
- if there is sufficient time to effectively engage its community in the development of the Community Strategic Plan
- the status of its Resource Strategy development. It is essential that the elected council has adequate information to inform its decisions when endorsing the Community Strategic Plan and adopting its first Delivery Program and Operational Plan. For example, Council should have an asset management strategy developed that identifies how it will manage its assets and how and over what timeframe it will develop asset management plans for all classes of assets.

If Council has already adopted, or is well-progressed towards adopting a long term community strategic plan, which included appropriate community engagement, it is encouraged to consider nominating for Group 1.

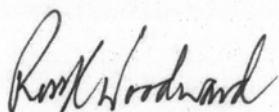
It would be appreciated if the attached Group nomination template could be completed and returned to the Division by close of business on Tuesday, **1 December 2009**. Please return the completed form to: ipr@dlg.nsw.gov.au or (fax) 02 4428 4199 or IP&R Project Team, Division of Local Government, Locked Bag 3015, Nowra, 2541.

Survey:

A survey regarding the Integrated Planning and Reporting framework will soon be circulated to councils via email. Your assistance in responding to this survey would be appreciated.

I would like to take this opportunity to thank you for your input to the development of the new framework and I look forward to continuing to work with you on its implementation.

Yours sincerely



Ross Woodward
Deputy Director General (Local Government)
Department of Premier and Cabinet

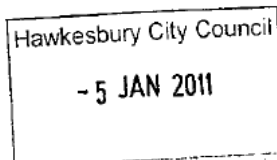
ORDINARY MEETING

Meeting Date: 1 February 2011

AT - 2 Letter from NSW Division of Local Government dated 30 December 2010)



Department of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541



OUR REFERENCE
YOUR REFERENCE
CONTACT

A235725
IP&R Team
02 4428 4220

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

30 December 2010

Dear Mr Jackson

Commencing under the Integrated Planning and Reporting framework

The Division previously sought advice from Council about which Group it had resolved to commence under the Integrated Planning and Reporting framework. This letter seeks confirmation from Council about its intended commencement date.

In light of the findings from the Division's review of Group 1 councils' Integrated Planning and Reporting documentation, it has been decided that councils may reconsider a nomination from Group 2 to Group 3, and vice versa. Before making a final decision, Council is encouraged to use the Integrated Planning and Reporting self-assessment checklist as a tool to assist in determining when to commence. The checklist is available on the Division's website at:

<http://www.dlg.nsw.gov.au/dlg/dlg/home/Documents/Information/IPR%20-%20Self-assessment%20checklist.xls>

In making this assessment, it is recommended that Council consider:

- its capacity to meet the legislative requirements within the timeframe
- whether the community has been sufficiently engaged to inform the development of the Community Strategic Plan
- the status of its Resourcing Strategy development. This must be sufficiently well-developed to enable the elected Council to make informed decisions when endorsing the Community Strategic Plan and adopting its first Delivery Program and Operational Plan.

Council is required to submit to the Division a completed Group Confirmation/Amendment Form, which is enclosed. If Council is seeking to amend its original nomination, a completed self-assessment checklist should also be submitted.

Council is reminded that a change of commencement date requires a resolution of Council.



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E dlg@dlg.nsw.gov.au W www.dlg.nsw.gov.au ABN 99 567 863 195



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Please send the completed form (and self-assessment checklist, if changing Groups) to the Division by close of business on Friday, 4 March 2011. These nominations will then be formalised by publication of a Ministerial Order in the NSW Government Gazette.

If you have further questions about the Group nomination process, or any other issues regarding the implementation of the Integrated Planning and Reporting framework, please contact the IP&R Team on telephone 02 4428 4220 or via email to ipr@dlg.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'P. Chapman', with a horizontal line drawn underneath it.

For:

Ross Woodward

Chief Executive, Local Government

A Division of the Department of Premier and Cabinet

ORDINARY MEETING

Meeting Date: 1 February 2011

Council IP&R Group Confirmation/Amendment Form

Council:	
Contact officer:	
Contact telephone:	
Contact email:	
Date of Council meeting at which resolution was made:	
Group Nomination <i>Please tick appropriate box. Must be signed by the General Manager</i>	
<input type="checkbox"/> Confirm Group 2	<p>I confirm Council's previous nomination to Group 2, commencing under the Integrated Planning and Reporting framework from 1 July 2011.</p> <p>I understand Council will be named in a Ministerial Order to this effect, which will be formally Gazetted.</p> <p>Signed:</p> <p>General Manager:</p>
<input type="checkbox"/> Confirm Group 3	<p>I confirm Council's previous nomination to Group 3, commencing under the Integrated Planning and Reporting framework from 1 July 2012.</p> <p>I understand Council will be named in a Ministerial Order to this effect, which will be formally Gazetted.</p> <p>Signed:</p> <p>General Manager:</p>
<input type="checkbox"/> Amend to Group 2	<p>Council has resolved to amend its previous nomination for Group 3 and instead nominate as a Group 2 council, commencing under the Integrated Planning and Reporting framework from 1 July 2011.</p> <p>I understand Council will be named in a Ministerial Order to this effect, which will be formally Gazetted.</p> <p>Signed:</p> <p>General Manager:</p>
<input type="checkbox"/> Amend to Group 3	<p>Council has resolved to amend its previous nomination for Group 2 and instead nominate as a Group 3 council, commencing under the Integrated Planning and Reporting framework from 1 July 2012.</p> <p>I understand Council will be named in a Ministerial Order to this effect, which will be formally Gazetted.</p> <p>Signed:</p> <p>General Manager:</p>

Return completed form to: ipr@dlg.nsw.gov.au or (fax) 02 4428 4199 by CoB Friday, 4 March 2011

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 1 February 2011

Item: 8 **CP - Water Skiing on Bushells Lagoon, Wilberforce - (95498, 103329)**

Previous Item: NM2, Ordinary (30 November 2010)
 QWN 12, Ordinary (14 December 2010)

REPORT:

Executive Summary

Council through a notice of motion (30 November 2010) and a question for next meeting (14 December 2010), have raised concerns about the use of Bushells Lagoon for water skiing.

Following discussions with Council officers, NSW Maritime has now written to Council seeking its views regarding the operation of a water ski vessel and the issue of an aquatic licence. (See Appendix 1).

This report recommends that NSW Maritime be informed of Council's concerns as outlined in this report and Council's request for a stakeholders meeting to be convened if a licence is to remain in place for water skiing.

Consultation

The issues raised in this report concern matters which constitute a trigger for Community Engagement under Council's Community Engagement Policy. It is proposed that Council undertake the following community engagement process in compliance with Council's policy:

- Council has previously resolved to consult with relevant stakeholders. That meeting is yet to be convened pending the clarification of legislation and the co-operation of NSW Maritime to participate in that meeting.
- This report provides public information as to the status of this matter.
- Those persons who addressed Council were notified of this matter and will be provided with a copy of Council's resolution following this meeting.
- The licence holder was notified of this matter.

Background

In July 2010 NSW Maritime issued a conditional aquatic licence to Western Water Ski Club Inc to use Bushells Lagoon for water ski training during the hours of 8am until 8pm from 1 August 2010 until 31 July 2011.

After considering a Notice of Motion at its meeting of 30 November 2010 Council resolved that:

- "1. Council organise a meeting with relevant stakeholders and agencies with a view towards seeking a satisfactory solution to objections regarding water skiing on Bushells Lagoon.
2. The Maritime Authority be requested to suspend consent for skiing until the meeting can be held and satisfactory outcomes achieved."

On 6 December, 2010, the Acting Director City Planning contacted NSW Maritime both by phone and by email to advise of Council's resolution and request they suspend consent for skiing. Council's concerns

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were expressed about the potential impacts on the flora and fauna at the lagoon from the water skiers and also the safety of people skiing and risk of hitting submerged objects.

On 13 December 2010 the Acting Director City Planning met onsite with representatives from NSW Maritime, National Parks and Wildlife and Lands Department to firstly, reinforce the Council's request for skiing to be suspended and secondly, to establish the background of the site and the licence. It was decided that further investigation was required from all agencies in relation to the relevant legislation and land tenure.

On the morning of 20 December 2010, the Acting General Manager and the Acting Director City Planning met with representatives from NSW Maritime, National Parks and Wildlife and Lands Department to again reinforce the Council's request for skiing to be suspended and secondly, for further clarification and discussion about relevant legislation and land tenure.

On the afternoon of 20 December 2010, the Acting Director City Planning received verbal advice by phone from NSW Maritime that the licence holder has agreed not to ski on the lagoon for "the next few weeks".

On 29 December 2010, Council received a letter from NSW Maritime asking that Council advise them of any concerns and the impacts that waterskiing has on the waterway. A copy of this letter is included as Attachment 1 to this report.

Summary of Concerns

The following have been identified as key concerns about the issuing of the licence and the potential impacts on the waterway:

1. **Wildlife Refuge Proclamation**

Bushells Lagoon was proclaimed on 26 April 1967 as "Bushells Lagoon Wildlife Refuge - No. 162".

2. **Water Supply Proclamation**

Bushells Lagoon was proclaimed as a water supply on 19 April 1940.

In 2009 Council provided a letter of Support/Commitment to the CMA for the Bushells Lagoon Grant Application under the Hawkesbury Nepean Catchment Management Authorities' Wetland Management Program. Council has been continuing to support bush regeneration activities at the lagoon in conjunction with the Catchment Management Authority with some works being undertaken during December 2010.

3. **Ownership**

The land is owned by the Crown but care, control and management is vested in Council. However, Council was not consulted prior to the licence being issued. The Development and Crown Land Fact Sheet Guidelines state the following:

The Views of any Reserve Trust

"Crown land may be managed by a reserve trust, for which a manager (which could be a local council or a community trust board) is appointed. Where this is the case, early discussion should be held with that manager in addition to LPMA to determine the views of the trust and, for development on the reserve itself, whether it would issue any required authorisations." (Source: http://www.lpma.nsw.gov.au/_data/assets/pdf_file/0018/130653/Development_and-Crown_land_Fact_Sheet.pdf).

There is concern that Council was not consulted (as the land manager of the lagoon) prior to the issue of the licence.

4. Flora and Fauna

The lagoon (wetland) is one the largest in the Hawkesbury. The National Biodiversity Audit, Biodiversity Strategy Case Study: Cumberland Plain Subregion, Sydney Basin Bioregion New South Wales SB8: Cumberland; contains information about Bushells Lagoon starting on page 8 of this document. This document indicates that Bushells Lagoon is of Subregional Importance. (Source: http://www.anra.gov.au/topics/vegetation/pubs/case_studies/sb8_casestudy.pdf) and states that:

*"The NPWS wildlife atlas recorded the vulnerable species Black-tailed godwit (*Limosa limosa*), Australasian bittern (*Botaurus poiciloptilus*), Comb-crested jacana (*Irediparra gallinacea*), painted snipe (*Rostratula benghalensis*) and Red-crowned Toadlet (*Pseudophryne australis*. Cumberland Plain Woodland and other vegetation listed under either Threatened Species and Ecologically Endangered Species are likely to be on site."*

It would appear that an assessment was not undertaken by NSW Maritime to consider the potential impacts of water skiing on the flora and fauna prior to issuing the licence in question.

5. Wetlands Listing

The Catchment Management Authority (CMA), Planning NSW and others list Bushells Lagoon as a wetland of regional significance:

- *"Wetland communities listed on the NSW Threatened Species Conservation Act (as of Dec 05) **SREP 20** Freshwater Wetlands such as **Bushells Lagoon**" [emphasis added]. (Source: http://www.hn.cma.nsw.gov.au/multiversions/3271/FileName/Vol1_48-52.pdf) and in its Catchment Action Plans (Source: <http://www.hn.cma.nsw.gov.au/multiversions/3083/FileName/CAP62-82.pdf>).*
- *Wetland communities listed as endangered ecological communities: montane peatlands and swamps and Sydney freshwater wetlands in the Sydney basin bioregion. The wetlands protected under this instrument were described in New South Wales Department of Urban Affairs and Planning (1996) Significant wetlands of the Hawkesbury-Nepean river valley. A study prepared by P & J Smith Ecological Consultants, Sydney."*
- *"The largest area of freshwater wetlands are along Wrights Creek off the Macdonald River, along Wheeny Creek off the Colo River, at Halls and Irwins Swamps, along Howes and Currency Creeks, along Little Cattai Creek, at **Bushells Lagoon** and Neighbouring lagoons..." [emphasis added]. "Significant Wetlands of the Hawkesbury-Nepean River Valley." Author(s): P & J Smith, Ecological Consultants Year Of Publication: 1996 (Source: <http://www.markevans.org/geomsOld/html/results.asp?view=Keyword&Keyword=Wetlands>)*

There is concern that an assessment was not undertaken by NSW Maritime to consider the potential impacts of water skiing on the wetland.

6. History

The land at Bushells Lagoon has early colonial links:

- *"Paul Bushell - ...[who] arrived on the Surprise with the second fleet on the 26th June 1790. He was a trusted assigned servant on Williamson's farm and was eventually allowed to launch out on his own. He was granted land across the river by a lagoon then known as Robinson's. This lagoon is, still to this day (as far as we know), known as Bushells Lagoon. Paul was pardoned in 1801 ... Paul became one of the founders of the Ebenezer church, an inaugural member of the Wilberforce Bible Association, a collector for the Waterloo fund of 1816 and a supporter of the Benevolent Society. He also represented Wilberforce on the Committee of Emancipated Colonists of 1821... By 1828 he owned 310 acres of land around Wilberforce where he had become a most exemplary citizen." (Source: <http://www.woodfamilytree.com.au/Frank%20Wood%20bios.htm> & <http://www.easystreetretreat.com.au/australianroyalty/individual.php?pid=143488&qed=purnellmccord.ged>)*

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- Benjamin Cusley - "...Probably as member of the contingent serving at the Hawkesbury in 1795, he acquired a 25-acre portion of a land grant jointly awarded to military personnel. Two hundred acres in his own right was granted in 1799 on Robinson's (Bushell's) Lagoon..." (Source: <http://www.cursley.org.uk/id149.html>).

It would appear that an assessment may not have been undertaken by NSW Maritime to consider the potential impacts of water skiing on the historical significance of the lagoon prior to issuing a licence for this purpose.

7. Assessment under Part V

The recreational activities on navigable waters do not require development consent from Council under Part 4 of the *Environmental Planning and Assessment Act 1979*. However, it remains unclear whether or not NSW Maritime carried out a review of environmental factors as required under Part 5 for development without consent.

The Part 5 obligations are acknowledged on the Land and Property Management Authority (LPMA) "Development and Crown Land" fact sheet as follows:

"...development that does not need consent", LPMA (or a reserve trust) will generally be required, under Part 5 of the Environmental Planning and Assessment Act 1979, to assess the environmental impact of that development when deciding whether to issue an authorisation under the Crown Lands Act 1989. The proponent may be required to prepare a 'review of environmental factors' to assist...

(Source: http://www.lpma.nsw.gov.au/_data/assets/pdf_file/0018/130653/Development_and-Crown_land_Fact_Sheet.pdf)

In preparing a Part 5 assessment there are a range of potential legislative matters that need to be considered in a review of environmental factors that is undertaken and these include:

- *NSW Threatened Species Conservation Act 1995*
- *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*
- *National Parks and Wildlife Act 1974*
- *Environmental Planning and Assessment Act 1979*
- *Local Government Act 1993*
- *Rural Fires Act 1997*
- *Native Vegetation Conservation Act 1997*
- State Regional Environment Plan (SREP) No. 20 - Hawkesbury-Nepean Catchment

Council should seek clarification as to whether or not a review of environmental factors and Part 5 assessment was undertaken by NSW Maritime before issuing the aquatic licence.

8. Access to Bushells Lagoon

NSW Maritime has indicated that Bushell's Lagoon is deemed to be "navigable waters" as it is a body of water accessible from a public road. Brewers Lane is a public road however the levee bank known as 'Fotheringham's Levee' is not dedicated as public road. (Fotheringham's Levee was installed some 30 years ago and was retrospectively authorised by the Trust Manager at that time).

Access from private land appears to be currently used for the floating pontoon and to launch the water ski boat. Council has not granted development consent for this activity to occur on 69 Blacktown Road. Council was separately considering a DA for the unauthorised use of that land for agricultural igloos. However, that application has been withdrawn, for the time being, and that matter will be separately investigated.

It would appear that access to the lagoon is other than via a public road and that development activity has been supported by NSW Maritime outside the scope of an aquatic licence.

9. Consultation with other Stakeholders

There are a number of different stakeholder interests to consider in the use and management of Bushells Lagoon. These include: power boat users, water-skiers, non motorised boat users (eg kayaks), bird watching groups, photographers, other recreation users, other lagoon landowners, other State agencies (eg. NPWS, CMA, Planning NSW) and the current (and future) broader community.

It would appear that all stakeholders have not been given an opportunity to comment on the potential impacts of the aquatic licence on the lagoon.

Conclusion

The NSW Maritime letter provides Council with the first formal opportunity to comment on this matter. Bushells Lagoon is used for a range of recreational purposes as well as a water supply by surrounding farming properties. It is an area of natural beauty as well as a recognised wetland with high environmental values. Appropriate land use practices are vitally important for the environment to persist for the benefit of future generations. It is important that Council and the community are involved in the decisions that are made about the future use of the lagoon.

Conformance to Community Strategic Plan

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

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

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

- Facilitate ecologically sustainable development through the retention and long term management of natural assets

Financial Implications

No financial implications are applicable to this report. However Hawkesbury City Council's financial contribution to the bushcare project for the lagoon was \$7,000 (exclusive of GST).

RECOMMENDATION:

That:

1. NSW Maritime be informed of the concerns as outlined in this report.
2. NSW Maritime be asked to revoke the current aquatic licence and allow only non-motorised craft to use the lagoon for recreation purposes.
3. If the aquatic licence is revoked, the stakeholder meeting requested by Council in the resolution of 30 November 2010 will not be required.
4. Should NSW Maritime wish to retain the licence for water skiing, they be requested to meet with relevant stakeholders so that amended conditions can be considered to protect the lagoon and the safety of the participants.

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ATTACHMENTS:

- AT - 1** Letter from NSW Maritime
- AT - 2** Location Plan
- AT - 3** Aerial Photo

ORDINARY MEETING

Meeting Date: 1 February 2011

AT - 1 Letter from NSW Maritime



23 December 2010

Ms Shari Hussein
Planning Manager
Hawkesbury City Council
PO Box 146
WINDSOR 2756

Hawkesbury City Council

29 DEC 2010

Dear Ms Hussein

I refer to the operation of a water-ski vessel on Bushells Lagoon and to our last meeting of 20 December 2010.

NSW Maritime became aware of the operation of a water-ski vessel on the lagoon following receipt of anonymous cursory telephone complaints in late 2009. Due to lack of vessel identifying numbers, the local Boating Safety Officer (BSO) was unable to make contact with the vessel's operator until February 2010 where it was revealed the vessel had been operating since September 2009.

The BSO contacted the Land & Property Management Authority who confirmed the waterway was deemed Crown Land and accordingly is considered 'navigable waters' as described in the Ports and Maritime Administration Act, 1995. Contact with several local residents indicated they had no concern regarding the operation of the vessel.

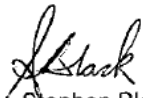
So as to legalise this activity an Aquatic Licence was issued in July 2010.

I understand the established slalom course is used by one vessel only for training of elite world class skiers for 1-2 hours, for a maximum of four days per week in the summer period. International competition requires the vessel to operate at a top speed of 28 knots and make absolute minimal wash.

Advice has subsequently been received indicating the lagoon is a Wildlife Refuge and dedicated for water supply. So as consideration may be given regarding the continuance or otherwise of this licence it is requested you advise this office of your concerns and the impacts boating has on this waterway.

Please contact me if you wish to discuss this matter.

Yours sincerely


Stephen Black
Regional Manager
Hawkesbury/Broken Bay



SCANNED

NSW MARITIME

4 Bridge Road,
Hornsby NSW 2077

PO Box 797,
Hornsby NSW 1630

TELEPHONE: (02) 9477 6600
FACSIMILE: (02) 9477 3418

www.maritime.nsw.gov.au
ABN 21 220 712 305

Meeting Date: 1 February 2011

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Meeting Date: 1 February 2011

AT - 3 Aerial Photo



oooO END OF REPORT Oooo

INFRASTRUCTURE SERVICES

Item: 9 IS - Fireworks Displays held on Council Managed Land - (79354, 95494)

REPORT:

Executive Summary

This report considers what consents should be required and what issues should be considered prior to granting fireworks display approval for fireworks held on Council Managed Land.

WorkCover being the appropriate authority permitting fireworks displays have, in conjunction with the Division of Local Government, established a set of guidelines for fireworks displays for councils to consider when assessing fireworks notifications received by WorkCover.

It is recommended that fireworks display applications be assessed in accordance with these guidelines.

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 a fireworks display was held at Colonial Reserve, Bligh Park, courtesy of a private fireworks company for the benefit and enjoyment of the local community. Whilst the event was very well attended and overall considered successful, a number of concerns were raised from the community in terms of the suitability of the chosen location, danger to animals within the displays vicinity and the limited notification provided to residents.

To hold a fireworks display, the event organiser needs a Pyrotechnician's licence or fireworks (single-use) licence which is issued by WorkCover NSW. Whilst Council has no power to approve the use of fireworks, it may object to or impose conditions on their use on Council managed land.

WorkCover, in conjunction with the Division of Local Government, have established a set of guidelines for fireworks displays for councils to consider when assessing applications - 'Guidelines for Council when Notification of a Fireworks Event is Received'. The Guidelines have been developed to provide councils with a standard framework when assessing a fireworks display notification received by WorkCover. A copy of these Guidelines are included as Attachment 1 to this report.

The Guidelines recommend the following issues be considered when assessing whether to object to or impose conditions on a display:

1. Appropriateness of the location e.g. proximity to residences, hospitals, animal shelters and livestock
2. Reason and length of the display e.g. Is the display in the public interest?
3. Types of fireworks e.g. Aerial fireworks may have greater impact on surrounding areas than ground fireworks
4. Impact on any affected residents and businesses
5. Impact on animal welfare
6. Public liability issues
7. Noise
8. Pollution
9. Public nuisance

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10. Appropriate notification to neighbouring properties. Council may need to decide what it believes to be a reasonable area of coverage for notification, and how this should be done by the applicant e.g. Letterbox drop, media advertisement
11. Proposed procedure for disposal of spent fireworks
12. Whether appropriate crowd and traffic management issues have been addressed where the display is likely to draw crowds
13. Whether a usage fee is charged in cases where Council land assets are utilised
14. Any other local conditions that Council may consider relevant

The WorkCover self-assessment "Fireworks Display Checklist" will need to be lodged with every application. This will assist with the review of any fireworks event.

Fireworks displays will not proceed unless the licensee has been able to resolve any objections raised by Council/Council staff and have met all conditions set for the event.

Any approved events will be subject to set conditions including, but not limited to:

- Public liability of not less than \$20,000,000 with Council noted on the policy;
- Notification of those to be affected will be by the applicant no less than two months prior to the event and at the applicants cost.

In the event of a late notification:

- The matter will be reported to Council for their consideration subject to there being enough time to do so or
- That permission not be granted for the fireworks display due to there being insufficient time to process the application.

Should any objections be raised or permission not granted for an event, Council staff will notify WorkCover no less than 2 working days prior to the event, that it raises an objection.

For future fireworks displays, it is recommended that the 'Guidelines for Council when Notification of a Fireworks Event is Received' be considered prior to giving approval. It is further recommended that applicants are required to provide notification in writing no less than three months prior to the proposed event, to allow sufficient time to consult with the affected community.

Conformance to Community Strategic Plan

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

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

Financial Implications

No financial implications resulting from this report.

RECOMMENDATION:

That:

1. The 'Guidelines for Council when Notification of a Fireworks Event is Received' issued by the Division of Local Government be considered when approving a fireworks display event.

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2. Fireworks display applications are required to be received no less than three months prior to the event.
3. The WorkCover self-assessment "Fireworks Display Checklist" is required to be lodged with each fireworks display application.
4. A fireworks display will not proceed unless the licensee has been able to resolve any objections raised by Council/Council staff and have met all conditions set for the event.

ATTACHMENTS:

AT - 1 Guidelines for Council when Notification of a Firework Event is Received.

ORDINARY MEETING

Meeting Date: 1 February 2011

AT - 1 Guidelines for Council when Notification of a Firework Event is Received.



Circular No. 08-66
Date 22 October 2008
Doc ID. A160711

Contact Karen Legge
02 4428 4182
karen.legge@dlg.nsw.gov.au

GUIDELINES FOR FIREWORKS EVENTS

Councils are advised that 'Guidelines for Council when Notification of a Fireworks Event is Received' have been developed by WorkCover and the Local Government and Shires Associations to provide councils with a standard framework when deciding whether to object to WorkCover in regard to a firework display of which council has received a notification (copy attached). The guidelines are issued under s23A of the *Local Government Act 1993*.

This requires that all councils must have regard to the Guidelines when considering a fireworks event notification. As councils would be aware, WorkCover NSW is the approval authority for such events. Councils may, therefore, only charge proponents of such events in cases where council land assets are utilised. The activity proposed must be in line with the management plan for the site and the usage charge must be identified in the council's current management plan.

Councils are encouraged to post the Guidelines on their websites, with a link to the WorkCover site, to disseminate the Guidelines to industry and the wider community.

Garry Payne AM
Director General

Department of Local Government
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GUIDELINES FOR COUNCIL WHEN NOTIFICATION OF AN INTENTION TO USE FIREWORKS IS RECEIVED

These guidelines were developed to provide councils with a standard framework when deciding whether to object to WorkCover in regard to a firework display of which a council has received notification.

A Pyrotechnician's or fireworks (single use) licence is issued by WorkCover by way of the Explosives Regulation 2005 (the Regulation).

The Regulation requires that as a condition of each pyrotechnician's licence and fireworks (single use) licence issued, that the licensee must notify WorkCover and the local council of an intention to use any fireworks, distress signal or model rocket propellant device at least 7 working days before the fireworks, signal or device is to be used (Clauses 48 and 49).

While notice must be given to councils of an intention to use any firework, councils have no power to approve the use of a firework. However, councils may object to or impose conditions on an applicant's use of fireworks.

After receiving notification of the intended use of fireworks, a council may decide to object to the use of the fireworks. If the council decides to object to the use of the fireworks, it will need to inform the pyrotechnician and WorkCover of the decision.

Councils need to be aware that the *Explosives Act 2003* provides for General Licensing Conditions, which state that it is a condition of each pyrotechnician's licence that a notified fireworks display is not to proceed if:

- any of the authorities (eg. local council, police, fire brigade) that are notified of the display raise objections to the display, and
- the licensee has not been able to resolve those objections with the authority.

Issues that a council may take into consideration when deciding whether to object to or impose conditions on a display after receiving notification of the intention to use fireworks as a display include:

1. the appropriateness of the location of the display, eg. proximity to residences, hospitals
2. the reason for the display, eg. is the display in the public interest? (Information on the public interest can be found on the NSW Ombudsman's website at <http://www.ombo.nsw.gov.au/show.asp?id=371>.)
3. the types of firework that are proposed to be used, eg. aerial fireworks (in particular salutes) are considered to have a much greater impact on surrounding areas than ground fireworks. Councils can impose conditions on or restrict or prohibit the use of aerial fireworks.
4. the impact on any affected residents and businesses, eg. has the approval or support of local residents and businesses been sought and obtained?
5. the impact on animal welfare
6. public liability issues
7. noise
8. pollution

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9. public nuisance
10. appropriate notification by the applicant to properties neighbouring the proposed display. Council will need to decide what it believes to be a reasonable area of notification.
11. the proposed procedure for the disposal of spent fireworks
12. whether appropriate crowd and traffic management issues have been addressed where the display is likely to draw crowds
13. any local conditions that the council may consider to be relevant.

These matters are covered by a self-assessment Fireworks Display Checklist, available on WorkCover's website. Councils may request the completed checklist, if it has been completed, to assist with the review of the notification.

The WorkCover website contains guidelines, forms and information about the operational conditions for [fireworks displays](http://www.workcover.nsw.gov.au). This information can be found at <http://www.workcover.nsw.gov.au> (Publications/ Licensing, registration and notification/Dangerous goods, explosives, fireworks and pyrotechnics).

In the event of a notification being received by a council within 7 days of a fireworks display (a late notification)

1. Objections should be made to WorkCover no less than 2 working days prior to the date of a notified fireworks display.
2. WorkCover will accept written confirmation from the council that no objections are raised to the display.
3. Where a council is unable to provide WorkCover with a written confirmation that there are no objections to a fireworks display due to the late notification, councils may object to WorkCover on the grounds that there has been insufficient time to assess the notification.
4. In the situation where WorkCover has received no response from a council in regard to a late notification fireworks display 2 days before the due date of the display, WorkCover will inform the applicant that the council has objected to the display and the applicant must contact the council to resolve any objections before the display can proceed.

WorkCover can assist with information and enforcement should councils decide to raise objections when notified of a fireworks display.

For further information, or to inform council's decision on whether council objects to a display or not, WorkCover can be contacted on telephone (02) 4321 5499.

oooO END OF REPORT Oooo

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ordinary

section 5

reports
of committees

ORDINARY MEETING
Reports of Committees

SECTION 5 - Reports of Committees

ROC - Local Traffic Committee - 19 January 2011 - (95495, 80245)

Minutes of the Meeting of the Local Traffic Committee held in the Large Committee Room, Windsor, on Wednesday, 19 January 2011, commencing at 3.00pm.

ATTENDANCE

Present: Councillor B Bassett (Chairman)
Mr J Suprain, Roads and Traffic Authority
Mr J Christie, Officer of Messrs A Shearan, MP and J Aquilina, MP
Snr Constable B Phillips, NSW Police Service
Ms P Millar, Westbus

Apologies: Mr R Williams, MP (Hawkesbury)
Mr P ramshaw, NSW Taxi Council
Mr C DeSousa, Hawkesbury Valley Bus Service

In Attendance: Mr C Amit, Manager, Design & Mapping Services
Ms D Oakes, Community Safety Officer
Ms K Baillie, Administrative Officer, Infrastructure Services

"The Chairman tendered an apology on behalf of Ray Williams MP, advising that Ray Williams MP concurred with the recommendations as contained in the formal agenda and had granted proxy to himself to cast votes on his behalf"

SECTION 1 - Minutes

Item 1.1 Confirmation of Minutes

Resolved on the motion of Mr J Christie and seconded by Mr J Suprain, that the Minutes of the meeting of the Local Traffic Committee held on 17 November, 2010 be confirmed.

Item 1.2 Business Arising

No Business Arising items raised at this meeting.

SECTION 2 - Reports for Determination

Item 2.1 **LTC - 19 January 2011 - Item 2.1 - Results of Public Consultation relating to the adjustment to the existing No Stopping Zone in George Street, Windsor, adjacent to New Street for the Installation of a New Pedestrian Access Point (Riverstone) - (80245)**

Previous Item: Item 2.1, LTC (17 November 2010)

REPORT:

The installation of a new pedestrian access point in George Street, Windsor, north east of New Street was report to the Local Traffic Committee (LTC) meeting on 17 November 2010. The following recommendation of the LTC was reported to Council at its meeting on 30 November 2010:

"That:

- 1. The existing No Stopping zone on the south eastern side of George Street, north east of New Street, be extended by 15.0 metres in a north easterly direction – effectively reducing the 1P Parking zone by 15.0 metres, in accordance with Plan No. TR007/10 – Pedestrian Access Point - George Street, Windsor adjacent to New Street.*
- 2. The adjoining property owners and business operators in George Street between Suffolk/New Streets for a distance of 50.0 metres in a north easterly direction be notified of the changes to the parking restrictions in George Street due to the installation of the pedestrian access point.*
- 3. Windsor Business Group be notified of the changes to the parking restrictions in George Street due to the installation of the pedestrian access point."*

Council at its meeting on 30 November 2010 requested that public consultation be undertaken prior to any final decision being made on the new pedestrian access point and as a result resolved that:

"Council consult the stakeholders of the outcomes of the report regarding Item 2.1: LTC - 17 November 2010 - Item 2.1 - Adjustment to the existing No Stopping Zone in George Street, Windsor, adjacent to New Street for the Installation of a New Pedestrian Access Point"

Public Consultation:

Public consultation was undertaken during December 2010, whereby the views of stakeholders who may be immediately affected by the proposal to alter the No Stopping zone and 1P Parking zone in George Street adjacent to the proposed pedestrian access point were sought.

Comments received from the public consultation are summarised below (Dataworks Document No. 3632967);

- 0 – Object,
- 3 – Support.

The only comments received as part of the Public Consultation process was from St Vincent De Paul Society who advised the following:

"This has our full support as it will allow the safer movement of customers to our centre. Many of our customers are frail, aged or parents with young children."

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In view of the positive response received as a result of the public consultation undertaken, it is proposed that the installation of a new pedestrian access point in George Street, Windsor, north east of New Street be supported.

To facilitate the new pedestrian access point, it is proposed that the existing No Stopping zone on the south eastern side of George Street, north east of New Street, be extended by 15.0 metres in a north easterly direction – effectively reducing the 1P Parking zone by 15.0 metres, in accordance with Plan No. TR007/10 – Pedestrian Access Point - George Street, Windsor adjacent to New Street.

COMMITTEE RESOLUTION:

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

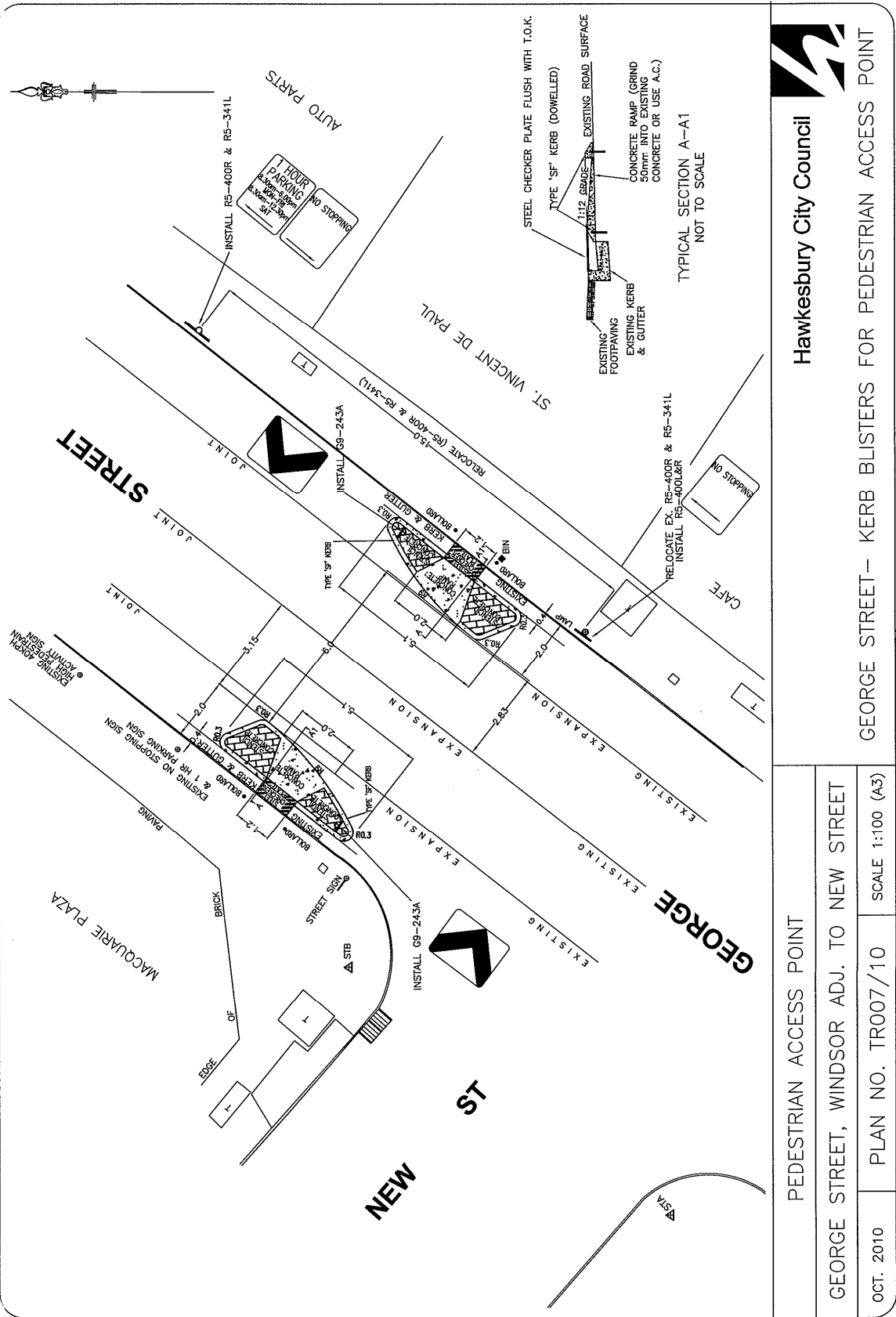
That:

1. The existing No Stopping zone on the south eastern side of George Street, north east of New Street, be extended by 15.0 metres in a north easterly direction – effectively reducing the 1P Parking zone by 15.0 metres, in accordance with Plan No. TR007/10 – Pedestrian Access Point - George Street, Windsor adjacent to New Street.
2. The Windsor Business Group, adjoining property owners and business operators in George Street between Suffolk/New Streets for a distance of 50.0 metres in a north easterly direction be notified of the changes to the parking restrictions in George Street due to the installation of the pedestrian access point.

ATTACHMENTS:

- AT - 1** Pedestrian Access Point - George Street, Windsor adjacent to New Street – Plan No. TR007/10.
- AT - 2** Local Traffic Committee Report – Item 2.1 of the Local Traffic Committee meeting of 17 November 2010.

AT - 1 Pedestrian Access Point - George Street, Windsor adjacent to New Street –
Plan No. TR007/10.



AT - 2 Local Traffic Committee Report – Item 2.1 of Local Traffic Committee meeting of 17 November 2010.

ITEM: Business Paper - Ordinary Meeting Agenda - 1 February 2011

REPORT:

The installation of a new pedestrian access point in George Street, Windsor, north east of New Street has been identified in the 2010/2011 works program. The proposed works have also been identified in the Pedestrian Access Mobility Plan (PAMP) component of the Hawkesbury Mobility Plan 2010. The need for improved access for vulnerable road users (including pedestrians using prams, wheelchairs and mobility aids) has been identified in the PAMP in the vicinity of New Street at George Street and subsequently these works were identified as a Priority 1.

To facilitate the pedestrian access point in George Street an adjustment to the existing No Stopping zone and 1P Parking zone is required on the south eastern side of George Street. It is proposed to extend the No Stopping zone by 15.0 metres in a north easterly direction effectively reducing the 1P Parking zone by this distance. This adjustment is required to satisfy the conditions outlined in the RTA Technical Direction TDT 2002/10: Pedestrian Refuges. The adjustment of the No Stopping/1P parking zone will satisfy the sight distance requirements of the RTA TDT 2002/10 for vehicles travelling in a south westerly direction. The sight distance for vehicles travelling in a north easterly direction is not affected due to the pedestrian access point being located within close proximity to the New Street intersection and its intersection No Stopping zone.

The adjustment to the No Stopping/1P parking zone by 15.0 metres on the south eastern side of George Street will result in the loss of 3 parking spaces. In accordance with the RTA TDT 2002/10: if the Kerb Blisters are not provided the No Stopping zone on both sides of the road will need to be extended by 10.0 metres in a north easterly direction resulting in the loss of an additional 2 parking spaces. Details of the pedestrian access point are outlined in Attachment 1: Plan No. TR007/10 – Pedestrian Access Point - George Street, Windsor adjacent to New Street.

Whilst it is not desirable to lose kerb side parking in George Street, the benefits of improved pedestrian safety and accessibility for all road users resulting from the pedestrian access point far out weigh the loss of parking. In addition, the Kerb Blisters will form a Gateway type treatment which will act as a traffic calming mechanism for vehicles travelling along George Street.

It is proposed that the existing No Stopping zone on the south eastern side of George Street, north east of New Street, be extended by 15.0 metres in a north easterly direction – effectively reducing the 1P Parking zone by 15.0 metres, in accordance with Plan No. TR007/10 – Pedestrian Access Point - George Street, Windsor adjacent to New Street.

RECOMMENDATION:

That:

1. The existing No Stopping zone on the south eastern side of George Street, north east of New Street, be extended by 15.0 metres in a north easterly direction – effectively reducing the 1P Parking zone by 15.0 metres, in accordance with Plan No. TR007/10 – Pedestrian Access Point - George Street, Windsor adjacent to New Street.
2. The adjoining property owners and business operators in George Street between Suffolk/New Streets for a distance of 50.0 metres in a north easterly direction be notified of the changes to the parking restrictions in George Street due to the installation of the pedestrian access point.

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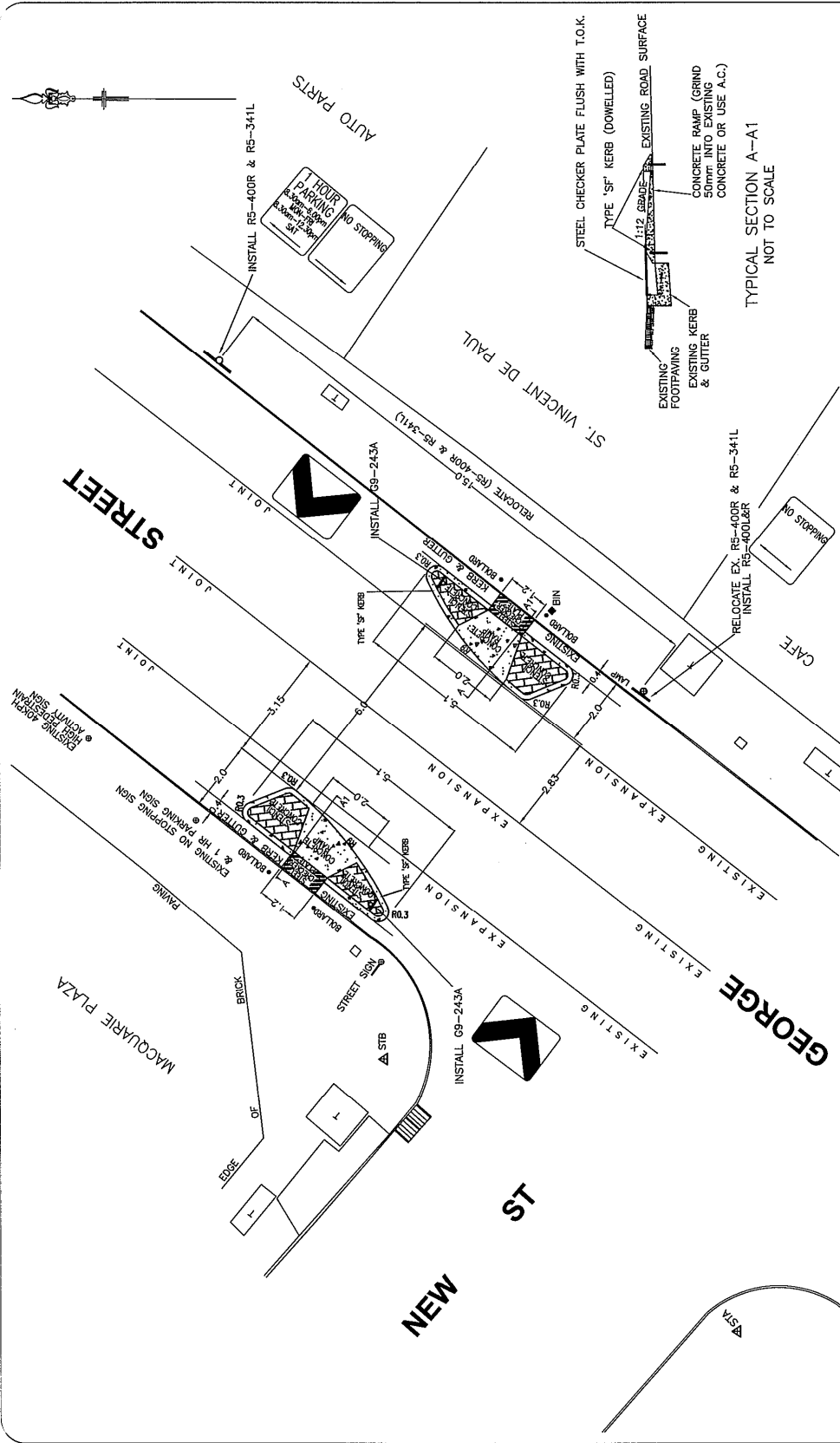
3. Windsor Business Group be notified of the changes to the parking restrictions in George Street due to the installation of the pedestrian access point.

APPENDICES:

AT - 1 Pedestrian Access Point - George Street, Windsor adjacent to New Street – Plan No. TR007/10.

<p style="text-align: center;">ORDINARY MEETING</p> <p style="text-align: center;">Reports of Committees</p>

AT - 1 Pedestrian Access Point - George Street, Windsor adjacent to New Street –
Plan No. TR007/10.



ORDINARY MEETING
Reports of Committees

Item 2.2 LTC - 19 January 2011- Item 2.2 - Speed Review of Sackville Road at Ebenezer Public School, Ebenezer - (Hawkesbury) - (80245, 73581, 79958)

Previous Item: Item 1.2.1, LTC (15 September 2010)

REPORT:

Introduction

At the Local Traffic Meeting on 15 September 2010, Mr R Williams MP requested an update from the RTA in relation to the request made by Ebenezer Public School for a Children's Crossing Supervisor at the School. Mr Suprain (RTA) advised that this request has been denied due to the school not meeting the required warrants for pedestrian and vehicle numbers. Mr Williams expressed his disappointment and advised that he did not apply for further state funding for this school, to enable improvements to the current conditions such as the School Zone Flashing Lights, as it was expected that the Children's Crossing Supervisor would be approved.

Mr Suprain indicated that dragons teeth and flashing lights for Ebenezer Public School are on a priority program. Mr Williams requested a speed count be undertaken at this site following the October 2010 school holiday period.

Following recommendation by the Local Traffic Committee, Council, at its meeting held on 28 September 2010 resolved the following;

That:

1. *The information be received;*
2. *A speed count be undertaken in Sackville Road adjacent to Ebenezer Public School following the October 2010 school holidays.*

Traffic counts have been undertaken in Sackville Road adjacent to Ebenezer Public School (35 metres south of the Children's Crossing) during the period of 12 November 2010 to 29 November 2010. The results of traffic counts undertaken are outlined in Table 1 below;

Table 1: Traffic Counts, Sackville Road adjacent to Ebenezer Public School.

Period	Time of Day	Speed Limit	ADT	Mean (Ave) speed	85th % speed
12 to 29 November 2010	Full Day 24 Hour Count	60kph	3449	59 kph	70 kph
12 to 29 November 2010	School Zone Combined (8.00am to 9.30am and 2.30pm to 4.00pm)	40kph during School Zone	764 (Combined School Zone times)	40 kph	49 kph
12 to 29 November 2010	School Zone AM (8.00am to 9.30am)	40kph during School Zone	385 (AM School Zone time)	39 kph	46 kph

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Period	Time of Day	Speed Limit	ADT	Mean (Ave) speed	85 th % speed
12 to 29 November 2010	School Zone PM (2.30pm to 4.00pm)	40kph during School Zone	379 (PM School Zone time)	41 kph	51 Kph

Based on the results of the November 2010 traffic count, the average speeds travelled in the vicinity of the School are within the speed limit for both the overall Full Day count as well as during the specific School Zone times. The 85th % speeds travelled are in the range of 6kph to 10kph over the prescribed speed limits during these times as well. *(The 85th % speed is the speed at or below which 85% of motorists travel under free flow conditions).*

In relation to the School Zone times, the average speed for the combined School Zone (AM and PM) times is 40 kph with an 85th % speed of 49kph. Sackville Road in the vicinity of Ebenezer Public School is a Regional Road. The existing School Zone is sign posted with static signs without the provision of School Zone Flashing Lights.

The provision of School Zone Flashing Lights has been found by the RTA to be reliable and effective in slowing down drivers when entering a school zone. This treatment would be appropriate at this location in reducing the 85th % speed. It is considered appropriate to request the RTA to consider this site as part of its roll out of School Zone Flashing Lights during 2011.

COMMITTEE RESOLUTION:

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

That:

1. The information be received.
2. Due to the vehicle speeds recorded during the speed survey undertaken on Sackville road at Ebenezer Public School, the Roads and Traffic Authority be requested to install School Zone Flashing Lights in Sackville Road adjacent to Ebenezer Public School, Ebenezer during its roll out in 2011.

APPENDICES:

There are no supporting documents for this report.

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Item 2.3 LTC - 19 January 2011 - Item 2.3 - Zone One Q60 Training Horse Ride 2011 - Upper Colo Reserve (Hawkesbury) - (80245, 85005)

REPORT:

Introduction:

An application has been received from Zone One of The NSW Endurance Riders' Association seeking approval (in traffic management terms) to conduct the Zone One Q60 Training Horse Ride on Saturday 12 and Sunday 13, March 2011, utilising Upper Colo Reserve as a base area.

The event organiser has advised the following:

Event Schedule - (Zone One Q60 Training Horse Ride on Saturday 12 and Sunday 13, March 2011):

- Ride A: 35 Kilometres - Training Ride,
- Ride B: 20.6 Kilometres - Social Ride,
- Duration: between 8.00am and 2.00pm,
- Approximately 50 to 60 Participants and 30 to 40 support people,
- Riders travel as single or small groups of 2 and 3.

Route for the Rides:

Training Ride - 35 Kilometres

- Start Upper Colo Reserve (Ride Base) turn right out of the Reserve into Hulbert Road,
- Travel along Hulbert Road and turn right into Colo Heights Road,
- Travel along Colo Heights Road, crossing the timber bridge over the Colo River, and turn right into Upper Colo Road,
- Travel along Upper Colo Road, past Comleroy Road, and turn left into the Wollemi National Park,
- Travel through the Wollemi National Park to Mountain Lagoon, and turn left into Sams Way,
- Travel along Sams Way and turn left into Mountain Lagoon Road,
- Travel back along Mountain Lagoon Road and turn left into Comleroy Road,
- Travel along Comleroy Road down to the Upper Colo Road junction, and turn right into Upper Colo Road,
- Travel back along Upper Colo Road, Colo Heights Road and Hulbert Road into the Upper Colo Reserve (Ride Base).

Social Ride - 20.6 Kilometres

- Start Upper Colo Reserve (Ride Base) turn right out of the Reserve into Hulbert Road,
- Travel along Hulbert Road and turn right into Colo Heights Road,
- Travel along Colo Heights Road, crossing the timber bridge over the Colo River, and turn right into Upper Colo Road,
- Travel along Upper Colo Road, and turn left into Comleroy Road,
- Travel along Comleroy Road and turn right into Mountain Lagoon Road,
- Travel along Mountain Lagoon Road to the Check Point and turn around.
- Travel back along Mountain Lagoon Road and turn left into Comleroy Road,
- Travel along Comleroy Road down to the Upper Colo Road junction, and turn right into Upper Colo Road,
- Travel back along Upper Colo Road, Colo Heights Road and Hulbert Road into the Upper Colo Reserve (Ride Base).

Road Inventory

- Hulbert Road – Unsealed
- Colo Heights Road - Unsealed
- Upper Colo Road - Unsealed
- Comleroy Road - Unsealed
- Mountain Lagoon Road - Unsealed
- Sams Way – Unsealed
- The Colo River will not be crossed as part of the route and instead, riders will use the Timber Bridge along Colo Heights Road to cross the Colo River.

Refer to attached drawing "Zone One Q60 Training Horse Ride 2011 - TR001/11": Attachment 1.

Discussion:

It would be appropriate to classify the event as a "Class 2" special event under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads & Traffic Authority (RTA) as the event may impact minor traffic and transport systems and there is a low scale disruption to the non-event community.

The event organiser has submitted the following items in relation to the event: Attachment 2 (Dataworks Document No. 3630761).

1. Special Event – Traffic – Initial Approval Application Form - HCC; Details of Special Event – Traffic;
2. Special Event Transport Management Plan Template – RTA;
3. Transport Management Plan (TMP) - Referred to in the application as Traffic Management Plan Risk Assessment -, and associated TCP;
4. Risk Management Plan dated 31 January 2003;
5. Copies of correspondence forwarded to the NSW Police Service, National Parks and Wildlife Service, NSW Ambulance Service, NSW Rural Fire Service and SES;
6. Copy of the Resident letter;
7. The Public Liability Insurance to the value of \$20,000,000, which expires 1 January 2011.

Reserve Matters:

The event organiser has made application with Councils Parks and Recreation Section to utilise Upper Colo Reserve as the Base Area as well as for Camping purposes.

COMMITTEE RESOLUTION:

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

That:

1. The Zone One Q60 Training Horse Ride 2011, based at Upper Colo Reserve, planned for Saturday 12 and Sunday 13, March 2011 be classified as a "**Class 2**" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by the RTA.
2. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
3. It is strongly recommended that the event organiser becomes familiar with the contents of the RTA publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package that explains the responsibilities of the event organiser in detail.

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4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted and the following conditions:

Prior to the event:

- 4a. the event organiser is to obtain approval to conduct the event, from the NSW Police Service; **a copy of the Police Service approval to be submitted to Council;**
- 4b. the event organiser is to **submit to Council a copy of its Public Liability Policy** in an amount not less than \$10,000,000 **noting Council as an interested party on the Policy** and that Policy is to cover **both on-road and off-road activities;**
- 4c. the Event organiser is to ensure that dust along the unsealed sections of road utilised by the event participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be addressed and outlined in writing and added to the TMP;
- 4d. should the Colo River be utilised as the crossing point instead of the Timber Bridge along Colo Heights Road, the event organiser is to obtain the relevant approval to conduct the event from NSW Maritime; **A copy of this approval to be submitted to Council;**
- 4e. should the Colo River be utilised as the crossing point instead of the Timber Bridge along Colo Heights Road the event organiser is to obtain the relevant approval from the Department of Environment, Climate Change and Water to cross the Colo River; **A copy of this approval to be submitted to Council;**
- 4f. the event organiser is to advertise the event in the local press stating the entire route/extent of the event and the traffic impact/delays expected due to the event, two weeks prior to the event; **a copy of the proposed advertisement to be submitted to Council** (indicating the advertising medium);
- 4g. the event organiser is to notify the details of the event to the NSW Fire Brigade at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council;**
- 4h. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event for at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council**
- 4i. the event organiser is to directly notify all the residences and businesses which may be affected by the event for at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; **a copy of the correspondence has been submitted to Council;**
- 4j. the event organiser is to obtain approval from the National Parks and Wildlife Service (Department of Environment, Climate Change and Water) for the use of Wollemi National Park. Written approval is required from Councils' Parks and Recreation section for the use of a Council Park/Reserve; **A copy of this approval to be submitted to Council;**
- 4k. the event organiser is to carry out an overall risk assessment for the whole event to identify and assess the potential risks to spectators, participants and road users during the event and design and implement a risk elimination or reduction plan in accordance with the Occupational Health and Safety Act 2000; (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>);
- 4l. the event organiser is to submit the completed "Special Event - Traffic - Final Approval Application Form" to Council;

During the event:

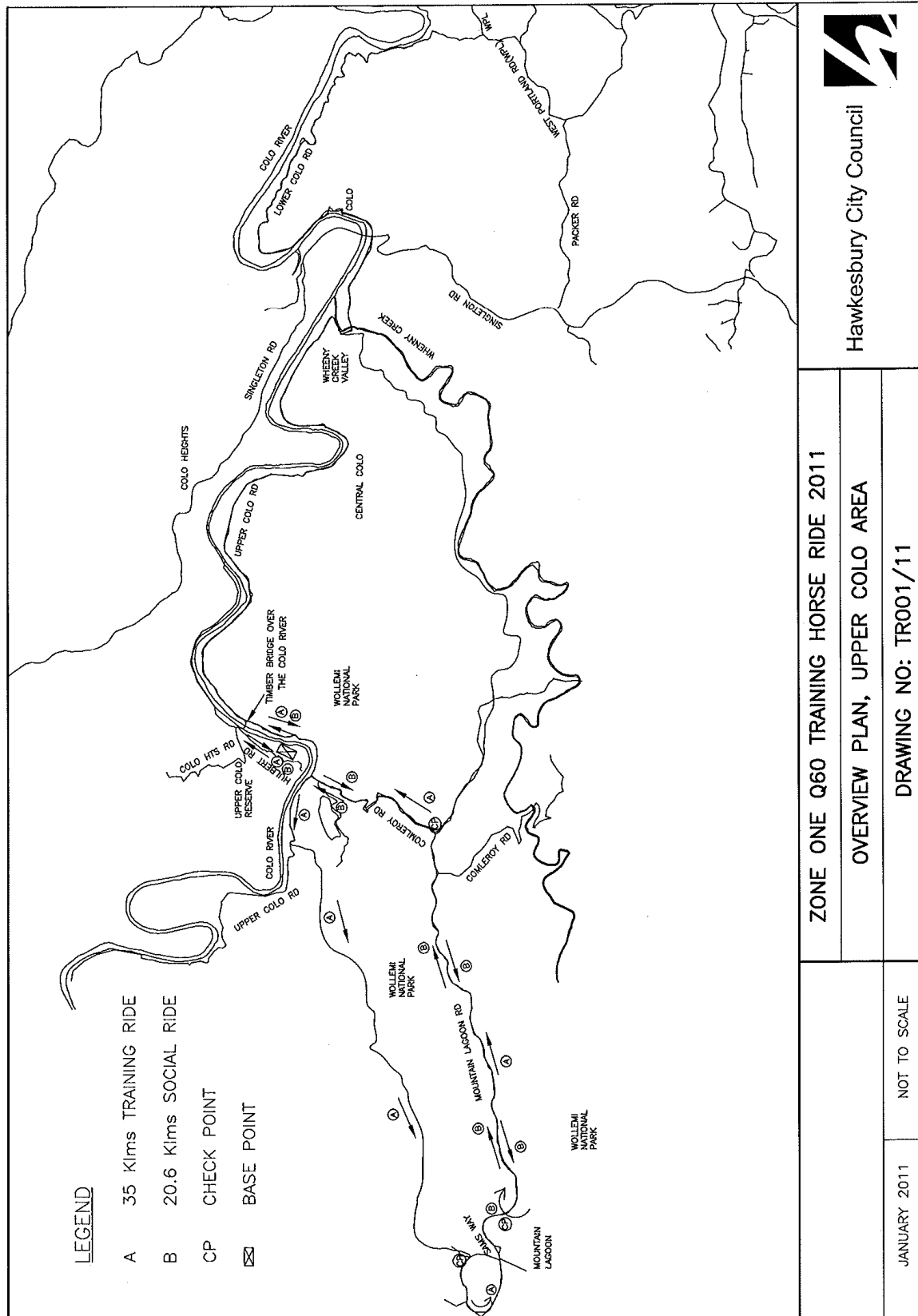
- 4m. access is to be maintained for businesses, residents and their visitors;
- 4n. a clear passageway of at least 4 metres in width is to be maintained at all times for emergency vehicles;
- 4o. all traffic controllers / marshals operating within the public road network are to hold appropriate certification as required by the RTA;
- 4p. the riders are to be made aware of and are to follow all the general road user rules whilst riding on public roads;
- 4q. in accordance with the submitted TMP and associated TCP, appropriate advisory signs, and traffic control devices are to be placed along the route during the event, under the direction of a traffic controller holding appropriate certification as required by the RTA;
- 4r. the competitors and participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event;
- 4s. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity, and,
- 4t. the Event organiser is to ensure that dust along the unsealed sections of road utilised by the event participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be undertaken as outlined in the TMP

ATTACHMENTS:

AT - 1 Zone One Q60 Training Horse Ride 2011- Drawing No: TR001/11.

AT - 2 Special Event Application - (Dataworks Document No. 3630761) - *see attached*.

AT - 1 Zone One Q60 Training Horse Ride 2011 - Drawing No: TR001/11



SECTION 3 - Reports for Information

Item 3.1 LTC - 19 January 2011 - Item 3.1 - RTA Advice on School Zone Flashing Lights - Various Schools - (Hawkesbury, Londonderry & Riverstone) - (80245, 73621)

Previous Item: Item 3.1, LTC (22 November 2006)
Item 3.1, LTC (21 March 2007)
Item 4.2, LTC (20 February 2008)
Item 4.2, LTC (16 July 2008)
Item 3.1, LTC (14 January 2009)
Item 3.1, LTC (21 October 2009)
Item 3.1, LTC (17 November 2010)

REPORT:

Advice has been received from the Roads and Traffic Authority indicating that School Zone Flashing Lights are to be installed within the vicinity of Hawkesbury High School, Kurmond Public School, Richmond North Public School, Richmond High School and Windsor High School. The information provided by the RTA in part is listed below (Dataworks Document No. 3619845).

"In 2007 the NSW Government committed to a 4-year roll out of flashing light systems in 400 school zones across NSW. This project aims to alert motorists of the speed restriction around schools to improve safety for school children.

The roll out of school zone flashing lights follows an evaluation in the first half of 2007, which found the technology is reliable and is effective in slowing down drivers when entering a school zone.

The Roads and Traffic Authority (RTA) is pleased to advise the school zone(s) covering the following school(s) within your LGA have been included as one of the next 75 school zone sites to receive school zone flashing lights.

- *Kurmond Road at Hawkesbury High School*
- *Bells Line of Road at Kurmond Public School*
- *Grose Vale Road at Richmond North Public School*
- *Castlereagh Road at Richmond High School*
- *Mulgrave Road at Windsor High School.*

It is not possible to provide you with a date for the installation of the lights, however it is expected that all school zone sites in this rollout will be completed by April 2011."

School Zone Flashing Lights were previously installed along the Lennox Street frontage at Richmond High School in early 2009.

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

1. Pitt Town Public School at Buckingham Street,
2. Cattai Public School at Cattai Road,
3. Bilpin Public School at Bells Line of Road,
4. Colo Heights Public School at Putty Road
5. Richmond High School at Lennox Street
6. Colo High School at Bells Line of Road,
7. Arndell Anglican College at Wolseley Road,
8. Oakville Public School at Oakville Road,
9. Richmond Public School at Windsor Street.

COMMITTEE RESOLUTION:

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

That the information be received.

APPENDICES:

There are no supporting documents for this report.

SECTION 4 - General Business

Item 4.1 LTC - 19 January 2011 - QWN 4.1 - Queensland Flood Relief Toiletry Donation Drop, West Market Street, Richmond (Londonderry) - (80245)

REPORT:

Senior Constable Brad Phillips

Senior Constable Brad Phillips informed the Committee that the NSW Police had been contacted by Robyn Spedding from Hawkesbury Spiritual Connections in relation to holding a "Queensland Flood Relief Toiletry Donation Drop Day" on Saturday, 22 January, 2011 from 9.00am to 4.30pm at the CWA Hall in West Market Street, Richmond.

A drive and drop zone will be set up outside the CWA Hall in West Market Street, Richmond (opposite St Andrews Church) between 9.00am – 12.00pm utilising the existing car spaces along West Market Street and volunteers will assist in taking donations from cars whilst ensuring there are no traffic congestion issues. A sausage sizzle will also be held to raise money.

Items being collected include:

- Insect repellent
- Sanitary products
- Tooth brushes
- Tooth paste
- Shampoo/conditioner
- Razors
- Shaving cream
- Soap
- Deodorant
- Hand cream
- Powder
- Sunscreen
- Band-Aids
- Antiseptic cream
- Hair brushes
- Hair elastics
- Nappies

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- Baby wipes
- Baby cream
- Baby powder/lotions

Senior Constable said the NSW Police didn't have any concerns; however they would attend the location should problems arise in relation to traffic congestion.

COMMITTEE RECOMMENDATION:

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

That the information be received.

SECTION 5 - Next Meeting

The next Local Traffic Committee meeting will be held on Wednesday, 16 February 2011 at 3.00pm in the Large Committee Rooms.

The meeting terminated at 3.50pm.

oooO END OF REPORT Oooo

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