



Hawkesbury City Council

ordinary
meeting
business
paper

date of meeting: 26 July 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”***

How Council Operates

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

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

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

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

Meeting Procedure

The Mayor is Chairperson of the meeting.

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

Public Participation

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

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

A Point of Interest

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

Planning Decision

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

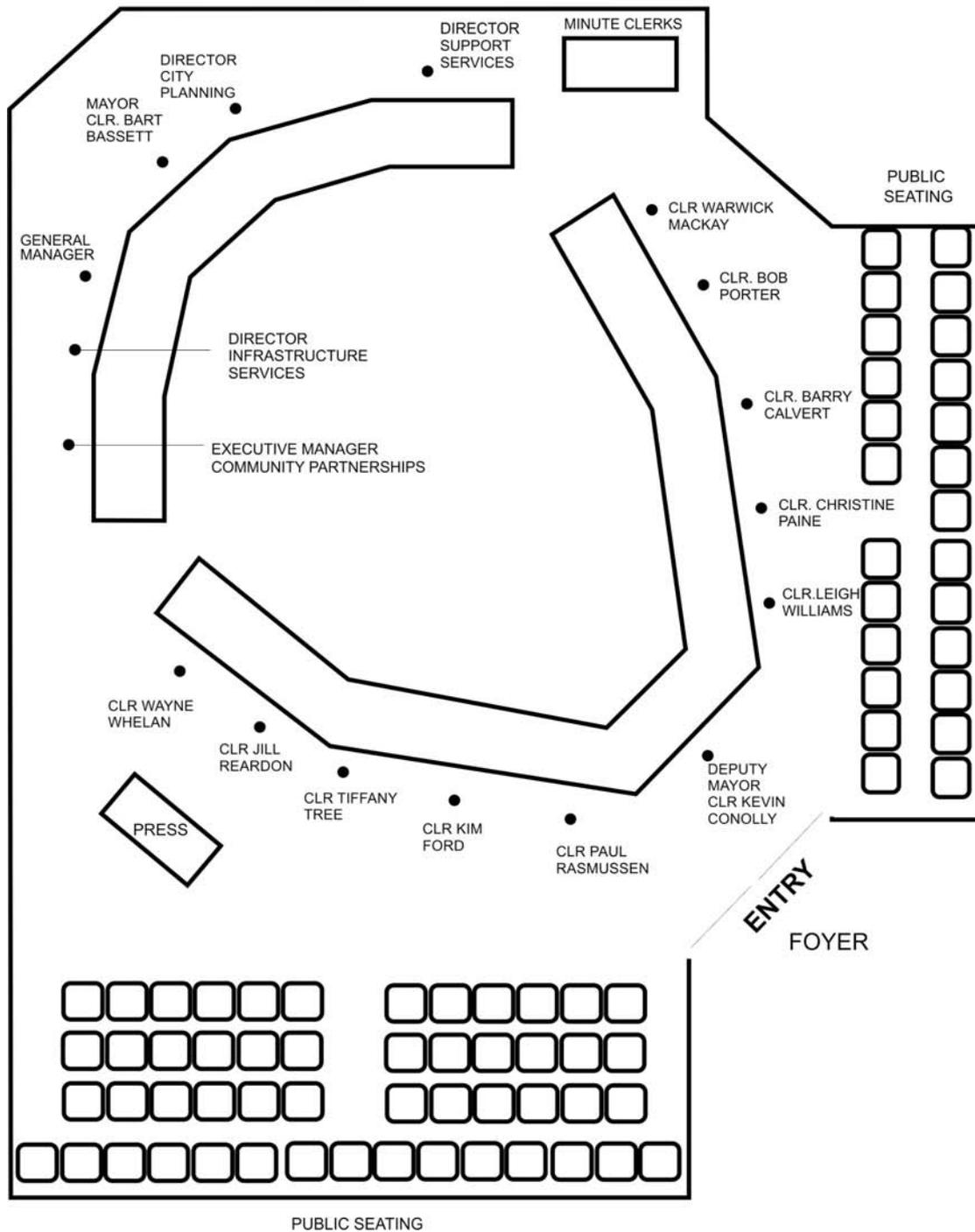
Website

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

Further Information

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

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SECTION 1 - Confirmation of Minutes

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SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 156 **GM - Local Government & Shires Association of NSW Councillor Weekend - (79351, 112608)**

REPORT:

Executive Summary

The Local Government and Shires Association of NSW (LGA) will hold a Councillor Weekend from 5 - 6 August 2011 in Coffs Harbour, NSW. The Councillor Weekends have been designed to provide Councillors with a program of accredited learning opportunities covering a range of topics.

Consultation

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

Background

The LGA will hold a Councillor Weekend from 5 - 6 August 2011 in Coffs Harbour, NSW. The Councillor Weekend will explore the Councillor's role in the Planning System, the principles of managing time and stress, Community Leadership and Meeting Skills for Councillors.

Cost of attendance at the Councillor Weekend will be approximately \$2,385.00 per delegate.

The 2011/2012 Budget contains a provision of \$43,000 for Delegates Expenses. It should be noted that Council has recently considered other reports for conferences and resolved to send delegates to the following conferences; the estimated total cost of attendance being \$13,660.00.

- 2011 Annual Sister Cities Australia Conference - 14-17 August 2011.
- 2011 Waste & Recycle Conference - 14-16 September 2011.
- Local Government & Shires Association (LGSA) Water Management Conference - 14-16 September 2011.

Conformance to Community Strategic Plan

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

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

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

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

Financial Implications

Funding for this proposal will be provided from the Delegates Expenses Budget.

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RECOMMENDATION:

That the attendance of nominated Councillors at the Local Government & Shires Association of NSW Councillors Weekend at an approximate cost of \$2,385.00 per delegate be approved.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 157 **GM - Attendance and Submission of Motions - 2011 Local Government Association of NSW Annual Conference - (79351, 79633, 95496)**

Previous Item: 103, Ordinary (31 May 2011)

REPORT:

Executive Summary

The 2011 Local Government Association (LGA) of NSW Annual Conference will be held from 23 - 26 October 2011 in Nowra, NSW. Consistent with previous practice, this report recommends attendance by nominated Councillors and staff at the Conference. In addition, the LGA has called for Motions to be considered at the Conference, and having regard to a previous resolution of Council, this report recommends that Council put forward a Motion seeking that the LGA make representations to the Minister for Tourism, Major Events, Hospitality and Racing, the Hon. George Souris, MP, to review the current liquor licensing provisions that allow extended hours of opening of licensed premises that are unacceptable and will detrimentally effect local residents.

Consultation

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

Background

The 2011 Local Government Association (LGA) of NSW Annual Conference will be held from 23 - 26 October 2011 in Nowra, NSW. The Conference Program includes various topics including constitutional recognition of local government and the image of local government in New South Wales.

Cost of attendance at the 2011 Annual LGA Conference will be approximately \$2,100.00 plus travel expenses per delegate.

The 2011/2012 Budget contains a provision of \$43,000 for Delegates Expenses. It should be noted that Council has recently considered other reports for conferences and resolved to send delegates to the following conferences; the estimated total cost of attendance being \$13,660.00.

- 2011 Annual Sister Cities Australia Conference - 14-17 August 2011.
- 2011 Waste & Recycle Conference - 14-16 September 2011.
- Local Government & Shires Association (LGSA) Water Management Conference - 14-16 September 2011.

In addition, the LGA has called for Motions to be considered at the Conference, and any such proposed motions must be received by the LGA by 5.00pm on Friday, 5 August 2011, to meet the LGA's business paper production deadlines. The LGA requires that all motions submitted must be adopted by Council before submission to the LGA.

The LGA has advised that motions before the Conference will be divided into three categories by the Executive Committee, prior to the Conference, as follows:

Category 1

Matters concerning the good governance of the Conference or the Association including, without limitation:

- (a) The adoption of Standing Orders;

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- (b) Amendments to the Constitution;
- (c) Matters of compliance by the Association with any legislative provision;
- (d) The finances of the Association; or
- (e) The health and welfare of staff members of the Association.

Category 2

Matters not covered by existing policy and matters involving change of policy.

Category 3

Those matters that are reaffirmations of existing policy, or issues of a specific local nature.

- (a) Motions grouped under Category 1 shall be given priority over Category 2 and Category 3 motions, and shall be discussed in the order in which they appear in the business paper.
- (b) Motions grouped under Category 3 shall be adopted under a general motion - subject to the reservation that, should any delegate wish any motion to be taken from Category 3 for general discussion, it shall open to the delegate to request the Conference to do so. In view of the importance of some motions in Category 3, especially those of an urgent nature, the Executive is empowered to resubmit those it considers to be important for the Conference's consideration.

In this regard, Council at its meeting on 31 May 2011, resolved as follows:

"That:

1. *Council make representation to the Minister via its local State Members of Parliament to review current licencing provisions that allow extended hours of opening of licensed premises that are unacceptable and detrimentally effect local residents;*
2. *Council submit this matter as a motion to the next Local Government Association Annual Conference."*

Accordingly, the following motion (in the format required by the LGA) is submitted for Council's consideration:

Topic

Family and Community Service

Issue

Liquor Licences that allow extended opening hours of licensed premises.

Motion

That the Local Government Association make representations to the Minister for Tourism, Major Events, Hospitality and Racing, the Hon. George Souris, MP, to review the current liquor licensing provisions that allow extended hours of opening of licensed premises that are unacceptable and detrimentally effect local residents.

Note from Council

Over the last few years, there have been various amendments to the process for applying for, and complying with, the various liquor licenses available under the Liquor Act 2007. There is no doubt that the process has improved, in part, the way in which the relevant stakeholders can have an input into the granting of liquor licenses. However, Hawkesbury City Council has some concerns with the

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way the stakeholder input is considered by the Authority and the subsequent problems that occur in the enforcement of many of the liquor license conditions.

Whilst the introduction of Community Impact Statements (CIS) is a step forward in stakeholder engagement, concern is raised that the theory in the process is not being translated into practice. The theory in this regard suggests that councils can undertake their own community consultation as part of the preparation of a response to the applicant's referral of the CIS to Council. However, the timeframe of 30 days is too short for normal notification processes and council meeting cycles. As a result, the consultation process, not usually well expressed by the applicant, may not be as thorough as intended. This is evidenced by complaints that Council receives when the applicant is preparing the CIS. There is also a potential bias with the applicant being responsible for undertaking this consultation and CIS preparation.

Council is also concerned with the weight that the Council's comments are given in the assessment process of a liquor license application. The guidelines on the Office of Liquor, Gaming and Racing website, whilst helpful, seems to place most emphasis on comments from Council in the area of planning and Environmental Planning and Assessment Act approvals, e.g., development approvals. Where a liquor license application is considered in conjunction with a development application, this is appropriate. However, where the liquor license relates to an existing premises that may have a very old development consent, that did not specify operating hours or a change of use of an existing premises, the emphasis for consideration should relate to the very real social and amenity impacts that this change will have on surrounding residents, rather than a development approval for operating hours.

There have been occasions during the consultation process where Council and/or the local Police have raised concerns with an extended operating hour license application. In this regard, whilst the development consent may not restrict the hours of operation of the premises, there are significant concerns with the operation of a licensed premises operating past midnight. However, the license has been granted for extended hours with operational conditions. Again whilst this is satisfactory in theory, the enforcement of those conditions, particularly in fringe metropolitan or regional areas, as opposed to metropolitan or inner city locations, is difficult to monitor and a significant 'after hours' time burden is placed on the limited resources of the local Police or Council enforcement officers.

Council feels that there is a strong need to review the assessment processes for liquor licenses so that the affected stakeholders, particularly the local residents and those that are required to "clean up" the problems caused by non-compliance with the license conditions, are heard and taken into greater consideration. This is particularly relevant to operating hours, where an opening hour approval after midnight, is not necessarily suitable if there is no transport available after that time for patrons.

Conformance to Community Strategic Plan

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

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

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

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

Financial Implications

Funding for this proposal will be provided from the Delegates Expenses Budget.

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RECOMMENDATION:

That:

1. Attendance of nominated Councillors, and staff members as considered appropriate by the General Manager, at the 2011 Local Government Association of NSW Annual Conference, at an approximate cost of \$2,100.00 plus travel expenses per delegate, be approved.
2. Council nominate four voting delegates to attend the 2011 Local Government Association of NSW Annual Conference.
3. The Motion, as outlined in the report regarding extended trading hours for licensed premises, be submitted to the Local Government Association of NSW for inclusion in the agenda of the Association's 2011 Annual Conference.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 158 GM - Contractual Conditions of Senior Staff - Annual Report - (79351)

REPORT:

Executive Summary

Under the provisions of the Local Government Act 1993 the General Manager is required to report annually to Council in respect of the contractual conditions of senior staff.

The purpose of this report is to submit the required annual report, the last report having been submitted to Council on 13 July 2010.

It is recommended that Council note the report.

Consultation

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

Background

Under the provisions of Section 339 of the Local Government Act (the Act) the General Manager is required to "at least once annually, report to the Council on the contractual conditions of senior staff".

Section 334 of the Act provides that the position of General Manager is a "senior staff position" and in determining the organisational structure of the organisation a council must, under Section 332 (1) of the Act, determine those positions that are also to be "senior staff positions". There are certain criteria that apply before a position can be classified as a "senior staff position". In Hawkesbury's case Council has determined that, in addition to the position of General Manager, that the following positions are "senior staff positions":

1. Director Infrastructure Services
2. Director City Planning
3. Director Support Services

The "contractual conditions" of senior staff are dictated by a "standard form of contract" approved by the Chief Executive Officer Local Government, Division of Local Government, Department of Premier and Cabinet (the DLG) under Section 338 of the Act. The current "standard form of contract" for general managers can be reviewed on the DLG's website at www.dlg.nsw.gov.au/dlg/dlghome/documents/information/SCE_General_Managers.pdf and the current "standard form of contract" for senior staff can be viewed on the DLG's website at www.dlg.nsw.gov.au/dlg/dlghome/documents/information/SCE_Senior_Staff_Excluding_General_Manager_s.pdf.

The current total remuneration packages (TRP) payable under the senior staff contracts are as follows:

- | | |
|-------------------------------------|-----------|
| 1. General Manager | \$239,656 |
| 2. Director Infrastructure Services | \$205,608 |
| 3. Director City Planning | \$202,858 |
| 4. Director Support Services | \$193,190 |

The above TRP's include the following:

- Salary component of the package
- Defined employers contribution to any superannuation scheme

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- The total value of non-cash benefits elected under the package (i.e. Council supplied vehicle)
- FBT payable by Council for any non-cash benefits.

It should be noted that as required by the relevant regulation, the TRP amounts payable for all senior staff positions are also detailed in the Annual Report provided by Council each year at the level applicable at the end of the year to which the report relates.

Conformance to Community Strategic Plan

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

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

Funding

Not applicable as this is an annual report required under the Act.

RECOMMENDATION:

That the annual report under Section 339 of the Local Government Act concerning the contractual conditions of Council's senior staff be noted.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

CITY PLANNING

Item: 159 CP - Community Sponsorship Program - 2011/2012 - Round 1 - (95498, 96328)

REPORT:

Executive Summary

This report has been prepared to advise Council of applications for financial assistance to be determined under Round 1 of the Community Sponsorship Program for 2011/2012. The report lists the applications received, the proposed level of financial assistance, and those applications that will require the execution of Council's standard Sponsorship Agreement.

Consultation

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

Background

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

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

- Minor Assistance (up to \$500)
- Event Sponsorship (for up to 3 years)
- Seeding Grants (for community based programs)
- Access to Community Facilities (to subsidise the cost of hire for community facilities)
- Improvements to Council Facility (reimbursement of Development Application fees for renovations or additions to Council owned buildings or facilities).

The Adopted Budget for 2011/2012 includes an allocation of \$64,220 for the CSP. Pursuant to Council's resolution of 29 April 2008, \$19,592 of this amount has been set aside as a contribution to the staging of the Hawkesbury City Eisteddfod.

Community Sponsorship Program (2011/2012)

In accordance with Council's Community Sponsorship Policy applications for community sponsorship under Round 1 of the Community Sponsorship Program 2011/2012 were called for in mid May and closed on 1 July 2011. 27 applications were received. In addition to these applications, a further three applications representing various years of approved three and five-year sponsorship events (approved in 2008/2009 and 2009/2010) have been included for Council's determination.

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Assessment of 2011/2012 Round 1 Applications

In total 30 applications have been presented for Council's consideration under Round 1 of the 2011/2012 CSP. Table 1 summarises the applications received and the proposed level of financial assistance.

Applicant	Type (1)	Proposal	Recom. Amount
1. Hawkesbury City Eisteddfod Society	ES	Staging of Hawkesbury City Eisteddfod	19,592
2. Colo Family Picnic Day	ES	Colo Family Picnic Day	2400
3. Hawkesbury Schools Dance Festival	ES	Staging of biennial school dance festival	3000
4. Windsor Business Group	ES	Sydney Blues Festival	3000
5. Ferry Artists Gallery	ES	Workshops in conjunction with Hills Festival	1000
6. Kurrajong Scarecrow Festival Inc	SG	Recovery of losses from staging of 2010 Scarecrow Festival	Nil
7. Koori Kids	SG	NAIDOC Week Schools Cultural program	Nil
8. Cancer Council NSW	ES	Hawkesbury Relay for Life	2250
9. Hawkesbury District Basketball Assoc.	MA	Basketball Gala Day at Hawkesbury Indoor Stadium	500
10. Sandy Freeman	MA	Representative swimming - Special Olympics Games 2011	100
11. Hawkesbury Jazz Club Inc	ES	Rory Thomas Memorial Youth in Jazz competition	2000
12. Elizabeth St Extended Hours PreSchool	SG	Removal of white cedar tree in playground	600
13. Richmond Literary Institute Inc	SG	Reconfiguration of control booth	3000
14. Kurrajong Colo RSL Sub-branch	ES	Hire of Chairs for ANZAC and Remembrance Days	350
15. Bede Polding College	MA	Student Volunteers working in Hanoi, Vietnam	500
16. Bede Polding College	MA	Student Volunteers working in Sangklaburri, Thailand	Nil
17. Rotary Club of Richmond	ES	Carols by Candlelight in Richmond Park	1125
18. Purple Noon Gallery	ES	Art competition	Nil
19. Glossodia Public School	CF	Hire of Windsor Function Centre for Presentation Night	333
20. Hawkesbury Environment Network	MA	Registration fee for international conference	495
21. Hawkesbury Living Cancer trust	MA	Hawkesbury's Largest Morning Tea	500
22. Hawkesbury Triathlon Club	SG	NSW Junior Triathlon Event	3000
23. Peppercorn Services inc	ES	Hawkesbury Pregnancy, Children & Family Expo	3000
24. Harrison Thomas	MA	Representative swimming	100
25. Macquarie Towns Arts Society Inc	SG	Hire of community bus	1320
26. Older Men's Network Inc (OMNi)	SG	Annual OMNi 'Shindig'	1700
27. Bridgewater	MA	Carols in Hanna Park	300
28. Hawkesbury Vaulting Club	MA	Representative Vaulting	500
29. Windsor Bowling & Sports Club	MA	80 th Anniversary of club	500
30. Hawkes Community Outreach Serv Inc	SG	Refurbishment of playground	3000
TOTAL			54,165

Table 1 Requests for financial assistance Round 1 of 2011-2012 Community Sponsorship Program

The applications received were assessed against the criteria outlined in the CSP. This criteria reflects the provisions of Council's adopted Sponsorship Policy and the amounts recommended for approval are consistent with the policy. A more complete summary of the assessment of applications against the CSP appended to this report (Attachment 1).

To assist Council's deliberations, more detailed explanations of specific recommendations are outlined below (in cases where the amount proposed for allocation differs from the requested amount and/or where a proposed allocation may fall outside the provisions of Council's Community Sponsorship Policy).

Applications Not Recommended for Funding

Application 6 - Kurrajong Scarecrow Festival (\$4,026). The applicant is seeking funding to cover the operating losses of the 2010 event. Council has previously provided the applicant with funding under a 3 Year Sponsorship Agreement for \$3,500 in 2008/2009, \$3,000 2009/2010, and \$3,000 in 2010/2011. The event in 2010 was cancelled because of bad weather which resulted in the event recording a loss for the amount requested. The application for a reimbursement of operating losses has not been recommended

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for funding as it falls outside of the CSP criteria on two counts. Firstly, Council has already provided the applicant with \$3,000 of funding for the 2010 event and the CSP criteria provides for only one grant per event. Secondly, an Event Sponsorship grant is provided as a contribution to the costs of an event and is not intended to cover the total costs of an event. Funding the operating losses of an event would potentially set a precedent whereby future applicants may expect Council to cover the total costs of an event and/or cover their operating losses. Council may wish to invite the Kurrajong Scarecrow Festival Inc. to resubmit an application to seek a further 3 years of event sponsorship commencing with the 2011 event.

Application 7 - Koori Kids (\$450). The applicant is not a local organisation. The funding requested is for a state-wide colouring-in competition. Council remits \$4,500 annually to Merana Aboriginal Community Organisation for NAIDOC Week celebrations in the Hawkesbury.

Application 16 - Bede Polding College (\$500). The CSP provides for one application per applicant per financial year. This is the second application that the applicant has submitted in this financial year (see Application 15). The applicant has previously received funding under the CSP in 2010/2011, 2009/2010, 2008/2009, 2007/2008 and 2006/2007.

Application 18 - Purple Noon Gallery (\$3,000). The applicant is a commercial enterprise and therefore falls outside of the scope of the Community Sponsorship Program.

Applications Recommended for Partial-Funding Only

Application 4 - Windsor Business Group (Sydney Blues Festival). The Windsor Business Group (WBG) is seeking \$5,000 in event sponsorship to cover their contribution to the Sydney Blues Festival (now known as the Sydney Blues and Roots Festival). The maximum grant able to be provided under the CSP for this event is \$3,000 (which reflects the level of sponsorship provided in 2010/2011 under the event sponsorship agreement executed with the WBG). The recommendation therefore provides for a \$3,000 grant. Council has however been advised that Council can vary the recommended amount to reflect the particular circumstances of an application should Council determine that these circumstances warrant a variation to the adopted CSP criteria.

At Council's meeting held of 12 July 2011, representations were made by the WBG and the organisers of the Sydney Blues and Roots Festival for Council to waive the exclusive use fees for Thompson Square and the Windsor Mall which are calculated to be between \$4,950 and \$6,240 depending on the number of exclusive use days required by the organisers. Council was advised that the appropriate mechanism to financially support such a request would be through the Community Sponsorship Program.

Council also requested information as to the circumstances as to why the event did not attract exclusive use fees in 2010/2011. The situation in 2010/2011 occurred as the event organisers did not make a prior application to use Thompson Square so that staff were unaware of its intended use of the Square on an exclusive use basis prior to the event organisers actually erecting barriers on the day of the event. Council staff subsequently assessed the situation and determined not to proceed with the retrospective application of fees after the completion of the event. This position was taken on the basis that the event organisers may have assumed that Council's sponsorship and support of the event amounted to de-facto approval for the use of Thompson Square. This ambiguity has been corrected and the event organisers have lodged an application for the exclusive use of Thompson Square and Windsor Mall (between The Vault and Fitzroy Hotel).

Applications Seeking Continuation of Completed Event Sponsorship Agreements

At its Ordinary Meeting on 11 August 2009, Council resolved to amend the criteria for the continuation of Event Sponsorship grants under the Community Sponsorship Program to ensure that sufficient funds were available to enable Council to provide sponsorship to other community groups seeking to stage new events and release funds to provide financial assistance under other categories within the CSP. This change was recommended to Council as in 2009 more than 60% of funds distributed under the CSP was allocated to support existing 3 Year Sponsorship applications. Accordingly, Council resolved (in part) to:

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"4. Authorise Council staff to advise current recipients of three year event sponsorship agreements that Council may consider the renewal of these agreements on the following basis:

- (a) prospective applicants will need to re-apply for the renewal of their event sponsorship;
- (b) eligible event sponsorship renewal applications will be funded at 75% of the amount approved in the previous event sponsorship agreement in the first year of the renewal period and at lower levels in the subsequent years."

Council subsequently wrote to relevant recipients to advise of this change to the criteria. Accordingly, the recommendations for funding amounts for the following applicants has been adjusted to reflect Council's resolution with recommended funding amounts for 2011/2012 set at 75% of the annual amounts previously provided to the applicant over the past three financial years for the proposed event.

Application 8 - Cancer Council NSW (Hawkesbury Relay for Life). Requested \$3, 000, Recommended \$2,250.

Applicant 17 - Rotary Club of Richmond (Carols by Candlelight Richmond Park). Requested \$1,500, Recommended \$1,125.

There are sufficient funds to cover the total recommended amount of \$54,165 under Round 1 of the 2011/2012 Community Sponsorship Program leaving a balance of \$10,055 for allocation in further rounds.

Conformance to Strategic Plan

The proposal is consistent with the "*Shaping our Future Together*" Direction statement:

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

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

- Develop and implement a community partnership and participation program

It will also contribute to the Goal within the *Shaping our Future Together* element within the Community Strategic Plan:

- Support community initiatives and volunteers

and assist Council to achieve the following CSP measure:

- Level of support to community organisations

Funding Implications

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

RECOMMENDATION:

That Council:

1. Approve payments of Section 356 Financial Assistance to the organisations or individuals listed, and at the level recommended in Table 1 of this report.
2. Note that the required Sponsorship Agreements for Applications 1, 2, 3, 4 and 5 have been previously executed to provide for the continuation of funding for these proposals.

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3. Approve the execution of Council's standard Sponsorship Agreement for the applications 8, 11, 12, 13, 17, 22, 23, 25, 26, and 30 identified in Table 1 of this report.

ATTACHMENTS:

AT-1 Assessment of Applications under Round 1 of Community Sponsorship Program 2011/2012.

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**AT-1 Assessment of Applications Under Round 1 of
Community Sponsorship Program 2011/2012**

Applicant	Sponsorship Type (1)	Description	Assessment Criteria								Amount requested (or previously approved for ES Sponsorship)	Amount recommended	Comments
			Local service	Not-for-profit	Not funded by State/Federal Agency	Co-contribution provided	Reflects agreed community priority	Meets sponsorship criteria	Financially sustainable	Documentation provided			
1. Hawkesbury City Eisteddfod Society	ES	Staging of Hawkesbury City Eisteddfod	✓	✓	✓	✓	✓	✓	✓	✓	19592	19592	Continuation of funding for Year 4 of approved 5 Year Event sponsorship agreement
2. Colo Family Picnic Day	ES	Colo Family Picnic Day	✓	✓	✓	✓	✓	✓	✓	✓	2400	2400	Continuation of funding for Year 3 of approved 3 Year Event sponsorship agreement
3. Hawkesbury Schools Dance Festival	ES	Staging of biennial dance festival involving 36 Primary & Secondary schools	✓	✓	✓	✓	✓	✓	✓	✓	3000	3000	Biennial event. Continuation of funding for Year 2 of approved 3 Year Event sponsorship agreement. Next due in 2013
4. Windsor Business Group	ES	Sydney Blues Festival	✓	✓	✓	✓	✓	✓	✓	✓	3000	3000	Continuation of funding for Year 2 of approved 3 Year Event sponsorship agreement.
5. Ferry Artists Gallery	ES	Artists workshops in conjunction with Hills Festival	✓	✓	✓	✓	✓	✓	✓	✓	1000	1000	Continuation of funding for Year 2 of approved 3 Year Event sponsorship agreement.
6. Kurralong Scarecrow Festival Inc	SG	Recovery of losses from the staging of 2010 Scarecrow Festival	✓	✓	✓	✓	✓	✓	✓	4026	Nil	Nil	Applicant received \$3000 in 2010 from CSP as the final year of a 3 Year Event Sponsorship agreement
7. Koori Kids	SG	NAIDOC Week Schools Cultural program	✓	✓	✓	✓	✓	✓	✓	450	Nil	Nil	Funded by several government departments. Council funds The Merana Aboriginal Community Association of the Hawkesbury to stage NAIDOC activities each year
8. Cancer Council NSW	ES	Hawkesbury Relay for Life	✓	✓	✓	✓	✓	✓	✓	✓	3000	2250	Previous recipient of 3 Year Event Sponsorship agreement
9. Hawkesbury District Basketball Association	MA	Basketball Gala Day at Hawkesbury Indoor Stadium	✓	✓	✓	✓	✓	✓	✓	✓	500	500	Meets requirements of Minor Assistance category
10. Sandy Freeman	MA	Representative swimming Special Olympics World Games 2011	✓	✓	✓	✓	✓	✓	✓	✓	100	100	Meets requirements of Minor Assistance category
11. Hawkesbury Jazz Club Inc	ES	Rory Thomas Memorial Youth in Jazz competition	✓	✓	✓	✓	✓	✓	✓	✓	2000	2000	Meets requirements for 3 year Event Sponsorship
12. Elizabeth St Extended Hours PS	SG	Removal of white cedar tree in playground	✓	✓	✓	✓	✓	✓	✓	✓	600	600	Meets requirements for Program & Activity Seeding Grant
13. Richmond Literary Institute Inc	SG	Reconfiguration of control booth to accommodate additional equipment	✓	✓	✓	✓	✓	✓	✓	✓	3000	3000	Equipment acquired by Richmond Players under the Community Building Partnerships Program.

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14. Kurrajong Colo RSL Sub-branch	ES	Hire of chairs for ANZAC and Remembrance Days	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	350	350	Long standing ceremonies at Kurrajong and Wilberforce co-ordinated by the Kurrajong-Colo RSL Sub-branch
15. Bede Polding College	MA	International Student Volunteers working in Hanoi, Vietnam	✓	✓	✓	✓	✓	✓	✓	✓	✓	n/a	✓	✓	✓	✓	✓	500	500	Meets requirements for Minor Assistance category. Funds be used to subsidise individual student's travel expenses.
16. Bede Polding College	MA	International Student Volunteers working in Sangklaburri, Thailand	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	500	500	Policy calls for one application per applicant per financial year. Received funding 2010-2011, 2009-2010, 2008-2009, 2007-2008 and 2006-2007 for different students.
17. Rotary Club of Richmond	ES	Carols by Candlelight in Richmond Park	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	1500	1125	Previous recipient of 3 Year Event Sponsorship funding for the same project
18. Purple Noon Gallery	ES	Hawkesbury Art Prize	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	3000	Nil	Appears to be a commercial entity
19. Glossodia Public School	CF	Annual Presentation Night	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	333	333	Meets requirements for Access to Community Facilities category.
20. Hawkesbury Environment Network	MA	Attendance at International Conference for Environment Centres, Sydney 8-11 Sept 2011	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	495	495	Meets requirements of Minor Assistance category
21. Hawkesbury Living Cancer Trust	MA	Hawkesbury's Largest Morning Tea	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	500	500	Fund raising event for proposed oncology and infusion centre. Funding will assist in the costs of hire of facilities. Meets requirements of Minor Assistance category
22. Hawkesbury Triathlon Club	SG	NSW Junior Triathlon event in the Hawkesbury 18 December 2011	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	3000	3000	Meets requirements for Program & Activity Seeding grants.
23. Peppercorn Services Inc	ES	Annual Hawkesbury Pregnancy, Children and Families expo	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	3000	3000	This project is a new event to be staged by the applicant.
24. Harrison Thomas	MA	Representative Swimming – PSSA National Swimming Championships –Melbourne 30/7/2011 – 5/8/2011	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	100	100	Meets requirements of Minor Assistance category
25. Macquarie Towns Arts Society Inc	SG	Hire of community bus to transport senior members to Yarramundi for monthly arts workshops	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	1320	1320	Meets requirements for Program & Activity Seeding grants.
26. Older Men's Network Inc (OMNI)	SG	Annual OMNI 'Shindig' Milson Island, Brooklyn NSW	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	1700	1700	Applicant funded for the same purpose 2008 and 2009 and in 2010 to hire tents for Blokes Day
27. Bridgewater	MA	Carols in Hanna Park, December 2011	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	300	300	Meets requirements of Minor Assistance category
28. Hawkesbury Vaulting Club	MA	International Vaulting Championships, Horsley Park	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	500	500	Meets requirements of Minor Assistance category
29. Windsor Bowling & Sports Club	MA	80th Anniversary of founding of the club	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	500	500	Meets requirements of Minor Assistance category
30. Hawkesbury Community Outreach services inc	SG	Refurbishment of playground at Bligh Park Children Centre	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	3000	3000	Applicant receives funding from Department of Human Services for operational expenses only.
TOTAL																		54,165		
MA = Minor Assistance ES = 3 Year Event Sponsorship SG = Seeding Grant CF = Access to Community Facilities ICF= Improvement to Community Facilities																				

oooO END OF REPORT Oooo

Item: 160 CP - Policy for Provision of Infrastructure for Rezoning Matters - (95498)

Previous Item: MM, Ordinary (13 October 2009)

REPORT:

Executive Summary

On 13 October 2009 Council considered a Mayoral Minute regarding Infrastructure Issues in Richmond and North Richmond. The resolution from that matter adopted the Policy "Rezoning of Land for Residential Purposes - Infrastructure Issues". This Policy and a number of other Council resolutions were made prior to Council's adoption of the Hawkesbury Residential Land Strategy on 10 May 2011.

The purpose of this report is to outline the background to the Policy and recommend changes to the Policy so that the current conflict with the adopted Hawkesbury Residential Lands Strategy and the Policy can be rectified.

Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy. However, this matter was discussed at the Councillor Briefing Session held on Tuesday, 5 July 2011.

Background

Council has made a number of resolutions regarding development proposals that deferred further consideration of the development proposals until after the Hawkesbury Residential Land Strategy (HRLS) had been completed. Council also adopted a Policy on this matter on 13 October 2009. The matters and resolutions are as follows:

Report to Council Meeting on 8 July 2008 regarding the Progress and Criteria for Preparation of Residential Strategy.

That:

1. *Council note that the sustainability criteria contained in the Metropolitan Strategy and the actions contained in the draft North-West Sub-Regional Strategy must be included for implementation in Council's Strategy work.*
2. *It be noted that the criteria for inclusion into the Residential Strategy, as specified in the "Proposed Broad Local Criteria" of this report is an extension of the Statutory criteria and this be adopted for use in the preparation of the Residential Strategy.*
3. *The draft Residential Strategy be reported to Council prior to the public exhibition of the draft Strategy.*
4. ***That no additional applications (beyond those already lodged in Council or those in respect of areas previously nominated by Council for urban expansion where existing flood evacuation issues have been resolved eg North Bligh Park) for new residential rezoning matters be processed by Council until the draft Residential Strategy has been completed and endorsed by Council.***
5. *The issue of urban renewal be integrated into this report.*

ORDINARY MEETING

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Notice of Motion to Council Meeting on 3 February 2009 regarding Development at North Richmond.

That Council reaffirms its existing resolutions concerning the preparation of the Residential Strategy and the development of the Community Strategic Plan.

Mayoral Minute to the Council Meeting on 13 October 2009 regarding Infrastructure Issues - Richmond and North Richmond.

That as a matter of policy Council indicate that it will not consider nor support any further applications to rezone land for residential purposes in the area west of the Hawkesbury River until such time as the existing infrastructure issues, particularly as related to traffic, have been addressed to Council's satisfaction.

Report to Council to consider comments, on the land release application for North Richmond, to the Department of Planning. The resolution in part was:

3. Council reaffirm its resolution of 13 October 2009 as detailed in the report.

Report to Council following public exhibition of the HRLS recommending amendments and adoption of the amended HRLS. The resolution in part was:

2 Adopt the amended Hawkesbury Residential Land Strategy.

As can be seen from the above resolutions, Council has resolved to support the preparation of the HRLS since adoption of the criteria on 8 July 2008 and has not recommended consideration of further rezoning matters until the HRLS was in place. The most significant resolution restricting consideration of these matters is the Policy that was adopted on 13 October 2009 as shown above.

It is clear that Council required such a Policy as there was, and still is, a real need for the consideration of relevant infrastructure issues prior to support of any further development. It is also clear that there is a need for that consideration to follow a consistent approach so that the assessment considers the appropriate infrastructure for the locality and is fair to the applicant and the community.

The Policy, in the absence of any adopted criteria for assessment of "Council's satisfaction", has been useful in the consideration of proposed future development since October 2009. However, with the adoption of the Hawkesbury Residential Land Strategy the adopted Policy and the adopted Strategy conflict.

In this regard, the Policy states "*Council indicate that it will not consider nor support any further applications*" which has the effect of Council not being able to assess or consider any rezoning applications and does not adequately detail how infrastructure assessment will be undertaken to obtain "Council's satisfaction". However, the HRLS identifies land that Council is prepared to consider for further investigation for rezoning, subject to certain criteria. The HRLS contains a measured approach to consideration of development, in that it defines settlement types, identifies (via the sustainability matrix in Chapter 6 of the Strategy) the infrastructure and service requirements for those settlement types and also contains implementation actions to assist in the implementation of the strategy. In this regard, the HRLS essentially sets out the assessment criteria and approach to assessment so that plans for "Council's satisfaction", as per the Policy, can be achieved.

It is considered that the HRLS, the past resolutions and the Policy can all operate together subject to some minor changes to the Policy. It is recommended that the Policy be changed to deal with all development areas in the Hawkesbury (rather than just one side of the River) and to reference the Hawkesbury Residential Land Strategy rather than "Council's satisfaction".

The recommended changes to the Policy are shown below:

That as a matter of policy, Council indicates that it will ~~only not consider nor support any further applications to rezone land for residential purposes in the Hawkesbury LGA area west of the Hawkesbury River until such time as~~ **if the application has adequately considered the existing infrastructure issues in the locality of the development and made adequate provision for the required infrastructure for the proposed development in accordance with the sustainability criteria contained in Council's adopted Hawkesbury Residential Land Strategy** particularly as related to traffic, have been addressed to Council's satisfaction.

The changes proposed above still require any development to address the existing infrastructure as required by the Policy. However, the proposed changes have the added advantage of requiring any application to also address the future infrastructure needs of the community in accordance with the adopted Hawkesbury Residential Land Strategy.

Conformance to Community Strategic Plan

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

- Be a place where we value, protect and enhance the historical, social, cultural and environmental character of Hawkesbury's towns, villages and rural landscapes.
- Offer residents a choice of housing options that meets their needs whilst being sympathetic to the qualities of the Hawkesbury.
- Population growth is matched with the provision of infrastructure and is sympathetic to the rural, environmental, heritage values and character of the Hawkesbury.
- Have development on both sides of the river supported by appropriate physical and community infrastructure.
- Have friendly neighbourhoods, connected communities, and supported households and families.
- Have future residential and commercial development designed and planned to minimise impacts on local transport systems allowing easy access to main metropolitan gateways.

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

- Develop plans to enhance the character and identity of our towns and villages.
- Develop and implement a plan to conserve and promote heritage.
- Identify community needs, establish benchmarks, plan to deliver and advocate for required services and facilities.
- Develop disaster response and community safety plans.

The proposed Policy amendment makes the Policy more consistent with the Community Strategic Plan in that it refers to development *"on both sides of the river"* as well as assists in the implementation of a specific strategy in the CSP being the preparation of the residential land strategy.

Financial Implications

No financial implications applicable to this report.

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Planning Decision

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

RECOMMENDATION:

That Council amend the current Policy “Rezoning of Land for Residential Purposes - Infrastructure Issues”, adopted on 13 October 2009, to the following:

“That as a matter of policy, Council indicates that it will only consider applications to rezone land for residential purposes in the Hawkesbury LGA if the application has adequately considered the existing infrastructure issues in the locality of the development and made adequate provision for the required infrastructure for the proposed development in accordance with the sustainability criteria contained in Council’s adopted Hawkesbury Residential Land Strategy.”

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

Item: 161 CP - Planning Proposal for Jacaranda Ponds, Glossodia - (LEP89001/10, 111745, 120418, 95498)

REPORT:

Executive Summary

This report discusses a planning proposal which seeks to rezone land immediately to the south of the Glossodia township to allow for a 179 lot rural-residential subdivision and the retention of an existing egg production farm.

The applicant for the proposal is E J Cooper & Son Pty Ltd (represented by EG Property Group) and the planning proposal has been prepared by Urbis Pty Ltd. The planning proposal is supported by expert assessments of traffic, heritage, flora and fauna, bushfire, stream classifications, contamination, noise, odour and agricultural land capability.

The applicant's objectives for the planning proposal are:

1. *To refine the boundary of the current Rural – Mixed Agriculture zoning across the site in order to incorporate a Rural Housing zone that will provide rural residential lots that will compliment the rural village-like character of the area.*
2. *To ensure that future development on the site creates a natural expansion of the town of Glossodia allowing for a seamless southward extension.*
3. *To retain full employment in the area. The existing free-range egg farm will continue to be one of the region's most important employers. Appropriate buffers will be created to ensure that the free range farm does not impose upon the site's residential amenity.*
4. *To create a riparian corridor along Currency Creek as well as preserve and enhance other environmentally-significant areas within the site in a manner that achieves a harmonious relationship between the site and its surrounds."*

A plan showing the indicative lot layout is attached to this report. This layout shows a number of proposed lots which are severely constrained due to existing vegetation and dams and/or have poor street access. The applicant's representative has advised that the lot layout is indicative only and they are open to amendment subject to the lot yield of 179 being achieved. Accordingly, this report will not focus too greatly on the difficulties of the proposed lot layout, but rather make recommendations for amendments to the lot layout and yield in the event that the planning proposal is to proceed.

This report identifies various constraints to development of the site as proposed by the applicant and recommends that the planning proposal in its current form not be supported. However, in order to progress this matter it is also recommended that the applicant, in consultation with Council and other relevant public authorities, submit an amended planning proposal.

Consultation

The planning proposal has not been exhibited. If the planning proposal is to proceed it will be exhibited in accordance with the relevant provisions of the *Environmental Planning and Assessment Act 1979* and associated Regulations.

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Site and Surrounds

The site is irregular in shape and in total has an area of approximately 185.3ha consisting of the following properties:

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

213 and 361 Spinks Road, Glossodia are currently zoned Housing under *Hawkesbury Local Environmental Plan 1989* (HLEP 1989) and are proposed to be zoned R2 Low Density Residential under *Draft Hawkesbury Local Environmental Plan 2011* (DHLEP 2011). Clause 12(5) of HLEP 1989 prohibits the subdivision of Housing zoned land in Glossodia, except for the purposes of a boundary adjustment. All of the other properties are currently zoned Mixed Agriculture under HLEP 1989, proposed to be zoned RU1 Primary Production under DHLEP 2011, with a minimum lot size for subdivision of 10ha.

The site is bounded to the north by Spinks Road and Housing zoned land, to the east by Mixed Agriculture zoned land, to the south by Currency Creek with Mixed Agriculture zoned land beyond, and to the west by Spinks Road and Housing and Mixed Agriculture zoned land. The adjoining Housing zoned land to the north and west is generally 1ha – 2 ha in area with smaller 550m² to 4000m² (approx) properties fronting Spinks Road. Surrounding Mixed Agriculture zoned land to the west, south and east is generally 10ha – 15ha in area.

The majority of the site is cleared and undeveloped. The site is undulating and varies in elevation from approximately 80m westerly, 70m northerly, 40m easterly, and 30m southerly. A steep sloping section generally in excess of 15% passes through the middle of the site in an east-west direction.

The primary development on the site is a free range egg production farm (Pace Eggs) consisting of 10 sheds each with up to 19,000 birds located in the north western portion of the site and a chicken rearing farm (Baiada) consisting of 24 sheds is located in the south and south western portion of the site. The rearing farm is proposed to be removed as part of the development of the site. The site also contains eight dwellings and associated farm buildings.

The site also contains a number of dams. Eight are proposed to be retained the others will be filled in. Currency Creek forms the southern boundary of the site and is bounded by riparian vegetation. The planning proposal describes Currency Creek as being a watercourse with significant value, the main creek channel is continuously flowing, it provides habitat for riparian fauna, and the creek holds aquatic fauna.

The site is not subject to flood water inundation from the Hawkesbury River. The extent of any localised flooding from Currency Creek is unknown, however preliminary advice provided by the applicant suggests that the 1 in 100 year flood event level extends approximately 70m from the top of Currency Creek's bank.

All of the site is "bushfire prone land" (primarily vegetation category 2) according to NSW Rural Fire Service's Bushfire Prone Land Map and the site is "Class 5" land as shown on Council's Acid Sulfate Soils Planning Map.

The site falls within the Middle Nepean & Hawkesbury River Catchment Area of *Sydney Regional Environmental Plan No.20 Hawkesbury – Nepean River (No.2 – 1997)* and is not within an area of scenic significance under this SREP.

Views to the site are primarily from the north-east, west and south. The north-eastern portion of the site is primarily visible from James Street and Spinks Road east of James Street. The western and southern portions of site are primarily visible from Spinks Road and Kurmond Road, these views are partially obscured by the existing vegetation adjoining Currency Creek however the views to the southern face of the ridgeline running through the site are generally unobscured.

Description of Proposal

The proposal is to create 179 rural-residential lots and to retain the existing egg production farm. The rural-residential lots are proposed to vary in size from 4000m² up to 2ha with most lots being between 4000m² and 6000m².

Vehicular access to the development would be via an extension of James Street and two new access points from Spinks Road.

Amplification of existing electricity, telecommunications and potable water infrastructure services would be required to serve the development. The applicant proposes that each lot is to have its own aerated wastewater treatment system (AWTS).

A 50m rehabilitated riparian zone adjoining Currency Creek is proposed as well as a north-south ecological corridors between the egg production farm and the Currency Creek riparian area and along the western boundary of the site. Riparian buffer area for the two watercourses is 13.2ha.

Eight dams are to be retained. The land surrounding the large dam in the north-eastern corner of the site is proposed for public open space with walking and cycling tracks, picnic and entertainment areas.

The applicant advises that the egg farm currently contributes \$10-\$15 million annually to the local economy and employs up to 15 people depending on the time of year/production cycle. Enhancements to the egg farm are not proposed as part of the planning proposal however the applicant advises that the owner intends to use the proceeds of the subdivision to upgrade the packing floor with a grading and packing machine which would allow eggs produced at the farm and other affiliated egg farms to be graded and packaged on the property. This would be a \$5 million plus investment in new equipment and directly employ an additional 12 – 15 employees.

To achieve the proposed rezoning and resultant subdivision the applicant proposes that the zoning map of HLEP 1989 be amended to incorporate a Rural Housing zone over most of the site and Clause 10 of the LEP be amended to include a site specific Lot Size Map.

If the planning proposal is to proceed through to gazettal, it is unlikely that it would result in an amendment to HLEP 1989 as it is expected that DHLEP 2011 will be made before this proposal would be gazetted. In this case the proposal would result in an amendment to the new LEP 2011 by way of zoning the affected land R5 Large Lot Residential and amending the Lot Size Map and other affected maps.

NSW Department of Planning's Gateway Process

In July 2009, the NSW Government changed the way that local environmental plans (LEPs) are developed and approved. This system is known as the 'gateway' plan-making process.

The gateway process has the following steps:

Planning proposal — This is prepared by a Council or the Minister for Planning and Infrastructure and is to explain the intended effect of a proposed local environmental plan and sets out the justification for making that plan.

Gateway — The Minister (or delegate) determines whether the planning proposal is to proceed. This gateway acts as a checkpoint to ensure that the proposal is justified before further studies are done and resources are allocated to the preparation of a plan. A community consultation process is also determined at this time. Consultation occurs with relevant public authorities and, if necessary, the proposal is varied.

Community consultation — The proposal is publicly exhibited for a minimum period of either 14 or 28 days depending of the nature of the proposal. Any person making a submission may also request a public hearing be held.

Assessment — The relevant planning authority considers public submissions and the proposal is varied as necessary. Parliamentary Counsel then prepares a draft local environmental plan, the legal instrument.

Decision — With the Minister's (or delegate's) approval the plan becomes law and is published on the NSW legislation website.

The Department of Planning and Infrastructure (DP&I) has published two guides to assist in understanding the gateway process. These are *Guide to Preparing Local Environmental Plans* and *Guide to Preparing Planning Proposals*. Throughout this report some matters will be identified as requiring further investigation. Key issues of concern have been raised with the applicant during the initial assessment of the proposal however, in the absence of a resolution of Council regarding the progression of the proposal, the applicant has not been requested to undertake further detailed and potentially costly investigations. Upon Council resolution and any subsequent gateway determination these areas of concern can be further examined. This approach is supported by the *Guide to Preparing Planning Proposals* which states:

"In some cases it will be necessary to undertake technical studies or investigations to justify different aspects of a planning proposal. Generally, these studies or investigations should not be carried out in the first instance. Instead, the issues giving rise to the need for these studies or investigations should be identified in the planning proposal. The initial gateway determination will then confirm the studies or investigations required and the process for continuing the assessment of the proposal, including whether it will need to be resubmitted following completion of the studies or investigations."

The applicant has prepared a planning proposal in accordance with DP&I's guide and is supported by expert assessments of traffic, heritage, flora and fauna, bushfire, stream classifications, contamination, noise, odour and agricultural land capability. Furthermore the applicant, through the planning proposal, has advised that:

"All relevant supporting material to the Planning Proposal will be made available during the community consultation period. If required by Council, the proponent will provide a response to questions or queries raised by stakeholders at any point during the process."

Conformance with Hawkesbury Community Strategic Plan 2010 – 2030 (CSP)

Provisions of the CSP which are of most relevance to the planning proposal are:

Looking after people and place

Vision: *In 2030 we want the Hawkesbury to be a place where we have: A community in which the area's character is preserved and lifestyle choices are provided with sustainable planned, well serviced development, within strongly connected, safe and friendly neighbourhoods.*

Directions:

- *Be a place where we value, protect and enhance the historical, social, cultural and environmental character of Hawkesbury's towns, villages and rural landscapes.*
- *Offer residents a choice of housing options that meets their needs whilst being sympathetic to the qualities of the Hawkesbury.*
- *Population growth is matched with the provision of infrastructure and is sympathetic to the rural, environmental, heritage values and character of the Hawkesbury.*
- *Have development on both sides of the river supported by appropriate physical and community infrastructure.*
- *Have friendly neighbourhoods, connected communities, and supported households and families.*

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- *Have future residential and commercial development designed and planned to minimise impacts on local transport systems allowing easy access to main metropolitan gateways.*

Goals:

- *Maintain and foster the rural character of villages within the Hawkesbury.*
- *Accommodate at least 5,000 new dwellings to provide a range of housing options (including rural residential) for diverse population groups whilst minimising environmental footprint.*
- *Towns and villages to be vibrant place that people choose to live in and visit.*
- *Plan, provide and advocate for a range of community, cultural, recreational, sporting, health and education services and facilities to meet the needs of residents and visitors.*

Caring for Our Environment

Vision: In 2030 we want the Hawkesbury to be a place where we have: A community dedicated to minimising its ecological footprint, enjoying a clean river and an environment that is nurtured, healthy, protected and provides opportunities for its sustainable use.

Directions:

- *Be a place where we value, protect, and enhance the cultural and environmental character of Hawkesbury's towns, villages and rural landscapes.*
- *To look after our cultural and environmental assets for future generations so that they too can enjoy and benefit from a clean river and natural eco-systems, rural and cultural landscape.*
- *Take active steps to encourage lifestyle choices that minimise our ecological footprint.*
- *Work with our communities and businesses to use our resources in a sustainable way and employ best practices and technologies that are in harmony with our natural environment.*

Goals:

- *Balance the needs of our ecology, recreational and commercial activities.*
- *Sustainable use of potable and recycled water.*
- *Reduce greenhouse gas emissions*

Linking the Hawkesbury

Vision: In 2030 we want the Hawkesbury to be a place where we have: A community which is provided with facilities and services efficiently linked by well maintained roads and accessible and integrated transport and communication systems which also connect surrounding regions.

Directions:

- *Have a comprehensive system of transport connections which link people and products across the Hawkesbury and with surrounding regions.*
- *Be linked by accessible, viable public transport, cycleways and pathways to the major growth and commercial centres within and beyond the Hawkesbury.*
- *Have a comprehensive system of well maintained local and regional roads to serve the needs of the community.*

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- *Plan for, maintain and renew our physical infrastructure and community services, facilities and communication connections for the benefit of residents, visitors and businesses.*

Goals:

- *An efficient transport network that links the Hawkesbury internally and to regional growth centres.*

Supporting Business and Local Jobs

Vision: *In 2030 we want the Hawkesbury to be a place where we have: New and existing industries which provide opportunities for a range of local employment and training options, complemented by thriving town centres.*

Directions

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

Goals:

- *Increased patronage of local businesses and attract new residents and visitors.*

Shaping Our Future Together

Vision: *In 2030 we want the Hawkesbury to be a place where we have: An independent, strong and engaged community, with a respected leadership which provides for the future needs of its people in a sustainable and financially responsible manner.*

Directions

- *A balanced set of decisions that integrate jobs, housing, infrastructure, heritage, and environment that incorporates sustainability principles.*

Goals

- *Work together with the community to achieve a balanced set of decisions that integrate jobs, housing, infrastructure, heritage and environment.*
- *Council demonstrate leadership by implementing sustainability principles.*

The planning proposal in its current form would assist in the achievement of some of the above mentioned Directions and Goals, e.g., the 5000 dwelling house target, provision of recreational facilities, increased patronage of local business, attracting new residents to the Hawkesbury. However, there are some key environmental, traffic generation and sustainability impacts of the proposal that would be in conflict with the above mentioned Directions and Goals. These impacts are discussed later in the report.

Council Policy – Rezoning of Land for Residential Purposes - Infrastructure Issues

On 13 October 2009 Council adopted the following Policy:

"That as a matter of policy Council indicate that it will not consider nor support any further applications to rezone land for residential purposes in the area west of the Hawkesbury River until such time as the existing infrastructure issues, particularly as related to traffic, have been addressed to Council's satisfaction."

The existing infrastructure issues as referred to in the Policy mainly relate to the traffic volume capacity of the intersection at Grose Vale Road/Terrace Road/Bells Line of Road, North Richmond, the traffic volume

capacity of North Richmond bridge and the construction of a second bridge across the upper Hawkesbury, and provision of sewer infrastructure. These issues are yet to be addressed to Council's satisfaction. The planning proposal if made would rezone the affected land to R5 Large Lot Residential and, hence, Council support of this planning proposal would therefore be in conflict with this Policy.

However, there is another report on this agenda that proposes an amendment to this Policy that, if supported, would allow for consideration of this matter in relation to the Hawkesbury Residential Land Strategy and the sustainability criteria contained in that Strategy.

Metropolitan Strategy, Draft North West Subregional Strategy and Hawkesbury Residential Land Strategy

The NSW Government's Metropolitan Strategy and Draft North West Subregional Strategy establishes the broad planning directions for the Sydney metropolitan area and north-western sector of Sydney respectively. These documents identify a number of strategies, objectives and actions relating to the economy and employment, centres and corridors, housing, transport, environment and resources, parks and public places, implementation and governance.

The Hawkesbury Residential Land Strategy (HRLS) is in part a response to these strategies and has identified residential investigation areas and sustainable development criteria which are consistent with the NSW government's strategies. The HRLS was adopted by Council on 10 May 2011. This section of the report will focus on the provisions of the HRLS as, of the three strategies, it is the one most directly applicable to the proposal.

Section 5.6 of the HRLS identifies future investigation areas for new housing development. The HRLS nominates the existing Housing zoned land of Glossodia and land immediately to the south as an investigation area. The subject site is within this investigation area. The HRLS recommends that within the Glossodia investigation area, the extent and type of residential zoned land be reviewed subject to resolution of transport, access and traffic issues particularly road infrastructure crossing the river, provision of sewerage, the expansion of commercial, retail and community services to accommodate a larger population, and that larger lot residential is to be investigated within the urban zoned land around fringe.

The capability of the land to adequately cater for onsite sewerage disposal, from 179 lots, and the environmental constraints and impacts of the proposal will be discussed in detail later in this report.

Glossodia currently satisfies many of the Neighbourhood Centre criteria, specified in the HRLS, as it contains 840 private dwellings, 99% being detached dwellings (ABS Census 2006) and is currently served by a small shopping village, community centre, public school, child care centre, before and after school care, Woodbury Park, rural fire service brigade, reticulated water, sewer, electricity, communications, roads connecting to key centres. However, Glossodia does not meet the public transport target of a bus interchange and 14hr bus service with a 10-15 minute frequency.

The proposal can be described as a rural residential / large lot residential development on the fringe of the Glossodia residential area. The HRLS contains the following specific criteria for such development:

- be able to have onsite sewerage disposal,
- cluster around or on the periphery of villages,
- cluster around villages within services that meet the existing neighbourhood criteria services as a minimum (within 1km radius),
- address environmental constraints and with minimal environmental impacts,
- within the capacity of the rural village.

The HRLS also contains Sustainability Criteria which is to be applied to residential development. Where relevant the criteria are provided in various sub-sections of the "Assessment of Key Environmental Impacts" section of this report. Some of the criteria refer to "urban development". Rural residential / large lot residential development should be seen as a limited or reduced type of "urban development" given that the relatively low density of development and relatively small future population will still create the need for similar services and transport and access, albeit on a reduced scale, as urban development. In fact "rural

residential” development will also create some additional servicing issues that urban development may not necessarily create, e.g., additional need for parking at commercial centres, additional costs in servicing/maintenance for waste and roads etc. Hence, consideration and application of the “urban development” criteria should be weighted accordingly.

Section 117 Directions

Section 117 directions are issued by the Minister for Planning and Infrastructure and apply to planning proposals. Typically, the 117 directions will require certain matters to be complied with and/or require consultation with government authorities during the preparation of the planning proposal. The key 117 directions are as follows:

1.2 Rural Zones –planning proposals must not rezone land from a rural zone to a residential, business, industrial, village or tourist zone and must not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).

1.3 Mining, Petroleum Production and Extractive Industries – requires consultation with NSW Industry and Investment.

2.1 Environment Protection Zones – planning proposals must include provisions that facilitate the protection and conservation of environmentally sensitive areas.

3.1 Residential Zones – planning proposals must include provisions that encourage the provision of housing that will:

- broaden the choice of building types and locations available in the housing market, and
- make more efficient use of existing infrastructure and services, and
- reduce the consumption of land for housing and associated urban development on the urban fringe, and
- be of good design.

Furthermore a planning proposal must contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it).

3.4 Integrating Land Use and Transport –planning proposals must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of Improving Transport Choice – Guidelines for planning and development (DUAP 2001)

In summary this document seeks to provide guidance on how future development may reduce growth in the number and length of private car journeys and make walking, cycling and public transport more attractive. It contains 10 “Accessible Development” principles which promote concentration within centres, mixed uses in centres, aligning centres with corridors, linking public transport with land use strategies, street connections, pedestrian access, cycle access, management of parking supply, road management, and good urban design.

The document is very much centres based and not readily applicable to consideration of a rural-residential planning proposal. Notwithstanding this, it is considered that the principles of most relevance would be those relating to public transport (for access to Richmond and Windsor), pedestrian and cycle access (for access to Glossodia shops). The document also provides guidance regarding consultation to be undertaken as part of the planning proposal process and various investigations/plans to be undertaken. It is recommended that if this planning proposal is to proceed Council seek guidance from the DP&I, via the gateway process, regarding the applicability of this document.

4.1 Acid Sulfate Soils – requires consideration of the Acid Sulfate Soils Planning Guidelines adopted by the Director-General of DP&I. The applicant has submitted a report which investigates the potential for acid sulphate soils. The report found that of the soil samples taken from the site none of them contained acid sulfate soils.

4.3 Flood Prone Land – planning proposals must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas). A planning proposal must not rezone land within the flood planning areas from special use, special purpose, recreation, rural or environmental protection zones to a residential, business, industrial, special use or special purpose zone. As stated previously the site is not subject to flood water inundation from the Hawkesbury River. The extent of any localised flooding from Currency Creek is unknown, however preliminary advice provided to the applicant by one of their consultants suggests that the 1 in 100 year flood event level extends approximately 70m from the top of Currency Creek's bank. If this planning proposal is to proceed it is recommended that flood modelling of the local catchment applicable to the site be undertaken.

4.4 Planning for Bushfire Protection – requires consultation with the NSW Rural Fire Service, compliance with Planning for Bushfire Protection 2006, and compliance with various Asset Protection Zones, vehicular access, water supply, layout, and building material provisions.

7.1 Implementation of the Metropolitan Strategy – requires planning proposals to be consistent with the NSW Government's Metropolitan Strategy City of Cities, A Plan for Sydney's Future.

The 117 directions do allow for planning proposals to be inconsistent with the directions. In general terms a planning proposal may be inconsistent with a direction only if the DP&I is satisfied that the proposal is:

- (a) justified by a strategy which:
- gives consideration to the objectives of the direction, and
 - identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
 - is approved by the Director-General of the Department of Planning, or
- (b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or
- (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or
- (d) is of minor significance.

State Environmental Planning Policies

Relevant State Environmental Planning Policies (SEPPs) are SEPP No.1 Development Standards, SEPP No. 19 Bushland in Urban Areas, SEPP No. 55 Remediation of Land, SREP No. 20 Hawkesbury - Nepean River (No.2 – 1997).

The planning proposal is consistent with the provisions of SEPP No.1 Development Standards, SEPP No. 19 Bushland in Urban Areas, SEPP No. 55 Remediation of Land.

The aim of SREP No 20 (No. 2 – 1997) is to protect the environment of the Hawkesbury – Nepean River system by ensuring that the impacts of future land uses are considered in a regional context. This requires consideration of the impacts of the development on the environment, the feasibility of alternatives and consideration of specific matters such as environmentally sensitive areas, water quality, water quantity, cultural heritage, flora and fauna, agriculture, rural-residential development and metropolitan strategy. These matters are discussed in the following section of this report.

SREP No 20 recommends that priority be given to agricultural production in rural zones, that zone objectives and minimum lot sizes support the continued agricultural use of Class 1, 2 and 3 agricultural land and any other rural land that is currently sustaining agricultural production; incorporation of effective separation between intensive agriculture and adjoining uses to mitigate noise, odour and visual impacts; protection of agricultural sustainability from the adverse impacts of other forms of development; consideration of the ability of a site to sustain over the long term the development concerned (including on-site effluent disposal); maintenance or introduction of appropriate separation between rural-residential use

and agricultural use on the land that is proposed for development; consideration of any adverse environmental impacts of infrastructure associated with the development concerned.

Assessment of Key Environmental Impacts

Character of the area

Relevant HRLS Criteria:

- A2.4 Provide suitable transition between different dwelling densities*
- G8.2.1 Urban development to minimise impacts on view corridors to significant rural and natural landscapes*
- I2.2.2 Be cognisant of the character of surrounding areas*
- I2.2.3 Be cognisant of the landscape character and its setting*

A key goal of the CSP in the *Looking after people and place* theme is to:

Maintain and foster the rural character of the villages with the Hawkesbury

Furthermore, community surveys undertaken on behalf of Council in 2007 and 2009 show that “rural lifestyle” was by far the dominant response when residents were asked to describe the character of the Hawkesbury.

Rural character/lifestyle can be defined by such matters as the existence of agricultural uses, size of lots, density of development, the type, location, bulk and size of buildings and outbuildings, vegetation and fencing.

The area surrounding the subject site has a mix of lot sizes ranging from small residential lots of 550m² to 1000m², large residential lots of approximately 4000m², rural-residential lots of 1ha to 2ha, and then rural lots of 10ha and greater. The lots immediately adjoining the site to the north and east are generally 1ha – 2ha in area, lots immediately to the south are typically 10ha – 16ha in area, and lots immediately to the west range from 2ha to 10ha.

Most adjoining properties to the west and north contain a substantial coverage of open woodland with dwellings and outbuildings located amongst the woodland vegetation. Separation between adjoining dwellings is typically 40m to 80m. Fencing is typically post and rail along the frontage of properties with star picket and wire fencing for the other boundaries.

Adjoining properties to the east and south are typically used for agricultural purposes such as grazing, turf farming and market gardening. Dwellings, outbuildings and native vegetation are sparse.

In summary the immediately surrounding area has two distinct visual characters. One area having a residential/rural-residential character, the other area having an agricultural production character. As discussed earlier, views to the site are primarily from the north-east (i.e the residential/rural-residential area) and the west and south (i.e the agricultural production area). The site sits between these areas and it is considered that if the planning proposal is to proceed the site should act as a transition between these two areas. The current proposal does not act as a transition between these two areas. Rather, it proposes an extensive coverage of lots which are typically smaller than surrounding lots and will result in a relatively dense form of dwelling and outbuilding development and place at risk the proposed retention of native vegetation.

Traffic and Public Transport

Relevant HRLS Criteria:

- E2.1 Upgrade road transport infrastructure to facilitate economic development and enhanced access within the Hawkesbury LGA*
- E2.2 Promote high level public transport to minimise car usage.*

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- E2.3 *Urban development to be accessible to transport options for efficient and sustainable travel between homes, jobs, services and recreation:*
 - *in proximity to City Rail train stations*
 - *in proximity to regular and reliable bus networks and services*
- E2.4 *Frequency and servicing of public transport services to be upgraded to meet current and future community needs*
- E2.5 *Bicycle networks to be expanded to facilitate recreation and commuter use in a safe environment*
- E2.6 *Pedestrian footpaths are provided in all urban areas and centres*

A traffic impact study has been submitted with the planning proposal. The study examined the likely impacts of the development on the surrounding road networks as well as the Bells Line of Road/Terrace Road/Grose Vale Road, Bells Line of Road/Crooked Lane and Freemans Reach Road/Wilberforce Road intersections and both Windsor and North Richmond bridges.

The study investigated current, and with development, morning (AM) and afternoon (PM) peak hour traffic conditions and congestion/delays at the two bridge crossings over the Hawkesbury River at Windsor and North Richmond and three nearby adjoining intersections at Grose Vale Road/Terrace Road at North Richmond, Crooked Lane, North Richmond and Freemans Reach Road, Windsor.

The study is based on the following assumptions:

- an external vehicular traffic generation rate of 10 vehicle trips per day per household and 1 vehicle trip per hour per household in both the morning and afternoon peak hours
- approximately 40% peak hours traffic will be to and from Richmond or regional destinations, most likely via the North Richmond bridge
- approximately 40% peak hours traffic will be to and from Windsor or regional destinations, most likely via the Windsor bridge
- approximately 15% peak hours traffic to and from local destinations in Glossodia, North Richmond and Kurrajong area
- approximately 5% peak hours traffic to and from other local destinations eg Freemans Reach and Wilberforce
- that East Market Street, Richmond and Macquarie Street, Windsor are not heavily congested and impact from the proposed development will be dispersed by the time they reach these locations and no significant traffic impacts are likely

The study did not examine in detail the existing and future traffic conditions at the main Windsor and Richmond Town Centre intersections.

The study included intersection performance assessment, which is described by a level of service (LOS) ranging between A to F. LOS are based on delay for any vehicle movement at intersection with the criteria shown in the following table.

Level of Service Criteria for Intersection Modelling

Level of Service	Average Delay Per Vehicle (seconds)	Traffic Signals, Roundabout	Give way & Stop Signs
A	< 14	Good operation	Good operation
B	15-28	Good with acceptable (min) delays & spare capacity	Acceptable delays (min) & spare capacity
C	29-42	Satisfactory	Satisfactory, but accident study required
D	43-56	Operating near capacity	Near capacity and accident study required
E	57-70	At capacity; at signals, incidents will cause excessive delays; Roundabout require other control mode	At capacity and requires other control mode
F	>70	Unsatisfactory and requires other control modes	Unsatisfactory and requires other control modes

The key findings of the study were:

Traffic Volumes

There will be likely peak hour traffic increases of approximately 3-4% on the two major road bridge crossings of the Hawkesbury River and likely peak hour traffic increases generally in the range 10-12% on all major local roads in the affected area. These increases will all, however, be below the general threshold limits of any significant or noticeable adverse traffic related amenity or safety impacts on any of these roads, thus requiring minimal or no road upgrade works as a result of the proposed development. Beyond the two Hawkesbury River bridge crossings at Windsor and North Richmond, the future peak hour traffic increases on other major roads will be 1 – 2% as the site generated traffic disperses onto a range of other regional traffic route.

The traffic volume count reveals that the peak traffic on Bells Line of Road at the North Richmond Bridge is significantly busier in the AM peak compared to the PM peak period while correspondingly the Windsor Bridge traffic is less busy in the AM peak but significantly busier in the PM peak period.

The study concludes that given these differences some local traffic in the area already switches routes between the two bridges in the AM and PM peak periods, most probably in response to specific traffic congestion factors at critical locations on the road network during either the morning or afternoon peak traffic periods.

Freemans Reach Road/Wilberforce Road intersection at Windsor

During peak hours vehicles queue on Freemans Reach Road waiting for gaps to turn right into Wilberforce Road, approaching the Windsor Bridge. The intersection analysis reveals that the intersection is functioning safely and operating reasonably smoothly with minimal overall traffic delays. The current Level of Service 'A' at AM Peak and 'B' at PM Peak periods remains unchanged as a result of the proposed development, although there is a marginal increase in delay pre and post development (AM Peak from 10.8 to 11.3 sec (+0.5 sec) and PM Peak from 16.4 to 17.1 sec (+0.7 sec) however the values are within the LOS range.

Terrace Road/Grose Vale Road/Bells Line of Road at North Richmond

This major intersection is relatively congested at both AM and PM peak hour. The intersection has limited capacity to accommodate additional traffic without deterioration in the LOS. The current LOS is AM Peak 'D' and PM Peak 'E'. With development, the LOS will change the AM Peak to 'D' and PM Peak to 'F'. This means that the average delay for pre and post development will change AM Peak from 52.1 sec to 53.4

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sec (+1.3 sec) and PM Peak from 62.2 to 71.4 sec (+9.2 sec). It is worth noting that the 53.4 sec and 71.4 sec delay is equivalent to a maximum queue length of 303 and 532 metres respectively.

The study recommended changing the PM Peak hour intersection cycle time from 120 seconds to 150 seconds to bring the LOS back from 'F' to 'E' without undertaking any physical works at the intersection.

Crooked Lane/Bells Line of Road at North Richmond

The intersection is moderately congested during AM and PM peak hour (Level of Service C/B) but still has spare capacity to service additional traffic generated from proposed development. The current Level of Service 'C' at AM Peak and 'B' at PM Peak periods remain unchanged with the proposed development, although there is a marginal increase in delay pre and post development (AM Peak from 28.9 to 29.2 sec (+0.3 sec) and PM Peak from 27.0 to 27.9 sec (+0.9 sec) however the values are within the LOS range.

Capacity of Bridges

The bridge traffic capacity calculation is carried out based on AUSROADS guide. The study indicates that the North Richmond Bridge capacity varies in range between approximately 2250 and 2480 vph during AM and PM peak periods, while the Windsor Bridge capacity is generally much lower at approximately 1750 vph during both peak periods.

The analysis reveals that North Richmond Bridge is now effectively operating at capacity at AM peak traffic period and the Windsor Bridge is operating at capacity at PM peak periods.

The study concludes that the future traffic growth in the area from the proposed Glossodia rural-residential lots should ideally be flexible in terms of its ability to use either bridge during AM and PM peak periods.

Public Transport

Glossodia is currently serviced by WestBus Route 668 which traverses between Richmond-Windsor and Windsor-Richmond via Glossodia and Wilberforce. The bus services are infrequent and does not provide many day time travel options outside the peak hours.

Comments on Traffic Study Findings

Initial assessment of the traffic report raised the following matters of concern.

The recommended change in traffic light cycle from 120 to 150 seconds for the Grose Vale Road/Terrace Road/Bells Line of Road intersection is outside of Council's jurisdiction and must be referred to RTA for their comment. Notwithstanding this it is considered that there is high likelihood of significant community opposition to the proposed cycle change.

The study does not take into account the potential traffic growth or impacts on the Grose Vale Road/Terrace Road/Bells Line of Road intersection and North Richmond Bridge capacity at AM and PM peak hour from the approved seniors living development at 108 Grose Vale Road, North Richmond (the old Peels Dairy farm site). The bridge and the intersection are already operating at full capacity during the AM peak period and cumulative additional traffic of developments will have significant impact on this intersection and the bridge. More detailed investigation is needed that takes into account the traffic from the seniors living development.

The RTA propose to replace the Windsor Bridge in the near future. The preferred option (Option 1) proposes a new bridge about 35 metres downstream of the existing bridge. It is assumed that the design and construction of the new bridge at this location will address the current intersection issues at Freemans Reach Road and Wilberforce Road. However, until this option and design is confirmed it would be premature to assume this improvement.

The study emphasised the need for the community to be flexible during peak periods in using either North Richmond or Windsor bridges. This flexibility cannot be assured as route and bridge usage will solely

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depend on the individual and is too subjective to use as a basis for development decisions. In any event, both of these bridges and approaches already have significant problems.

A section of the proposed western access road from Spinks Road will also service the existing egg production farm road. Further investigation is required to determine traffic volume and type that will service the egg production farm and to determine whether it is appropriate or if any control measure is needed along the shared section of residential road to mitigate traffic risk.

The proposed northern access point located along the bend section of Spinks road is not desirable and further investigation (e.g. safe sight distance etc) will be needed.

As a result of this initial assessment Council staff expressed concern to the applicant regarding the proposed increase to the traffic lights cycle, requested more information regarding the cumulative affects of development on the Grose Vale Road/Terrace Road/Bells Line of Road intersection, potential impacts on the Windsor and Richmond townships, and the operation of the egg production farm.

In reply the applicant has advised:

- a re-run of the traffic model incorporating the senior living development finds that it does not affect the findings of the original traffic report and that all the conclusions in that report remain valid.
- the traffic impact on Windsor and Richmond town centre intersections will be very negligible and does not warrant undertaking traffic modelling to assess the impact on those intersections from proposed development.
- as an alternative to increasing intersection cycle time from 120 to 150 seconds the following three options were considered, with the consultant recommending options 2 and 3 as suitable:
 - Option 1 - to reconfigure and add an extra left turn lane, westbound into the intersection, for about 60 metres on the Terrace Road approach, which would make three lanes on this approach
 - Option 2 - to reconfigure the Grose Vale Road approach as three lanes heading north-east into the intersection and one lane heading south-west away from the intersection. This would mean some loss of existing on street car parking downstream from the intersection.
 - Option 3 - make Bells Line of Road no right turn south-eastbound at the intersection, remove the right turn lane and reconfigure the north-eastbound as two through lanes eg one through and one through plus left lane. Traffic lights and a longer right turn lane would need to be installed at Charles Street on Bells Line of Road to accommodate the diverted right turn traffic.

The consultant's comments regarding the cumulative impacts of the proposal and the senior living development and the likely impacts on the Windsor and Richmond town centres are accepted for the interim. If the planning proposal is to proceed these comments should be further tested by Council and RTA staff.

It is considered that Option 2 is not practical and may not be acceptable to the community and business owners as this involves removing street parking along the Grose Vale Road adjacent to the intersection along a 60 metre strip. However, again this would need to be modelled and considered following community consultation.

Option 3 involves removing right turn south-eastbound lane at the intersection and reconfiguring the north-west bound lane as two through lanes. This change would retain the existing level of service in the AM Peak at D and an improvement in the PM Peak from current level of service E to D. However, this option requires new traffic lights at Charles Street on Bells Line of Road and a longer right turn lane to accommodate the diverted right turn traffic. The consultant's report does not address the issue of traffic flow and capacity along Charles Street and does not address access to shops on Riverview Street for traffic coming down on the south-eastbound lane along Bells Line of Road. This traffic will have to use the right turn bay at Charles street to access the shops. This is a major change which may be opposed by the affected business owners and community.

The reconfiguration, traffic light installation and traffic diversion proposed in Option 3 is a major change in the traffic flow and intersection configuration. This matter must also be referred to the RTA as the road is under state control. At this stage proposed Option 3 solution cannot be accepted without a full and thorough investigation with all relevant stakeholders. The applicant's representative has not suggested who should pay for or implement such options other than to state the applicant is open to a traffic solution that works for the intersection provided it is adequately costed.

It should be noted that the RTA is currently undertaking traffic assessment and modelling of Bells Line of Road between Richmond and North Richmond. These options could be referred to the RTA for testing as part of the existing work, prior to serious consideration of any option. However, the traffic study does indicate that, whilst the impact may be relatively small, an immediate amendment to the traffic issues, at least at North Richmond, is required prior to full consideration of the planning proposal. As mentioned, the RTA are currently undertaking the modelling work with a range of actions to be considered that would address the immediate, medium and long term options for this issue.

Topography

Relevant HRLS Criteria:

G3.2.1 Urban development to be limited to areas with a slope of 15% or lower

The site is undulating and varies in elevation from approximately 80m westerly, 70m northerly, 40m easterly, and 30m southerly. A steep sloping section of land, generally in excess of 15%, passes through the middle of the site in an east-west direction. Land in the southern portion of the site towards Currency Creek is relatively flat, being generally less than 6%. Land in the north-eastern portion of the site towards is of moderate slope, generally 6-10%.

The Sustainability Criteria of the HRLS recommends that urban development be limited to areas with a slope of 15% or lower. The steep sloping section through the middle of the site therefore represents a constraint to development of the site and, as will be discussed in the following section, areas greater than 6% slope act as a constraint to the on-site irrigation of waste water.

Water Management

Relevant HRLS Criteria:

D1.2.4 Urban development in small villages and neighbourhood centres be limited to areas capable for onsite disposal and/or waste water irrigation.

G1.2.3 Protect and enhance biodiversity, air quality, heritage and waterway health.

G5.2.4 Be consistent with catchment and stormwater management planning (CMA and local council) and the NSW Floodplain Development Manual.

G6.2.2 Maintain or improve existing environmental condition for water quality and quantity.

G6.2.3 Development to be consistent with community water quality objectives for recreational water use and river health.

G7.2.1 Development is to avoid wetland areas.

G7.2.2 Future urban development to be located outside of riparian zones.

G7.2.3 Development should not adversely impact on the drainage regime of wetland areas.

A water management strategy has been submitted with the planning proposal. The strategy proposes:

- individual lots being provided with individual aerated waste water treatment systems (AWTS) with surface irrigation areas of 1200m² and 3 kilolitres for wet weather storage
- stormwater being treated initially in local rain gardens (250m² in area) before being discharged to a trunk drainage network where together with runoff from roads and swales it will be treated in bio-retention basins prior to being discharged offsite

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- peak stormwater flow rates from the proposed development not to exceed existing conditions in the 5, 20 and 100 year Average Recurrence Intervals (ARI) events

Concern was raised with the applicant regarding the proposed AWTSs to serve the subdivision. In particular concern was raised that only one type of waste water treatment system was proposed and that the water management strategy appeared not to adequately consider the significant slope of parts of the site. The applicant was requested to give consideration to the suitability of other types of systems, provide advice regarding the ongoing management of proposed systems, and consider the constraints imposed by the slope of the land bearing in mind that the relevant Australian Standard recommends a maximum slope of 6% for surface irrigation systems.

In reply the applicant advises:

- the appropriateness of other systems such as a centralised sewage treatment system and various lot based sewage solutions was considered and as a result AWTSs were selected
- given the topography of the site it is likely that some lots will not be capable of providing a maximum 6% grade for the irrigation area. For these lots it has been assumed that the irrigation area will be benched to match the design requirements or sub-surface irrigation will be installed
- it is proposed to incorporate a series of measures to manage the risk associated with the inclusion of AWTS on each lot. Throughout the life cycle of the AWTS the lot owner will be responsible for:
 - the inspection and servicing of the ATWS four times per year by a Council approved contractor
 - the inspection of sludge and scum levels in each of the AWTS' tanks and performance of irrigation areas
 - the de-sludging of each tank every three years as a minimum
 - quarterly inspection and testing of the disinfection chamber to ensure that the correct disinfection levels are capable of being achieved on an ongoing basis
 - the cleaning of the grease trap every two months as a minimum
 - maintaining records of de-sludging activities, inspections and all other maintenance associated with the AWTS
 - AWTS will be equipped with an emergency alarm containing both visual and audible components. This emergency alarm will be triggered when the AWTS is not operating effectively. The emergency alarm will only be able to be reset by an approved contractor. In the event that the AWTS is not operational the wet weather storage component of the AWTS will provide sufficient capacity to enable tankering of the sewerage by an approved contractor.

The landowner will also be responsible for the licensing to operate the system with Council.

Notwithstanding this, concern is still raised that only one system is proposed and hence there is no alternative system available in the event that upon site specific investigation an AWTS is unsuitable or after a period of time requires replacement with another type of system. The applicant has not provided any reasons why an AWTS was selected instead of other types of communal or individual systems. An option for "pump-out" systems (not proposed by the applicant) is unsustainable and should not be considered acceptable by Council.

Benching of some lots to cater for the irrigation areas is considered unacceptable due to potential visual impacts and long term soil stability. Sub-surface irrigation can be installed on slope greater than 6%; however, there is an increased risk of polluted surface run-off when the ground becomes saturated.

The land area required by an AWTS (1200m² irrigation area plus area required for buffer zones and tanks) would take up a considerable portion of a 4000m² lot constraining the location of any proposed dwelling, outbuildings, swimming pools, gardens, play areas and alternative disposal areas should the disposal area become unsuitable in the long term.

Finally, the water management strategy did not make an assessment of the potential cumulative impacts of

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the proposed 179 individual systems on Currency Creek catchment, groundwater, and long term water logging of the site. In this regard additional investigation of the 'catchment' capacity to accept on-site waste water systems should be considered to determine the density of systems that the catchment could sustainably accept.

It is considered that a larger minimum lot size would assist in overcoming these concerns as other systems could be considered/used, steep slopes could be avoided, and the land area required by the system would not be such a significant portion of the site and hence provide more land area for dwellings, outbuilding, swimming pools, gardens and play areas.

Ecology

Relevant HRLS Criteria:

G1.2.1 No urban development in areas identified for conservation, environmental sensitivity and recreation

G1.2.2 Maintain a high quality natural environment and respect elements of natural environment

G1.2.3 Protect and enhance biodiversity, air quality, heritage and waterway health

G1.2.4 Future urban development to occur in areas where there is limited impacts on significant vegetation communities

A flora and fauna assessment has been submitted with the planning proposal. In summary the assessment reveals that whilst the majority of the site consists of grassland, the existing vegetation has a medium to high quality condition and large portions of the site's vegetation will need to be retained. The assessment found:

- three threatened fauna species (East-coast Freetail-bat, Eastern Bentwing-bat and a Large-footed Myotis)
- one threatened flora species (*Pimelea spicata*)
- two endangered ecological communities - 18.4ha of Cumberland Plain Woodland (CPW) and 7.45ha of River-flat Eucalypt Forest on Coastal Floodplains (RFEF). Most of the RFEF is contained within the Currency Creek riparian corridor

The assessment concluded that the proposed residential development of the site would be constrained by the presence of the following ecological features:

- two large dams that provide high aquatic habitat for a diversity of bird species. These large dams are located in the north-eastern corner of the site and in the western part of the site
- the two endangered ecological communities
- hollow-bearing trees that provide suitable habitat for recorded threatened bats and other hollow-dependent species
- riparian buffers along Currency Creek and one unnamed watercourse located in the north-western corner of the site

The assessment made the following recommendations:

- To adopt a Vegetation Management Strategy that conserves as much of the existing vegetation as possible, offsets the loss of significant vegetation in the form of wildlife corridors, riparian corridors, retained vegetation and waterbird reserves
- Ongoing ecological site management of the site would need to be firmly incorporated within the sites development layout and managed in the form of a Vegetation Management Plan. Ecological site management would need to include restoration of native vegetation within the proposed riparian

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corridor, the two wildlife corridors, within and adjoining the two large dams to be retained onsite and within natural retained vegetation. Restoration works will need to specifically restore CPW and RFEF vegetation communities onsite.

- In regard to the Cumberland Plain Land Snail, a further target search in more appropriate conditions (during and following rain) is recommended to provide a conclusive assessment for this species. The presence of Cumberland Plain Land Snail within a remnant patch of vegetation would result in full protection of that remnant and the need to provide vegetated connectivity to support the population.
- A comprehensive assessment of hollow bearing trees will be required to identify the potential impact of the proposed development on threatened hollow dependent threatened species for the Section 5A assessment of the EPA Act 7-part test
- Stormwater management of the site will need to maintain or improve the management of water on-site

The assessment included a Constraints / Opportunities map which is included as an attachment to this report. The map shows:

- a 50m riparian buffer zone adjoining Currency Creek
- retention of scattered stands of CPW throughout the western part of the site
- waterbird reserves around the two large dams
- a 20m riparian buffer zone adjoining watercourses in the north-west of the site
- fenced, revegetated and regenerated CPW areas of variable width along the western and part of the northern boundary of the site and
- a north-south 50m wide fenced, revegetated and regenerated CPW area in the eastern part of the site

Whilst it is agreed that the majority of the site consists of open grassland it is important to note that CPW can exist in an open grassy woodland formation and the importance of partially native grassland should not be overlooked in assessing whether the vegetation (including ground layer) is of environmental significance. These open grasslands can provide habitat and a food source for many faunal species that developed land cannot and open grasslands do not restrict movement that can cause faunal fatalities, unlike structures such as roads, solid fencing and buildings.

Whilst the proposal provides for the retention of CPW and RFEF the resultant subdivision will fragment these endangered ecological communities and place these communities at greater risk to harm from "key threatening processes" identified by the *Threatened Species Act 1995*. These processes include clearing of native vegetation, dieback associated with over-abundant psyllids and bell miners, high frequency fire resulting in the disruption of life cycle processes in plants and animals and loss of vegetation structure and composition, infection of native plants by *Phytophthora cinnamomi*, invasion and establishment of exotic vines and scramblers, invasion, establishment and spread of *Lantana camara*, invasion of native plant communities by exotic perennial grasses, predation by feral cats, and removal of dead wood and dead trees.

As discussed above the site adjoins Currency Creek along its southern boundary. Currency Creek is an iconic catchment that feeds many reserves and inhabits a range of threatened species. The proposal does have the potential to have substantial ecological impacts both locally and regionally on this catchment. In particular increased hard surfaces can increase weed infestation and erosion along the creek and fenced boundaries restricts fauna movement.

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Therefore, in addition to the above mentioned recommendations it is considered that the following should be incorporated into the proposal:

- amendment to the lot layout in order to create greater connectivity/vegetation paths between existing dams and vegetation. In some cases this will serve a dual purpose of enhancing habitat, connectivity and biodiversity values to the site for the threatened species and acting as a visual screen and windbreak for the poultry sheds. Where recommended connecting vegetation lies to the north of the proposed subdivision this vegetation should mainly comprise CPW i.e. open woodland vegetation as to allow for solar access for properties to the south
- greater access to the riparian buffer along currency creek. This will ensure greater user enjoyment as it provides a greater area for passive recreation and access for maintenance by authorities and contractors
- provision of a wider riparian buffer. This buffer is to include pathways to prevent vandalism through informal tracks; identify to the community that the area is for public use to encourage visitation and hence the aforementioned passive surveillance. The widening of the buffer will also assist to protect the creek bank from erosion and compaction
- greater open space and recreation areas situated within green areas that can be utilised as play grounds, exercise circuits, dog off leash areas etc
- where development is proposed near the creek line it should be in strict accordance with environmentally sensitive design principles.

It is considered that if these recommendations are implemented the proposal would have greater compliance with the following Sustainability Criteria of the HRLS:

- No urban development in areas identified for conservation, environmental sensitivity and recreation
- Maintain a high quality natural environmental and respect elements of natural environment
- Protect and enhance biodiversity . . .and waterway health
- Maintain or improve areas of regionally significant terrestrial and aquatic biodiversity, including regionally significant vegetation communities, critical habitat, threatened species, populations, ecological communities and their habitats

Bushfire Prone Land

Relevant HRLS Criteria:

G2.2.1 Urban development in Category 1 and 2 bushfire areas is to be avoided

G2.2.2 Urban development in Category 1 or 2 bushfire areas is subject to meeting the requirement of the NSW Rural Fire Service "Planning for Bushfire Protection" Version 3 June 2006 guidelines or as amended from time to time

The site predominantly contains a mix of Category 1 vegetation (i.e. forest or woodland) and Category 2 vegetation (open woodlands and grasslands), with the majority of the site being Category 2 vegetation.

A bushfire assessment has been submitted with the planning proposal. The recommendations for residential development asset protection zones (APZ) are based on Level 3 construction under Australian Standard 3959-1999. The depth of recommended APZs vary throughout the site, however are generally 10m to 25m in depth.

The Standard nominates four categories of construction standards that fall within the scope of the Standard. These are Low (no construction requirements), Medium (Level 1), High (Level 2) and Extreme (Level 3). Level 3 has the most onerous and costly construction requirements of the Standard. By building

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to a higher construction standard the depth of the APZ can be reduced. Alternatively, if larger lot sizes were proposed which offered greater separation distance of the resultant dwelling and to surrounding bushfire prone vegetation then the level and cost of construction could be reduced.

If the planning proposal is to proceed it is anticipated that it will be referred to the NSW Rural Fire Service, being the responsible authority of bushfire protection, for comment.

Noise

An acoustic assessment has been submitted with the planning proposal. The assessment took into consideration the current traffic noise generated from Spinks Road and likely impact on future residences, and the current noise generated from the egg farm and the likely impact on future residences.

The assessment found that:

- predicted noise impacts from Spinks Road affecting the future residences are within acceptable NSW government noise criteria. Therefore, noise treatment will not be necessary for residential building facades facing or near Spinks Road
- measured operational noise from the existing egg farm is within NSW government noise criteria at the nearest proposed residential site

The conclusion of the assessment is that there is no acoustic impediment to the proposed rezoning.

It is noted however that the predicted noise impact of the egg farm on the nearest proposed residence for the “evening” and “night” time periods is above the recommended “acceptable” noise criteria and is marginally below or equal to the “recommended maximum” noise criteria. Whilst compliance with the criteria is achieved physical noise attenuation measures and/or a greater separation distance from the egg farm could bring the noise impacts to within the “acceptable” noise level. Given that the proposed rezoning is a “greenfield” development and not constrained “infill” development it is considered appropriate that the “acceptable” criteria be achieved.

If the planning proposal is to proceed it is anticipated that it will be referred to the OEH, being the responsible authority of noise criteria, for comment.

Odour

Relevant HRLS Criteria:

G6.2.1 Maintain or improve existing environmental condition for air quality

An odour impact assessment has been submitted with the planning proposal. The assessment took into consideration the existing design, operations and odour emissions of the egg farm, local meteorological conditions, the topography of the locality, and the location of surrounding and proposed allotments. As a result predicted odour impact data and maps were produced.

The NSW Office of Environment and Heritage’s receptor odour performance criteria of 2 odour units per cubic metre of air (OU/m³) was adopted as the standard to be achieved. This is the highest standard of the OEH and is to be complied with 99% of the time. In summary, the standard means that for 99% of the time the surrounding community should not receive more than 2OU of odour generated from the egg farm. Odour emission less than 2OU are considered to be negligible.

The assessment found that with the retention of the egg farm, proposed Lots E8 to E17, E18 to E28, E42 to E49 and E60 and E61 would experience odour greater than the 2OU. As a result vegetative earth berms and foggers/misters around the facility are proposed to reduce odour below the 2OU threshold.

The author of the assessment claims that the vegetative earth berms will reduce odour in the following ways:

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- absorbing some of the odour
- providing windbreaks to winds blowing towards the facility thus preventing strong winds from carrying the odour off site
- preventing disturbance of remaining odour lingering within the proximity of the facility
- improving the visual appearance of the facility, preventing any biased perspective on odour emission from the farm that could trigger odour complaints (i.e. "out of sight, out of mind")

The earth berm would typically be 8 metres wide and consist of 4 rows of vegetation. Suitable vegetation includes bamboo, snowy river wattle, and lilly pilly.

It is claimed that foggers/misters will allow odorous substances to be collected on the soil next to the earth berms. Sketches of the proposed earth berms and fogger/misters are attached to this report.

The assessment concedes that "researchers worldwide are still incapable of scientifically determining in detail the exact figure of odour reductions associated with using vegetation". However, based on the assessment author's research and experience, odour reduction in the order of 50% is expected, and if foggers/misters are added then an odour reduction of 80% is predicted.

The assessment concludes that with the proposed vegetated earth berms and foggers/misters no proposed lots would experience odour impacts greater than 2OU.

The author of the assessment advises that a range of mechanical options to reduce odour impacts were considered. These included biofilters, biomass filters, washing walls and wet scrubbers, ozonation using ozone generator electrostatic precipitators, dry dust filtration, litter aeration, odour neutralising products, and dust control structures. These were discounted due to a number of reasons including cost of installation and/or operation, maintenance needs, inefficiency of systems; energy needs to operate the system, and health risks associated with some systems.

The recommendations of the assessment do not present a significant impediment to the proposal. However, it is noted that odour impact analysis is a very specialised and complex vocation which can be quite subjective. As a result further detailed examination of the assessment may be required. If the planning proposal is to proceed it is anticipated that it will be referred to the OEH, being the responsible authority of air quality, for comment.

Contamination

The environmental site assessment submitted with the planning proposal records that the site has been variously used for agricultural and grazing purposes with parts of the site being used as orchards. The site is currently being used as a poultry farm, grazing of cattle and horses and for residential purposes. The chicken hatchery commenced around 1971 on Lot 2 and 3 DP 784300, with the egg production farm commencing in 1981 on Lot 3 DP 230943.

The assessment records the presence of asbestos containing materials, dead cows and chickens, stockpiles of assorted building materials, abandoned motor vehicles, tyre stockpiles, concrete stockpiles, fuel storage tanks, the potential for saline soils.

The report found there is the potential for some contamination in limited areas of the site due to past and current uses; however, it is likely that any such contamination can be cleaned up by the application of commonly used methods. The contaminants of concern were heavy metals, pesticides, total petroleum hydrocarbons, asbestos, benzene, toluene, ethylbenzene and xylenes, polycyclic aromatic hydrocarbons, organochlorine pesticides, organophosphorus pesticides, and polychlorinated biphenyls.

It is considered these findings do not present a significant impediment to the proposal. Further sampling can be carried out to inform the preparation and implementation of a Remedial Action Plan. This sampling

is not considered necessary at this stage in the planning proposal process. If the planning proposal is to proceed it is anticipated that it will be referred to the OEH, being the responsible authority of land contamination, for comment.

Agricultural Land Resource Assessment

Relevant HRLS Criteria:

G9.2.1 Prime agricultural land is to be protected

G9.2.2 Urban development in rural and agricultural areas should be avoided to minimise conflicts between uses and to maintain economic and tourism resources for the LGA

G9.2.3 Protect the potential for future agricultural productions as circumstances and opportunities change

The agricultural land resource assessment submitted with the planning proposal finds that the soils on the site are generally of fair (Class 3 – 149ha) to poor (Class 4 – 34.6ha) agricultural quality.

The Class 3 land is generally the low level land in the western, southern and eastern portions of the site and the Class 4 land is generally the higher level land in the western and northern portions of the site. The soils on slopes are highly susceptible to soil erosion, and acidic to strongly acidic thus preventing abundant growth of many perennial pastures and crops. The soils along flats are saline at the surface and highly saline at depth, making it difficult for salt sensitive crops to grow. The assessment concludes that the entire site is not suitable for regularly cultivating soil to grow crops.

The NSW Land and Water Conservation's 1988 Agricultural Suitability Classification System describes Class 3 and Class 4 land as follows:

Class 3 – Moderately productive lands suited to improved pasture and to cropping within a pasture rotation. The overall level of production is moderate as a result of edaphic or environmental constraints. Erosion hazard or soil structural breakdown limit the frequency of ground disturbance, and conservation or drainage works may be required.

Class 4 – Marginal lands not suitable for cultivation and with a low to very low productivity for grazing. Agriculture is based on native or improved pastures established using minimum tillage. Production may be high seasonally but the overall level of production is low as a result of a number of major constraints, both environmental and edaphic.

Whilst the site may not be suitable for regular cultivation this does not exclude other agricultural pursuits being undertaken on the land such as grazing, orcharding, greenhouses, poultry farms, aquaculture, hydroponics or other agricultural pursuits not reliant on soil suitability. Indeed the site is currently used for grazing and poultry farms, and orcharding has been a previous use of the land.

Indigenous and Non-Indigenous Heritage

Relevant HRLS Criteria:

I1.2.1 Future development is cognisant of and responsive to archaeological and cultural heritage

I1.2.2 Future urban development to protect areas of Aboriginal cultural heritage value

The site does not contain any heritage items as listed under HLEP 1989 or DHLEP 2011. An Indigenous and Non-Indigenous Heritage Assessment has been submitted with the planning proposal. The assessment found:

- two isolated indigenous mudstone artefacts, considered to be of low overall significance given their limited research potential and educational value

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- one area in the eastern part of the site as having high potential for surface and/or subsurface indigenous archaeological deposits with any identified sites probably being of low to moderate significance
- the site may have some potential for fragmentary non-indigenous archaeological evidence associated with generic farming activities with limited research potential to contribute new or substantial information about the site
- built structures on the site are limited to twentieth-century houses, sheds and outbuildings
- the site is considered to have little or no non-indigenous archaeological potential or heritage significance

It is considered these findings do not present a significant impediment to the proposal. If the planning proposal is to proceed it is anticipated that it will be referred to the OEH, being the responsible authority for heritage, for comment.

Development Control Plan and Section 94 Development

If the planning proposal is to proceed the need for a site specific Development Control Plan, Development Contributions Plan or Voluntary Planning Agreement should be considered and reported back to Council. This could be considered after the "gateway" determination of DP&I.

Financial Implications

The applicant has paid the fees required by Council's Revenue Pricing Policy for the preparation of a local environmental plan.

Conclusion

The site falls within the Glossodia Future Investigation Area of the HRLS. The HRLS recommends that for this investigation area:

- *[The] extent and type of residential zoned land to be reviewed subject to sewerage, the expansion of commercial, retail and community services to accommodate a larger population*
- *Larger lot residential is to be investigated within the urban zoned [land] around fringe*
- *Resolution of transport, access and traffic issues particularly road infrastructure crossing the river.*

The site has a relatively large area variously owned by eight persons/companies. It immediately adjoins the Glossodia residential area and the majority of the site is cleared and of gentle to moderate slope. These factors present an opportunity for the site to be considered for some form of residential development.

This report however has identified a number of physical, environmental and development issues that act as a constraint to the proposed development of the site. Key identified issues, at this initial stage of assessment, include:

- the impact of the proposed development on the character of the area
- traffic generation and impact on surrounding road network
- slope of the site
- flora and fauna impacts
- feasibility of on-site effluent disposal
- compatibility of future development with retention of egg production farm

It is considered that these constraints have primarily arisen due to the density of the development and the proposed layout of the development and accordingly it is recommended that the proposal not be support in its current form.

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However, in order to progress this matter and examine possible alternatives an amended concept plan for rural-residential development of the site has been prepared by staff for Council's consideration and is attached to this report. This concept plan has been primarily based on consideration of the physical and environmental constraints of the site and proposes a density and location of development more in keeping with the rural / rural-residential character of the area. It is considered that the concept plan could yield approximately 75 lots.

It is not suggested that this alternative concept plan resolves concerns identified with respect to traffic generation and impact on surrounding road network or feasibility of on-site effluent disposal, or should be adopted as a final plan. However, it is recommended that this plan be used as a basis for further consideration of these issues. In doing so it is recommended that the applicant and Council staff, representatives from the RTA and DP&I be involved in further consideration of these matters with the applicant being responsible for preparing an amended planning proposal for consideration by Council.

Planning Decision

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

RECOMMENDATION:

That:

1. Council support, in principle, the preparation of a Planning Proposal for the land comprising of:
Lot 2 DP 533402 and Lot 52 DP 1104504, 103 Spinks Road, Glossodia
Lot 20 DP 214753, 213 Spinks Road, Glossodia
Lot 75 DP 214752, 361 Spinks Road, Glossodia
Lot 3 DP 230943, James Street, Glossodia
Lot 44 DP 214755, 3 Derby Place, Glossodia
Lot 50 DP 751637, 746A Kurmond Road, Freemans Reach
Lots 1, 2 and 3DP 784300, 780A – 780C Kurmond Road, North Richmond

to rezone the land for large lot residential development.
2. The planning proposal, submitted by the applicant, in its current form not be supported.
3. The concept plan titled "Jacaranda Ponds Planning Proposal Concept Plan, July 2011" attached to this report be adopted for the purposes of investigating the issues raised in this report and preparing an amended planning proposal.
4. The Department of Planning and Infrastructure and NSW Roads and Traffic Authority be advised of this planning proposal and invited to provide comment on the current proposal and input into the preparation of an amended planning proposal.
5. The applicant be responsible for preparing an amended planning proposal to be reported back to Council.

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ATTACHMENTS:

- AT - 1** Aerial Photo of Site.
- AT - 2** Plan of Proposed Rezoning and Lot Layout.
- AT - 3** Extract from Hawkesbury Residential Land Strategy 2011 – Glossodia Future Investigation Areas.
- AT - 4** Typical Lot Arrangement for Waste Water Management.
- AT - 5** Flora and Fauna Constraints and Opportunities Plan.
- AT - 6** Plans of Proposed Odour Control Vegetated Earth Berms.
- AT - 7** Jacaranda Ponds Planning Proposal Concept Plan, July 2011.

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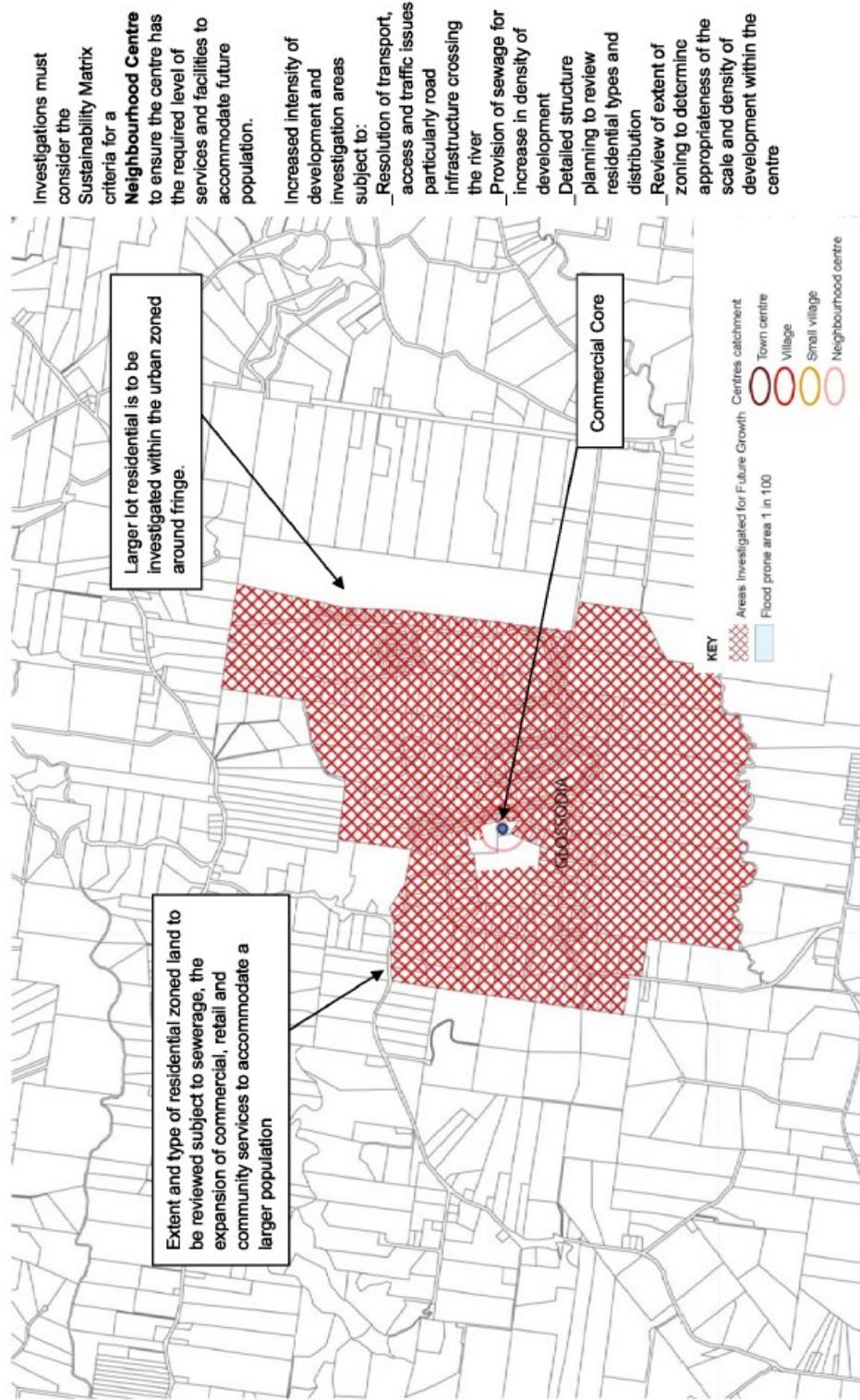
AT - 2 Plan of Proposed Rezoning and Lot Layout



AT - 3 Extract from Hawkesbury Residential Land Strategy 2011 – Glossodia Future Investigation Areas

Hawkesbury Residential Land Strategy 2011

5.6.4_Glossodia Future Investigation Areas



Investigations must consider the Sustainability Matrix criteria for a **Neighbourhood Centre** to ensure the centre has the required level of services and facilities to accommodate future population.

Increased intensity of development and investigation areas subject to:

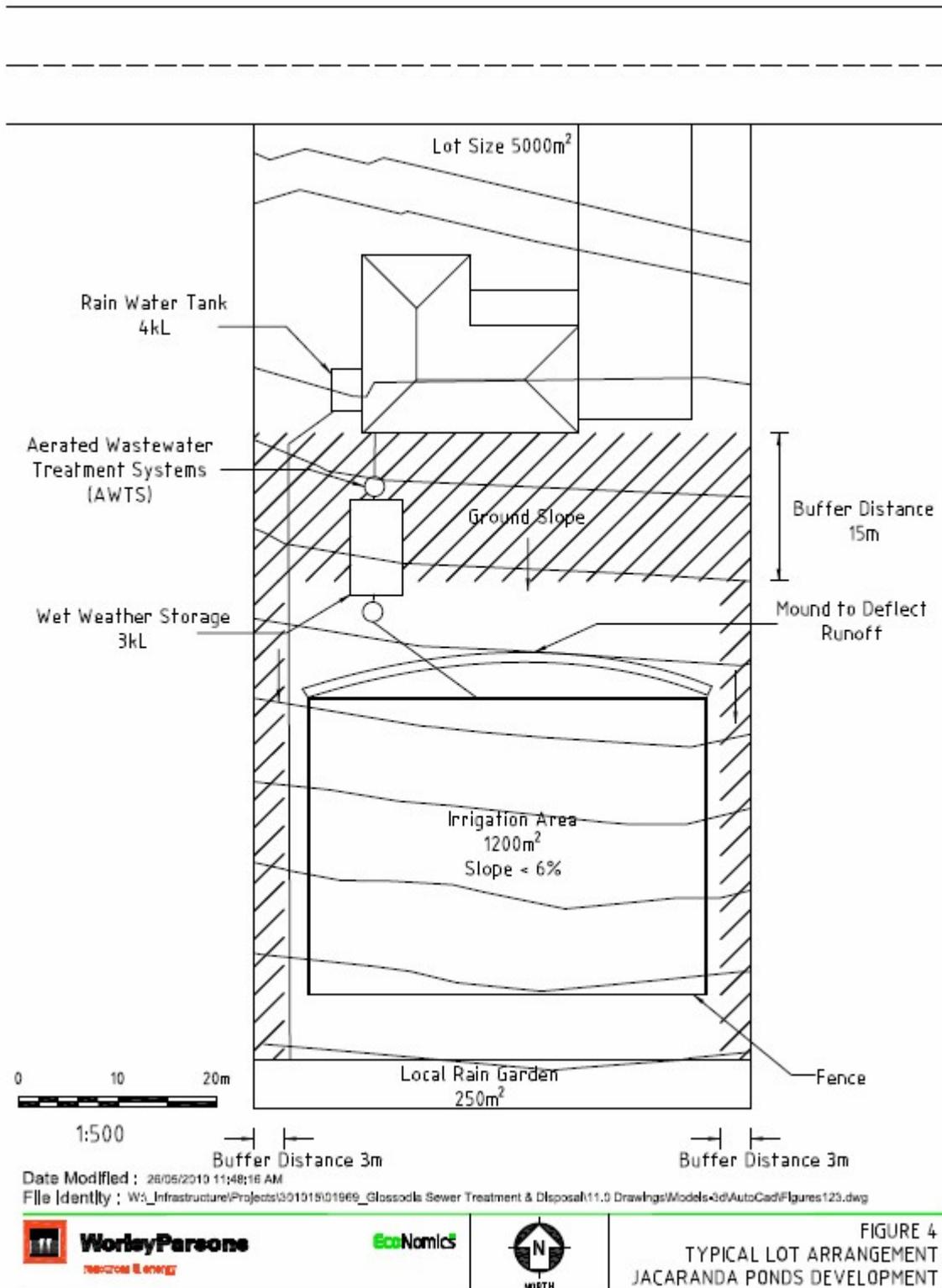
- Resolution of transport, access and traffic issues particularly road infrastructure crossing the river
- Provision of sewerage for increase in density of development
- Detailed structure planning to review residential types and distribution
- Review of extent of zoning to determine appropriateness of scale and density of development within the centre

Source: HASSELL (September, 2010)

*Investigation areas identified may extend beyond the time scales of this Residential Study.

*The inclusion of the areas for investigation does not guarantee that the whole of that land can be developed in the future.

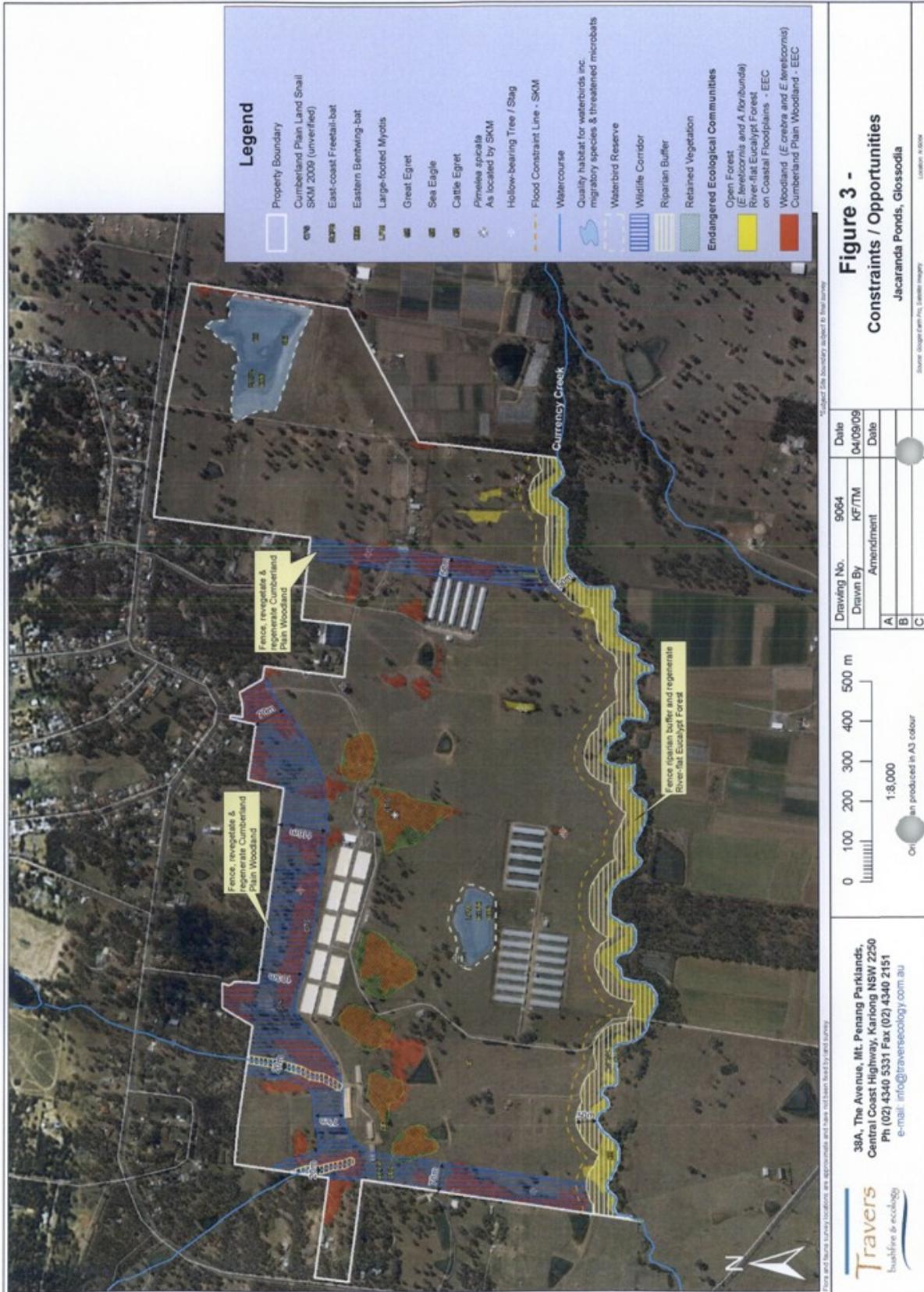
AT - 4 Typical Lot Arrangement for Waste Water Management



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AT - 5 Flora and Fauna Constraints and Opportunities Plan



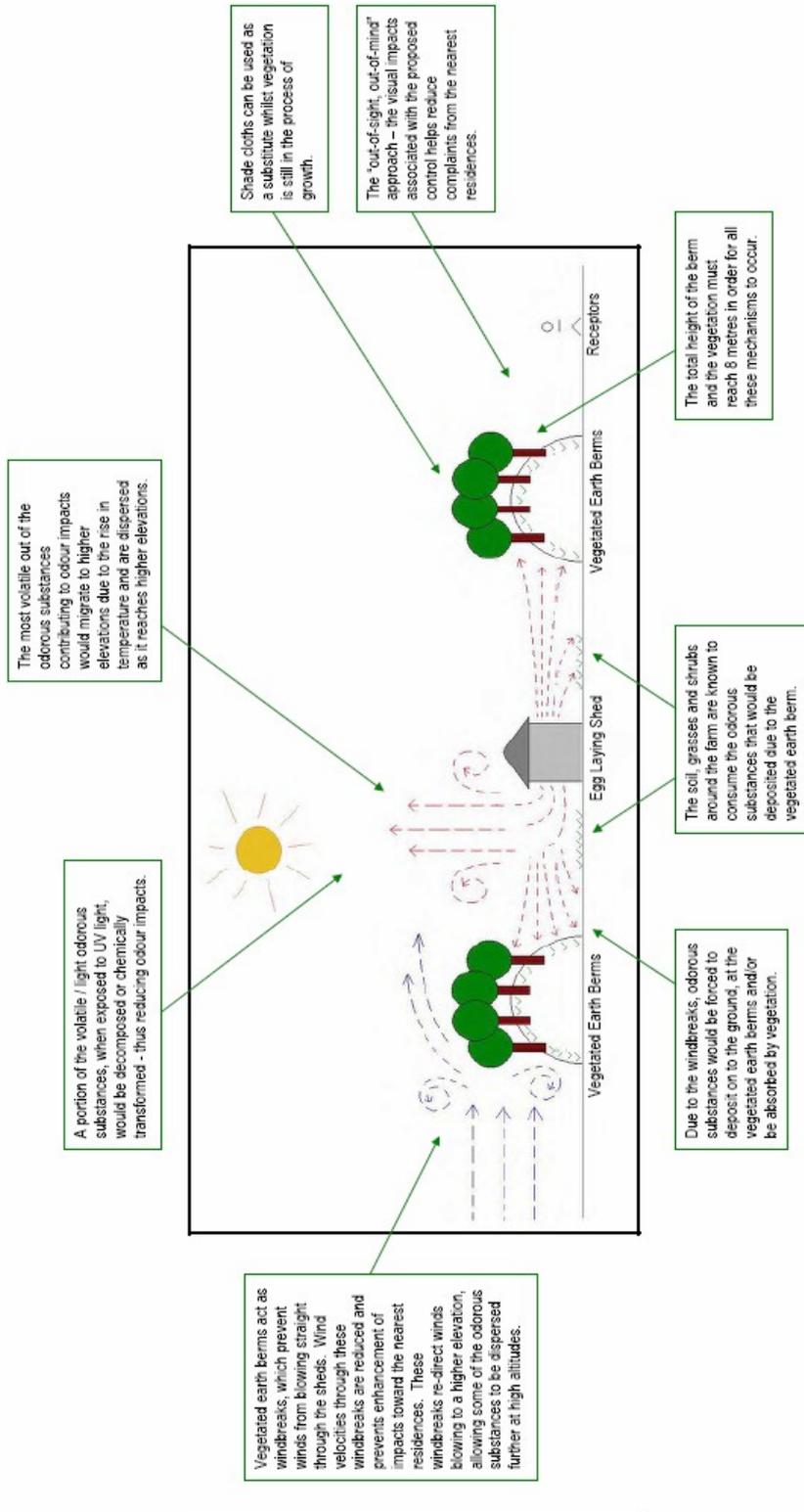
AT - 6 Plans of Proposed Odour Control Vegetated Earth Berms

Figure 3: Indicative Map Showing the Recommended Location of the Proposed Vegetated earth Berms



Engineering a Sustainable Future for Our Environment

Figure 1: Simple Sketch of How the Proposed Odour Control Works

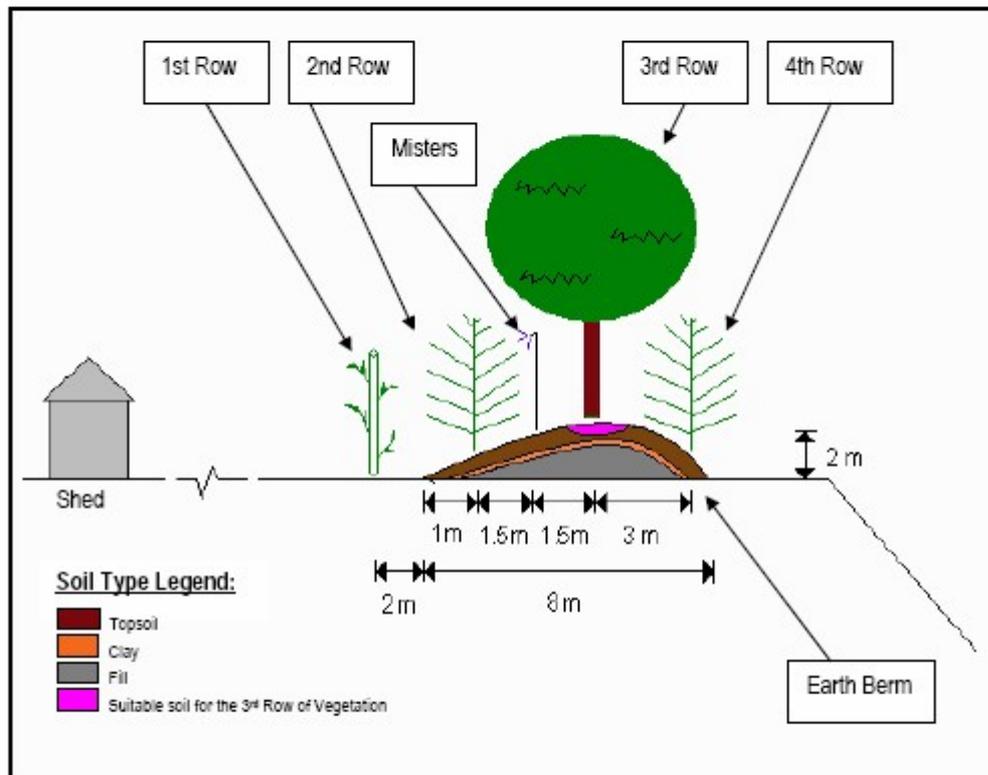


Proposed Vegetative Earth Berm Plan

Figure 2 below provides a schematic diagram of a cross-sectional area of the vegetated earth berms, which also shows the location of where the foggers / water misters would be located with reference to the dimensions of the proposed earth berms.

Figure 3 shows a site plan highlighting the locations of the proposed vegetated earth berms. This is based on Benbow Environmental's recommendation with consideration to the location of the egg-laying sheds.

Figure 2: Schematic Diagram of the Cross Sectional Area of a Vegetated Earth Berm



Engineering a Sustainable Future for Our Environment

Item: 162 CP - Proposed Amendments to Hawkesbury Development Control Plan 2002 - (95498)

REPORT:

Executive Summary

This report discusses proposed amendments to Hawkesbury Development Control Plan 2002 (HDCP 2002) that will be required to be in place when the draft Hawkesbury Local Environmental Plan 2011 (LEP 2011) is gazetted. This report will discuss proposed amendments to Parts A and B of the HDCP and the inclusion of new chapters dealing with the preservation of trees or vegetation and the Windsor District Baptist Church Site.

It is recommended that these amendments be publically exhibited.

The remainder of the DCP is also being reviewed; however, it is crucial that the above sections are in place prior to the gazettal of the LEP 2011. The remaining sections can be amended after the LEP gazettal and will be reported to Council shortly.

Consultation

The requirements for the public exhibition of a draft DCP are contained in the *Environmental Planning and Assessment Act 1979* (the Act) and the *Environmental Planning and Assessment Regulation 2000* (the Regulation). The Regulations require that a draft DCP is publically exhibited for a period of at least 28 days and that notice of the exhibition be given in a local newspaper.

Background

On 7 June 2011 Council resolved, inter alia, to forward draft Hawkesbury Local Environmental Plan 2011 (LEP 2011) to the Department of Planning and Infrastructure (DP&I) for finalisation and gazettal. Due to certain provisions contained within LEP 2011, HDCP 2002 will require certain amendments and these amendments need to be in effect at the time of gazettal of LEP 2011.

Accordingly, this report will discuss proposed amendments to Parts A and B of the HDCP and the inclusion of new chapters dealing with the preservation of trees or vegetation and the Windsor District Baptist Church Site.

Proposed Amendments to Part A of HDCP 2002

The proposed Part A consists of 3 chapters; General Information, Types of Development and the Development Application Process, and Notification of Development Applications.

The proposed amendments are generally administrative amendments reflecting the forthcoming repeal of HLEP 1989 and the gazettal of LEP 2011 or rewording/simplifying existing provisions. The notification of development applications table of the current HDCP 2002 has been substantially amended due to the new definitions contained within LEP 2011. However, the circumstances where by letters, site signs and newspaper notices are required are generally the same as the current provisions of HDCP 2002. In addition, new statements have been added in the appropriate sections providing for the General Manager, or his delegate, discretion to vary or increase these provisions where appropriate. This will enable unexpected or unanticipated matters to be dealt with expeditiously.

Proposed Amendments to Part B of HDCP 2002

The proposed Part B is a comprehensive re-write of the current Part B which deals with “Exempt” and “Complying” Development. DP&I’s policy position is that specific development types, criteria, standards and conditions relating to development that can be “Exempt” or “Complying” are to be contained only in an LEP or in a SEPP and can no longer to be included in a DCP. As such, these requirements have been included in the draft LEP 2011 or are contained in the relevant State Environmental Planning Policy (SEPP). Hence, the proposed Part B has been re-written with the view of explaining in general terms what “Exempt” and “Complying” development is and the current provisions relating to specific types of development, associated criteria and standards, and conditions have been removed.

New Part C Chapter 9 Preservation of Trees and Vegetation

This chapter is in response to Clause 5.9 Preservation of Trees or Vegetation of LEP 2011. Under this clause, a person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy “prescribed” trees or other vegetation, without development consent or a permit being granted by Council. The clause requires that these “prescribed” trees or other vegetation be identified in a DCP.

This chapter is based on the mandatory provisions of Clause 5.9, Council’s current Tree Preservation Order, and includes additional provisions relating to how an application will be assessed, what information is required in a development application and definition of certain terms.

New Part E Chapter 7 Windsor District Baptist Church Site

LEP 2011 incorporates Hawkesbury Local Environmental Plan 1989 (Amendment 156) which relates to 739 - 741 George Street, South Windsor, known as the Windsor District Baptist Church Site. When Council resolved on 28 July 2009 to proceed with this amendment, the resolution included the following:

- *The applicant/owner of the subject land is to develop a draft site specific Development Control Plan for the site, at their own expense, in conjunction with Council staff and to the satisfaction of Council. The Development Control Plan is to be adopted by Council prior to the finalisation of the rezoning.*
- *Safe pedestrian access across George Street, South Windsor, is also to be provided in the Development Control Plan.*

Accordingly, a chapter dealing with this site has been prepared and is included in the proposed amendments.

Finally, as a result of LEP 2011 amendments will be also be required to Parts C, D and E and the Appendices of HDCP 2002. The amendments are relatively minor administrative amendments and given the proposed transitional arrangement proposed in Part A, it is not critical that these amendments be made prior to LEP 2011 being gazetted. These amendments are being included in a comprehensive review of the DCP which Council staff are currently preparing and it is anticipated that this will be reported to Council shortly. Due to the comprehensive nature of the review, exhibition and finalisation of the new DCP may take some time and may not occur prior to the gazettal of LEP 2011. Hence, the critical amendments discussed above have been brought forward of the comprehensive review.

Conformance to Community Strategic Plan

The proposal is consistent with the Shaping our future together Directions statement;

- A balanced set of decisions that integrate jobs, housing, infrastructure, heritage, and environment that incorporates sustainability principles

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

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

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Financial Implications

The exhibition, reporting and finalisation of the amendments to HDCP 2002 can be undertaken within current budget provisions.

Planning Decision

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

RECOMMENDATION:

That the proposed amendments to Hawkesbury Development Control Plan 2002 attached to this report be publically exhibited for a minimum of 28 days and the matter be reported back to Council following that exhibition.

ATTACHMENTS:

AT - 1 Draft Part A of HDCP 2002, Draft Part B of HDCP 2002, Draft Part C Chapter 9 Preservation of Trees and Vegetation, Draft Part E Chapter 7 Windsor District Baptist Church Site - (*Distributed Under Separate Cover*)

oooO END OF REPORT Oooo

INFRASTRUCTURE SERVICES

Item: 163 **IS - Regional Open Space Strategy - (79354)**

Previous Item: RM, Ordinary (28 September 2010)
 218, Ordinary (14 September 2010)

REPORT:

Executive Summary

Council aims to provide the community with a range of recreational facilities, including passive and active recreation spaces, and to provide a direction for future development and ongoing management of the Hawkesbury's open space.

The development of the Regional Open Space Strategy aims to provide this strategic plan for the development and management of the LGA's current and future recreation needs and demands.

The nomination of two Councillors to be part of the Project Reference Group is required as part of the consultation process to assist in the development of the Regional Open Space Strategy.

Consultation

The issues raised in this report concerns matters which constitute a trigger for Community engagement under Council's Community Engagement Policy. The community engagement process proposed in this report meets the criteria for the minimum level of community engagement required under Council's Policy. The consultation process will be undertaken as part of the Project Reference Group.

Background

Council aims to provide the community with a range of recreational facilities, including passive and active recreation spaces, and to provide a direction for future development and ongoing management of Hawkesbury's open space. It has been identified that a Regional Open Space Strategy (ROSS) was required to provide a open space strategic plan for the future development of facilities to accommodate the demands for recreational amenities.

The development of the open space strategy is to:

- incorporate Council open space with non-council recreational facilities
- identify key actions for the development of open space
- identify areas lacking in facility provision
- identify opportunities for future improvement
- provide strategic linkages between community facilities
- link open space with other Local Government Areas
- link with non-council regional recreational facilities, and
- align with State and Regional Open Space planning outcomes.

In April 2010, matching funding was sought through the Department of Planning Metropolitan Greenspace Program to undertake the Regional Open Space Strategy (ROSS). In February 2011, advice was received that the application was successful, and funding in the amount of \$60,000 was provided for the completion of the project. Matching funding for the project is to be provided by Council.

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Briefs were forwarded to selected consultants with expertise in the development of such strategic plans with a closing date of 19 April 2011. Subsequently, Clouston Associates were appointed to undertake the development of the strategic plan and the development of the long term management strategy for future development of Hawkesbury’s open space.

As part of the process for the development of the Plan, significant consultation with both Council Officers and the community is required and as part of the brief a Community Consultation Strategy was developed. Detailed below is an excerpt of the Consultant’s Consultation Strategy

“COMMUNITY CONSULTATION STRATEGY

Community Consultation is a vital element in delivering a successful Open Space Strategy. CLOUSTON and 180 Sport and Leisure propose to engage the key stakeholder group and wider community in an iterative process of participation. We propose to go beyond consultation, and engage the stakeholders in a meaningful participatory dialogue, which will encourage contribution and thought provoking consideration. We intend to engage our stakeholder groups, the PCG, the Project Reference Group, Council Officers and Management teams, Councillors and the wider community user group in an iterative process of discussion and feedback.

Project Control Group

The PCG will comprise of Council Officers, who are involved in managing and planning the open space. Our team suggests that this group should include the Project Manager, and three other members of the open space design and management team. We will regularly check in with the PCG as the brief requests, and workshop the materials progressively. Our team seeks to work with the PCG in a collaborative fashion, to ensure the ROSS reflects Council's objectives and responds to key issues. We intend to work with the PCG, and will encourage the PCG meetings to work in a workshop fashion. As per the brief, we have not included additional PCG meetings, however, we propose to negotiate the meeting schedule, and reduce some of the PRG meetings, in favour of the PCG.

Council’s Project Reference Group (Council’s Project Group)

The Project Reference Group (PRG) is intended to provide the ROSS with a more expansive feedback group. The PRG will consist of Council Officers, Councillors, and community representatives. The PRG positions will be established through advertised invitations, so as to provide opportunity to a broad base community representational group. The intention is to have several Councillors, and community members make up a group of ten or so. It may include representatives from groups such as the Hawkesbury Sports Council. The benefit of having this inclusive group, is that they represent a wider stakeholder group, and by bringing them together early on in the program, we can establish strong working relationships, and a broader understanding of the project’s complexity.”

In the development of the groups the following members were identified to ensure a successful outcome was achieved and that the needs of the community were met. It was identified that the following mix of the community and staff was the best representation;

Panel	Group Names
Project Manager	Parks Project Officer
Project Control Group (PCG)	Parks Project Officer Chief Financial Officer Executive Manager Community Partnerships Manager Parks & Recreation Strategic Planner
Council’s Project Reference Group (PRG)	Councillors x 2 Parks Officer, Land Management Representative – Sports Council Representative – YMCA Community Members x 3

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The nomination of two Councillors to be part of the Project Reference Group is required as part of the consultation process to assist in the development of the Regional Open Space Strategy, ensure ownership and develop a strong working relationship with Council staff and the consultants.

Conformance to Community Strategic Plan

The proposal is consistent with the Looking after People and Places Directions statement;

- Be a place where we value, protect and enhance the historical, social, cultural and environmental character of Hawkesbury's towns, villages and rural landscapes.
- Have friendly neighbourhoods, connected communities, and supported households and families

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

- Work with the community to define the Hawkesbury character to identify what is important to preserve and promote
- Develop plans to enhance the character and identify of our towns and villages.

Financial Implications

Funding for the project is provided by way of matching funds (\$60,000) from the Metropolitan Greenspace Program, and \$60,000 from within the Parks Consultancy Budget. In addition the results of the Regional Open Space Strategy will develop a 10 Year Management and Renewal Program which will assist with future budget allocations.

RECOMMENDATION:

That Council nominate two Councillors to be part of the Project Reference Group to assist in the development of the Regional Open Space Strategy.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

Item: 164 IS - Sustainable Events Management Policy - (79354)

REPORT:

Executive Summary

Funding has been provided through the Waste and Sustainability Improvement Payment (WaSIP) Program to develop a Sustainable Events Management Policy.

The Policy has been developed by consultants with feedback from Council staff. It is recommended that the Policy be adopted.

Consultation

The issues raised in this report concern matters which do not required community consultation under Council's Community Engagement Policy. The Policy is based on the sustainability principles of the Hawkesbury Community Strategic Plan, which have previously been adopted by Council following extensive public consultation. The Policy sets out actions to implement the adopted principles.

Background

The Waste and Sustainability Improvement Payment (WaSIP) Program forms part of the City and Country Environment Restoration Program. Through the WaSIP Program the NSW Government has invested money to assist councils in the regulated areas to invest in actions and on programs that will improve waste avoidance, resource recovery, the use of secondary resources and waste management outcomes, that will deliver improvements in environmental sustainability across their local government area.

Two of the projects supported by the WaSIP Program were: to develop a Policy for Recycling at Community Events as well as a Sustainable Events Policy. The policies were combined together under the Sustainable Events Management Policy. Its aim is to assist in the implementation of sustainability principles relating to all events held within the Hawkesbury Local Government Area. Part of the conditions of the WaSIP grant was for the Policy to be adopted by Council.

Consultants have been engaged to develop a Policy and management guide/action plan. A draft Policy and guide have since been developed. Unfortunately the Policy has taken longer to develop than estimated and as such the timeline of 30 June 2011 for the adoption of the Policy has not been met. An extension of one month has been granted.

A copy of the draft Sustainable Events Management Policy is included as Attachment 1 to this report.

The aims of this Policy are to:

- (a) provide advice to Council staff, community groups and business entities on the practical application of Council's endorsed Sustainability Principles to the planning and management of events within the City of Hawkesbury;
- (b) assist Council staff, community groups and business entities to identify sustainability issues which may be relevant to the size and profile of a proposed event and then to plan to responsibly manage these issues;
- (c) identify ways of measuring the impact of events against Council's endorsed Sustainability Principles;

It is recommended that the Sustainable Events Management Policy be adopted.

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Conformance to Community Strategic Plan

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

- Take active steps to encourage lifestyle choices that minimise our ecological footprint and is also consistent with (or is a nominated) strategy in the Community Strategic Plan being:
- Develop and implement waste and recycling strategies

Financial Implications

There are no financial implications applicable to this report.

RECOMMENDATION:

That the Sustainable Events Management Policy attached as Attachment 1 be adopted.

ATTACHMENTS:

AT - 1 The Sustainable Events Management Policy - *(Distributed Under Separate Cover)*

oooO END OF REPORT Oooo

Item: 165 **IS - State Emergency Services (SES) Controller - Re-appointment - (95495, 80520, 20239)**

REPORT:

Executive Summary

The appointment of SES Local and Unit Controllers is renewed every two years and Council's views are sought in relation to that appointment. It is recommended that Mr Kevin Jones be re-appointment as the Hawkesbury State Emergency Services Local Controller for the period 1 August 2011 – 31 July 2013 be supported.

Consultation

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

Background

The State Emergency Service Act - Regulation requires the appointment of Local and Unit Controllers to be renewed every two years, with 1 August 2011 being the due date for the next renewal.

The Director General of the SES in appointing the officer considers that the Council's views are an important part of the process.

In support of the re-appointment it is noted that Mr Kevin Jones has been with the Local SES since 1974 and has been the Local Controller for the last thirteen years. Mr Jones was awarded Hawkesbury Citizen of the Year Award in 2003 and was a recipient of the Centenary Medal.

Mr Kevin Jones has performed the role in an excellent manner and continues to see the local organisation grow and continue its high degree of success.

Conformance to Community Strategic Plan

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

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

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

- Develop disaster response and community safety plans.

Financial Implications

No financial implications resulting from this report.

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RECOMMENDATION:

That:

1. The Director General of the State Emergency Service be advised that the re-appointment of Mr Kevin Jones as Hawkesbury State Emergency Services Local Controller is supported.
2. A letter of appreciation be sent to Mr Kevin Jones in recognition for all time and effort he has contributed to the Hawkesbury State Emergency Service.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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SUPPORT SERVICES

Item: 166 **SS - Review of Number of Councillors - (79337, 95496)**

Previous Item: 333, Ordinary (1 November 2005)
 1, Ordinary (28 February 2006)

REPORT:

Executive Summary

The Local Government (Amendment) Elections Act 2011 commenced on 27 June 2011. It presents some changes to the constitutional arrangements for councils under the Local Government Act 1993. These changes provide councils with a limited opportunity to apply directly to the Minister for Local Government to decrease councillor numbers and to abolish existing wards without the need for a constitutional referendum, by no later than 28 November 2011.

Council is also required, not less than 12 months before the next ordinary election in September 2012, to determine the number of councillors for the following term of office.

Consultation

Should Council resolve to make an application to the Minister for Local Government to approve a decrease in the number of Councillors, it's proposal to resolve to apply to the Minister must go on public notice for a minimum of 42 days in accordance with Section 224A of the Local Government Act 1993.

A summary of any submissions received on the proposal, and any comments from Council on the submissions must be forwarded to the Minister with Council's application and resolution.

Background

The NSW Division of Local Government has forwarded Circular No. 11-12 regarding amendments to the *Local Government Act 1993* (the Act) concerning constitutional arrangements for councils.

The Division of Local Government has indicated in the Circular that the NSW Parliament has passed the Local Government (Amendment) Elections Act 2011 (the Amending Act). The Amending Act commenced on 27 June 2011 and has resulted in changes to the Act concerning constitutional arrangements for councils. The Local Government Act now:

1. Enables councils, in certain circumstances, to make an application to the Minister for Local Government for approval to reduce the number of their councillors without the need for approval at a constitutional referendum
2. Enables councils, in certain circumstances, to make an application to the Minister for approval to abolish all wards in their areas without the need for approval at a constitutional referendum
3. Provides that a by-election need not be held to fill a casual vacancy in the office of a councillor (but not a mayor elected by the electors) if a constitutional referendum has approved a reduction in the number of councillors for the council area but the reduction has not yet taken effect
4. Enables councils to apply to the Minister for an order dispensing with the requirement to hold a by-election where a casual vacancy in the office of a councillor (including a

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mayor elected by the electors of an area) occurs within 18 months before an ordinary election, and

5. Contains provisions of a consequential, savings and transitional nature.

The details outlined in points 2 to 5 above regarding abolishing wards, by-elections and casual vacancies are provided for information.

With regard to point 1 above concerning the number of councillors, under the provisions of Section 224 of the *Local Government Act 1993*, a council is required, not less than 12 months before the next ordinary election, to determine the number of councillors for the following term of office. The Act specifies that the number of councillors must be at least five and not more than 15 (one of whom is the Mayor).

Section 224 of the Act is as follows:

- "1. A council must have at least 5 and not more than 15 councillors (one of whom is the mayor).
2. Not less than 12 months before the next ordinary election, the council must determine the number, in accordance with subsection (1), of its councillors for the following term of office.
3. If the council proposes to change the number of councillors, it must, before determining the number, obtain approval for the change at a constitutional referendum."

However, following the commencement of the Amending Act, Section 224A has been inserted into the Act with regard to the process to approve a reduction in the number of councillors. Section 224A of the Act is as follows:

- "1. A council may resolve to make an application to the Minister to approve a decrease in the number of councillors within the limits referred to in section 224(1).
2. The council must give not less than 42 days' public notice of its proposed resolution.
3. After passing the resolution, the council must forward to the Minister a copy of the resolution, a summary of any submissions received by it and its comments concerning those submissions.
4. The Minister may approve the application without amendment or may decline to approve the application.
5. If the Minister approves the application, the number of councillors of the council is reduced to the number specified in the application with effect on and from the day appointed for the next ordinary election of councillors after the application is approved.
6. Section 16 does not apply to a resolution of a council to make an application to the Minister under this section.
7. An application may be made under this section after the commencement of the Local Government Amendment (Elections) Act 2011 but before the expiry of 5 months after that commencement.
8. Nothing in this section prevents a council from making more than one application under this section or from taking action under section 224 to change the number of its councillors.
9. A council for an area that is divided into wards may not make an application under this section for a decrease in the number of councillors that would result in the number of councillors for each ward being fewer than 3."

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As outlined above, the new Section 224A of the Act now provides councils with a further limited opportunity to make application to the Minister for Local Government for approval to reduce their councillor numbers without the need for approval at a constitutional referendum. Applications must be made no later than five months after the commencement of the Amending Act, that is, no later than 28 November 2011. Section 224A of the Act now requires a council to give not less than 42 days public notice of its proposal to resolve to apply to the Minister for Local Government for approval to reduce its councillor numbers.

Council last considered a possible reduction to the number of councillors at its meeting on 28 February 2006. At that meeting, Council resolved not to propose an alteration to existing councillor numbers.

In view of the incorporation of the new provision in the Act and as Council is required, not less than 12 months before the next ordinary election in September 2012 to determine the number of councillors for the following term of office, it would now be appropriate for Council to review the number of councillors that comprise the Council and to determine whether or not it wishes to utilise the provisions of Section 224A of the Act to reduce the current number of councillors.

As indicated above, the current provisions of the Act provide for a council having at least five and not more than 15 councillors, one of whom is the Mayor.

The composition of the councils within New South Wales ranges between these two figures. As an aid to Council in considering this issue, the opportunity has been taken to contact adjoining councils, as well as Camden and Wollondilly Councils who are in the same category as this Council for Local Government statistics, to ascertain the ratio of councillors to population.

The following table provides this information:

Local Government Area	No. of Councillors	Population Size	Ratio of Councillors to Population
The Hills Shire Council	12	174,540	1:14,545
Blacktown City Council	15	303,070	1:20,204
Blue Mountains City Council	12	76,529	1:6,377
Camden Council	9	55,922	1:6,213
Hawkesbury City Council	12	62,120	1:5,176
Penrith City Council	15	174,360	1:11,624
Wollondilly Shire Council	9	60,000	1:6,666

As outlined earlier, should Council resolve to make an application for a reduced number of councillors, the proposed application would need to be placed on public notice for a minimum of 42 days, and submitted to the Minister in accordance with Section 224A by no later than 28 November 2011.

In view of the contents of this report and the recent inclusion of Section 224A into the Local Government Act 1993, Council must determine the number of councillors for the following term of office and if it wishes to reduce the councillor numbers whether to apply to the Minister for Local Government to reduce the number, without the need for a constitutional referendum.

Conformance to Community Strategic Plan

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

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

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- Maintain its independent identity and voice through strong local government and community institutions.

Financial Implications

If the number of Councillors were reduced there would be a corresponding saving in respect of Councillor's fees and other costs in respect of facilities and expenses met by Council.

RECOMMENDATION:

That Council give consideration to reviewing the number of Councillors elected to Council under the terms of Sections 224(2) and 224A of the Local Government Act 1993.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 167

SS - Monthly Investments Report - June 2011 - (96332, 95496)**REPORT:****Executive Summary**

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

This report indicates that Council held \$43.33 million in investments at 30 June 2011.

It is recommended that this report be received and noted.

Consultation

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

Background

The following table indicates that Council held \$43.33 million in investments as at 30 June 2011. Details of the financial institutions with which the investments were made, date investments were taken out, the maturity date (where applicable), the rate of return achieved, the credit rating of the institutions both in the short term and the long term, and the percentage of the total portfolio, are provided below:

Investment Type	Institution Short Term Rating	Institution Long Term Rating	Lodgement Date	Maturity Date	Interest Rate %	Principal \$	Percentage of Portfolio	Total \$
On Call								
CBA	A1+	AA	30-Jun-11		5.25%	4,630,000	10.65%	4,630,000
Term Investments								
ANZ	A1+	AA	20-Oct-10	20-Jul-11	6.30%	1,500,000	3.46%	
ANZ	A1+	AA	17-Nov-10	17-Aug-11	6.30%	1,000,000	2.31%	
ANZ	A1+	AA	18-May-11	16-May-12	6.35%	500,000	1.15%	
ANZ	A1+	AA	29-Nov-10	26-Oct-11	6.36%	1,500,000	3.46%	
ANZ	A1+	AA	25-Nov-10	23-Nov-11	6.60%	1,000,000	2.31%	
ANZ	A1+	AA	25-Nov-10	23-Nov-11	6.60%	2,000,000	4.62%	
ANZ	A1+	AA	23-Feb-11	22-Feb-12	6.24%	1,200,000	2.77%	
ANZ	A1+	AA	10-Mar-11	20-Dec-11	6.35%	2,000,000	4.62%	
ANZ	A1+	AA	14-Mar-11	11-Jan-12	6.35%	2,000,000	4.62%	
ANZ	A1+	AA	23-Mar-11	21-Mar-12	6.24%	500,000	1.15%	

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Bankwest	A1+	AA	04-May-11	05-Oct-11	6.00%	1,000,000	2.31%	
Bankwest	A1+	AA	22-Jun-11	27-Jul-11	5.60%	3,000,000	6.92%	
Credit Union Australia	A-2	BBB+	23-Feb-11	24-Aug-11	6.21%	1,000,000	2.31%	
Defence Force Credit Union Ltd	unrated	unrated	18-May-11	21-Sep-11	6.11%	500,000	1.15%	
ING Direct	A-1	A+	23-Feb-11	21-Sep-11	6.22%	1,000,000	2.31%	
NAB	A1+	AA	20-Jan-11	06-Jul-11	6.14%	1,000,000	2.31%	
NAB	A1+	AA	20-Jul-10	20-Jul-11	6.24%	1,000,000	2.31%	
NAB	A1+	AA	17-Nov-10	16-Nov-11	6.46%	1,000,000	2.31%	
NAB	A1+	AA	08-Dec-10	10-Aug-11	6.39%	2,000,000	4.62%	
NAB	A1+	AA	02-Dec-10	07-Dec-11	6.44%	1,000,000	2.31%	
NAB	A1+	AA	03-Dec-10	07-Dec-11	6.45%	2,000,000	4.62%	
NAB	A1+	AA	08-Dec-10	07-Dec-11	6.44%	500,000	1.15%	
NAB	A1+	AA	20-Jan-11	14-Sep-11	6.22%	2,000,000	4.62%	
NAB	A1+	AA	09-Feb-11	09-Feb-12	6.27%	1,000,000	2.31%	
NAB	A1+	AA	15-Jun-11	25-Jan-12	6.16%	2,000,000	4.62%	
Westpac	A1+	AA	20-Jan-11	19-Oct-11	6.20%	1,000,000	2.31%	
Westpac	A1+	AA	11-May-11	16-Nov-11	6.15%	1,000,000	2.31%	
Westpac	A1+	AA	22-Jun-11	25-Jan-12	6.18%	2,000,000	4.62%	
Westpac	A1+	AA	01-Jun-11	01-Oct-11	6.15%	1,500,000	3.46%	38,700,000
TOTAL INVESTMENT AS AT 30 JUNE 2011								43,330,000

Bench Marking

Bench Mark	Bench Mark %	Actual %
UBS 90 Day Bank Bill Rate	4.97%	6.25%
Reserve Bank Cash Reference Rate	4.75%	5.25%

Performance by Type

Category	Balance \$	Average Interest	Difference to Benchmark
Cash at Call	4,630,000	5.25%	0.50%
Term Deposit	38,700,000	6.25%	1.28%
Total	43,330,000	6.14%	1.17%

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Restricted Funds

Restriction Type	Amount \$
External Restrictions -S94	6,448,604
External Restrictions - Other	10,139,736
Internal Restrictions	13,935,522
Unrestricted	12,806,138
Total	43,330,000

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

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

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

Investment Commentary

The investment portfolio decreased by \$0.77 million for the month of June, 2011. During June, various income was received totalling \$5.62 million, including rate payments amounting to \$2.27 million, while payments to suppliers and staff costs amounted to \$6.75 million.

Interest earnings for the 2010/2011 financial year, as at the end of June 2011, amount to \$2.73 million.

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

As at 30 June 2011, Council has invested \$6.5 million with 2nd tier financial institutions, with the remaining funds being invested with 1st tier institutions. The investment of up to \$1 million with 2nd tier Authorised Deposit Taking Institutions (ADIs) is entirely covered by the free Government Guarantee Scheme, and is in accordance with Council's Investment Policy. Also, Council's adopted Investment Policy allows Council to invest above \$1 million with 2nd tier Authorised Deposit Taking Institutions that are wholly owned subsidiaries of major Australian trading banks, subject to conditions stipulated in the Policy.

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

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

Investment Certification

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

Conformance to Community Strategic Plan

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

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

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

- Maintain and review a sustainable long term financial framework.

Financial Implications

The budgeted income for 2010/2011 has been achieved.

RECOMMENDATION:

The report regarding the monthly investments for June 2011 be received and noted.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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CONFIDENTIAL REPORTS

INFRASTRUCTURE SERVICES

Item:168 **IS - Tender No.01111 - Hire of Plant at the Hawkesbury City Waste Management Facility - (112179) CONFIDENTIAL**

Previous Item: Item 79, 12 April 2011 (Ordinary)

Reason for Confidentiality

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

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

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

ORDINARY MEETING

Meeting Date: 26 July 2011

Item: 169 IS - Tender No. 01611 - Provision of Containerised Organics and Processing Service - (112179) CONFIDENTIAL

Reason for Confidentiality

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

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

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

ORDINARY MEETING

Meeting Date: 26 July 2011

**Item: 170 IS - Tender No.02111 - Supply and Delivery of One New Reusable Alternative
Landfill Daily Cover System - (112179) CONFIDENTIAL**

Reason for Confidentiality

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

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

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

ORDINARY MEETING

Meeting Date: 26 July 2011

SUPPORT SERVICES

Item: 171 SS - Tender No. 02011 - Supply of Debt Recovery Services - (95496, 96333, 96332)
CONFIDENTIAL

Reason for Confidentiality

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

Specifically, the matter is to be dealt with pursuant to Section 10A(2)(d) of the Act as it relates to the tenders for the provision of debt recovery services and the information is regarded as being commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, confer a commercial advantage on a competitor of the Council, or reveal a trade secret and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.

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

ordinary

section 5

reports
of committees

ORDINARY MEETING
Reports of Committees

SECTION 5 - Reports of Committees

ROC - Floodplain Risk Management Advisory Committee Minutes - 27 June 2011 - (86589)

The meeting commenced at 4:32pm in Council Chambers.

- Present:** Councillor Kevin Conolly - Chair
Councillor Bob Porter - Deputy Chair
Councillor Jill Reardon
Mr John Miller
Mr Alexander (Phil) Windebank
Mr David Avery
Mr Les Sheather
Mr Peter Cinque
Mr Ian Johnston
Mr Kevin Jones
- Apologies:** Councillor Paul Rasmussen
Councillor Warwick Mackay
Mr Geoffrey Bessell
Mr Chris Ransom
Mr Ray Williams MP - Member for Hawkesbury
- In Attendance:** Mr Drew Bewsher - Bewsher Consulting Pty Ltd
Mr Stephen Yeo - Bewsher Consulting Pty Ltd
Mr Paul Grech - Grech Planners
Mr Matthew Owens
Mr Philip Pleffer
Mr Chris Amit
Ms Shari Hussein
Ms Chris Bourne for Mrs Louise Markus MP - Federal Member for Macquarie
Mr Bart Bassett MP - Member for Londonderry
Mr Harry Panagopoulos
Councillor Kim Ford
- Non Attendance:** Snr Inspector Robert Bowman
Mr Bill McMahan
-

REPORT:

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

The Chair raised the issue of declarations of interest, advising as he was a property owner in the Bligh Park area, he felt obliged to make a declaration of interest. Mr Owens responded it would be appropriate for all members of affected properties to declare their interests and the Chair subsequently asked individuals if they wished to declare such an interest.

Accordingly, the following members declared their interest:

- Mr John Miller
- Mr Ian Johnston
- Mr Phil Windebank

ORDINARY MEETING
Reports of Committees

CONFIRMATION OF MINUTES

RESOLVED on the motion of Councillor Reardon and seconded by Mr Les Sheather that the Minutes of the Floodplain Risk Management Advisory Committee held on the 18 April 2011, be confirmed.

RESOLVED on the motion of Councillor Reardon and seconded by Mr Ian Johnston that the Minutes of the Extraordinary Floodplain Risk Management Advisory Committee held on the 9 May 2011, be confirmed.

Member	01/11/10	06/12/10	18/01/11	17/02/11	18/04/11	9/05/11	27/06/11
Councillor Kevin Conolly - (Chair)	✓	✓	✓	✓	✓	A	✓
Councillor Bob Porter - (Deputy Chair)	✓	✓	✓	A	✓	✓	✓
Councillor Warwick Mackay	A	A	A	A	A	A	A
Councillor Paul Rasmussen	✓	✓	✓	✓	✓	✓	A
Councillor Jill Reardon	✓	✓	✓	✓	✓	✓	✓
Mr Peter Cinque OAM - (SES Sydney Western Division)	A	✓	✓	A	✓	✓	✓
Mr David Avery - (Dept. of Environment and Climate Change)	✓	✓	✓	✓	A	✓	✓
Mr Chris Ransom – (Dept of Defence)	✓	✓	X	✓	X	✓	A
Snr Inspector Robert Bowman - (Industry & Investment NSW) -Primary Industries	X	X	✓	✓	A	✓	X
Mr Les Sheather - (Community Member)	✓	✓	A	✓	✓	✓	✓
Mr Kevin Jones - (SES Headquarters)	✓	A	✓	✓	A	✓	✓
Mr Geoffrey Bessell - (Community Member)	✓	✓	✓	✓	✓	✓	A
Mr John Miller - (Community Member)	✓	✓	✓	✓	✓	✓	✓
Mr Bill McMahon - (Community Member)	✓	✓	✓	✓	✓	✓	X
Mr Alexander (Phil) Windebank	✓	✓	✓	✓	✓	✓	✓
Mr Ian Johnston	✓	✓	✓	✓	✓	A	✓

X = Absent - no apology

✓ = Present

Key: A = Formal Apology

SECTION 3 - Reports for Determination

Draft Hawkesbury Floodplain Risk Management Study and Plan

DISCUSSION:

- Councillor Porter asked that he be provided with a full report of how nominated flood heights had been determined.
- Councillor Porter raised concern the SES permitted only one outbound lane on the Jim Anderson Bridge during flood evacuation. Discussion was raised amongst the Committee and the consultant and it was generally agreed from a traffic engineering point of view, the Bridge should allow for two outbound lanes (and one lane for incoming traffic). It was suggested Council make a recommendation to the SES to allow for two outbound lanes during evacuation (with a third lane kept free for incoming traffic).
- Mr Sheather acknowledged the report's reference to 'risk to life', raising concern the report did not broach the subject of 'risk to property', which he believed was also an integral aspect of flood events. Mr Sheather referred to the Queensland floods, stating he believed there were lessons to be learned from these events and reminded the Committee of the many victims who had lost their homes and all personal possessions, some of whom were not covered by insurance.
- The Chair referred to the low point at Llandilo Road and asked at what point the road was cut. Mr Cinque advised the road was cut off at 19.1metres. The Chair advised he believed some attention was needed to that area and suggested a facility be built as a short term holding bay for the community to use as a safe refuge until traffic congestion had subsided, which would alleviate congestion at the Jim Anderson Bridge.

6.30pm - Councillor Porter left the meeting.

6.35pm - the meeting adjourned for a short break.

Ms Bourne relayed her apologies for the remainder of the meeting.

6.52pm - the meeting reconvened.

7.31pm - Mr Bart Bassett MP arrived at the meeting.

- Mr Sheather advised he was conscious of time restrictions, and in an effort to maintain continuity of the meeting, sought the Chair's consent to discuss various aspects of the Report with Mr Bewsher at a later time, outside of the meeting. The Chair concurred with this request.
- The Chair sought the Committee's consideration of the following options, asking members to be mindful Volume 1 of the report (a 300 page document) was yet to be received.
 - Option 1. report to be submitted to Council immediately and exhibition process commenced or;

ORDINARY MEETING
Reports of Committees

Option 2. further refinements be made to the Report prior to its being brought back to the Committee and once agreed upon, for subsequent submission to Council.

The majority of the Committee determined it would be prudent to pursue Option 2, to enable them the opportunity of making an informed decision prior to submitting the Report to Council. Mr Bewsher subsequently advised Volume 1 should be available the first week of July.

- Mr Avery suggested the Committee prepare questions in advance prior to the next meeting in order to assist the consultant and other technical advisors in providing the most appropriate advice. Mr Owens agreed and invited members to forward questions to himself for discussion at a future meeting.
- The Chair reminded the Committee the document was not for public knowledge and only to be discussed amongst Committee members.
- Mr Owens suggested a tentative date for the next meeting to be set for Monday 25 July - to be confirmed.
- In response to various enquiries relating to the question of liability for Council, Councillors and/or individual Council officers when making planning decisions on flood related matters or development, Mr Owens advised he had procured legal advice on the matter in April which was reported to Councillors and confirmed he would bring that advice to the next meeting for the Committee's information.

RECOMMENDATION TO COMMITTEE:

That the:

1. Presentations and draft reports be received.
2. Committee set a date for the consideration of these draft reports with a view to making a recommendation to Council.

MOTION:

RESOLVED on the motion of Mr Les Sheather, seconded by Councillor Reardon.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That the:

1. Presentations and draft reports be received.
2. Committee set a date for the consideration of these draft reports with a view to making a recommendation to Council.

The meeting closed at 8.16pm.

oooO END OF REPORT Oooo

ORDINARY MEETING
Reports of Committees

ROC - Waste Management Advisory Committee Minutes - 29 June 2011 - (95249)

The meeting commenced at 4:05pm in Council Chambers.

Present:	Councillor Christine Paine Councillor Jill Reardon Ass Prof. Basant Maheshwari Mr William Sneddon	Deputy Chair Hawkesbury City Council University of Western Sydney Community Member
Apologies:	Councillor Bob Porter Mr Geoff Bessell Councillor Leigh Williams	Chair Community Member Hawkesbury City Council
In Attendance:	Mr Peter Jackson Mr Chris Daley Mr Matthew Owens Mr Ramiz Younan Ms Dianne Tierney Mr Matthew Collins Ms Amanda Monaco Ms Robyn Kozjak - Minute taker	Hawkesbury City Council Hawkesbury City Council

REPORT:

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

CONFIRMATION OF MINUTES

RESOLVED on the motion of Councillor Reardon and seconded by Mr William Sneddon that the Minutes of the Waste Management Advisory Committee held on the 30 March 2011, be confirmed.

SECTION 3 - Reports for Determination

Item: 1 Progress Report- Waste Education Officer - Cooking Oil Recycling

DISCUSSION:

- Ms Amanda Monaco, Waste Education Officer was introduced and welcomed by the Committee.
- Ms Monaco and Mr Younan advised of the many benefits the recycling of cooking oil would achieve, including the reduction of biological load on landfill, prevention of pollution of waterways and choking up of sewer systems.
- The Deputy Chair suggested the Hawkesbury Chamber of Commerce and other Business Groups be forwarded information / flyers as a means of promoting this initiative.

RECOMMENDATION TO COMMITTEE:

That the agreement letter be signed by the General Manager.

MOTION:

RESOLVED on the motion of Mr Basant Maheshwari, seconded by Councillor Reardon.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That the agreement letter be signed by the General Manager.

Item: 2 Reusable Alternative Landfill Daily Cover System

RECOMMENDATION TO COMMITTEE:

That the details of the assessment and winning tender be reported to the next WMAC meeting.

MOTION:

RESOLVED on the motion of Councillor Reardon, seconded by Mr William Sneddon.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That the details of the assessment and winning tender be reported to the next WMAC meeting.

SECTION 4 - Reports for Information

Item: 3 Councils Waste Management Facility - Status of Leased Area - (80237)

DISCUSSION:

- It was advised the matter would be reported back to the Committee in three months, by which time legal advice and an indicative valuation of the land to enable the business case to be determined, would have been received.

RECOMMENDATION TO COMMITTEE:

That the information be received.

MOTION:

RESOLVED on the motion of Councillor Reardon, seconded by Mr Basant Maheshwari.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That the information be received.

Item: 4 Progress Report- Waste Education Officer - Management of Construction and Demolition Waste

DISCUSSION:

- The Deputy Chair enquired if “Waste Not” brochures were available for the Committee’s information and Ms Tierney advised she would provide the Committee with same.

RECOMMENDATION TO COMMITTEE:

That the information be received.

MOTION:

RESOLVED on the motion of Mr Basant Maheshwari, seconded by Councillor Reardon.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That the information be received.

Item: 5 Progress Report- Waste Education Officer - Education

DISCUSSION:

- The Deputy Chair congratulated staff for their efforts in providing waste education to the community at Council’s Living Sustainably stall at the Hawkesbury Show.
- Ms Monaco confirmed there was a good deal of interest at the stall advising approximately 70 residents enlisted themselves to take up the challenge to live more sustainably at home and in the community, by making their own “Sustainable Living Pledge”. Images of residents and their pledges can be found on the Sustainable Living Guide on Council’s website <http://sustainability.hawkesbury.nsw.gov.au/> .

RECOMMENDATION TO COMMITTEE:

That the information be received.

MOTION:

RESOLVED on the motion of Councillor Reardon, seconded by Mr William Sneddon.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That the information be received.

Item: 6 Future Waste Management Options Feasibility Study

RECOMMENDATION TO COMMITTEE:

That the information be received.

MOTION:

RESOLVED on the motion of Mr Basant Maheshwari, seconded by Councillor Reardon.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That the information be received.

Item: 7 Plant Tender

DISCUSSION:

- Mr Collins advised tenders for the hire of plant at the Waste Management Facility were in the process of being awarded and contracts signed. Mr Collins further advised unfortunately there was an issue with the supply of the landfill compactor and that item would be re-reported to Council at the next available meeting, prior to its being put back out to tender.

RECOMMENDATION TO COMMITTEE:

That the information be received.

MOTION:

RESOLVED on the motion of Mr William Sneddon, seconded by Councillor Reardon

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That the information be received.

SECTION 5 - General Business

- Mr Sneddon queried the status of the methane levels at the WMF and Mr Collins advised methane was not in excess of the threshold of 25,000 tonne of CO₂e, and as such, was not required to be reported to DECCW.

ORDINARY MEETING

Reports of Committees

- Mr Maheshwari noted the diversity of issues discussed by the Committee and suggested the Committee be re-named to "Sustainable Living Advisory Committee". Further suggestions included "Waste and Risk Advisory Committee" and "Waste Resource Advisory Committee". Mr Jackson responded the proposal would be investigated.
- Ms Tierney reported she believed it would be preferable to avoid the use of the word "sustainable" in the re-naming of the Committee, advising Council runs a Community Planning Advisory Committee wherein matters relating to sustainability (eg food production) were covered. Ms Tierney reminded members the purpose of the WMAC was to adhere to a 66% diversion rate target for the reduction of waste.
- The Deputy Chair suggested staff flag the proposal for review in September wherein the status of all Committees would be reported to an Extraordinary Meeting of Council.

The meeting closed at 4:55pm.

oooO END OF REPORT Oooo

ORDINARY MEETING
Questions for Next Meeting

QUESTIONS FOR NEXT MEETING

Councillor Questions From Previous Meetings and Responses - (105109)

REPORT:

Questions - 12 July 2011

#	Councillor	Question	Response
1	Mackay	Enquired if Council could investigate a property in Grandview Lane, Bowen Mountain as allegations have been made that a septic system is on or is close to Council's property/Reserve.	Director City Planning advised that the matter is being investigated and the appropriate action will be undertaken depending on the outcome of the investigation.
2	Porter	Enquired if he could be advised of the progress in relation to the noise at North Richmond and thanked the General Manager for actioning a request as quickly as he had in relation to the matter.	Director City Planning advised that Councillor Porter will be kept advised of the progress of the matter.
3	Porter	Enquired about the progress of the cleaning up in South Windsor and asked if Council could replant the planter boxes or alternatively, remove them as they are at the moment only being used as ashtrays. He also requested to be advised of the progression of the matter.	Director Infrastructure Services advised that repairs have been carried out to kerb and gutter footpaths and road pavement Mullingers Lane at the rear of the shopping centre. Rotary, with Council sponsorship have removed graffiti in the area. The street bins will be replaced in the near future. Without 'ownership' of the planter boxes, they will not be effectively maintained. It is proposed to discuss this matter with the shopkeepers.
4	Calvert	Enquired if the RTA has a regular clean up of roads and if they had missed one or two as he had been disappointed by the amount of rubbish, particularly on the Bells Line of Road from Kurmond up to and North of Kurrajong.	Director Infrastructure Services advised that similar to Council the RTA has a regular rubbish removal program, and it is understood that Bells Line of Road has recently been attended to as part of this program.
5	Calvert	Advised that the footpath outside of McDonalds at Richmond is having work done on it and thanked staff who pursued that matter.	The comment from Councillor Calvert is noted.

ORDINARY MEETING
Questions for Next Meeting

#	Councillor	Question	Response
6	Paine	Advised she too had received the letter, initiated by a South Windsor Shop Keeper, in relation to cleaning up South Windsor and hoped it would 'grow legs' and wanted Council to encourage it.	This matter has been answered as part of Question 3.
7	Williams	Wanted to pass on a number of resident's appreciation to Council staff for prompt response to issues and work carried out on roads and stormwater flows.	The comments from Councillor Williams are noted.
8	Rasmussen	Enquired to the progress of the sale of Council owned land in Colonial Drive, Bligh Park.	Director Support Services advised that negotiations are continuing with interested parties as previously resolved by Council. A report will be provided to Council following the completion of these negotiations.
9	Rasmussen	Enquired if Council could investigate setting up an E-waste recycling facility at our tip to accommodate increasing levels of e-waste.	Director Infrastructure Services advised that the matter will be investigated.
10	Reardon	Enquired if Council could remove the waste along Grose Vale Road.	Director Infrastructure Services advised that the waste will be removed in the near future as part of the ongoing rubbish removal program coordinated in conjunction with the Corrective Services.
11	Reardon	Enquired if Council could investigate placing cigarette receptacles in Shopping Centres.	Director Infrastructure Services advised that shopping centres are generally privately owned, and as such the matter of cigarette receptacles should be coordinated through the individual Centre Managements.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Questions for Next Meeting



ordinary
meeting

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