



Hawkesbury City Council

ordinary meeting business paper

date of meeting: 08 April 2008

location: council chambers

time: 5:00 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 5:00pm with a break from 7:00pm to 7:30pm and are scheduled to conclude by 11:00pm. These meetings are open to the public.

When a Special Meeting of Council is held it will usually start at 7:00pm. 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 fsut@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.

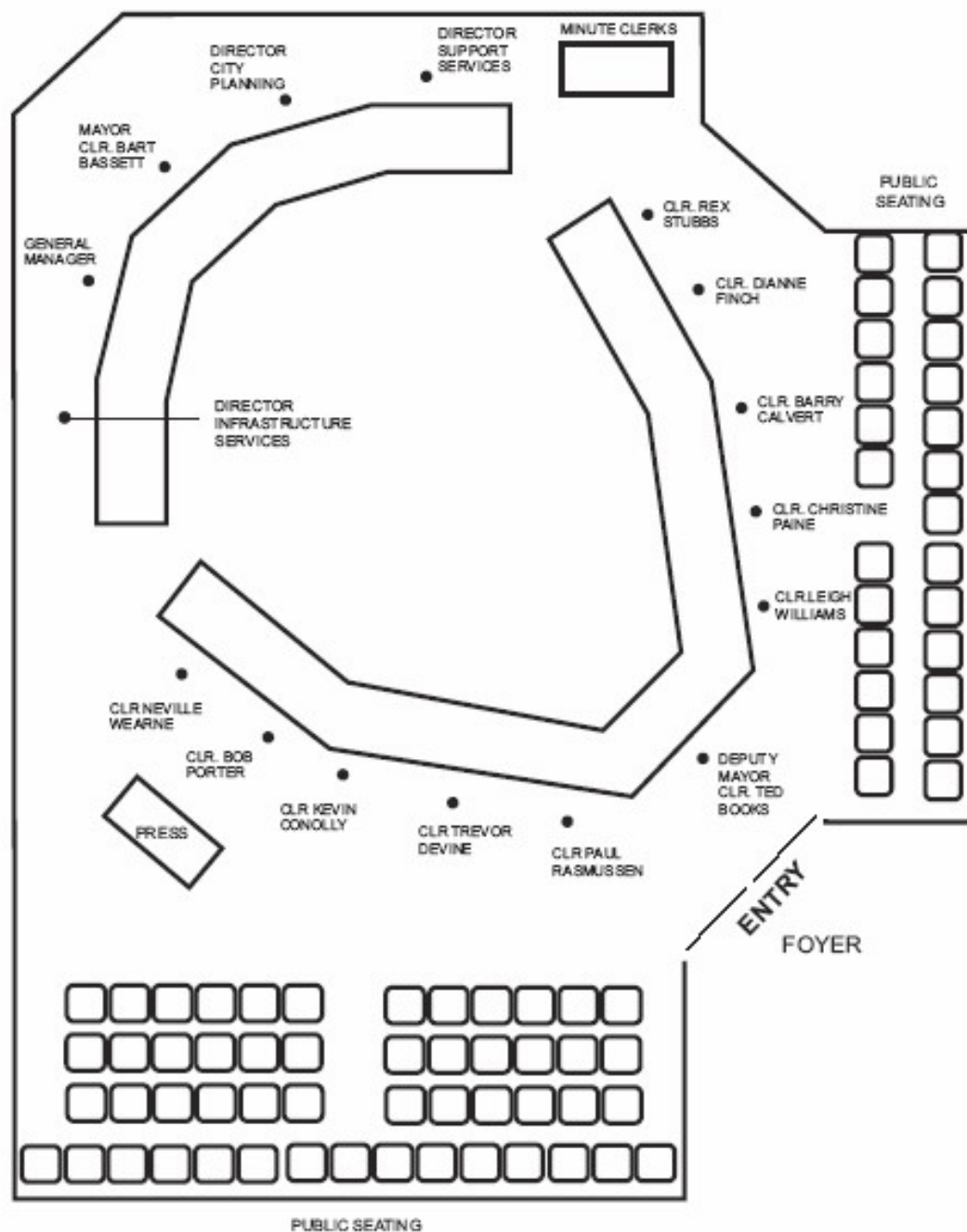
Website

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 2 - Mayoral Minutes

MM1 - Proposed Macquarie 2010 Bicentenary Celebrations - (95852, 79353)

REPORT:

I have received correspondence from, and recently met with, Ms M Sullivan, MA LLB, Chairperson of the Lachlan and Elizabeth Macquarie Bicentenary Celebrations 2010 Committee seeking Council's support in connection with proposals for celebrations in 2010.

It is understood that similar approaches are being made to other "Macquarie Town" councils with a request that representations be made to Mr J Trevillian AM, CEO of the Australia Day Council and Deputy Director-General of the Premier's Department and Mr A Smith Deputy Director-General and also to the Premier of NSW, the Hon M Iemma, in order to:

- a) Request the NSW Government to unequivocally endorse the Macquarie 2010 Bicentenary Celebration proposals;
- b) Request the NSW Government to fund this most worthy project and establish an appropriate secretariat to administer the project;
- c) Advise that the Macquarie 2010 Celebrations is an opportunity that should not be missed and an historic occasion that should not go unmarked by the Macquarie Towns and their people.

The proposed Macquarie 2010 Celebrations obviously not only have significance for this Council's area but also for those other councils that encompass the "Macquarie Towns". As such, it is suggested that any celebrations actually undertaken should be done so as an overall coordinated approach rather than on an individual council-by-council basis.

In an earlier submission to the Premier the Chairperson of the Lachlan and Elizabeth Macquarie Bicentenary Celebrations 2010 Committee made, in part, the following comments:

"The Macquarie 2010 Committee is experiencing a ground swell of interest and support from across metropolitan and regional NSW for a set of events during 2010 to commemorate the 200th Anniversary of the arrival of Governor Major-General Lachlan Macquarie and his wife, Elizabeth Campbell Macquarie, on 1 January 1810.

The bicentenary presents a wonderful opportunity for the whole of the community to reflect on its shared history and the legacy left by the Macquaries. This can be accomplished in many ways including through a series of events during 2010 and can be undertaken as part of our usual New Year (the day Macquarie was sworn in) and Australia Day celebrations.

The Macquarie 2010 Committee is fast gathering a great deal of support for marking this important event in our colonial history. The planning undertaken so far is quite extensive and most of New South Wales' major educational and cultural institutions are involved. Macquarie University is particularly involved as is The University of Western Sydney (the location of Mrs Macquarie's Female Orphanage) which has expressed support for the proposal."

In view of the potential significance of these celebrations it is suggested that Council should lend its support to the Committee by making the representations referred to earlier in this Mayoral Minute.

It is also suggested that an initial amount of \$5,000 should be included within Council's 2008/2009 budget to assist with any contingencies (such as a reception, assistance with external functions and activities, etc.) that may arise as a result of Council's support of these celebrations. Council would then be in a position to assess its involvement in the celebrations and make provision for any additional financial support that may be required as part of the 2009/2010 budget.

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RECOMMENDATION:

That:

1. Council make representations to the Premier of NSW, the Hon M lemma, Mr J Trevillian AM, CEO of the Australia Day Council and Deputy Director-General of the Premier's Department and Mr A Smith Deputy Director-General in order to:
 - a) Request the NSW Government to unequivocally endorse the Macquarie 2010 Bicentenary Celebration proposals;
 - b) Request the NSW Government to fund this most worthy project and establish an appropriate secretariat to administer the project;
 - c) Advise that the Macquarie 2010 Celebrations is an opportunity that should not be missed and an historic occasion that should not go unmarked by the Macquarie Towns and their people.
- 2) An amount of \$5,000 be included in Council's 2008/2009 budget to allow Council to provide support as appropriate associated with the planning of Macquarie 2010 Celebrations.
- 3) M/s M Sullivan, MA LLB, Chairperson of the Lachlan and Elizabeth Macquarie Bicentenary Celebrations 2010 Committee be advised of Council's actions in this regard.
- 4) A copy of this Mayoral Minute and details of Council's resolution be forwarded to other "Macquarie Town" councils.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF MAYORAL MINUTE Oooo

MM2 - Proposed North West Metro Line - (79353)

REPORT:

Councillors will be aware that the Premier of NSW, the Hon M lemma, recently announced the proposed construction of a European style North-West Metro Line extending from St James in the City to Rouse Hill. The announcement indicated that the construction of this line would commence in 2010 with it to subsequently be fully operational by 2017.

While this announcement is most welcomed, as the provision of new infrastructure is a positive result for the region, some concern must be expressed in view of the history of this link. Previous statements concerning a north-west rail link have envisaged the line ultimately being extended to Vineyard thus providing access to the new link from the Richmond line. Unfortunately, this latest announcement does not address this most important aspect of the proposed link.

Accordingly, in view of the history of proposals and statements concerning a north-west rail link I would suggest that Council should make representations to the Premier to obtain a commitment from the State Government that the proposed North-West Metro Line will be extended to Vineyard by 2020 thus ensuring access to this new facility from the Richmond line.

In addition, as this is a most important and significant issue for the local community our local State Members of Parliament and WSROC should also be requested to support Council's representations.

RECOMMENDATION:

That Council:

1. Make representations to the Premier of NSW, the Hon. M lemma, seeking a commitment from the State Government that, in line with previous statements concerning a north-west rail link, that the proposed North-West Metro Line will be extended to Vineyard by 2020 thus ensuring access to this new facility from the Richmond line.
2. Request the local State Members of Parliament and WSROC to support Council's representations on this matter in view of its importance and significance of the link for the local community.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF MAYORAL MINUTE Oooo

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SECTION 3 - Notices of Motion

NM1 - Youth Involvement - (79351, 80093)

Submitted by: Councillor B Calvert

NOTICE OF MOTION:

That:

1. Council recognise the achievements of young people in the Hawkesbury but notices that youth are generally under-represented in Council policy-making processes.
2. Council continue to actively support youth initiatives by working in partnership with the Hawkesbury Youth Interagency to consult with young people and develop youth participation and leadership opportunities.
3. Council recognises the contribution of local groups such as Hawkesbury Heart in their efforts to provide a voice for young people in the Hawkesbury and pledges to support them whenever possible.
4. A further report be provided to Council to identify options for supporting youth services and young people to plan and deliver events, programs and activities for youth and to become more involved in future council policy-making processes.

BACKGROUND:

This Week is Youth Week. This year's theme is 'Shout, Share, Live, Unite'. The aim of Youth Week is to provide an opportunity for young people to express their views and raise issues of concern. Importantly, Youth Week also aims to promote a focus for the wider community to listen to these concerns and acknowledge young people's positive contribution to our community.

I recently attended Council's Youth Week Media Launch. The young people who spoke at this event impressed me with their professionalism and their passionate commitment to our community. These young people have been working hard to present a rich program of youth week events, including Rock across the River, at North Richmond Community Centre, a Young Women's Art Exhibition, and a Youth Film Festival. As well as celebrating their social and cultural contribution to our community, these events provide young people with opportunities to learn skills and develop as young leaders.

Rock across the River, is a fine example of an event that is organised by and for Hawkesbury's young people. In it's second year, Rock across the River, was held last Saturday. The event has grown significantly, and is now the showcase Youth Week event of the Hawkesbury. It is presented by a partnership of local youth services, with support from Council and the State Government.

Activities like Rock Across the River provide young people with an opportunity to learn a variety of skills. This event also gives young people a focus to come together to share their views and engage with the wider community about their needs.

This Notice of Motion acknowledges Council's current role in supporting our local young people but asks that we investigate other innovative ways we can enhance opportunities for our local youth.

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ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

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SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 57 **GM - Tourism Program - March 2008 Quarter Report - (79351, 95497, 96812, 105004)**

Previous Item: **216, Ordinary (30 October 2007)**
 89, Ordinary (29 May 2007)

REPORT:

Council at its meeting on 30 October 2007, considered a report on its commitment to the Tourism Program reflected in the Management Plan, and resolved:

"That as part of its ongoing activities to promote tourism in the area:

- 1. Council continue to operate the Visitor Information Centre at Clarendon for the 2008 year, whilst pursuing other possibilities and review the situation, if such a review has not been previously undertaken.*
- 2. Council liaise with the relevant tourism industry associations and representatives, including Hawkesbury Regional Tourism Association, beginning immediately with a view to exploring opportunities for working together on projects, promotion and marketing activities and operating the Visitor Information Centre.*
- 3. Council liaise with relevant adjoining Councils, including Baulkham Hills, Blue Mountains, Lithgow and Hornsby, with a view to establishing any regional approaches on key tourism projects like promotion and marketing, projects and strategic activities that are mutually beneficial.*
- 4. A quarterly report be submitted to Council regarding the progress of liaising with the relevant tourism industry associations and representatives."*

This report mainly addresses parts 2 and 4 of Council's resolution. In terms of the quarterly reports they have been scheduled to coincide with the 2008 quarters taking into account the 2007-2008 Christmas-New Year holiday period (as opposed to starting from the resolution date). As such the reporting quarters are scheduled for: March, June, September and December 2008.

The following tourism industry associations and representatives have relevance to the Hawkesbury local government area.

(a) Tourism Hawkesbury Incorporated

Tourism Hawkesbury Incorporated (THI) is a tourism association mainly representing accommodation operators within and outside the area.

The Mayor, General Manager and Council Officers meet with Alan Leek, President and Michael Georgeson, Board member of THI on 29 January 2008, to:

- enable Council to update THI on Council's resolution of 30 October 2007;
- discuss part 2 of Council's resolution;

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- enable THI to update Council in its activities and direction; and
- to consider the proposed formation of a regional industry tourism group, instigated by the industry, known as the Hills-Hawkesbury Taskforce (Taskforce).

Details of the meeting included:

- THI indicated its membership was about 60 (renewals on hold until after the outcome of the Taskforce process);
- THI indicate support for the Visitor Information Centre at Clarendon;
- THI indicated it was participating in the Taskforce process, with a representative being involved in the start up phase. THI's future activities would likely be determined after the outcome of the Taskforce process;
- THI advised it is likely to maintain a local area industry interest, irrespective of the outcome of the Taskforce process;
- THI advised the next meeting of the Taskforce is likely to be in March 2008;
- THI indicated its current activities involved area-wide projects (eg foundation member for the Botanist's Way Drive and associated website owner), its accommodation guide (next edition on hold due to Taskforce), tradeshows, websites, in-bound booking services (from website by Richmond Travel) and taking advantage of any marketing opportunities offered by Tourism NSW;
- THI indicated its future activities would rely on unity in the industry, its marketing of the area both locally and regionally and synergy with other related associations like Hawkesbury Harvest;
- Council indicated that it wishes to work with all parties involved in tourism in the area in a fair and contributory partnership in delivering any Council Tourism Program (including the Visitor Information Centre and any marketing activities);
- Council Officers indicated that branding and marketing of the area were important and if any marketing strategy were to be developed, it would require industry support and contribution;
- THI indicated a preference to work with Council in developing an local area-wide marketing strategy, if Council wishes to do so. THI could successfully be the contact point for industry participation. No express interest was indicated by THI to operate the Visitor Information Centre.

At the conclusion of this meeting it was agreed that Council and THI would continue to liaise on working together in a timely manner. It appeared THI would be willing to be involved in any tourism strategies developed by Council including product/ visitor experience development and branding/ marketing opportunities.

Both parties agreed to next meet after the outcome of Taskforce process and THI's Annual General Meeting targeted for February 2008, but postponed to 6 May 2008.

(b) Bilpin District Tourist Association

Bilpin District Tourist Association (BDTA) is an tourism association mainly representing accommodation operators within the area.

Council Officers have not meet with BDTA, as it will be meeting in April 2008 to consider its future activities.

(c) Hills-Hawkesbury Tourism Taskforce

Council may be aware that individuals and groups in each of the three local government areas of Hawkesbury, Baulkham Hills and Hornsby interested in tourism in the region (based around Hawkesbury River) are in discussion about a regional tourism approach. This has included THI, Hawkesbury Harvest and other business from the local area along with business from the Galston Chamber of Commerce and from the Sydney Hills Tourism database (Baulkham Hills Council). The Taskforce was formed to progress the matter.

If a regional group forms, it is likely to be active in the Hawkesbury local government area and therefore is a (potential) relevant tourism industry association of interest to Council and its Tourism Program.

Details about the Taskforce and its activities include:

- The Taskforce held a meeting on 17 October 2007 and invited tourism operators and other interested parties to:
 - test industry interest in forming a regional tourism industry association (representing members); or
 - test industry interest in a regional tourism group (that might undertake marketing activities), including the regional tourism industry association and other stakeholders like the councils; and
 - advocate the development of a regional approach to growing tourism.
- The Taskforce has continued to meet to further explore and develop an approach and model (including charter) for the regional tourism industry association industry and a regional tourism body.
- The Taskforce intends to meet with each council's management and other stakeholders (eg. Chambers of Commerce, existing tourism associations/ groups) to inform them about the Taskforce progress, future direction and proposal for tourism in the region in April 2008;
- Once the Taskforce has met with councils management and other stakeholders, it will present its proposal to the tourism industry at a formal meeting. It is likely any decision to form a regional tourism industry association and or a regional tourism group would take place after this.

Comment

Council Officers will continue to liaise with and monitor the activities of the THI, BDTA and the Taskforce during the June 2008 quarter. It is likely all three will have a better idea on their future direction then. It is noted, all three are considering their role, activities and are addressing resource issues like members time, will and energy and finance sustainability.

In respect to part 1 of Council's resolution, the Visitor Information Centre will continue to be operated by Council. The Centre reports that for the March quarter 2008, visitors to the Centre still exceed on average 30 person per day with some days reporting visitors well over 50 eg. Easter Sunday had about 90 walk-ins. Vacancy rates for accommodation in the area is low due to a number of events and activities taking place locally and regionally, in particular Penrith. Accommodation bookings via the Centre are improving and trending upwards with March 2008 bookings totally \$9,447 (commission to centre of \$900).

In respect to part 3 of Council's resolution, Council Officers have met with staff of Baulkham Hills, Hornsby, Penrith, Blue Mountains and Lithgow Councils. All councils have indicated a willingness to collaborate on projects and strategic activities that are mutually beneficial to each local area and the region as they arise. For example, the Greater Blue Mountains Drive will be project that Lithgow, Blue Mountains, Penrith and Hawkesbury councils will work together in this case.

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Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

"Objective: A prosperous community sustained by a diverse local economy that encourages innovation and enterprise to attract people, to live, work and invest in the City."

Funding

Not applicable.

RECOMMENDATION:

That Council receive the Tourism Program - March 2008 Quarter Report.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 58 **GM - Business Skills Program 2008 - Update and new approach - (94915, 91811, 95498, 79351)**

REPORT:

Council at its meeting on 13 November 2007, considered a report on the outcomes of the Young Achievements Australia's (YAA) Business Skills Program 2007, which it sponsored in the Hawkesbury local government area, and resolved, in part:

"That Council:

3. *Request YAA to provide a breakdown on the sponsorship to better understand how sponsorship dollars are used.*
5. *Explore other opportunities for sponsoring a student business skills program in 2008 similar to YAA's - Business Skills Program; and where there is no opportunity identified, sponsor the YAA program a part of its local economic development initiatives."*

In respect to part 3 of Council's resolution, the request was made to better understand how the sponsorship amount related to the overall cost of a business skills program and therefore assess Council's sponsorship of the program. In particular, Council and the 2007 program mentors wished to understand if the sponsorship amount covered the overall cost of a program, noting that the student company had to raise its own operating capital, pay for its own business set-up costs (inc company taxes) and pay for the program kit supplied by YAA. Therefore, it appears the only other cost is the YAA's administration of the program. The sponsorship amount had about doubled from 2006 to 2007 to \$5,000.

A response letter from YAA was received in February 2008, which stated, in part:

"As previously advised YAA adopts a business model for its operations and takes an holistic approach to financial management, which does not isolate income and expenditure on a product by product basis. \$5,000 does not cover the program and we use other revenue streams to offset the costs of our operations."

In a subsequent telephone conversation with YAA staff, it was indicated that overall program costs to YAA exceeded the \$5,000 contribution by a sponsoring organisation and it receives Federal Government grants towards the delivery of its business skills program.

It is suggested that YAA should be able to provide any of its program sponsors with an indication of the overall running cost of a business skills program, so a sponsors' investment can be evaluated. Most businesses would be able to provide an indication of the cost of a program, as is advocated to the students participating in the said program. It is considered that the \$5,000 sponsorship amount is not justified, unless YAA can supply better details about program costs.

In respect to part 5 of Council's resolution, other student business skills programs available have been explored. Essentially, the YAA business skills program provides a group of local high school students (from any school) with the opportunity to run a real-life business over a period of about six months, selling shares, making and selling a product, and hopefully returning a profit to shareholders. The student company met outside school hours to run their business.

There are other student business skills programs that expose students to running a business and business enterprise. The main point of difference from YAA, is that these other programs do not require the students to run a real-life business, but focus on exposing the students to parts of business operations more so via structured learning exercises and simulated selling and trading. They focus on giving students a taste-of-business, which appears is easier for students to conceptualise than being responsible for every facet of a business. Examples include:

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| • Exporting for the Future Program | AusIndustry. Federal Government |
| • Youth Biz Workshops | Dept Industry, Tourism & Resources. Federal Government |
| • Adopt a School Programme & Banago Traders | Schools Industry Partnership - Dept Education, Employment & Workplace Relations. Federal Government |
| • Youth Enterprise & Leaders of Australia | Australian Business Week |
| • Share Markets Game | Australian Stock Exchange |

The Adopt a School Programme involves Year 11 Business Skills students working with adopted businesses to apply their class room business management skills in a real-world setting ie. they don't create their own business, but work with a business. Students profile their adopted business, address an identified issue and provide a business options report at the end of the program. The Banago Traders, involves Year 9 or 10 students participating in a business concepts simulation game that requires them to master parts of running a successful business eg. marketing strategies, cash flow handling, product supply and demand, shelf life of stock, market price movements, profit etc. Student teams are formed from generally business studies classes and banagos, a cross between a banana and a mango, are traded each week in class.

Of the five other business skills programs listed above, the programs offered by the Schools Industry Partnership provides the greatest opportunity to introduce students to business skills similar to the YAA's program. It is suggested that Council should consider being involved in the programs offered by Schools Industry Partnership, as an alternative to YAA, for a number of reasons, including:

- the programs are integrated with the school curriculum, which ensures a much higher student participation rate compared to the YAA program which was voluntary student activity;
- the programs are mainly delivered in the students existing learning environment (whether via teachers and mentors;
- the programs are administered by Schools Industry Partnership staff, who are based locally;
- Schools Industry Partnership sources other business supporters and partners from the business community itself;
- the programs are delivered over shorter time periods;
- the programs work on an in-kind support approach with adopted businesses and any other program partners, and is not dependant on sponsorship dollars to be offered in the area or in schools;
- Council Officer and mentor involvement would be less onerous than YAA; and
- Schools Industry Partnership has indicated a willingness to work with Council as perhaps its key partner to further develop its programs' presence in the area, to encourage greater inter-school participation and business participation, to provide practical experience so it is not just a game (eg. make and sell a product) and to develop student-mentor learning sessions at key points (eg. checkpoint learning sessions).

In exploring the Schools Industry Partnership programs, the 2007 YAA business skills program mentors were consulted. These mentors are keen to be involved in any business skills program Council wishes to undertake during the year and are willing to work with Council in developing the programs presence in the area. They are of the view that Council should consider trying an alternative to the YAA Program.

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With the above in mind, it is recommended that if Council wishes to continue with its student business skills program in the area, that it support the model offered by the Schools Industry Partnership programs during 2008. While the YAA program has been a success in the last two years for the students involved (up to 30 over two years) and with both student companies returning significant profits to shareholders; there are aspects of this program that are under performing. In particular student participation was low and sponsor commitment was high.

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

"Objective: A prosperous community sustained by a diverse local economy that encourages innovation and enterprise to attract people to live, work and invest in the City."

Funding

All costs will need to be met from approved budgets in the local economic development program.

RECOMMENDATION:

That:

1. Council's 2008 Hawkesbury Business Skills Program be delivered via the Adopt a School Programme and the Banago Traders programs offered by Schools Industry Partnership.
2. Council partner with Schools Industry Partnership to further develop its programs' presence in the area as an integrated Hawkesbury Business Skills Program.
3. Council invite the mentors from the 2007 Hawkesbury Business Skills Program, offered via Young Achievements Australia, to be mentors for the 2008 Hawkesbury Business Skills Program and to assist in program development in the area.

ATTACHMENTS:

AT - 1 School Industry Partnership Program Information Kit (*available at the meeting*).

oooO END OF REPORT Oooo

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Item: 59

GM - 4th Annual Australian Water Summit - (79351)

REPORT:

The 4th Annual Australian Water Summit, Sydney 2008, will be held from 29 April to 1 May 2008.

The presenters at the Water Summit will consist of a panel of water and climate change experts to discuss, debate (and deliver on) innovations in water management. The summit will also give the opportunity to hear from industry leaders about 21st century water demand and supply, while applying these lessons directly to business. Speakers and panel members will talk on the practicalities of managing scarce water resources, while ensuring security of supply this decade.

Cost of attendance at the 4th Annual Water Summit is \$2,519.00 plus travel expenses per delegate.

Budget for Delegate Expenses - Payments made

• Total Budget for Financial Year 2007/2008	\$46,961.00
• Expenditure to date	\$28,790.00
• Budget balance as at 1/4/08	\$18,181.00

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

"Investigating and planning the City's future in consultation with our community, and co-ordinating the human and financial resources to achieve this future."

Funding

Funding for this proposal will be from the Delegate Expenses Budget.

RECOMMENDATION:

That attendance by nominated Councillors, and staff as considered appropriate by the General Manager, at the 4th Annual Water Summit, Sydney 2008 to be held from 29 April to 1 May 2008 at a cost of \$2,519.00 plus travel expenses be delegate be approved.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

Item: 60**GM - Proposed New Staff Position - Planning Manager - (96329, 79351)**

REPORT:

The purpose of this report is to propose the creation of a new staff position of Planning Manager within the City Planning Directorate. The position would assist the Director City Planning in the management and day to day operation of the planning and development sections within the Division. The position is being proposed so as to address the more operational aspects of the planning operations of the Directorate thus enabling the Director to, more appropriately, concentrate on the strategic aspects of the Directorate. Funding for this position is possible to be allocated in the draft 2008/2009 budget.

Council Structure

Council is aware of the most recent restructure in June 2007 where the number of Directorates were reduced from five to three. In this restructure the Directorates of Commercial Strategy and External Services were primarily transferred to the City Planning, Support Services and Infrastructure Services Directorates with some additional functions placed under the direct control of the General Manager.

Prior to the restructure the functions of the City Planning Division related to the Strategic Planning and the Town Planning Services of Council (Development and Building). These functions were undertaken by 17 Full Time Equivalent staff with no Managers in the Division.

Following the restructure the City Planning Division retained the above functions and gained the functions of Regulatory Services (Environmental Health, Companion Animals, Compliance and Garbage collection), Community Services (Strategic component of Cultural Services) and Customer Services. This resulted in the City Planning staff numbers increasing from 17 to approximately 70. (However, this number has since reduced marginally with the positions within family day care and occasional care transferred to Peppercorn Services in December/January 2007.

This increase in functions of the Division has placed additional time constraints on the Director who can no longer, with the existing staff structure, devote the required time to manage and improve the development and planning functions of the Division and also provide appropriate and sufficient attention to the strategic activities of the Directorate.

Proposed City Planning Structure

Currently the structure of the City Planning Division has a manager for the Regulatory Services and Community Services sections. However, the Strategic Planning, Development Planning and Building control (DA assessment) sections do not have a dedicated manager and the current two coordinators and staff are immediately supervised by the Director. The nature of Town Planning Services (development assessment) is very process and labour intensive and requires a significant amount of hands on, direct supervision to ensure that procedures and processes are up to date and that the section deals accurately and efficiently with the significant amount of applications and enquiries that are made to Council.

The objective of the proposed position of Planning Manager would be to assist the Director in the day to day functions of the planning section and to undertake specific projects and reporting functions for the section. This would enable the Director to concentrate more appropriately on the strategic functions and overall management of the Division rather than being dominated by the day-to-day functions that are more appropriately dealt with by a manager. This would also enable the staff to obtain advice and guidance with decisions in a more immediate and timely manner.

Initially the specific functions of the manager would be to review and implement the action plan for the development application process. The aim of the action plan is to review the current processes and documentation currently used in order to update these processes to the current structure of the Council and to streamline the process to improve efficiency and consistency. Implementation of the action plan

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would also assist in focusing the customer service for the section to the varying needs of Council's customers.

The above action would enable the Director to focus on the immediate strategic functions of the section (Standard LEP conversion, preparation of employment, landuse, residential and rural strategies) and to further progress the strategic functions of the Directorate and Council. Ultimately the Planning Manager will be responsible for the management of the planning services (Development and Strategic) sections of the City Planning Division.

This proposed change is considered to be a relatively minor change to the organisational structure requiring Council's consideration as distinct from an operational change that would normally be implemented by the General Manager as part of the general functioning of the organisation.

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

"Objective: A prosperous community sustained by a diverse local economy that encourages innovation and enterprise to attract people to live, work and invest in the City."

Funding

The costs of creating the position of Planning Manager have been considered in association with the preparation of the 2008/2009 draft budget and the costs are able to be covered in that draft budget.

RECOMMENDATION:

That:

1. Council endorse the proposal to create the position of Planning Manager within the City Planning Directorate.
2. The total cost of that position be included in the budget for the 2008/2009 year and ongoing years.
3. The process of recruitment commence immediately pending the adoption of the 2008/2009 budget.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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CITY PLANNING

Item: 61 CP - Rural Tourist Facility - Lot 22 DP 1008088, 404 Grono Farm Road,
Wilberforce - (DA0803/07, 107814, 96329, 95498)

Development Information

Applicant: Lakemont Pty Ltd
Owner: Lakemont Pty Ltd
Stat. Provisions: Hawkesbury Local Environmental Plan 1989
Hawkesbury Development Control Plan
Area: 10.630 H
Zone: Environmental Protection - Agriculture Protection (Scenic) under Hawkesbury Local
Environment Plan 1989
Advertising: 12-27 December 2007 (Five submissions received)
Date Received: 21 November 2007

Key Issues: ♦ Development scale
 ♦ Signage

Recommendation: Approval

REPORT:

Introduction

The application seeks approval for a rural tourist facility on Lot 22 DP 1008088, 404 Grono Farm Road, Wilberforce.

The application is being reported to Council at the request of Councillor Rasmussen.

The Proposal

The application seeks approval for the erection of two attached single storey cabins on the subject land.

One cabin will contain one bedroom and the other will have two bedrooms, together with a kitchen, bathroom and dining/living room facilities. The cabins will be used for tourist accommodation.

The external colourbond walls of the proposed cabin building will be off -white in colour and the metal roof will be blue/grey in colour.

An identification sign, providing the name of the rural tourist facility, will be provided near the entrance to the site, and will have maximum dimensions of 300mm by 600mm.

Statutory Situation

Matters for Consideration under Section 79(c) of the Environmental Planning and Assessment Act 1979

- a) the provisions of:
- i) any environmental planning instrument (ie LEPs, REPs & SEPPs)

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Hawkesbury Local Environmental Plan 1989.

An assessment against the relevant clauses of Hawkesbury Local Environmental Plan 1989 follows:

The subject land is within the Environmental Protection - Agriculture Protection (Scenic) zone. The proposed development is best defined as 'rural tourist facilities' and is permissible with development consent.

The proposal is considered to be consistent with Hawkesbury Local Environmental Plan 1989, including the Environmental Protection - Agriculture Protection (Scenic) zone objectives.

Sydney Regional Environmental Planning Policy 20. (No.2 - 1997) - Hawkesbury - Nepean River (SREP No. 20).

It is considered that the proposed development will not significantly impact on the environment of the Hawkesbury-Nepean River, and that the development is not inconsistent with the general or specific aims, planning considerations, planning policies, recommended strategies and development controls.

State Environmental Planning Policy No. 55 - Remediation of Land

The subject land has been used for grazing and the growing of oats and lucerne within the past seven years. The application advises that there was up to 25 head of cattle on the property and that they were never drenched on the property. No chemicals were used, with the exception of round-up for trees.

Given the above, it is considered that there have been no activities carried out on the property within this timeframe which would render the soil contaminated to such a degree as to cause harm. It is further considered that a preliminary site investigation is not warranted. The application is consistent with the provisions of State Environmental Planning Policy No. 55.

State Environmental Planning Policy No. 64 – Advertising and Signage

The application includes the erection of a sign near the entrance to the site. SEPP No. 64 prohibits signs within Rural zones unless the signs are defined as 'building identification' signs or 'business identification' signs. Any consent can be conditioned to restrict the proposed sign to a 'building identification' sign or 'business identification' sign.

- ii) **any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority**

There are no draft planning instruments that are relevant to the proposed development.

- iii) **any development control plan applying to the land**

Hawkesbury Development Control Plan.

The proposal complies with the relevant Chapters contained within the Hawkesbury Development Control Plan.

- iv) **any matters prescribed by the regulations**

Conditions can be imposed to ensure that all development is in accordance with the Building Code of Australia.

- b) **the likely impacts the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality**

Consideration has been given to the relevant matters under s79C(1)(b) of the EP&A Act as shown below:

Context And Setting

The locality is predominantly used for rural residential purposes. The proposed development is consistent with this character and with adjoining landuses.

The proposal will have no unreasonable impacts on adjoining properties in terms of overshadowing, loss of privacy or views and vistas. Existing vegetation provides screening between the development and adjoining properties.

The proposed development is in keeping with the existing development in the locality in terms of scale, design and character. The external colours of the cabin building are in keeping with the existing dwelling house on the land. This is considered satisfactory given its limited visibility from the river.

Effluent Disposal

The land will be subject to onsite collection of water and disposal of effluent. An *'Effluent Disposal Feasibility Study'* Report, prepared by Barker Ryan Consulting P/L, was submitted in support of the application and satisfactorily demonstrates that on site disposal of wastewater, appropriate to the site, can be achieved for the development.

Natural Hazards

The subject land is located within an area of both major and insignificant bush fire risk. Approval for the proposal has been granted by NSW Rural Fire Services, subject to conditions. The building site is located above the 1 in 100 year flood level of 16.9mAHD, and the proposed development is consistent with Clause 25 of Hawkesbury Local Environmental Plan 1989 which provide development controls for development on flood liable land.

c) the suitability of the site for the development

There are no constraints from surrounding landuses that would prohibit this development. The proposed development will not lead to unmanageable traffic generation. Access to the site is satisfactory for the intended use. Adequate services and utilities are available to the site. There are no known hazardous landuses/activities nearby. Ambient noise levels are suitable for the development. The development will not impact upon critical habitats and threatened species, populations, ecological communities and habitats. The site is considered to be suitable for the development.

d) any submissions made in accordance with the EPA Act or Regulations

Following notification of the development from 12 December 2007 to 27 December 2007, five (5) submission were received. The matters raised in these submissions are addressed below:

- (a) Increased traffic/condition of Grono Farm Road
- (b) Provision of water, sewage and electricity
- (c) Flood and evacuation
- (d) Expansion of the development in the future/caravan park/water ski park/motor cycle riding
- (e) Noise from water ski boats/additional vehicles entering the property
- (f) Dust from the access driveway
- (g) Safety and security

Applicants Response

"As noted previously, it would appear that the main concern raised is a fear that the proposal is the first stage of a much more substantial development and that it is ultimately proposed to become a "water ski park". As we have indicated previously, the proposed development involves the construction of only (2) two small attached single storey holiday cabins. There is no proposal to

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provide any further tourist accommodation on the site and accordingly the very small scale of the development renders those concerns unfounded.

Similarly, the concerns regarding traffic generation, noise and the potential for anti-social behaviour from patrons of a much larger tourist facility are not applicable or relevant to the proposed development which is deliberately very low scale in nature and intensity.... "

Given the scale of the development it is estimated that the proposed development would generate approximately 2 additional vehicles to the site. It is considered that this increase will have no significant adverse impact on the locality in terms of traffic generation, noise or road condition. The access driveway to the property will be required to be upgraded to an all weather seal to prevent dust nuisance.

The satisfactory provision of water and electricity to the development can be clarified through conditions of consent. On site effluent disposal is suitable for the development.

The development site is located above the 1 in 100 year flood level, however the locality readily becomes isolated in times of flooding. It will be a requirement of any consent that a Flood Evacuation Plan be prepared for the development.

'Rural tourist facilities' are low scale by definition, and in comparison with 'tourist facilities'. 'Tourist facilities', which include such uses as caravans parks/water ski parks, are prohibited within the locality due to its zoning of Environmental Protection - Agriculture Protection (Scenic).

It is considered that the development may generate a maximum of two additional boats on the river at any one time. Noise generated from boats is regulated under the Protection of the Environment Operations Act.

It is considered that the proposed development will have a negligible impact on safety and security within the locality.

e) the public interest

The proposed development is considered to be in the public interest.

Conclusion

The proposed development is consistent with Hawkesbury Local Environmental Plan 1989 and Hawkesbury Development Control Plan. It is considered that the proposal is low scale and will have no adverse impact on the natural or built environment. Matters raised in the submissions do not warrant refusal of the proposed development.

RECOMMENDATION:

That the application for a rural tourist facility on Lot 22 DP 1008088, No. 404 Grono Farm Road, Wilberforce be approved subject to the following conditions:

NSW Rural Fire Service Conditions

Water and Utilities

1. Water, electricity and gas are to comply with section 4.1.3 of *Planning for Bush Fire Protection 2006*.
2. In recognition that an unreliable reticulated water supply exists, a 10000 litre dedicated water supply tank (non flammable or shielded from the threat) shall be provided.

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Evacuation and Emergency Management

3. The development of an emergency/evacuation plan is to be prepared consistent with the NSW Rural Fire Service Guidelines for the Preparation of Emergency/Evacuation Plan for implementation by the occupants in the event of a required evacuation.

Hawkesbury City Council Conditions

General

1. The development shall take place in accordance with the stamped plans, specifications and accompanying documentation submitted with the application except as modified by these further conditions.
2. No excavation, site works or building works shall be commenced prior to the issue of an appropriate Construction Certificate.
3. The approved use shall not commence until all conditions of this Development Consent have been complied with.
4. The building shall not be used or occupied prior to the issue of an Occupation Certificate.
5. The development shall comply with the provisions of the Building Code of Australia at all times, with respect to smoke and flame index of materials, emergency lighting, exit signs and fire fighting facilities.
6. The development shall comply with the Environmental Planning and Assessment Act, 1979 at all times.
7. The accredited certifier shall provide copies of all Part 4 certificates issued under the Environmental Planning and Assessment Act, 1979 relevant to this development to Hawkesbury City Council within 7 (seven) days of issuing the certificate. A registration fee applies.
8. Hawkesbury City Council is the sewer authority for this development, inspection for compliance certification for internal and external sewer drainage shall be requested and approved prior to covering any pipe. An inspection fee applies.
9. Only one (1) sign is permitted on the property. This proposed advertising sign shall comply with the provisions of State Environmental Planning Policy No. 64 in respect to 'building identification' sign or 'business identification' sign. The sign shall have maximum dimensions of 300mm by 600mm and a maximum height above natural ground level of 2.5m, and shall be located within the property boundaries.

Prior to Issue of the Construction Certificate

10. An Environmental Management and Rehabilitation Plan for the development site shall be prepared by an appropriately qualified person. The Plan shall address (without being limited to) the clearing of vegetation, lopping and removal of trees, earthworks, erosion control, site rehabilitation and landscaping.

All site works shall be carried out in accordance with the Plan. Implementation of the Plan shall be supervised by an appropriately qualified person.

11. Construction of the road, access, car park, drainage and retaining walls are not to commence until three (3) copies of the plans and specifications of the proposed works are submitted to and approved by the Director City Planning or an Accredited Certifier.

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12. Payment of a Construction Certificate checking fee of \$267.00 and a Compliance Certificate inspection fee of \$541.00 when submitting Civil Engineering Plans for approval. This amount is valid until 30 June 2008. Fees required if an Accredited Certifier is used will be provided on request.

Prior to Commencement of Works

13. Erosion and sediment control devices are to be installed and maintained at all times during site works and construction. The enclosed warning sign shall be affixed to the sediment fence/erosion control device.
14. A Sewer Management Facility System application shall be submitted to and approved, in writing, by Council prior to the facility construction works commencing.
15. A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 shall be supplied to the principal certifying authority prior to commencement of works.
16. A copy of receipt of payment of Long Service Levy shall be provided to the Principal Certifying Authority prior to any works commencing on site. Payments can be made at Long Service Corporation offices or most Councils.
17. The applicant shall advise Council of the name, address and contact number of the principal certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1979.
18. At least two days prior to commencement of works, notice is to be given to Hawkesbury City Council, in accordance with the Environmental Planning and Assessment Regulation.
19. Toilet facilities (to the satisfaction of Council) shall be provided for workmen throughout the course of building operations. Such facility shall be located wholly within the property boundary.
20. A sign displaying the following information is to be erected adjacent to each access point and to be easily seen from the public road. The sign is to be maintained for the duration of works:
 - a. Unauthorised access to the site is prohibited.
 - b. The owner of the site.
 - c. The person/company carrying out the site works and telephone number (including 24 hour 7 days emergency numbers).
 - d. The name and contact number of the Principal Certifying Authority.
21. A qualified Structural Engineer's design for all reinforced concrete and structural steel shall be provided to the Principal Certifying Authority prior to any works commencing on site.

During Construction

22. The development shall be completed in accordance with the approved colours and finishes and shall not be altered without the prior written approval from Council.
23. Any water tanks or other ancillary structures shall be finished in colours and materials to match those of the approved development.
24. No trees are to be removed without the written approval of Council.
25. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted.

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26. Site and building works (including the delivery of materials to and from the property) shall be carried out only on Monday to Friday between 7am – 6pm and on Saturdays between 8am – 4pm.
27. The site shall be kept clean and tidy during the construction period and all unused building materials and rubbish shall be removed from the site upon completion of the project. The following restrictions apply during construction:
 - a. Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path or easement, natural watercourse, footpath, kerb or road surface and shall have measures in place to prevent the movement of such material off site.
 - b. Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken only within the site.
 - c. Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a Waste Disposal Depot.
28. All roofwater shall be drained to the water storage vessel/s.
29. All natural and subsurface water-flow shall not be re-directed or concentrated to adjoining properties. Water flows shall follow the original flow direction without increased velocity.
30. All civil construction works required by this consent shall be in accordance with Hawkesbury Development Control Plan appendix E Civil Works Specification.
31. Two (2) off-street car parking spaces, together with access driveways and turning areas, shall be constructed, paved, line marked, signposted and maintained, and located adjacent to the cabins.
32. Removal of the existing layback crossing and construction of a new layback 6 metres wide to provide suitable access to the site.
33. A bitumen sealed rural footway crossing 6m wide shall be constructed to the development in accordance with Hawkesbury Development Control Plan Appendix E, Civil Works Specification.

Prior to Issue of a Final Occupation Certificate

34. Compliance with all conditions of this development consent.
35. The applicant shall prepare a flood emergency evacuation and management plan for the development. The plan shall advise occupants of flood evacuation procedures and emergency telephone numbers. The applicant shall contact Council and the NSW State Emergency Service for advice in the preparation of the plan. The evacuation procedures shall be permanently fixed to the building in a prominent location and maintained at all times.
36. A Certificate from a telecommunications carrier confirming that provision has been made for services to the development shall be submitted to the Principal Certifying Authority.
37. Written clearance from Integral Energy shall be submitted to the Principal Certifying Authority.

Use of the Development

38. No internal or external alterations shall be carried out without prior written approval of Council.
39. The development shall be conducted in such a manner that the LA(eq) noise levels, measured at any point in accordance with the NSW EPA's Industrial Noise Policy (2000), do not exceed 5dB(A) LA(eq) above background noise levels with respect to noise amenity of residential dwellings.
40. No advertising signs or structures shall be erected, displayed or affixed on any building or land without prior written approval from Council.

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41. Any external lighting shall be directed in such a manner so that no nuisance is caused to adjoining properties or to drivers on surrounding streets.
42. The cabins shall not be used for permanent occupation as a residence.
43. The cabins shall only be used for short term tourist accommodation with a maximum of three weeks in any one period.
44. A copy of the guest register is to be provided to Council Officers every six (6) months commencing from the date of the issue of any occupation certificate for the use as rural tourist facility.

Advisory

- *** The applicant shall make themselves aware of the Discrimination Against People with Disabilities Act (DDA) and assess their responsibilities and liabilities with regards to the provision of access for all people.
- *** Should any aboriginal site or relic be disturbed or uncovered during the construction of this development, all work should cease and the National Parks and Wildlife Service consulted. Any person who knowingly disturbs an aboriginal site or relic is liable to prosecution under the National Parks and Wildlife Act 1974.
- *** Non-compliance with any condition of this development consent may result in a penalty notice being issued by Council.
- *** The applicant is advised to consult with:
 - (a) Sydney Water Corporation Limited
 - (b) Integral Energy
 - (b) a local telecommunications carrierregarding their requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on site or on the adjacent public roads.
- *** The developer is responsible for all costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed subdivision. Such utilities include water, sewerage, drainage, power, communication, footways, kerb and gutter.

ATTACHMENTS:

- AT - 1** Locality Plan
- AT - 2** Site Plan
- AT - 3** Elevations

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AT - 1 Locality Plan

**To View This Image,
Please Refer to the Separate
Attachments Document (Maps)**

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AT - 2 Site Plan

**To View This Image,
Please Refer to the Separate
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ORDINARY MEETING

Meeting Date: 8 April 2008

AT - 3 Elevations

**To View This Image,
Please Refer to the Separate
Attachments Document (Maps)**

oooO END OF REPORT Oooo

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Item: 62 **CP - Two Lot Subdivision - Lot 3 DP749638, 476 Springwood Road, Yarramundi - (DA0885/07, 27695, 102260)**

Development Information

Applicant: Montgomery Planning Solutions
Applicants Rep: Robert Montgomery
Owner: Mrs D Williams
Stat. Provisions: Hawkesbury Local Environmental Plan 1989
 State Environmental Planning Policy No. 1
Area: 2.130H
Zone: Mixed Agriculture under Hawkesbury Local Environmental Plan 1989
Advertising: 21 December 2007 to 16 January 2008
Date Received: 14 December 2007

Key Issues: ♦ Permissibility

Recommendation: Refusal

REPORT:

Introduction

The application seeks approval for a two lot subdivision of Lot 3 DP 749638, 476 Springwood Road, Yarramundi.

The application is being reported to Council at the request of Councillor Devine.

Property Background

08.06.1990 Amendment No. 1 to Hawkesbury Local Environmental Plan 1989 was gazetted to permit the subdivision known as Nepean Park at Yarramundi.

14.05.1993 Property bought by Grant Williams and Danielle Williams.

20.02.1997 Mr & Mrs Williams were notified of the subdivision application for Nepean Park (SA 156/96-1)

27.07.2000 Mr & Mrs Williams attended a Development Advisory Panel to discuss the subdivision potential of the property, and were advised that support of subdivision or rezoning was unlikely.

09.08.2000 Letter confirming non support of subdivision and rezoning.
"It is also unlikely that a "spot rezoning" to allow subdivision as you proposed at the meeting would be supported as it would not consider the broader implications; set undesirable precedents; create inconsistencies in Council's planning strategies and studies undertaken by Council."

02.01.2001 Letter from Mr Falson, acting on behalf of Mr & Mrs Williams, in respect to the subdivision of the land.

21.05.2001 Response to Mr Falsons letter. Also advised that a preliminary assessment as to the feasibility of rezoning the property is being carried out.

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- June 2001 Submission of a Wastewater Feasibility Study for a four lot subdivision. Site Inspection carried out by Manager Environment and Development.
- 11.07.2001 Letter to Mr & Mrs Williams advising "*any support for a change in the zoning of the property would be based on a sewer connection to the adjoining Nepean Park Sewerage System*" and should they wish to pursue the matter a formal request for rezoning be submitted.
- Late 2001 Report on the matter called to Council by Councillor Rasmussen.
- 28.05.2002 Report to Council Meeting. Matter deferred pending site inspection.
- 25.06.2002 Reported back to Council.
Resolution by Recision Motion: "*That Council not resolve to support the amendment of the Local Environmental Plan to permit subdivision of the Yarramundi Plan outside the provisions of the LEP*"
- 09.09.2002 Letter advising Mr & Mrs Williams of Council resolution.
- 29/5/2007 In relation to a report on the progress of the conversion of the LEP to the standard Template, Council, in part, made the following resolution:
- "The land adjoining Nepean Park (Springwood Road, Yarramundi) owned by Mrs Williams be subject to a further report to Council following the release of the State Government Subregional Strategy."*
- The intent of the above resolution is to address the issues of the subject site in a strategic manner in the context of the Subregional Strategy. A report on preliminary issues to the preparation of a residential strategy for the Hawkesbury is expected to be reported to Council in the near future.

The Proposal

The application seeks approval for a two lot subdivision of Lot 3 DP 749638, 476 Springwood Road, Yarramundi. The subject land is 2.13 hectares in size and contains an existing dwelling house. The proposed lots will have the following attributes:

Proposed Lot 1 - will have an area of 1.05 hectares and will contain the existing dwelling house;

Proposed Lot 2 - will have an area of 1.08 hectares and will contain the existing dam.

Statutory Situation

Matters for Consideration under Section 79(c) of the Environmental Planning and Assessment Act 1979

a) the provisions of:

i) any environmental planning instrument (ie LEPs, REPs & SEPPs)

Hawkesbury Local Environmental Plan 1989 (HLEP 1989)

An assessment against the relevant clauses of Hawkesbury Local Environmental Plan 1989 follows:

The subject land is zoned Mixed Agriculture. Subdivision of the land within the Mixed Agriculture zone is permissible only if the area of each of the allotments to be created is not less than 10 hectares (if the subdivision is not a lot averaging subdivision).

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The proposed subdivision is not a lot averaging subdivision. Proposed Lot 1 will have an area of 1.05 hectares and Proposed Lot 2 will have an area of 1.08 hectares. These allotment sizes are inconsistent with the requirements of the Local Environmental Plan.

An objection under State Environmental Planning Policy No. 1 (SEPP 1) was submitted in support of the variation from the minimum lot size requirement. This is discussed below.

The objectives of the Mixed Agriculture zone are:

- (a) *to encourage existing sustainable agricultural activities,*
- (b) *to ensure that development does not create or contribute to rural land use conflicts,*
- (c) *to encourage agricultural activities that do not rely on highly fertile land,*
- (d) *to prevent fragmentation of agricultural land,*
- (e) *to ensure that agricultural activities occur in a manner:*
 - i. *that does not have a significant adverse effect on water catchments, including surface and groundwater quality and flows, land surface conditions and important ecosystems such as streams and wetlands, and*
 - ii. *that satisfies best practice guidelines and best management practices,*
- (f) *to promote the conservation and enhancement of local native vegetation, including the habitat of threatened species, populations and ecological communities by encouraging development to occur in area already cleared of vegetation,*
- (g) *to ensure that development retains or enhances existing landscape values that include a distinctive agricultural component,*
- (h) *to prevent the establishment of traffic generating development along main and arterial roads,*
- (i) *to control outdoor advertising so that it does not disfigure the rural landscape,*
- (j) *to ensure that development does not create unreasonable economic demands for the provision or extension of public amenities or services.*

State Environmental Planning Policy No. 1 - Development Standard

An objection under State Environmental Planning Policy No. 1 was lodged in respect to the variation from the minimum allotment size requirement of Hawkesbury Local Environmental Plan 1989.

The Objection under State Environmental Planning Policy No. 1, submitted with the development application states:

Grounds for Objection

1. *The land is 2.13ha in area. It is surrounded by the Nepean Park Estate, which comprises some 100 rural residential lots ranging in size from 3,000m² to 6,000m² and yet has the same Mixed Agricultural zoning as the subject land.*
2. *As demonstrated in the aerial view, the rural amenity of the land has clearly been removed as a result of the adjoining residential development.*
3. *The proposed allotments will be in context and character with the surrounding allotments. This is demonstrated by the aerial view.*
4. *The land is not large enough to have any potential for viable agriculture. Also the close proximity to residences would preclude any intensive agriculture on the land.*
5. *The proposed lots comply with the requirements of the subdivision chapter of Hawkesbury Development Control Plan.*
6. *The site plan and effluent disposal report demonstrate that there is sufficient room for the erection of a dwelling and effluent disposal, with sufficient flexibility for orientation and design of a dwelling.*

7. *The proposal will not create any land use conflict within the zone.*
8. *It is submitted that the proposal will create no additional impact, given that all surrounding properties are developed for residential dwellings.*

Land and Environment Court Planning Principle

In a recent Land and Environment Court hearing *Wehbe v Pittwater Council* [2007] NSWLEC 827 - 21 December 2007, CJ Preston provided principles by which to assess an objection made under State Environmental Planning Policy No. 1.

The Chief Judge suggests that support of an Objection be based on the following:

- (a) That the objection is well founded
- (b) That the granting of consent is consistent with the aims of SEPP 1
- (c) That the matters identified in Clause 8 to SEPP 1 are satisfied:
 - i. Whether non-compliance with the development standard raises any matter of significance for State or regional environmental planning, and
 - ii. The public benefit of maintaining the planning control adopted by the environmental planning instrument.

The aim of SEPP No. 1 is to *"provide flexibility in the application of planning controls operating by virtue of development standards in circumstances where strict compliance with those standards would, in any particular case, be unreasonable or unnecessary or tend to hinder the attainment of the objects specified in section 5 (a)(i) and (ii) of the Act."*

The Chief Judge further identified ways in which it can be demonstrated that strict compliance with a standard would be unnecessary and unreasonable:

1. *"The objectives of the development standard are achieved notwithstanding non-compliance with the standard."*
2. *Establish that the underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary.*
3. *Establish that the underlying objective or purpose would be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable.*
4. *Establish that the development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable.*
5. *Establish that "the zoning of particular land" was "unreasonable or inappropriate" so that "a development standard appropriate for that zoning was also unreasonable or unnecessary as it applied to that land" and that "compliance with the standard in that case would also be unreasonable or unnecessary"*

Assessment of applicants SEPP 1 Objection

The main objective of the standard is to conserve larger parcels of rural land to preserve the potential for the land to be used for agricultural purposes, especially those uses which require larger areas. In turn, the larger lot sizes ensure that conflicts between agricultural activities and other types of development are minimised. This was reinforced with the preparation of the Hawkesbury Sustainable Agriculture Development Strategy and the subsequent gazettal

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of Amendment No. 108 to Hawkesbury Local Environmental Plan 1989, and is particularly reflected within objectives (b), (c) (d) and (g) of the Mixed Agriculture zone.

The SEPP 1 objection attempts to demonstrate that the objective of the standard is not relevant to the development by asserting that the land is not of sufficient size for viable agriculture, and that, due to its proximity to the dwelling houses within Nepean Park, intensive agriculture would be prevented. The applicant provides further advice in this respect, stating that *"the land is mapped as Class 4 agricultural land in the Agricultural Land Classification Atlas. Class 4 is described as:*

"Land suitable for grazing but not for cultivation. Agriculture is based on native pastures or improved pastures established using minimum tillage techniques. Production may be seasonally high but the overall production level is low as a result of major environmental constraints."

This is not considered valid as the size of the land, its location and classification does not prevent its use for grazing, hydroponics, orcharding and the like. The location of land in respect to proximity of residences does not automatically prohibit the development of the land for agriculture or intensive agriculture. Additional factors include the set out of the development, the inclusion of buffer areas and landscaping, and the management practices of the activity. For example, hydroponically grown produce within glass houses/shade structures would have minimal impacts on adjoining properties with respect to odours, spray drift, dust, water run off etc.

Further, the SEPP 1 objection does not demonstrate that development that complies with the development standard would be unreasonable or unnecessary. The Chief Judges determination identified that *"such a consideration is relevant in determining whether compliance with the development standard is unreasonable or unnecessary in the circumstances of the case."* The retention of the existing lot at 2.13 hectares is not considered to be unnecessary or unreasonable given that this land area would allow for agricultural uses with increased flexibility in design, thereby ensuring compliance with planning controls and minimising adverse environmental impacts/land use conflicts.

Should the current owner not pursue agricultural activities on the land, it does not follow that the land is appropriate for subdivision.

The Chief Judge also advised that:

"The requirement that the consent authority form the opinion that granting consent to the development application is consistent with the aims of SEPP 1 makes it relevant to consider whether consent to the particular development application encourages what may be summarised as considered and planned development" or conversely may hinder a strategic approach to planning and development"

As Council is aware, subdivision of rural lands has been extensively examined in previous years through the Hawkesbury Sustainable Agricultural Development Strategy (HSADS) and the subsequent gazettal of Amendment 108 in August 2006. The aim of these strategies was to retain existing agricultural activities as well as to encourage new activities within appropriate zones. The Strategy did not recommend changes to zone boundaries nor minimum allotment sizes for subdivision.

Similarly, Council will recall that the draft North West Subregional Strategy contained a number of actions relevant to the Hawkesbury. The most relevant being the action to prepare a residential strategy. Given the above issues and the Council resolution of 29 May 2007, it is more appropriate to address the issue of land in proximity to existing estates in a strategic context via the residential strategy rather than via the provisions of SEPP 1.

"An objection cannot be used as a means to effect general planning changes throughout a local government area"

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The proposed subdivision is likely to set a precedent for other properties to be subdivided in the locality, which would greatly undermine the purpose of the standard. This is evidenced by the fact that Council has independently received a submission representing a number of properties fronting Hillcrest and Springwood Roads (adjoining the southern boundary of the Nepean Park Estate) expressing the desire to subdivide their properties into some 21 additional allotments. The submission attempts to justify this proposed subdivision/rezoning on the basis of the proximity of the land to the existing Nepean Park Estate. This separate submission indicates the real potential of a SEPP 1 matter setting an undesirable precedent.

Should Council seek to pursue an alternate arrangement for its rural lands this should be done at the strategic level and not in an adhoc manner such as the proposed subdivision.

In view of the above, the objection made under SEPP 1 is not supported.

Referral to the Department of Planning

Clause 7 to State Environmental Planning Policy No. 1 requires the concurrence of the Director, Department of Planning. Correspondence with the Department of Planning was as follows:

14.12.2007 Application referred to the Department of Planning. The letter to the Department was as follows:

"Council received a development application on 14/12/2007 for a two lot subdivision at the above address.

The enclosed application is referred to you for consideration as to whether or not to grant concurrence in accordance with the provisions of State Environmental Planning Policy No.1 - Development Standards."

08.01.2008 Copy of locality map showing lot sizes and a copy of Council officers letter to the applicant faxed to Department of Planning at their request. Telephone discussion with Department officer shortly after explaining that matter has been called to Council.

12.02.2008 Letter received from Department of Planning advising that *the Director-General does not grant concurrence to the approval of the proposed subdivision, for the following reasons:*

The minimum lot size permissible for subdivision in zone Mixed Agriculture of the Hawkesbury Local Environmental Plan (LEP) 1989 is 10ha. The subject proposal seeks a significant reduction in the permitted lot size under the development standard for the Mixed Agriculture Zone.

The granting of concurrence to the subject development application would set a precedent for other subdivision applications in the vicinity. This precedent and its impact will undermine the objectives of the zone and the Hawkesbury LEP 1989.

In this light it is considered that there is a public benefit in maintaining the development standard in the environmental planning instrument.

ii) **any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority**

There are no draft environmental planning instruments relevant to this application.

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iii) any development control plan applying to the land

The Hawkesbury Development Control Plan applies to the proposal. The proposed development is generally consistent with the relevant Chapters of this Plan.

iv) any matters prescribed by the regulations

There are no relevant prescribed matters.

b) the likely impacts the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

Cumulative Impact

It is considered that the proposed development will set an undesirable precedent with respect to the subdivision and fragmentation of agricultural land. This opinion is supported by the correspondence from adjoining property owners in Hillcrest and Springwood Roads (mentioned previously in this report).

c) the suitability of the site for the development

The site is considered unsuitable for subdivision.

d) any submissions made in accordance with the EPA Act or Regulations

The application was notified for the period 21/12/2007 to 16/01/2008. One submission was received from the Nepean Park Community Association DP 270191.

The submission raised concern with respect to current and future access to the subject land via a right of carriageway over land associated with Nepean Park; the main issues being its condition and future maintenance.

e) the public interest

In view of the above, it is considered that approval of the development is not in the public interest.

Conclusion

It is noted that Amendment No. 1 to Hawkesbury Local Environmental Plan 1989 provided for the subsequent approval of the Nepean Park subdivision. This amendment was gazetted in June 1990. Since this time there have been several amendments reflecting better land use practices in relation to the City's rural lands, including Amendment 108.

The current proposal is not consistent with the minimum allotment size requirement for subdivision of Hawkesbury Local Environmental Plan 1989. The application fails to demonstrate that strict compliance with the minimum lot size requirement is unreasonable or unnecessary and therefore the objection under SEPP No. 1 cannot be supported. The circumstances of this application are not unique to the site and therefore the proposed subdivision will result in an undesirable precedent.

In addition, the Department of Planning does not grant their concurrence to the approval of the subdivision. As a result Council can not grant consent to this application under the provisions of SEPP 1,

Therefore the application is recommended for refusal.

RECOMMENDATION:

That the application for a two lot subdivision of Lot 3 DP 749638, 476 Springwood Road, Yarramundi be refused for the following reasons:

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1. The proposed development is prohibited under the provision of Hawkesbury Local Environmental Plan 1989.
2. The proposed development is prohibited under Clause 7 of State Environmental Planning Policy No. 1 in that the Director-General of the Department of Planning has not granted concurrence to the proposed subdivision,
3. The approval of the proposed development will set an undesirable precedent, and is therefore not in the public interest.

ATTACHMENTS:

AT - 1 Locality Plan

AT - 2 Subdivision Plan

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AT - 1 Locality Plan

**To View This Image,
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Attachments Document (Maps)**

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AT - 2 Subdivision Plan

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Item: 63 **CP - Modification to Development Consent - Two Storey Dwelling - Lot 25 DP 742749, 17 North Street, Windsor - (DA0602/07, BA0007/73, 4791, 102200, 96329, 95498)**

Development Information

Applicant: N Billyard
Owner: Mr AF James
Stat. Provisions: Hawkesbury Local Environmental Plan 1989
Area: 1,366 sqm
Zone: Environmental Protection Mixed Agriculture
Advertising: 9 November 2007 to 23 November 2007
Date Received: 2 October 2007

Key Issues:

- ◆ Substantial Commencement of Building Approval
- ◆ Loss of views/overshadowing

Recommendation: Approval

REPORT:

This application was reported to the Council meeting of 26 February 2008 where Council resolved the following:

"That this matter be deferred pending a further report to Council regarding details associated with the previous appeal to the Land and Environment Court."

At that meeting other matters regarding this property were also requested to be addressed in this report, including; does the property benefit from a Right of Way at the rear; liability issues if this application was approved; original approved plans containing approval stamp.

The above matters have been added to the following report in the appropriate sections.

Introduction

The applicant seeks to modify BA0007/73 under Section 96 of the EPA Act. Details of the modification are outlined in the report. The application is being reported to Council given the age of the building consent and the previous history of the site.

However, it should be noted that the current application is to modify the approval granted in 1973. The issue of permissibility of the original development, ie, whether a dwelling should be approved on the site, is beyond the scope of the current application.

Background

The site has an extensive history of various individual applications for the construction of a two storey dwelling on this property. The following is a brief History:

1973 Building application BA0007/73 approved for a dwelling. There are no current plans however Council's Building register indicates that an approval was issued.

1974 Amended plans submitted by Huxley homes and approved by Council.

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- 1975 Footings were constructed for a dwelling associated with BA0007/73 (no further works were completed).
- 1990 Application to fill lots 2, 3 and 25. Approved lots 2 and 3, refused lot 25
- 1996 New development application for a two storey dwelling was refused by Council.
- 2001 Development application lodged for a two storey dwelling. The application was refused and the applicant appealed, in 2002, against Council's decision in the Land and Environment Court. The appeal was dismissed on the grounds that the development was not permissible under the provisions of Clause 25 of the Hawkesbury LEP 1989.
- 2006 A development application was lodged for a two storey dwelling and subsequently withdrawn.

Details of 2002 Land and Environment Court appeal

In August 2002 the applicant appealed to the Land and Environment Court against the refusal by Council of a development application (DA0266/01) to erect a two storey dwelling, with a third level in the roof. The reasons for the Council refusal were as follows:

1. The proposed development is inconsistent with the aims and objectives of Hawkesbury Local Environmental Plan 1989.
2. The proposed development will have an adverse impact on the neighbouring property in terms of privacy and access to sunlight.
3. The proposed development is unacceptable in terms of bulk and design.
4. Approval of the proposed development is not in the public interest, as there is not an acceptable evacuation route in times of flood.

However, at the commencement of the hearing, the Council's legal representative argued that the proposal was not permissible. As such, the Court dealt with the permissibility issue first.

The permissibility issue related to Clause 25 of the Hawkesbury LEP 1989, specifically Clause 25(8) which states the following:

"Notwithstanding subclauses (2) and (3), a dwelling or other building may, with the consent of the council, be erected on an area of land which has a level not less than 3 metres below the floor height standard for the land immediately before the commencement day. However, the council shall not grant consent for development pursuant to this subclause after 30 June 2002."

As the Court hearing was after the above date (30 June 2002) the Senior Commissioner, Dr John Roseth, stated the following:

"I do not think that the date in cl25(8) (or any other date in a planning instrument) is a development standard. The Court does not have the power to vary it."

As a result of this the Court deemed that the proposal was not permissible due to the "sunset" provisions in Clause 25(8) of the LEP 1989, ie, approval not possible after 30 June 2002. As such, the appeal was dismissed and the merit issues were not addressed by the Court.

The details of DA0266/01 and the matters considered by the Land and Environment Court are not relevant to the current application to modify the 1973 approval for the following reasons:

- The Hawkesbury LEP 1989 and Clause 25 were not in force when the application, the subject of the current modification assessment report, was approved, ie, in 1973,
- The current application is for the modification of a previous approval. A Section 96 application can only address and assess the matters that are relevant to the proposal. In this case the design and

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layout of the dwelling are proposed to be changed. It is not possible for the Section 96 application to "revisit" the original approval and 'redetermine' that application.

Description of Proposal

The Development Application involves a Section 96 application to amend the original design approved under BA0007/73.

The property is rectangular in shape and is located on the corner of Palmer Street and North Street. The front elevation of the dwelling will face Palmer Street.

The footings currently on the site were constructed in 1975 and the applicant has submitted a copy of the original Huxley Homes building plans that align with the footings on the site. These plans were obtained from the firm *Kneebone, Beretta & Hall Pty Ltd, Consulting Structural & Civil Engineers*. This firm had inspected pier holes, trenches and reinforcing steel for the footings on the site on 18/8/75, 19/8/75, 20/8/75 and 21/8/75. A copy of the certification letter, dated 4 September 1975, and the engineering design for the footings on the site (which match the Huxley Homes plans) have also been submitted with the current application. These documents verify that the footings were constructed in accordance with the plan. Whilst a copy of the actual stamped approved building plans cannot be located, the documents submitted with the application seem to indicate that there was an approval in place and the footings located on the site were constructed lawfully.

As such, the applicant can continue with construction in accordance with the original approved plans as they have established substantial, physical commencement by constructing the footings on site.

The applicant would now like to modify the design to incorporate changes in architectural design, energy efficiency and to address issues raised in the previous unsuccessful applications.

The Modifications involves:

- A slight reduction in the roof height of the plans approved for Huxley Homes and a major reduction in roof height of the unsuccessful application in 2001.
- Reduction in the number of first floor windows facing the adjoining property and obscure glass blocks have been incorporated in the design to address issues of privacy. The building will be constructed on the original footings and occupies the original approved footprint.
- Internal modifications to the floor plan.

Plans of the original approved dwelling and amendments are available in the Council Chambers. The approximate level of the existing footings is 12.5m AHD.

Current Approval

It has been satisfactorily established that building approval was issued in 1973 for a dwelling and the plans were amended in 1974. Although the Council file is no longer available, a copy of the two storey dwelling plan prepared by Huxley Homes is available on the current Council file and it corresponds to the footing plan which were constructed in 1975. These plans were provided by the engineering firm *Kneebone, Beretta & Hall Pty Ltd, Consulting Structural & Civil Engineers*. This information is confirmed in Council's Building Register for 1973-1974.

As this dwelling is an existing approval and has established a physical commencement of that approval, the approval is current. Although the flood controls have now changed (currently 17.3m AHD at Windsor for 1 in 100 year level. At the time of the original approval the flood level was 12.2m AHD). The relevant provisions at the time of the original approval are relevant to this application and the existing controls contained in the Hawkesbury LEP 1989 and the current DCP do not apply from a Statutory viewpoint. As such, liability to Council for dealing with this current modification is no different to any liability that currently

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exists for the existing dwellings that surround the site. However, this liability would change if this was a new application where an approval did not already exist.

At the meeting of 26 February 2008 a question arose regarding whether the site had the benefit of a 'Right of Way' over adjoining properties for the purpose of flood evacuation. A title search was undertaken for the property on 20 March 2008 which shows that the property has a qualified title (old system property) and does not indicate any 'Right of Way' appurtenant to the site.

Public Consultation

The application was placed on public notification and two submissions were received from the owners of 17 and 19 North Street, Windsor.

The submissions raised the following matters:

1. *Overshadowing*

Shadow diagrams were provided with the application. The adjoining property (19 North Street) will be affected by morning shadow (9am) that will fall partly on their dwelling and on their detached garage. It is considered that the amount and extent of shadowing by the amended proposal will be acceptable as there is no increase in the shadow impact when compared to the 1973 approved plans by Huxley Homes which can be completed at any time. It should be noted that the proposed amended plans would actually reduce the impact on overshadowing the adjoining property due to the reduced height (approximately 400mm lower roof ridge line) of the amended design.

2. *Loss of views & depreciation in land value.*

The dwelling on the adjoining property (No. 19) is a single storey with a two storey addition that appears to have been constructed at a later date. The dwelling faces south towards North Street and the addition faces east towards Palmer Street. There will be some loss of view towards Palmer Street. However, it should not be assumed that the adjoining property has a right to a view over an adjoining property, particularly when there is an existing approval for a dwelling on that property. It is considered that the amended plans are in keeping with the original development and would offer a reduced impact than the original plans by Huxley Homes. There will be less impact on privacy as the number of windows to the South West elevation on the first floor have been reduced and the first floor patio has been provided with a timber screen.

There has been no evidence to support a claim of depreciation in land value.

Assessment of Section 96

Section 96 (2)

The amended plans are considered to be substantially the same development approved by Council in 1973. The amended plans occupy generally the same foot print as the approved plans proposed by Huxley Homes in 1973. The development is two storey in nature with an enclosed sub floor and habitable rooms upstairs.

The development has a similar roof design (with a lower roof pitch), floor area and layout to the approved plans prepared by Huxley Homes in 1973. Modifications to the external appearance relate to window location, which include glass bricks or obscured glass, and are generally cosmetic.

The application can be considered under Section 96 of the EPA Act.

Planning Assessment

a) The provisions of:

- i) any environmental planning instrument (ie LEPS, REPs & SEPPs).

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The subject property is zoned Housing under Hawkesbury Local Environmental Plan 1989.

The Planning Instruments which are considered to control development on the site are:
Sydney regional Environmental Planning Policy 20.

Hawkesbury City Council Local Environmental Plan 1989. (HLEP)

Comment: The proposed amendment is not inconsistent with the relevant Planning Instruments. It should also be noted that the provisions of these instruments, in relation to permissibility, do not apply to this current S96 application.

- ii) any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority.

There are no relevant draft EPI's that affect the land or the proposal.

- iii) any development control plan applying to the land.

The proposed amended development is considered to be consistent with the provisions contained in the Residential Chapter of the Hawkesbury Development Control Plan.

- iv) any matters prescribed by the regulations.

There are no matters discernable that are prescribed by the Regulations that affect the amended development.

- b) The likely impacts the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality (Refer to list of potential matters as a guide. Additional matters may be relevant and should be included).**

The amended development is not considered to be out of character with the surrounding landscape and it is unlikely that the amended development will have any adverse environmental impact on the locality.

- c) The suitability of the site for the development.**

The site is suitable for the existing development approval to be amended.

- d) Any submissions made in accordance with the EPA Act or Regulations.**

See the "Public Consultation" section in this report.

- e) The public interest.**

The matter is not considered to be contrary to the general public interest as it has been established that the previous approval from 1973 has been commenced and the current proposal is to amend that existing approval.

Conclusion

The site has the benefit of an approval for a two storey dwelling which has satisfactorily established physical commencement. The amended plans are substantially the same development as the previous approval.

The amended plans have attempted to reduce the potential impact on the adjoining property in terms of overlooking and loss of views.

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The amended plans demonstrate satisfactory compliance with the relevant provisions of Hawkesbury Local Environmental Plan 1989 and Hawkesbury Development Control Plan and has no additional environmental impact when compared to the approved plan.

Due to the original building application approval conditions not being available, the age of the approval, and the changed inspection requirements since the original approval was issued, an updated set of approval conditions are proposed with this Section 96 approval.

RECOMMENDATION:

That the Section 96 modification Application DA0602/07 for Lot 25 DP 742749, 17 North Street, Windsor, be approved subject to the following conditions:

General

1. The development shall take place in accordance with the stamped plans, specifications and accompanying documentation submitted with the application except as modified by these further conditions.
2. The approved use shall not commence until all conditions of this Development Consent have been complied with.
3. The building shall not be used or occupied prior to the issue of an Occupation Certificate.
4. The development shall comply with the provisions of the Building Code of Australia at all times.
5. The development shall comply with the Environmental Planning and Assessment Act, 1979 at all times.
6. The applicant shall make themselves aware of any User Restriction, Easements and Covenants to this property and shall comply with the requirements of any Section 88B Instrument relevant to the property in order to prevent the possibility of legal proceedings against them.

Prior to Commence of Work

7. The wind classification for the site has been assessed as Minimum W3N. This classification should be referred to your glazing supplier, frame manufacturer and building contractor to enable the appropriate frame, glazing, bracing and tie downs to be designed. A copy of the designs and glazing certificate are to be provided to the Principal Certifying Authority.
8. Erosion and sediment control devices are to be installed and maintained at all times during site works and construction. The enclosed warning sign shall be affixed to the sediment fence/erosion control device.
9. The building shall be set out by a Registered Surveyor. The Survey Certificate of the building showing the position of the external walls under construction and in compliance with the approved plans shall be lodged with the principal certifying authority. Any easements must be shown on the Survey Certificate.
10. A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 shall be supplied to the principal certifying authority prior to commencement of works.
11. A copy of receipt of payment of Long Service Levy shall be provided to the Principal Certifying Authority prior to any works commencing on site. Payments can be made at Long Service Corporation offices or most Councils.

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12. At least two days prior to commencement of works, notice is to be given to Hawkesbury City Council, in accordance with the Environmental Planning and Assessment Regulation.
13. The applicant shall advise Council of the name, address and contact number of the principal certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1979.
14. Toilet facilities (to the satisfaction of Council) shall be provided for workmen throughout the course of building operations. Such facility shall be located wholly within the property boundary.
15. A sign displaying the following information is to be erected adjacent to each access point and to be easily seen from the public road. The sign is to be maintained for the duration of works:
 - (a) Unauthorised access to the site is prohibited.
 - (b) The owner of the site.
 - (c) The person/company carrying out the site works and telephone number (including 24 hour 7 days emergency numbers).
 - (d) The name and contact number of the Principal Certifying Authority.

During Construction

16. Exterior surfaces of the proposed structure shall be painted or treated with an earth toned non-reflective material.
17. Site and building works (including the delivery of materials to and from the property) shall be carried out only on Monday to Friday between 7am - 6pm and on Saturdays between 8am - 4pm.
18. The site shall be kept clean and tidy during the construction period and all unused building materials and rubbish shall be removed from the site upon completion of the project. The following restrictions apply during construction:
 - (a) Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path or easement, natural watercourse, footpath, kerb or road surface and shall have measures in place to prevent the movement of such material off site.
 - (b) Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken only within the site.
 - (c) Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a Waste Disposal Depot.
19. Inspections shall be carried out and compliance certificates issued by Council or an accredited certifier for the following components of construction:
 - (a) internal sewer or stormwater lines prior to covering;
 - (b) steel reinforcement prior to pouring concrete;
 - (c) external sewer or stormwater lines, prior to backfilling;
 - (d) the first storey floor joists, prior to the fixing of any flooring material;
 - (e) framework, after the installation of all plumbing, drainage and electrical fixtures, and after the external cladding and roof covering has been fixed prior to fixing of internal linings and insulation;

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- (f) wet area flashing, after the installation of bath and shower fixtures;
 - (g) on completion of the works;
20. All roofwater shall be drained to the street gutter. Where a ferrule has been provided in the kerb, such drainage shall be connected to it. Drainage across the footpath shall be 100mm sewer grade pipe.
21. Council records indicate that the building site is at a level of approximately 12.3 metres AHD. All materials used in the construction below the level of 17.3 metres AHD shall be capable of withstanding prolonged immersion in water without swelling, deteriorating or affecting the structural integrity of the building.
22. A registered surveyor's certificate indicating that the level of the top of the concrete slab formwork/floor joists for the lowest habitable floor is at or above 16 metres Australian Height Datum shall be obtained prior to placement of concrete.
- Alternatively, a defined bench mark AHD level shall be identified by survey report on a fixed location immediately adjacent to the building (eg. top of concrete strip footing, top of poured concrete pier).
- The surveyor's certificate shall be provided to both Hawkesbury City Council and the Accredited Certifier (if not HCC) prior to any structure being erected on the concrete.
23. The development shall be treated for termites in accordance with the Building Code of Australia and AS 3660 as amended by a suitably qualified person with particular attention to timber floors, slab penetrations, joints between slabs, additions to existing buildings.
- Details of the type and method of treatment are to be provided to the Principal Certifying Authority and a copy of durable material to be located in the meter box and at the entrance to any crawl space if chemicals are sprayed or pressurised into the soils.
24. An automatic fire detection and alarm system shall be installed within the building in accordance with the Building Code of Australia for Class 1A and 1B Dwellings. Alarms and Detectors shall be installed by a licensed electrician and multiple alarms shall be interconnected, an certificate of the installation shall be provided prior to occupation of the building or addition.

Prior to Issue of Occupation Certificate

25. The following certificates are to be provided, stating the name of person or company carrying out the installation, type of material and the relevant Australian Standard to which installed:
- (a) The type and method of termite treatment (complying with AS 3660) provided to walls and floors, pipe penetrations, jointing of new work to existing and slab perimeters. A copy of the termite treatment and materials used shall also be securely fixed inside the meter box for future reference.
 - (b) Glazing materials installed in the building in accordance with AS1288 and AS2047 - Glass in Buildings - Selection and Installation, e.g. windows, doors, footlights and showers.
 - (c) The type of timber installed indicating both species and durability as required by AS 1684.
 - (d) An automatic smoke detection system installed in residential development by a licensed electrician. Smoke alarms must comply with AS 3786 and be connected to the consumer mains power where supplied to the building.

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- (e) A statement or other suitable evidence shall be submitted to the Principal Certifying Authority, certifying that all commitments made on the BASIX certificate have been implemented and installed as approved.
- 26. Construction of any sewer works are not to commence until three copies of the sewer plans along with a Minor Sewer plans along with a Minor Sewer Works application are submitted to the Branch Manager of Water and Waste Management for assessment and approval.

ATTACHMENTS:

- AT - 1** Locality Plan
- AT - 2** Site Plan and Elevations
- AT - 3** Original Huxley Plans

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AT - 1 Locality Plan

**To View This Image,
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Attachments Document (Maps)**

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AT - 2 Site Plan and Elevations

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AT - 3 Original Huxley Plans

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Item: 64 CP - Nomination as Enforcement Agency Under the Food Act 2003 - (91150, 96330, 95498)

REPORT:

As Council may be aware, the NSW Food Authority has for the past two years, been working towards a "partnership" between that authority and Councils within New South Wales, to standardise the level of food inspection activities in commercial food manufacturing, wholesale, and shop front/restaurant establishments.

In the past eighteen months the Food Authority has been consulting with Local Government food premises inspectors to establish the "partnership", in a way that will be mutually agreeable to both parties.

Legislation has now been enacted for this purpose with an anticipated commencement date of 1 July 2008.

The new legislation sets out the types of premises that are to be inspected and by whom, the schedule of fees applicable for carrying out such inspections, and the protocols for reporting the activities of the various Local Government Authorities.

Hawkesbury City Council has been party to a pilot program run by the NSW Food Authority, with the majority of NSW Local Government Authorities participating, to ensure that there was capacity within the Councils to be able to accommodate the requirements of the new legislation.

The program that incorporates the legislation, falls into three categories of inspection regime, being **Category A** (only intended for very small country Councils with extremely limited staff resources) of no inspections being carried out by the Council, **Category B** which is basically the current level of inspection that most Councils have been providing over past years, and **Category C** which includes Category B requirements plus, food processors and manufactures of food products.

Most Councils that have been party to the pilot program have indicated that they will be nominating their Council to be executing the requirements of the Category B program, as it will have minor impact on their current functions, apart from the reporting process, for which the Authority is organising a generic data base which will be supplied to Councils for completion and submission every six months.

Should Hawkesbury City Council choose to nominate to be included in the Category B functions, this would mean that each of the restaurants, take-aways, and other food retail outlets in the city, would need to be inspected at least once annually.

Trials of meeting this requirement have been conducted by Council's food regulation officers over the past six months, and it has been found that this program can be accommodated with current resources and funding, should its nomination be accepted by the NSW Food Authority.

The NSW Food Authority recently supplied to all Councils in New South Wales, guideline booklets for the introduction of the new legislation for the "Food Regulation Partnership", covering all aspects of the protocols and legislation to be followed, as well as the nomination form for Councils to select and apply for a Category to be included in, for its food inspection authorisation by the NSW Food Authority. This form needs to be completed and submitted to the NSW Food Authority by 30 April 2008, to enable consideration and notification back to Councils before 1 July 2008, when the legislation commences.

An information sheet produced by the NSW Food Authority, explaining in more detail the changes that will be taking place, has been attached for information.

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Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

"Objective: Development of Strategic Alliances with other local government authorities; other levels of government; and other appropriate organisations and institutions."

Funding

There are no funding implications arising directly from this report.

RECOMMENDATION:

That the:

1. Nomination form be completed for submission to the NSW Food Authority, requesting that Hawkesbury City Council be appointed as an enforcement agency under Category B, in accordance with the requirements of the amended Food Act 2003.
2. Information attached to this report be received.

ATTACHMENTS:

AT - 1 Retail food businesses - Impact of amendments to the Food Act 2003 March 2008

AT - 1 Retail food businesses - Impact of amendments to the Food Act 2003 March 2008



**Retail food businesses
Impact of amendments to the *Food Act 2003*
March 2008**

With amendments to the *Food Act 2003* and *Food Regulation 2004* now in effect, the process of appointing local councils to clearly defined food inspection roles will soon commence.

Provisions introduced by the amendments to the *Food Act 2003* also include:

- requirement for enforcement agencies to carry out routine inspections of retail food businesses, and
- the ability to raise certain fees and charges

The impact of these changes, on retail food businesses, will vary between councils depending on their individual food regulation program.

The common generic key messages provided below may assist councils in developing a communication to their local retail food businesses.

Key messages

- **What is a retail and food service business?**
- **What it means for retail food businesses?**
- **What are the changes?**
- **Why the changes?**
- **Why is this a better system?**
- **New legislation**
- **Further information**

What is a retail and food service business?

Retail and food service businesses include:

- a food business which performs as its principal food-related activity, the production of food for direct sale to the consumer

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- the sale or service of food directly to the consumer

Manufacturers, wholesalers and food transport vehicles do not fall under this category.

What it means for retail food businesses?

- Protection of reputation – as a supplier of quality safe food
 - The more effective our food regulatory system is the more confidence consumers of NSW will have in our retail food supply.
 - The excellent reputation of the NSW retail food industry could easily be eroded by one or more large scale food poisoning outbreaks – which would result in a down-turn in food sales.
- Improved industry performance
 - Food businesses will be inspected and required to comply with regulations. Councils will take immediate action to address non-compliance.
 - Compliance with regulations requires food businesses to maintain premises and equipment in good repair, demonstrate thorough cleaning practices, ensure correct storage of foods and that staff receive training.
- A level playing field for all food businesses
 - Inspection of food businesses will occur in all council areas
 - Consistent interpretation and application of food regulations by inspectors across the State
 - Action will be taken to rectify food businesses not complying with regulations
- Fees and charges
 - Each council is responsible for setting their fees and charges to reflect the needs of their community.
 - The NSW Food Authority sets recommended maximum inspection and administration fees and charges based on cost recovery.

The fees and charges include:

- a fixed fee for issuing an improvement notice (including one reinspection) - \$330
- a recommended maximum fee for inspection of a non-licensed food business - \$143.08 per hour plus \$35.77 for travelling expenses (Local councils can already charge a fee under s608 *Local Government Act 1993*, for inspecting the premises of a food business within a local government area).
- a maximum annual administration charge on non-licensed food businesses that are subject to inspection once every twelve months.

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- Council have the power to waive or reduce inspection fees, the annual administration charge and improvement notice fees.
- It is an offence not to pay the improvement notice fee.

What are the changes?

- Councils' responsibilities
 - Councils appointed as enforcement agencies are required to carry out regular routine inspections and enforcement of the retail/food service sector within their local government area
 - Food complaint investigations
 - Urgent food safety responses including urgent food recalls
 - Reporting on key food regulation activities to the NSW Food Authority every six months
- Regular inspections
 - Retail food businesses will be inspected regularly except for those deemed low risk eg newsagencies selling packaged confectionery
- The NSW Food Authority will publish summary reports on its website. Reports will be based on the combined data of food regulation activities of councils across the State (individual businesses will not be named). The aim of this is to:
 - reduce foodborne illness by controlling the most important food handling practices
 - demonstrate council's food regulation activities
 - improve consistency among councils
 - increase public awareness about food regulation

Why the changes?

The old system lacked a robust framework for the coordination of food regulation activities, across the State of NSW.

While food safety inspections of the retail food sector traditionally fell under the local council domain, they were not mandatory. Some local councils inspected food premises and some didn't.

Councils appointed as enforcement agencies will be required to regularly inspect retail food premises and report to the NSW Food Authority on their activities.

Why is this a better system?

- Primarily – it provides for safer food to the consumers of NSW by reducing the impact of foodborne illness caused by the retail food sector

Did you know that approximately one third of foodborne illness in NSW is due to the retail food sector! The economic impact of foodborne illness in the retail food sector in NSW is estimated at \$760 million.

- It is a State wide program which means consistency across all local government areas in the State
- Avoids duplication – by clarifying the roles and responsibilities between councils and the NSW Food Authority and increasing consistency in inspections between local government areas
- It is the result of a consultative three-year intensive development process with local government and other key stakeholders
- It is a collaborative initiative between the State (NSW Food Authority) and local governments of NSW with common aims to:
 - advance food safety in the retail/food service sector
 - improve food regulation consistency across the State
 - raise the profile of council food regulation across the State
- Avoidance of costs – for retail food businesses, following a food poisoning outbreak. For example, lost trade and goodwill
- Strengthens whole of government response to food safety emergencies. For example, potential foodborne illness outbreaks, food recalls, extortion and bioterrorism
- Provides councils with the ability (should they choose) to recover the costs of providing their food regulation function

New legislation

On 1 January 2008 legislation amending the *NSW Food Act 2003* commenced.

The new legislation:

- clarifies the responsibilities of local government in relation to food regulation. Councils now have a mandated role in food regulation.
- provides for a secure funding base to allow cost recovery of inspection and enforcement activities carried out by councils

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Further information

Local food businesses are encouraged to contact council for further information on the changes.

oooO END OF REPORT Oooo

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INFRASTRUCTURE SERVICES

Item: 65 **IS - Road Naming Proposals - Future Subdivisions at Pitt Town - (95495)**

Previous Item: 266, Ordinary (27 November 2007)
 246, Ordinary (13 November 2007)

REPORT:

Council, at its meeting held on 27 November 2007, resolved that public comment be sought on the list of proposed road names for use at Pitt Town.

The list of proposed names were suggested by Council's Local Studies Librarian and The Johnson Property Group Pty Ltd. These names are included in the report as Attachment 1.

Public comment was sought by way of advertisement in the local press and by way of correspondence addressed to residents in the suburb of Pitt Town and various service organisations. The public comment period expired on 29 February 2008.

At the close of the public comment period, eight submissions had been received, with six of these from residents in the area, one from The Department of Lands and one from the Johnson Property Group. A summary of these submissions are as follows:

Submissions by Residents:

- Objection to the use of generic names for example Camellia, Citrus, Holly, Paddock.
- Objection to the use of historical homes or properties in the area, unless those homes are in that street or the new streets are on the relevant property, for example "Strathmore" or "The Old Manse" are in Pitt Town but not in the subdivision area.
- Objection to the use of Citrus but recommendations to name streets after the different varieties of citrus fruits that have been grown in the area. For example Navel, Valencia, Seville, Joppa's and Washington.
- Objection to the use of Percy Place due to a business in the area using this name. Percy Place is also the name of a residents property. The objector thought the use of Percy Place will cause confusion especially with the emergency services.
- Objection to the use of the name Vermont. Suggestion that this name be used in naming a proposed park on the corner of Amelia Grove and Johnstone Street as "Vermont Heritage Park"
- Comment made that no names attributed to sports/sportspeople in the area. An example is the Name George Dawson who according to a news brief 23 April 1892 was a light weight champion boxer of Australia.
- Support for the use of May.
- Request for the name of Tea Tree to be included on the list.
- Request for the name of Mahony to be included on the list.
- Request for the names of Putland, Meares, Blacket, Smallwood, Downing Wood, McGarvie, Grono, Butler, Poole, Macfie, Hobbs, Wilbow to be included on the list.

In relation to the suggested names above the following conform to the Road Naming Guidelines from the New South Wales Geographical Names Board:

- Mahony
- Blacket
- McGarvie
- Poole
- Macfie

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The other names suggested already exist in various places across the Hawkesbury and thus do not conform to the Road Naming Guidelines from the New South Wales Geographical Names Board.

Submission by the Department of Lands:

- Objection to the use of Greenfield as there is a Greenfield Place at Maraylya. The objection is raised under "Uniqueness1.1" of the Road Naming Guidelines.
- Objection to the use of Manse as there is a Manns Road at Wilberforce and the almost identical pronunciation of the two names could lead to confusion. The objection is raised under "Uniqueness1.1" of the Road Naming Guidelines.
- Object to the use of Fairlie as there is a Fairey Road at South Windsor and the close similarity of the two names could lead to confusion. The objection is raised under "Uniqueness1.1" of the Road Naming Guidelines.
- Suggestion that Council ensure that appropriate suffixes are chosen upon the adoption of final names to ensure that the access and shortest routes are easily identifiable, e.g. a through road should not be referred to as, say, a "Close".

The Department of Lands have also stated that if Council wish to proceed with the adoption of the names to which an objection has been raised, then Council will need to write to the Secretary of The Geographical Names Board, setting out valid reasons why the names are to be used. The matter will then be put to the Board for further consideration.

Submission by the Johnson Property Group:

Comment made that due to the development being the Johnson Property Group project that they reserve the right to name the roads.

Objection to the amended list that Council resolved for public comment. Have requested that 12 names from their original submission be included in the list. These names are as follows.

- Camphor Laurel
- Orange Blossom
- Sandstock
- Prince of Wales
- Friendship
- Charlotte
- Golden Grove
- Mountview
- Farmhouse
- Bona Vista
- Breakfast Point
- Riversedge

The above names were removed from the original list as they did not conform to the Road Naming Guidelines from the New South Wales Geographical Names Board. The reasons for the removal of these names were that these names already existed, were not unique to Pitt Town, too generic and could be misspelt as 2 words, eg "Farmhouse" could be "Farm House".

The names of Friendship, Charlotte and Golden Grove already exist in the Hawkesbury area and the name Mountview is similar to Mountain View Close which already exists.

In addition to the request to reinstate the previously suggested names, the Johnson Property Group has requested that the following two names also be included:

- Thornton
- Tea Tree

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In relation to the two suggested names above:

- Thornton conforms with the Road Naming Guidelines.
- Tea Tree does not conform with the Road Naming Guidelines. There is a similar named Road, Ti Tree Place Wilberforce.

As a result of the submissions received by the residents, the Department of Lands and the Johnson Property Group the original list of forty eight names submitted for public consultation have been revised with several names being removed from the list, please refer to the table below:

Names - Public Consultation	Source	Reason to be removed
Alcorn	HCC	
Ayling	HCC	
Barnett	HCC	
Benjamin Jones	HCC	
Benn	HCC	
Biggers	HCC	
Blighton	HCC	
Boatbuilders	JPG	
Boston	JPG	
Burrell	HCC	
Camellia *	JPG	Considered too Generic and not unique to the area.
Casuarina *	JPG	Considered too Generic and not unique to the area.
Cherry	HCC	
Citrus *	JPG	Considered too Generic
Cleary	HCC	
Curl	HCC	
Fairlie *	JPG	Is similar to Fairey Road (Objection by Dept of Lands)
Fairs	HCC	
Fernadell	HCC & JPG	
Flemming	HCC	
Greenfield *	HCC	Not considered appropriate, the name is already in use. (Objection by Dept of Lands)
Holly *	JPG	Considered to Generic and not unique to the area.
Horton	HCC	
Huxley	HCC	
Manse *	HCC	Not considered appropriate unless a new street is where the home is located. (Objection by Dept of Lands)
May	HCC	
Moorhen	JPG	
Murphy	HCC	
Newton	HCC	
Oaks *	JPG	Considered too Generic and not unique to the area.
Old Manse *	JPG	Not considered appropriate unless a new street is where the home is located.
Orchard *	HCC & JPG	Considered too Generic
Paddock *	JPG	Not considered appropriate unless a new street is where the home is located.
Pastoral *	JPG	Not considered appropriate unless a new street is where the home is located.
Pendergast	HCC	
Percy Place *	HCC	Not considered appropriate, the name is already in use.
Pitts Moor *	JPG	Not considered appropriate unless a new street is where the home is located.

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Names - Public Consultation	Source	Reason to be removed
Quarry *	JPG	Considered too Generic and not unique to the area.
Ryan	HCC	
Stables *	JPG	Considered too Generic and not unique to the area.
Strathmore *	JPG	Not considered appropriate unless a new street is where the home is located.
Stubbs	HCC	
The Cedars *	JPG	Not considered appropriate unless a new street is where the home is located.
Uniting *	JPG	Considered too Generic and the Uniting Church is not unique to the area.
Vaughan	HCC	
Vermont *	JPG	Objection to the use of this name for a street. Preference for the name to be used for a proposed park.
Vine House *	JPG	Not considered appropriate unless a new street is where the home is located.
Wilkinson	HCC	

In addition to the table above the following six names are recommended to be added to the list.

- Mahony
- Blacket
- McGarvie
- Poole
- Macfie
- Thornton

Refer to Attachment 2 for background information on the six additional names.

Given that only an additional six names have been added it is considered not necessary for further public consultation. However if the list of names were to increase further public consultation should be undertaken on the additional names.

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

"Objective: Implement processes to identify and respond to the infrastructure requirements (information, access and mobility) of groups with special needs."

Funding

Signage will be erected by the developer as part of the development process. The developer will be required to pay Council's fee to cover administrative/advertising costs for each road name chosen.

RECOMMENDATION:

That:

1. Council, as the road naming authority for local roads as per the Roads Act 1993, make the following thirty three names available for use within the Pitt Town Subdivision.

Alcorn
Ayling
Barnett
Benjamin Jones

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Benn
Biggers
Blacket
Blighton
Boatbuilders
Boston
Burrell
Cherry
Cleary
Curl
Fairs
Fernadell
Flemming
Horton
Huxley
Macfie
May
Mahony
McGarvie
Moorhen
Murphy
Newton
Pendergast
Poole
Ryan
Stubbs
Thornton
Vaughan
Wilkinson

2. The developer pays to Council a sum of \$250.00 to cover the cost of gazettal for each road name or group of names selected.
3. Signage to be erected by the developer as part of the development process at their cost in accordance with Councils Development Control Plan.

ATTACHMENTS:

- AT - 1** The list of proposed names from Public consultation.
- AT - 2** Background Information of the newly suggested names.

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AT - 1 The list of proposed names from Public consultation.

Recommendations by Council's Local Studies Librarian

Alcorn

Well known Hawkesbury family, descended from Richard & Charlotte Alcorn free settlers. Members of the Alcorn family lived in the Pitt Town area and some family buried at the Pitt Town Cemetery.

Ayling

Rev John Ayling was the minister at the Presbyterian church at Pitt Town and Ebenezer between 1885 to 1897. He was a clergyman, educator and beekeeper. He contributed to apiculture and was President of the National Beekeepers Association.

Barnett

One of the first 22 settlers settled on the South Creek by 1794. Daniel arrived on the First Fleet in 1788 and married Ann, he died at Pitt Town in 1823.

Benn

One of the early land grants in the Pitt Town area was to convict, John Benn 1769-1815 who arrived in 1791. He was granted 60 acres in 1803.

Biggers

Convict, Thomas Biggers 1757-1830 was one of the largest landholders in the Pitt Town area., his first grant was in 1804.

Blighton

Name of Governor Bligh's farm at Pitt Town. There was also the "Blighton Arms" built in Pitt Town.

Burrell

Family of John and Mary Burrell lived in Pitt Town from the early 1800s. John arrived FREE in 1800 and Mary was daughter of David & Elizabeth Horton. Their children were born in Pitt Town.

Cherry

Rev J. F. Cherry was the minister at St. James Church of England (now Anglican) between 1911-1919. He was an "energetic" cyclist as well.

Cleary

Various members of the Cleary family migrated from Ireland in the 1840s and settled in the Pitt Town area. Descendants still in the Hawkesbury today.

Curl

Thomas Curl convict who arrived on the "Indefatigable" in 1806 lived in the Pitt Town area. Thomas, who was a gardener, died in 1843 and is buried at the Pitt Town cemetery. Members of his family continued to live in Pitt Town for many years later.

Fairs

Local family recorded in *Greville's Official PO Directory of NSW 1878-79* for Pitt Town and Cattai area.

Fernadell

One of the historic and renowned orange orchards in Pitt Town.

Fleming

Henry Fleming 1791-1838 was colonial born and an early resident in Pitt Town. Was responsible for building several early buildings including "Blighton Arms" . He also operated a number of businesses including a store in the town. Fleming married Elizabeth Hall and many of their family were born in Pitt Town. Their daughter Elizabeth died 1825 aged 5 and is buried at the Pitt Town Cemetery.

Greenfield

Greenfield family established in Pitt Town for many years. Eva Alice "Granny" Greenfield nee Stubbs 1863-1941 was a well known midwife in the Pitt Town-Cattai area for over 50 years. (RLP GRE)

Horton

David Horton, convict arrived on the "William & Ann" 1791 & died in 1841 Pitt Town married to Catherine Kelly at Pitt Town and their descendants lived in Pitt Town.

Huxley

Generations of the Huxley family were blacksmiths and operated a blacksmith's forge on the Pitt Town Road.

Manse

Built as a farmhouse, on Punt Road at Pitt Town. in the early 19th century. Purchased and used as the Presbyterian Manse for about 50 years before becoming a private residence again.

May

Descendants of the May family lived in Pitt Town from early 19th century. Laurence May & son Christopher Watkins May were apparently the first to use irrigation pumps on Pitt Town Bottoms.

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Murphy

Joseph Murphy was a teacher at Pitt Town Public School from 1895 until 1925.

Newton

Rev. W. S. Newton was the minister at St. James Church of England (now Anglican) between 1897-1911.

Orchard

In remembrance of the many orange orchards that were once in the Pitt Town area. Many families were made their livelihoods from orchards up until the mid 20th century.

Pendergast

Descendants of convict John Pendergast arrived 1800 & Jane Williams who arrived 1801 lived in the Pitt Town area up until the 20th century. In particular James Pendergast 1803-1865, his first wife Sophia and second Wife Susannah Cunneen and members of their families & descendants.

Percy Place

On old property built in Pitt Town by George Hall in the early 19th century. It was later destroyed by fire.

Ryan

Roger Ryan arrived free from Ireland in 1834, he died in Pitt Town in 1911. Descendants of Roger & Mary Ann still live in Pitt Town.

Stubbs

Pioneering Hawkesbury family. William Stubbs arrived "Coromandel" free in 1802. Descendants of William and Mary lived in Pitt Town area since early 1800s. Long term Councillor, Dr Rex Stubbs is also a descendant of this family.

Vaughan

Patrick and Margaret Vaughan, Irish immigrants, made Pitt Town their home following their marriage in 1868 and their children and descendants lived in the area for some time.

Wilkinson

John Wilkinson was a convict arriving in 1790. He was granted land in 1794 which was later sold to John Grono. He died in 1839 and was buried at Pitt Town.

Background Information on Proposed Road Names for Pitt Town **Recommendations by Johnson Property Group**

Blighton

Representative of the history associated with Governor Bligh's farm at Pitt Town.

Boatbuilders

Representative of 'Grono' family at Pitt Town.

Boston

Early grain farmer in the area.

Camellia

Common cottage garden plants.

Casuarina

Wind break trees used in the Pitt Town district of times gone by, particularly on Fernadell.

Citrus

Representative of traditional farming pursuits of the Pitt Town region.

Fairlie

The 1838 ship with Mary Bligh aboard which re-established the Bligh Family connection in Blighton.

Fernadell

Representative of the farmstead at Pitt Town.

Holly

Common cottage garden plants.

Moorhen

Local native birdlife.

Oaks

Famed 'Bligh's Oaks' located on Bligh's farm. Removed post WW11 for orcharding.

Old Manse

Name of a sandstock brick home located on Punt Road in Pitt Town.

Orchard

Representative of the traditional farming pursuits of the Pitt Town region.

Paddock

Traditional locational landmarks within the development precinct.

Pastoral

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Traditional locational landmarks within the development precinct.

Pittsmoor

High slab barn on Pitt Town Bottoms land.

Quarry

Referring to industry exploitation of the natural sand deposits in Pitt Town. Many properties in the area were mined of their deposits.

Stables

Traditional locational landmarks within the development precinct.

Strathmore

Name of a stuccoed stone cottage on Buckingham Street.

The Cedars

132 Bathurst Street (good examples of slab barn architecture).

Uniting

Representatives of the old church at Pitt Town (St James has already been used in the Hawkesbury LGA).

Vermont

Representative of the farmstead at Pitt Town.

Vine House

Name of cottage on 132 Bathurst Street property (good examples of slab barn architecture).

Recommendation by Council

Benjamin Jones

Original property owner and important settler in the area of the Bona Vista and Fernadell Orchards

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AT - 2 Background Information on the newly suggested names.

Mahony

Michael and Patrick Mahony arrived as convicts 1815. Granted land in the Pitt Town area. The barn built by them is still remains at Pitt Town Bottoms. Relative John Mahony built "Murtle Cottage" 1882 on Bathurst Street and is still there today. Descendants of the family still live in the area.

Blacket

Edmund Blacket designed St James Anglican church of Pitt Town.

(Sourced from the book Pictorial History Hawkesbury - Written by Michelle Nichols)

McGarvie

Reverend McGarvie minister for Ebenezer Church, purchased a Georgian homestead built circa 1821 and owned the nearby punt. The house became known as the Manse Farm and was used as the Presbyterian Manse.

(Sourced from the book Pictorial History Hawkesbury - Written by Michelle Nichols)

Poole

Early family of the area. William Thomas Poole married Mary in 1867 Reverend George Macfie's daughter.

(Sourced from the book Pictorial History Hawkesbury - Written by Michelle Nichols)

Macfie

Reverend George Macfie was a Minister in Pitt Town

(Sourced from the book Pictorial History Hawkesbury - Written by Michelle Nichols)

Thorton

This family has had, and continues to have strong social and historical attachments to the subject land. The Thornton's continue to live at Pitt Town and their family has done so for generations.

oooO END OF REPORT Oooo

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Meeting Date: 8 April 2008

Item: 66 **IS - Holland's Paddock - Amendment to Plan of Management - (95495, 79354)**

Previous Item: 198, Ordinary (25 September 2007)

REPORT:

Council at its Ordinary meeting of 25 September 2007 resolved:

"That the proposed amendment to the Holland's Paddock Plan of Management to allow lease/licence of the deck area above the water tank for dining purposes, and the construction of shade sails be advertised in accordance with the requirements of the Local Government Act."

The Plan of Management with the above addendum was placed on public exhibition from 1 December 2007 to 31 January 2008 to allow a lease/license of the deck above the water tank for dining purposes, and the construction of shade sails.

No comments were received during the exhibition process.

It is recommended that the addendum to the Plan of Management, be adopted and include the following conditions:

Conditions of use / approval

Any approval for leases or licences over the deck area must include, but not be limited to, the following provisions:

- The use or occupation does not involve the erection of any building or structure of a permanent nature (unless the structure is authorised by this Plan of Management).
- There is no significant disturbance to adjacent property owners.
- There is no interference with other users.

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

"Objective: A network of towns, villages and rural localities connected by well maintained public and private infrastructure which supports the social and economic development of the city."

Funding

Nil impact on current funding.

RECOMMENDATION:

That the addendum to the Holland's Paddock Plan of Management, be adopted.

ATTACHMENTS:

AT - 1 Holland's Paddock Plan of Management 2005, including Addendum (*distributed under separate cover*).

oooO END OF REPORT Oooo

SUPPORT SERVICES

Item: 67 SS - Draft Gifts and Benefits Policy - (95496)

REPORT:

Council has received the following publications in regard to a Gifts and Benefits Policy:

- *Local Government Reform - Promoting Better Practice Review* issued by the Department of Local Government which recommends that Council adopt a gifts and benefits policy and procedure: and
- *Managing Gifts and Benefits in the Public Sector Toolkit* (Toolkit) issued by the Independent Commission Against Corruption to assist public sector agencies manage the risks associated with gifts and benefits.

Council's current Code of Conduct includes a section relating to gifts and benefits. This section within the Code of Conduct is not considered to provide enough detail in regard to gifts and benefits, and therefore it is recommended that a separate and more detailed Gifts and Benefits Policy be considered by Council.

The abovementioned Managing Gifts and Benefits in the Public Sector Toolkit issued by the Independent Commission Against Corruption, describes how to develop a Gifts and Benefits Policy, and has therefore been used to develop a draft Policy. The Toolkit outlines an 11 step process for developing a Policy. The 11 step process includes creating a policy development team, gathering the necessary information, defining the policy aims, and drafting the policy.

In accordance with the Toolkit, an internal committee was established and the Committee met on a number of occasions and has developed a Gifts and Benefits Policy, in accordance with the specifications outlined in the Toolkit provided by Independent Commission Against Corruption. The draft Policy is attached to this report as Attachment 1.

The purpose of this Policy is to provide guidelines for Councillors and staff when dealing with situations where they may be offered a gift or benefit in the course of performing their public duties.

The Policy aims to provide a transparent and accountable framework for managing the offer or receipt of a gift or benefit in a way that will prevent the perception or possibility of corrupt conduct by Councillors and staff.

Compliance with the Policy will ensure that Councillors and Council staff can conduct their public duties with confidence that their actions will not give rise to an unwarranted perception that an offer or acceptance of a gift or benefit has influenced the Council Officer in the performance of their duties.

The attached draft Gifts and Benefits Policy is a more detailed and enhanced version of the reference to gifts and benefits in the Council's Code of Conduct. If the Policy is adopted by Council, the Code of Conduct, when next updated, will refer to the adopted Policy.

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

"Objective: An informed community working together through strong local and regional connections".

ORDINARY MEETING

Meeting Date: 8 April 2008

Funding

There are no funding implications arising from this report.

RECOMMENDATION:

That the Gifts and Benefits Policy attached to this report be adopted, and that appropriate action be taken to forward a copy of this Policy to all Councillors and Council staff, and for the implementation of any other action required in association with the operation of the Policy.

ATTACHMENTS:

AT - 1 Hawkesbury City Council (Draft) Gifts and Benefits Policy - *(Distributed under separate cover)*.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 8 April 2008

Item: 68

SS - Pecuniary Interest Returns - (79337, 95496)

REPORT:

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

"450A Register and tabling of returns:

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

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

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

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

Position	Return Date	Date Lodged
Building Services Officer	17/12/2007	26/02/2008
Rates Team Leader	24/12/2007	9/01/2008
Construction/Maintenance Engineer	2/01/2008	6/03/2008

The Returns have been lodged prior to the due dates for the receipt of the Returns, being three months after the return dates.

The above details are now tabled in accordance with Section 450A(2)(a) of the Act and the Returns are available for inspection if requested.

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council's Strategic Plan i.e:

"Objective: An informed community working together through strong local and regional connections".

ORDINARY MEETING

Meeting Date: 8 April 2008

Funding

Not applicable.

RECOMMENDATION:

That the information be received and noted.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING**Meeting Date: 8 April 2008****Item: 69****SS - Monthly Investments Report - February 2008 - (96332, 95496)****REPORT:**

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 Regulations and the Council's Investment Policy.

The following table lists the investment portfolio held by Council at 29 February 2008, in a form compliant with legislative and policy requirements.

All investments 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.

February 2008

The following table indicates that Council held \$37.9 million in investments as at 29 February 2008. Details of the financial institutions or fund managers with which the investment was made, date investments were taken out, the maturity date (where applicable), the rate of return achieved and the credit rating of the investments are provided below.

Investment Type	Lodgement Date	Maturity Date	Interest Rate %	Principal \$	Rating	Total \$
On Call						
CBA	29-Feb-08		6.95%	2,290,000.00	A1+	2,290,000.00
Cash Fund						
LGFS FOCF	29-Feb-08		7.55%	9,154,254.78	AA	9,154,254.78
Term Investments						
Bankwest	26-Feb-08	27-Mar-08	7.58%	3,000,000.00	A1+	
Bankwest	29-Feb-08	29-May-08	8.11%	5,000,000.00	A1+	
IMB Ltd	17-Jan-08	17-Mar-08	7.20%	3,000,000.00	A2	
IMB Ltd	25-Feb-08	26-Mar-08	7.57%	2,500,000.00	A2	
Citibank	19-Feb-08	20-Mar-08	7.48%	2,000,000.00	A1+	
Citibank	29-Feb-08	31-Mar-08	7.60%	2,000,000.00	A1+	
CBA – Range Accrual Note	28-Nov-07	19-Oct-08	7.55%	500,000.00	A1+	
CBA – CPI Linked Note	04-Apr-07	04-Apr-12	9.00%	500,000.00	A1+	
CBA – Equity Linked Note	05-Dec-07	05-Jun-09	0.00%	2,000,000.00	A1+	20,500,000.00
Managed Funds						
ANZ High Yield Account	29-Feb-08			3,897.53	AA	

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Investment Type	Lodgement Date	Maturity Date	Interest Rate %	Principal \$	Rating	Total \$
Macquarie Income Plus Fund No 1	29-Feb-08		3.01%	6,003,600.38	A	
ING Enhanced Cash Fund	29-Feb-08			1,061.92	A	6,008,559.83
TOTAL INVESTMENT AS AT 29 FEBRUARY 2008						37,952,814.61

Managed Funds

Bench Mark - February 2008	7.03%	Bench Mark - last 12 months	6.83%
Actual - February 2008	3.01%	Actual - last 12 months	4.80%

Performance by Type

Category	Balance	Average Interest	Difference to Benchmark	Restriction Type	Amount
Cash at Call	2,290,000.00	6.95%	-0.08%	External Restrictions - S94	6,291,322
Term Deposit	20,500,000.00	6.94%	-0.09%	External Restrictions - Other	11,898,997
Managed Funds	6,008,559.83	3.01%	-4.02%	Internal Restrictions	10,420,110
Cash Fund	9,154,254.78	7.55%	0.52%	Unrestricted	9,342,385
	37,952,814.61	6.47%	-0.56%	Total	37,952,814

The various sources of the restricted funds referred to in the above table are as follows:

External Restrictions – Section 94 Contributions

External Restrictions – Other (reserve details below)

- Waste Management
- Sewerage
- Unexpended Grants
- Stormwater Management

Internal Restrictions (reserve details below)

- Employees Leave Entitlements
- Election
- Information Technology
- Plant Replacement
- Infrastructure
- Property Development (currently negative balance)
- Risk Management
- Heritage
- Sullage
- Tip remediation

With regard to the above details those funds subject to external restrictions **cannot** be utilised for any purpose other than that specified.

In respect of funds subject to internal restrictions whilst it would “technically” be possible for these funds to be utilised for other purposes such a course of action, unless of a temporary internal loan basis, would not be recommended nor would it be “good business practice” as these funds have been allocated for specific

ORDINARY MEETING

Meeting Date: 8 April 2008

purposes (information technology, plant replacement, risk management, etc.) or to meet future known expenses that should be provided for on an ongoing basis (employee leave entitlements, election, etc.)

Funds referred to as “unrestricted” are, effectively, Council’s daily operational funding for purposes such as the payment of salaries and wages, various works proposed or in progress as adopted in Council’s budget, daily operational expenses, etc. These “unrestricted” funds could only be utilised for other purposes by the reduction of a corresponding amount from a service or provision already included within Council’s adopted budget. The level of these funds also vary depending upon the business cycle in areas such as the payment of creditors, receipt of rate payments, capital works and/or purchases, etc.

Investment Commentary

The investment portfolio increased by \$4.43m for the month. The increase was due to additional income over expenditure for the February period. During February, various income was received totalling \$7.8m, including rates payments amounting to \$3.4m, while payments to suppliers and staff costs amounted to \$3.3m.

Managed Fund performance was below the benchmark (UBS Australia) Bank Bill Index in February 2008 with an average return after fees of 3.01%, compared with the index of 7.03%. The managed funds portfolio has achieved a return after fees for the past 12 months of 4.80%, which under performed the (UBS Australia) Bank Bill Index of 6.83% for the corresponding 12 month period.

The investment portfolio is diversified across a number of investment types. This includes a number of managed funds, term deposits and on-call accounts.

The investment portfolio is regularly reviewed in order to maximise investment performance and minimise risk. Council’s investment portfolio has been reviewed and rebalanced in favour of investments not subject to share market volatility. Comparisons are made between existing investments with available products that are not part of Council’s portfolio. Independent advice is sought on new investment opportunities.

Conformance to Strategic Plan

The proposal is deemed to conform with the objectives set out in Council’s Strategic Plan i.e:

"Objective: Maximise return on Council’s investment portfolio".

Funding

Funds are invested with the aim of achieving budgeted income in 2007/2008.

RECOMMENDATION:

That the information be received and noted.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 8 April 2008

CONFIDENTIAL REPORTS

Item: 70 IS - Tender 014/FY07 - Construction of Rickaby's Creek Cycleway/ Pedestrian Bridge, Windsor - (95495, 79354) **CONFIDENTIAL**

Previous Item: 206, Ordinary (9 October 2007)

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: 8 April 2008

**Item: 71 SS - Property Matter - Lease to Hawkesbury Country Bakehouse - Shop 3
McGraths Hill Shopping Centre - (9587, 20973, 20974, 95496) CONFIDENTIAL**

Reason for Confidentiality

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

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

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

ORDINARY MEETING

Meeting Date: 8 April 2008

**Item: 72 SS - Property Matter - Lease to Jodale Enterprises Pty Limited T/A Glossodia
Liquor Mart - Shop 1 Glossodia Shopping Centre - (74051, 38869, 95496)
CONFIDENTIAL**

Reason for Confidentiality

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

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

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

ordinary

section 5

reports
of committees

ORDINARY MEETING
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SECTION 5 - Reports of Committees

ROC - Hawkesbury Civic and Citizenship Committee - 6 December 2007 - (96972)

The meeting commenced at 5.43pm in the Council Chambers.

Present:	Councillor Bart Bassett Councillor Rex Stubbs Councillor Dianne Finch Barry Adams representing The Richmond Club Jean Peare (Community representative) Ruth Hart (Community representative) Sonia Porter, Manager Corporate Communication
Apologies:	David Bertenshaw representing the Hawkesbury Sports Council
In Attendance:	Vanessa O'Donnell - Public Relations Coordinator

REPORT:

APOLOGIES

Apologies for absence were received from David Bertenshaw.

RESOLVED on the motion of Jean Peare and seconded by Councillor Stubbs that the apology be accepted.

Declaration of Interests

Nil

SECTION 1: Confirmation of Minutes

Minutes of last meeting

RESOLVED on the motion of Councillor Bassett and seconded by Councillor Finch, that the minutes of Hawkesbury Civic and Citizenship Committee Meeting held on the 22 August 2007, be accepted.

SECTION 2 - Reports for Determination

ITEM: 1 Selection of Australia Day Award Recipients

Motion: Citizen of the Year

RESOLVED on the motion of Councillor Stubbs and seconded by Mrs Peare.

Refer to RESOLUTION

ORDINARY MEETING
Reports of Committees

Resolution:

RESOLVED on the motion of Councillor Stubbs and seconded by Mrs Peare.

That:

Two individuals will be awarded for the Citizen of the Year award being Beryl Payne and Mavis Cobcroft.

Motion: Young Citizen of the Year

RESOLVED on the motion of Councillor Finch and seconded by Mr Adams.

Refer to RESOLUTION

Resolution:

RESOLVED on the motion of Councillor Finch and seconded by Mr Adams.

That Melissa Henry be awarded the 2008 Young Citizen of the Year.

Motion: Sport Person of the Year

RESOLVED on the motion of Councillor Finch and seconded by Councillor Stubbs.

Refer to RESOLUTION

Resolution:

RESOLVED on the motion of Councillor Finch and seconded by Councillor Stubbs.

That:

Two individuals will be awarded for the Sport Person of the Year award being Carl Eilbeck and Ross Matheson.

Motion: Community Arts Award

RESOLVED on the motion of Councillor Stubbs and seconded by Councillor Bassett.

Refer to RESOLUTION

Resolution:

RESOLVED on the motion of Councillor Stubbs and seconded by Councillor Bassett.

That Betty Wrigley be awarded the 2008 Community Arts Award.

Motion: Commemorative Plaque

RESOLVED on the motion of Councillor Finch and seconded by Councillor Bassett.

Refer to RESOLUTION

ORDINARY MEETING
Reports of Committees

Resolution:

RESOLVED on the motion of Councillor Finch and seconded by Councillor Bassett.

That Andrew Town be awarded the 2008 Commemorative Plaque Award.

Motion: Community Organisation of the Year

RESOLVED on the motion of Councillor Stubbs and seconded by Councillor Finch.

Refer to RESOLUTION

Resolution:

RESOLVED on the motion of Councillor Stubbs and seconded by Councillor Finch.

That Hawkesbury Meals on Wheels be awarded the 2008 Community Organisation of the Year.

Motion: Special Achievement Award - Organisation

RESOLVED on the motion of Councillor Stubbs and seconded by Councillor Finch.

Refer to RESOLUTION

Resolution:

RESOLVED on the motion of Councillor Stubbs and seconded by Councillor Finch.

That Hawkesbury District Concert Band be awarded the 2008 Special Achievement Award.

SECTION 3 - Reports for Determination

ITEM: 1 377 Delegation and Change of Constitution of Committee

Motion:

RESOLVED on the motion of Councillor Stubbs and seconded by Mr Adams.

Refer to RESOLUTION

Resolution:

RESOLVED on the motion of Councillor Stubbs and seconded by Mr Adams.

That the information be received.

General Business

- Young Citizen of the Season Award

RESOLVED on the motion of Councillor Stubbs and seconded by Mr Adams.

Refer to RESOLUTION

ORDINARY MEETING
Reports of Committees

Resolution:

RESOLVED on the motion of Councillor Stubbs and seconded by Mr Adams.

That to alleviate the problem of having a limited amount of nominations for the Young Citizen of the year award, a new quarterly award for Young Citizen of the Season Award to be developed, followed and actioned by the Corporate Communication branch.

- Australian of the Year Awards

To follow up a previous resolution of meeting held 22 August 2007 regarding a Liz Ellis nomination for the Australian Citizen of the Year Award for 2009. To be actioned by the Corporate Communication branch.

- Mayoral Appreciation

Mayoral appreciation of all people involved in the Hawkesbury Civic and Citizenship Committee for their input and contribution.

Next Meeting

TBA

The meeting closed at 6:35pm

oooO END OF REPORT Oooo

ORDINARY MEETING
Reports of Committees

ROC - Local Traffic Committee - 19 March 2008 - (80245)

Minutes of the Meeting of the Local Traffic Committee held in the Large Committee Room, Windsor, on Wednesday, 19 March 2008, commencing at 3.00pm.

ATTENDANCE

Present:	Councillor B Bassett (Chairman) Mr J Suprain, Roads and Traffic Authority Snr Constable B McClifty, NSW Police Service Mr R Williams, MP (Hawkesbury) Mr J Christie, Officer of Messrs A Shearan, (Londonderry) and J Aquilina, (Riverstone), Members of Parliament
Apologies:	Mr R Elson, Department of Transport
In Attendance:	Mr C Amit, Manager, Design & Mapping Services Mr T Shepherd, Administrative Officer, Infrastructure Services

SECTION 1 - Minutes

Item 1.1 Minutes of Previous Meeting

The Minutes of the meeting held on 20 February 2008 were confirmed.

Item 1.2 Business Arising

Nil Business Arising.

SECTION 2 - Reports for Determination

Item 2.1 LTC - 19 March 2008 - Item 2.1 - Bridge to Bridge Power Boat Race Brooklyn to Windsor (Hawkesbury, Londonderry & Riverstone) - (80245, 73829)

REPORT:

Introduction

An application has been received from the Upper Hawkesbury Power Boat Club, seeking approval to conduct the Bridge to Bridge Power Boat Race from Brooklyn to Windsor on 4 May 2008 between the hours of 8.00am and 5.00pm. This event is an annual boat racing event along the Hawkesbury River between Brooklyn Bridge and Windsor Bridge.

The Upper Hawkesbury Power Boat Club has informed the following in respect of this event:

- i) This boat race is from Brooklyn to Windsor via the Hawkesbury River.

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- ii) There is a Test and Tune day on 3 May 2008 - Dry Boat Inspections.
- iii) The Club is expecting approximately 120 participants/boats to compete in the event.
- iv) There will be 20 groups consisting of 6 participants/boats each.
- v) This annual event has been held for over seventy years and the club is expecting approximately 2500 spectators (1000 vehicles) on the day of the event, at Governor Phillip Reserve.
- vi) The vehicles of the spectators have not disrupted the traffic movements on the surrounding road network in the past and the same is expected this year
- vii) The vehicles of the spectators will be parked in the car park next to Governor Phillip Reserve. There are more than adequate parking spaces available for off-street parking.

The event organiser has submitted the following items in relation to this event: Appendix 1 (Document Nos. 2723920 and 2723926):

- i) Details of the Special Event - Traffic template;
- ii) Copy of the submission to the NSW Police Service.
- iii) Public Liability Insurance Policy to the value of \$10,000,000 although a policy to the value of \$20,000,000 is required.

Discussion

Even though this event will be held along the Hawkesbury River and within the Governor Phillip Reserve, this event and the spectators travelling to the event may impact heavily on the state road network on Windsor Road, Macquarie Street, Wilberforce Road and Bridge Street and in particular the local roads such as George Street and Court Street as well as the Ferry services. It would be appropriate to classify this event as a “**Class 1**” special event under the “Traffic and Transport Management for Special Events” guidelines issued by the Roads & Traffic Authority given that perceived impact.

The event organiser has advised that this event will have minimal impact on the operations of the Ferry services. There will be a Course boat on the approach to each ferry crossing point, that will be communicating via radio with a marshal on the ferry. While a ferry is in motion, all boats will be prohibited from crossing this point until such time as the ferry is at the river bank. While the ferry is at the river bank unloading and loading vehicles, the boats will be allowed to pass.

Lower Portland Ferry Service is under the care and control of Hawkesbury City Council. Wisemans Ferry, Webbs Creek Ferry and Sackville Ferry Services is the under the care and control of the RTA and hence, the RTA approval be sought directly by the event organiser for any alterations to the operation of ferry services maintained by them.

It is noted that the event organiser has lodged an application seeking approval to conduct the event with the NSW Police Service. A Transport Management Plan (TMP) and an associated Traffic Control Plan (TCP) should be submitted to Council and the RTA for acknowledgement as this is a **Class 1** event.

The Upper Hawkesbury Power Boat Club has made application under separate cover to Councils' Parks and Recreation section for exclusive use of Governor Philip Reserve, and this was approved by Council at its meeting of 11 March 2008.

RECOMMENDATION:

That:

1. The Bridge to Bridge Power Boat Race from Brooklyn to Windsor event planned for 6 May 2008 be classified as a "**Class 1**" special event under the "Traffic and Transport Management for Special Events" guidelines issued by the RTA.
2. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
3. It is strongly recommended that the event organiser becomes familiar with the contents of the RTA publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package which explains the responsibilities of the event organiser in detail.
4. No objection be held to this event subject to compliance with the following conditions:

Prior to the event:

- 4a. the event organiser obtaining approval to conduct this event, from the NSW Police Service; **a copy of the Police Service approval be submitted to Council;**
- 4b. The event organiser obtains approval from the RTA as this is a "**Class 1**" event; **a copy of the RTA approval be submitted to Council;**
- 4c. the event organiser **submitting a Transport Management Plan (TMP) for the entire route incorporating a Traffic Control Plan (TCP) to Council and the RTA** for acknowledgement. The TCP should be prepared by a person holding appropriate certification required by the RTA to satisfy the requirements of the relevant Work Cover legislation;
- 4d. the event organiser **submitting to Council a copy of its Public Liability Policy** in an amount not less than \$20,000,000 **noting Council and the Roads and Traffic Authority as interested parties on the Policy** and that Policy to cover **both on-road and off-road activity;**
- 4e. the event organiser obtaining the relevant approval to conduct this event from the Waterways Authority; **A copy of this approval be submitted to Council;**
- 4f. the event organiser advertising the event in the local press stating the entire route/extent of the event and the traffic impact / delays due to the event two weeks prior to the event; **a copy of the proposed advertisement be submitted to Council** (indicating the advertising medium);
- 4g. the event organiser notifying the details of the event to the NSW Ambulance Services, NSW Fire Brigade / Rural Fire Service and SES at least two weeks prior to the event; **a copy of the correspondence be submitted to Council**
- 4h. the event organiser directly notifying relevant bus companies, tourist bus operators and taxi companies operating in the area and all the residences and businesses affected by the event at least two weeks prior to the event; The applicant undertaking a letter drop to all affected residents and businesses in the proximity to the event, with that letter advising full details of the event; **a copy of the correspondence be submitted to Council**
- 4i. the event organiser advising all adjoining Councils such as Gosford, Baulkham Hills, Hornsby of this event and in particular the ferry closures and obtaining any necessary approvals from these Councils;

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- 4j. the applicant contacting Hawkesbury City Council's Construction and Maintenance Section and the Ferry Operator, three weeks prior to the event with regard to changes in the operation of Lower Portland Ferry service maintained by Hawkesbury City Council;
- 4k. the event organiser assessing the risk and addressing the suitability of the entire route as part of the risk assessment considering the possible risks for all participants; This assessment should be carried out by visual inspection of the route / site by the event organiser prior to preparing the TMP and prior to the event;
- 4l. the event organiser carrying out an overall risk assessment for the whole event to identify and assess the potential risks to spectators, participants and road users during the event and designing and implementing a risk elimination or reduction plan in accordance with the Occupational Health and Safety Act 2000; (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>);
- 4m. the event organiser submitting the completed "Special Event - Traffic Final Approval" form to Council;

During the event:

- 4n. access being maintained for businesses, residents and their visitors;
- 4o. a clear passageway of at least 4 metres in width being maintained at all times for emergency vehicles;
- 4p. all traffic controllers / marshals operating within the public road network holding appropriate certification required by the RTA;
- 4q. in accordance with the submitted TMP and associated TCP, appropriate advisory signs, and traffic control devices be placed during the event along the route under the direction of a traffic controller holding appropriate certification required by the RTA;
- 4r. the competitors and participants be advised of the traffic control and other arrangements in place, prior to the commencement of the event; and,
- 4s. all roads and marshalling points are to be kept clean and tidy, with all directional signs to be removed immediately on completion of the activity

Ferry Services:

- 5. That the applicant seek RTA approval for reduced crossing/operation of Wisemans Ferry, Webbs Creek Ferry and Sackville Ferry Services. There is no objection to the reduced crossing/operation of Lower Portland Ferry Service. Reduced crossing/operation of the ferry services is subject to the applicant complying with the following conditions, as well as any conditions imposed by the RTA:
 - 5a) Advertising of the proposed event being undertaken at the expense of the event organiser in both Sydney and local newspapers, two weeks prior to the event, in relation to :
 - traffic impact and delays,
 - exclusive use of Governor Phillip Reserve,
 - timings of suspension of ferry services,such notice is to be incorporated in the news sections of those newspapers and to be approximately 1/8 (one-eighth) page size;
 - 5b) signs be erected at the expense of the event organiser in locations indicated in the approved Transport Management Plan and Traffic Control Plan and at a size indicated in the same, on

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all roads leading to the ferries, as well as on each ferry, for at least two weeks prior to the event;

- 5c) safety precautions are to be established in the TMP and are to be placed at all ferry locations, such to include a boat and crew downstream from each ferry with suitable equipment to indicate to competitors that a ferry may be operating and with communication between that boat and ferry vessel, such procedures are to be implemented to the satisfaction of the Waterways Authority, RTA and Hawkesbury City Council; and,
- 5d) the Transport Management Centre, Roads & Traffic Authority and Council be authorised to alter ferry suspension/operation times if necessary.

APPENDICES:

AT - 1 Special Event Application - Bridge to Bridge Power Boat Race Brooklyn to Windsor - (Dataworks Document Nos. 2723920 and 2723926) - *see attached*.

Item 2.2 **LTC - 19 March 2008 - Item 2.2 - Zone One Q60 Endurance Horse Ride July 2008 - Upper Colo Reserve (Hawkesbury)- (80245, 85005)**

REPORT:

Introduction

An application has been received from Zone One Of The NSW Endurance Riders' Associations to conduct a Zone One Q60 Endurance Horse Ride on 20 July 2008, utilising Upper Colo Reserve as a base area. The event organiser has advised the following:

Event Schedule: (Zone One Q60 Endurance Horse Ride on 20 July 2008): The riders will be undertaking either a single Leg or a combination of the Legs 1,2 and 3.

- Leg 1 = 45 Kilometres
- Leg 2 = 35 Kilometres
- Leg 3 = 20 Kilometres
- Duration: between 5.00am and 4.00pm.
- 80 Riders and 40 Support.
- Riders travel as Single or small groups of 2 and 3.

Refer to attached drawing "Zone One Q60 Endurance Horse Ride - July 2008 -TR002/08": Appendix 1

Route for the Rides:

Leg 1 - 45 Kilometres

- Start Upper Colo Reserve(Ride Base) cross the Colo River and travel along Upper Colo Road, Under Singleton Road and into Lower Colo Road,
- Travel along Lower Colo Road and turn around before West Portland Road,
- Travel back along Lower Colo Road, under Singleton Road and into Upper Colo Road,
- Travel along Upper Colo Road to Wheeny Creek Valley,
- Turn left and Travel through the Wollemi National Park and turn right into Comleroy Road,
- Travel along Comleroy Road down to the Upper Colo Road junction,

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- Cross the Colo River into the Upper Colo Reserve (Ride Base).

Legs 2 - 35 Kilometres

- Start Upper Colo Reserve(Ride Base) cross the Colo River and travel along Upper Colo Road,
- Turn left and travel through the Wollemi National Park to Mountain Lagoon,
- Travel along Sams Way and turn left into Mountain Lagoon Road,
- Travel back along Mountain Lagoon Road and turn left into Comleroy Road,
- Travel along Comleroy Road down to the Upper Colo Road junction,
- Cross the Colo River into the Upper Colo Reserve (Ride Base).

Leg 3 - 20 Kilometres

- Start Upper Colo Reserve(Ride Base) cross the Colo River, turn right and travel along Upper Colo Road in a westerly direction,
- Travel to the end of Upper Colo Road and turn around at the public gate,
- Travel back along Upper Colo Road to the junction with Comleroy Road,
- Turn left and Cross the Colo River into the Upper Colo Reserve (Ride Base).

Where the course covers trafficable roads, the following will be in place;

- A Marshall is to be in place to stop horses crossing whilst vehicles pass,
- At any junction where horses cross or access roads that are main access gates, the Marshall is to notify Traffic of the conditions ahead,
- Signage shall be in place stating the following: Horses on Road, Horses crossing. In areas where the road narrows or is windy; Drive Slowly Horses on Road is to be provided.

Road Inventory

Upper Colo Road - Sealed and Unsealed

Comleroy Road - Unsealed

Mountain Lagoon Road - Unsealed

Sams Way - Unsealed

Roads on private property and within the National Park

Route Diversion

In the event of bad weather or a flood, riders will use the Timber Bridge to cross the Colo River and travel along Hulbert Road.

Discussion

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

The event organiser has submitted the following items in relation to this event: Appendix 2 (Dataworks Document No. 2721075)

1. Details of the Special Event - Traffic, Template;
2. Transport Management Plan (TMP) - Referred to in the application as Traffic Management Plan Risk Assessment -, and associated TCP;
3. The Public Liability Insurance to the value of \$20,000,000. .

Reserve Matters:

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

RECOMMENDATION:

That:

1. The Zone One Q60 Endurance Horse Ride event based at Upper Colo Reserve, planned for 20 July 2008 be classified as a "Class 2" special event under the "Traffic and Transport Management for Special Events" guidelines issued by the RTA.
2. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
3. It is strongly recommended that the event organiser becomes familiar with the contents of the RTA publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package which explains the responsibilities of the event organiser in detail.
4. No objection be held to this event subject to compliance with the following conditions:

Prior to the event:

- a. the event organiser obtaining approval to conduct this event, from the NSW Police Service; **a copy of the Police Service approval be submitted to Council;**
- b. the event organiser obtaining the relevant approval to conduct this event from the Waterways Authority; **A copy of this approval be submitted to Council;**
- c. the event organiser obtaining the relevant approval from the Department of Natural Resources to cross the Colo River; **A copy of this approval be submitted to Council;**
- d. the event organiser advertising the event in the local press stating the entire route/extent of the event and the traffic impact / delays due to the event two weeks prior to the event; **a copy of the proposed advertisement be submitted to Council** (indicating the advertising medium);
- e. the event organiser notifying the details of the event to the NSW Ambulance Services, NSW Fire Brigade / Rural Fire Service and SES at least two weeks prior to the event; **a copy of the correspondence be submitted to Council**
- f. the event organiser directly notifying relevant bus companies, tourist bus operators and taxi companies operating in the area and all the residences and businesses affected by the event at least two weeks prior to the event; The applicant undertaking a letter drop to all affected residents and businesses in the proximity to the event, with that letter advising full details of the event; **a copy of the correspondence be submitted to Council**
- g. the event organiser obtaining approval from the National Parks and Wildlife Service (Department of Environment and Conservation) for the use of Wollemi National Park;
- h. the event organiser obtaining approval from the NSW Department of Lands for the use of any Crown Road or Crown Land;
- i. the event organiser carrying out an overall risk assessment for the whole event to identify and assess the potential risks to spectators, participants and road users during the event and designing and implementing a risk elimination or reduction plan in accordance with the Occupational Health and Safety Act 2000; (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>);
- j. the event organiser submitting the completed "Special Event - Traffic Final Approval" form to Council;

During the event:

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

APPENDICES:

AT - 1 Zone One Q60 Endurance Horse Ride - Drawing No: TR002/08.

AT - 2 Special Event Application - (Dataworks Document No.2721075) - *see attached.*

AT - 1 Zone One Q60 Endurance Horse Ride - Drawing No: TR002/08

**To View This Image,
Please Refer to the Separate
Attachments Document (Maps)**

Item 2.3 LTC - 19 March 2008 - Item 2.3 - Proposed Extension to School Bus Zone in Golden Valley Drive, Glossodia - Glossodia Public School (Hawkesbury) - (80245, 74308)

REPORT:**Introduction**

Representation has been received from the Principal of Glossodia Public School (Dataworks Document No. 2723497) requesting that the existing School Bus Zone in Golden Valley Drive, in the vicinity of the school, be extended to facilitate an additional bus. This bus has been parking behind the Glossodia Shopping Centre which has a gate linking to the school car park. This situation causes congestion within the school carpark and is also considered unsafe for the children. Currently the existing School Bus Zone facilitates 3 buses.

Discussion

The current regulatory speed limit on Golden Valley Drive in the vicinity of the school is 50 kph with the School Zone of 40kph operating during the times of 8.00am to 9.30am and 2.30pm to 4.00pm. This road is a local road. Parallel parking is permitted on both sides of the road except on some sections where there are parking restriction signs.

The existing School Bus Zone operates within the time frame of "8.30am - 9.30am and 3.00pm - 4.00pm - School Days" and is located on the western side of Golden Valley Drive, in the vicinity of the school, and is approximately 60.0 metres long. The existing School Bus Zone is indented from the general Kerb and Gutter alignment in the Street. This total length of 60.0 metres includes the kerb and gutter tapers in and out of the Bus Bay. Effectively 3 buses are capable of Standing within this zone allowing for minimum draw in and draw out lengths as well as minimum gap separation for independent operation.

To provide for the additional bus, the existing School Bus Zone will need to be extended in a northerly direction, and within the general Kerb and Gutter alignment, by 16.5 metres which conforms with the current Standard for an end block Bus Zone catering for a 'Design Bus' of 12.5 metres. Currently the section of roadside north of the existing School Bus Zone allows for all day parking. Effectively 2-3 car parking space will be lost, however there is sufficient kerb side parking for parents in Golden Valley Drive and the surrounding streets.

These changes have been supported in writing by the School Principal who has also received support from the Bus company.

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RECOMMENDATION:

That the existing School Bus Zone (approximately 60.0 metres in length) located on the western side of Golden Valley Drive in the vicinity of Glossodia Public School and operating within the time frame of "8.30am - 9.30am and 3.00pm - 4.00pm - School Days", be extended in a northerly direction for a distance of 16.5 metres.

APPENDICES:

There are no supporting documents for this report.

Item 2.4 LTC - 19 March 2008 - Item 2.4 - Application for Final Approval: Hawkesbury Show 2008 - Hawkesbury Showground - (Londonderry) - (80245, 74207, 74282)

Previous Item: 2.3, Local Traffic Committee (16 January 2008)

REPORT:

Introduction

An application by the Hawkesbury District Agricultural Association was reported to the Local Traffic Committee on 16 January 2008, to undertake the Hawkesbury Show 2008 on 11,12 and 13 April 2008 within the Hawkesbury Showground, Clarendon. The recommendation of the Local Traffic Committee, as part of the Initial Approval, was adopted by Council on 5 February 2008 and is listed below:

That:

1. *The Hawkesbury Show 2008 planned for 11,12 & 13 April 2008, within the Hawkesbury Showground, Clarendon, be classified as a “**Class 1**” special event under the “Traffic and Transport Management for Special Events” guidelines issued by the RTA.*
2. *The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.*
3. *It is strongly recommended that the event organiser becomes familiar with the contents of the RTA publication “Guide to Traffic and Transport Management for Special Events” (Version 3.4) and the Hawkesbury City Council special event information package which explains the responsibilities of the event organiser in detail.*
4. *No objection be held to this event subject to compliance with the following conditions:*

Prior to the event:

- 4a. *the event organiser **submitting a Transport Management Plan (TMP) and the associated Traffic Control Plan (TCP) to Council for acknowledgement and to the RTA for** authorisation as the event may impact on Richmond Road. The TCP should be prepared by a person holding appropriate certification required by the RTA to satisfy the requirements of the relevant Work Cover legislation;*
- 4b. *the event organiser **submitting to Council a copy of its Public Liability Policy in an amount not less than \$10,000,000 noting Council and the Roads and Traffic Authority as an interested parties on the Policy and that Policy to cover both on-road and off-road activity;***
- 4c. *the event organiser advertising the event in the local press stating the traffic impact / delays due to the event two weeks prior to the event; **a copy of the proposed advertisement be submitted to Council** (indicating the advertising medium);*
- 4d. *the event organiser notifying the details of the event to the NSW Ambulance Services, NSW Fire Brigade / Rural Fire Service and SES at least two weeks prior to the event; **a copy of the correspondence be submitted to Council***
- 4e. *the event organiser directly notifying relevant bus companies, tourist bus operators and taxi companies operating in the area and all the residences and businesses affected by the event at least two weeks prior to the event; The applicant undertaking a letter drop to all affected residents and businesses in the proximity to the event, with that letter advising full details of*

the event; a copy of the correspondence be submitted to Council

- 4f. *the event organiser carrying out an overall risk assessment for the whole event to identify and assess the potential risks to spectators, participants and road users during the event and designing and implementing a risk elimination or reduction plan in accordance with the Occupational Health and Safety Act 2000; (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>);*
- 4g. *the event organiser submitting the completed "Special Event - Traffic Final Approval" form to Council;*

During the event:

- 4h. *access being maintained for businesses, residents and their visitors;*
- 4i. *a clear passageway of at least 4 metres in width being maintained at all times for emergency vehicles;*
- 4j. *all traffic controllers / marshals operating within the public road network holding appropriate certification required by the RTA;*
- 4k. *in accordance with the submitted TMP and associated TCP, appropriate advisory signs, and traffic control devices be placed during the event along the route under the direction of a traffic controller holding appropriate certification required by the RTA;*
- 4l. *all roads and marshalling points are to be kept clean and tidy, with all directional signs to be removed immediately on completion of the activity*

Discussion

The event organiser has submitted information in order to obtain **Final Approval**. Refer to Appendix 1 (Dataworks Document No. 2735555).

Condition 4 (a): To be Complied. RTA authorisation required as this is a Class 1 Event

Condition 4 (b): Complied.

Condition 4 (c): Complied.

Condition 4 (d): To be Complied. Copy of correspondence has not been submitted.

Condition 4 (e): To be Complied. Copy of the letter to the Residents/Businesses has been submitted only.

Condition 4 (f): Complied, as contained within the TMP and TCP

Condition 4 (g): Complied.

RECOMMENDATION:

That no objection be held to The Hawkesbury Show 2008 planned for 11,12 & 13 April 2008 as previously listed in the Initial Approval. Final Approval is granted subject to compliance with the following conditions:

Prior to the event

- a) the event organiser obtaining authorisation from the RTA as this is a **Class I. Traffic Management Plan (TMP) and the associated Traffic Control Plan (TCP) has been submitted to RTA** for authorisation as this event may impact traffic on Richmond Road;
- b) **a copy of the correspondence** sent to the NSW Ambulance Services, NSW Fire Brigade / Rural Fire Service and SES **to be submitted to Council;**
- c) the event organiser directly notifying relevant bus companies, tourist bus operators and taxi companies operating in the area and all the residences and businesses affected by the event at

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least two weeks prior to the event; The applicant undertaking a letter drop to all affected residents and businesses in the proximity to the event, with that letter advising full details of the event; a copy of the correspondence to the Residents/Businesses has been submitted only, **a copy of the remaining correspondence to be submitted to Council**

During the event

- d) access being maintained for businesses, residents and their visitors;
- e) a clear passageway of at least 4 metres in width being maintained at all times for emergency vehicles;
- f) all traffic controllers / marshals operating within the public road network holding appropriate certification required by the RTA;
- g) in accordance with the submitted TMP and associated TCP, appropriate advisory signs, and traffic control devices be placed during the event along the route under the direction of a traffic controller holding appropriate certification required by the RTA;
- h) all roads and marshalling points are to be kept clean and tidy, with all directional signs to be removed immediately on completion of the activity.

APPENDICES:

AT - 1 Final Approval Special Event Application - Hawkesbury Show 2008 (Dataworks Document No. 2735555) - *see attached*.

SECTION 3 - Reports for Information

Nil Reports for Information.

SECTION 4 - General Business

Item 4.1 **LTC - 19 March 2007 - Item 4.1 QWN - Boundary/Old Pitt Town Roads, Oakville - Accident History - (80245, 99035)**

Mr R Williams

REPORT:

Advised of on-going incidence of traffic accidents at the intersection of Boundary/Old Pitt Town Roads, Oakville, with 17 serious accidents and 1 fatal accident in the last 6 years.

RECOMMENDATION:

As one axis of the intersection is located within the Baulkham Hills Local Government Area, that discussions be initiated with Baulkham Hills Shire Council with a view to total intersection treatment and subsequent joint application for Black Spot Programme funding.

APPENDICES:

There are no supporting documents for this report.

Item 4.2 LTC - 19 March 2007 - Item 4.2 QWN - Bells Line of Road/Old Bells Line of Road - Sight Distance - (80245; 11721)

Mr J Christie

REPORT:

Advised of restricted sight distance at the intersection of Bells Line of Road/Old Bells Line of Road, Kurrajong, upon existing Old Bells Line of Road, due to encroaching vegetation.

Mr J Suprain advised that the matter would be referred to the Maintenance Section, Roads and Traffic Authority, for appropriate works.

RECOMMENDATION:

That the information be received.

APPENDICES:

There are no supporting documents for this report.

Item 4.3 LTC - 21 March 2007 - Item 4.3 QWN - Kurrajong/Old Kurrajong Roads/Yarramundi Land, Richmond - Traffic Delays - (80245; 90479)

Councillor B Bassett

REPORT:

Advised of continuing afternoon traffic delays extending up to 2.5 hours on Kurrajong Road, Richmond, generated by traffic entering from Yarramundi Lane.

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RECOMMENDATION:

That joint inspection be undertaken by Council and the Roads and Traffic Authority to further investigate the matter with a view to resolution as soon as possible.

APPENDICES:

There are no supporting documents for this report.

SECTION 5 - Next Meeting

The next Local Traffic Committee meeting will be held on Wednesday, 16 April 2008 at 3.00pm in the Large Committee Rooms.

The meeting terminated at 3.45pm.

oooO END OF REPORT Oooo



ordinary
meeting

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