



Hawkesbury City Council

ordinary meeting business paper

date of meeting: 27 July 2010

location: council chambers

time: 6:30 p.m.



mission statement

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

How Council Operates

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

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

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

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

Meeting Procedure

The Mayor is Chairperson of the meeting.

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

Public Participation

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

Planning Decision

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

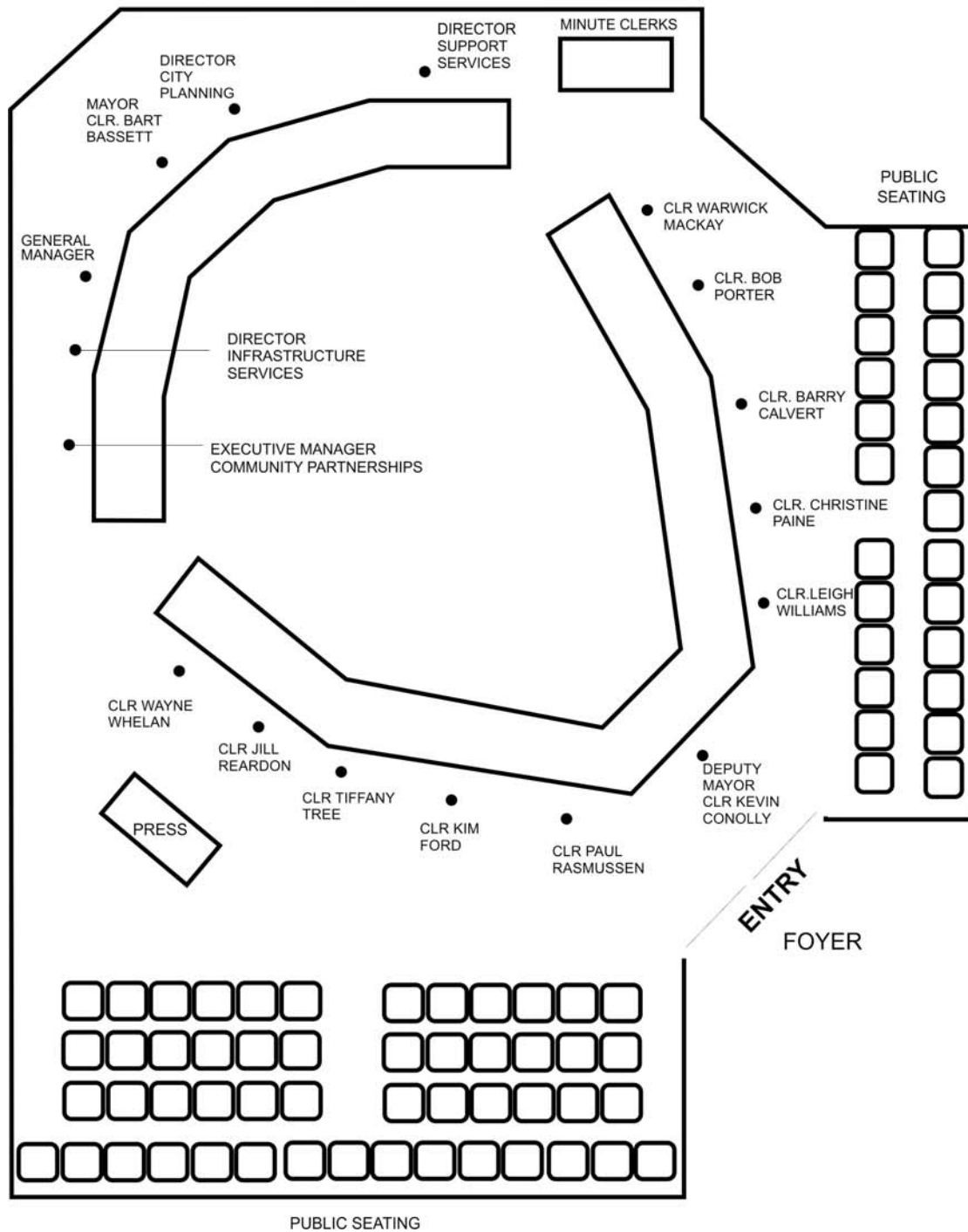
Website

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

Further Information

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

council chambers



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SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 174 GM - 13th International Riversymposium - (79351)

REPORT:

Executive Summary

The 13th International River Symposium is to be held from 11-14 October 2010 and the purpose of this report is to allow Council to consider its representation at the Symposium.

Consultation

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

Background

The 13th International Riversymposium will be held 11-14 October 2010 in Perth, Western Australia. The theme for 2010 is *Moving Waters - the changing state of rivers* with the program focussing on 6 key areas; water resources, water for industry, rivers & catchments, climate change, community, policy & regulations.

Cost of attendance at the 13th International Riversymposium will be approximately \$3,470.00 per delegate.

Budget for Delegate Expenses - Payments made

• Total Budget for Financial year 2010/2011	\$42,000
• Expenditure to date	\$654
• Budget balance as at 19/7/10	\$41,346

Conformance to Community Strategic Plan

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

- To look after our cultural and environmental assets for future generations so that they too can enjoy and benefit from a clean river and natural eco-systems, rural and cultural landscape.
- Work with our communities and businesses to use our resources in a sustainable way and employ best practices and technologies that are in harmony with our natural environment.

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

- Work in partnership with relevant stakeholders to protect designated waters.
- Implement actions in Water and Energy Action Plans.
- Encourage and educate the community to care for their environment.

Financial Implications

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

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RECOMMENDATION:

That attendance of nominated Councillors, and staff members as considered appropriate by the General Manager, at the 13th International Riversymposium at an approximate cost of \$3,470.00 per delegate be approved.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 175 **GM - Attendance and Submission of Motions - Local Government Association of NSW Annual Conference 2010 - (79351, 79633, 95496)**

REPORT:

Executive Summary

The 2010 Local Government Association (LGA) of NSW Annual Conference will be held on 24-27 October, 2010 in Albury, NSW. Consistent with previous practice this report recommends attendance by nominated Councillors and staff at the Conference. In addition, the LGA has called for Motions to be considered at the Conference and having regard to a previous resolution of Council, this report recommends that Council put forward a Motion seeking the LGA adopt a policy of supporting the use of eggs sourced only from certified free range producers for local government.

Consultation

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

Background

The 2010 Local Government Association (LGA) of NSW Annual Conference will be held 24 - 27 October 2010 in Albury, NSW.

The Themes for the 2010 Conference are:

1. Modernising the Financing of Local Government
2. Modern Approaches to Community Wellbeing, and,
3. Modern Approaches to the Natural & Built Environment

Cost of attendance at the 2010 Annual LGA Conference will be approximately \$1,995.00 plus travel expenses per delegate.

Budget for Delegates Expenses - Payments made

• Total Budget for Financial Year 2010/2011	\$42,000
• Expenditure to date	\$654
• Budget balance as at 14/7/10	\$41,346

In addition, the LGA has called for Motions to be considered at the Conference and any such proposed motions must be received by the LGA by Monday, 9 August 2010 to meet the LGA's business paper production deadlines. The LGA requires that all motions submitted must be adopted by Council before submission to the LGA.

This year all motions will be categorised as either Category 1 or Category 2. Councils may submit any motion, however, to be considered as a Category 1 motion, and placed before the Conference for consideration, a motion must amongst other things relate to one of the identified Conference issues/themes; must deal with the issues/themes at a regional/state or national level (ie: the motion must not be a single council issue); and must address the Conference theme of "Modernising Local Government.

Motions which do not comply with the guidelines will be determined to be Category 2 and will be referred to the Executive for action prior to the Conference.

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An opportunity exists to submit late motions up to 8 October 2010 but these will not be included in the Conference business paper and will be dealt with after all other motions have been addressed at the Conference. Therefore, it is preferable for the Council to consider the submission of motions to the LGA Conference at this Council meeting.

In this regard, Council at its meeting of 8 December 2009 resolved to amongst other things adopt a policy of using only eggs sourced from certified free range producers and that:

"Council supports any similar motions at the LGA and WSROC and in any other area in which it may be expected to voice a position, relevant to this policy."

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

Theme: Modern approaches to community wellbeing - Health protection and promotion.

Motion:

That the Local Government Association adopts a policy of supporting the use of eggs sourced only from certified free-range producers for local government. This policy should include but not be limited to the following situations:

- a) All future catering arrangements will only be made with caterers who can guarantee that they use free-range eggs.
- b) The use of free-range eggs be stipulated in any future tenders or contracts relating to the supply of food in which a Council and/or Association is a party.

Note from Council:

Due to the exposure of the adverse conditions experienced in the egg industry particularly the caged hens, there has been a movement worldwide to abolish this practice to the much more humane method of free-range egg production. In support of this idea many parts of Europe are phasing out the caging of hens for egg production and Austria has already banned their use. Many councils have adopted a similar policy as is being proposed with unanimous support. The practice of producing eggs from such cruel and inhumane conditions has been recognised for some time and the Association, in conjunction with local government generally should be sending the proper message to all residents of NSW.

Conformance to Community Strategic Plan

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

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

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

- Implement and monitor Council's sustainability principles.

Financial Implications

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

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RECOMMENDATION:

That:

1. Attendance of nominated Councillors, and staff members as considered appropriate by the General Manager, at the 2010 Annual LGA of NSW Conference at an approximate cost of \$1,995.00 plus travel expenses per delegate be approved.
2. Council nominate 4 voting delegates to attend the 2010 Local Government Association of NSW Annual Conference.
3. The Motion, as outlined in the report regarding the use of free-range eggs, be submitted to the Local Government Association of NSW for inclusion in the agenda of the Association's 2010 Annual Conference.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 176 **GM - Business Skills Program Update - (111215, 79351)**

Previous Item: 48, Ordinary (30 March 2010)
 58, Ordinary (8 April 2008)

REPORT:

Executive Summary

Council considered a report on the Business Skills Program (Program) at its meeting on 30 March 2010, which addressed Program outcomes for the previous year and Partner Program changes that have influenced the future delivery of the Program.

In undertaking the Program, Council has had a partner who has fundamentally delivered 'off the shelf' business skills packages for young people. The current partner is Schools Industry Partnership – Penrith, Hawkesbury and Blue Mountains (SIP), whose activities are focused on connecting youth with training, employment, the workplace and the business community. It had two 'off the shelf' packages that were suitable for the Program, being Banagoes and Adopt-A-School.

SIP's activities are in part funded by the Australian Government, via the Department of Education, Employment and Workplace Relations (DEEWR). SIP's activities and funding from DEEWR were changed during 2009 and that has meant that it will not be in a position to deliver its 'off the shelf' packages anymore, like the two packages mentioned above. The change in relationship between DEEWR and SIP has in turn had an effect on the relationship between Council and SIP – Council's partner for the Program.

Council invited SIP and DEEWR to a Councillor Briefing Session on 6 July 2006 to further explain the changes in Australian Government activities, the funding of SIP and to consider how these changes have effected the likely continuation of Council's Program. DEEWR and SIP's presentations demonstrated that the Australian Government has taken a different approach to its youth skills and employment activities in the Australian, States and Territory Governments National Partnership on Youth Attainment and Transition / Compact with Young Australians; and that SIP is no longer able to fulfil a partnership or provider role for its packages. SIP is to be a broker that will facilitate the delivery of youth packages/ programs by other parties. As such, the Banagoes and Adopt-A-School packages are no longer options.

SIP is no longer in a position to deliver Council's Program, as a result of the Australian Government's changes. With this in mind and not withstanding the good outcomes of the Program since 2006, it is proposed that Council end its relationship with SIP as it relates to the Program; and consider the Program's future format. Council is not in a position to deliver a youth and business skills program in the current format without a partner like SIP, who operates in the youth and employment areas on a daily basis with Australian and State Government agencies.

It is noted that at the Councillor Briefing in on 6 July 2010, SIP provided information about other youth activities it is involved in with the Australian and State Governments, and if Council wishes to explore other ways it might like to consider addressing local youth issues, it may like to call for another report on the matter.

Consultation

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

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Background

Council at its meeting on 30 March 2010 considered a report on the Program which addressed Program outcomes for the previous year and Partner Program changes that have influenced the future delivery of the Program. It was resolved:

"That:

- 1. The information about the Business Skills Program 2010 - Update and partner relationship changes be received.*
- 2. Council invite DEEWR and/or SIP-PHBM to a Councillors' Briefing Session to brief Council about the new Partnership Broker model and its relationship with the Business Skills Program."*

DEEWR and SIP attended the Councillor Briefing Session on 6 July 2010 to update Council on the Australian Government's new approach to youth issues via the Youth Attainment and Transition agenda; the Australian Government's funding of its service providers, like SIP, under the new model; the impact SIP's partner relationship with Council; and the impact on Council's Program. It was indicated that SIP was no longer in a position to be partner delivering the Program for Council. Council had engaged SIP to be its Program partner delivery the Program as resolved on 8 April 2008:

"That:

- 1. Council's 2008 Hawkesbury Business Skills Program be delivered via the Adopt a School Programme and the Banago Traders program offered by Schools Industry Partnerships*
- 2. Council partners with Schools Industry Partnership to further develop its program's presence in the area as an integrated Hawkesbury Business Skills Program."*

The Program was positioned as part of the former Management Plan's business focus and which continues in the current Community Strategic Plan under 'support business and local jobs'. It was positioned as a future business leaders action. Since Council does not primarily undertake youth or business development roles, a Program partner was essential for program delivery (and access to skills), with the support and assistance of Council.

SIP is funded by both the Australian and State Governments for various activities it undertakes. The 'off the shelf' packages that were utilised in the Program were funded by the Australian Government (DEEWR). The Australian Government changed its approach to youth and employment issues in 2009, now requires its services providers to undertake a different role as brokers and not program deliverers. Council's engagement of SIP for its Program was as a delivery partner not as a broker. Brokers will facilitate agencies to undertake programs, but they are not able to run programs.

The Program has operated since 2006 with two partners, being Young Achievements Australia (YAA) and SIP. In 2008, Council reviewed the performance of the then Program partner, YAA and decided to change to SIP. YAA and SIP were the only two organisations who could deliver 'off the shelf' packages that addressed Council's objectives for the Program. YAA is no longer operating. It is unlikely, that there would be another organisation that could not take over from SIP, based on a review of providers completed in 2008. Most of these types of agencies are linked into the Australian and State Governments programs and they too will be influenced by the Governments new approached to youth and employment issues.

Given SIP's inability to be the delivery partner for the Program, Council is required to review its relationship with SIP and the overall Program. As a minimum Council will need to end its relationship with SIP for the Program and reconsider the Program options, which appear to be:

- (a) continue the Business Skills Program in a different format, and
- (b) discontinue the Business Skills Program.

In regard to (a) above, the Program to date has focused on providing business skills via exposing students to business operations. Both the Australian and State Governments are placing their emphasis on youth attainment and transition (ie. employment of future workers). With this in mind, it might be more appropriate for the Program to support the Governments' approaches and advocate for the inclusion of business skills training within the Governments' framework. A number of high schools in the area are now trade high schools. Perhaps Council could take a leadership role in advocating business lessons (by business people, not teachers) along side learning a trade to better equip the students for the workplace. If Council is of the view to explore another format, it might like to invite SIP, and the like, to provide information about other youth/ employment/ training activities it is involved with and to consider further how any of these programs may align with the Program and importantly within our Community Strategic Plan.

Conformance to Community Strategic Plan

The proposal is consistent with the Supporting Business and Local Jobs and Shaping Our Future Together Directions statements;

Vision – Supporting Business and Local Jobs

Direction:

- Offer an increased choice and number of local jobs and training opportunities to meet the needs of Hawkesbury residents and to reduce their travel times.

Strategies:

- Encourage stronger relationships between the business and community sectors, education and training providers to increase local career options.

Goal:

- Integration of education, training and industry development.

Vision – Shaping Our Future Together

Direction:

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

Strategies:

- Work with public and private sectors to ensure funding and delivery f improves services and infrastructure.

Goal:

- Other levels of government to deliver the services and infrastructure for which it is responsible for.

Financial Implications

No financial implications applicable to this report.

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RECOMMENDATION:

That:

1. Council end its partnership with Schools Industry Partnership for the Hawkesbury Business Skills Program, as it is no longer able to be the delivery partner for the Program as outlined in the report.
2. Schools Industry Partnership be advised of Council's decision and associated reasons and also be thanked for their past actions and assistance.
3. Council end its Hawkesbury Business Skills Program in the current format pending the determination of another appropriate format to deliver a similar type program.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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CITY PLANNING

Item: 177 **CP - Development Application - Dam - Construction of One Megalitre Dam - 12 Post Office Road, Ebenezer - (DA0328/10, 36729, 36728, 95498)**

Development Information

File Number: DA0328/10
Property Address: Lot 101 DP 858576, 12 Post Office Road, Ebenezer NSW 2756
Applicant: Lee Anne Windon and Brett Steven Windon
Owner: Lee Anne Windon and Brett Steven Windon
Proposal Details: Dam - Construction of one megalitre dam
Estimated Cost: \$6,000
Zone: Current: Environmental Protection - Agriculture Protection (Scenic)
Draft: RU2 Rural Landscape
Date Received: 6 May 2010
Advertising: 21 May 2010 to 4 June 2010

Key Issues:

- ◆ Sediment Control
- ◆ Reuse of stored water
- ◆ Controlled discharge to the Hawkesbury River
- ◆ Removal of extracted material

Recommendation: Approval

REPORT:

Description of Proposal

The subject application seeks approval for a dam at Lot 101 DP 858576 No. 12 Post Office Road Ebenezer. The purpose of the dam is to provide for domestic stock, garden water and as a fire fighting resource. The dam is proposed to be located within the southern (rear) portion of the property in a natural gully and have a capacity of 0.95 mega litres. The total catchment area is relatively small and the dam is considered small relative to other dams situated in the immediate area.

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

Relevant Council Policies, Procedures and Codes

- Hawkesbury Local Environmental Plan (HLEP) 1989
- Draft Hawkesbury Local Environmental Plan (HLEP) 2009.
- Sydney Regional Environmental Plan No 20 (SREP 20) - Hawkesbury Nepean River
- State Environmental Planning Policy No 44 (SEPP 44) - Koala Habitat Protection
- Hawkesbury Development Control Plan (HDCP) 2002
- Community Strategic Plan

Matters for Consideration under Section 79C of the Environmental Planning and Assessment Act 1979 (EP&A Act)

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

a. The provisions of any:

i. Environmental Planning Instrument:

Hawkesbury Local Environmental Plan (HLEP) 1989

The relevant clauses of Hawkesbury Local Environmental Plan 1989 are addressed below:

Clause 2 - Aims, objectives etc,

The proposed development is considered to be consistent with the general aims and objectives as outlined in Clause 2 of the HLEP 1989.

Clause 5 - Definitions

The proposed development is defined as a 'dam'. A 'Dam' means "*an artificial pond created by the erection of walls or excavation.*"

Clause 8 - Zones indicated on the map

The subject land is situated within the Environmental Protection - Agriculture Protection (Scenic) zone.

Clause 9 - Carrying out development

'Dams' are permissible with development consent within the Environmental Protection - Agriculture Protection (Scenic) zone.

Clause 9A - Zone Objectives

Clause 9A states that consent shall not be granted for a development unless, in the opinion of Council, the carrying out of the development is consistent with the objectives of the zone.

The objectives of the Agriculture Protection (Scenic) zone are as follows:

- (a) *to protect the agricultural potential of rural land in order to promote, preserve and encourage agricultural production,*
- (b) *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,*
- (c) *to ensure that development does not create or contribute to rural land use conflicts,*
- (d) *to ensure that development retains or enhances existing landscape values that include a distinctly agricultural component,*
- (e) *to preserve river valley systems, scenic corridors, wooded ridges, escarpments, environmentally sensitive areas and other local features of scenic quality,*
- (f) *to protect hilltops, ridge lines, river valleys, rural landscape and other local features of scenic significance*
- (g) *to prevent the establishment of traffic generating development along main and arterial roads,*
- (h) *to control outdoor advertising so that it does not disfigure the rural landscape,*

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- (i) *to ensure that development does not create unreasonable economic demands for the provision or extension of public amenities or services,*
- (j) *to preserve the rural landscape character of the area by controlling the choice and colour of building materials and the position of buildings, access roads and landscaping,*
- (k) *to encourage existing sustainable agricultural activities.*

Comments: It is considered that the proposal is consistent with the objectives of the zone as:

- The proposed dam will be constructed and managed so that there will be no significant adverse impact on water catchments, significant ecosystems associated with the river, or surface and groundwater quality and flows, or surface conditions.
- It is considered that the proposed development will not create any unreasonable rural land use conflicts, given the nature and use of adjoining properties.
- The proposed development involves a dam which is a feature typical of the surrounding area.
- The proposed development will not have any adverse impact on river valley systems, scenic corridors, wooded ridges, escarpments, environmentally sensitive areas and other local features of scenic quality.
- The proposed development will reduce the impact on adjacent watercourses by retaining nutrient rich water onsite for reuse and assist in improving the quality of water leaving the site.
- The proposal is consistent with the rural character of the locality and it is therefore considered that there will be no negative impact on local features of scenic significance.
- The proposal will not create unreasonable economic demands for the provision or extension of public amenities or services.
- The proposed development will improve the quality of water discharged to adjacent watercourses by allowing sediment to settle in the dam.
- The proposed development will preserve the rural landscape character

Clause 25 - Development on flood liable land

The proposed development site is above the 1-in-100 year flood level and partly below the PMF flood level. The proposal will not have any adverse impact upon the flood regime associated with the area.

Clause 27 - Heritage items

The subject lot is not identified as a heritage item as listed in Schedule 1 of HLEP1989.

Clause 28 - Development in the vicinity of heritage items

The subject lot is not located within the vicinity of any heritage item as identified under Schedule 1 of HLEP 1989.

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

The aim of the policy is to protect the environment of the Hawkesbury-Nepean River system by ensuring the impacts of future land use are considered in the regional context. General and specific

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matters for consideration, specific planning policies and recommended strategies and development controls, which are to be considered in the assessment of development applications, are included in the policy.

Comments: The subject land falls within the boundary of SREP 20 and is situated within a scenic corridor of significance beyond the region. The proposal meets the overall aims of the plan in that it is consistent with the specific planning policies which apply to the proposal. Clauses 6(1) - 6(7) of the Plan apply to the proposal and have been considered as detailed in the table below:

Specific Planning Policies and Recommended Strategies	Compliance	Comment
6(1) - Total Catchment Management	Yes	The proposal is unlikely to result in any significant adverse environmental impacts on any downstream local government areas.
6(2) - Environmentally Sensitive Areas	Yes	It is unlikely that the proposal will have an impact on the water table or result in the formation of acid sulphate soils.
6(3) - Water Quality	Yes	It is predicted that the proposal will have a positive benefit on the quality of water entering adjacent watercourse as the dam will reduce the amount of pollution entering the river system. Soil and sediment erosion controls will be required to be installed and maintained as per a condition of consent.
6(4) - Water Quantity	Yes	The proposal will not increase water run-off from the site or the rate at which it leaves. The installation of the dam will reduce the quantity of water exiting the site.
6(5) – Cultural Heritage	Yes	The application has not been highlighted as requiring further consideration by the Deerubbin Local Aboriginal Land Council. An appropriate advisory note has been included in the recommendation regarding any aboriginal site or relic disturbed during the course of works.
6(6) - Flora and Fauna	Yes	The proposed works are in an area previously cleared. It is considered that there will be no significant adverse impact on flora and fauna species, populations or habitats.

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Specific Planning Policies and Recommended Strategies	Compliance	Comment
6(7) - Riverine Scenic Quality	Yes	The proposal is considered to be consistent with the landscape character as described in the Scenic Quality Study.

Based on the above it is considered that the proposed development is consistent with the provisions contained in Sydney Regional Environmental Planning Policy 20.

State Environmental Planning Policy 44 - Koala Habitat Protection (SEPP 44)

The aim of the policy is to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline.

Comments: Having regards to the requirements of SEPP No. 44 it is noted that the proposal will not include the removal of any significant stands of vegetation or disturbance of any natural habitats which would be considered as 'core koala habitat'.

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

Draft Hawkesbury Local Environmental Plan 2009 was on exhibition from 5 February to 12 April 2010. The subject lot is identified as being within proposed Zone RU2 Rural Landscape under Draft HLEP 2009. The proposed development is best defined as *Waterbodies (artificial)* and is permissible within the RU2 Rural Landscape zone with development consent.

ii. Development Control Plan applying to the land:

Hawkesbury Development Control Plan (HDCP) 2002

Part A Chapter 2 - General Information

It is considered that the subject application has provided adequate information for the assessment of the proposal and therefore complies with this chapter.

Part A Chapter 3 - Notification

The application was notified to adjacent property owners in accordance with HDCP 2002. No submissions were received in response to the notification of the application.

Part C Chapter 4 - Erosion and Sediment

Appropriate conditions addressing erosion and sediment control are included in the recommendation of this report.

Part D Chapter 6 - Dam Construction

The objectives of this Chapter are to:

- (a) *ensure that any dam proposed is compatible with the existing natural and rural character of the site and the area generally.*
- (b) *ensure that no adverse impact results on local drainage or floodway characteristics in a catchment from dam construction;*

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- (c) *ensure that appropriate environmental measures are applied to dam construction sites in order to conserve the landscape and protect the surrounding environment;*
- (d) *establish, maintain and promote appropriate site rehabilitation or revegetation techniques for dam construction;*
- (e) *maintain and enhance the visual and scenic quality of the locality by controlling form, bulk and scale to complement the environment and have minimum environmental impact;*
- (f) *ensure no adverse effects on adjoining properties (drainage, structure, stability, fences);*
- (g) *protect, restore and maintain the local non-urban character of areas and ensure viable agricultural land is sustained;*
- (h) *protect the health and safety of human residents; maintain water quality within the Hawkesbury Nepean Catchment area; and*
- (j) *ensure that degradation of the environment does not occur from acid sulphate soils, sodic soil or saline soils.*

Comments:

It is considered that the proposal is consistent with the objectives of this Chapter as the development is distinctively agricultural in nature and therefore compatible with the existing scenic character of the locality. The proposed earthworks will not change the floodway characteristics of the area and the proposed dam will improve the quality of water discharged to adjacent watercourses by allowing sediment to settle in the water body.

The following table provides an assessment of the proposed development against the requirements for the Dam Construction Chapter:

Element	Rules	Provides	Complies
Crest	(a) The width of the dam crest is to be a minimum of 3 metres for a 3 metre high dam wall. The crest should increase in width 0.5 metre for every metre above a 3 metre high dam.	Crest width range from 2m to 3m.	Yes
Freeboard	(a) A minimum of 1 metre is to be established for freeboard. This should increase by 10% for every metre over a 3 metre high wall.	Plans detail compliance.	Yes
Embankments	A soil with 25% clay content is ideal to form an impervious barrier.	Suitable condition applied.	Yes
	The following soil types should not be used for dam construction: - Sand, - gravels, - organic - soils or - peat.	Complies	Yes

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Element	Rules	Provides	Complies
	<p>Topsoil should be stripped and stockpiled from the excavation and wall areas before the dam wall is constructed, with the stockpile located clear of any natural watercourse. There should be no excavation above high water mark.</p> <p>The embankment is to be completed with at least 100 millimetres of top soil. It is to be planted with a good holding grass such as couch. Trees or shrubs are not to be planted on the embankment as roots may provide seepage paths for water.</p> <p>The slope of the upstream embankment batters should be no steeper than the ratio of 3.0 horizontal to 1.0 vertical, while the downstream batter should be no steeper than 2.5 horizontal to 1.0 vertical.</p>	<p>No natural watercourses run through the subject property.</p> <p>Suitable conditions of consent applied.</p> <p>Suitable conditions of consent applied.</p> <p>Suitable conditions of consent applied.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
Spillway	<p>(a) The spillway should be a minimum of 3 metres in width increasing in size dependent on the size of the dam and catchment. Generally, spillways are to be designed so as not to overflow more than half the depth of the freeboard.</p> <p>(b) The width of the outlet is not to be less than the inlet width. The spillway also is not to direct flows onto the downstream toe. The spillway area should be grassed, stable and able to accept runoff flow. In some instances it may be necessary to turf the spillway area. The spillway cut batter should have a maximum steepness of 2:5:1.</p> <p>(c) A small diameter (100 millimetre) pipe be required where spring flows or small flows of long duration occur to ensure that the spillway does not erode.</p>	<p>Suitable conditions of consent applied.</p> <p>NA</p> <p>NA</p>	<p>Yes</p> <p>NA</p> <p>NA</p>

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Element	Rules	Provides	Complies
	(d) Where dams are to be constructed in gullies or water courses, a diversion weir is to be constructed up stream of the dam. The weir is to incorporate two pipes 200 millimetres in diameter.	NA	NA
Cut-Off Trench	(a) The cut-off trench is to be constructed along the entire length of the embankment at a minimum width of 2 metres. The trench should be excavated at least 1 metre into impervious soil and backfilled with impervious material.	NA	NA
Vegetation Filters and Tree Planting	(a) A gate should be provided in the fence so that the filter area can be renovated by light grazing during rapid growth seasons. Prolonged grazing in dam catchments has potential to cause algal and weed growth in the dam due to the introduction of nutrients from manure.	NA	NA
Hydrological Aspects	(a) Clay lining and limiting depths of dam construction to above the water table are consent requirements to minimise the threat of contamination to groundwater.	Proposed	Yes
	(b) All excavations which intercept the groundwater are required to be licensed by Department of Land and Water Conservation under the Water Act.	Proposal does not seek to intercept groundwater	NA
Dam Construction	(a) The dam wall is to be adequately compacted by track rolling or a sheet foot roller or similar in layers no greater than 150 millimetres.	Suitable conditions of consent applied.	Yes
	(b) Erosion and sediment control devices are to be installed and maintained to ensure that there is no increase in downstream levels of nutrients, litter, vegetation debris or other water borne pollutants.	Suitable conditions of consent applied.	Yes

Maximum Harvestable Right

The Maximum Harvestable Right criteria do not apply in this instance given the size of the subject land and the proposed capacity of the dam (0.95ML). Licences are not required for farm dams with a volume of up to one megalitre on small properties on land that was approved for subdivision prior to 1 January 1999.

Subject to additional works that have been included as recommended conditions of consent it is considered that the dam will satisfy the design construction requirement for an earth dam. The dam proposal is consistent with the aims, objectives and rules of this Chapter.

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

It is considered unlikely that the proposed development will have any adverse environmental or social impacts on the locality. The proposal will promote the use of the land for agricultural purposes.

Context and Setting

It is considered that the proposal is compatible with the character of the locality.

Access, Transport and Traffic

The proposal would have no long term impact on traffic movements within the locality.

Water

It is considered that the proposed development would improve the quality of water discharged to adjacent watercourse by allowing sediment to collect within the confines of the dam.

Soils

Erosion and sedimentation controls will be utilised during construction. Once the dam has been constructed it will act as a sediment pond and aid in controlling sediments exiting the subject property.

Air and Noise

There will be a short term increase in air (dust and exhaust) and noise emissions as a result of construction and trucks removing the soil from the site. However, given the short term nature of the work it is considered that the air and noise impacts will not be significant.

Waste

Appropriate conditions have been recommended in the consent to ensure that site is to be kept maintained to the satisfaction of Council during the construction period.

Safety

The point of access associated with the site achieves satisfactory performance for safety of the vehicles on Post Office Road.

Construction

In order to protect and mitigate the impact of ongoing land disturbance and possible land degradation it is considered that a reasonable time for completion would be 12 months from the date of commencement. The recommendation of this report includes conditions to manage construction works to ensure that disruption to the locality is minimised.

Cumulative Impact

The proposed development is compatible with adjoining land uses, the objectives of the zone and requirements of Hawkesbury DCP therefore no negative cumulative impact is foreseen.

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c. Suitability of the site for the development:

The site is suitable for this proposal subject to the implementation of the conditions outlined in the recommendation to this report.

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

No submissions were received as the result of notification of the proposal.

e. The Public Interest:

The proposed development is considered to be in the public interest based on the following:

- The proposal is consistent with the objectives and requirements of HLEP 1989, SREP No. 20 and SEPP 44;
- The proposal complies with the objectives and requirements of the HDCP 2002
- The proposed development is not expected to adversely impact on the amenity of the locality or the surrounding environment

Conclusion

The proposal has been assessed having regard to the provisions contained in Hawkesbury Local Environmental Plan 1989, Draft Hawkesbury Local Environmental Plan 2009, Development Control Plan 2002 and other relevant planning policies. It is considered that the proposal constitutes a satisfactory form of development as detailed in the main body of this report and accordingly the subject application seeking approval for a dam of 0.95ML is recommended for approval subject to conditions as detailed in the recommendation.

Planning Decision

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

RECOMMENDATION:

That Development Application No. DA0328/10 for the construction of a dam at Lot 101 DP 858576, No. 12 Post Office Road Ebenezer be approved subject to the following conditions:

General Conditions

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. Dam construction works including the removal of stockpiled soil shall be completed within 12 months from the date of commencement of works.

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Prior to Issue of Construction Certificate

4. 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.

5. Construction of the dam 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.
6. Payment of a Construction Certificate checking fee of **\$130** and a Compliance Certificate inspection fee of **\$260** when submitting Civil Engineering Plans for approval. This amount is valid until 30 June 2011. Fees required if an Accredited Certifier is used will be provided on request.

Prior to Commencement of Works

7. 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.
8. 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.
9. 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.
10. A sign displaying the following information is to be erected adjacent to access point and to be easily seen from the public road. The sign is to be maintained for the duration of works:
 - i. Unauthorised access to the site is prohibited.
 - ii. The owner of the site.
 - iii. The person / company carrying out the site works and telephone number (including 24 hours 7 days emergency numbers).
 - iv. The name and contact number of the Principal Certifying Authority.

During Construction

11. All civil construction works required by this consent shall be in accordance with Hawkesbury Development Control Plan Appendix E Civil Works Specification.
12. Erosion and sediment control devices are to be installed and maintained until the site is fully stabilised in accordance with the approved plan and Hawkesbury Development Control Plan chapter on Soil Erosion and Sedimentation.
13. The dam shall be constructed in accordance with the Dam Construction chapter of Hawkesbury Development Control Plan.
14. The topsoil shall be stripped and stockpiled and used to cover the landfill.
15. The filled area, including batters, shall be grassed immediately after filling takes place.
16. All fill to be adequately compacted by track rolling or similar in layers not exceeding 300mm.

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17. The cut or fill shall be battered at a slope not exceeding 1 (one) vertical to 3 horizontal, with a height not exceeding 3.5m.
18. No excavated material, including soil, shall be removed from the site.
19. Dust control measures, e.g. vegetative cover, mulches, irrigation, barriers and stone shall be applied to reduce surface and airborne movement of sediment blown from exposed areas.
20. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted.
21. Care is to be undertaken when excavating not to intercept ground water. If ground water is discovered then excavation works are to cease immediately and the Principal Certifier is to be notified.
22. All natural and subsurface water-flow shall not be re-directed or concentrated to adjoining properties. Water flows shall follow the original flow direction without increased velocity.

Prior to Issue of the Compliance Certificate

23. A works as executed plan shall be submitted to Council on completion of works. The plan shall include the location of the constructed dam in relation to property boundaries

Use of the Development

24. Trees and shrubs are to be kept clear from the dam at all times.

Advisory Notes

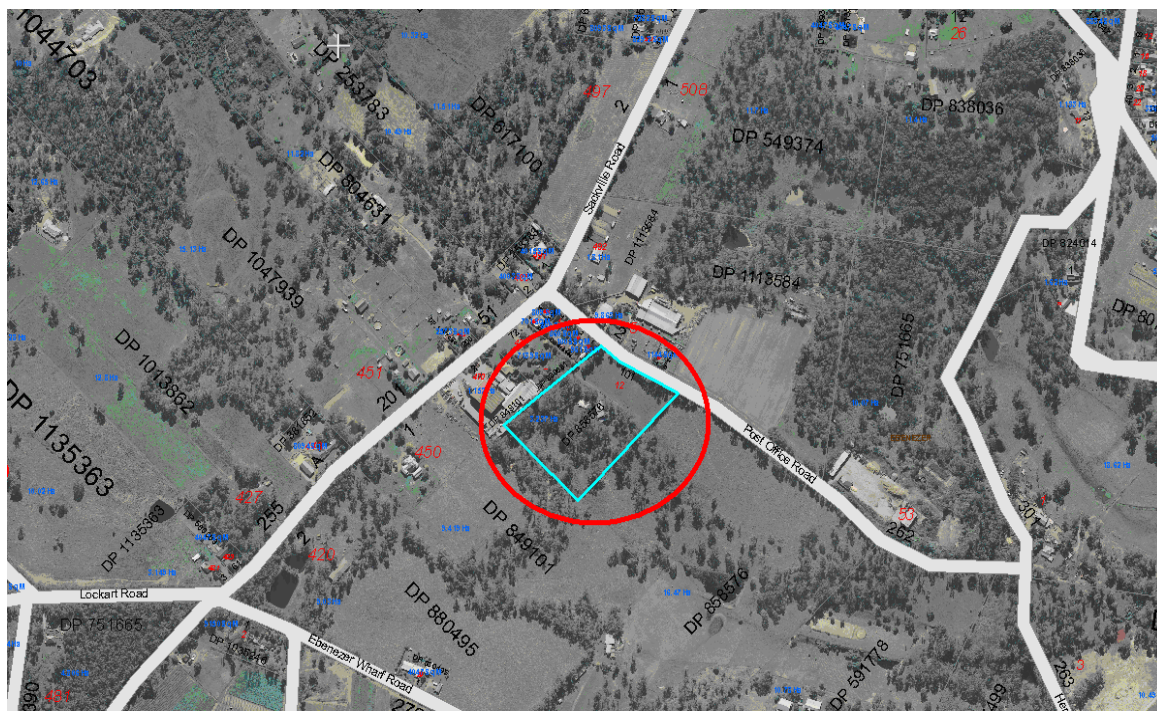
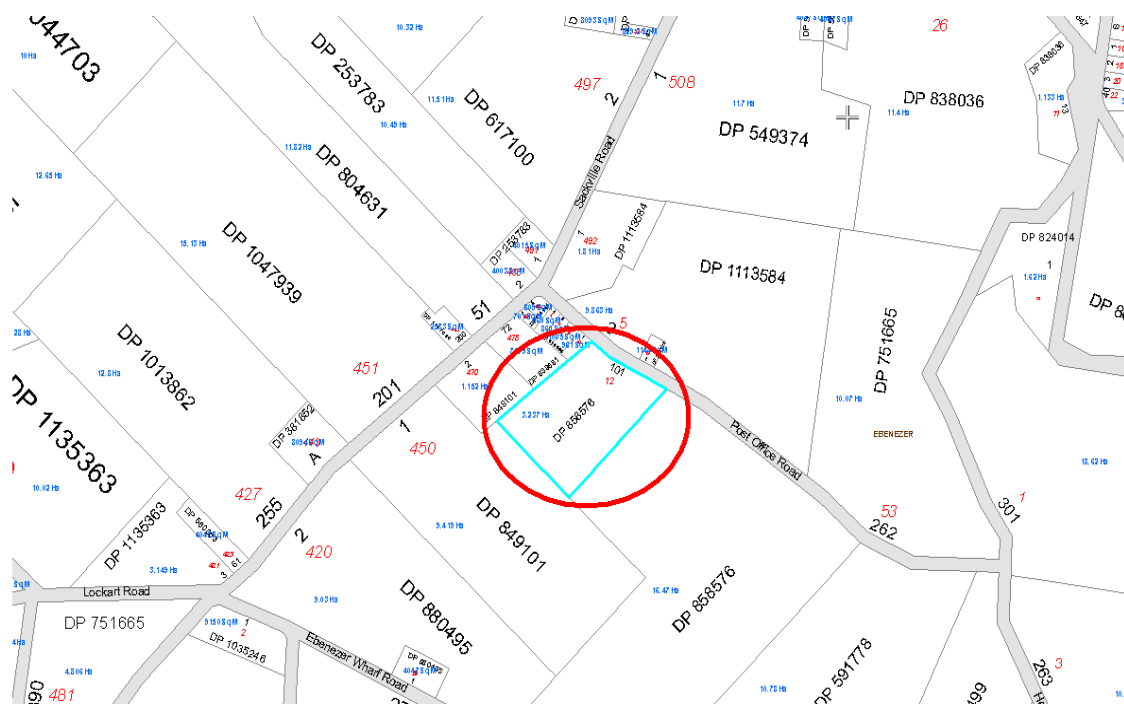
- *** Non-compliance with any condition of this development consent may result in a penalty notice being issued by Council.
- *** The applicant shall make themselves aware of any User Restriction, Easements and Covenants to this property and shall comply with the requirements of any Section 88B Instrument relevant to the property in order to prevent the possibility of legal proceedings against them.
- *** 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.
- *** 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.
- *** In accordance with the provisions of Clause 37A(3)(b) of the Hawkesbury Local Environmental Plan 1989, the applicant is advised that the proposed works need not be carried out pursuant to an acid sulfate soils management plan prepared with the *Acid Sulfate Soils Assessment Guideline*.

ATTACHMENTS:

- AT - 1 Locality Plan and Aerial Photograph
- AT - 2 Plan of proposed Dam

<p align="center">ORDINARY MEETING</p> <p align="center">Meeting Date: 27 July 2010</p>

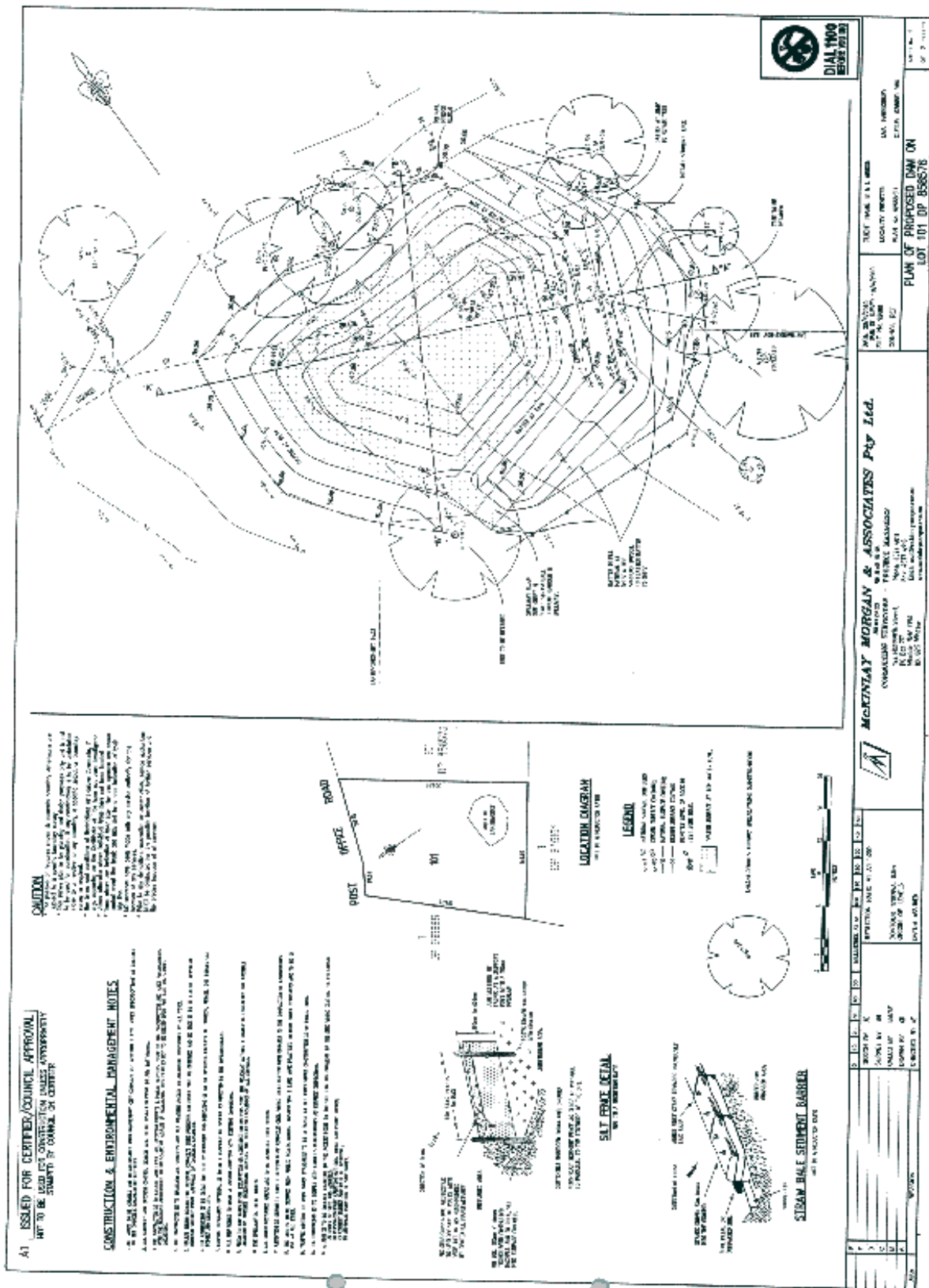
AT - 1 Locality Plan and Aerial Photograph



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AT - 2 Plan of proposed Dam



0000 END OF REPORT 0000

Item: 178 CP - Nomination of Conceptual Town Plans of the Hawkesbury for State Heritage Listing - (98202, 95498)

REPORT:**Executive Summary**

This report proposes that Council support the nomination of the conceptual town plans of the Hawkesbury, as laid out by Governor Lachlan Macquarie, for State Heritage Listing. The proposal follows the recommendation to Council by the Heritage Advisory Committee from its meeting of 25 November 2009 and the presentation that members of the Committee gave to the Councillors at the Briefing Session of 2 March 2010. The listing is proposed to cover the conceptual town layout only and not affect the buildings or private land within the towns.

This nomination in the year commemorating Macquarie's bicentenary is of significant relevance.

Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy. However, should the nomination be supported by Council and the Heritage Branch, the proposed listing will be placed on public exhibition prior to finalisation.

Background

At the Heritage Advisory Committee Meeting of 25 November 2009 the Committee made the following recommendation to Council:

That:

1. *This Committee pursue the proposal to state heritage list the Macquarie Town plans of Windsor, Wilberforce, Richmond and the 1815 site at Pitt Town.*
2. *Council be requested to support the proposal by the Heritage Advisory Committee to request the Heritage Council to consider the state heritage listing of the Macquarie Town Plans.*
3. *Representatives of the Heritage Advisory Committee make a presentation on the proposal to heritage list the original layout of the Macquarie towns to councillors at the February 2010 briefing session.*
4. *Penrith City Council be approached to seek their support for the inclusion of Castlereagh in the proposed heritage listing.*

Members of the Heritage Advisory Committee gave Councillors a presentation at the Councillor Briefing Session on 2 March 2010. Following that briefing a letter was forwarded to the Heritage Branch of the Department of Planning to outline the proposal and requested assistance from the Branch as to how the listing would operate. A copy of the response from the Heritage Branch, supporting the conceptual nomination, is attached. (Attachment 1)

The impact of Governor Macquarie on the development and heritage of the State and in particular the Hawkesbury is significant. Macquarie was responsible for the creation of the towns of Windsor, Richmond, Pitt Town and Wilberforce in the Hawkesbury and many of the significant structures in these towns that still remain. The most important legacy of Macquarie is the manner in which the towns were laid out. The street pattern and location of town squares and cemeteries are still in existence today and have had a significant impact on the development of the towns.

Proposal

The proposal is to nominate the town planning concept and street pattern for State Heritage Listing to recognise the importance of Macquarie's impact on the town planning of the era. Plans showing the extent of the concept and street patterns for Windsor, Richmond, Pitt Town and Wilberforce are attached to this report. (Attachment 2). Given that Castlereagh was also planned by Governor Macquarie it is also recommended that approaches be made to Penrith City Council to obtain their support for the inclusion of Castlereagh in the nomination.

Whilst each of the towns have grown over 200 years within and beyond the original grid plan, the original grid plan itself remains as an artefact of history. Macquarie's grid plans are still highly visible in the landscape and are the earliest examples of their sort in Australia.

The proposed listing is not proposed to involve the listing of allotment boundaries or buildings. It is proposed to be concerned only with the framework specified by Macquarie for creating viable towns in this particular place.

Should the nomination be supported by Council and the Heritage Branch there are a number of areas that would need to be defined and detailed as exemptions to the Listing to ensure that the Listing achieves its intent, to recognise the importance of Macquarie's impact on the town planning of the area, and not unnecessarily restrict the growth and day to day operation of the town and community.

In this regard the nomination would need to specify that the Listing should only deal with the framework, or layout, of the towns, being the grid street pattern and public squares and cemeteries of the towns. Adjoining buildings, properties and works within the street, i.e., roadworks etc should be exempt from the provisions within the Listing unless they are likely to interrupt or destroy the layout, i.e., close or relocate the road reserve. In these cases the Listing would apply and any proposal to change that Listing would need to be considered by the Heritage Council. The details of the exemptions sort can be detailed as part of the nomination and also further expanded, if required, in Council's planning controls.

This nomination in the year commemorating Macquarie's bicentenary is of significant relevance.

Conformance to Community Strategic Plan

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

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

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

- Develop and implement a plan to conserve and promote heritage.

Throughout the Community Strategic Plan there are many references to the character of the Hawkesbury and the need to preserve the important heritage in the Hawkesbury. It is clear that a significant contributor to the Hawkesbury character is the heritage within the area, be it physical or cultural. A significant contributor to the heritage, and hence character, of the Hawkesbury is the location and layout of the towns. In this regard the recognition of this layout and the contribution this has to the Hawkesbury and the State is consistent with the intent of the Community Strategic Plan.

Financial Implications

Apart from the cost of staff time to prepare and submit the nomination for this Listing there are no financial implications from this proposal. The members of the Heritage Advisory Committee have already made significant contributions to the researching and presentation of this proposal and have indicated that assistance, at no cost to Council, will be provided.

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RECOMMENDATION:

That:

1. A nomination for the State Heritage Listing of the Conceptual Town Plans of Windsor, Richmond, Pitt Town and Wilberforce, as laid out by Governor Macquarie and shown as attachments to this report, be prepared and submitted to the Heritage Branch of the Department of Planning.
2. Penrith City Council be approached to obtain their support for the inclusion of Castlereagh in the nomination.
3. The nomination is to be restricted to the conceptual town plans and street layout only and is not to include allotments or buildings adjacent to the layout. The nomination is to include a request for these matters and other day to day operational works within the areas affected to be listed as exemptions from the Listing.

ATTACHMENTS:

- AT - 1** Letter from Heritage Branch, Department of Planning, in support of the lodgement of a nomination.
- AT - 2** Plans showing the proposed areas for nomination in Windsor, Richmond Pitt Town and Wilberforce.

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**AT - 1 Letter from Heritage Branch, Department of Planning,
in support of the lodgement of a nomination**



Planning

Hawkesbury City Council

16 JUN 2010

Mr Peter Jackson
General Manager
Hawkesbury City Council
WINDSOR NSW 2756

Attention: Matthew Owens

Contact: Patricia Hale
Telephone: 02 9873 8587
patricia.hale@planning.nsw.gov.au
File:
Our Ref:
Your Ref:

Dear Mr Jackson

**RE: State Heritage Listing of the Conceptual town Plans of the Hawkesbury
as laid out by Governor Macquarie**

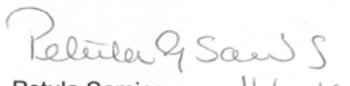
I am writing in reply to your letter of 27 April regarding the proposal by Hawkesbury City Council's Heritage Advisory Committee to list the conceptual town plans of Windsor, Richmond, Wilberforce, Pitt Town, and possibly also Castlereagh, under the Heritage Council's priority listing theme of the heritage of Governor Macquarie.

Further to discussions between senior officers of Hawkesbury City Council and the Heritage Branch, I am now writing to confirm that the branch is happy to consider a nomination from council as outlined in your letter.

The *Guidelines for Nominations to the State Heritage Register*, together with the nomination form and further information on the nomination process, are available from the Heritage Branch website at: www.heritage.nsw.gov.au/nominating

If you have any further enquiries on this matter please contact Cameron White, Manager, Listings Team on (02) 9873 8570, email cameron.white@planning.nsw.gov.au

Yours sincerely


Petula Samios 11.6.10
Director
Heritage Branch



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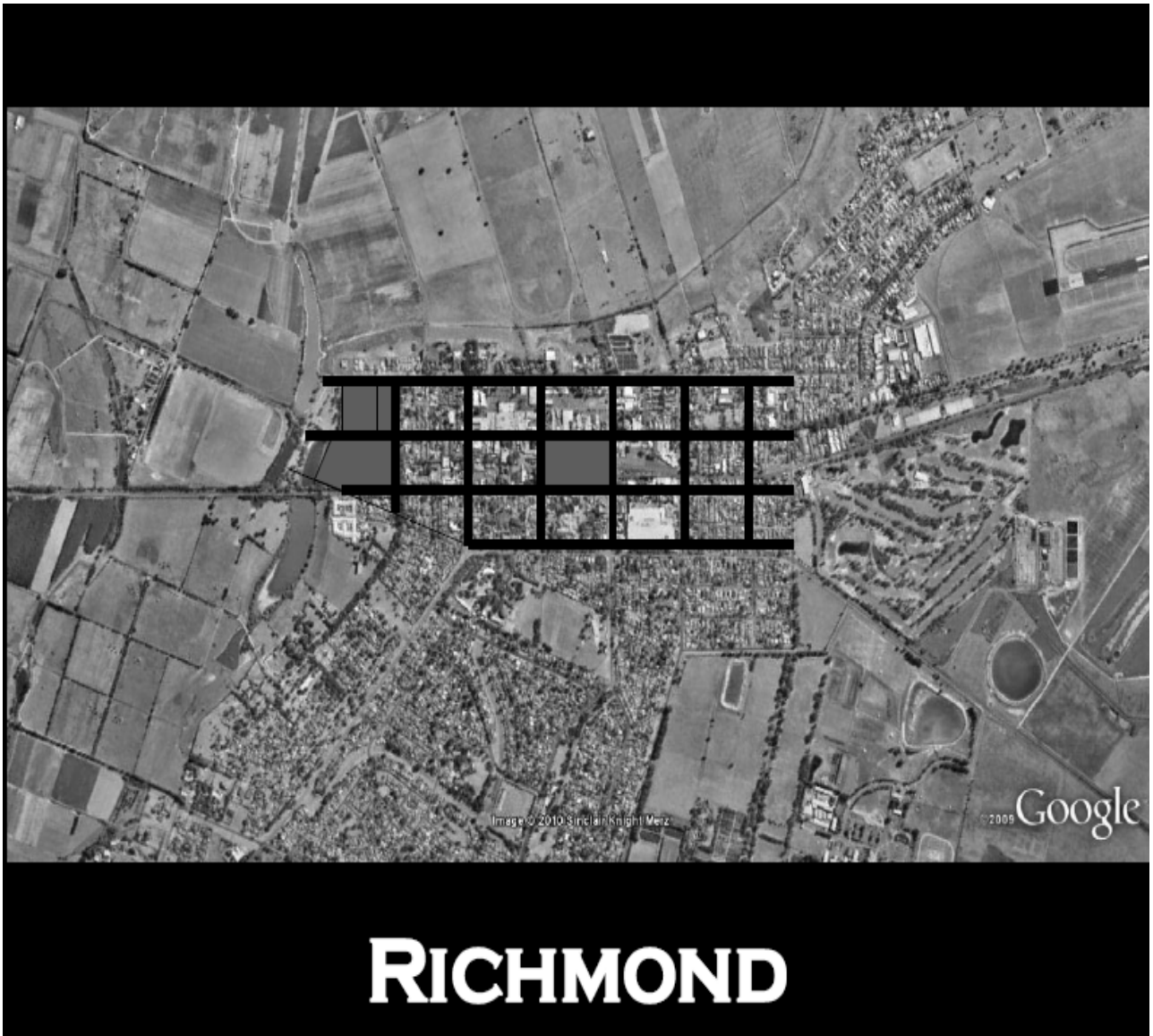
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AT - 2 Plans showing the proposed areas for nomination in Windsor, Richmond, Pitt Town and Wilberforce



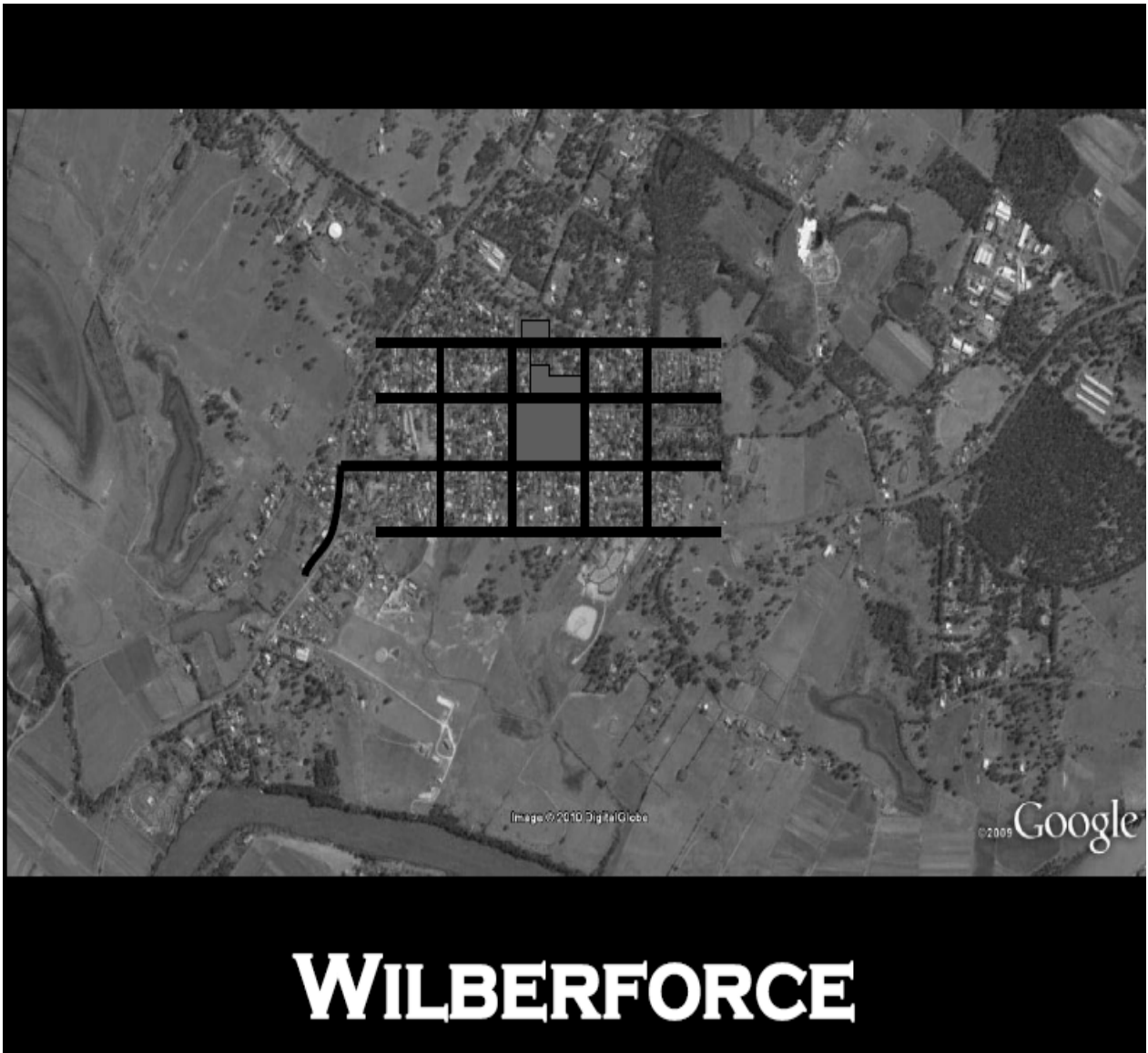
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Item: 179

CP - Section 377 Delegation - Peppercorn Place - (78340)

REPORT:

Executive Summary

This report has been prepared to advise Council of a resolution of the Board of Peppercorn Services Inc. to relinquish the Section 377 Delegation conferred onto Peppercorn Services for the care, control, and management of Peppercorn Place. The report outlines a brief history of property management arrangements at Peppercorn Place and the reasons provided by the Board for its decision. The report recommends that in lieu of the Board's decision, and taking into account the particular complexities of property management arrangements at Peppercorn Place, that Council assume direct management of Peppercorn Place.

Consultation

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

Background

Peppercorn Place was officially opened in May 2001. It currently houses 6 agencies who provide services to frail older people and people with disabilities. The Centre cost \$1.35 million to construct - \$600,000 of which was obtained from grants, with the then Department of Ageing Disability and Home Care (DADHC), the principal source of these grant funds.

In July 2002, Council resolved to delegate care, control and management of Peppercorn Place to Peppercorn Services Inc (PSI) - PSI subsequently assumed this delegation in January 2003.

Prior to January 2010, Council Staff were contracted to provide project management services to the Board of PSI and Council staff were therefore involved in the day-to-day operations of PSI including property management arrangements. This meant that while PSI was delegated responsibility for the care, control and management of Peppercorn Place, these responsibilities were effectively carried out by Council staff acting on behalf of PSI (Council's then Disability and Aged Services Officer was located at Peppercorn Place). Since 2009, in response to increasing workload demands within the Community Services Branch, the project management arrangements between PSI and the Community Services Branch have been progressively wound back and were discontinued in January 2010, when PSI appointed an Executive Officer (an employee of PSI).

Current Property Management Arrangements

Property management arrangements at Peppercorn Place are governed by a renewable licence agreement executed between Council (the 'Licensor') and the agencies occupying spaces within the building (the 'Licensees'). The licence agreement outlines the respective roles and responsibilities of each party and specifies the usage charge (based on the floor space occupied) to be remitted by each licensee. The income collected from licensees is used to cover the total cost of building outgoings which in 2009/2010 amounted to \$82,529. Licensees do not pay rent, but contribute to the day-to-day operating costs - electricity, security, cleaning, maintenance, reception services, telephone, equipment lease and operating costs etc. - generated by their use of Peppercorn Place. Prior to 2008, Licence Agreements were executed by Council and each Licensee. In 2008, the execution of the current Licence Agreement (which expires in December 2010) was devolved to PSI.

The property management arrangements at Peppercorn Place are unique in that they apply to Peppercorn Place and no other community facility operated by Council. Peppercorn Place operates as a co-location facility with licensees having exclusive access to office and activity areas, and sharing common areas and

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office facilities (including front-desk reception). These arrangements are administratively complex requiring the invoicing of monthly user charges, payment of outgoings, recovery of costs arising from the use of shared facilities, and the provision of front-desk reception and building management services. Although tenants of the building are not charged rent - and are only required to meet the usage expenses of their tenancy - practically, Peppercorn Place operates as a quasi 'commercial' tenancy.

From time to time, the arrangements at Peppercorn Place have given rise to conflict in relation to the respective roles of licensees, Peppercorn Services Inc. and Council - in particular who is responsible for authorising and funding works within the building, and who is responsible for ensuring the effective functioning of the building as a co-location facility. While building rules have been negotiated to co-ordinate the management of Peppercorn Place, the design of the building has imposed limitations on the capacity of Council and/or Peppercorn Services to meet the expectations and/or additional requirements of some licensees (without incurring significant additional unbudgeted expenses). In this respect, the Board believes that from time to time Peppercorn Services has been the subject of unmerited criticisms arising directly from its efforts to manage the operational and financial complexities of Peppercorn Place (as a co-location facility) in the interests of all licensees and their clients.

Review of Property Management Arrangements by Peppercorn Services Inc.

Following the appointment of the PSI Executive Officer in January 2010, the Board has been progressively reviewing the operations of Peppercorn Services to ensure its operations are aligned with its primary role of managing and operating Council's externally funded community services which have been delegated to its control. One of the matters reviewed by the Board has been the property management of Peppercorn Place. At the Board meeting held on 24 June 2010, the Board resolved to write to Council to advise of its decision to relinquish its Section 377 delegation for the care, control and management of Peppercorn Place. Written confirmation to this effect has been received by Council.

The decision to request that Council assume management of Peppercorn Place was based on the following circumstances;

- a. under current arrangements Peppercorn Services Inc. was effectively both 'licensor' and 'licensee' being responsible for the execution and monitoring of licence agreements (on behalf of Council) while also being a party under the agreement. After a careful consideration of the history and working of current property arrangements, the Board of PSI came to the view that the interests of all licensees would be better served by a clearer delineation of Council - PSI - Licensee roles and responsibilities. Relinquishing its Section 377 delegation for the building would enable PSI to work with other licensees as an equal partner to establish and support a more effective 'tenants' committee to negotiate consistent building rules for the day-to-day operation of Peppercorn Place so that licensees could work together to cooperatively resolve internal property management issues with each other and external property management issues with Council - particularly some of the outstanding matters which have been unable to be resolved to the apparent satisfaction of all licensees.
- b. the Board noted that prior to January 2010, the project management arrangements that existed between PSI and Council's Community Services Branch, effectively meant that Council staff were primarily undertaking property management responsibilities relating to Peppercorn Place. As noted above, these responsibilities are administratively complex and require the allocation of a not inconsiderable amount of staff time. The Board, being mindful of its primary role to operate Council's externally funded services, was conscious of the need to ensure that funds received for these services were spent as far as possible on the delivery of these services. The decision to relinquish the Section 377 delegation would minimise the requirement for PSI staff to assume the property management workload previously performed by Council staff and not divert staff time away from the delivery of core funded services.
- c. the Board was concerned that since 2003, PSI had been both directly and indirectly subsidising the operation of Peppercorn Place. As the managing agent for Peppercorn Place, PSI felt obligated to ensure its smooth and effective functioning, particularly during periods when the front-desk position was vacant and/or where investment was required to update shared equipment and facilities where these were unable to be funded by Council. As a consequence, PSI has been consistently required

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to redirect human and other resources from its funded service programs to plug gaps in the operations of Peppercorn Place.

- d. PSI has worked assiduously to maintain the building outgoings charged to licensees at 2007 levels (licence fees have not been increased for the last four years) but is finding it increasingly difficult to maintain these costs - particularly as these costs are largely determined by the actions of all licensees within Peppercorn Place. The Board believes there may be an inherent conflict of interest in PSI setting licence fees for Peppercorn Place while also being a licensee itself. The Board is committed to maintaining its additional contributions to the costs of front-desk reception services (above what it contributes as its share of building outgoings), and to supporting the other shared arrangements which deliver benefit to all licensees through economies of scale. However the Board believes that Council is best positioned to negotiate new Licence Agreements when the current agreements fall due for renegotiation and renewal in September 2010, and to manage the implementation of these Agreements.

Conformance to Community Strategic Plan

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

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

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

- Work with public and private sectors to ensure funding and delivery of improved services and infrastructure

This report essentially deals with 'internal' administrative arrangements for Peppercorn Place - a key Council facility supporting the delivery of disability and aged services. It outlines issues arising from a recent assessment of the complexities involved in effectively managing Peppercorn Place as a co-location facility for the benefit of all community partners and their clients, which suggests that an improved outcome for Council's community partners could be achieved through changes to these property management arrangements.

Financial Implications

There are no financial implications arising from this report. The costs of operating Peppercorn Place are funded from the outgoings levied on licensees. This arrangement will continue should Council resume the direct management of Peppercorn Place. As noted in the report, since the opening of Peppercorn Place, Council staff have effectively been either directly or indirectly responsible for the property management of the building - there may be a small increase in administrative responsibilities but this can be met from within existing workloads.

RECOMMENDATION:

That in view of the decision of the Board of Peppercorn Services Inc. to relinquish its Section 377 delegation for the care, control and management of Peppercorn Place, Council resume direct management of Peppercorn Place.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 180 **CP - Community Sponsorship Program - 2010/2011 - Round 1 - (96328, 95498)**

Previous Item: 148, Ordinary (11 August 2009)

REPORT:

Executive Summary

This report has been prepared to advise Council of applications for financial assistance to be determined under Round 1 of the Community Sponsorship Program for 2010/2011. The report lists the applications received, the amounts requested and the proposed level of financial assistance.

The report notes that Round 1 of the Community Sponsorship Program for 2010/2011 has been oversubscribed in that the amount of sponsorship requested exceeds the 2010/2011 budget allocation for the Sponsorship Program. The report presents an option for Council's consideration to address this situation and to ensure that some funds can be retained to meet Section 356 financial requests for the remainder of the financial year.

Consultation

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

Background

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

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

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

The adopted budget for 2010/2011 includes an allocation of \$62,289 for Community Sponsorship. Pursuant to Council's resolution of 29 April 2008, \$19,000 of this amount has been set aside as a contribution to the staging of the Hawkesbury City Eisteddfod.

Community Sponsorship program (2010/2011)

In accordance with Council's Community Sponsorship Policy applications for community sponsorship under Round 1 of the Community Sponsorship Program 2010/2011 were called for in mid May and closed on 2 July 2010. 20 applications were received. In addition to these applications, a further 10 applications representing various years of approved three and five-year sponsorship events (approved in 2007/2008 and 2008/2009) have been included for Council's determination.

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The total value of the financial assistance requested by the 30 applications received under Round 1 of the 2010/11 Program amounts to \$89,800. The amounts requested exceeds the 2010/2011 budget allocation by \$27,511. It has not previously been the case that the value of applications received in the first round of the Sponsorship Program has exceeded the annual budget allocation for the Program. In a report to Council on 11 August 2009, Council was advised of the possibility of this occurring should current funding arrangements be retained, particularly under the event sponsorship category. The report recommended that criteria within this category be amended to ensure the financial sustainability of the Sponsorship Program. Council subsequently resolved (in part) to;

- “4. *Authorise Council staff to advise current recipients of three year event sponsorship agreements that Council may consider the renewal of these agreements on the following basis:*
- (a) prospective applicants will need to re-apply for the renewal of their event sponsorship;*
 - (b) eligible event sponsorship renewal applications will be funded at 75% of the amount approved in the previous event sponsorship agreement in the first year of the renewal period and at lower levels in the subsequent years.”*

This provision will come into effect in 2011/2012 when the majority of three-year event sponsorship agreements are due for renewal (these agreements account for more than 60% of funds distributed under the Sponsorship Program). The implementation of the revised arrangement should ensure that sufficient funding can be made available in future years to enable Council to provide sponsorship to other community groups seeking to stage new events and provide financial assistance under the other categories within the Community Sponsorship Program.

Assessment of 2010/2011 Round 1 Application

It is generally the case that the majority of Community Sponsorship applications, when assessed against the criteria outlined in the Community Sponsorship Program, are largely recommended for funding to the amount requested by applicants. In 2009/2010, 61 of the 72 applications were recommended for funding to the amount requested by the applicant (with a further 4 being partly funded). The exceptions fell into the following categories;

- criteria specifically capped the level of financial assistance to be provided (3 applications)
- application held recurrent funding implications (2 applications)
- applicant was not a local service provider and/or was a commercial entity (3 applications)
- applicant seeking funds to subsidise operating costs of state/federal funded program (3 applications)

In all but one case, Council accepted Council staff recommendations based on the application of the CSP criteria. Accordingly, the applications received under Round 1 of the 2010/2011 program have been assessed firstly, against the applicable criteria, and then further assessed against the ‘practice standards’ applied in previous years.

This assessment has been undertaken to ensure that the total amount recommended for allocation is within the annual budget allocation, and also to retain a portion of the 2010/2011 allocation (to an amount of \$7,532) to give Council the capacity to consider future requests for the remainder of the financial year (particularly in the minor assistance category). Table 1 on the following page summarises the applications received, the amounts requested (GST exclusive) and the proposed level of financial assistance to be provided. To assist Council’s deliberations, more detailed explanations of specific recommendations are outlined below.

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Applicant	Type	Proposal	amount requested	amount proposed
1. Hawkesbury City Eisteddfod Society	ES	Staging of Hawkesbury City Eisteddfod	19,000	19,000
2. Kurrajong Anglican Church	ES	Staging of Carols in Memorial Park, Kurrajong	500	500
3. Rotary Club of Richmond	ES	Staging of Carols by Candlelight in Richmond Park	1,500	1,500
4. St Albans Folk Festival	ES	Staging of Folk Festival	3,000	3,000
5. The Kurrajong Scarecrow Festival	ES	Staging of annual Scarecrow Festival	3,500	3,000
6. Henry Doubleday Research Assoc	ES	Staging of annual Earthcare Fair Festival	1,000	1,000
7. Greater Western Sydney Bands Inc	ES	Staging of annual Jazz a Vienne Festival	2,000	2,000
8. Hawkesbury Community Hub	ES	Staging of annual Community Bush Dance	2,000	2,000
9. Cancer Council NSW	ES	Hawkesbury Relay for Life	3,000	3,000
10. Colo Family Picnic Day	ES	Colo Family Picnic Day	2,400	2,400
11. Life Education NSW Limited	SG	Mobile Learning Centre towing fees	3,000	0
12. Ferry Artists Gallery	ES	Workshops during Hills Fest	1,000	1,000
13. Grose Vale Community Centre Inc	SG	Repairs and maintenance to hall	3,700	3,000
14. Windsor Bowling Club	SG	Lawn bowls carnival as part of Macquarie 2010	1,500	1,500
15. Kurrajong Pony Club	MA	Advertising banner	450	450
16. YMCA Hawkesbury Oasis	SG	Purchase of mini bus	17,156	0
17. Hawkesbury Community Outreach Service	ICF	Reimbursement of DA fees	800	800
18. Hawkesbury Oldies Cricket Side	MA	Representative cricket	500	500
19. Older Mens Network Inc (OMNI)	MA	Annual Shindig and AGM	500	500
20. Holly Malpass	MA	Representative karate	100	100
21. Kurrajong Community Forum Inc	SG	Shade area in Memorial Park, Kurrajong	4,000	3,000
22. Macquarie 2010 School Sub-committee	SG	Catering for Macquarie 2010 competition awards night	1,200	1,200
23. Hawkesbury Combined Probus Club Inc	SG	Purchase of b-b-q equipment	1,684	1,684
24. Ashleigh Hill	MA	Representative karate	100	100
25. James Hill	MA	Representative karate	100	100
26. Heart of the Hawkesbury Inc	ES	Sand Sculpting competition	5,000	0
27. WIRES – Hawkesbury Branch	CF	Community facility hire	110	110
28. Hawkesbury Riding Club	SG	Riding workshops	2,000	2,000
29. Hawkesbury Nepean Valley Pipe Band Inc	SG	Purchase of a drum set	4,000	2,000
30. Windsor Business Group	ES	Sydney Blues Festival	5,000	0
TOTAL			89,800	54,757

Table 1 Requests for financial assistance Round 1 of 2010/2011 Community Sponsorship Program

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a. Applications not recommended for funding

Application 11 - Life Education NSW, Mobile Learning Centre Towing Fees (\$3,000). Life Education is a national organisation which receives funding from the NSW Health Department. It also has 30+ corporate sponsors. The application is seeking funding from Council to subsidise its operating costs through the reimbursement of mobile centre towing fees (which are a recurrent operational cost). Council has in the past declined to fund applications with recurrent funding implications where organisations are funded by state/federal agencies to deliver programs for which financial assistance is sought. On this basis it would be reasonable and consistent for Council to decline this application.

Application 16 - YMCA Hawkesbury Oasis, purchase of mini-bus (\$17,156). Council currently provides an operating subsidy to the YMCA to cover the operating losses of the Stadium and Oasis. Council has also recently resolved to provide a contribution of up to \$209,000 to fund the extension of the Oasis Centre. Given this level of financial assistance, it would seem reasonable not to support the YMCA application for additional financial assistance under the (Section 356) Sponsorship program.

Application 26 - Heart of the Hawkesbury Inc., sand sculpting competition (\$5,000). This application is seeking a \$5,000 contribution towards a project valued at \$365,000. Applicant is currently negotiating with major sponsors but no firm details are provided in the application, nor is it clear whether appropriate approvals have been obtained for the event scheduled to be held in January 2011. The primary purpose of the Sponsorship Program is to support smaller not-for-profit organisations with limited access to other sources of funding. It would be reasonable to suggest that the applicant may not fall into this category given the total level of sponsorship funds required for the project. It may be more appropriate for the applicant to seek an arts, tourism, events or economic development grant from the state/federal government for this project.

Application 30 - Windsor Business Group, Sydney Blues Festival (\$5,000). Council contributed \$5,000 to this event in 2009/2010. Initially the 2009/2010 application was declined on the basis that it was submitted by a for profit entity for a commercial undertaking. Following further discussion, the application was re-submitted by the Windsor Business Group (WBG) on the basis that the project would act as a catalyst for the promotion of Windsor as a tourism destination. Council subsequently approved the application as a one-year seeding grant. The WBG has resubmitted a further application which would seem to be inconsistent with Council's 2009/2010 approval determination.

b. Applications recommended for part-funding only

Given the increasing volume of community sponsorship applications being received by Council, it may be appropriate for Council to specify a maximum grant under the Program to ensure broader and more equitable access to the program. (Penrith City Council for example imposes a maximum grant of \$2,000). It would be reasonable for Council to specify a maximum grant level of \$3,000 for any one individual application (with the exception of the Hawkesbury Eisteddfod which is governed by a separate Council resolution). This should not have a significant impact as only 6 of the 72 grants approved in 2009/2010 were for more than \$3,000 (one of which was the Eisteddfod, with further 2 grants in excess of \$3,000 approved under the Macquarie 2010 seeding program which was governed by separate criteria). Should this proposal be adopted then the following grants would be reduced

Application 5 - Kurrajong Scarecrow Festival, staging of festival - reduced from \$3,500 to \$3,000.

Application 13- Grose Vale Community Centre Inc, floor repairs - reduced from \$3,700 to \$3,000

Application 21 - Kurrajong Community Forum Inc. shade area - reduced from \$4,000 to \$3,000

Application 29 - Hawkesbury Nepean Valley Pipe band Inc, purchase of drum set (\$4,000). Council staff are aware that the applicant has applied to Penrith City Council for the same project. Given that Penrith City Council imposes a maximum grant of \$2,000, it would be reasonable for Council to match this amount for this application. It should be noted that Council has provided 7 previous grants to the applicant over the last nine years amounting to \$6,300 and has also provides subsidised access to a rehearsal space and storage facility for the Pipe Band for many years.

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Summary of Proposed Reductions

Should Council adopt the proposals outlined above, the value of proposed funding allocations under Round 1 of the Community Sponsorship Program for 2010/2011 would amount to \$54,544 leaving a balance of \$7,745 for further distribution under subsequent rounds of the Sponsorship Program.

Conformance to Strategic Plan

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

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

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

- Develop and implement a community partnership and participation program

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

- Support community initiatives and volunteers

and assist Council to achieve the following CSP measure:

- Level of support to community organisations

Funding Implications

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

RECOMMENDATION:

That Council:

1. Approve payments of Section 356 Financial Assistance to the organisations or individuals listed, and at the level recommended in Table 1 of this report.
2. Approve the execution of Council’s standard Sponsorship Agreement for applications 12, 13, 14, 17, 21, 22, 23, 28, and 29 identified in Table 1 of this report.
3. Amend the Community Sponsorship criteria to specify that the maximum grant available under the program will be \$3,000 (unless otherwise resolved by Council).

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING**Meeting Date:** 27 July 2010**SUPPORT SERVICES****Item: 181 SS - Monthly Investments Report - June 2010 - (96332, 95496)****Previous Item:** 17, Ordinary (3 February 2009)
 82, Ordinary (28 April 2009)**REPORT:****Executive Summary**

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

This report indicates that Council held \$44.28 million in investments at 30 June 2010.

It is recommended that this report be received and noted.

Consultation

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

Background

The following table indicates that Council held \$44.28 million in investments as at 30 June 2010. Details of the financial institutions with which the investments were made, date investments were taken out, the maturity date (where applicable), the rate of return achieved, the credit rating of the institutions, both in the short term and the long term, and the percentage of the total portfolio, are provided below.

Investment Type	Institution Short Term Rating	Institution Long Term Rating	Lodgement Date	Maturity Date	Interest Rate %	Principal \$	Percentage of Portfolio	Total \$
On Call								
CBA	A1+	AA	30-Jun-10		5.00%	6,780,000	15.26%	6,780,000
Term Investments								
AMP	A1	A	20-Jan-10	21-Jan-11	6.86%	1,000,000	2.26%	
ANZ	A1+	AA	24-Mar-10	20-Oct-10	6.25%	1,000,000	2.26%	
ANZ	A1+	AA	25-Nov-09	24-Nov-10	6.00%	1,000,000	2.26%	
ANZ	A1+	AA	02-Sep-09	02-Sep-10	5.25%	2,000,000	4.52%	
ANZ	A1+	AA	10-Feb-10	11-Aug-10	6.20%	500,000	1.13%	
ANZ	A1+	AA	03-Mar-10	29-Nov-10	6.30%	2,000,000	4.52%	
Bank of Cyprus	Moody's P-1	A	02-Nov-09	27-Oct-10	5.70%	1,000,000	2.26%	

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Investment Type	Institution Short Term Rating	Institution Long Term Rating	Lodgement Date	Maturity Date	Interest Rate %	Principal \$	Percentage of Portfolio	Total \$
Bank of Queensland	A-2	BBB+	19-May-10	17-Nov-10	6.15%	1,000,000	2.26%	
Bankwest	A1+	AA	19-Aug-09	19-Aug-10	5.00%	1,000,000	2.26%	
Bendigo and Adelaide Bank	A-2	BBB+	09-Oct-09	13-Oct-10	5.30%	1,000,000	2.26%	
Citibank	A-1	A+	21-Apr-10	20-Jul-10	5.30%	1,000,000	2.26%	
Credit Union Australia	unrated	BBB	24-Mar-10	22-Jul-10	5.99%	1,000,000	2.26%	
Defence Force Credit Union	unrated	unrated	26-May-10	27-Oct-10	6.19%	1,000,000	2.26%	
IMB	A-2	BBB	10-Feb-10	11-Aug-10	6.25%	1,000,000	2.26%	
Investec Bank	Moody's P-2	BBB	02-Sept-09	02-Sep-10	5.74%	1,000,000	2.26%	
Macquarie Bank	A-1	A	15-Jun-10	13-Dec-10	6.00%	1,000,000	2.26%	
Members Equity	A-2	BBB	02-Jun-10	02-Dec-10	6.20%	1,000,000	2.26%	
NAB	A1+	AA	08-Dec-09	08-Dec-10	6.80%	3,000,000	6.78%	
NAB	A1+	AA	03-Dec-09	03-Dec-10	6.80%	2,000,000	4.52%	
NAB	A1+	AA	02-Sep-09	04-Aug-10	5.20%	1,000,000	2.26%	
NAB	A1+	AA	03-Jun-10	20-Jan-11	6.21%	4,000,000	9.03%	
Newcastle Permanent	A-2	BBB+	15-Jun-10	15-Jun-11	6.10%	1,000,000	2.26%	
Qantas Staff Credit Union	unrated	unrated	27-Apr-10	25-Aug-10	6.15%	500,00.00	1.13%	
Qantas Staff Credit Union	unrated	unrated	19-May-10	20-Oct-10	6.30%	500,00.00	1.13%	
Rural Bank	A-2	BBB	16-Jun-10	15-Jun-11	6.40%	1,000,000	2.26%	
Suncorp	A-1	A	15-Jun-10	15-Jun-11	6.50%	1,000,000	2.26%	
Westpac	A1+	AA	20-Jan-10	21-Jul-10	6.20%	1,000,000	2.26%	
Westpac	A1+	AA	21-Dec-09	21-Dec-10	7.00%	3,000,000	6.78%	
Westpac	A1+	AA	26-May-09	27-Jan-11	6.10%	1,000,000	2.26%	37,500,000
TOTAL INVESTMENT AS AT 30 JUNE 2010								44,280,000

Bench Marking

Bench Mark	Bench Mark %	Actual %
UBS 90 Day Bank Bill Rate	4.96%	6.18%
Reserve Bank Cash Reference Rate	4.50%	5.00%

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Category	Balance	Average Interest	Difference to Benchmark
Cash at Call	6,780,000	5.00%	0.50%
Term Deposit	37,500,000	6.18%	1.22%
	44,280,000	6.00%	1.04%

Restricted Funds

Restriction Type	Amount
External Restrictions -S94	6,104,467
External Restrictions - Other	16,032,923
Internal Restrictions	15,098,431
Unrestricted	7,044,179
Total	44,280,000

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.

Internal restrictions, refer to funds allocated for specific purposes or to meet future known expenses that should be provided for on an ongoing basis. Whilst it would “technically” be possible for these funds to be utilised for other purposes, such a course of action, unless done on a temporary internal loan basis, would not be recommended nor would it be “good business practice”.

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

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Investment Commentary

The investment portfolio increased by \$5.51 million for the month of June, 2010. During June, various income was received totalling \$10.30 million, including the NSW Local Infrastructure Fund loan for the upgrade of sewerage infrastructure amounting to \$4 million and rate payments amounting to \$2.36 million, while payments to suppliers and staff costs amounted to \$5.52 million.

The investment portfolio currently involves a number of 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 and Council's investment portfolio is independently reviewed each calendar quarter.

On 25 May 2010 the Division of Local Government released the Investment Policy Guidelines to assist councils in the preparation of their Investment Policy. Consequently, Council has reviewed and adopted a revised Investment Policy on 29 June 2010.

Council's investment portfolio complies with the adopted policy.

As at 30 June 2010, Council has invested \$16 million with 2nd tier financial institutions, noting that one of these institutions is a subsidiary of a major Australian trading bank. The investment of \$1 million with sixteen 2nd tier banks is entirely covered by the free Government Guarantee Scheme, and is in accordance with Council's Investment Policy.

On 7 February 2010, the Federal Government announced its withdrawal of the Government Guarantee Scheme for Large Deposits and Wholesale Funding on 31 March 2010. Deposits already under the guarantee will be grandfathered up to 2015. This will not affect Council's investments, as Council's investments with 2nd tier institutions currently do not exceed \$1million, and investments exceeding \$1million with the major banks are not guaranteed. The Financial Claims Scheme (the free guarantee of up to \$1million) still stands until its review in October 2011.

The Governor of the Reserve Bank of Australia released the following statement on monetary policy on 6 July 2010:

"At its meeting today, the Board decided to leave the cash rate unchanged at 4.5 per cent.

The global economy has continued to expand over recent months, consistent with a trend pace of growth. The expansion remains uneven, with the major advanced countries recording only modest growth overall, but growth in Asia and Latin America, to date, very strong. There are indications that growth in China is now starting to moderate to a more sustainable rate. In Europe, while output in some key countries has been improving recently, prospects for next year are more uncertain given the budgetary constraints governments face and the pressure on Euro area banks. US growth has looked stronger in the first half of 2010 but the pace of labour market improvement is slow.

Caution in financial markets has been evident in the past couple of months, driven principally by concerns about European sovereigns and banks but also by some uncertainty about the pace of future global growth. Financial prices have been more volatile and equity prices and government bond yields in major countries have declined. Some tightness in funding markets is evident, though not on the scale seen in late 2008. Commodity prices are off their peaks but those most important for Australia remain at very high levels, and the terms of trade are approaching their peak of two years ago.

With the high level of the terms of trade expected to add to incomes and demand, output growth in Australia over the year ahead is likely to be about trend, even though the effects of earlier expansionary policy measures will be diminishing. Consumption spending is recording a modest increase at present, with households displaying a degree of caution, but most

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indicators suggest business investment will increase over the coming year. Business credit appears to have stabilised, though credit conditions for some sectors remain difficult. Credit outstanding for housing has continued to expand at a solid pace, but dwelling prices are rising more slowly than earlier in the year.

The labour market has continued to firm gradually, and after the significant decline last year, growth in wages has picked up a little, as had been expected. Underlying inflation appears likely to be in the upper half of the target zone over the next year. The rate of CPI increase is likely to be a little above 3 per cent in the near term, due to the effects of increases in tobacco taxes announced earlier in the year and significant increases in prices for utilities.

The current setting of monetary policy is resulting in interest rates to borrowers around their average levels of the past decade. Pending further information about international and local conditions for demand and prices, the Board views this setting of monetary policy as appropriate.”

Investment Certification

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

Conformance to Community Strategic Plan

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

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

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

- Maintain and review a sustainable long term financial framework.

Financial Implications

Funds have been invested with the aim of achieving budgeted income in 2009/2010.

RECOMMENDATION:

The report regarding the monthly investments for June 2010 be received and noted.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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CONFIDENTIAL REPORTS

INFRASTRUCTURE SERVICES

Item: 182 IS - Tender No.002/09 - Request for Tender for Purchase and Removal of Sand from the Hawkesbury City Waste Management Facility - (95495) **CONFIDENTIAL**

Previous Item: 249, Ordinary (10 November 2009)

Reason for Confidentiality

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

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

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

ORDINARY MEETING

Meeting Date: 27 July 2010

SUPPORT SERVICES

**Item: 183 SS - Lease to Frank Taranto - Macquarie Park House - 1 Wilberforce Road,
Wilberforce - (39392, 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
Reports of Committees

ORDINARY MEETING
Reports of Committees

SECTION 5 - Reports of Committees

ROC - Hawkesbury Macquarie 2010 Committee Minutes - 10 June 2010 - (114013)

The meeting commenced at 9.10 am in the Council Chambers, Hawkesbury City Council.

Present:	Councillor Bart Bassett Councillor Jill Reardon Carol Edds Colin Mitchell John Miller Jean Stephens Judy Newland Donald Cobcroft Brian Lindsay Frank Holland Gai Timmerman Esther Perry Kath Von Witt	Chair, Hawkesbury City Council Hawkesbury City Council Community Representative Community Representative Community Representative Community Representative Community Representative Community Representative Community Representative Community Representative Community Representative Hawkesbury City Council Hawkesbury City Council
Apologies:	Aleks Pinter John Christie Fiona Mann Keri Whitely Joseph Litwin	Community Representative Community Representative Hawkesbury City Council Hawkesbury City Council Hawkesbury City Council
In Attendance:	Kaylene Kelland	Hawkesbury City Council

REPORT:

RESOLVED on the motion of Councillor Jill Reardon and seconded by Gai Timmerman that the apologies be accepted.

SECTION 1 - CONFIRMATION OF MINUTES

1. Conformation of Minutes

RESOLVED on the motion of John Miller seconded by Colin Mitchell that the Minutes of the Hawkesbury Macquarie 2010 Committee held on 8 April, 2010 be accepted.

2. Matters arising from Previous Minutes

John Miller asked the Committee if it was possible for the meeting time to be changed to the afternoon, as he has prior business commitments in the morning.

MOTION:

RESOLVED on the motion of John Miller seconded by Jill Reardon that the August committee meeting - 12 August will be held at 9am and the remaining two committee meetings -14 October, 9 December will be

held in the afternoon. The proposed time being 3pm. The committee will be advised at the August meeting of the time.

Colin Mitchell wished it noted in the minutes, the contributions made by Councillor Rex Stubbs in the establishment of the Macquarie 2010 Committee and the leadership he had provided within the committee.

RESOLVED on the motion of Colin Mitchell and seconded by John Miller.

SECTION 2 – REPORTS FOR DETERMINATIONS

Item 34: Recommendations regarding the design, wording and location of plaques commemorating the naming of the four Macquarie Towns in the Hawkesbury

Esther Perry gave a visual presentation to the committee with a number of recommendations in relation to plaques. Location, suggested wording and dates for the unveiling of the plaques to coincide with community activities in these areas.

She also thanked the Plaques Working Party for their contribution to this project.

MOTION:

RESOLVED on a motion of John Miller and seconded by Councillor Jill Reardon that this information be received.

SECTION 3 – REPORTS OF WORKING PARTY MEETINGS

ROWP - Hawkesbury Macquarie 2010 Branding and Marketing Working Party

- Colin Mitchell advised he had met with Damian Tomlinson to discuss marketing opportunities, and to list the events on the State Government listing of Macquarie 2010 events.
- Esther Perry encouraged all community groups to register with the State body to ensure their events were listed on the State Government website.

John Miller left the meeting at 10.05am

ROWP - Hawkesbury Macquarie 2010 Sponsorship and Grants Working Party

- Colin Mitchell advised that the Richmond Club had mentioned the Macquarie 2010 in their newsletters.

ROWP - School Involvement Working Party

- Brian Lindsay provided an update that 2 High Schools and 8 Primary School had registered for the school competition. It was initially planned that the presentation would be held at the Richmond Club but this has now been revised and the Windsor Central Library will be the venue for this presentation.

ROWP - Plaques Working Party

- Visual Presentation by Esther Perry

ORDINARY MEETING
Reports of Committees

RESOLVED on the motion of Councillor Jill Reardon and seconded by Don Cobcroft that the reports of the Macquarie 2010 Working Parties be received.

SECTION 4 - GENERAL BUSINESS

- Esther Perry advised that the *'Freedom of the City'* event is planned for Friday 22 October. It will be a public event to be conducted in Pitt Town.

As a result of Macquarie 2010 events being included on the State Government website, Hawkesbury has received several media opportunities in which to promote local activities. Articles have published in the *'Local Agenda'* – a Local Government publication that is circulated nationally, and *'House & Garden'* has featured an article on the Iris launch.

The Hawkesbury City Annual Community Report and a calendar of events to be included in the Rates Notice listing details of Macquarie 2010 events being held.

- Jean Stephens advised that the Castlereagh Fair is to be held 17 November with a art exhibition in the Castlereagh Hall.
- Kaylene Kelland advised the Committee that Council was producing a banner promoting the *'Macquarie 2010 - Celebrating our Macquarie Towns'*, that included the website for the Community to access information about community events. The banner will be rotated across the Various banner locations in the Hawkesbury.

NEXT MEETING - to be held at 9.00 am on Thursday 12 August, 2010, in the Council Chambers, Hawkesbury City Council, 366 George St. WINDSOR.

Meeting Closed at 10.40 am.

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ORDINARY MEETING
Reports of Committees



ordinary
meeting

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