



Hawkesbury City Council

ordinary meeting business paper

date of meeting: 28 May 2013

location: council chambers

time: 6:30 p.m.



mission statement

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

How Council Operates

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

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

Ordinary Meetings of Council are generally held on the second Tuesday of each month (except January), and the last Tuesday of each month (except December), meeting dates are listed on Council's website. The meetings start at 6.30pm and are scheduled to conclude by 11:00pm. These meetings are open to the public.

When an Extraordinary Meeting of Council is held, it will usually also be held on a Tuesday and start at 6.30pm. These meetings are also open to the public.

Meeting Procedure

The Mayor is Chairperson of the meeting.

The business paper contains the agenda and information on the items to be dealt with at the meeting. Matters before the Council will be dealt with by an exception process. This involves Councillors advising the General Manager by 3:00pm on the day of the meeting, of those items they wish to discuss. A list of items for discussion will be displayed at the meeting for the public to view.

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

Public Participation

Members of the public can request to speak about an item raised in the business paper at the Council meeting. You must register to speak at a Council meeting. To register you must lodge an application form with Council prior to 3:00pm on the day of the meeting. The application form is available on the Council's website, from the Customer Service Unit and by contacting the Manager - Corporate Services and Governance on (02) 4560 4426 or by email at council@hawkesbury.nsw.gov.au.

The Mayor will invite registered persons to address the Council when the item is being considered. Speakers have a maximum of five minutes to present their views. The Code of Meeting Practice allows for three speakers on the Proponent side (i.e. in support) and three for the Respondent side (i.e. in objection). If there are a large number of speakers for one item, speakers will be asked to organise for three representatives to address the Council for either the Proponent or Respondent side (six speakers in total).

Voting

The motion for each item listed for discussion will be displayed for Councillors and public viewing, if it is different to the recommendation in the Business Paper. The Chair will then ask the Councillors to vote, generally by a show of hands or voices. Depending on the vote, a motion will be Carried (passed) or Lost.

Planning Decision

Under Section 375A of the Local Government Act 1993, voting for all Planning decisions must be recorded individually. Hence, the Chairperson will ask Councillors to vote with their electronic controls on planning items and the result will be displayed on a board located above the Minute Clerk. This will enable the names of those Councillors voting For or Against the motion to be recorded in the minutes of the meeting and subsequently included in the required register. This electronic voting system was an innovation in Australian Local Government pioneered by Hawkesbury City Council.

Business Papers

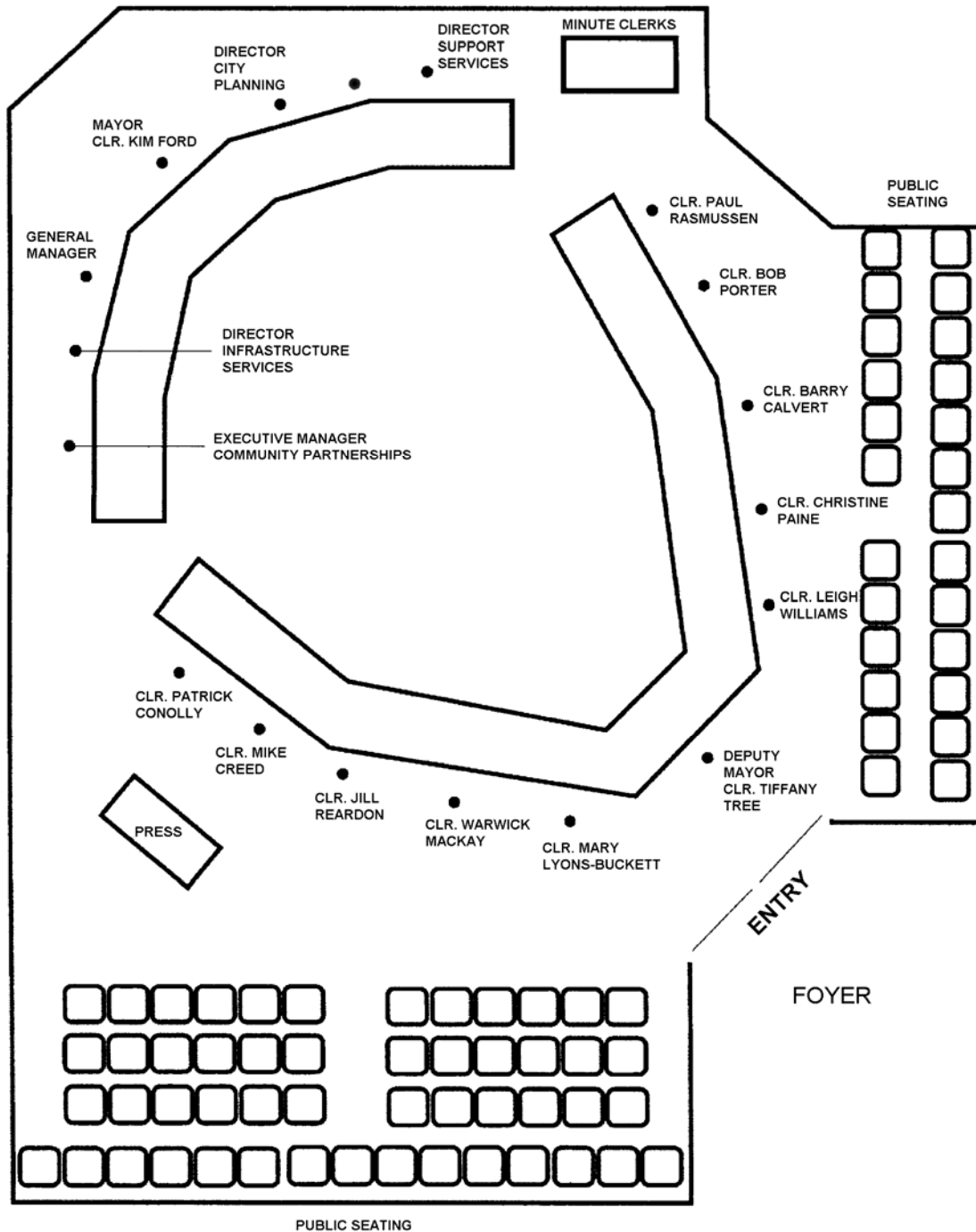
Business papers can be viewed online from noon on the Friday before the meeting on Council's website: <http://www.hawkesbury.nsw.gov.au>

Hard copies of the business paper can be viewed at Council's Administration Building and Libraries after 12 noon on the Friday before the meeting, and electronic copies are available on CD to the public after 12 noon from Council's Customer Service Unit. The business paper can also be viewed on the public computers in the foyer of Council's Administration Building.

Further Information

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

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SECTION 1 - Confirmation of Minutes

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SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 92 GM - Financial Sustainability of Hawkesbury City Council - (79351, 96332, 95496)

REPORT:

Executive Summary

In March 2012, the Minister for Local Government announced the establishment of an Independent Local Government Review Panel (Panel) to develop options to improve the strength and effectiveness of local government in NSW. To assist with the review, the NSW Treasury Corporation (TCorp) was requested to prepare reports in respect of financial sustainability for all 152 NSW councils.

In April 2013, the Panel issued a Future Directions for NSW Local Government Paper which currently forms part of a consultation program including workshops with Mayors, Councillors and senior staff and Community Hearings. The Paper takes into account councils' financial sustainability, as determined by TCorp, and provides some recommendations for the local government industry overall, and for each respective council.

The purpose of this report is to provide background information with regards to the scope, analysis and findings of the financial sustainability assessment undertaken by TCorp. The report gives an overview of the findings in relation to local government in general, indicates how Council's position compares to other councils, as well as providing recommendations regarding a number of options Council could consider to address the results of the assessment of its financial sustainability.

The full NSW TCorp report is available on the following website:

[http://www.dlg.nsw.gov.au/dlg/dlghome/documents/Information/TCorp Report - Financial Sustainability of the New South Wales Local Government Sector – April 2013.pdf](http://www.dlg.nsw.gov.au/dlg/dlghome/documents/Information/TCorp%20Report%20-%20Financial%20Sustainability%20of%20the%20New%20South%20Wales%20Local%20Government%20Sector%20-%20April%202013.pdf)

The report recommends that the information be received and noted. Further reports will be submitted to Council in the near future to specifically address the options available to Council to address the matters discussed in this report.

Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy. Actions referred to in this report, which might eventuate in the future, will be subject to the relevant public consultation process.

Background

In March 2012, the Minister for Local Government announced the establishment of an Independent Local Government Review Panel (Panel) to develop options to improve the strength and effectiveness of local government in NSW. To assist with the review, the NSW Treasury Corporation (TCorp) was requested to prepare reports in respect of financial sustainability for all 152 NSW councils.

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In April 2013, the Panel issued a Future Directions for NSW Local Government Paper which currently forms part of a consultation program including workshops with Mayors, Councillors and senior staff and Community Hearings. The Paper takes into account councils financial sustainability, as determined by TCorp, and provides some recommendations for the local government industry overall, and for each respective council. The Future Directions for NSW Local Government Paper will be the subject of a separate report to be submitted to Council in the near future.

TCorp Financial Sustainability Assessment – NSW Councils

TCorp defines sustainability as:

A local government will be financially sustainable over the long term when it is able to generate sufficient funds to provide the levels of service and infrastructure agreed with its community.

The definition brings together what TCorp considers are the key elements of financial strength, service and infrastructure requirements, and needs of the community.

A Financial Sustainability Rating (FSR) and Outlook methodology was used by TCorp to rate each individual council. The assessment to determine the rating applicable to each council, included the review of both historical financial results and the long term (10 year) financial forecasts of each Council, as well as benchmarking against a set of appropriate indicators.

Financial Sustainability Rating (FSR)

The FSR reflects a council's capacity to meet its financial commitments in the short to medium term, and in the long term. To determine the FSR for each council, a matrix of 10 key benchmark ratios was used, captured within the following main categories:

- Financial Flexibility (35%) – Operating Ratio, Own Source Operating Revenue Ratio
- Liquidity (20%) – Cash Expense Ratio, Unrestricted Current Ratio
- Debt Servicing (10%) – Debt Service Ratio, Interest Cover Ratio
- Asset Renewal and Capital Works (35%) – Infrastructure Backlog Ratio, Asset Maintenance Ratio, Building and Infrastructure Asset Ratio, Capital Expenditure Ratio

TCorp has provided seven levels of Financial Sustainability Ratings (FSR), being: Very Strong, Strong, Sound, Moderate, Weak, Very Weak, and Distressed.

A Moderate FSR is considered to be the base target level for councils. A Moderate rating indicates that a council has an adequate capacity to meet its financial obligations in the short to medium term (being the next five years), and to manage risks to its business. It is likely to be able to address any unforeseen financial shocks with moderate revenue and/or expense adjustments. The expense adjustments are likely to result in a number of changes to the range of, and/or, quality of services offered. Councils rated as Moderate, will generally not have sufficient funds to address their Infrastructure Backlogs. Table 1 shows the FSR distribution relating to the 152 councils assessed.

Table 1 - FSR Distribution of Councils

Rating	Number of Councils	Percentage
Very Strong	0	0.0%
Strong	2	1.3%
Sound	32	21.0%
Moderate	79	52.0%

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Rating	Number of Councils	Percentage
Weak	34	22.4%
Very Weak	5	3.3%
Distressed	0	0.0%
TOTAL	152	100.0%

Outlook

Whilst the FSR primarily looks at historical performance, TCorp has also assessed each council in terms of an Outlook that seeks to provide an indication of any potential future movement in the FSR over the short term, being the next three years, based on currently known events, existing trends and / or financial forecasts. Councils were assigned an Outlook rating of Positive, Neutral or Negative. A Positive Outlook indicates that a Council's FSR is likely to improve in the short term, whilst a Neutral Outlook indicates that the FSR is likely to remain unchanged. A Negative Outlook indicates that a council's FSR is more likely to deteriorate, and is a sign of general weakening in performance and sustainability. Table 2 shows the Outlook distribution relating to the 152 councils assessed:

Table 2 - Outlook Distribution of Councils

Outlook	Number of Councils	Percentage
Positive	5	3.3%
Neutral	74	48.7%
Negative	73	48.0%
TOTAL	152	100%

TCorp Financial Sustainability Assessment – Hawkesbury Council

TCorp conducted a financial assessment on councils as part of the Local Infrastructure Renewal Scheme. A final report, including benchmarking, was issued by TCorp to each respective council in March 2013. TCorp's assessment of Council's financial sustainability was based on the most recent three years of Council's consolidated financial results, and a detailed review of Council's financial forecasts. The forecasts used were those contained within the 2012 -2022 Long Term Financial Plan (LTFP) forming part of Council's Resourcing Strategy.

Historical data over the review period indicated that Council has been reasonably managed during this period, based on consistency of operating performance over the review period, and the high proportion of Council's revenue being own source revenue. However, Council's infrastructure backlog is a significant proportion of Council's total infrastructure assets, with the majority of the backlog (83%) relating to roads, and has remained static over the review period. Compared to benchmark ratios, Council is underspending on asset renewal and maintenance. Table 3 shows the main ratios used in TCorp's assessment, the benchmark for each ratio, and Council's results for each respective ratio.

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Table 3 - Benchmarking

Ratio	TCorp Benchmark	Council 2011	Council 2010	Council 2009
Operating Ratio	> (4.0%)	(14.8%)	(2.2%)	(2.4%)
Cash Expense Ratio	> 3 months	2.1months	4.5months	5.2months
Unrestricted Current Ratio	>1.5X	4.26X	4.35X	4.37X
Own Source Operating Revenue Ratio	> 60.0%	62.1%	55.2%	64.8%
Debt Service Cover Ratio	> 2.00X	8.88X	43.92X	148.59X
Interest Cover Ratio	> 4.00X	15.21X	43.92X	1812.8X
Infrastructure Backlog Ratio	< 0.02X	0.15X	0.17X	0.10X
Asset Maintenance Ratio	> 1.00X	0.67X	0.46X	0.48X
Building and Infrastructure Asset Renewal Ratio	> 1.00X	0.58X	0.83X	0.66X
Capital Expenditure Ratio	> 1.10X	1.49X	2.79X	1.53X

In assessing the future outlook for Council, TCorp used the model within the LTFP that is based on Council's current rating revenue levels, allowing for annual increases in line with assumed rate-pegging, excludes any grants and contributions Council may be able to attract, and includes the required level of asset renewal and maintenance expenditure that is required. TCorp also incorporated the \$5.26 million loan Council recently obtained as part of the Local Infrastructure Renewal Scheme. Based on this, in absence of appropriate actions being taken to either, increase revenue, amend services and/or reduce costs, ongoing deficit positions are expected. TCorp deems this position to indicate that Council may potentially face long term sustainability issues.

Based on TCorp's financial assessment, Council has been assigned a FSR of Moderate and a Negative Outlook.

For the purpose of TCorp's assessment, the 152 councils were divided into 11 Groups. Council is a Group 6 Council, with the other two Councils in the Group being Camden Council and Wollondilly Shire Council.

Table 4 provides a comparison between Council and its Group peers, as well as its neighbouring councils, Penrith, Blacktown and Hills.

Table 4 - Council Comparison

Council	FSR	Outlook
Hawkesbury	Moderate	Negative
Camden	Moderate	Neutral
Wollondilly	Weak	Neutral
Penrith	Weak	Neutral

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Council	FSR	Outlook
Blacktown	Moderate	Neutral
Hills	Sound	Positive

As detailed earlier in the report a Moderate rating is the base benchmark target. Whilst Council meets the base target, the Negative Outlook indicates that Council's FSR rating is likely to deteriorate to Weak within the next three years.

Factors leading to Negative Outlook

The following factors have contributed to Council, and other councils facing similar issues, receiving a Negative Outlook:

- ***Declining operating results which are likely to continue in the short to medium term***

As shown in Table 3, Council's operating result is deteriorating, and based on the LTFP is expected to continue to be below benchmark in future years. This reflects an ongoing position where revenue generated is not sufficient to fund Council's operating expenditure and the deterioration of assets. This indicates Council is likely to face difficulties in maintaining its service levels in the future.

- ***Historical trend of underspending on maintenance and infrastructure renewal, potentially leading to an increase in the infrastructure backlog***

In recent years Council has rationalised its expenditure, including asset maintenance and renewal expenditure, in line with revenue available. As a result of Council's ability to raise revenue, being limited by rate-pegging, combined with increasing cost pressures, including but not limited to, inflation, cost shifting and increased community expectations, funding available to address asset renewal and maintenance requirements, is not sufficient.

- ***Static or declining and ageing population potentially impacting on Council's long term sustainability***

TCorp's assessment of Council's projected population growth suggests that Council's estimated population movement over the next 10 years will not be significant. This may result in an increasingly older population placing increased pressure on existing infrastructure and services.

- ***Incomplete Asset Management Plans***

Council has Asset Management Plans in place however information on some asset classes and linkages to the LTFP can be improved further. This will result in more robust data on the condition of Council's assets, and consequently, the level of funding required to address infrastructure renewal in a strategic manner.

Addressing the Negative Outlook

TCorp has issued a number of recommendations to be considered by councils with a Negative Outlook. The main areas of recommendations and relevance to Council are detailed below:

- ***Additional Revenue***

TCorp recommends that councils with a Negative Outlook source additional revenue, such as through a Special Rate Variation, to assist in financial flexibility and assist in reducing the infrastructure backlog.

This recommendation is pertinent to Council and should be given serious consideration and acted upon. Council has not applied for a Special Rate Variation for a number of years, with the last approved increase above rate-pegging being in 2007/2008. During the last six years, Council has been faced with the ongoing challenging task of attempting to maintain its infrastructure, and address community expectations, with increasingly reduced funding as a result of increasing costs, cost shifting and capped revenue increases. This cost rationalisation has resulted in asset maintenance and renewal expenditure being significantly less than the level required, ultimately resulting in the deterioration of the condition of Council's infrastructure in the long term.

The on-going financial sustainability of Council requires additional revenue to be available. Council's LTFP indicates that it will take a number of years, with rate increases over rate-pegging, for operating deficits to be reduced and finally eliminated. It is only when Council has a neutral operating result that it is replacing its assets at the rate they are depreciating, whilst also delivering Council's services. Council needs to be in a position where it has sufficient funding to address its infrastructure backlog, maintain service levels and have the capacity to react to financial shocks.

Achieving this result on an on-going basis would make Council financially sustainable, consequently improving its Financial Sustainability Rating and Outlook.

A detailed report will be submitted to Council in the near future regarding the necessary action to commence the process of applying for a Special Rate Variation under the Local Government Act 1993, with the first increase being applicable for the 2014/2015 financial year.

- ***Debt Funding***

TCorp recommends that councils with the necessary borrowing capacity should consider using debt funding to reduce the infrastructure backlog and improve intergenerational equity.

This recommendation has already been actioned through Council's participation in the Local Infrastructure Renewal Scheme, which provides interest subsidies for loans obtained for eligible infrastructure renewal works. In April 2013, Council entered into a loan agreement for \$5.26 million for a Timber Bridge Replacement Program. Based on TCorp's assessment of Council's borrowing capacity, there is only very limited scope for Council to consider further debt funding. It is recommended that further debt funding is only sought in relation to revenue generating projects.

- ***Containment of Costs and Efficiency Improvements***

TCorp recommends that councils should devise programs and strategies to contain rising costs and improve efficiencies.

Council is continually seeking cost savings and efficiency improvements through on-going process improvements, increased use of technology, best value for money procurement processes, resource sharing and partnerships. In addition, Council has recently completed and will continue to investigate, further energy saving projects such as the installation of solar panels on Council buildings. Whilst these initiatives contribute to improving Council's financial position and future sustainability, they are not sufficient to address the funding gap. It may be necessary to also undertake a comprehensive service level review to ensure that, through community engagement, affordable service levels are determined and maintained.

- ***Asset Management Plans and Long-Term Financial Plans***

TCorp recommends that councils assigned a Negative Outlook should continue to improve their Asset Plans and the integration into the LTFP, and to update assumptions underpinning the LTFP, based on the current understanding of future trends.

Council is phasing in the implementation of an asset system for all asset classes. As Council undertakes condition audits for all asset classes, it is better positioned to assess the required funding injection to bring infrastructure to the required standard, as well as determine the annual expenditure required to maintain these standards. It is envisaged that as more information is collated and modelling undertaken, Asset Plans will considerably improve, and consequently robust long term financial projections within the LTFP will be achieved. Community consultation in determining acceptable service levels will also assist in improving Asset Management Plans and subsequently the LTFP.

- ***Asset Renewal and Capital Expenditure***

TCorp recommends councils with Negative Outlooks increase expenditure on maintenance and infrastructure renewal, balancing this with the need for capital expenditure on new assets.

Council has been facing an on-going funding shortfall in addressing the required expenditure on asset maintenance and renewal. This is due to Council maintaining a balanced budget position from year to year, limiting expenditure to the level of income available. This ongoing structural funding shortfall has resulted in an increasing backlog and deterioration in asset conditions, which, if not addressed, could impact on Council's long term sustainability. Council will only be able to increase expenditure on asset maintenance, and renewal, in line with what is required with the availability of additional sustainable income. Further, it is to be noted, that Council only expends funds on new capital where works are funded through grant funding or developer contributions.

- ***Major Projects***

TCorp also recommends that councils adopt a cautious risk management approach, when embarking on major projects, ensuring sufficient contingencies are in place.

When embarking on major projects, detailed business cases, including financial analysis and risk management strategies, are prepared. Council does not currently have any major projects planned that would significantly impact the LTFP.

The above details are provided for information. Further reports will be submitted to Council in the near future, to specifically address the options available to Council, to address the matters discussed in this report.

Conformance to Community Strategic Plan

The proposal is consistent with the 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:

- Improve financial sustainability;
- Broaden the resources and funding available to our community by working with local and regional partners as well as other levels of government;
- Work with the community to determine affordable levels of service and facilities.

Financial Implications

There are no funding implications arising from this report.

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RECOMMENDATION:

That the information regarding the Financial Sustainability of the NSW Local Government Sector report issued by NSW TCorp in April 2013, be received and noted.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 93 **GM - Richmond Club Limited and Hills, Hawkesbury & Riverlands Tourism - Request for Councillor Representation on "Golf Hawkesbury Project Committee" - (79351)**

REPORT:

Executive Summary

A letter has been received from the Group Chief Executive Officer and Vice Chairman of the Richmond Club Limited and the Hills, Hawkesbury & Riverlands Tourism, respectively, Ms K Talbot, requesting, on behalf of those organisations, that Council appoint a councillor representative to a Committee established by those two organisations titled the "Golf Hawkesbury Project Committee".

It is recommended that Council consider this request and determine if it wishes to nominate a councillor representative for the Committee.

Consultation

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

Background

The following letter dated 13 May 2013 has been received from the Group Chief Executive Officer and Vice Chairman of the Richmond Club Limited and the Hills, Hawkesbury & Riverlands Tourism, respectively, Ms K Talbot, requesting, on behalf of those organisations, that Council appoint a councillor representative to a Committee established by those two organisations titled the "Golf Hawkesbury Project Committee":

"I write to you with regard to the 'Golf Hawkesbury' Project that is currently being developed by Richmond Club and Hills, Hawkesbury and Riverlands Tourism (HHART). I would like to extend a request to one of the councillors to take a position on the committee overseeing this project.

The aim of the project is to increase overnight and day visitors to the Hawkesbury region and to develop tourism into a key economic driver locally. At this stage, the project has the support of four local golf courses and a number of local tourism operators. The project was unveiled at the 2013 Australian Tourism Exchange in April to an extremely positive response from industry professionals.

Golf Hawkesbury draws upon the model established by the Murray River region, which is acknowledged as a key factor in the area attracting 5.2 million overnight stays and 2.7 million day trippers annually.

The role of the committee is to oversee the development and implementation of this project in the Hawkesbury and to liaise with local businesses in order to emulate the success seen in the Murray River Region.

It is currently comprised of the General Managers/CEOs of the four golf courses involved (Richmond, Riverside Oaks, Stonecutters Ridge and Lynwood), as well as the CEO of Hills, Hawkesbury and Riverlands Tourism and a number of industry specialists.

Should a councillor be involved with the committee, their role would be to work with the other committee members in order to deliver of the Golf Hawkesbury product, and to assist with canvassing local community partners from a wider tourism perspective.

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It is my hope that a councillor will be able to take a position on this 'committee, and therefore demonstrate the involvement of the Council in developing local tourism."

The Golf Hawkesbury NSW website is located at www.golfhawkesbury.com.au .

Accordingly, this request is now submitted for Council's consideration.

Conformance to Community Strategic Plan

The proposal is consistent with the Supporting Business and Local Jobs Directions statement;

- Plan for a range of industries that build on the strengths of the Hawkesbury to stimulate investment and employment in the region.

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

- Differentiate, brand and promote the Hawkesbury as a tourism destination.

Financial Implications

There are no financial implications associated with Council appointing a representative to this Committee as requested.

RECOMMENDATION:

That Council consider the request and determine if it wishes to nominate a councillor representative for the "Golf Hawkesbury Project Committee".

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 94 **GM - Sister City Program Policy - Student Exchange Donation, Temple City and Kyotamba 2013 (79351, 73610)**

Previous Item: Item 101, Ordinary (31 May, 2011)
 Item 55, Ordinary (8 May, 2012)

REPORT:

Executive Summary

The purpose of the report is to inform Council that the Hawkesbury Sister City Association (Association) has selected the Hawkesbury students to be part of the 2013 students exchange program to Council's sister cities of Kyotamba, (Kyoto) Japan and Temple City, (California) USA as part of the annual student exchange program.

The student exchange program, which is part of Council's Sister City and Country Alliance Program Policy, provides for 12 students to visit the sister cities, being up to six students to each of Kyotamba and Temple City. The Association has selected 13 students for this year's program, due to an oversight in the selection process.

It has been the practice of Council throughout the operation of the Sister City Program to make a donation of \$500 to each student visiting a sister city to help with travel and daily costs while overseas. The donation has been included in this year's budget and is recommended for payment. It is also recommended that Council provide \$500 for the 13 students as a special circumstance, so that all students participating in the exchange benefit from a donation to help with exchange costs.

Consultation

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

Background

The sister city relationship with Kyotamba and Temple City provides for culture, sport and youth exchanges between our areas. The program includes Council's activities with the sister cities including the civic-cultural exchanges and Association activities (program partners) with sister cities associations including other cultural and youth exchanges.

Council's Sister City and City-Country Alliance Program Policy (the Policy) delegates authority to the Association to undertake appropriate exchange programs on Council's behalf with our two sister cities. The Policy requires Council and the Association to sign a sponsorship agreement in accordance with the Sponsorship Policy. The Sponsorship Policy also requires all requests for Section 356 financial assistance to be reported to Council for determination.

A key activity of the Association is the annual student exchange program. This program provides the opportunity for up to 12 high school students to take part in exchange visits to Council's two international sister cities. Students stay with host sister city families and the visits are coordinated with counterpart sister city associations in each country. In reply, students from Temple City and Kyotamba also visit the Hawkesbury as part of their annual student exchange programs.

The Association undertakes an application and selection process and it is noted that parents and guardians primarily fund the student travel costs. Students have been selected on the basis of being a resident of the Hawkesbury area or attending a Hawkesbury area school or selective school outside the area in accordance with the policy.

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The students selected by the Association to take part in this year's program are:

Hawkesbury students to visit Kyotamba:

- | | | |
|----|-------------------|---|
| 1. | Jordan Piper | of Sackville North (Arndell Anglican College) |
| 2. | Eton Lindsay | of Ebenezer (Arndell Anglican College) |
| 3. | Madeline Eglin | of Grose Vale (Arndell Anglican College) |
| 4. | Suzanne Simpson | of Ebenezer (Hawkesbury High School) |
| 5. | Tyler-ann Wheeler | of Berkshire Park (Richmond High School) |
| 6. | Abigail Price | of Richmond (Richmond High School) |

Hawkesbury students to visit Temple City:

- | | | |
|----|--------------------|--|
| 1. | Adam Clark | of Kurrajong Heights (Colo High School) |
| 2. | Timothy McAlpine | of Pitt Town (Arndell Anglican College) |
| 3. | Jordan Pearson | of East Kurrajong (Arndell Anglican College) |
| 4. | Bethany Tramontono | of Ebenezer (Hawkesbury High School) |
| 5. | Jamie Anyon-Smith | of Wilberforce (Hills Sports High) |
| 6. | Phoebe Tracey | of Rouse Hill (Arndell Anglican College) |
| 7. | Thomas Refalo | of Wilberforce (Arndell Anglican College) |

Both the Kyotamba and Temple City students will undertake their student exchange to the Hawkesbury at the same time during July/ August, 2013. The Association has advised that the Temple City students will arrive on 27 July, 2013; and the Kyotamba students will arrive on 23 July, 2013 and depart on 18 August, 2013.

In regard to the 13th student being selected, this occurred, due to an oversight in the selection process by the Association. The Association advises that all students and their parents (or guardians) are keen to be part of the exchange, and therefore the 13 students will be travelling to the sister cities. As a special circumstance, it is recommended that Council make a donation to the 13th student, so that all students participating in the exchange benefit from \$500 towards exchange costs.

It has been the practice of Council throughout the operation of the Sister City Program to make a donation of \$500 to each student visiting a sister city to help with travel and daily costs while overseas. The donation has been included in this year's budget and is recommended for payment. It is also recommended that Council provide \$500 to each of the 13 students.

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 and institutions.

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

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

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

Goal:

- Improve Council image and levels of community satisfaction.

Financial Implications

All costs will be met from the approved 2012/2013 budget.

ORDINARY MEETING

Meeting Date: 28 May 2013

RECOMMENDATION:

That:

1. Under the provisions of Section 356 of the Local Government Act 1993, and in accordance with Council's Sister City Program Policy, Council donate \$500 to each of the following students participating in the 2013 student exchange program visit to Kyotamba and Temple City being:
 - (a) Jordan Piper
 - (b) Eton Lindsay
 - (c) Madeline Eglin
 - (d) Suzanne Simpson
 - (e) Tyler-ann Wheeler
 - (f) Abigail Price
 - (g) Adam Clark
 - (h) Timothy McAlpine
 - (i) Jordan Pearson
 - (j) Bethany Tramontono
 - (k) Jamie Anyon-Smith
 - (l) Phoebe Tracey
 - (m) Thomas Refalo
2. The Hawkesbury Sister City Association be requested to address issues surrounding the 2011 disasters in Japan with parents and guardians of students travelling to Kyotamba utilising Federal Government travel advice.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 28 May 2013

Item: 95

GM - Local Government Strategic Alliancing Showcase 2013 (79351)

REPORT:

Executive Summary

The Local Government International Strategic Alliancing Showcase 2013 will be held at Surfers Paradise, Gold Coast on 11 - 12 July, 2013. Due to the relevance of its various programs to Council's business, it is recommended that the Local Government Strategic Alliance Showcase 2013 be attended by Councillors and appropriate staff.

Consultation

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

Background

The Local Government International Strategic Alliance Showcase 2013 will be held at Surfers Paradise, Gold Coast, Queensland on 11 - 12 July, 2013. This international conference, held for the first time in Australia, showcases the achievements of Local Government Innovators. During the conference, councils will showcase resource sharing and partnering initiatives and achievements and also the role that human resources has to play pre and post amalgamation or any resource sharing arrangement. This conference would have relevance in the light of current developments in NSW with the report by the Independent Local Government Review Panel and other reports in relation to local government.

Cost of attendance at the Local Government International Strategic Alliance Showcase 2013 will be approximately \$3,300 per delegate.

Budget for Delegate Expenses - Payments made:

• Total Budget for Financial Year 2012/2013	\$44,000
• Expenditure to date	\$35,349
• Budget Balance as at 21 May 2013	\$ 8,651

It should be noted that outstanding commitments of approximately \$1,500 in relation to the LGMA National Congress and Business Expo and the 2013 Floodplain Management Association National Conference both held in May, 2013 are not reflected in the balance indicated.

It should also be noted that some expenses in relation to the Local Government International Strategic Alliance 2013 will be expended against the Delegates Expenses Budget for 2013/2014 Financial Year.

Conformance to Community Strategic Plan

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

- The Council 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:

- Improve financial sustainability.

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

Financial Implications

Funding for this proposal will be provided from the 2012/2013 Delegates Expenses Budget.

RECOMMENDATION:

That attendance of nominated Councillors and staff members as considered appropriate by the General Manager, at the Local Government International Strategic Alliance Showcase 2013 at an approximate cost of \$3,300 per delegate be approved.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 28 May 2013

CITY PLANNING

Item: 96 **CP - DA0110/13 - 395 Blaxlands Ridge Road, Blaxlands Ridge - Lot 5 DP 1138925 - Retrospective Application - Structure ancillary to the dwelling - Use as home gymnasium, storage and garage - (95498, 857825, 95440)**

Development Information

File Number: DA0110/13
Property Address: 395 Blaxlands Ridge Road, Blaxlands Ridge
Applicant: Urban City Consulting
Owner: P Tissington and K Phillips
Proposal Details: Retrospective Application - Structure ancillary to the dwelling - Use as home gymnasium, storage and garage.
Estimated Cost: \$30,000
Zone: RU4 Primary Production small lots
Date Received: 26 February 2013
Advertising: 7 - 21 March 2013

Key Issues: ♦ Unlawful building works

Recommendation: Approval

REPORT:

Executive summary

A Development Application has been lodged seeking retrospective approval for a building being a building used as a home gymnasium, storage and garage at Lot 5 DP 1138925, 395 Blaxlands Ridge Road, Blaxlands Ridge.

The building has been constructed unlawfully and the use of the building fails to comply with the requirements the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Hence a development application has been lodged for the consideration.

The application is recommended for approval subject to conditions.

The application is being reported to Council at the request of Councillor Lyons-Buckett.

Introduction

The application seeks retrospective approval for the use of a building ancillary to the dwelling as home gymnasium, storage and garage.

The subject land has an area of approximately four hectares, is undulating and there is some scattered native vegetation located on the site.

The building as constructed is 15.2 x 9.2 metres (140 square metres) with a height of approximately 4.5 metres at the highest point. Attached to the side of the building is an awning which is 15.2 x 3.9 metres (59 square metres).

The site, when inspected, contained a dwelling, detached garage, carport, semi-portable spa and two shipping containers. The subject building was being used for storage and gym equipment was positioned both within the building and underneath the awning.

It appears that the land owner erected the subject building under the mistaken belief that the works and land use constituted exempt development as a 'farm shed' under the State Environmental Planning Policy Exempt and Complying Development Codes 2008. The need for consent and the classification of the land use as ancillary to the dwelling is discussed in more detail in this report.

History

- DA0170/06 - Torrens Title - 2 Lot Subdivision approved
- November 2011 - Construction of building had been carried out without consent.
- August 2012 – Notice of Intent by Council to land owner was issued for removal of the building.
- September 2012 – Order was issued for removal of the building.

Legislation, Policies, Procedures and Codes to Which the Matter Relates

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
Sydney Regional Environmental Plan No 20 (SREP 20) - Hawkesbury Nepean River
Hawkesbury Local Environmental Plan 2012
Hawkesbury Development Control Plan 2002

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

Division 1 General Exempt Development Code

Subdivision 16 Farm buildings and structures

2.31 Specified development

The construction or installation of a farm building or other structure used for the purpose of an agricultural activity is development specified for this code if it is:

- (a) constructed or installed on land in Zone RU1, RU2, RU3 or RU4, and
- (b) not constructed or installed on or in a heritage item or a draft heritage item.

2.32 Development standards

1. The standards specified for that development are that the development must:
 - (a) be not higher than 7m above ground level (existing), and
 - (b) not have an area of more than:
 - (i) if it is a stockyard—0.5ha, or
 - (ii) if it is any other building or structure—200m²
 - (c) be located at least 20m from the primary road frontage of the lot and at least 10m from the other lot boundaries, and
 - (d) not be constructed or installed within 50m of a dwelling on an adjoining property, and
 - (e) be located at least 50m from a waterbody (natural), and
 - (f) to the extent it is comprised of metal components—be designed by, and constructed in accordance with the specifications of, a professional engineer, and
 - (g) to the extent it is a silo—not be fitted with a motorised fan for aeration or drying purposes.
2. If the development is a shipping container, there must not be more than 1 shipping container per lot.

As shown above, Subdivision 16 Farm Buildings of the Exempt and Complying SEPP only relates to development that is being used for the purpose of an agricultural activity or ancillary to such an agricultural activity.

In this case, an agricultural use of the property is clearly not being undertaken as detailed in the Statement of Environmental Effects supplied by the applicant and confirmed by observations on inspection by Council officers.

ORDINARY MEETING

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As a result compliance action was instigated for the construction of a building having being undertaken without development consent. This application now lodged seeks approval for the development as an ancillary use to the existing dwelling.

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

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

Hawkesbury Local Environmental Plan 2012

Before Council can consider the merits of a proposal, the Council must first consider the permissibility of a development or activity and the intent of the relevant Statutory Environmental Planning Instrument.

Clause 1.2 - Aims of Plan

The aim of Clause 1.2 (2)(a) of LEP 2012 is to provide for the management, orderly and economic development and conservation of land in Hawkesbury;

This Clause requires that the orderly development of land is to occur and be managed through the implementation of the remainder of the LEP provisions.

Land Use Table

The subject land is zoned RU4 Primary Production Small Lots.

The objectives of RU4 zone:

- *To enable sustainable primary industry and other compatible land uses.*
- *To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To ensure that development occurs in a way 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 waterways.*

Comment

The activity is of a domestic scale and intent within a building constructed as ancillary to the existing dwelling and is therefore permitted with consent in the RU4 zone.

The development is considered not to have an adverse effect on the immediate surrounds, and is unlikely to be in conflict with the surrounding land uses

The development is not in conflict with the zone objectives and is permitted within the zone with consent.

Hawkesbury Development Control Plan (HDCP) 2002

The proposed development is considered to be consistent with the requirements of HDCP 2002.

An assessment of the proposal against the relevant provisions of this Plan follows:

Part A Chapter 2 - General Information

The subject application provides adequate information for the assessment of the proposal and therefore complies with this chapter.

Part A Chapter 3 - Notification

Notification was undertaken in accordance with Council's Notification Chapter of the Hawkesbury Development Control Plan for a period of 14 days from 7 March to the 21 March 2013.

No submissions were received during the notification period.

Part D – Chapter 8 Rural Sheds

NOTE: This chapter of the DCP is used to assess the suitability of the building being in a rural zone. The use of the building is discussed elsewhere in this report.

8.2.1 Siting – The objective of this Clause is to integrate rural buildings into the landscape so that they complement the rural character of the area and are not visually dominant.

As the building is located with a similar setback to the existing dwelling there is no objection to the siting of the building as it is not considered the building is visually prominent or will cause unnecessary disturbance to the natural environment.

8.2.2 Size – The objective of this Clause is to control the size of the building to minimise its visual dominance in the landscape.

Comment

The building has an area of 140 square metres with an attached open awning of 59 square metres being a total area of 199 square metres. The main building area is within the maximum area provided for rural buildings in the HDCP, however, with the awning included it exceeds the maximum area.

The applicant has not been asked to provide justification for the size of the building as it is considered that the awning area is not considered to be excessive and will not be visually dominating in the surrounds where it is located.

8.2.3 Height – The objective of this Clause is to control the height of rural buildings to minimise their dominance and bulk in the landscape.

The height of the building (being 4.5 metres to the ridge); complies with the DCP provision in this regard.

8.2.4 Form - The objective of this Clause is to encourage the design of rural buildings so that they enhance the rural landscape and character of an area.

The form of the building is consistent with the HDCP and is not considered to dominate the landscape.

8.2.5 Colour – The objective of this Clause is to encourage attractive developments by controlling the colour of rural buildings so as to blend in with the rural landscape and existing buildings on a property.

Comment

The building has been constructed in a Colorbond material in a muted bush land tone .

Clause 8.2.7 Landscaping – The objective of this clause is to ensure that landscaping is of an appropriate scale and provide adequate screening of the building from the road, adjoining properties and take into account views across valleys etc,

Landscaping has been provided, and will, when the plantings mature achieve the DCP objective.

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Conclusion

The location of the building, its proposed size, height, colour and design are consistent with the objectives and provisions of the Rural Shed Chapter of HDCP.

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

There are no planning agreements applicable to the proposed development.

- v. **Matters prescribed by the Regulations:**

There are no prescribed matters that affect the proposal.

- 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:**

There are no likely adverse impacts associated with the development or unacceptable visual impacts arising from the size and height of the building.

- c. **Suitability of the site for the development:**

The subject site does not contain any significant constraints to prevent the development from complying with the LEP, DCP and other requirements. In this regard, the site is suitable for the development.

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

The application was notified for a period of 14 days 7 to 21 March 2013 to adjacent property owners in accordance with HDCP. No submissions were received.

- e. **The Public Interest:**

The proposed use of the building is consistent with the zone objectives and is ancillary to the domestic use of the existing dwelling. There are no specific public interest factors to consider in this case as the land use activity is permitted and a development application has been lodged seeking consent.

Development Contributions

The proposal is exempt from Section 94A Development Contributions as the building work involved a Class 10a structure which is exempt and the land use is also exempt from contributions.

Planning Decision

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

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RECOMMENDATION:

That Development Application No. DA0110/13 for the use of building ancillary to the dwelling - Use as home gymnasium, storage and garage on lot 5, DP 1138925, known as 395 Blaxlands Ridge Road, Blaxlands Ridge, be approved subject to the conditions as follows:

1. The development shall take place generally in accordance with the stamped plans, specifications and accompanying documentation submitted with the application except as modified by these further conditions and where amendments made in red to the approved plans, specifications or documentation submitted.
 - Site Plan A101, Job Number 0029, Rev 1
 - Ground Floor Plan A201, Job Number 0029, Rev 1
 - Floor Plan & Elevations Plan December 2012
 - Site Plan & Elevation Plan December 2012
2. The development shall comply with the provisions of the Building Code of Australia at all times.
3. Application is to be made for a Building Certificate (Clause 149D of the Environment Planning and Assessment Act 1979) with the Consent Authority for the constructed building within 90 days from the issue of this Development Consent.

Use of the Development

4. No internal or external alterations shall be carried out without prior approval of Council.
5. The building shall only be used for domestic purposes ancillary to the existing dwelling and not for independent residential accommodation or for industrial or commercial purposes.

ATTACHMENTS:

AT - 1 Locality Plan

AT - 2 Aerial Photograph

AT - 3 Plans

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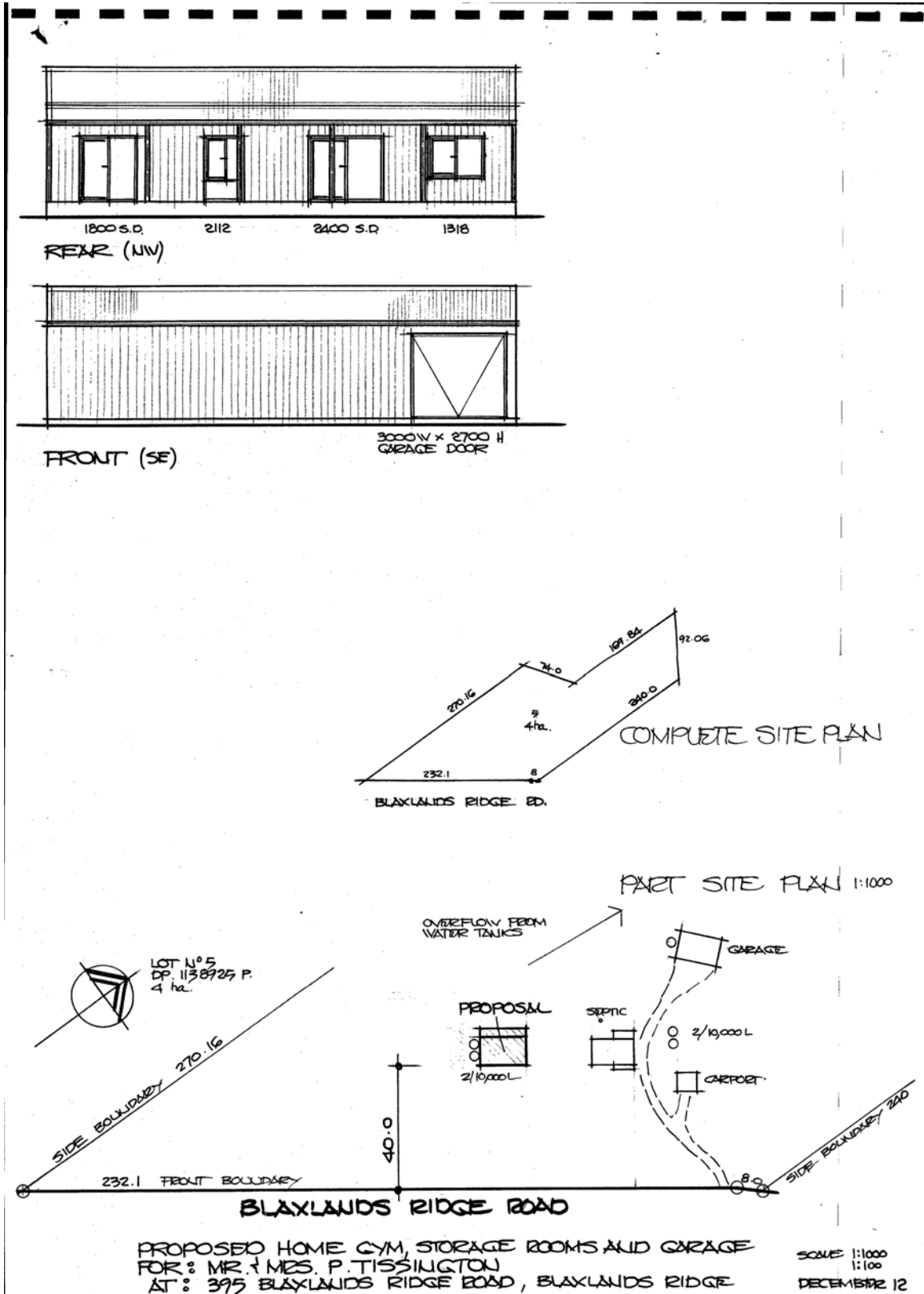
AT - 2 Aerial Photograph



ORDINARY MEETING

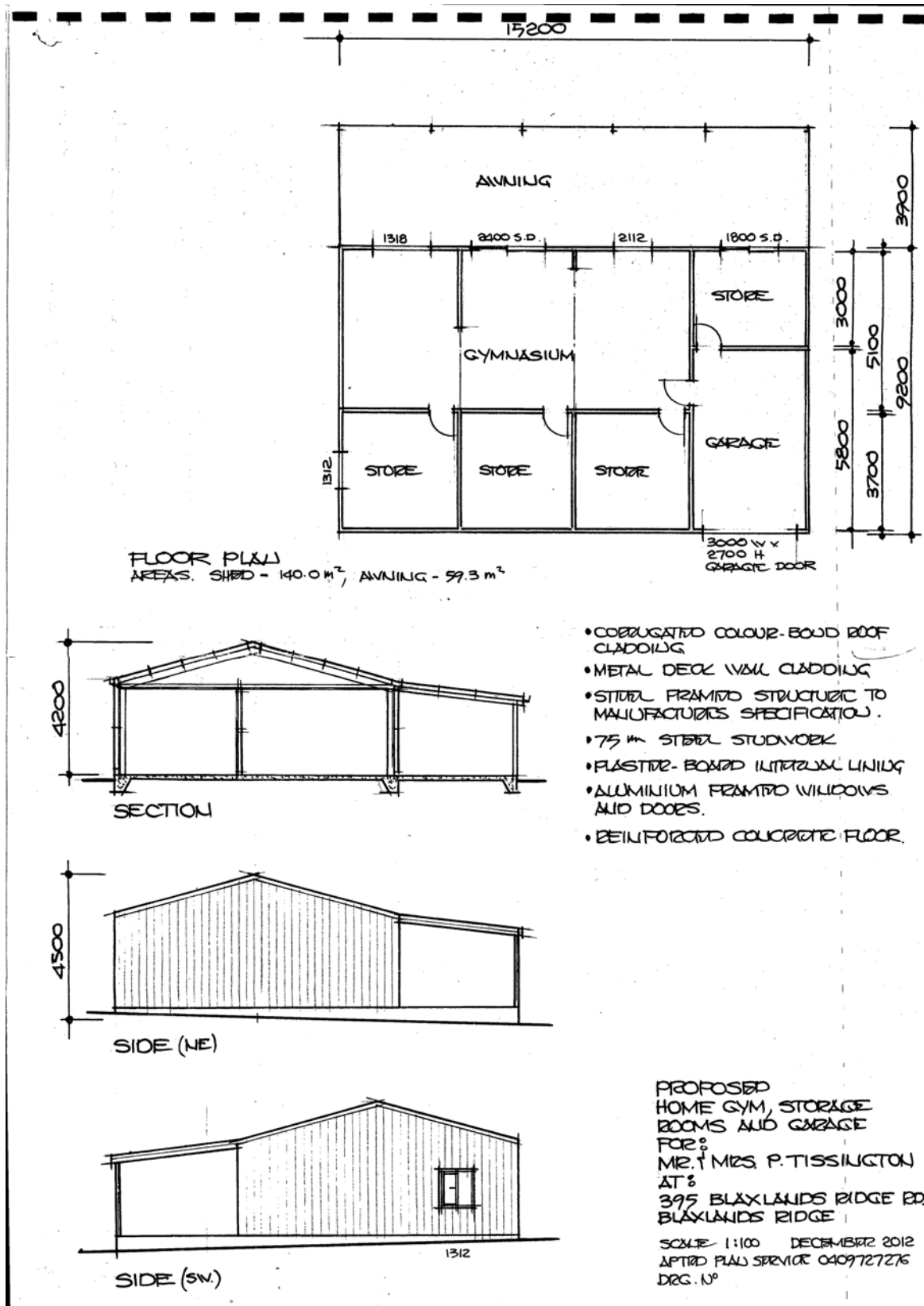
Meeting Date: 28 May 2013

AT - 3 Plans



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ORDINARY MEETING

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Item: 97 **CP - DA0628/12 - 725 Windsor Road, Vineyard - Lot 31 DP 1089253 - Extension of Sunday Night Trading Hours - (95498, 12728)**

Development Information

File Number: DA0628/12
Property Address: 725 Windsor Road, Vineyard
Applicant: Bittini Pty Ltd
Owner: Bittini Pty Ltd
Proposal Details: Hotel - Extension of Sunday night trading hours
Estimated Cost: \$100
Zone: RU4 Primary Production Small Lots
Date Received: 21 December 2012
Advertising: 11 - 25 January 2013

Recommendation: Approval

REPORT:

Executive Summary

The application seeks approval for an extension to the Sunday night trading hours of the Vineyard Hotel located on Lot 31 in DP 1089253, 725 Windsor Road, Vineyard.

The application is being reported to Council for determination as the proposed change in hours would require the Hotel to amend their liquor licence. Council's Applications for Liquor Licence Policy requires that applications for extensions to a liquor licence be reported to Council if an objection to the proposal has been received. One submission was received as a result of the neighbour notification process.

During the assessment of this development application (DA), the applicant indicated that they have initiated the Community Impact Statement (CIS) process required under the Liquor Licence Act.

An assessment of the proposal has revealed that the development would not have any significant impact on the amenity of the area and it is recommended that the application be supported. The application is recommended for approval.

Issues Relevant to the Decision

- Noise

History

DA0197/02 - The existing Development Consent provides for hours of operation from 5 am to 3 am Monday to Saturday and from 10 am to 10 pm on Sunday.

Description of Proposal

The application proposes to extend the Sunday night trading hours of part of the Vineyard Hotel from 10 pm to 12 midnight. It is proposed that the extension of trading hours would be restricted to the bistro, lounge bar, courtyard/garden bar and gaming room as shown on the plans submitted.

The applicant submits that the public bar, bottle shop and video store would continue to close at 10pm on Sundays.

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Description of the Land and its Surroundings

The subject site is situated on the corner of Windsor Road and Boundary Road, totals 2.008ha in area and contains a Hotel, drive through bottle shop, video shop and motel.

The surrounding area is occupied by a variety of different uses including a motel, veterinary clinic, service station, rural supply/industries and rural residential uses.

Council Policies, Procedures and Codes to Which the Matter Relates

- State Environmental Planning Policy No 44 – Koala habitat protection
- State Environmental Planning Policy (Sydney Region Growth Centres) 2006
- Sydney Regional Environmental Plan No 20 (No.2 - 1997) - Hawkesbury Nepean River
- Hawkesbury Local Environmental Plan 2012
- Hawkesbury Development Control Plan 2002

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

State Environmental Planning Policy No 44 – Koala habitat protection

The proposed development satisfies the provisions of this plan as the development would not result in disturbing any potential or core koala habitat.

State Environmental Planning Policy (Sydney Region Growth Centres) 2006

The development is not contrary to this plan. The application does not propose any physical extensions or alterations to the hotel that would change the context of the site. The land has not been identified as being subject to future residential development under this plan.

In July 2012 the Department of Planning exhibited a draft indicative layout plan for the Box Hill area showing land adjacent to the property (corner of Boundary and Windsor Road) as land that would be dedicated to being used as Employment Land - Light industrial.

It is considered unlikely that support of the proposal would result in any cumulative impacts in terms of noise on the future development of the locality.

Sydney Regional Environmental Plan No 20 (No. 2 - 1997) - Hawkesbury Nepean River

The development is not contrary to the general and specific matters for consideration, specific planning policies and recommended strategies and development controls of this plan.

Hawkesbury Local Environmental Plan 2012

The proposal is consistent with the requirements of Hawkesbury Local Environmental Plan 2012. The development is permissible with consent and would not result in any adverse conflicts with land uses within the RU4 Primary Production Small Lot zone.

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

There are no draft environmental planning instruments that directly relate to the land or the specified development.

iii. Development Control Plan applying to the land:

Hawkesbury Development Control Plan 2002

The subject application provides adequate information for the assessment of the proposal. There are no specific requirements from this plan that apply to the proposal. Landscaping and car parking would remain unchanged.

The application was notified to adjoining properties in accordance with Part A Chapter 3 – Notification. One submission was received and is discussed under the public submission section of this report.

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

Not applicable.

v. Matters prescribed by the Regulations:

None applicable

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

It is considered that the proposed development would not have any adverse environmental or social impacts on the locality as:

- The proposal to extend Sunday night trading hours by an additional two hours would be restricted to the Hotel bistro, lounge bar, courtyard/garden bar and gaming room.
- The proposed Sunday trading hours are not proposed to be as late as the Hotel's current trading hours on other evenings which are Monday's and Saturday's from 5 am to 3 am.
- The application states that no entertainment apart from background music, TV and video screens (including amplified talking) is intended to be provided.

It is considered that the proposed change in trading hours would not result in significantly changing the context of the premises and its relationship to adjoining developments. The applicant has proposed that issues in respect to noise would be managed by controlling what portion of the building would be used, how patrons would access to the site and what entertainment would be provided.

c. Suitability of the site for the development:

It is considered that the site is suitable for the development. The application would not result in the increasing the capacity of the Hotel and potential impacts in terms of noise could be appropriately managed on site.

The application has been referred to Council's internal Community Services, Building and Environmental Health departments for comment. No objections to the proposal were raised provided that the Hotel operates in accordance with the information submitted in the application.

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

Public Submissions

One submission was received in respect to the notification of the development raising the following issues:

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- Increase in noise generated from the hotel on Sunday nights
- The area is surrounded by rural residential properties impacted by patron behaviour
- Patrons of the hotel walk onto local roads causing potential for accidents
- Patrons leaving the site in vehicles often speed and make noise leaving the site (revving of engines and burnouts)
- Beer bottles, cans and glasses are often left on the road by patrons
- Patrons leaving the site at midnight on a Sunday night would disrupt the sleep of neighbours in addition to other nights of the week
- Noise from the hotel is compounded by noise from neighbouring dogs when patrons leave the site

It is noted that the majority of issues raised above would be controlled by the Hotel's liquor licence which is regulated by the NSW Office of Liquor, Gaming and Racing. The Hotel's liquor licence imposes a number of conditions that regulate noise and the operation of the facility.

The application identifies that the extension of trading hours is based on allowing patrons of the Hotel's bistro to dine later on Sunday nights and that activities would be confined to a limited area.

It is intended that patrons would gain access to the Hotel the after 10 pm via the main entry along the corner of Windsor and Boundary Road. Suitable conditions in respect to noise, access and trading hours have been recommended as conditions of consent. It is considered that the issues raised above do not warrant the refusal of the application.

NSW Police – Hawkesbury Local Area Command (LAC)

The application was referred to the LAC for comment as the extension to trading hours would require the hotel's liquor licence to be changed. In their correspondence dated 3 January 2013 and 15 March 2013 the LAC recommend that Council include conditions on any consent concerning access to the site and limits on the areas used for entertainment between 10 pm and 12 Midnight on Sundays.

The response notes that there have not been any recorded incidents related to this premises on a Sunday in the last 12 months. The Police submission did raise concern future residential development of the area may be affected by the extended hours and suggested that limits on the use of live entertainment be imposed.

Comment:

The applicant has responded to the Police submission and indicated that there will only be limited areas used for entertainment after 10pm on Sundays. The impact on future development nearby has already been discussed in this report under as part of the Sydney Region Growth Centres assessment.

e. The Public Interest:

The applicant has noted the concerns raised and limited the operation of noise generating activities to specific locations on the site after 10pm. The applicant also suggested that the noise provisions be specified in the operating conditions of the approval and this is reflected in the recommended conditions of consent.

An assessment of the proposal has been undertaken in the report above. It is recommended that the application be supported as the applicant has been able to demonstrate that the change in hours of operation is not contrary to the public interest.

Conclusion

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The potential environmental impacts anticipated with the proposal are primarily those relating to potential for noise. The management of potential noise impact has been addressed in the information submitted with the application and in the report above. The proposal is considered worthy of support given the circumstances of this case.

Planning Decision

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

RECOMMENDATION:

That:

1. Development application DA0628/12 at Lot 31 DP 1089253, 725 Windsor Road, Vineyard for Hotel - Extension of Sunday night trading hours be approved subject to the following conditions:
 - a) The hours of operation of the Vineyard Hotel shall be limited to the following:-

Monday's to Saturday's - 5 am to 3 am

Sunday's - 10 am to midnight

The public bar, bottle shop and video store shown on the plans submitted, shall close at 10 pm on Sunday's.
 - b) Entry to the Vineyard Hotel on Sunday nights after 10 pm shall be limited to the main entry located closest to Windsor Road.
 - c) No entertainment apart from background music, TV and Video screens (including amplified talking) is to be provided on Sunday nights between 10 pm and midnight.
 - d) To minimise the noise impact on the surrounding environment, the use of the premises, building services, equipment, machinery and ancillary fittings shall not give rise to “offensive noise” as defined under the provisions of the Protection of the Environment Operations Act 1997.
 - e) The noise emitted from the development shall not exceed the background noise level in an Octave Band Centre Frequency (31.5Hz – 8kHz inclusive) after 10pm at the boundary of any affected residence. The noise from the development shall not be audible within any habitable room in any residential premises after 10pm.
2. Council notes the Community Impact Statement submitted and raises no objection to the issuing of a liquor licence reflecting the operational conditions of Development Consent DA0628/12.

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ATTACHMENTS:

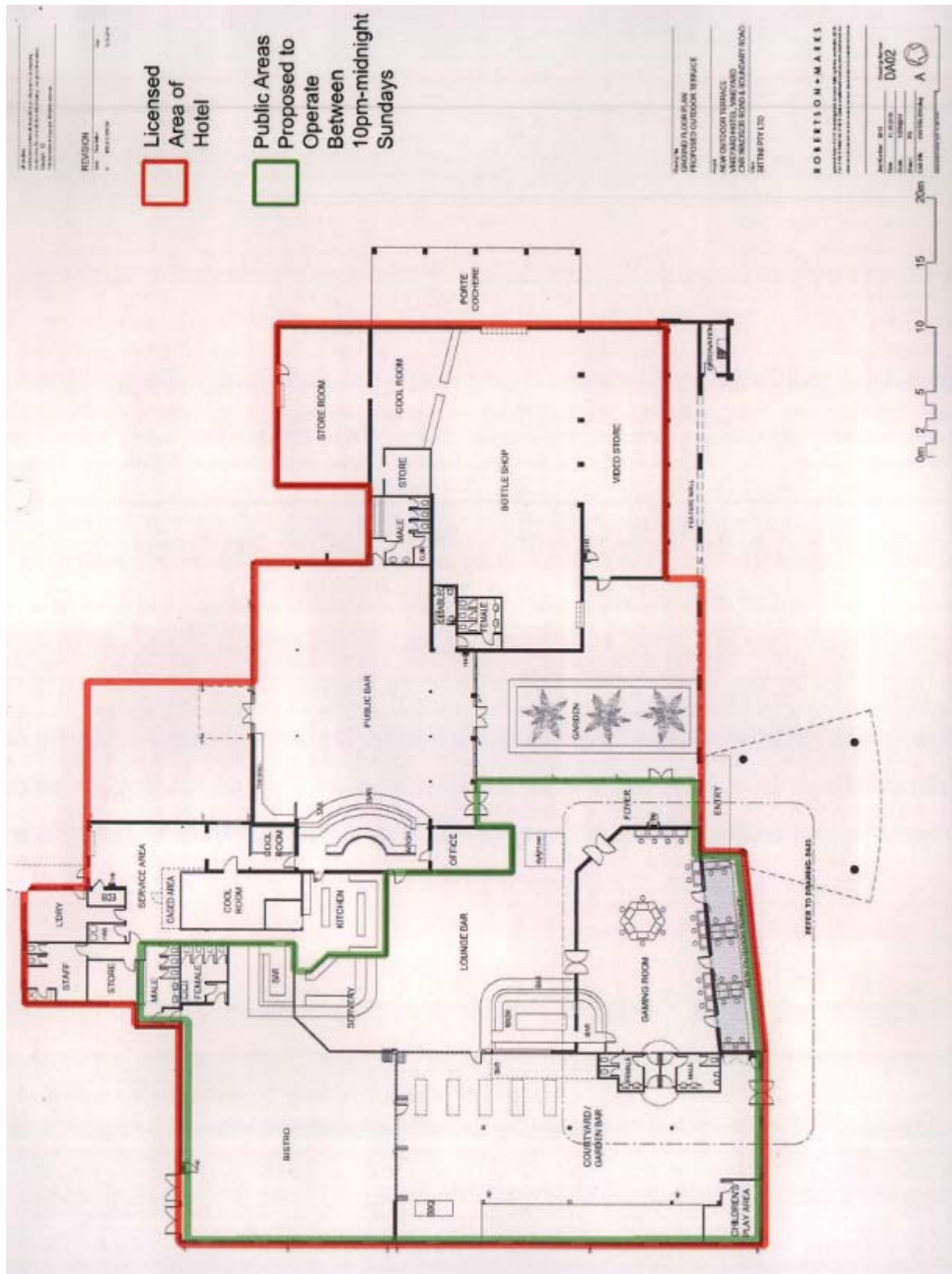
AT - 1 Floor Plan

AT - 2 Aerial Photo

AT - 3 Community Impact Statement

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AT - 1 Floor Plan



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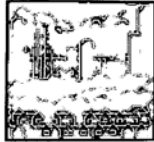
AT - 2 Aerial Photo



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AT - 3 Community Impact Statement



DESIGN COLLABORATIVE
Pty Limited

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1 March 2013
Ref: 120036.4L

Hawkesbury City Council
The General Manager
P.O. Box 146
Windsor NSW 2756

Hawkesbury City Council

- 4 MAR 2013

Dear Sir / Madam,

re: Proposed application for extended trading authorisation – 725 Windsor Road, Vineyard

Our client – Bittini Pty Ltd – proposes to apply for an extension of trading hours between 10.00pm and 12.00 midnight on Sundays for 725 Windsor Road, Vineyard. A development application, DA0628/12, was submitted to Hawkesbury Council on 21 December 2012 seeking development consent for the subject hours.

The Liquor Act 2007 requires certain stakeholders to be notified of our client's proposal. You have been identified as such a stakeholder.

Enclosed is a "*Notice of Intention to Apply for a Liquor Licence*" which the Liquor Act 2007 requires be served on you so that you may provide any feedback you may wish to record about the proposal to the applicant.

You may be consulted about any feedback you provide during the preparation of the Community Impact Statement which will accompany the application which will subsequently be made under the Liquor Act.

You will receive a further notice when the application is lodged with the Office of Liquor, Gaming and Racing.

The attached notice sets out the ways in which you can request further information or provide feedback. Any such feedback should be made by 4 April 2013.

Yours faithfully
DESIGN COLLABORATIVE PTY LTD

G W Smith
Director
Encl



SCANNED

Level 3 225 Clarence St Sydney NSW 2000 Ph: (02) 9262 3200 Fax: (02) 9262 3601

Notice of intention to apply for a liquor licence or a licence authorisation

(date of notice)

04/03/2013

(name of applicant)

Mr Justin D Walker

proposes to make an application to the Casino, Liquor and Gaming Control Authority for a

(type of liquor licence or licence-related authorisation)

Extended Trading Authorisation

at

(address of existing or proposed premises)

725 Windsor Road, Vineyard

The following information is provided to you as a requirement for the preparation of a community impact statement (CIS).

The NSW liquor laws require a CIS to be prepared by an applicant for certain liquor licence or licence-related authorisations.

The CIS summarises the results of consultation between the applicant and the local and broader community about any issues with the proposed application.

The application cannot be granted unless the Authority is satisfied that the overall social impact will not be detrimental to the well-being of the local or broader community. In determining this, the Authority will consider the CIS, along with the application, any submissions made by stakeholders, and reports from police and the Director of Liquor and Gaming.

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What liquor-related activity is proposed?

The following describes the proposed premises including:

- proposed trading hours
- proposed activities and entertainment to be provided on the premises
- maximum patron numbers

The application seeks consent for the bistro (Billy's Bistro), lounge bar, courtyard/garden bar and the gaming lounge (Bonanza Lounge) to trade between 10.00pm and 12.00 midnight on Sundays.

A development application was submitted to Hawkesbury Council on 21 December 2012 seeking development consent for the subject hours.

No entertainment apart from background music, TV and video screens (including amplified talking) is intended to be provided.

No change is sought to the existing patron numbers.

How to seek further information and provide comment

The following describes how to seek further information and provide feedback to the potential applicant regarding the proposal. This feedback can be in various forms such as a written response (including email), phone response, or face to face. You have 30 days to respond to the date of the notice. If applicable the details of further organised consultation sessions will be outlined below.

You are entitled to seek further information and provide feedback regarding the proposal.

If you wish to do so, please contact:

Mr George Smith at Design Collaborative Pty Ltd
by telephone: (02) 9262-3200
by fax: (02) 9262-3601
by email: descol@iinet.net.au
by mail: Design Collaborative Pty Ltd
Level 3, 225 Clarence Street
Sydney NSW 2000

Please provide any feedback by 4 April 2013.

Next steps

A CIS summarising the results of consultation, including a summary of responses to this notice, must be included with the papers lodged with the Authority when a liquor licence or licence-related authorisation application requiring a CIS is made. Your feedback will be used to compile the CIS. Unless agreed the CIS will not identify anyone who comments on the proposed application.

The licence application cannot be lodged until 30 days from the date of this notice.

You will be able to view the completed CIS on the NSW Office of Liquor, Gaming and Racing website www.olgr.nsw.gov.au if the application for the liquor licence or authorisation is lodged with the Authority. Notice will be provided by the applicant to you (where you provide reasonable contact details) at that time. Any person can make submissions regarding the application directly to the Authority. The law requires that the Authority take into account any submissions made when determining on an application.

Notice of intention to apply for a liquor licence or a licence authorisation

(date of notice)

04/03/2013

(name of applicant)

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The CIS summarises the results of consultation between the applicant and the local and broader community about any issues with the proposed application.

The application cannot be granted unless the Authority is satisfied that the overall social impact will not be detrimental to the well-being of the local or broader community. In determining this, the Authority will consider the CIS, along with the application, any submissions made by stakeholders, and reports from police and the Director of Liquor and Gaming.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 28 May 2013

Item: 98 **CP - DA0486/12 - 43A Yeomans Road, North Richmond - Lot 2 DP 500716 - Additions to Dwelling House - Filling of a Waterbody and Construction of a Shed - (95498, 40412, 40413)**

Development Information

File Number: DA0486/12
Property Address: 'Roma' 43A Yeomans Road, North Richmond
Applicant: Marco Valentino Martello
Owner: Mr MV Martello & Mrs SJ Martello
Proposal Details: Additions to a Dwelling house, Filling of a Waterbody and Construction of a Shed Ancillary to a Dwelling.
Estimated Cost: \$239,935
Zone: RU1 Primary Production under HELP 2012
Date Received: 9 October 2012
Advertising: 16 - 30 October 2012

Recommendation: Approval in part

REPORT:

Executive summary

The application seeks approval for additions to an existing dwelling, filling of a dam and construction of a 293m² shed for the storage of the property owner's equipment and use for the owner's vintage vehicles, machinery hobbies and personal collection of large objects (eg. vintage signs).

An assessment of the proposal has revealed that the proposed dwelling additions and filling of a dam are consistent with the relevant planning controls for this land, however the proposed shed size substantially exceeds the maximum floor space (170m²) for sheds under Hawkesbury Council's Development Control Plan 2002.

The proposed colour scheme of Manor Red (walls) and Sandbank (roof) do not match the colours of the existing buildings (Grey, Green and Cream) and this is also inconsistent with the DCP provisions. There is also a minor encroachment of the maximum shed height proposed.

It is recommended that the proposed dwelling additions and filling of the waterbody be supported and that the shed component of the Development Application not be supported.

The application is being reported to Council for determination at the request of the Mayor, Councillor Ford.

Description of Proposal

The application seeks approval for additions to a dwelling house, filling of a waterbody and construction of a shed ancillary to a dwelling. Details of the proposal are as follows:

Dwelling additions

The application proposes changes to the layout of the existing dwelling including the addition of a lounge room, new balcony and games room.

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Filling of a waterbody

The application proposes to fill in an existing dam located on the site in order to provide a level surface close the dwelling for parking of vehicles and the erection of the proposed shed. The filling works would involve the removal of approximately 18 native trees located around the existing dam wall.

Ancillary shed

The proposed shed area totals 293m². It is intended that the shed would be used to support the property owner's hobby which involves the collection, restoration and storage of old vehicles, machinery, equipment etc.

The shed would be constructed using a combination of brick and colorbond for the walls and colorbond for the roofing to match the materials proposed for the existing dwelling.

The application is supported by Statement of Environmental Effects, BASIX Certificate, Bush Fire Hazard Assessment Report and Waste Management Plan.

Description of the site and its surroundings

The subject site being a battleaxe block with an area of 3.8ha, contains a dwelling, three dams, a storage shed next to the existing dwelling and a rural shed at the rear of the site (Approved under M1130/00).

The site is currently used for rural residential purposes which is consistent with the surrounding development in the locality. The existing dwelling appears to have been constructed in the 1960's and is of clad construction with steel roofing. The slope of the land provides for a single storey on one level extending to a basement/two storey level at the rear.

The application states that the additions would match the existing dwelling (but the existing colours are not specified) and that the colours of the proposed shed would be Sandbank (colorbond) for the roof and Manor Red (colorbond) for the walls. The tones of the roof being a light colour and the walls a dark colour is opposite to the usual tones for sheds but it is noted that the existing old outbuilding has a dark green wall and light grey roof.

Nevertheless the colours of the proposed shed do not match the colours of the existing dwelling as required by the DCP. In this respect the details submitted with the application (eg. photos) show that the dwelling appears to be Classic Cream (colorbond) for the walls, light grey for the roof and Cottage Green (colorbond) for the gutters and downpipes.

Should the shed be supported, as well as the dwelling additions, it would be a condition of approval that the colours of the shed be chosen to match the existing buildings on-site consistent with Council's DCP requirements.

History

- | | |
|------------------|---|
| 23 November 2012 | A letter was sent to the applicant advising that the size of the proposed shed was not supported as it did not comply with the requirements of HDCP 2002; concern was raised about whether the proposed use of the shed was ancillary to the dwelling; and a request was made for additional details about the proposed tree removal. |
| 9 December 2012 | Applicant provided additional information letter to justify the proposed size of the shed based on the proposed use and interpretation of the planning controls. |
| 23 January 2013 | Applicant's response considered by Council's internal Development Review Panel where it was discussed that the justification for the size of the shed was not supported as it remained inconsistent with Hawkesbury DCP 2002. |

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- 25 January 2013 Letter sent to the applicant advising that justification for shed size was not supported and recommended that the size of the shed be reduced. More specific details concerning the proposed filling of the dam were also sought.
- 31 January 2013 Applicant advised that they would address filling works and provide survey details concerning fill once they have been completed. Applicant mentioned that they would consider Council's response in relation to shed size.
- 2 April 2013 Additional information submitted concerning the proposed filling of the dam, proposed replacement trees and justification of the size of the proposed shed.
- 14 May 2013 Application called to Council for determination.

Issues Relevant to the Decision

- Compliance with DCP requirements
- Proposed filling works
- Tree removal

Council Policies, Procedures and Codes to Which the Matter Relates

- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy No. 44 - Koala Habitat Protection (SEPP 44)
- Sydney Regional Environmental Plan No 20 - Hawkesbury Nepean River (SREP 20)
- Hawkesbury Local Environmental Plan (HLEP) 2012
- Hawkesbury Development Control Plan (HDCP) 2002

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

SEPP 44 Koala Habitat Protection

The application does not propose the removal of any vegetation which is considered to be core koala habitat or potential koala habitat. Council is not prevented from granting consent to the proposal under this plan.

SEPP (Building Sustainability Index: BASIX) 2004

A BASIX Certificate has been issued for the proposed development and supports the application. A condition of consent would ensure that the development meets the necessary performance requirements as set out in the BASIX certificate, therefore complying with SEPP (BASIX) 2004.

SREP No. 20 Hawkesbury Nepean River

The proposal is not contrary to the aims, objectives and recommended strategies of this plan. The site is not within a scenic corridor of local or regional significance.

Hawkesbury Local Environmental Plan 2012 (HLEP 2012)

The subject site is zoned RU1 Primary Production. The proposed dwelling additions are permissible in the zone being defined as dwelling houses and the filling of the dam and erection of a shed are permissible with consent being works ancillary to the existing dwelling.

The proposed dwelling additions and filling of the dam are consistent with the overall aims and objectives of the zone and this plan.

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It is considered that the proposed 293m² shed in addition to the existing outbuildings on site is inconsistent with the overall aims of this plan. In this respect support of the proposed shed has the potential to have a visual impact on the landscape character of the locality.

In addition to the above, the proposal is consistent having regard to following clauses of Hawkesbury Local Environmental Plan 2012:

Clause 1.2 of Part 1 – Aims of Plan
Clause 1.4 of Part 1 - Definitions
Clause 5.9 of Part 5 – Preservation of trees or vegetation
Clause 6.1 of Part 6 - Acid sulfate soils

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

There are no draft environmental planning instruments that directly relate to the land or the specified development.

iii. Development Control Plan applying to the land:

Hawkesbury Development Control Plan (HDCP) 2002

An assessment of the proposal against the relevant provisions of this plan follows:

Part A Chapter 2 - General Information

The subject application provides 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 as a result of the notification of the application.

Part C: Chapter 4 - Erosion and Sediment

Erosion and sediment control has been detailed on the plans and would be enforced through conditions of consent.

Part C: Chapter 5 – Bushfire Prone Land

The application has been submitted with a bushfire hazard assessment identifying that the bushfire threat has been classified at a Bushfire Attack Level (BAL) of 12.5. Following a review of the details provided and a site inspection it is considered that a Bushfire Attack Level (BAL) of BAL-12.5 is appropriate.

Part C: Chapter 6 - Energy Efficiency

A BASIX certificate has been issued for the proposed development demonstrating that the proposed design can achieve the minimum energy performance targets.

Part C: Chapter 7 - Effluent Disposal

The applicant has stated that they intend to connect all new works to the existing septic system located on the site.

It is required that the applicant obtain approval to modify the existing septic approval prior to the issue of any construction certificate. Suitable conditions can be imposed if this application were to be supported.

Part D: Chapter 1 Residential Development

The proposed dwelling additions are consistent with the residential chapter of this plan. The proposed additions will match with the existing dwelling, suitable private open space would be provided and appropriate car parking is available on the subject site.

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Part D: Chapter 8 Rural Sheds

An assessment of the proposal against the rural sheds chapter is below:

Element	Rules	Provides	Complies
Sitting	(a) Sheds shall be located no closer to the road than the existing dwelling house on the property.	Existing residence is located closer to the road	Yes
	(b) Cut and fill shall be limited to 2m of cut and 900mm of fill.	Shed would be located on dam to be filled	N/A
	(c) Sheds shall not be erected on land having a slope in excess of 10%.	The proposed building platform will be flat.	Yes
	(d) The erection of rural sheds shall involve minimal disturbance to native vegetation.	The shed would be located on the dam to be filled.	Yes
Size	(a) The maximum size of sheds in the 1(c). 1(c1) areas shall not exceed 170m ² . The cumulative total of all outbuildings shall not exceed 170m ² on any one property in these zones.	N/A	N/A
	(b) In zones 1(a), 1(b), 7 (d), 7(d1), 7(e), the applicant will need to justify the size of any shed exceeding 170m ² in terms of the use of the shed and the land, as well as measures taken to minimize the impact on neighbors and the general area.	See comments in regards to shed size below.	No
Height	(a) The total height of a rural shed erected in a rural 1(c) and 1(c1) zones shall be no more than 5m or no higher than the height of the ridgeline of the dwelling house on the same property, whichever is less.	N/A	N/A
	(b) In other zones the total height of a rural shed exceeding 5m shall be justified in terms of the use of the shed and the visual impact of the development.	Barn style proposed	N/A
	(c) The total height of 'barn style' sheds may exceed 5m based on individual merit.	Proposed shed height of 5.071m considered to be acceptable on merits of the proposed design.	Yes

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Element	Rules	Provides	Complies
Form	(a) Rural sheds with standard roof form will be limited to rectangular shapes.	Barn style proposed	N/A
	(b) Sheds of other roof forms, for example barn style, will be encouraged.	Roof form considered to be acceptable	Yes
Colour	(a) The colour of a rural shed will match or blend in with those of existing buildings.	Proposed colours are manor red (walls) and sandbank/cream (roof). It is considered that these colours don't match the existing buildings. If the shed was to be supported it is recommended that the colours be changed to match existing buildings on site.	No
	(b) On vacant land the colour of rural sheds shall be taken from the natural environment.	The land is not vacant. The proposed colours are considered to be earthtone in nature (which was the Vella v Council LEC case outcome).	N/A
Type of building materials	(a) Building materials used in the construction of rural sheds are to be new, preprinted and non-reflective.		Yes
	(b) The use of corrugated iron will be considered subject to the size, height, design and location of the rural shed.		N/A
	(c) Any part of a building below the 1-100 year flood level is to be constructed of flood compatible materials.		N/A
Landscaping	(a) Plantings are to be a mix of trees, shrubs and ground cover. (b) Trees shall include species that at maturity have a height above the ridgeline of the shed. (c) Shrub mass shall provide adequate screening. (d) Plants endemic to the area must be chosen.	No landscaping has been proposed for the shed. Should the shed be supported it is recommended that extensive native landscaping be provided to screen the scale of the shed.	No

Shed Size

The application proposes that a 293m² shed would be constructed in addition to the existing shed at the rear of the property (54m²) and the shed at the front of the site (74m²). Consequently the applicant has requested a variation (in total) to the shed size requirement of 170m² to 421m² (i.e. a variation of 247% to the maximum permitted size in the DCP).

The statement of environmental effects details that the property owner needs the space to store their *"collection of vintage cars and old wares that are currently stored off site because the lack of adequate secure storage facilities on the site"*.

The aims and objectives of the shed size rule are:

Aims

- To control the number of unnecessarily large sheds.
- To control the size of rural sheds so as to minimize their visual dominance in the landscape.

Objective

- The size of rural sheds will be associated with the use of the shed, the use of the land and the size of the property.

The proposed cumulative total of all outbuildings is approximately 421m² which is significantly greater than what would be considered to be necessary to support the use of the land for rural residential purposes.

It is considered that supporting the construction of a 293m² shed based on the justification provided is inconsistent with the overall aims and objectives of this chapter as the applicant has not been able to satisfactorily demonstrate that the shed size is needed to support the use of the land.

It is noted that the maximum 170m² shed size rule is consistently applied to rural residential developments within the Hawkesbury and that sheds greater than 170m² are generally only supported where the shed area is necessary based on the size of the property and need to support the use of land for an agricultural or other rural land use.

It is considered that the use of the land and size of the property is not of a nature that justifies a large variation to the 170m² shed size limit in the DCP. Supporting the shed based on the reasons provided has the potential to set an undesirable precedent in supporting sheds greater than 170m² for purposes other than agriculture.

Furthermore it is considered that the proposed variation to the shed size has the potential to increase the visual dominance of large sheds in the landscape and would not contribute positively to the character of the site or the surrounding area.

As a result of the above it is recommended that the shed component of the application not be supported.

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

Not applicable.

v. Matters prescribed by the Regulations:

In accordance with the Environmental Planning and Assessment Regulation 2000 the development will be required to comply with the following:

- The National Construction Code – Building Code of Australia, and

- Council's S94A Development Contributions Plan. In this regard Hawkesbury Council's S94A Development Contributions Plan 2006 applies to the development. The applicant has estimated that the total cost of development is \$239,935. Given that the shed component of the development is not supported the estimated cost of development has been calculated at \$177,640 (minus the proposed \$62,295 shed) using the figures provided by the applicant. Based on a cost estimate of \$177,640, the applicant would be subject to a 0.5% levy under Council's contribution plans. An appropriate condition has been proposed in this regard.

Should the shed component be supported the contributions levy would be charged at 1% under Council's developer contributions plan based on a total estimated total cost of development of \$239,935. (NOTE: A rate of 1% applies once an amount of \$200,000 is reached)

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:

An assessment into the key issues relating to the proposal has been undertaken below.

Context

The surrounding locality is used for a combination of rural residential and agricultural purposes. The dwelling additions and filling in of the dam is considered to be compatible with surrounding developments and would be unlikely to change the rural nature of the locality.

However it is considered that the proposed shed is of a size that is substantially larger than what is required to support the use of the land and that approval of a large shed has the potential to impact the scenic appearance of the locality.

Flora and Fauna

The application involves the removal of approximately 18 trees located around the existing dam wall.

Council's vegetation mapping identify that vegetation in the dam area consists of Shale Plains Woodland and Shale Sandstone transition woodland. Whilst the shale plain woodland is identified as a critically endangered ecological community it is considered that the removal of the trees along the dam would not have an adverse impact on these vegetation communities. The trees proposed to be removed are on the edge of the vegetation community and do not form part of any significant vegetation corridor.

A site inspection of the property has revealed that the groundcover underneath the tree canopy has been previously been disturbed by landscaping and the construction of the dam. It is considered that replacement plantings should be undertaken on-site in order to offset the removal of native vegetation. The applicant has indicated in writing a willingness to replant trees at the ratio of 2 to 1. Appropriate conditions have been recommended in this regard.

Civil Works

The application proposes the importation of 690m² of fill which would result in between 15 - 20 truckloads to be transported to the site. Suitable conditions during the construction phase have been recommended to limit dust and noise that would be associated with the proposed earthworks.

It is noted that the property shares a battleaxe handle with two adjoining properties and the developer has an obligation to ensure that trucks entering the site do not have an impact on the traffic and the condition of the access handle.

Water

A concept drainage plan for the filling of the dam has been submitted showing how drainage would be managed once the dam is filled. These details are considered to be acceptable.

Cumulative Impacts

There are no negative cumulative impacts concerning the dwelling additions and filling of the dam. It is however considered that approving the proposed shed size has the potential to set an undesirable planning precedent in supporting unnecessarily large sheds.

c. Suitability of the site for the development:

A summary of the suitability of the site for the development has been undertaken and it is considered that the proposed dwelling additions and filling of the dam are consistent with the planning controls which relate to the land.

As detailed in the report above it is considered that the applicant has not been able to justify the size of the proposed shed in respect to the proposed use of the land. In this respect it is recommended that the shed component of the application not be supported.

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

No submissions were received in respect to the subject application.

e. The Public Interest:

It is considered that the support of the dwelling additions and filling of the dam are in the general public interest as the proposal would encourage the continued use of the land for rural residential purposes.

It is considered that the applicant has not been able to satisfactorily justify the size of the proposed shed and that support of the shed size is contrary to HDCP 2002 and is not in the public interest.

Conclusion

An assessment of the proposal has revealed that the applicant has been able to satisfactorily address the environmental impacts concerning the proposed dwelling additions and filling of the dam however the proposed size of the shed has not been able to be satisfactorily justified based on the use of the land.

In other cases Council officers have been able to support minor variations to shed size, resolve colour schemes and approve those development applications. As outlined in this report there have been repeated requests to the applicant (and their consultants) to have the shed altered in order that a shed of suitable size and colour scheme could be supported by Council officers however these negotiations have not been successful.

It is therefore recommended that the additions to the dwelling and filling of the dam be supported and the proposed shed not be supported.

Planning Decision

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

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Meeting Date: 28 May 2013

RECOMMENDATION:

That development application DA0486/12 at Lot 2 DP 500716, Roma 43A Yeomans Road, North Richmond for additions to a dwelling house and filling of a waterbody 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. This consent does not include the construction of the proposed ancillary outbuilding (shed) or associated outbuilding earthworks.
3. The development shall comply with the provisions of the National Construction Code - Building Code of Australia.
4. No excavation, site works or building works shall be commenced prior to the issue of an appropriate Construction Certificate.
5. The dwelling additions shall not be occupied prior to the issue of an Occupation Certificate.
6. Hawkesbury City Council is the sewer authority for this development, inspection for compliance certification for internal and external sewer drainage shall be requested and approved prior to covering any pipe. An inspection fee applies.
7. The accredited certifier shall provide copies of all Part 4 certificates issued under the Environmental Planning and Assessment Act, 1979 relevant to this development to Hawkesbury City Council within seven days of issuing the certificate. A registration fee applies.
8. This consent covers the removal of up to 18 trees as shown on the plans submitted with the application. All vegetative debris (including felled trees) resulting from the approved clearing of the site for construction, is to be chipped or mulched. Tree trunks are to be recovered for posts, firewood or other appropriate use. No vegetative material is to be disposed of by burning.

Prior to Issue of Construction Certificate

9. Pursuant to section 80A(1) of the Environmental Planning and Assessment Act 1979 and Hawkesbury City Council's Section 94A Development Contributions Plan 2006 (as amended from time to time), a contribution of \$888.20 shall be paid to Hawkesbury City Council.

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

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

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

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

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Prior to Commencement of Works

11. 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.
12. A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 shall be supplied to the principal certifying authority prior to commencement of works.
13. Toilet facilities (to the satisfaction of the Council) shall be provided for workmen throughout the course of building operations. Such facility shall be located wholly within the property boundary.
14. A sign displaying the following information is to be erected adjacent to each access point and to be easily seen from the public road. The sign is to be maintained for the duration of the works:
 - a. Unauthorised access to the site is prohibited.
 - b. The owner of the site.
 - c. The person/company carrying out the site works and telephone number (including 24 hour seven days emergency numbers).
 - d. The name and contact number of the Principal Certifying Authority.
15. A qualified Structural Engineer's design for all reinforced concrete and structural steel shall be provided to the Principal Certifying Authority prior to any works commencing on site.

During Construction

16. Erosion and sediment control devices are to be installed and maintained at all times during site works and construction.
17. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted. Water flows from the site shall follow the original flow direction without increased velocity.
18. Site and building works (including the delivery of materials to and from the property) shall be carried out only on Monday to Friday between 7am – 6pm and on Saturdays between 8am – 4pm.
19. The site shall be kept clean and tidy during the construction period and all unused building materials and rubbish shall be removed from the site upon completion of the project. The following restrictions apply during construction:
 - a. Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path or easement, natural watercourse, footpath, kerb or road surface and shall have measures in place to prevent the movement of such material off site.
 - b. Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken only within the site.
 - c. Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a Waste Disposal Depot.
20. All roofwater shall be drained to water storage vessel/s. The overflow from water storage vessels shall be drained to a rubble pit of suitable size.
21. All new works shall match the colours and materials used in the existing dwelling.
22. The footings shall be piered or shall penetrate through any fill or unstable foundation material to bear upon a structurally adequate foundation material of a uniform load-bearing value.

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23. The dwelling additions shall comply with the construction requirements of "Planning for Bush Fire Protection" prepared by Planning NSW and AS 3959 - 2009 Construction of Buildings in Bush Fire Prone Areas, Bushfire Attack Level 12.5.
24. An automatic fire detection and alarm system shall be installed within the building in accordance with the Building Code of Australia for Class 1A Dwellings.
25. Inspections and Compliance Certificates for sewer works can only be conducted and issued by Hawkesbury City Council. Inspections must be conducted on the exposed pipes prior to backfilling or concrete encasement.

In the case of internal and external (house service connection) drainage, the inspection must be conducted by Hawkesbury City Council's Building and Development Branch. Please phone (02) 4560-4565 to arrange inspections.

26. Minimum of 36 replacement trees shall be planted on the property in the vicinity of the proposed development. The replacement trees shall be endemic to the locality and be planted no later than three months after tree removal has taken place and the trees shall be protected and maintained so as to ensure that they reach maturity.
27. Photographic evidence of the replacement trees shall be provided to Council no later than one month after their planting.
28. The topsoil shall be stripped and stockpiled and used to cover the landfill in areas not forming part of the building platform.
29. All fill to be adequately compacted by track rolling or similar in layers not exceeding 300mm.
30. All constructed batters are to be topsoiled and turfed and where batters exceed a ratio of 3 horizontal to 1 vertical, retaining walls, stoneflagging or terracing shall be constructed.
31. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
32. A ticketing system is to accompany any material being brought to the site. A register is to be kept on site to cross reference against the source records. An independent site auditor is to be engaged to undertake appropriate certification regarding the monitoring and validation of the fill material imported to the site as being sound, suitable for the proposed use and free of contamination.
33. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted.
34. All civil construction works required by this consent shall be in accordance with Hawkesbury Development Control Plan appendix E Civil Works Specification.
35. All fill including existing fill must be compacted to 98% standard compaction in accordance with AS1289 and verified by the submission of test results from a NATA registered laboratory.
36. Inspections shall be carried out and compliance certificates issued by Council or an accredited certifier for the components of construction detailed in Hawkesbury Development Control Plan Appendix B Civil Works Specification, Part II, Table 1.1.

Prior to Issue of Occupation Certificate

37. A written clearance from Hawkesbury City Council (as the local sewer authority) that the development is suitably connected to the on-site sewerage management facility is required to be submitted to the Principal Certifying Authority prior to the issue of an Interim Occupation Certificate.

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

Use of the Development

39. No internal or external alterations shall be carried out without prior approval of Council.
40. The subject development, including landscaping, is to be maintained in a clean and tidy manner.
41. Any external lighting shall be directed in such a manner so that no nuisance is caused to adjoining properties or to drivers on surrounding streets.

Advisory Notes

*** 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.

*** The applicant is advised to consult with the relevant:

- (a) Water and sewer provider
- (b) Electricity provider
- (c) Natural gas provider
- (d) Telecommunications carrier
- (e) Road authority

Regarding their requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on site or on the adjacent public roads.

*** 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

ORDINARY MEETING

Meeting Date: 28 May 2013

ATTACHMENTS:

AT - 1 – Locality Plan

AT - 2 – Aerial Photograph

AT - 3 – Site Plan

AT - 4 – Elevations Dwelling

AT - 5 – Shed plans

ORDINARY MEETING

Meeting Date: 28 May 2013

AT - 1 – Locality Plan



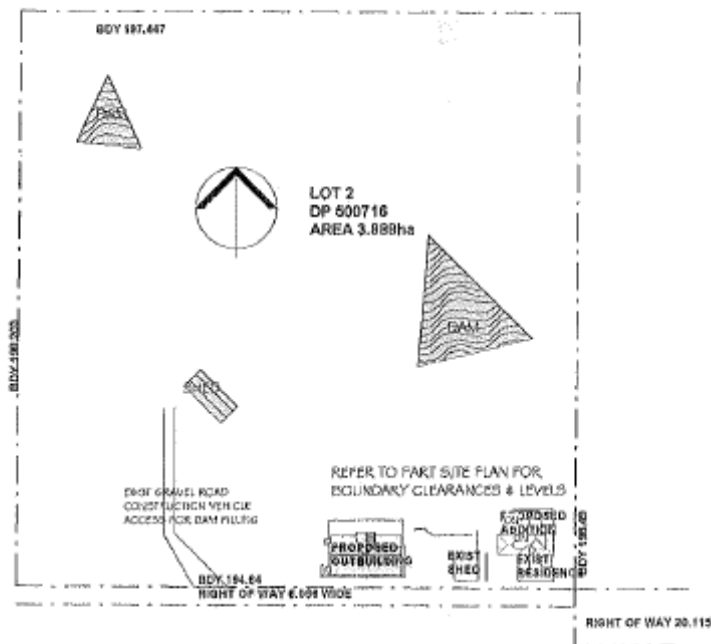
ORDINARY MEETING

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AT - 2 – Aerial Photograph

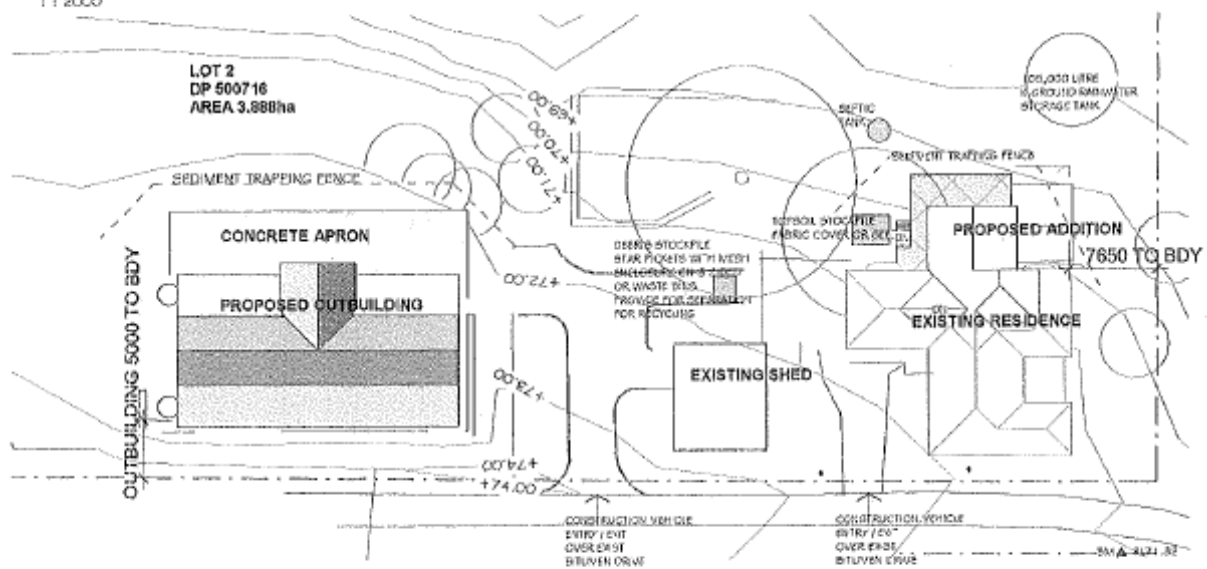


AT - 3 – Site Plan



SITE PLAN

1 : 2000



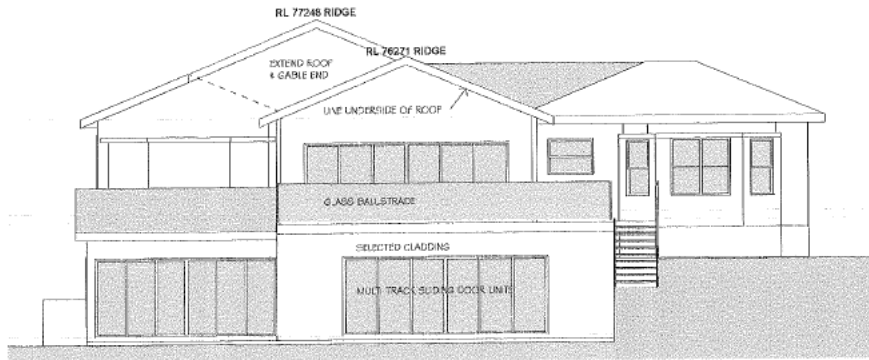
PART SITE PLAN

1 : 500

ORDINARY MEETING

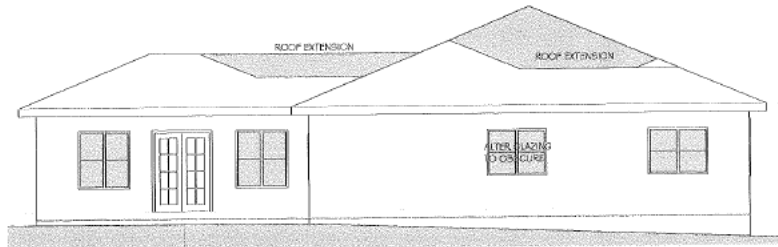
Meeting Date: 28 May 2013

AT - 4 – Elevations Dwelling

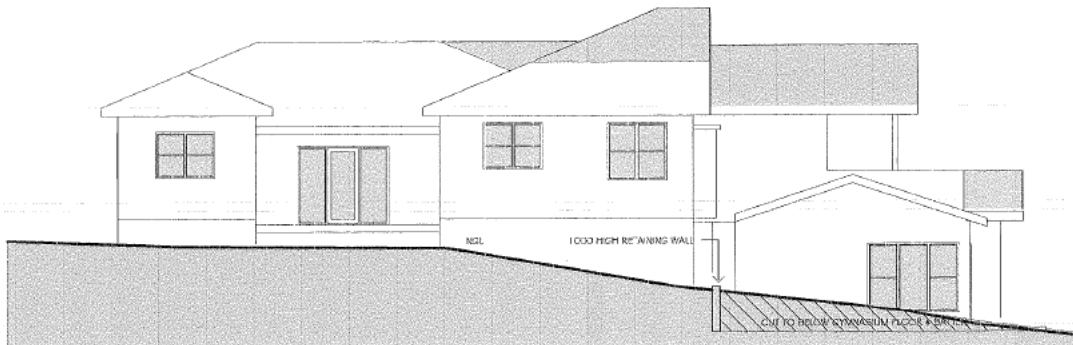


NORTH ELEVATION

1 : 100



SOUTH ELEVATION



EAST ELEVATION

1 : 100



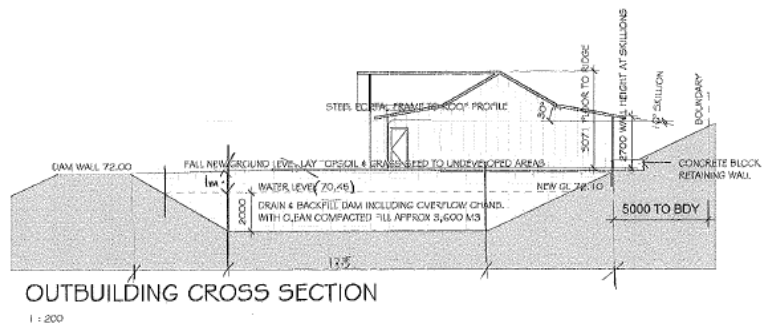
WEST ELEVATION

1 : 100

ORDINARY MEETING

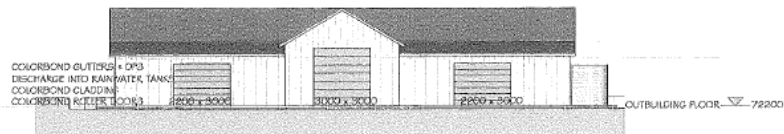
Meeting Date: 28 May 2013

AT - 5 -Shed plans



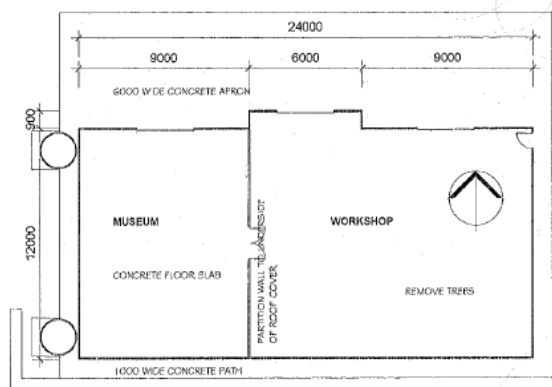
OUTBUILDING CROSS SECTION

1 : 200



OUTBUILDING NORTH ELEVATION

1 : 200



OUTBUILDING FLOOR PLAN



OUTBUILDING EAST ELEVATION

1 : 200



OUTBUILDING WEST ELEVATION

1 : 200

NOTE: ALL DIMENSIONS INCLUDING LEVELS TO BE VERIFIED ON SITE

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 28 May 2013

Item: 99 CP - Proposed Licence Agreement with North West Disability Services - Public Notification - (96328)

Previous Item: Item 108, Ordinary (31 May.2011)
Item 205, Ordinary (13 September 2011)
Item 18, Ordinary - (14February 2012)
Item 119, Ordinary (10 July 2012)
Item 32, Ordinary (26 February 2013)

REPORT:

Executive Summary

This report has been prepared to advise Council of submissions received in response to the public notification of Council's intention to enter into a licence agreement with North West Disability Services Inc. (NWDS) for the exclusive use of a portion of Pound Paddock, Bourke Street, Richmond in accordance with Section 47 of the *Local Government Act 1993*. The report details the elements of public notification process, summarises the submissions received, and where required, provides a response to the matters raised within the submissions. The report proposes that Council seek the Minister's consent for the granting of a Licence Agreement and to forward a submission to the Minister to this effect as required under Section 47 (6) of the Act.

Consultation

This report outlines the outcomes of a statutory public notice process. In addition to the statutory requirements, Council also distributed information on the proposal to enter into a Licence Agreement to all households within a 500 metre radius of Pound Paddock. Council has also undertaken previous consultations in relation to this matter including a Neighbourhood Survey distributed to all households within a 500 metre radius of Pound Paddock, consultation with adjoining owners and stakeholders, and a Section 40A Public Hearing meeting.

Background

Brief Chronology of Partnership Proposal

December 2010 - North West Disability Services approach Council with proposal to build disability services centre on Council land with NWDS funding, constructing and managing the building.

May 2011 - Proposal reported to Council. Council resolved to implement consultation strategy as first step to inviting Expression of Interests (EOIs) from not-for-profit groups to fund construction of community facility.

June to September 2011 - Consultation strategy implemented. Neighbourhood Survey distributed and stakeholders and adjoining owners consulted. Results reported to Council indicating that 76% of survey respondents were in favour of Council exploring partnership proposal. Council resolved to proceed to call for EOIs.

October to December 2011 - Not for Profit Community Agencies invited to lodge EOIs.

February 2012 - EOIs reported to Council. Council accepted an 'in principle' EOI from NWDS to construct a 550m² single level \$1.135M disability services centre and resolved to proceed with re-categorisation of Pound Paddock from 'Sportsground' to 'General Community Use' to progress the proposal.

April 2012 - Public Hearing under S40A of *Local Government Act* conducted into re-categorisation of Pound Paddock.

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July 2012 - Outcomes of Public Hearing reported to Council with Council resolving to commence negotiations with NWDS on the terms that a proposed lease for a portion of Pound Paddock would be required by NWDS to operate a disability services centre.

February 2013 - Council considered a report canvassing possible conditions for a Licence Agreement with NWDS and seeking approval to give public notice of Council's intention to enter into a licence agreement with NWDS for the use of a portion of Pound Paddock. Council resolved that:

"Council give public notice of its intention, under Section 47 of the Local Government Act 1993, to enter into a licence agreement with North West Disability Services Inc. with respect to a portion of Pound Paddock in accordance with the licence conditions outlined within this report.

As part of the public notice process, Council distribute information to local residents on the proposed redesign plan for Pound Paddock and provide opportunity for residents to comment on the proposals with the outcomes reported to Council in conjunction with the outcome of the public notice process.

Council refer the proposed licence conditions to Council's Solicitors to commence the drafting of a Licence Agreement incorporating the proposed licence conditions outlined within this report."

Public Notice Process

With respect to Parts 1 and 2 of Council's resolution of 26 February 2013 the following actions were undertaken:

- Council's intention to enter into a Licence Agreement with NWDS for the exclusive use of a portion of Pound Paddock was advertised in the Council Notices section of the Hawkesbury Courier on 4 April 2013.
- Signs were erected on Pound Paddock on 3 April 2013 advising residents of Council's intention to enter into a Licence Agreement with NWDS for the exclusive use of a portion of Pound Paddock.
- A Public Information Sheet was distributed to 597 households within a 500 metre radius of Pound Paddock in the week beginning 25 March 2013. The Information Sheet included information on proposed improvements to Pound Paddock. A copy of the Public Information sheet has been appended to this report (Attachment 1).
- The Richmond Golf Club, Richmond Scouts, Richmond Girl Guides, Richmond Lions Club, and the Hawkesbury Sports Council were sent an email notification on 25 March 2013 advising them of the public notification process. A copy of the Public Information Sheet was also appended to the email.

Submissions Received

11 submissions were received in response to the public notification of Council's intention to enter into a Licence Agreement with NWDS for the exclusive use of a portion of Pound Paddock with 10 submissions favouring the proposal and one submission opposing the proposal. The content of the submissions is summarised below.

ORDINARY MEETING**Meeting Date:** 28 May 2013***In favour of the proposal***

No.	Summary of Comments
1	Highly beneficial proposal. Will provide people living with disabilities and their carers with a local facility in a safe and friendly location and will meet the demand for disability programs for these families. The inclusion of bicycle track, picnic shelters, off-leash dog area and basketball court in the proposal will also provide for the increased utilisation of Pound Paddock by the community; would welcome visitors travelling along Richmond Rd; and could be used by guide dog associations as a training ground. Consideration should be given to installing exercise equipment (as in Ham Common).
2	Council has been a great advocate for meeting the needs of the disabled within our local area. Proposal will mean that school leavers with a disability will be able to participate in meaningful activities in a purpose built facility and be a part of their local community without their parents having to travel long distances twice a day. The proposed redevelopment of the site will provide a 'gateway' to Richmond and will link disability with the community in a positive way and give the whole community a more aesthetic area for recreation.
3	Bendigo Bank has provided over \$800,000 to support the local Hawkesbury community. Early in the development of Bank, HCFS commenced working with NWDS and their clients to see how we could assist. Together we looked at a number of options and possible sites. One of the site requirements was to have space and good egress to local transport. Pound Paddock has all of the requirements for a satisfactory facility for the disabled. The Bank has set aside significant funds to develop this facility and depending on the continued success of the business, more funds will be made available. A facility of this nature has been long overdue and Council are to be applauded on this initiative.
4	Our child attends the Community Access Day Program in Richmond which currently operates out of less than ideal rented premises in the centre of Richmond. Caring for our daughter is a huge task that affects our entire family; NWDS provides an invaluable service that allows our family to continue on with our work and family life with some sense of normality. The current venue lacks proper facilities and has no outdoor area for service users and carers. We are excited that we may have finally found an adequate space for NWDS to develop a purpose built facility to better cater for our young local disabled adults. We cannot think of a better use of this lovely little paddock - it is a delightful setting that would potentially enhance the daily lives of some of our most deserving community members. Our sons and daughters deserve a centre that is up-to-date and capable of providing the necessary facilities to care for them in a comfortable and safe environment. The facility would benefit not only our family but many others in the local areas for many years to come.
5	The preliminary design shows a much needed dog off –leash area and a whole new look for Pound Paddock. The speed limit on Bourke St may need to be reviewed as it is very hard to cross this busy road now to access the station.
6	Support the efforts of the Bendigo Bank to help NWDS to set up a facility at Pound Paddock. I have been involved with Riding for the Disabled and witnessed first hand the health and well being benefits of sport to the disabled community. The facility will allow teenagers and young adults with disabilities to have the same opportunities as their able bodied peers to interact with each other and their community at large while learning physical skills. It will also provide a venue for parents of the disabled to interact and support one another. As a health practitioner in the Hawkesbury for more than 20 years I can attest to

ORDINARY MEETING**Meeting Date:** 28 May 2013

No.	Summary of Comments
	the lack of such a facility for this age group. We do manage the early childhood and old age reasonably well, but our most active aged group between 12-25, are most in need of building social and physical skills, but miss out.
7	NWDS are known for their provision of high quality services and support to people with a disability in both the Hills and Hawkesbury areas. The construction of a community facility and the landscaping of the open space for use as a recreational parkland will benefit all residents of the Hawkesbury.
8	The proposal has potential to add a much needed facility to the local area without losing control of the land. It is important to develop more community places for the disabled given the incidence of disability within the community. With the advent of the NDIS and Consumer Directed Care more parents will be seeking to have their children catered for in their own LGA, rather than sending them by bus, car or taxi to Penrith. The initiative can only enhance Council's reputation as forward thinking and providing amenities for all sectors of the public. The proposal includes facilities for the broader community and would provide for a popular picnic area. Will there be provision for public toilets and car parking and will Council attend consultative proceedings if residents have issue regarding the operation of the Centre? Fully in favour of proposal and congratulate Council for considering such a venture.
9	Ratepayers in Hawkesbury for 25 years and involved in Special Education for over 51 years. Our daughter attends Opal Cottage in Richmond a service provided by NWDS. NWDS provides a range of services for adults and school leavers who have a range of learning difficulties with varying degrees of physical and/or sensory disabilities. NWDS has an excellent record of providing services for many years to similar groups in the Hills LGA. NWDS currently operates from rented premises in Richmond but wish to build a purpose built facility to provide more appropriate facilities and to provide for additional clients. Significant funds have been raised and possible plans have been drawn up for such a facility and what is now required is a suitable area on which to build. We believe that NWDS would make excellent use of Pound Paddock as from our observations over the last 25 years, Pound Paddock appears to only have minimal use during the day or at night time. Sometimes the area looks quite run down and uncared for. We understand that NWDS has offered to assist with maintenance of the grounds for the benefit of the general public. We support the proposal and encourage Council to approve of this as soon as possible so that planning and building can proceed.
10	Resident of Richmond for 30 years. Have lived close to Pound Paddock for the last 15 years. I walk daily past Pound paddock and cannot recall seeing anyone utilising it so I think the proposal for the community facilities is a fantastic use of the land and a great benefit to the community.

Against the Proposal

No.	Summary of comments
11	<p>Strongly opposed to any decision to grant NWDS a Licence Agreement.</p> <ul style="list-style-type: none"> • Under the impression that Pound Paddock was zoned as Recreation Area • Bourke St is very narrow and when vehicles are parked on both sides of road it is very dangerous for people getting in and out of their vehicles. No traffic survey has been done and it is very difficult to get across the road and it is only a matter of time before a nasty accident will occur.

Outcome of Public Notification

Section 47 (4) of the *NSW Local Government Act 1993* requires that Council must consider all submissions made in response to a public notification process prior to granting a 'lease, licence or other estate' for community land. As outlined above, 11 submissions were received with 10 supporting the proposal to enter into a Licence Agreement with NWDS and one objecting to the proposal.

The outcome of the public notification process is consistent with the outcome of previous consultation undertaken by Council - the Neighbourhood Survey conducted in 2011 indicated that 76% of survey respondents were in favour of Council exploring a partnership proposal to build a community facility on Pound Paddock.

Notwithstanding the broad community support for the proposal, under Section 47 (5) of the *NSW Local Government Act 1993*, a council is required to seek the Minister's consent where a submission objecting to a proposal to grant a lease of licence for a piece of community land is received. As part of a Ministerial application, a council is required to provide details of all objections received and to provide a response to each objection. This information is summarised below.

Details of Objections Received and Response to Matters Raised within Objection

- a) *The respondent is concerned that the proposal maybe contrary to Pound Paddock's zoning as a Recreation Area.*

Response:

Pound Paddock is zoned as Private Recreation (RE2) under Hawkesbury Local Environmental Plan 2012. A community facility is a permitted development within this zone. The proposal will not alter the existing zoning, classification or categorisation of Pound Paddock. The proposed use of a portion of Pound Paddock for a Disability Services Centre is consistent with the provisions and restrictions applying to the Pound Paddock as a consequence of its zoning, classification and categorisation.

Pound Paddock is currently a poorly-utilised public space. During March and April 2013 Council staff undertook a usage survey of Pound Paddock to explore the possible impact of the partnership proposal on the local amenity of residents. The site was audited on 70 occasions (Monday to Sunday between 8.00 am and 6.30 pm) - on only two occasions people were observed within Pound Paddock (a single individual on each occasion).

The proposed licence agreement applies to a portion of Pound Paddock (approximately 32%). The remainder of the site will include a public car park (22% of the site) and a redeveloped public recreation space (46% of the site) which will be re-developed to increase its amenity and use by local residents.

- b) *The respondent is concerned at the possible traffic impacts of the proposal. The proposal will make Bourke Street more dangerous. The street is narrow with on-street parking and the proposal will create more demand for parking.*

Response:

Traffic impacts arising from the proposal that may be associated with the construction of a community facility on Pound Paddock will be required to be addressed as part of the Development Assessment Application (DA) process and any proposed development will need to comply with the provisions of Council's planning instruments.

As above the parking requirements for the proposed community facility will be required to be addressed as part of the Development Assessment (DA) process and any proposed development will need to comply with the parking provisions of Council's planning instruments. The proposed facility includes provision for off-street parking.

Proposed Application for Ministerial Consent

As Council has received a submission objecting to the proposal, it will be required to seek the Minister's consent to the proposal to enter into a licence agreement with NWDS for a portion of Pound Paddock. Section 47 (6) outlines the information that must be provided by Council in its application for ministerial consent:

- a copy of the plan of management for the land;
- details of all objections received and a statement setting out, for each objection, the Council's decision and the reasons for its decision;
- a statement setting out all the facts concerning the proposal to grant the lease, licence or other estate;
- a copy of the newspaper notice of the proposal;
- a statement setting out the terms, conditions, restrictions and covenants proposed to be included in the lease, licence or other estate;
- if the application relates to a lease or licence for a period (including any period for which the lease or licence could be renewed by the exercise of an option) exceeding 21 years, a statement outlining the special circumstances that justify the period of the lease or licence exceeding 21 years;
- a statement setting out the manner in which and the extent to which the public interest would, in the council's opinion, be affected by the granting of the proposed lease, licence or other estate, including the manner in which and the extent to which the needs of the area with respect to community land would, in the council's opinion, be adversely affected by the granting of the proposed lease, licence or other estate.

Accordingly, it is proposed that Council prepare an application to seek the Minister's consent to enter into a Licence Agreement with NWDS for the purpose of constructing a Disability Services Centre on a portion of Pound Paddock. With respect to the requirements of Section 47 (6) of the Act, the following information would be provided should Council resolve to lodge an application for Ministerial Consent:

Copy of Plan of Management

Inclusion of *Council's Generic Plan of Management: General Community Use* with the comment that the proposal is consistent with the Plan of Management which allows for the provision of 'community facilities for the physical, cultural, social and intellectual welfare or development of persons'.

Details of Objections Received and Council Response

The summary of objections received and Council's response as outlined in this report with a statement to the effect that Council is of the view that the matters raised within the objection will be addressed through the development approval process and that the proposal will improve the amenity and usage of Pound Paddock as a Recreation Area.

Statement Setting out the Facts Concerning the Proposal

A chronological summary of the Council Reports and Council Resolutions relating to the proposal.

Public Notice of the Proposal

The summary of the Public Notice process as outlined in this report together with copies of the newspaper notice, photo of signage erected in Pound Paddock and a copy of the Public Information Sheet distributed to local residents.

Proposed Conditions of Lease

The licence conditions approved by Council.

Statement of Special Circumstances where Proposed Lease/licence exceeds 21 Years

(Not applicable)

Statement Outlining Extent to which Public Interest would be affected by the Proposal

A statement to the effect that:

- The proposal has broad community support as demonstrated by the outcomes of the public consultations undertaken by Council.
- Pound Paddock is currently a poorly-utilised public space and that the proposal incorporates provision for the re-development of Pound Paddock which will improve its utilisation and amenity.
- The proposal will enable Council to leverage non-ratepayer funds to construct a community services facility which would otherwise not be built.
- The proposal will see the establishment of a local community service for a disadvantaged population group who may be currently required to travel out of the area to access these services.
- The impacts of the proposal on residents can be reasonably addressed and managed through the licence conditions.
- The proposal will deliver a demonstrable community benefit.

Conformance to Community Strategic Plan

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

- Have friendly neighbourhoods, connected communities, and supported households and families

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

- Upgrade the necessary physical infrastructure and human services to meet contemporary needs and expectations
- Broaden the resources and funding available to our community by working with local and regional partners as well as other levels of government

The Community Strategic Plan requires Council to work with community agencies and other levels of government to improve local services and infrastructure. The report advocates that Council make an application to the Minister to seek approval to enter into a licence agreement with North West Disability Services Inc. to facilitate the construction and operation of a Disability Services Centre which will achieve a community outcome, through the leveraging of external investment, which otherwise might not be possible.

Financial Implications

There are no financial implications arising directly from this report. The report proposes making an application to the Minister which will require the allocation of staff resources which can be negotiated in conjunction with normal workload demands. Should approval be granted the costs of the proposed Disability Services Centre will be wholly met by NWDS. The proposed improvements to Pound Paddock are to be funded from the Section 94A Development Contribution Reserve.

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RECOMMENDATION:

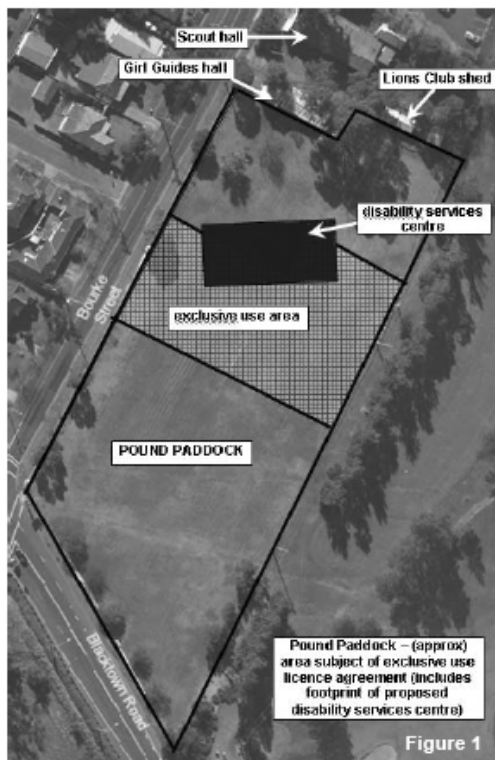
That Council prepare an application under Section 47 (6) of the *Local Government Act 1993* to seek the Minister's consent to enter into a Licence Agreement with NWDS for the purpose of constructing a Disability Services Centre on a portion of Pound Paddock.

ATTACHMENTS:

AT - 1 Pound Paddock Licence Agreement Public Information Sheet

AT - 1 Pound Paddock Licence Agreement Public Information Sheet**Pound Paddock licence agreement****Public Information Sheet**

The following information has been prepared to provide residents about Council's intention to enter into a 21 year Licence Agreement with North West Disability Services Inc. to enable NWDS to fund, construct and occupy a non-residential Disability Services Centre on a portion of Pound Paddock at Richmond.

**Figure 1****Frequently Asked Questions**

This section provides some background information about the proposal to enter into a licence agreement for the purpose of building a Disability Services Centre on Pound Paddock.

Where is Pound Paddock?

Pound Paddock is an area of open space parkland located on the corner of Bourke St and Blacktown Rd at Richmond. Pound Paddock is just over two acres in size (9,300 m²).

What is being proposed?

Council is intending to enter into a 21 year licence agreement with North West Disability Services Inc. to allow NWDS to occupy approximately 3,000m² of Pound Paddock for the purpose of funding, constructing and operating a non-residential Disability Services Centre. The licence agreement is intended to cover this portion of Pound Paddock.

The proposal also involves the construction of a car park and access driveways covering approximately 2,000m² and the redevelopment of the remaining 4,300 m² of Pound Paddock to improve its amenity and increase its use by residents. The car-park and the remaining parkland will not be included in the Licence Agreement.

The adjoining lands occupied by the Scouts, Girl Guides and the Lions Club are not included in the proposal. [Figure 1](#) provides an indication of the portion of Pound Paddock likely to be covered by the licence agreement.

What is being proposed to redevelop Pound Paddock?

As part of the partnership proposal, Council plans to undertake improvements to Pound Paddock to increase its amenity and use by residents. Council is working with NWDS on design options for the redevelopment of Pound Paddock.

Options being considered include a fenced off-leash dog area, public BBQ facilities and shelter, pathways, bicycle training path for young children, tree plantings, landscaping, seating sensory garden, and a covered half basketball court.

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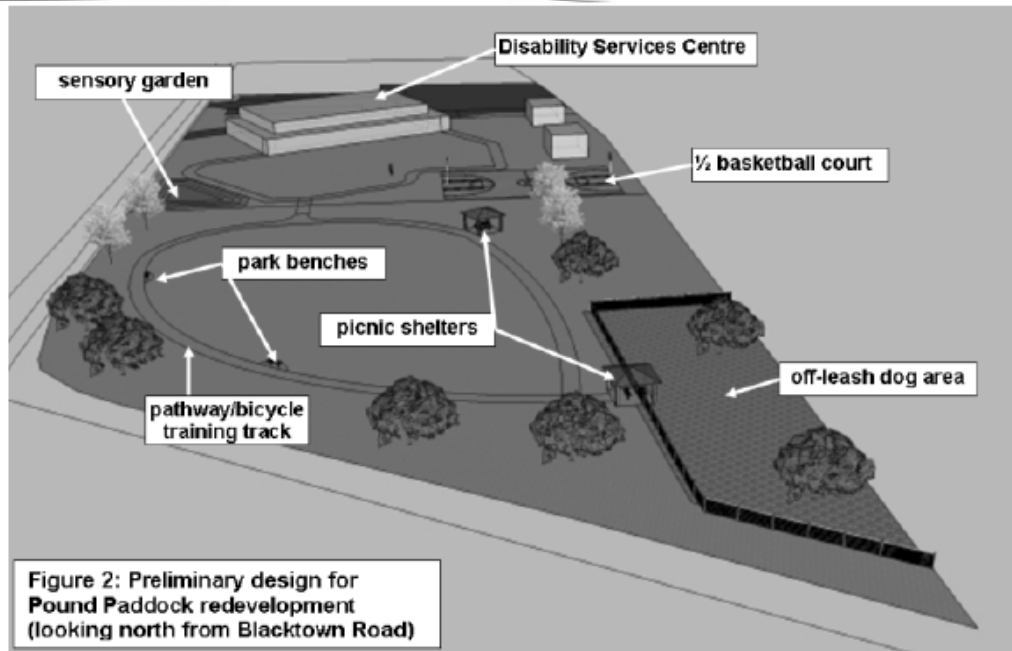


Figure 2 shows some preliminary design ideas for the redevelopment of Pound Paddock. Council is interested in receiving comments or ideas from local residents on the redevelopment proposal and these can be forwarded to Council's nominated contact person Joseph Litwin, Executive Manager, Community Partnerships.

Has Council consulted residents about the proposal?

In July 2011, Council distributed a neighbourhood survey to all households within a 500 metre radius of Pound Paddock. The survey was sent out to seek the views of local residents about a proposal to build a community facility on Pound Paddock.

In September 2011, the results of the survey were reported to Council. They indicated that 76% of survey respondents supported the idea of Council exploring a partnership with a not for profit agency to build a community facility on Pound Paddock. The survey also documented concerns raised by residents about the possible impacts of locating a community facility on Pound Paddock.

In December 2011 Council invited not for profit community agencies to submit Expressions of Interest to fund and construct a community facility on Pound Paddock. As part of this process, applicants were asked to provide information to respond to resident concerns as raised in the Neighbourhood Survey.

In February 2012 Council accepted a proposal from North West Disability Services Inc. (NWDS) to build a Disability Services Centre on Pound Paddock.

Before proceeding with the proposal, Council was required to hold a public hearing to discuss changing the Plan of Management (the operating guidelines) for Pound Paddock to enable a community facility to be built. The public hearing was held in April 2012 with an independent chair engaged to conduct the public hearing, and to prepare a report into the proceedings of the hearing. The report was posted on Council's website and concluded that, on balance, the proposal to change the Plan of Management for Pound Paddock was in the public interest.

Has a Development Application been lodged for the proposed Disability Services Centre?

At this time it is not possible for NWDS to lodge a Development Application. This is because Council, as the owner of Pound Paddock, must give its consent to the proposed construction of a Disability Services Centre. Council is not in a position to give its consent to the building until such time as it has granted a licence to NWDS to occupy the portion of Pound Paddock that is required for the Disability Services Centre.

Due to this, Council is now undertaking a public notification process to advise residents of its intention to enter into a long term licence agreement with NWDS to enable NWDS to use of a portion of Pound Paddock for the proposed Disability Services Centre.

ORDINARY MEETING

Meeting Date: 28 May 2013

The proposed Licence Agreement is dependent on NWDS obtaining Development Consent for the Disability Services Centre, which will require NWDS to lodge a Development Application and satisfy the relevant planning controls and design guidelines for the development. This process will include notifying residents of the proposed Disability Services Centre so that they can view the plans for the building and make any submissions regarding the proposal.

Will the classification of Pound Paddock change?

Pound Paddock is currently classified as community land. Community land cannot be sold and its uses are governed by a Plan of Management.

Council's Generic Plan of Management: General Community Use sets out the permitted uses for Pound Paddock and any activity to be held on Pound Paddock needs to be managed in accordance with the provisions of the Plan.

The partnership proposal with NWDS will not alter the classification of Pound Paddock and will need to comply with the provisions of the Plan of Management. Under the proposal, Pound Paddock will remain as community land, under Council ownership.

Who will manage the proposed Disability Services Centre?

During the term of the licence agreement, the Disability Services Centre will be under the control of NWDS. It will operate as a community facility providing day programs for Hawkesbury residents who may have a disability, or who may be caring for a person with a disability.

The Centre will operate in much the same way as Council's other community facilities which are managed by committees made up of residents and user groups.

As part of the proposed licence agreement, NWDS will be required establish a consultative mechanism to enable local residents to raise any issues regarding the operation of the Centre.

What happens after the 21 year licence agreement expires?

At the completion of the proposed 21 year licence agreement with NWDS, the ownership of the Disability Services Centre will be transferred to Council at no cost.

In the final year of the agreement, Council will enter into non-binding discussions with NWDS on future arrangements for the use of the building.

Further Information

If you have any questions regarding this information, please contact Mr Joseph Litwin, Executive Manager Community Partnerships on (02) 4560 4444 or by email at jlitwin@hawkesbury.nsw.gov.au.

Written submissions in relation to the proposal should be addressed to the General Manager, Hawkesbury City Council, titled "Submission – Proposal to enter into a licence agreement with NWDS for use of a portion of Pound Paddock, Richmond". Submissions will be received until close of business Friday, 26 April 2013.

Please forward your submission by any of the following methods:

Mail General Manager
Hawkesbury City Council
PO Box 146
WINDSOR NSW 2756

Fax (02) 4587 7740

Email council@hawkesbury.nsw.gov.au



This document contains important information.
If you do not understand it, contact the
Telephone Interpreter Service on 131 450.



Hawkesbury City Council
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Council Website: www.hawkesbury.nsw.gov.au
Office Hours: Monday to Friday 8.30am-5.00pm

March 2013

Item: 100**CP - Submission to Draft Metropolitan Strategy for Sydney to 2031 - (95498)**

REPORT:**Executive Summary**

The purpose of this report is to propose a submission from Council as part of the public exhibition period of the draft *Metropolitan Strategy for Sydney to 2031*.

Consultation

The issues raised in this report concern matters which do not require community consultation under Council's Community Engagement Policy as the discussion paper is a document of the Department of Planning and the NSW State Government.

Background

The draft *Metropolitan Strategy for Sydney to 2031* was released by the Minister in March 2013 and will be on public exhibition until 31 May 2013. Council staff have received briefings from the Department on the draft document and have also discussed the content and implications with representatives from Penrith and Blue Mountains City Councils as well as WSROC. A briefing was also held with Councillors on 7 May 2013.

The draft *Metropolitan Strategy for Sydney to 2031* sets a framework for Sydney's growth and prosperity to 2031 and beyond. The document is built around achieving five key outcomes for Sydney:

- Balanced growth
- A liveable city
- Productivity and prosperity
- Healthy and resilient environment
- Accessibility and connectivity

The attached submission generally follows these key outcome headings and comments only on the relevant Objectives, Policies and Actions within each of the above that are more directly related to the Hawkesbury Local Government Area or the West Subregion which consists of Hawkesbury, Penrith and Blue Mountains Councils, and as discussed at the Councillor briefing on 7 May 2013.

Conformance to Community Strategic Plan

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

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

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

- Make decisions in ways that are transparent, fair, balanced and equitable supported by appropriate resource allocations

Financial Implications

No financial implications are applicable to this report.

ORDINARY MEETING

Meeting Date: 28 May 2013

RECOMMENDATION:

That the submission attached to this report be forwarded to the Department of Planning and Infrastructure, in response to the public exhibition of the draft *Metropolitan Strategy for Sydney to 2031*, before the closing period for submissions being 31 May 2013.

ATTACHMENTS:

AT - 1 Hawkesbury City Council Submission to the Draft *Metropolitan Strategy for Sydney to 2031*

AT - 1 Hawkesbury City Council Submission to the**Draft Metropolitan Strategy for Sydney to 2031****Hawkesbury City Council
Submission to Draft Metropolitan Strategy for Sydney to 2031**

Reference is made to the draft Metropolitan Strategy for Sydney consultation document that is on public exhibition until 31 May 2013. Hawkesbury City Council appreciates the opportunity to make the following submission to this consultation draft as the Strategy for Sydney's Metropolitan and surrounding areas is an important document to assist the growth and wellbeing of Sydney.

The following submission is generally structured around the five key outcomes stated in the document, followed by specific comments on the proposed new sub-regions for Sydney. The comments made in this submission relate more specifically to the aspects of the draft Strategy that will affect the Hawkesbury Local Government Area.

Balanced Growth

The nine city shapers are an innovative approach to future planning for the Metropolitan area and as these are listed specifically it is assumed that the intent is to give equal priority to each of these "city shapers". In this regard, it is supported that the Metropolitan Rural Area is a "city shaper". However, the Objectives, Policy and Actions contained in the draft document seem to be somewhat contradictory in their language.

Objective 1 indicates that the Metropolitan Rural Area is to be supported *"for the economic, social and sustainability values that local jobs and a reliable supply of fresh food bring to Sydney."* Similarly Objective 4 seeks to support *"the growth of established rural towns and villages and seeks to maximise the Area's productivity"*. Whilst these objectives are well supported the Actions and Priorities stated in the draft document seem to weaken these objectives by talking about the rural areas as *"possible future extension of the Metropolitan Urban Area"* and also discussion about changing the process for Greenfield release areas.

Whilst it is understood that the preparation of the Subregional Delivery Plans may assist in the explanation of these seemingly contradictory objectives, it is felt that the Strategy needs to be more certain in its language as to the intent for the Metropolitan Rural Area. In this regard, there should be more defined limits to the extent of the Metropolitan Urban Area. Similarly, more importance should be placed on the rural areas surrounding Sydney and the benefits that Sydney enjoys from having these recreational and food producing areas on its outskirts, rather than simply viewing these areas as future urban expansion or resources (coal, sand, etc) for Sydney's growth.

In relation to the "Priorities for Sydney's Metropolitan Rural Area" the following comments are made:

- The strategic review for the ongoing management of the Metropolitan Rural Area is vitally important and requires immediate action. This would identify the constraints and opportunities for these lands and would then provide more certainty for the residents within these areas.
- These lands should not be looked upon as *"possible future expansion of the Metropolitan Urban Area"* or just as support for that urban area. This land should be considered and planned as an entity in its own right.
- Increase in productivity of agricultural lands and associated employment growth is vital to support Sydney's urban area and economy, i.e., food production. These productive lands should not be seen as secondary housing areas as housing densities can be increased in existing areas but agricultural land, once lost to another use such as housing, cannot be recovered for agriculture.
- The Metropolitan Urban Areas need the rural areas surrounding Sydney for open space and recreation. In this regard the urban areas should be supporting the rural areas in a properly balanced growth scenario.

A Liveable City

Objective 5 of the draft Strategy focuses on the delivery of new housing to meet Sydney's growth. This objective is supported. There has in the past been restricted growth in housing due to lack of infrastructure provision and it is pleasing to see that the draft Strategy is now attempting to link infrastructure provision and land use planning. The following comments are provided in relation to the targets set in the Policy statements for this Objective:

- The minimum housing target for the West Subregion is 39,000; however, this is a lower number than already planned for in the local housing strategies for Hawkesbury, Penrith and Blue Mountains.
- The draft Strategy seems to set these targets based on its planning for infrastructure provision and it is suggested that, as much of the dwelling forecast planning has been completed by these Councils, it would be more efficient if the draft Strategy focused on the provision of the infrastructure required for the existing and planned development in these localities rather than the other way round.
- The suggestion that the State would support Councils through assistance with economic feasibility testing of planning controls is supported.
- There is general support for the intent of the State to partner with local government in planning for housing and growth. However, whilst the draft Strategy makes such statements there is a need to modify some of the Actions and targets within the draft Strategy to implement that intent. It is considered that the State should provide more focus on assisting local planning and delivery through infrastructure and planning guides rather than undertaking the required planning itself.

Productivity and Prosperity**Objective 10**

- There is concern that the employment targets in the West Subregion are too low when considering the local planning already undertaken.
- There is also concern that despite the Metropolitan Rural Area being one of the nine "City Shapers" there are no employment targets for that "City Shaper".

Objective 12

- It is supported that there is an objective that recognises that Sydney needs to provide good regional connections as well as internal connections.
- The mention of the investigation into the Bells Line of Road corridor is strongly supported and it is also encouraging that this project has also been mentioned in the recently reviewed State Infrastructure Strategy. However, there is little detail as to the timing of this project.
- The Bells Line of Road corridor investigation project must be accelerated to improve economic links to regions west of the mountains, facilitate additional housing in the Hawkesbury (via by-passes of Richmond and North Richmond with another river crossing) and to support the western gateway of Sydney (currently only the Great Western Highway) and the intent of Objective 16 of the draft Strategy.

Objective 17

Action 17.3 regarding the strategic review of the Metropolitan Rural Lands is important and should be given priority due to the current and future development pressures on these lands. This would enable the constraints and opportunities to be identified and any transport or freight corridors to be protected from future development. Currently, in the absence of this strategic review, there is uncertainty in land use planning and subsequently housing and employment provision.

Healthy and Resilient Environment

Objective 19

- Council supports the need to investigate and develop a framework for consolidating and managing natural hazards (Action 19.1). This is particularly in relation to regional flood mitigation and management in the Hawkesbury-Nepean Valley as flagged in other State planning and infrastructure documents.

In relation to the remaining Objectives contained in this section, Council generally supports the stated intent of these objectives and actions however, raises the following concerns:

- The Metropolitan Rural Area contains much of the biodiversity, green corridors, water catchment areas, food production areas, etc, that the "Healthy and Resilient Environment" section is seeking to enhance and protect. However, it does not directly mention this area in that section.
- The Policy statements and Actions contained in this section make little or no mention of Local Government involvement with all the lead agencies being State Government agencies. Whilst it is agreed that many of the stated actions would be better led by State Authorities, there is a need to consider the input from Local Government and the Community in the stated Policies and Actions.
- The Metropolitan Rural Areas are an important backdrop to the sustainability of Sydney's growth. However, the wording of the Policies and Actions seem to be more directed at growth support only and not enhancement and protection of some of these areas. These areas are essentially Sydney's "lungs" and should be given a more equal consideration in growth plans for Sydney.

Accessibility and Connectivity

It is pleasing that the draft Strategy has incorporated infrastructure into the Strategy so that the land use Policies and Actions can be supported by infrastructure planning and vice versa. Whilst it is understood that the draft Strategy is a growth strategy, the infrastructure planning is solely focused on planning for that growth and does not seem to take into account the need for infrastructure planning that will deal with the current significant infrastructure backlog in some existing developed areas, such as Richmond and North Richmond.

The objectives in this section are important initiatives and issues such as connectivity and accessibility between centres, employment hubs and urban areas; integrating transport and land use; freight connections and protection of corridors and sites for long term needs are all welcome and supported.

Objective 29

This Objective proposes improved transport connections to regional NSW and Council supports this Objective.

Action 29.3 proposes to "*identify and protect a corridor for a new Bells Line of Road*" This action is long overdue and immediate action is required and supported by Council. These investigations need to include an additional river crossing and by-pass route for Richmond and North Richmond. Any corridor that does not incorporate these as a minimum would be short sighted and would result in a significant downgrading of the amenity of these areas.

Action 29.3 is proposed in the "short term", however, Council feels that this work should be commenced immediately and the corridor identification and protection should be completed as soon as possible. This is due to the current development pressures/proposals that are currently before Council and the State Government that could severely hamper corridor identification, protection and acquisition in the future. If this work is not commenced immediately it would be contrary to Objective 28 in the draft Strategy.

Subregions

The following comments are provided in relation to the proposed six subregions proposed in the draft Strategy:

- Some groupings that make up the regions are logical, e.g., North, Central, South, as they are relatively neat groupings of economic activity and physical geography.
- West Central and North West subregions are unusual in that, whilst they are grouped by economic activity (based generally around certain centres) but seem to ignore the significant links, both economically and socially, to the west and south west. In this regard, the West Central and North West subregions are too internally focused with too much focus on easterly links.
- The proposed West subregion has significant economic links to the West Central, i.e., Hawkesbury LGA with The Hills and Blacktown, that have the potential to be ignored in the proposed subregional makeup.
- Penrith is nominated as a regional centre; however, the current subregional makeup potentially ignores the economic and social links to the south and east of Penrith. Similarly, there does not appear to be any infrastructure planning within the West Subregion for transport links to the regional centre, i.e., current poor transport links to Penrith from Hawkesbury local government area are not mentioned for upgrade.
- The South West subregion seems excessively large when the economics is compared with the proposed West subregion. The South West subregion could/should be divided into an eastern and western portion that could then better identify the links to the economic centres of Liverpool and Penrith.
- The proposed subregions have the potential to be too internally focused and the cross regional economic, transport and social links could be overlooked or poorly considered in the planning and development of the Regional Delivery Plans. In this regard, the discussion about these links should be strengthened in the draft Strategy so that they are not lost or overlooked in the subregional delivery planning.
- Greater consideration as to the economic drivers for the West subregion, with Penrith as the principle economic driver, should be given so that the West subregion is not relegated to "the poor western cousin" of the Sydney Metropolitan Urban Area.
- Whilst targets are important to any Strategy document, the current draft should not only focus on, and be limited by, those targets for the proposed subregions. In this regard, the subregions, particularly the West subregion, has potential to exceed the nominated targets, but that growth may be stifled by lack of infrastructure if infrastructure planning only focuses on the limited targets set in the draft Strategy.
- As mentioned above, the targets set for the West subregion are too low when compared to the local planning undertaken by Penrith and Hawkesbury City Councils. As such, this may result in growth restriction rather than growth enabling.

Metropolitan Priorities for West Subregion

- The promotion of the West subregion as "Sydney's gateway" for the west is supported.
- The consideration of Tourism in the region is also supported. However, the tourism potential of the locality is broader than the Blue Mountains World Heritage Area. Similarly the Blue Mountains World Heritage Area spans both Blue Mountains and Hawkesbury Local Government areas and the promotion of this area should be considered in a more holistic manner.

ORDINARY MEETING

Meeting Date: 28 May 2013

- The priorities set for the West subregion are heavily focused on Penrith being the regional centre. Whilst this is understandable, the economic, employment and social catchment for this regional centre does not seem to get the appropriate consideration in these priorities.
- The priorities for the West subregion outside of Penrith and the Blue Mountains World Heritage Area seem to be only casually mentioned. In this regard these areas almost seem to be an afterthought or a “flexible” edge to the Metropolitan Urban Area, which can be advantageous. However, there is a clear need for the draft Strategy to better define the Metropolitan Rural and Urban Areas and where these areas end and commence. In the absence of this clearer definition the draft Strategy will not give the direction that is required for the infrastructure and land use planning in the localities where these two distinct areas meet.
- Many of the priorities mentioned in the draft Strategy are critical steps in the planning for the localities but there is little or no detail as to timing or content of that work. This is in particular to the strategic review of the management of the Metropolitan Rural Area and the statements in relation to the use of this area for “support” or “expansion” of the Metropolitan Urban Area. There is a clear need to identify the high priority for the management review work.

Summary

1. Council welcomes the review of the Metropolitan Strategy that incorporates the planning for infrastructure and integrates this with transport planning. However, there are no specific strategies or actions for the integration of infrastructure and housing/employment. It is hoped that this will be better expressed in the preparation of subregional delivery plans.
2. The proposed changes to the subregions are queried as detailed in the above submission. The regions to the east seem to be more logically expressed, however, the western Sydney regions seem to lose cohesion and almost appear as an “afterthought” to the rest of Sydney.
3. There is a need to provide additional economic drivers to the proposed West subregion with better connections (transport and economically) between the subregions as there is a danger of these subregions being too internally focused.
4. It is pleasing that the Metropolitan Rural Lands are specifically mentioned. However, there appears to be little other mention of these areas, i.e., limited mention of additional actions apart from a strategic management review. There is a strong and immediate need for the better definition of the Metropolitan Rural Areas, management strategies and a different approach to the importance of these lands to Sydney rather than the current label as “possible urban expansion” or “resource support lands” for Sydney’s growth. These lands need to be identified for their importance to the sustainability of Sydney as a global city.
5. The identification of the West subregion as a western gateway is supported. In this regard the Blue Mountains World Heritage Area needs to be more appropriately branded as it extends beyond the limits of one local government areas.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 28 May 2013

Item: 101 **CP - Inspection and Licensing System for On-Site Effluent Disposal Systems - (96330)**

Previous Item: 67, Ordinary (30 April 2013)

REPORT:

Further to the previous report to Council regarding the delegation to Council of certain functions under the *Plumbing and Drainage Act 2011*, it was resolved, in part, to investigate if there could be cost reductions afforded to landowners by nominating certain days in certain localities for the inspection of septic effluent disposal systems, also known as "Sewage Management Facilities".

This further report is submitted for Council's consideration.

Consultation

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

Background

At the Council meeting held on 30 April 2013 a report was considered regarding the delegation to Council of certain functions under the *Plumbing and Drainage Act 2011*. In part the resolution from that meeting was as follows:

"A report be submitted back to Council regarding the licensing and inspection of Effluent Disposal Systems and the option of nominating inspection days in certain localities with a view of reducing costs to landowners."

The Local Government Act 1993 requires Council to inspect and licence all on-site effluent disposal systems within the local government area. This is an additional requirement to the system manufacturer's requirements or maintenance inspections for the operation of those systems. The process for carrying out the sewage management facility inspections of existing onsite septic disposal systems is currently carried out systematically by notifying property owners in certain localities, by bulk mail out, that their system located upon their property is due for its routine inspection. The inspection routine is based on environmental risk factors for the systems. This risk based approach means that high risk systems, where there is a heightened risk of the system polluting the surrounding environment, are inspected annually with medium and low risk systems, where there is reduced risk of environmental pollution, inspected in three or five year periods respectively dependent upon the condition of the system at the time of the previous inspection. Following the manufacturer's specifications for the operation of such systems will usually result in a system being classified as a low risk system.

Once a property owner receives the notification letter, they are requested to phone Council to arrange an appropriate time and day for the inspection. These inspections are scheduled taking into consideration other bookings in the particular locality, and whether the owner wishes to be present whilst the inspection is undertaken by Council staff.

This method allows the inspectors to work in a particular locality over a period of several weeks to carry out such inspections and reduce travel time between properties.

It is believed that this process maximises the time efficiencies of the service, which in turn provides savings to customers who require these inspections.

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Council's limited resources are used most effectively through the one to three to five year cycle on a location by location basis until each 'area' is completed. A nomination day option would require officers to move from one geographic area to another from day to day which is not as practicable or cost efficient.

Other types of drainage and plumbing inspections (construction based) are also conducted during these periods for new homes and house additions installations, which need to be an "on demand" type system, as those inspections are required during construction and Council is required to inspect that work when constructed and prior to covering pipes, etc.

Council's model of inspection processes has been duplicated by other councils when implementing their own sewage management inspection programs, as they believe it is a practical and cost effective way to run the "Septic Safe Program" of routine inspections of onsite sewage systems to ensure they are being maintained in an environmentally safe manner.

Based on the information supplied above it can be seen that Council's processes for carrying out inspections of onsite sewage management systems, are already utilising a system where inspections are grouped and carried out in certain localities to create efficiencies in time and cost management for Council and its customers. The fees for licensing and inspections are based on this system and are set at an amount that covers costs for the inspection and administration of that system only.

It is believed that the current system of arranging scheduled inspections of systems based on their locality is the most cost effective way of providing this service to comply with the requirements of the "Septic Safe Program".

Conformance to Community Strategic Plan

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

- Work with our communities and businesses to use our resources in a sustainable way and employ best practice 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.

Financial Implications

No financial implications applicable to this report

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 28 May 2013

SUPPORT SERVICES

Item: 102 **SS - March 2013 Quarterly Budget Review Statement - (96332, 95496)**

Previous Item: Item 90, Extraordinary (19 June 2012)

REPORT:

Executive Summary

Within two months of the end of each quarter, Council is required to review its progress in achieving the financial objectives set out in its Operational Plan. This report and the relevant attachment provide information on Council's financial performance and financial position for the third quarter of the 2012/2013 financial year, and the resulting financial position including the Budget variations proposed.

The Quarterly Budget Review Statement - March 2013 (QBRS) recommends a number of variations that result in a balanced budgeted position being maintained.

The report and attachment provide details on the major Budget variations proposed in this Quarterly Budget Review Statement and provide a list of variations requested.

The QBRS has been prepared in accordance with the Division of Local Government Circular 10/32 dated 10 December, 2010.

Consultation

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

Background

Council adopted its Operational Plan for 2012/2013, including the Statement of Revenue Policy, on 19 June 2012.

Clause 203 of the Local Government (General) Regulation 2005 stipulates that the Responsible Accounting Officer of a council must prepare and submit to the Council, a Budget Review Statement within 2 months after the end of each quarter (except the June quarter).

The QBRS has been prepared in accordance with the Division of Local Government Circular 10/32 dated 10 December 2010, and is attached for Council's information.

Financial Position

Clause 203 of the Local Government (General) Regulation 2005 requires a revised estimate of income and expenditure for the year, to be prepared by reference to the estimate of income and expenditure set out in the Statement of the Council's Revenue Policy, be included in the Operational Plan for the year.

The QBRS recommends Budget adjustments that result in a balanced adjustment for the quarter, and in the opinion of the Responsible Accounting Officer, maintains a satisfactory short term financial position for Council. The Responsible Accounting Officer Statement is included in the attachment to this report.

The more significant items of the March 2013 Review include:

ORDINARY MEETING

Meeting Date: 28 May 2013

Favourable Variances

- **Interest and Investment Income – Favourable Variance \$102K**
(Adopted Operational Plan –Part 2 – SS Pg 21)

A favourable adjustment of \$102K for interest and investment income has been included in this QBRs. As the Year To Date (YTD) actuals at the end of March 2013 were \$1.6M, the trend indicates a full year projection exceeding the Full Year (FY) Budget of \$1.9M.

- **Advertising Expenses – Favourable Variance \$54K**
(Adopted Operational Plan –Part 2 – GM Pg 7; SS Pg 16)

A favourable variance of \$54K for advertising expenses has been included in this QBRs. This is predominately due to savings made in the advertising for vacant positions as a result of the increased use of online advertising, combined with low vacancy rates. As at the end of March 2013, only \$52K had been expended against a current FY Budget of \$149K.

- **Plant and Leaseback (Capital) – Net Favourable Variance \$47K**
(Adopted Operational Plan –Part 2 – SS Pg 24; IS Pg 9, Pg 29, Pg 33, Pg 37, Pg 38)

Adjustments made in relation to the timing and amounts relating to the sale and purchase of plant and leaseback vehicles, have resulted in a favourable variance of \$47K. A significant portion of this variance relates to savings made in the purchase of State Emergency Service vehicles.

- **Sundry Income – Favourable Variance \$43K**
(Adopted Operational Plan –Part 2 – CP Pg 18)

A favourable variance of \$45K for sundry income has been included in this QBRs, due to the receipt of applications for variations to the Local Environment Plan exceeding the FY Budget as at the end of March 2013. The remaining \$2K unfavourable variance is a result of various minor adjustments across Council.

- **Richmond Pool Income – Favourable Variance \$21K**
(Adopted Operational Plan –Part 2 – IS Pg 5)

A favourable adjustment of \$21K for Richmond Pool income, in line with actuals received as at the end of March 2013 has been included in this QBRs. Learn to Swim Classes and kiosk sales received during the pool season exceeded the FY Budget.

- **Aerial Photography Hawkesbury Area Project – Favourable Variance \$20K**
(Adopted Operational Plan –Part 2 – IS Pg 30)

The Department of Land and Property Information (LPI) are now providing annual aerial photographs on a state-wide basis, which meet the design and survey requirements of Council. Due to the economies of scale that the LPI are able to access, as a result of conducting this work on a state-wide basis, the cost to Council has reduced by \$20K. A favourable variance in this amount has been included in this QBRs.

- **General Office Expenditure – Favourable Variance \$13K**
(Adopted Operational Plan –Part 2 – SS Pg 23)

As part of the 2012/2013 Draft Budget process, a process improvement was identified to centralise the purchasing of stationery across the Administration Building. This centralisation has resulted in \$13K favourable variance and an adjustment for this amount has been included within the March 2013 QBRs.

ORDINARY MEETING

Meeting Date: 28 May 2013

Unfavourable Adjustments

- **Internal Plant Hire Income – Unfavourable Variance \$75K**
(Adopted Operational Plan –Part 2 – IS Pg 9, Pg 25)

In line with the trend exhibited with YTD actuals of \$858K against a FY Budget of \$1.2M, an unfavourable variance of \$75K has been included in this QBRS for internal plant hire income charged to works where Council's plant is being used.

- **Infringements Income – Net Unfavourable Variance \$65K**
(Adopted Operational Plan – CP Pg 10, Pg 15)

Included in this QBRS is a reduction of \$70K for infringement income in relation to car parking fines. The actual income as at the end of March 2013, indicates a trend lower than the current FY Budget of \$370K. This variance is a result of both staff vacancies and the delay in the implementation of an automated ticketing system. As the vacancies have been filled and the ticketing system has now been implemented, this income line is expected to improve over the rest of the financial year in line with the forecast income after the adjustment recommended in this QBRS. A favourable variance of \$5K in relation to additional Health Inspection Infringement Income resulting from increased inspections partially offsets the unfavourable variance.

- **Town Planning Income – Net Unfavourable Variance \$57K**
(Adopted Operational Plan – CP Pg 21, Pg 22)

An unfavourable variance of \$57K for construction certificate income and development applications is included in this QBRS. The reduction is in line with the projected full year result as indicated by YTD actuals as at the end of March 2013, a combined total of \$488K as against a FY Budget of \$725K. The downturn in the town planning income trend is a result of a continued decrease in building activity due to the slow economy.

- **Plant Running Costs – Unfavourable Variance \$40K**
(Adopted Operational Plan –Part 2 – IS Pg 30)

An unfavourable adjustment of \$40K has been included in this QBRS in relation to plant running costs, which based on the YTD actuals of \$754K, are expected to exceed the FY Budget of \$979K.

- **Regulatory and Enforcement Fines and Penalties – Unfavourable Variance \$30K**
(Adopted Operational Plan –Part 2 – CP Pg 12)

Included in this QBRS is unfavourable variance of \$30K for fines and penalties in relation to regulatory and enforcement. The actual income as at the end of March 2013 indicates a projected FY result of \$35K as against the current FY Budget of \$65K. This budget is difficult to forecast as the result is dependent upon the number of breaches made within the Council area.

- **Sewerage Management Facility Inspection Fees – Unfavourable Variance \$24K**
(Adopted Operational Plan –Part 2 – CP Pg 9)

An unfavourable adjustment of \$24K has been included in this QBRS in relation to sewer management inspection fees. With YTD actuals of \$122K, the projected FY result is likely to be under the FY Budget of \$186K. This variance is a result of fewer inspections conducted as a result of extended leave within the Sewerage Management Facility team.

- **Valuation Expenses – Unfavourable Variance \$25K**
(Adopted Operational Plan –Part 2 – SS Pg 6)

Every three years, in accordance with the Local Government Accounting Code, Council is required to obtain an independent valuation of its investment properties. An unfavourable variance of \$25K has been included in this QBRS to fund the revaluation for the financial year ending 30 June 2013.

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- **Grants**

A number of adjustments relating to grant funding received, that Council has been successful in securing, are included in this QBRs. These adjustments have a nil effect on the budget position. The major adjustments relating to grant funding are outlined below:

- *Waste and Sustainability Improvement Program* – Council has been successful in attaining funding from the New South Wales Environment Protection Authority for the 2012/2013 and 2013/2014 financial years. The amount of \$402K included in this QBRs covers one program spanning both financial years and this funding program is due for completion by September 2014.
- *Road Vegetation Implementation Project* – The Local Government and Shires Association has granted Council \$22K for the recovery of threatened species and an adjustment for this amount is included in this QBRs.
- *Natural Disaster Claims* – Adjustments totalling \$1.19M have been included in this QBRs for repairing and rehabilitating roads infrastructure damaged as a result of heavy rainfall in February 2013, provided by Roads and Maritime Services. An additional \$758K has also been approved for expenditure during 2013/2014.
- *Community Building Partnership Program* – A variance of \$23K has been included in this QBRs for car park lighting at the Hawkesbury Leisure Centre approved as part of the Community Building Partnership Program from the New South Wales Office of Communities.

- **Reserve Funded Adjustments**

The following adjustments are within internally or externally restricted funds, and consequently have a net nil impact on Council's overall position:

- *Sullage Program* – Due to an increased level of income from Commercial Sullage, a favourable variance of \$74K, in line with actuals received, is included in this QBRs.
- *Domestic Waste Management Program* – In line with observed trends, a net unfavourable adjustment of \$69K in relation to the Domestic Waste Program is included in this QBRs. The variance is attributable to an unfavourable variance of \$95K resulting from income being less than budgeted, overtime exceeding FY Budget by \$25K and the reduction in the purchase of garbage bins by \$50K.
- *Hawkesbury Waste Management Facility* – A net unfavourable variance of \$29K is included in this QBRs in relation to the Waste Management Facility. This includes income from Gate Takings has been reduced by \$140K due to lower than anticipated waste disposal at the Facility. Expenditure relating to Section 88 Fees was reduced in line with observed trends by \$199K.
- *Sewerage Reserve* – A net unfavourable adjustment of \$306K is incorporated in this QBRs in relation to the Sewerage Program. An unfavourable adjustment of \$175K is included to address operating expenditure relating to treatment works and pumping stations that are tracking to exceed the current FY Budget. A further unfavourable variation of \$68K is included to fund variations in the Upgrade of Pump Station A.
- *South Windsor Effluent Reuse Scheme Reserve* – In accordance with an agreement with the Hawkesbury Sports Council, a favourable variance of \$50K is included for receipt of a contribution towards the construction of the South Windsor Effluent Reuse Scheme from the Sports Council for this amount.
- *S94 Reserve* – In line with income received for the development at Pitt Town for Section 94 contributions, a favourable variance amounting to \$1.2M is incorporated within this QBRs.

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- *Contingency Reserve* – As resolved by Council at the meeting of the 15 February 2013, a variance of \$200K is included in this QBRS for the overhaul of the replacement of Lower Portland Ferry, handed over to Council by the Roads and Maritime Services, which is to be funded by the Contingency Reserve.
- *Local Infrastructure Renewal Scheme* – Council was successful in obtaining a loan in the amount of \$5.26M for the Bridge Replacement Program. The interest on this loan will be subsidised, in part, by the Local Infrastructure Renewal Scheme (LIRS). A reserve was established to capture the bridge construction expenditure, interest income earned on the unspent loan, the interest subsidy received from, and the principal and interest loan repayments. Adjustments, as required, have been included in the March 2013 QBRS, for amounts expected during 2012/2013, for the income and expenditure items mentioned above.

The QBRS includes a number of minor adjustments and reallocation of funds that have not been detailed above. Further details can be found in the attachment to this report.

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 sustainable long term financial framework.

Funding

Funding and budget impacts have been specified within this report and attachment.

RECOMMENDATION:

That:

1. The information contained in the report be received.
2. The Quarterly Budget Review Statement – March 2013 be adopted.

ATTACHMENTS:

AT - 1 The Quarterly Budget Review Statement – March 2013 - (*distributed under separate cover*)

oooO END OF REPORT Oooo

ORDINARY MEETING**Meeting Date: 28 May 2013****Item: 103****SS - Monthly Investments Report - April 2013 - (96332, 95496)****REPORT:****Executive Summary**

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

This report indicates that Council held \$40.91 million in investments at 30 April 2013.

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 \$40.91 million in investments as at 30 April 2013. 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								
ANZ	A1+	AA-	30-Apr-13		4.30%	3,300,000	8.07%	
CBA	A1+	AA-	30-Apr-13		3.30%	100,000	0.26%	
Total On-call Investments								3,400,000
Term Investments								
ANZ	A1+	AA-	24-Oct-12	23-Oct-13	4.62%	1,000,000	2.44%	
ANZ	A1+	AA-	07-Nov-12	22-May-13	4.70%	2,000,000	4.89%	
ANZ	A1+	AA-	05-Dec-12	04-Jun-13	4.65%	1,000,000	2.44%	
ANZ	A1+	AA-	08-Apr-13	24-Jul-13	4.50%	3,260,000	7.97%	
ANZ	A1+	AA-	17-Apr-13	07-Aug-13	4.45%	1,000,000	2.44%	
ANZ	A1+	AA-	24-Apr-13	06-Nov-13	4.40%	1,000,000	2.44%	
CUA	A-2	BBB	06-Feb-13	15-Jan-14	6.05%	250,000	0.61%	
NAB	A1+	AA-	25-Jul-12	24-Jul-13	4.92%	1,000,000	2.44%	

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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 \$
NAB	A1+	AA-	20-Nov-12	08-May-13	4.65%	2,000,000	4.89%	
NAB	A1+	AA-	20-Nov-12	15-May-13	4.65%	1,000,000	2.44%	
NAB	A1+	AA-	05-Dec-12	04-Jun-13	4.65%	2,500,000	6.11%	
NAB	A1+	AA-	30-Jan-13	19-Dec-13	4.43%	1,500,000	3.67%	
NAB	A1+	AA-	16-Jan-13	15-Jan-14	4.43%	1,000,000	2.44%	
NAB	A1+	AA-	30-Jan-13	29-Jan-14	4.42%	2,000,000	4.89%	
NAB	A1+	AA-	06-Feb-13	05-Feb-14	4.35%	2,000,000	4.89%	
NAB	A1+	AA-	04-Mar-13	03-Jul-13	4.65%	2,000,000	4.89%	
St George	A1+	AA-	15-Aug-12	21-Aug-13	5.15%	2,000,000	4.89%	
St George	A1+	AA-	22-Aug-12	18-Sept-13	5.16%	2,000,000	4.89%	
St George	A1+	AA-	22-Aug-12	16-Oct-13	5.16%	1,500,000	3.67%	
Westpac	A1+	AA-	20-Feb-13	19-Feb-14	4.30%	1,500,000	3.67%	
Westpac	A1+	AA-	20-Mar-13	19-Mar-14	4.35%	1,000,000	2.44%	
Westpac	A1+	AA-	20-Mar-13	19-Mar-14	4.35%	2,000,000	4.89%	
Westpac	A1+	AA-	08-Apr-13	08-Apr-14	4.60%	1,000,000	2.44%	
Westpac	A1+	AA-	08-Apr-13	08-Apr-14	4.60%	2,000,000	4.89%	
Total Term Investments								37,510,000
TOTAL INVESTMENT AS AT 30 APRIL 2013								40,910,000

Performance by Type

Category	Balance \$	Average Interest	Bench Mark	Bench Mark %	Difference to Benchmark
Cash at Call	3,400,000	4.27%	Reserve Bank Cash Reference Rate	3.00%	1.27%
Term Deposit	37,510,000	4.63%	UBS 90 Day Bank Bill Rate	2.94%	1.69%
Total	40,910,000	4.60%			

Restricted/Unrestricted Funds

Restriction Type	Amount \$
External Restrictions -S94	8,728,508
External Restrictions - Other	3,388,665
Internal Restrictions	14,170,194
Unrestricted	14,622,633
Total	40,910,000

Funds subject to external restrictions cannot be utilised for any purpose other than that specified, in line with legislative requirements. Externally restricted funds include funds relating to Section 94 Contributions, Domestic Waste Management, Stormwater Management and Grants.

ORDINARY MEETING

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

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

Investment Commentary

The investment portfolio decreased by \$2.4 million for the month of April 2013. During April 2013, income was received totalling \$2.48 million, including rate payments amounting to \$0.94 million, while payments to suppliers and staff costs amounted to \$4.79 million.

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

As at 30 April 2013, Council has invested \$5.5 million with second tier financial institutions, that are wholly owned subsidiaries of major trading banks, and \$0.25 million invested with a second tier institution that is not a wholly owned subsidiary of a major Australian trading bank, with the remaining funds being invested with first tier institutions. Council's adopted Investment Policy allows Council to invest funds with second tier Authorised Deposit-taking Institutions that are wholly owned subsidiaries of major Australian trading banks, subject to conditions stipulated in the Policy. Investments in second tier financial institutions, that are not wholly owned subsidiaries of major trading banks, are limited to the amount guaranteed under the Financial Claims Scheme (FCS) for Authorised Deposit-taking Institutions (ADIs), in line with Council's Investment Policy.

The FCS protects depositors by guaranteeing deposits (up to the cap) held in ADIs incorporated in Australia, and allows quick access to deposits if an ADI becomes insolvent. A permanent guarantee cap, per account holder, per ADI, of \$250,000, has been in place since 1 February 2012.

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

Council's investment portfolio complies with Council's Investment Policy, adopted on 26 June 2012.

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 2012/2013.

ORDINARY MEETING

Meeting Date: 28 May 2013

RECOMMENDATION:

The report regarding the monthly investments for April 2013 be received and noted.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 28 May 2013

CONFIDENTIAL REPORTS

Item: 104 IS - Tender No. 00924 - Tender for the Hire of Plant and Trucks - (95495)
CONFIDENTIAL

Reason for Confidentiality

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

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

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

ORDINARY MEETING

Meeting Date: 28 May 2013

**Item: 105 SS - Property Matter - Lease to Vanarith Chea & Sayoen Khun - Shop 4
Wilberforce Shopping Centre - (112106, 96596, 113051, 109556, 111635)
CONFIDENTIAL**

Reason for Confidentiality

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

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

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

ORDINARY MEETING

Meeting Date: 28 May 2013

ordinary

section 5

reports
of committees

ORDINARY MEETING
Reports of Committees

SECTION 5 - Reports of Committees

ROC - Human Services Advisory Committee Minutes - 2 May 2013 - (123486)

The meeting commenced at 9.40am in Council Chambers.

Present: Councillor Barry Calvert, (Elected as Chairperson)
Ms Vickie Shackley, Community Representative (Elected as Deputy Chairperson)
Councillor Jill Reardon
Mr Glenn Powers, Community Representative
Mr Chris McAlpine, Community Representative
Mr Douglas Carbery, Community Representative
Ms Denise Handcock, Peppercorn Services
Mr Nick Sabel, Wentworth Community Housing

Apologies: Councillor Patrick Conolly
Mr Matt Randell

In Attendance: Mr Matthew Owens, Hawkesbury City Council
Mr Joseph Litwin, Hawkesbury City Council
Mr Michael Laing, Hawkesbury City Council
Ms Debra Hilton, Hawkesbury City Council
Ms Robyn Kozjak - Minute Taker, Hawkesbury City Council

REPORT:

Mr Owens opened the meeting by welcoming the Committee and advising members of the process for the election of Chairperson and Deputy Chairperson. Item 1 of the Business Paper was subsequently brought forward for the purposes of electing a Chairperson and Deputy Chairperson.

Item 1: Election of Chairperson and Deputy Chairperson

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

Councillor Calvert Nominated by Ms Vickie Shackley

MOTION:

RESOLVED on the motion of Ms Vickie Shackley

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

ORDINARY MEETING
Reports of Committees

That an election for the position of Chairperson of the Human Services Advisory Committee for the 2012/2013 term of the Committee be carried out.

Mr Matthew Owens declared Councillor Calvert elected as the Chairperson of the Human Services Advisory Committee for the 2012/2013 term of the Committee.

Mr Matthew Owens called for nominations for the position of Deputy Chairperson, two nominations were received, being:

Councillor Reardon	Nominated by Councillor Calvert
Ms Vickie Shackley	Nominated by Mr Douglas Carbery

The ballot was conducted by a show of hands resulting in the candidates receiving the following votes:

Councillor Reardon	1 vote
Ms Vickie Shackley	6 votes

MOTION:

RESOLVED on the motion of Mr Douglas Carbery

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That an election for the position of Deputy Chairperson of the Human Services Advisory Committee for the 2012/2013 term of the Committee be carried out.

Mr Matthew Owens declared Ms Vickie Shackley elected as the Deputy Chairperson of the Human Services Advisory Committee for the 2012/2013 term of the Committee.

Mr Owens handed the meeting over to the Chair.

The Chair welcomed the Committee and provided background information of events which transpired over the past few months, resulting in the Committee subsequently being represented by three Councillors.

CONFIRMATION OF MINUTES

RESOLVED on the motion of Mr Chris McAlpine and seconded by Ms Vickie Shackley that the Minutes of the Human Services Advisory Committee held on the 30 August 2013, be confirmed.

ORDINARY MEETING
Reports of Committees

Attendance Register of Human Services Advisory Committee

Member	02/05/13				
Councillor Barry Calvert - Chair	✓				
Ms Vickie Shackley - Deputy Chair	✓				
Councillor Patrick Conolly	A				
Councillor Jill Reardon	✓				
Ms Denise Handcock	✓				
Mr Matt Randell	A				
Mr Douglas Carbery	✓				
Mr Nick Sabel	✓				
Mr Chris McAlpine	✓				
Mr Glenn Powers	✓				

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

SECTION 3 - Reports for Determination

Item 2: Progress in Establishing Human Service Planning Framework for the Hawkesbury

DISCUSSION:

- Mr Laing reported the process of establishing a Human Service Planning Framework for the Hawkesbury began at the last meeting (with the previous Committee) and made reference to Penrith City Council's report presenting a draft framework and indicators on community wellbeing for use by that Council. Mr Laing advised it was proposed the Committee work towards assisting staff to put together a similar Human Services Planning Framework for the Hawkesbury.
- The Chair addressed the Committee and explained to new members the need to develop community indicators in order to measure how well the community is doing in regards to liveability and quality of life, and made reference to the immediate problem of homelessness. The Chair reported indicators were a way to measure issues of relevance to the community, regardless of whether Council has direct responsibility for them, advising there may be issues identified in an indicator framework where it would be appropriate for Council to take action (eg the provision of services or programs), or indirect activities (eg lobbying other levels of government regarding public transport).
- Mr Laing believed it timely to seek an indication from the Committee regarding their availability to attend Results Based Accountability 101 (RBA) training - (a management tool to equip the Committee, particularly new members, with the means to understand and produce measureable improvements for the community). Two members indicated they would not be available on the fourth Thursday of each month due to other commitments. Mr Laing advised he would seek a date for training sometime after the next HSAC meeting (ie after 11 July), at which time staff would have draft indicators available. Mr Litwin added the Committee were welcome to consider and provide additional indicators.
- Mr Laing invited the Committee to provide feedback in relation to the Community Strategic Plan, including the identification of possible gaps.

ORDINARY MEETING
Reports of Committees

- Mr McAlpine enquired if the Department of Local Government (DLG) was undertaking any studies relating to community indicators, and Mr Laing responded the DLG had prepared a discussion paper based on the Community Indicator Victoria (CIV) model as a possible platform for adaptation and use in NSW.

Mr Owens left the meeting at 10.00am.

- Mr McAlpine enquired if information around social capital was measured by Council. Ms Hilton responded there was a good deal of data available relating to social capital and its measurement, including research undertaken by the Australian Bureau of Statistics.
- Mr Litwin advised a basic framework would be prepared and emailed to members.

RECOMMENDATION TO COMMITTEE:

That:

1. The information be received.
2. A draft list of Community Indicators, consistent with the HCSP, be prepared for the next meeting of the Committee.
3. HSAC members indicate their availability to attend a further training session on Results Based Accountability.

MOTION:

RESOLVED on the motion of Ms Vickie Shackley, seconded by Mr Chris McAlpine.

Refer to COMMITTEE RECOMMENDATION

COMMITTEE RECOMMENDATION:

That:

1. The information be received.
2. A draft list of Community Indicators, consistent with the HCSP, be prepared for the next meeting of the Committee.
3. HSAC members indicate their availability to attend a further training session on Results Based Accountability.

SECTION 5 - General Business

- Dates for future meetings was discussed. It was agreed an extra meeting is to be scheduled for 11 July 2013, and the previously set dates of 29 August and 31 October remain in situ.
- It was agreed Mr Laing is to ascertain trainer's availability for RBA training on either 1 August or 8 August, 2013.

Mr McAlpine left the meeting at 10.30am

ORDINARY MEETING

Reports of Committees

- Mr Carbery raised concern the Committee did not convene very often and there appeared to be a large amount of work to progress. The Chair responded the Constitution provides for a minimum of four meetings per year, however, extra meetings can be set when the need arises.
- The Chair referred to a Notice of Motion from Councillor Conolly seeking a meeting with local agencies (Helping Hands, Hawkesbury Community Kitchen, Wentworth Housing and other agencies) to discuss gaps in services to homeless people in the Hawkesbury. The Chair expressed his wish for the Committee to be a part of that meeting. Councillor Reardon advised she would like to attend the meeting, and Mr Sabel advised as he was participating in the meeting he would report the outcome back to the Committee.
- Councillor Calvert referred to a homelessness forum (Greater Western Sydney Homelessness Innovations Forum) on Thursday 9 May organised by Wentworth Community Housing and asked if the invitation was open to everyone. Mr Laing responded he and the Mayor were attending and he would ascertain if it was an open invitation and if so, would forward the email invitation to Committee members. Ms Hilton added she was aware the organisers were seeking registrations asap, for catering purposes. Mr Sabel advised he would ascertain if the invitation extended to the Committee.

The meeting closed @ 10.38am.

oooO END OF REPORT Oooo

ORDINARY MEETING
Reports of Committees

ROC - Local Traffic Committee Meeting - 13 May 2013 - (80245)

Minutes of the Meeting of the Local Traffic Committee held in the Large Committee Room, Windsor, on Monday, 13 May 2013, commencing at 3:00pm.

ATTENDANCE

Present:	Councillor Kim Ford (Chairman) Mr Richard McHenery, Roads and Maritime Services Snr Constable Debbie Byrnes, NSW Police Force Snr Constable Romelda McInerney, NSW Police Force
Apologies:	Mr Bart Bassett, MP (Londonderry) Mr Kevin Conolly, MP (Riverstone) Mr Ray Williams, MP (Hawkesbury) Ms Jill Lewis, NSW Taxi Council Mr Phil Davies, Westbus Mr Carlos DeSousa, Hawkesbury Valley Bus Service
In Attendance:	Mr C Amit, Manager, Design & Mapping Services Ms J Wong, Community Safety Coordinator Ms Laurel Tweedie, Administrative Officer, Infrastructure Services

The Chairman tendered an apology on behalf of Mr Kevin Conolly (Riverstone), advising that Mr Kevin Conolly (Riverstone), concurred with recommendations as contained in the formal agenda and had granted proxy to himself to cast vote(s) on his behalf.

SECTION 1 - Minutes

Item 1.1 Confirmation of Minutes

The Committee resolved on the motion of Snr Constable Debbie Byrnes, seconded by Mr Richard McHenery that the minutes from the previous meeting held 8 April 2013 be confirmed.

Item 1.2 Business Arising

There was no business arising from the previous minutes.

SECTION 2 - Reports for Determination

Item 2.1 LTC - 13 May 2013 - Item 2.1 - Kurrajong Classic Cycle Race Event for 2013 - Kurrajong and East Kurrajong (Hawkesbury) - (80245, 82935)

REPORT:

Introduction:

An application has been received from the Parramatta Cycling Club seeking approval (in traffic management terms) to conduct an Amateur Bicycle Racing Event in Kurrajong and East Kurrajong on Sunday 18, August 2013.

The event organiser has advised;

- The event consists of graded amateur bicycle racing – with state titles.
- This is an annual event which has been held for over 20 years.
- The event will be a One Day Event, conducted between 9.00am and 4.00pm.
- There will be approximately 200-220 competitors competing in graded events.
- There will be approximately up to 60 competitors competing in 5 separate groups.
- Approximately 60 spectators are expected.
- The rural character of the area and light weekend traffic makes the course one of the premier cycling venues in NSW.
- There are no businesses, churches, schools or places of business to be affected on the designated day.
- Prior to the commencement of racing, the course will be physically inspected by the Chief Commissaire.
- The race will be cancelled if any potential impediment is deemed to be beyond reasonable risk and cannot be rectified.
- Traffic control arrangements will be in place with no road closures required.
- All turns at intersections will be left turns with cyclists not having to cross any intersections.
- Marshalls will be posted at intersections illustrated in the TCP's.
- Traffic control at the affected intersections will stop traffic long enough to allow groups of cyclists to negotiate the corners safely (normally only for 30 seconds).
- An application is to be submitted to RMS to reduce the speed along Putty Road from 80Kph and 100Kph to 40Kph between East Kurrajong Road and Blaxlands Ridge Road.
- All groups of racing cyclists will be escorted by vehicles marked with signage and with flashing amber lights to isolate them from normal vehicular traffic.

ORDINARY MEETING
Reports of Committees

- There will be 3 motorcycles used to escort and 3 motor cars to follow competitors along the course.
- All escort vehicles have authority to neutralise the race in the event of any unforeseen incidents during the course of an event.
- The Chief Commissionaire has total authority over the conduct of the race; including the authority to terminate the race if it is deemed unsafe to continue.
- Event Route – Kurrajong/East Kurrajong;
 - Commencing at Stanley Park, East Kurrajong, turn right out of the park entering East Kurrajong Road,
 - Travel a short distance along East Kurrajong Road and turn left into Putty Road (RMS State Road),
 - Travel along Putty Road (RMS – State Road) and turn left into Blaxlands Ridge Road,
 - Travel along Blaxlands Ridge Road and turn left into Comleroy Road,
 - Travel along Comleroy Road and turn left into East Kurrajong Road,
 - Travel along East Kurrajong Road finishing at Stanley Park – turning right into the park.
 - The route distance is approximately 32 kilometres.

Refer to Attachment 1 for details of the Event Route.

Discussion:

It would be appropriate to classify the event as a “**Class 1**” special event under the “Traffic and Transport Management for Special Events” guidelines issued by the Roads and Maritime Services - RMS (formerly RTA) as the event may disrupt major traffic and transport systems along the specified route which includes the Speed Zone reduction in Putty Road (RMS – state road) between East Kurrajong Road and Blaxlands Ridge Road from 80Kph and 100Kph to 40Kph.

The event organiser is required to consider the speed limits of the remaining roads and assess if Speed Zone changes are required as part of the risk assessment.

Speed limits, traffic volume and road width details are provided in the following table;

Route – Kurrajong/East Kurrajong			
Road Name	Speed Limit (kph)	Max ADT recorded (Year)	Sealed Carriageway Width (m)
East Kurrajong Road	60 and 80	1062 (2012)	5.6 – 6.4
Putty Road (RMS)	80 and 100	4666 (2005)	6.0 and variable
Blaxlands Ridge Road	70, 80 and 100	703 (2009)	6.0 – 7.5
Comleroy Road	60 and 80	2184 (1998)	6.0 – 6.8

The event organiser should assess the risk and address the suitability of the route as part of the risk assessment considering the speed limits, road width, number of bicycles, traffic volume and bicycles travelling close to the edge of the sealed travelling lane.

The event organiser has submitted the following items in relation to the event: Attachment 2 (ECM Document No: 4382760):

1. Traffic and Transport Management for Special Events – HCC: Form A – Initial Approval - Application Form,
2. Traffic and Transport Management for Special Events – HCC: Form B – Initial Approval Application - Checklist,
3. Special Event Transport Management Plan Template – RTA (Roads and Maritime Services - RMS),

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4. Traffic Management Plan (TMP) and Traffic Control Plans (TCP) – however the TMP and TCP's do not cover the proposed speed reduction on Putty Road, the remaining roads and the Start/Finish at Stanley Park,
5. Event Route Plan
6. Risk Assessment for the event,
7. Copy of Insurance Policy which is valid to 30 November 2013,
8. Copy of the Advertisement to be placed in the Hawkesbury Gazette,
9. Copy of the correspondence to be forwarded to the Residents and Businesses,
10. Copies of correspondence forwarded to the NSW Ambulance Service, NSW Rural Fire Service, SES, NSW Taxi Council LTD and Bus NSW.

Committee Discussion relating to the Class of the event:

Mr Richard McHenery (RMS) advised the Committee that the Class of the event should be changed from Class 1 to Class 2. This is based on advice received by RMS from the Traffic Management Centre (TMC) that an event of this scale should be handled by RMS directly and not TMC. Generally in relation to a Class 1 event, aspects such as the Transport Management Plan (TMP), Road Occupancy License (ROL), Speed zone reduction and other traffic related matters are all handled by TMC and not RMS. By this event being a Class 2, RMS will assess the TMP with the ROL and Speed reduction application being handled by TMC. The other aspect with a Class 1 event is that TMC will not assess and application received less than 6 months prior to the event date.

The Class of the event was discussed at length by the committee, and the change from Class 1 to Class 2 was not agreed to by the Police representatives as the event satisfied the requirements of the Guide to Traffic and Transport Management for Special Events – Version 3.4 (GTTM) for a Class 1 as it had an impact on a major traffic and transport system. This was based on the cycling event traversing Putty Road with a requirement to reduce the speed limit along Putty Road from 80/100kph to 40kph for a length of approximately 4.8 kilometres. The Police representatives indicated that a change to the process in the Guidelines should be submitted officially in writing as an amendment and the Guidelines be updated accordingly. The proposed change for this event appears based on the resourcing of the TMC and not purely based on the activities of the event and its associated impacts.

Mr McHenery took note of the concerns raised by the Police and will pass on their requirements.

On this basis, voting for the change from Class 1 to Class 2 was agreed to by the voting members for RMS and HCC, with an objection recorded for The Police.

As a result of the voting, items 2 and 4d in the Recommendation will be changed from Class 1 to Class 2.

The NSW Police Force did not support the change of Class for the event from Class 1 to Class 2. RMS and HCC supported the change of the Class for the event from Class 1 to Class 2.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Mr Richard McHenery, seconded by Councillor Kim Ford.

Support for Recommendation -(as amended from Class 1 to Class 2): Non-Unanimous

The event classification for the Kurrajong Classic Cycle Race be amended from Class 1 to Class 2.

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/organising-an-event>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which

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includes the Roads and Maritime Services - RMS (formerly RTA) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package.

2. The Bicycle Racing Event planned for Sunday, 18, August 2013, by the Parramatta Cycling Club along the Kurrajong/East Kurrajong Route, be classified as a "**Class 2**" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads and Maritime Services - RMS (formerly RTA).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted and the following conditions:

Prior to the event:

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health & Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally council has an events template which can be provided to assist in identifying and controlling risks);
- 4b. the event organiser is to assess the risk and address the suitability of the entire route / site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the route / site by the event organiser prior to preparing the TMP and prior to the event;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; **a copy of the Police Force approval to be submitted to Council;**
- 4d. the event organiser is to obtain approval from the Transport Management Centre – TMC as this is a "Class 2" event which will traverse along Putty Road (state road) which includes the proposed temporary speed reduction from 80Kph and 100Kph to 40Kph between East Kurrajong Road and Blaxlands Ridge Road. The event organiser is required to consider the speed limits of the remaining roads and assess if Speed Zone changes are required as part of the risk assessment; **a copy of the Transport Management Centre – TMC approval to be submitted to Council;**
- 4e. the event organiser **is to submit a Transport Management Plan (TMP) for the entire route/event incorporating a Traffic Control Plan (TCP) to Council and the Roads and Maritime Services - RMS (formerly RTA)** for acknowledgement. The TCP should be prepared by a person holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA) to satisfy the requirements of the relevant Work Cover legislation;
- 4f. As the event will traverse public roads and require traffic control, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with the associated fee, to occupy the road;

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- 4g. the event organiser is to obtain written approval from Councils' Parks and Recreation Section for the use of Stanley Park;
- 4h. the event organiser is to advertise the event in the local press stating the entire route/extent of the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, two weeks prior to the event; **a copy of the proposed advertisement has been submitted to Council** (indicating the advertising medium);
- 4i. the event organiser is to notify the details of the event to Fire and Rescue NSW at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council**;
- 4j. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; **a copy of the correspondence has been submitted to Council**;
- 4k. the event organiser is to **submit** the completed " Traffic and Transport Management for Special Events – **Final Approval Application Form (Form C)**" **to Council**;

During the event:

- 4l. access is to be maintained for businesses, residents and their visitors;
- 4m. a clear passageway of at least 4 metres in width is to be maintained at all times for emergency vehicles;
- 4n. all traffic controllers / marshals operating within the public road network are to hold appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4o. the cyclists are to be made aware of and are to follow all the general road user rules whilst cycling on public roads;
- 4p. in accordance with the submitted TMP and associated TCP, appropriate advisory signs - including temporary speed restriction signs (subject to Roads and Maritime Services - RMS (formerly RTA) requirements), shall be placed at the event organiser's expense after all the required approvals are obtained from the relevant authorities - and traffic control devices are to be placed along the route during the event, under the direction of a traffic controller holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4q. the competitors and participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event; and,
- 4r. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity.

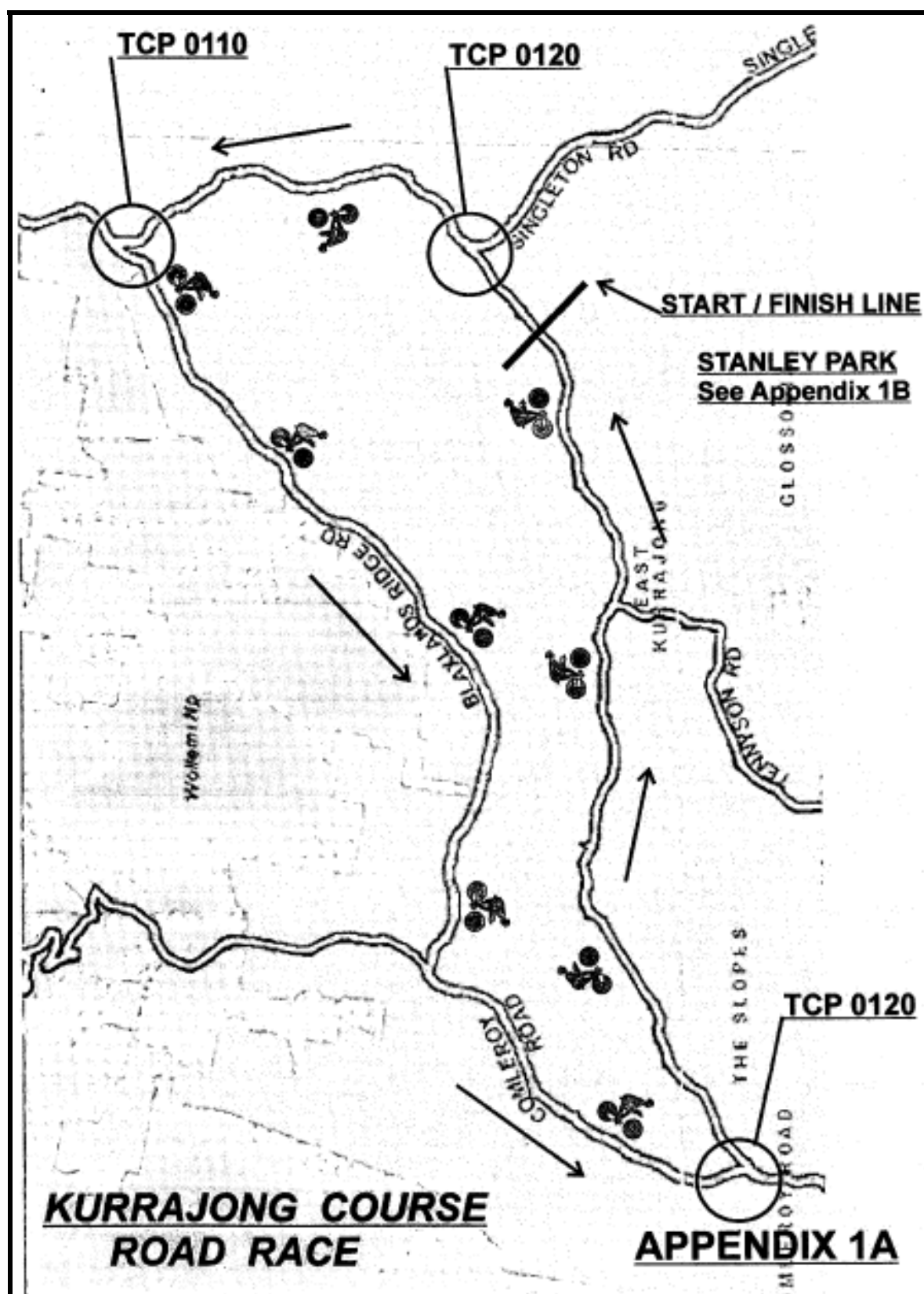
The Police requested they be recorded as having voted against the recommendation of the change in Class of the event from Class 1 to Class 2.

APPENDICES:

AT - 1 Kurrajong Classic Cycle Race Event, Route Plan

AT - 2 Special Event Application – (ECM Document No: 4382760) - *see attached*.

AT - 1 Kurrajong Classic Cycle Race Event, Route Plan



**Item 2.2 LTC - 13 May 2013 - Item 2.2 - All Holden Day - Holden Display Day 2013 -
Hawkesbury Showground, Clarendon - (Londonderry) - (80245, 114515)**

REPORT:

Introduction

An application has been received from All Holden Day Inc. seeking approval (in traffic management terms) to conduct the All Holden Day – Holden Display Day 2013 within the Hawkesbury Showground, Clarendon, on Sunday, 04 August 2013, which includes a 2 day Swap Meet to be held on Saturday, 03 August 2013 and Sunday, 04 August 2013.

The event organiser has advised:

- This is the 28th running of the event.
- The times for operation are proposed from 6.00am to 5.00pm for both days.
- The showground is located on Racecourse Road, with the Hawkesbury Racecourse and the Clarendon Railway Station located opposite.
- The event is a display day for all original and modified Holden vehicles.
- The event is expected to attract approximately 800 entrant's vehicles and 12,000 visitors.
- It is anticipated that most visitors will travel by car. They will park within the Hawkesbury Showground car parking area, and will be directed into the site via Gate 4, by accredited traffic controllers. Exit from the showground will be via Gate 1.
- There may be an increase to traffic flow on Hawkesbury Valley Way and Racecourse Road on the Sunday morning with the majority of vehicles arriving between 6.00am and 8.00am.

Discussion

Racecourse Road intersects with Hawkesbury Valley Way near the northern boundary of the showground site, and intersects with Blacktown Road approximately 3.5 kilometres to the south. Racecourse Road is a minor rural road of approximately 3.5 kilometres in length with the full length being sealed. The event organiser is anticipating that a high proportion of traffic is expected from the Hawkesbury Valley Way intersection. Both Hawkesbury Valley Way and Blacktown Road are main arterial roads.

Traffic congestion is likely to be concentrated in Hawkesbury Valley Way, from where the majority of vehicles will queue to enter Racecourse Road, and in Racecourse Road, as vehicles queue to enter parking areas. It is likely that some vehicles, to avoid the congestion at Hawkesbury Valley Way, will travel towards the intersection of Blacktown Road.

It would be appropriate to classify the event as a “**Class 2**” special event under the “Traffic and Transport Management for Special Events” guidelines issued by the Roads and Maritime Services - RMS (formerly RTA) as the event may impact on major traffic and transport systems and there may be low scale disruption to the non-event community.

The event organiser has submitted the following items in relation to the event: Attachment 2 (ECM Document No: 4389544):

1. Traffic and Transport Management for Special Events – HCC: Form A – Initial Approval - Application Form,

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2. Traffic and Transport Management for Special Events – HCC: Form B – Initial Approval Application - Checklist,
3. Special Event Transport Management Plan Template – RTA (Roads and Maritime Services - RMS),
4. Traffic Control Plans (TCP),
5. Event and Parking Layout for the Showground,
6. Copy of the application to the NSW Police Force,
7. Copies of correspondence forwarded to the NSW Police Force, NSW Ambulance Service, Richmond and Windsor Fire Brigade (Fire and Rescue NSW) and SES,
8. VMS Location plan for Hawkesbury Valley Way.

COMMITTEE RECOMMENDATION:

RESOLVED on the motion of Senior Constable Romelda McInerney, seconded by Mr Richard McHenery.

Support for Recommendation - Unanimous

That:

1. The approval conditions listed below relate only to matters affecting the traffic management of the event. The event organiser must obtain all other relevant approvals for this event. The event organiser must visit Council's web site, <http://www.hawkesbury.nsw.gov.au/news-and-events/organising-an-event>, and refer to the documentation contained within this link which relates to other approvals that may be required for the event as a whole. It is the responsibility of the event organiser to ensure that they comply with the contents and requirements of this information which includes the Roads and Maritime Services - RMS (formerly RTA) publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package.
2. The All Holden Day – Holden Display Day 2013 event within the Hawkesbury Showground, Clarendon, on Sunday, 04 August 2013, which includes a 2 day Swap Meet to be held on Saturday, 03 August 2013 and Sunday, 04 August 2013 be classified as a "**Class 2**" special event, in terms of traffic management, under the "Traffic and Transport Management for Special Events" guidelines issued by the Roads and Maritime Services - RMS (formerly RTA).
3. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
4. No objection (in terms of traffic management) be held to this event subject to compliance with the information contained within the application submitted and the following conditions:

Prior to the event:

- 4a. the event organiser is responsible for ensuring the safety of all involved in relation to the proposed event and must fully comply with the requirements of the Work Health & Safety (WHS) Act 2011, WHS Regulations 2011 and associated Australian Standards and applicable Codes of Practice. It is incumbent on the organiser under this legislation to ensure all potential risks are identified and assessed as to the level of harm they may pose and that suitable control measures are instigated to either eliminate these or at least reduce them to an acceptable level. This will include assessing the potential risks to spectators, participants and road/park/facility users etc during the event including setting up and clean up activities. This process must also include (where appropriate) but is not limited to the safe handling of hazardous substances, electrical equipment testing, tagging and layout, traffic/pedestrian management plans, certification and licensing in relation to amusement rides, relevant current insurance cover and must be inclusive of meaningful consultation with all stakeholders. (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>; additionally council has an events template which can be provided to assist in identifying and controlling risks);

- 4b. the event organiser is to assess the risk and address the suitability of the entire site as part of the risk assessment considering the possible risks for all participants. This assessment should be carried out by visual inspection of the site by the event organiser prior to preparing the TMP and prior to the event;
- 4c. the event organiser is to obtain approval to conduct the event, from the NSW Police Force; **a copy of the Police Force approval to be submitted to Council;**
- 4d. the event organiser **is to submit a Transport Management Plan (TMP) for the entire event to Council and the Roads and Maritime Services - RMS (formerly RTA)** for acknowledgement;
- 4e. the event organiser is to **submit to Council a copy of its Public Liability Policy** in an amount not less than **\$10,000,000 noting Council and the Roads and Maritime Services - RMS (formerly RTA) as interested parties on the Policy** and that Policy is to cover **both on-road and off-road activities;**
- 4f. As the event requires traffic control on a public road, the event organiser is required to submit a Road Occupancy Application (ROA) to Council, with the associated fee, to occupy the road;
- 4g. the event organiser is to obtain approval from the respective Land Owners for the use of their land for the event; **a copy of this approval to be submitted to Council;**
- 4h. the event organiser is to advertise the event in the local press stating the entire extent of the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, two weeks prior to the event; **a copy of the proposed advertisement to be submitted to Council** (indicating the advertising medium);
- 4i. the event organiser is to notify the details of the event to the NSW Rural Fire Service at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council;**
- 4j. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council;**
- 4k. the event organiser is to directly notify all the residences and businesses which may be affected by the event, including the proposed traffic control measures and the traffic impact/delays expected, due to the event, at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; **a copy of the correspondence to be submitted to Council;**
- 4l. the event organiser is to **submit** the completed " Traffic and Transport Management for Special Events – **Final Approval Application Form (Form C)**" **to Council;**

During the event:

- 4m. access is to be maintained for businesses, residents and their visitors;
- 4n. a clear passageway of at least 4 metres in width is to be maintained at all times for emergency vehicles;
- 4o. all traffic controllers / marshals operating within the public road network are to hold appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);

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- 4p. in accordance with the submitted TMP and associated TCP, appropriate advisory and traffic control devices are to be placed for the event, during the event, under the direction of a traffic controller holding appropriate certification as required by the Roads and Maritime Services - RMS (formerly RTA);
- 4q. the participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event; and,
- 4r. all roads and marshalling points are to be kept clean and tidy, with all signs and devices to be removed immediately upon completion of the activity.

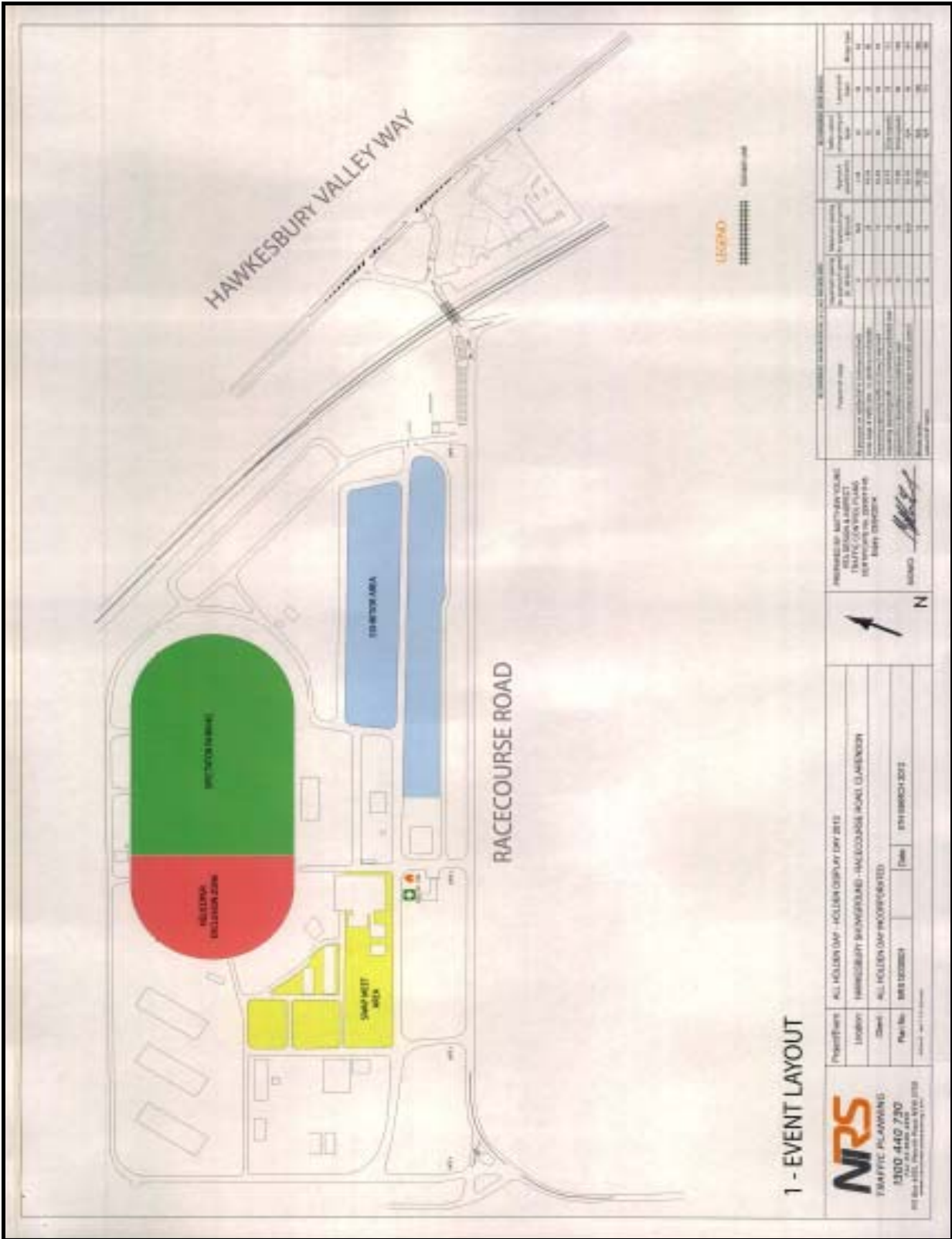
APPENDICES:

AT - 1 All Holden Day – Holden Display Day 2013 - Event Layout Plan.

AT - 2 Special Event Application – (ECM Document No: 4389544) - *see attached*

<p align="center">ORDINARY MEETING</p> <p align="center">Reports of Committees</p>

AT - 1 All Holden Day – Holden Display Day 2013 - Event Layout Plan



ORDINARY MEETING
Reports of Committees

SECTION 3 - Reports for Information

There were no reports for information.

SECTION 4 - General Business

There was no General Business.

SECTION 5 - Next Meeting

The next Local Traffic Committee meeting will be held on 17 June 2013 at 3:00pm in the Large Committee Rooms.

The meeting terminated at 4:45pm

oooO END OF REPORT Oooo

ORDINARY MEETING
Questions for Next Meeting

QUESTIONS FOR NEXT MEETING

Councillor Questions from Previous Meetings and Responses - (79351)

REPORT:

Questions – 14 May 2013

#	Councillor	Question	Response
1	Rasmussen	Asked if a response has been sent to the residents who wrote complaining about 69 Blacktown Road, Freemans Reach.	The Director City Planning advised that a response was sent to the person who organised the petition on 8 May 2013.
2	Porter	Requested copies of the Draft Budget currently on exhibition could be made available to the public who do not have access to the internet to take with them.	The Director Support Services advised that paper copies of the Draft Delivery Program 2013-2017 and Draft Operational Plan 2013/2014 (Parts 1 and 2) currently on public exhibition, are available at the Customer Service Counter of the Council Administration Building.
3	Paine	Asked if Council could investigate the tin laying on the veranda at Fairfield House as there are concerns that the tin will fly off during strong winds.	The Director City Planning advised that a letter will be forwarded to the owners of the property bringing this matter to their attention and the need for the securing of such materials, as they may become a risk to the public in storm and excessive wind events.
4	Paine	Asked if the "Open Now" sign on Union Lane, referring to the premises next to the Royal Exchange complied with Council's sign policy.	The Director City Planning advised that the illuminated sign is not considered to fall into the category of "advertising" and because of its size, nature of the use saying "Open Now" (information), and location, would not require approval from Council, nor is it prohibited.
5	Tree	Asked if Council are in communication with neighbouring Councils regarding issues arising from the report of the Independent Local Government Review Panel.	The General Manager advised that this matter would be considered as part of the report to be submitted to Council concerning the Council's submission in response to the latest report issued by the Panel.
6	Tree	Requested rope and security be placed in the Chambers during Council meetings.	The General Manager advised that a report in relation to this will be submitted to the next Council meeting.

ORDINARY MEETING
Questions for Next Meeting

#	Councillor	Question	Response
7	Tree	Asked what the framing of the question was when the North Richmond and Districts Community Action Association (NRDCAA) asked people to sign the petition against re-zoning north of Hawkesbury River.	The Director City Planning advised that the only wording of the petition that Council is aware of is that on the front page of the petition. As no Council representative was present when people were asked to sign that petition, and representatives from NRDCAA have not discussed the signature collection methods with Council staff, it is unknown what was said to those persons.
8	Lyons-Buckett	Requested Council staff to clean up Bellbird Hill Lookout at Kurrajong.	The Director Infrastructure Services advised that instructions have been issued for staff to undertake necessary maintenance activities at the site.
9	Reardon	Requested that a loose fence paling at Wilberforce Cemetery near the gate could be repaired.	The Director Infrastructure Services advised that instructions have been issued for the damaged panel to be repaired.
10	Reardon	Asked if Council's garbage trucks were responsible for the amount of litter along Grose Vale Road.	The Director City Planning advised an inspection of the area of concern was undertaken on 20 May 2013. The majority of types of materials discovered were of the take away food packaging type, such as paper wrappers and drink containers, which would indicate that the most probable source of this litter is from takeaway food outlet patrons discarding this material from their vehicles. Whilst the occasional piece of litter may escape from a garbage vehicle it is not considered that this is the source of materials on Grose Vale Road.
11	Creed	Asked if the potholes near the crossing on Grose Vale Road in the vicinity of the school could be repaired and if not Council's responsibility could the RMS be contacted regarding the repairs.	Director Infrastructure Services advised that instructions have been issued for interim road repairs to be undertaken in this locality, with further heavy patching to be carried out in June.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo



ordinary
meeting

end of
business
paper

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