



Hawkesbury City Council

ordinary
meeting
business
paper

date of meeting: 26 February 2008

location: council chambers

time: 5:00 p.m.



mission
statement

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

How Council Operates

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

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

Ordinary Meetings of Council are held on the second Tuesday of each month, except January, and the last Tuesday of each month, except December. The meetings start at 5:00pm with a break from 7:00pm to 7:30pm and are scheduled to conclude by 11:00pm. These meetings are open to the public.

When a Special Meeting of Council is held it will usually start at 7:00pm. These meetings are also open to the public.

Meeting Procedure

The Mayor is Chairperson of the meeting.

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

Public Participation

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

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

A Point of Interest

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

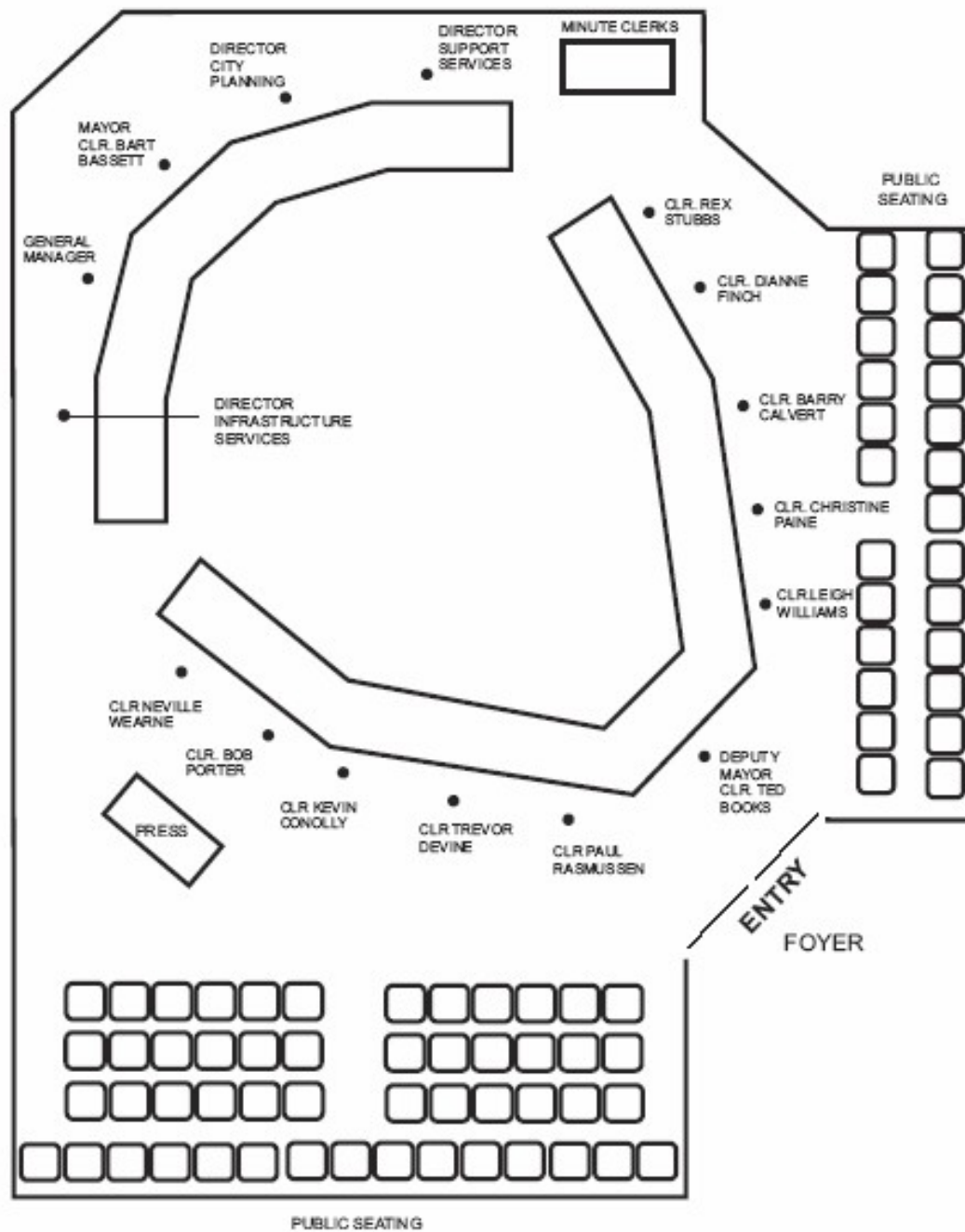
Website

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

Further Information

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

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SECTION 3 - Notices of Motion

NM1 - Congratulations to Federal Government - Sorry Day - (79351, 80104)

Submitted by: Councillor Paine

NOTICE OF MOTION:

That Council write to the Federal Government congratulating them on the Sorry Day held on Wednesday, 13 February 2008.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

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Notices of Motion

NM2 - Funding for Education Program in Schools regarding Obesity - (79351, 80104)

Submitted by: Councillor Paine

NOTICE OF MOTION:

That Council look at making funds available in the 2008/2009 budget to run an educational program with the local schools to help overcome the recently publicised obesity problems in the Hawkesbury.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF NOTICE OF MOTION Oooo

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SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 21 GM - Sister City Program Policy - Student Exchange Donation, Temple City 2008 - (79351, 95497)

REPORT:

Council at its meeting held on 10 July 2007, adopted its (International) Sister City Program Policy (Policy). Council will be aware that in adopting the Policy, it also delegated authority to the Hawkesbury Sister City Association (Association) to undertake appropriate exchange programs on Council's behalf with our two sister cities, under Section 377 of the Local Government Act, 1993. See Attachment 1 for the Policy.

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, where six students may visit Temple City (California), USA and six students may visit Kyotamba (Kyoto), Japan staying with host sister city families. In reply, students from Temple City and Kyotamba also visit the Hawkesbury local government area 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.

The Association has advised that the Temple City part of the student exchange program will take part in March/ April 2008 and that six students have been selected to visit Temple City, being:

- | | | |
|----|---------------------|--------------------------|
| 1. | Ms Emily Bakowski | St. Pauls Grammar School |
| 2. | Ms Jessica Coulter | Colo High School |
| 3. | Ms Katrina Howard | Richmond High School |
| 4. | Mr James Lang | St. Pauls Grammar School |
| 5. | Ms Amy Mares | Arndell Anglican College |
| 6. | Ms Madeleine Thorpe | Colo High School |

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 approved budgets each year.

The donation equates to financial assistance to persons under Section 356 of the Local Government Act, 1993, which states, in part:

S356(1) A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.

It is recommended that Council continue to support the student exchange program by making a donation to the nominated students to help with their travel and daily costs while visiting Temple City, as part of the sister city student exchange program.

It is noted that the Policy requires Council and the Association to sign a sponsorship agreement in accordance with the Sponsorship Policy (adopted 13 March 2007). The Sponsorship Policy also requires all requests for Section 356 financial assistance to be reported to Council for determination.

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Conformance to Strategic Plan

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

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

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

Funding

All costs will be met from the approved 2007/2008 Budget.

RECOMMENDATION:

That under the provisions of Section 356 of the Local Government Act 1993 Council donate \$500 to each student participating in the 2008 student exchange program visit to Temple City in accordance with the Sister City Program Policy being:

- a) Ms Emily Bakowski
- b) Ms Jessica Coulter
- c) Ms Katrina Howard
- d) Mr James Lang
- e) Ms Amy Mares
- f) Ms Madeleine Thorpe

ATTACHMENTS:

AT - 1 Hawkesbury Sister City Program Policy – adopted 10 July, 2007

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AT - 1 Hawkesbury Sister City Program Policy – adopted 10 July, 2007

Hawkesbury Sister City Program Policy

*** Adopted 10 July, 2007**

Hawkesbury City Council in implementing its Corporate Plans undertake a Sister City Program, to develop networks of communication between the cities of the world through understanding and friendship and the International Sister City Movement.

That Council pursue its Sister City Program with its existing two sister cities being Temple City, California (USA) and Kyotamba, Kyoto (Japan), and any other sister city partnerships from time to time as adopted by Council:

- (a) in accordance with a Sister City Agreement with each sister city (supported by Exchange Action Plans); and*
- (b) in accordance with an executed Sponsorship Agreement with the Hawkesbury Sister City Association, as required by Council's Sponsorship Policy (adopted 13 March 2007).*

That the Sister City Program include provision for culture, sport and youth exchanges, and:

- a) A Hawkesbury Sister City Association - Contribution. That Council make annual funds available to the Hawkesbury Sister City Association (established 1983) to undertake certain Sister City Program activities on behalf of Council, including student exchange and adult exchange activities.*

A Student Exchange activity - Contribution. That Hawkesbury high school students, who are residents or attend school in Hawkesbury City and participating in an annual exchange visit to Temple City or Kyotamba be given \$500 towards expenses. Maximum 12 students per year (up to \$6,000), being up to six students visiting Temple City and up to six students visiting Kyotamba. Selection process by Hawkesbury Sister City Association.

oooO END OF REPORT Oooo

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Item: 22 GM - Council and Hawkesbury Harvest - Proposed Joint Forum Proposal on Agricultural Opportunities - (74197, 79351, 95497)

REPORT:

During the second half of 2007, Hawkesbury Harvest approached Council seeking its support to host a proposed joint forum in relation to agricultural opportunities in the Hawkesbury local government area for rural land owners to promote agriculture in the area. This correspondence indicated Hawkesbury Harvest's continued aim to encourage people to use rural lands for agriculture, think differently about the way they use their land and do things; and perhaps adopt different market strategies where they are farmers. Some concern was expressed that perhaps rural land owners were not aware of Hawkesbury Harvest's agri-industry and agri-tourism activities and initiatives. The vehicle for delivering the message is the proposed forum to provide relevant information to rural land owners to encourage:

- The retention of farming businesses by utilising mechanisms as developed by Hawkesbury Harvest to help sustain the business eg. Farm Gate Trail, Open Farm Days and Farmers Markets; and
- The take up of farming activities on rural lands, to make the lands more productive.

The Mayor and Council Officers meet with Hawkesbury Harvest a number of times to better understand the proposed joint forum and to ascertain the intended involvement of Council. Hawkesbury Harvest was advised that any activity proposed to be branded as a Council project and where funding support is requested, is required to be determined by Council to consider alignment with the Management Plan and operational activities.

Discussions with Hawkesbury Harvest were worthwhile and helped focus the objectives of a forum and the likely resources required. If Council decides to participate in the forum, Council Officers were keen to ensure a well rounded business picture of farming and market dynamics was presented and not just land use planning rules, which is only part of the equation. Discussions were also timely in terms of the planning documents required to be prepared under the North West Sub-Regional Strategy and the new LEP Template required under the Environmental Planning and Assessment Act, 1979. Discussions lead to a proposed joint forum along the lines of:

(a) Title

To be agreed upon by parties, but like "Let's Farm - Agricultural Opportunity in our local area."

(b) Format and Date

Evening forum for about 2 hours (after 5pm), to be held at the end of March or early April 2008.

(d) Content. Two parts, being:

- Part 1 "The ABC of Land Rules for Farmers" (TBC)

A presentation on Hawkesbury LEP (including new LEP Template), Hawkesbury DCP, other relevant approvals eg. water licences, bores, vegetation, the North West Sun-Regional Strategy documents.

Presented by Council Officers from the City Planning Division. Target Audience - Existing farmers and rural land owners, who may be considering farming.

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- Part 2 "The ABC of Farming Market Matters" (TBC)

Presentations on key areas of starting a farming business (industry or tourism) that might include Department of Primary Industry activities, Department of State and Regional Development activities (grants and training etc); banking and finance, business planning and market research, market and locational advantages, guide to tax and regulatory costs and rules, useful websites, networking etc.

Presenters to be sourced, including Council Officers involved in business and local economy activities. Target audience – rural land owners and new farmers.

A presentation on Hawkesbury Harvest and its marketing initiatives and how it can assist existing farmers with new ideas and alternative market access points eg. Farm Gate Trail, Open Farm Days and Farmers Markets.

Presented by Hawkesbury Harvest. Target Audience - Existing farmers and new farmers.

The resources requested of Council for the joint forum include the items listed below and this could amount to about \$1,000. Hawkesbury Harvest has not provided any details on costs it is likely to incur, but if any, they are likely to be much less than Council's, given most project costs have been assigned to Council.

- Presenters
- Council venue (if available) or venue hire costs
- Advertising, including Public Notices in local papers
- Printing, including Agenda and flyer development and postage
- Development of invitee mailing list, based on relevant "rural" land use zones and target areas as advised by Hawkesbury Harvest

Other relevant information is that:

- (a) Council hosted an Agricultural Forum on 29 November 2006, which was attended by approximately 80 people. It was held as an outcome of Council's consideration of the Hawkesbury Agricultural Retention through Diversification and Clustering study report. It gave farmers an opportunity to present individual views on farming locally and market dynamics that affect individual businesses for consideration in council activities.
- (b) Hawkesbury Harvest has undertaken similar joint forums with Baulkham Hills and Penrith Councils during 2007. In both cases, about 15-25 rural landowners attended the forums out of a mailing list of a few hundred rural properties. Despite lower than anticipated attendance numbers the opportunity to talk with farmers and potential farmers supported Hawkesbury Harvest's aim to encourage agricultural retention in the great Hawkesbury River area, through marketing initiatives. Feed back from Baulkham Hills Council was that it considered the forum to be a ideal way of engaging rural land owners with its council and with a local association, who is available to help with marketing initiative and things to know about becoming a farmer.
- (c) It might be appropriate to piggy-back known local "farming events" as an alternative channel to improve the take up rate, like the Small Area Farming Expo or Hawkesbury Show, at which rural land owners in the area are likely to attend.

It is considered that the proposed joint forum would align with the Service Statement shown in the Conformance to Strategic Plan part of this report.

Conformance to Strategic Plan

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

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

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Funding

All costs will be met from the approved 2007/2008 Budget. Funds in the Strategic Activities Budget available for a limited number of low-cost business development activities and the joint forum would be a suitable project.

RECOMMENDATION:

That Council:

1. Support Hawkesbury Harvest's request to hold a joint forum on Agricultural Opportunities in the area during the 2007/2008 year.
2. In conjunction with Hawkesbury Harvest develop an agenda and project action plan for the forum and that the resources outlined in the report be made available for the project.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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Item: 23 GM - 55th Annual Australian Local Government Women's Association Conference, 3-5 April 2008 at Rockdale NSW - (79351)

REPORT:

The 55th Annual Australian Local Government Women's Association Conference will be held 3-5 April 2008 at Rockdale, NSW.

This year's theme 'Rock to Success' will look at issues facing women in Local Government in an election year. The Conference aims to provide a platform for; lively debate on current issues; directed informative sessions; peer discussions and messages from inspirational guest speakers. Topics include; How to succeed in your community and on your own; does being a woman in government have it's advantages; working with media; making a difference in your community.

Cost of attendance at the 55th Annual Australian Local Government Women's Association Conference will be approximately \$950.00 plus travel expenses per delegate.

Budget for Delegate Expenses - Payments made:

- Total Budget for Financial Year 2007/2008 \$46,961.00
- Expenditure to date \$25,270.00
- Budget balance as at 18/2/08 \$21,691.00

Conformance to Strategic Plan

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

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

Funding

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

RECOMMENDATION:

That attendance by nominated Councillors, and staff as considered appropriate by the General Manager, at the 55th Annual Australian Local Government Women's Association Conference to be held 3-5 April 2008 at a cost of \$950.00 plus travel expenses per delegate be approved.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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CITY PLANNING

Item: 24 **CP - Modification to Development Consent - Two Storey Dwelling - Lot 25 DP
742749 17 North Street, Windsor - (DA0602/07, BA0007/73, 4791, 102200, 96329,
95498)**

Development Information

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

Key Issues: ♦ Substantial Commencement of Building Approval
 ♦ Loss of views/overshadowing

Recommendation: Approval

REPORT:

Introduction

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

Background

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

- 1973 Building application BA0007/73 approved for a dwelling. There are no current plans however Council's Building register indicates that an approval was issued.
- 1974 Amended plans submitted by Huxley homes and approved by Council.
- 1975 Footings were constructed for a dwelling associated with BA0007/73 (no further works were completed)
- 1990 Application to fill lots 2, 3 and 25. Approved lots 2 and 3, refused lot 25
- 1996 Development application for a two storey dwelling was refused by Council.
- 2001 Development application lodged for a two storey dwelling. The application was refused and the applicant appealed against Council's decision in the Land and Environment Court. The appeal was dismissed.
- 2006 A development application was lodged for a Two storey dwelling and subsequently withdrawn.

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Description of Proposal

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

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

The footings currently on the site were constructed in 1975 and the applicant has submitted a copy of the original Huxley Homes building plans that align with the footings on the site. The applicant has also submitted information from the Structural Engineers that designed and inspected the footings at the time of construction to verify that the footings were constructed in accordance with an approved plan. As such, the applicant can continue with construction in accordance with the original approved plans as they have established substantial, physical commencement by constructing the footings on site. The applicant would now like to modify the design to incorporate changes in architectural design, energy efficiency and to address issues raised in the previous unsuccessful applications.

The Modifications involves:

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

Plans of the original approved dwelling and amendments are available in the Council Chambers.

Current Approval

It has been satisfactorily established that building approval was issued in 1973 for a dwelling and the plans were amended in 1974. Although the Council file is no longer available, a copy of the two storey dwelling plan prepared by Huxley Homes is available on the current Council file and it corresponds to the footing plan which were constructed in 1975. This information is confirmed in Council's Building Register for 1973-1974.

Public Consultation

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

The submissions raised the following matters:

1. *Overshadowing*

Shadow diagrams were provided with the application. The adjoining property (19 North Street) will be affected by morning shadow (9am) that will fall partly on their dwelling and on their detached garage. It is considered that the amount and extent of shadowing will be acceptable. There is no increase in the shadow impact when compared to the approved plans by Huxley Homes which the owner has substantial commencement and can complete that construction. However, the proposed amended plans would reduce the impact on overshadowing the adjoining property due to the reduced height (approximately 400mm lower roof ridge line) of the amended design.

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

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

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

Assessment of Section 96

Section 96 (2)

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

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

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

Planning Assessment

a) The provisions of:

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

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

The Planning Instruments which are considered to control development on the site are:
Sydney regional Environmental Planning Policy 20.
Hawkesbury City Council Local Environmental Plan 1989. (HLEP)

Comment: The proposed amendment is not inconsistent with the relevant Planning Instruments.

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

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

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

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

- iv) any matters prescribed by the regulations.

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

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

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

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

The site is suitable for the amended development.

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

See the "Public Consultation" section in this report.

- e) **The public interest.**

The matter is not considered to be contrary to the general public interest.

Conclusion

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

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

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

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

RECOMMENDATION:

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

General

1. The development shall take place in accordance with the stamped plans, specifications and accompanying documentation submitted with the application except as modified by these further conditions.
2. The approved use shall not commence until all conditions of this Development Consent have been complied with.
3. The building shall not be used or occupied prior to the issue of an Occupation Certificate.
4. The development shall comply with the provisions of the Building Code of Australia at all times.
5. The development shall comply with the Environmental Planning and Assessment Act, 1979 at all times.

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6. The applicant shall make themselves aware of any User Restriction, Easements and Covenants to this property and shall comply with the requirements of any Section 88B Instrument relevant to the property in order to prevent the possibility of legal proceedings against them.

Prior to Commence of Work

7. The wind classification for the site has been assessed as Minimum W3N. This classification should be referred to your glazing supplier, frame manufacturer and building contractor to enable the appropriate frame, glazing, bracing and tie downs to be designed. A copy of the designs and glazing certificate are to be provided to the Principal Certifying Authority.
8. Erosion and sediment control devices are to be installed and maintained at all times during site works and construction. The enclosed warning sign shall be affixed to the sediment fence/erosion control device.
9. The building shall be set out by a Registered Surveyor. The Survey Certificate of the building showing the position of the external walls under construction and in compliance with the approved plans shall be lodged with the principal certifying authority. Any easements must be shown on the Survey Certificate.
10. A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 shall be supplied to the principal certifying authority prior to commencement of works.
11. A copy of receipt of payment of Long Service Levy shall be provided to the Principal Certifying Authority prior to any works commencing on site. Payments can be made at Long Service Corporation offices or most Councils.
12. At least two days prior to commencement of works, notice is to be given to Hawkesbury City Council, in accordance with the Environmental Planning and Assessment Regulation.
13. The applicant shall advise Council of the name, address and contact number of the principal certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1979.
14. Toilet facilities (to the satisfaction of Council) shall be provided for workmen throughout the course of building operations. Such facility shall be located wholly within the property boundary.
15. A sign displaying the following information is to be erected adjacent to each access point and to be easily seen from the public road. The sign is to be maintained for the duration of works:
 - (a) Unauthorised access to the site is prohibited.
 - (b) The owner of the site.
 - (c) The person/company carrying out the site works and telephone number (including 24 hour 7 days emergency numbers).
 - (d) The name and contact number of the Principal Certifying Authority.

During Construction

16. Exterior surfaces of the proposed structure shall be painted or treated with an earth toned non-reflective material.
17. Site and building works (including the delivery of materials to and from the property) shall be carried out only on Monday to Friday between 7am - 6pm and on Saturdays between 8am - 4pm.

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18. The site shall be kept clean and tidy during the construction period and all unused building materials and rubbish shall be removed from the site upon completion of the project. The following restrictions apply during construction:
 - (a) Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path or easement, natural watercourse, footpath, kerb or road surface and shall have measures in place to prevent the movement of such material off site.
 - (b) Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken only within the site.
 - (c) Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a Waste Disposal Depot.
19. Inspections shall be carried out and compliance certificates issued by Council or an accredited certifier for the following components of construction:
 - (a) internal sewer or stormwater lines prior to covering;
 - (b) steel reinforcement prior to pouring concrete;
 - (c) external sewer or stormwater lines, prior to backfilling;
 - (d) the first storey floor joists, prior to the fixing of any flooring material;
 - (e) framework, after the installation of all plumbing, drainage and electrical fixtures, and after the external cladding and roof covering has been fixed prior to fixing of internal linings and insulation;
 - (f) wet area flashing, after the installation of bath and shower fixtures;
 - (g) on completion of the works;
20. All roofwater shall be drained to the street gutter. Where a ferrule has been provided in the kerb, such drainage shall be connected to it. Drainage across the footpath shall be 100mm sewer grade pipe.
21. Council records indicate that the building site is at a level of approximately 12.3 metres AHD. All materials used in the construction below the level of 17.3 metres AHD shall be capable of withstanding prolonged immersion in water without swelling, deteriorating or affecting the structural integrity of the building.
22. A registered surveyor's certificate indicating that the level of the top of the concrete slab formwork/floor joists for the lowest habitable floor is at or above 16 metres Australian Height Datum shall be obtained prior to placement of concrete.

Alternatively, a defined bench mark AHD level shall be identified by survey report on a fixed location immediately adjacent to the building (eg. top of concrete strip footing, top of poured concrete pier).

The surveyor's certificate shall be provided to both Hawkesbury City Council and the Accredited Certifier (if not HCC) prior to any structure being erected on the concrete.
23. The development shall be treated for termites in accordance with the Building Code of Australia and AS 3660 as amended by a suitably qualified person with particular attention to timber floors, slab penetrations, joints between slabs, additions to existing buildings.

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Details of the type and method of treatment are to be provided to the Principal Certifying Authority and a copy of durable material to be located in the meter box and at the entrance to any crawl space if chemicals are sprayed or pressurised into the soils.

24. An automatic fire detection and alarm system shall be installed within the building in accordance with the Building Code of Australia for Class 1A and 1B Dwellings. Alarms and Detectors shall be installed by a licensed electrician and multiple alarms shall be interconnected, an certificate of the installation shall be provided prior to occupation of the building or addition.

Prior to Issue of Occupation Certificate

25. The following certificates are to be provided, stating the name of person or company carrying out the installation, type of material and the relevant Australian Standard to which installed:
- (a) The type and method of termite treatment (complying with AS 3660) provided to walls and floors, pipe penetrations, jointing of new work to existing and slab perimeters. A copy of the termite treatment and materials used shall also be securely fixed inside the meter box for future reference.
 - (b) Glazing materials installed in the building in accordance with AS1288 and AS2047 - Glass in Buildings - Selection and Installation, e.g. windows, doors, footlights and showers.
 - (c) The type of timber installed indicating both species and durability as required by AS 1684.
 - (d) An automatic smoke detection system installed in residential development by a licensed electrician. Smoke alarms must comply with AS 3786 and be connected to the consumer mains power where supplied to the building.
 - (e) A statement or other suitable evidence shall be submitted to the Principal Certifying Authority, certifying that all commitments made on the BASIX certificate have been implemented and installed as approved.
26. Construction of any sewer works are not to commence until three copies of the sewer plans along with a Minor Sewer plans along with a Minor Sewer Works application are submitted to the Branch Manager of Water and Waste Management for assessment and approval.

ATTACHMENTS:

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

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AT - 1 Locality Plan

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

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AT - 2 Site Plan and Elevations

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ORDINARY MEETING

Meeting Date: 26 February 2008

AT - 3 Original Huxley Plans

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ORDINARY MEETING

Meeting Date: 26 February 2008

Item: 25 **CP - Modification to Development Consent - Advertising Structure - Adjacent to 244 Richmond Road, Clarendon - (DA0556/07A, 107, 74563, 95498)**

Development Information

Applicant: Falson and Associates Pty Ltd
Owner: Hawkesbury City Council
Zone: Unzoned (Road Reserve)
Date Received: 5 September 2007

Recommendation: Approval

REPORT:

Introduction

The application seeks to modify Development Consent GA080/001 Pt4 under S96 of the EPA Act. The application is being reported to Council as it relates to part of the road reserve.

Description of Proposal

The modification involves the following :

Replace the existing advertising structure (3 way sign at the entry to the Hawkesbury Showground and Racecourse) with a new structure.

The current approved advertising sign involves a 3 wing structure with each panel having an advertising area of 3.6m x1.2m and a height of 3.3m.

The approved sign advertised the Hawkesbury Agricultural Society and the Hawkesbury Race Club motel.

The amended sign involves a pylon sign with 2 sides that will replace the existing structure.

The amended sign has a height of 5.2m and a width of 2.463m down to 1.140m.

The sign will advertise the motel, the next race meeting and the Hawkesbury Agricultural Society and the Hawkesbury Show.

Attached to the report are details of the proposed sign.

Background

Development Application for the existing advertising structure was lodged in April 1998. The sign structure is a "V" shaped sign to notify the up coming events held at the showground. The application was approved on the 3 July 1998

Planning Assessment

Section 96

Sec96(1A)

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The proposed new sign is considered to be substantially the same sign approved. While the dimensions have slightly increased from a height of 3.3 to 5.2m (increase 1.9m) The total advertising area has increased from 12.96sqm (3 sign faces at 4.32sqm) to 17.4sqm (both faces).

The proposed development does not require notification under the Notification chapter of the Hawkesbury DCP. The proposed sign will have a minor impact on the surrounding area when compared to the other pylon signs associated with the hotel and service station that are adjacent to the proposed sign. The sign will provide information and direction to the public for the Hawkesbury Agricultural Society, Hawkesbury Race Club meetings.

State Environmental Planning Policy (SEPP) 64

This Policy aims to ensure that signage (including advertising) is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations, and is of a high quality design and finish. It also aims to regulate signage (but not content) under Part 4 of the EP&A Act and to provide time-limited consents for the display of certain advertisements.

The sign is a business identification sign, which is defined under SEPP 64.

Schedule 1 to the Plan provides the 'assessment criteria' that needs to be considered for an application for signs:

Character of the area

The signage is compatible with the existing character of the area. The signage is compatible with advertising in the vicinity.

Special areas

It is considered that the proposed advertisements will not detract from the amenity or visual quality of the locality

Views and vistas

The proposal does not obscure or compromise important views. The proposal does not dominate the skyline or reduce the quality of vistas. The proposal respects the viewing rights of other advertisers.

Streetscape, setting or landscape

The scale, proportion and form of the proposal is appropriate for the streetscape and setting. The proposal does not deter from the visual interest of the streetscape. The sign will not protrude above buildings, structures or tree canopies in the area.

Site and building

The proposal is compatible with the scale, proportion and other characteristics of the existing building.

Illumination

The proposed internal illumination will not result in any problems and suitable conditions have been imposed.

Safety

The proposed signage will not reduce safety.

Conclusion

The proposed signage is consistent with the objectives of the Policy as set out in clause 3(1)(a) and the application satisfies the assessment criteria specified in Schedule 1 to the Plan.

Signage DCP Chapter

The current sign is not consistent with the requirements for signs in Scenic and rural zones, however given the adjoining commercial developments and the existing approved signage, the industrial commercial requirements are appropriate in this case and the proposed amended development complies with the DCP objectives.

Conclusion

The proposed modification can be considered under S96 of the EPA act and complies with the relevant requirements of SEPP 64 and is consistent with the surrounding commercial advertising structures.

RECOMMENDATION:

That modification application DA0556/07A for an Advertising Structure on the road reserve adjacent to 244 Richmond Road, Clarendon, be approved subject to the following additional conditions:

1. A qualified structural engineer's design for the footings of the sign shall be provided to the Principal Certifying Authority prior to works commencing on the sign.
2. Mandatory inspections shall be carried out and Compliance Certificates issued only by Council or an accredited certifier for the following components or construction:

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

- (a) piers;
 - (b) foundations;
 - (c) on completion of the works;
3. No additional advertising signs or structures shall be erected, displayed or affixed on any building or land without prior approval.
 4. No additional advertising signs or structures shall be displayed on the footpaths, pedestrianways, roadways or on any land other than the approved development site.
 5. 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.
 6. Any outdoor lighting design shall comply with the requirements of Part 5 Chapter 7 of Australian Defence Force Publication 602 "Extraneous Lighting Near Aerodromes" and Section 9.21 of Civil Aviation Safety Authority Manual of Standards Part 139 Aerodromes. Details demonstrating compliance are to be submitted with the Construction Certificate application.
 7. Luminaries with no upward light component (eg aeroscreen type) are to be used for any outdoor lighting.
 8. Outdoor lighting installations complying with Part 5 Chapter 7 of ADFP-602 and Section 9.21 of MOS 139 will in most instances be acceptable having regard to aircraft operations. The suitability for aircraft operations of any lighting installation will be subject to both ground and flight survey (inclusive of ATC Tower). Should the installation at the time of survey, or at any future period, be

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considered detrimental to the safety of aircraft operations the Department of Defence or CASA may require the lighting to be extinguished or suitably modified so as to eliminate such concern.

9. Illumination of the proposed sign is not to adversely affect adjoining residential properties or impact traffic movements. In this respect, illumination is not to be flashing or result in continuous change that will adversely impact traffic movement safety.
10. Illumination of the sign is to cease at 12 midnight.

ATTACHMENTS:

- AT - 1** Locality Plan
- AT - 2** Amended Advertising Structure
- AT - 3** Photo of the Existing and Proposed Advertising Structure

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AT - 1 Locality Plan

**To View This Image,
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AT - 2 Amended Advertising Structure

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AT - 3 Photo of the Existing and Proposed Advertising Structure

**To View This Image,
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Item: 26 **CP - Development Application - Two Lot Torrens Title Subdivision - 139 Colonial Drive, Bligh Park - (DA0398/07, 73916, 107, 95498)**

Development Information

Applicant: McKinlay Morgan & Associates Pty Ltd
Owner: Hawkesbury City Council
Zone: 3(a) Business General
 3(a) Business General under Hawkesbury Local Environmental Plan 1989
Advertising: 3 August 2007 to 17 August 2007
Date Received: 16 July 2007

Recommendation: Approval

REPORT:

Introduction

The application seeks approval to subdivide the Tinningi Community Centre from the portion of the site that is proposed for future commercial and residential development. The site is part of the Bligh Park Neighbourhood Precinct Chapter of the DCP.

The application is being reported to Council as there is a variation to the adopted DCP and Council received two submissions raising concerns over the proposed development.

Description of Proposal

The two allotments involve the following:

Lot 1 which has an area of 1.97ha and will be developed in the future for a shopping centre/residential proposal will be subject to a further application at the appropriate time.

Lot 2 has an area of 4448sqm and will contain the existing community centre buildings and basketball court.

The overall site contains an existing 25 space carparking area which is used by the community centre and has vehicle access from Colonial Dr and is setback from the street.

The community centre carpark, following subdivision, will be located on the proposed Lot 1. The relocation of the carpark onto lot 2 as identified on the plan is not part of the DA.

A condition of the sale of proposed lot 1 is that the purchaser will permit to allow the use of the car park for the community centre until such time as they are ready to construct an approved development on the site (Proposed Lot 1).

Once the development construction commences on proposed Lot 1, the owner/developer will be required to construct the carpark on proposed Lot 2 in the area nominated on the subdivision plan.

A draft plan for the layout of the future carpark area for 24 spaces with access from Rifle Range Rd has been submitted with the application.

Planning Assessment

Public Consultation

The application was notified to adjoining and surrounding owners from the 3 to the 18 August 2007. During the notification period two submissions were received from persons who live adjacent to the community centre in Rifle Range Rd.

The submissions raised the following matters:

- The current carpark should be included in proposed lot 2 as it currently provides an overflow facility for parking on the site and Colonial Dr.

Comment: It is proposed to relocate the carparking associated with the neighbourhood centre onto the proposed lot 2. The adopted DCP proposes the location of the commercial building where the existing car park is located and it is not possible to include the car park in lot 2.

- Relocating the carpark will increase noise for residents in Whitton PI

Comment: The proposed car park for the neighbourhood centre has the potential to cause additional impact on the adjacent residences in Whitton PI when compared to the existing car park area in terms of noise source especially later in the evening and early morning.

The main source of the noise would be associated with the use of the centre for private parties and other functions that occur late in the evening and early morning.

This issue can be resolved by relocating and using the future parking associated with the development of the site as shown on the plan contained in the adopted DCP. (Figure 6.1).

The plan contained and referred to in the DCP does not show any carparking or vehicular access located in front of the neighbourhood centre along Rifle Range Rd.

The intent of the DCP was to restrict vehicle access to Colonial Drive and Rifle Range Rd (one way movement separate entry and exit) and car parking to the rear of the neighbourhood centre to reduce potential impact on the surrounding residential properties.

The carpark arrangements in the current application are the main variations to the DCP provisions.

- Potential for congestion along Rifle Range Rd with some functions held at the neighbourhood centre.

Comment: Rifle Range Rd carries a large volume of traffic and is one of the main distributor roads in Bligh Park.

The additional traffic generated by the new car park access is unlikely to cause any significant change to the traffic volumes and congestion in this section of Rifle Range Rd.

However, as previously discussed the DCP adopted by Council for the site's development proposed only specific vehicle access points from Colonial Dr and Rifle Range Rd.

The access to the future car park proposed in front of the neighbourhood centre is inconsistent with the adopted DCP.

- Reduced amount of car parking will be provided in the proposed location.

Comment: The current car park associated with the centre provides 25 spaces.

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The concept car park layout in front of the centre provides for 24 spaces together with on street parking.

The concept car park layout does not provide any landscaping or front setback. This would be a condition for construction of the carpark.

The DCP provision utilises a joint use of the carpark provide for the future commercial development for the proposed lot 1. The DCP in calculating the parking requirements for the future commercial development also considered parking requirements for the existing community uses on site without the need to provide any additional parking for these uses.

Whilst the location of the carpark is proposed to change, the total provision of carparking is considered acceptable.

- Current car park has adequate buffer distances to residences new location does not provide any buffers.

Comment: Whilst the concept plan provides no landscape areas along Rifle Range Rd, the car park is approximately 35m from the nearest residences in Whitton PI. The current car park is located approximately 65m from the nearest residence in Whitton PI.

The car parking located behind the neighbourhood centre as shown on the DCP plan is approximately 90m from the residences in Whitton PI and is also screened by the existing buildings on site.

- Safety aspect with the proposed car park being located close to the basketball court and potential conflict between users of the facility and vehicles.

Comment: This matter can be resolved with suitable design of the car park and fencing of the area to provide a clear separation between the facilities on site and the car park.

Bligh Park Neighbourhood Business Precinct DCP

Council has adopted a site specific DCP that provides guidelines and identifies the requirements for the development of the site (Lot 1249 DP 800323)

The general principles of development are identified in the chapter. These principles are:

- To ensure that development incorporated safe, effective and convenient provisions for servicing, parking and pedestrian/vehicular access and movements.
- To reinforce the vehicular, pedestrian and visual links between shopping, residential and community facilities.
- To minimise the impact of development on the subject land on the adjacent residential areas.

The car park location proposed in the application is considered to be inconsistent with the above principles as it does not minimise impact of the development on the adjacent residential area but would increase impact when compared to the existing situation.

Section 6.6 of the DCP, car parking, refers to Figure 6.1 and that parking should be implemented in accordance with this figure.

The figure shows the car parking located behind the community buildings and no parking along Rifle Range Rd in front of the existing buildings.

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The intent of the proposed location was to reduce potential impact on the surrounding residential area and provide a suitable streetscape presentation to both Rifle Range Rd and Colonial Dr.

The car parking calculation for the development of the site incorporated both the commercial and community uses.

Section 6.8 of the DCP provides landscaping requirements and the aim is to incorporate the existing remnant vegetation on site into the landscaping plan.

The proposed car park located in front of the neighbourhood centre will involve the removal of some existing remnant trees. The proposed car park at the rear of the centre may also involve some tree removal.

The concept plan for the carpark on the proposed Lot 2 is generally not supported. A detailed design of the carpark in this location will be required to address the issues of pedestrian/vehicle separation, landscaping and tree retention along the frontage of Rifle Range Road, and vehicular movements to and from the site. This would be the subject of a separate application.

Section 79C

a) the provisions of:

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

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

The Planning Instruments which are considered to control development on the site are;

- Sydney regional Environmental Planning Policy 20.
- Hawkesbury City Council Local Environmental Plan 1989. (HLEP)

Comment: The proposal is not inconsistent with the relevant Planning Instruments.

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

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

iii) any development control plan applying to the land

Refer to comments made previously on the Bligh Park Neighbourhood Business Precinct

iv) any matters prescribed by the regulations

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

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

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

c) the suitability of the site for the development

The site is suitable for the development.

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

Matters raised considered previously in the report

e) the public interest

The matter is not considered to be contrary to the general public interest.

Conclusion

The sale of the proposed Lot 1 (development site), which contains the existing car parking used by the community uses (on proposed Lot 2), will contain a requirement that will permit the use of the car parking area by the community uses until the future development construction works commence and then temporary arrangements can be made for an interim period until the final carpark is constructed.

RECOMMENDATION:

That development application DA0398/07 for a Two Lot Torrens Title Subdivision at Lot 1249, DP 800323, 139 Colonial Drive, Bligh Park be approved subject to the following conditions:

General

1. The development shall take place in accordance with the stamped plans, specifications and accompanying documentation submitted with the application except as modified by these further conditions.
2. The proposed car park shown on the approved stamped plans does not form part of this approval. The proposed car park will require separate approval with detailed plans, satisfactorily addressing vehicle/pedestrian separation, landscaping and tree retention along the frontage of Rifle Range Road, and vehicular movements to and from the site, being submitted for approval as part of that application.

Prior to Issue of Subdivision Certificate

3. A Certificate from a telecommunications carrier confirming that provision has been made for services to the development shall be submitted to the Principal Certifying Authority.
4. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

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

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

5. Written clearance from Integral Energy shall be submitted to the Principal Certifying Authority.
6. A plan of subdivision prepared to the requirements of the Land Titles Office, shall be submitted to Council, with four copies.
7. A survey plan showing all existing services on the lots including septic tank and effluent disposal area, sewer connections, water connections and stormwater disposal shall be submitted. The plan shall demonstrate that there are no encroachments over remaining or proposed boundaries.

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8. Payment of a linen release Fee in accordance with Council's Fees and Charges at the time of lodgement of the linen plan.
9. Details to be provided of a suitable legal agreement that provides satisfactory interim arrangements for the use of the existing car parking and access associated with the community uses which is located on proposed lot 1 until the final car park and access is completed.

ATTACHMENTS:

- AT - 1** Location Plan
- AT - 2** Subdivision Layout
- AT - 3** Figure 6.1 from the Bligh Park Neighbourhood Business Precinct Chapter of the DCP

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AT - 1 Location Plan

**To View This Image,
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AT - 2 Subdivision Layout

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ORDINARY MEETING

Meeting Date: 26 February 2008

AT - 3 Figure 6.1 from the Bligh Park Neighbourhood Business Precinct Chapter of the DCP

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oooO END OF REPORT Oooo

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Item: 27 CP - Request from Penrith Council to take up the 3 year extension option for Animal Shelter services to their Council - (39906, 73553)

REPORT:

Hawkesbury City Council is currently providing animal shelter facilities and services to Penrith City Council under a five year agreement, which has an option to be extended by three one year periods with agreement by both parties. The current agreement commenced on 1 October 2002.

Penrith City Council has recently resolved, that the option mentioned in the agreement be taken for the entire three year period with no changes to the current agreement conditions.

It is considered that the extension to the agreement as requested will be acceptable to our organisation, subject to the normal CPI annual adjustments to the fees for service.

Council staff have established a good working relationship with the animal compliance section of Penrith Council, and are more than happy for this arrangement to continue until a new agreement is established at the end of the current agreement extension which would expire on 1 October 2010.

Conformance to Strategic Plan

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

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

Funding

If the extension to the agreement is approved, current income received will be subject to an annual CPI increase adjustment.

RECOMMENDATION:

That:

1. The request by Penrith City Council to take up the three year extension to the current agreement for the provision of animal shelter housing and services be approved.
2. Authority be given for any documentation in connection with the extension of the current agreement to be executed under the Seal of Council if necessary.
3. A letter be forwarded to Penrith City Council thanking them for their confidence in having Hawkesbury City Council provide them with continued animal shelter services, and agreeing to the extension of the current agreement by three years, with an expiry date of 1 October 2010.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 26 February 2008

Item: 28 **CP - Acceptance of Funding Variation for Centre Based Meal Program - Department of Ageing Disability and Home Care (DADHC) - (78340, 79342)**

Previous Item: 22, Ordinary (13 February 2007)

REPORT:

This report has been prepared to seek Council's approval to execute a variation to an existing funding agreement with the Department of Ageing Disability & Home Care (DADHC) for additional funds for a centre-based meals and activity program for geographically isolated older people.

Background

- In 2004, as part of the Home and Community Care (HACC) planning process, a need to establish a specialist centre-based meals program for older people living in outlying areas of the Hawkesbury LGA was identified as a district priority.
- In January 2005, Hawkesbury City Council (through Peppercorn Services Inc) was invited to participate in a selective tender for the provision of this program. The tender was designed to establish an integrated meals and social activity program at the Seniors Centre in Richmond. The tender specifically targeted people living in isolated communities within the Hawkesbury and accordingly included a transport component.
- In January 2007, Council received written advice that its tender bid was successful and that an amount of \$87,805 per annum would be provided to operate a centre-based meals and activity program. In February 2007, Council executed a funding agreement with DADHC for this program. Responsibility for the management and operation of the program was delegated to Peppercorn Services Inc.

Current Situation

In the first half of 2007, Peppercorn Services Inc allocated \$98,000 of its own funds to undertake an upgrade of the kitchen in Hawkesbury Senior Citizens Centre in March Street Richmond to meet current food preparation standards and regulations to accommodate the centre-based meals program.

In September 2007 the program commenced. The program provides a home cooked meal and social support for the HACC target group (frail older people and younger people with a disability) living in the Hawkesbury who are socially or geographically isolated. The program currently operates for two days per week with an average of 20 service users per day. Bookings for the program have been growing and it is expected that the program will reach full capacity (30 services users per day) by the beginning of March 2008.

Feedback from service users has been very positive with users commenting favorably on the quality of the meals provided.

In December 2007, DADHC advised Council of a decision to provide a further Direct Allocation of \$20,000 recurrent funds to support the Meals Program with an additional one-off allocation of \$6,240 for equipment purchase for the Transport component of the Program. It is intended that the additional funding provided by DADHC will be used to establish a social support component for the program through the employment of a social support worker to be based at the Seniors Centre.

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Conformance to Strategic Plan

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

"Objective: Work in partnership with Community and Government to implement plans to meet the social, health, safety, leisure and cultural needs of the City."

Funding

Funding for the centre-based meals program is 100% derived from external grants - there is no requirement for a Council contribution.

RECOMMENDATION:

That authority be given to execute, under the Seal of Council, a variation to the funding agreement with the Department of Ageing Disability and Home Care to accept an additional \$20,000 recurrent grant and a \$6,420 non-recurrent grant for the centre based meals and activity program operating from the Hawkesbury Seniors Centre.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

Item: 29 CP - Virtual Village Strategic Alliance - (95489)

Previous Item: 243, Ordinary (13 November 2007)

REPORT:

This report has been prepared to advise Council of the in-principle agreement reached by stakeholders to submit an agreed draft memorandum of understanding for ratification by proposed signatories. The memorandum of understanding outlines a process for investigating the creation of a 'virtual village' to supply accommodation and support services for people with disabilities within the City of Hawkesbury.

Background

- As previously reported to Council, the impetus for the idea of creating a virtual village arose from the recognition of a critical lack of accommodation and respite for people with a disability in the City of Hawkesbury.
- The 'virtual village' concept was based on the idea of providing accommodation for people with disabilities within the community in residential properties scattered across one or two suburbs in close proximity to major services and facilities. These properties would be sourced and either purchased or obtained on a long term or permanent basis from community housing providers and/or through the private rental market. IT connectivity would be a critical element within the 'virtual village' and would facilitate the delivery of on-line social support, education and leisure services. The operation of the 'virtual village' would be financed through a combination of resident income, grants and brokerage.
- It was proposed that a Memorandum of Understanding be negotiated to establish a service alliance where signatories would agree to work together to prepare a project plan to ascertain the feasibility and requirements for creating a 'virtual village' within the City of Hawkesbury. In considering this matter Council resolved on 13 November 2007 the following:
 - "1. That Hawkesbury City Council endorse the negotiation of a draft memorandum of understanding with appropriate agencies to investigate the possibility of creating a 'virtual village' to supply accommodation and support services for people with disabilities within the City of Hawkesbury.
 2. The draft Memorandum of Understanding be reported to Council for its consideration."

Current Situation

In December 2007, discussions were held between representatives of Hawkesbury Community Financial Services Ltd.; North West Disability Services Inc.; Peppercorn Services Inc.; Richmond Club Limited ; Wentworth Area Community Housing and Council staff on the wording of a memorandum of understanding for a 'virtual village' strategic alliance. Agreement was subsequently reached and the draft MoU is submitted to Council for ratification (Attachment 1).

The draft MoU seeks to establish a working group drawn from its signatories for the primary purpose of preparing a project plan to assess the feasibility of creating a virtual village (having regard to the matters specified in Clause 17 of the MoU). The MoU construes the project plan as a non-binding document which is to be considered by members of the service alliance in accordance with the governance arrangements applying to each member. The completed project plan would be reported to signatories to enable each signatory to determine their capacity for continued participation in the virtual village strategic alliance having regard to their own organisational policies, plans and objectives.

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The draft MoU acknowledges that the participation of signatories is made on a voluntary 'good faith' basis and recognises the right of signatories to withdraw from the alliance. The draft MoU is time-limited and will cease upon the completion and reporting of the project plan to its signatories.

The proposed signatories to the draft MoU have advised that the draft MoU has been ratified by their respective boards of management.

Conformance to Strategic Plan

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

"Investigating and planning for the City's Future in consultation with our community, and coordinating human and financial resources to achieve this future."

Funding

There are no funding implications arising from this report. The use of Council staff resources required to implement the proposal is consistent with objectives contained in Council's Community Plan.

RECOMMENDATION:

That Hawkesbury City Council agree to execute the draft *Memorandum of Understanding: Establishment of an alliance to develop a business plan for creating a 'virtual village' - an accommodation and support project for people with disabilities.*

ATTACHMENTS:

AT - 1 (Draft) Memorandum of Understanding: Establishment of an alliance to develop a business plan for creating a 'virtual village' - an accommodation and support project for people with disabilities.

AT - 1 (Draft) Memorandum of Understanding:
Establishment of an alliance to develop a business plan for creating a 'virtual village' -
an accommodation and support project for people with disabilities

Memorandum of Understanding

**Establishment of an alliance to develop a business plan for
creating a 'virtual village' -
an accommodation and support project for people with
disabilities.**

**Hawkesbury City Council.
Hawkesbury Community Financial Services Ltd.
North West Disability Services Inc.
Peppercorn Services Inc.
Richmond Club Limited
Wentworth Area Community Housing.**

February 2008

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Parties to the Memorandum of Understanding (MOU)

1. This MOU is between the following organisations:
 - 1.1 Hawkesbury City Council (ABN 54 659 038 834) of 366 George St, Windsor, NSW 2756 ('Council').
 - 1.2 Hawkesbury Community Financial Services Ltd (ABN 97 099 838 463) of 36 Riverview St, North Richmond, 2754 ('Bendigo').
 - 1.3 North West Disability Services Inc. (ABN 28 713 967 409) of Conie Avenue, Baulkham Hill 2153 ('North West').
 - 1.4 Peppercorn Services Inc. (ABN 34 611 224 255) of 320 George St. Windsor NSW 2756 ('Peppercorn').
 - 1.5 Richmond Club Limited (ABN 14 001 034 911) of 6 East Market St., Richmond NSW 2753 ('Richmond').
 - 1.6 Wentworth Area Community Housing Ltd (ABN 50 003 076 337) of Level 2, 148 Henry Street, Penrith NSW 2750 ('Wentworth').

Purpose

2. The purpose of the MOU is to record the commitment of each party to:
 - 2.1 the establishment of an Alliance to investigate the possibility of creating a 'virtual village' to supply accommodation and support services for people with disabilities within the City of Hawkesbury;
 - 2.2 the commissioning of a working party to undertake work on behalf of the Alliance;
 - 2.3 providing access to the skills, resources and expertise held by each partner to assist in the preparation of a project plan to ascertain the feasibility and requirements for creating a 'virtual village' within the City of Hawkesbury.

Background

3. 'Bendigo' and 'North West' have been in discussion for over 6 months to explore the concept of a 'Disability Village'. The impetus for these discussions arose from the recognition of a critical lack of accommodation and respite for people with a disability in the City of Hawkesbury.
4. The 'Disability Village' concept as originally conceived was to create a community village on UWS property with the capacity to accommodate up to 50 people. The village would provide support facilities for day care, a respite cottage and full residential care. At least half of the accommodation units within the village would be reserved for people with disabilities with the remainder to be offered to university students, older people and/or for community (market) rental. A range of accommodation options would be provided including group homes, single unit dwellings and duplex buildings.
5. Bendigo' and 'North West' envisaged an eco-friendly development based on sustainable principles including the harvesting and recycling of rainwater and waste-water, solar electricity generation (back to grid), and a community garden and animal husbandry.

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6. The disability village was to be located on a 2 hectare (five acre) parcel of land in close proximity to Richmond with the possibility of the village being co-located within an existing aged care facility or on the University of Western Sydney (Hawkesbury) campus. Seed funding for the establishment and design of suitable premises on a phased programme was included in the proposal with the seed funding to be provided by 'Bendigo'. Additional funding support was to be obtained from Local, State and Federal government, the business community and interested families with 'North West' providing operational, disability planning, and management expertise.
7. 'Bendigo' and 'North West' have approached potential project partners and government agencies to ascertain the availability of land and funding support for the proposal. The response from these agencies, although encouraging, highlighted range of practical constraints which currently would seem to preclude the project from being realised within a reasonable time-frame. Central among these constraints was the absence of an integrated resource allocation framework - the capital and operational funding programs administered by relevant government agencies were competitive, prescriptive and compartmentalised and did not readily lend themselves to be applied to the project. The proposed location of the disability village on UWS land is also constrained by legislative provisions which limit the lease of UWS lands to a period of (at most) 21 years. The position of UWS regarding involvement and/or the provision of UWS lands for permanently locating a virtual village will require further clarification.
8. Discussion between 'Bendigo', 'North West' and 'Council' gave rise to an alternate 'virtual village' concept. The 'virtual village' concept was based on the idea of providing accommodation for people with disabilities within the community in residential properties scattered across one or two suburbs in close proximity to major services and facilities. These properties would be sourced and either purchased or obtained on a long term or permanent basis from community housing providers and/or through the private rental market. Richmond and Hobartville were identified as the most appropriate locations for a 'virtual village'.
9. IT connectivity would be a critical element within the 'virtual village' and would facilitate the delivery of on-line social support, education and leisure services. Properties within the 'virtual village' would be connected by the internet to each other and to support services.
10. People with disabilities residing within the virtual village would have access to day care, supported employment and other support services which would be provided 'off-site' in existing community facilities operated by 'Council' or other providers. People would attend these services using available public or community transport services.
11. A service alliance would underwrite the virtual village. 'Wentworth' (as a community housing provider) would deliver property management services, and allocate community housing stock and/or procure private rental housing for people with disabilities; 'Council' and 'Richmond' (as operators of community facilities within the City of Hawkesbury) would provide access to community facilities for the provision of support and day care services, 'North West' and 'Peppercorn' (as disability service providers) would deliver mentoring, social support, life skills and transport services to residents, and 'Bendigo' would provide seed funding for premises procurement/fit out and could also deliver banking and related financial services.
12. The operation of the 'virtual village' would be financed through a combination of resident income, grants and brokerage. Funds would be sourced from existing grant programs which are currently made available to the service alliance to conduct their operations, and would be expanded by additional funds secured from government agencies which would be tailored to meet the objectives of the virtual village while also complying with the requirements of grant programs. This funding would be supplemented by the income of residents and their families.
13. The primary objective of the 'virtual village' will be to provide accommodation and support services for people with disabilities in a way that best integrates them into the life of the Hawkesbury community, and wherever possible offers them the same lifestyle options and life skills opportunities available to all residents of the City.

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Project Plan

14. Members of the service alliance agree that they will work collaboratively to investigate the feasibility of creating a 'virtual village' within the City of Hawkesbury.
15. Members of the service alliance agree to establish a Feasibility Working Group (FWG) to develop a project plan for a virtual village. The FWG will include:
 - 15.1 The Chairman of Hawkesbury Community Financial Services Ltd. (and other members of the Board as may be appointed by HCFS Ltd).
 - 15.2 The Branch Manager of The North Richmond Community Bank Branch of the Bendigo Bank, North Richmond.
 - 15.3 The Chief Executive Officer of North West Disability Services Inc. (and other directors as may be delegated by NWDS Board).
 - 15.4 The Executive Manager Community Partnerships of Hawkesbury City Council (and other staff as may be delegated by the EMCP).
 - 15.5 The Executive Officer of Wentworth Area Community Housing (and other members as may be appointed by the Board of WACH or the Executive Officer).
 - 15.6 The Service Manager (Disability and Aged Services) of Peppercorn Services Inc. (and other staff as may be delegated by the SM-DAS).
16. The FWG may co-opt other members of the service alliance as may be required to provide advice or otherwise contribute to the completion of the project plan.

Role of the Feasibility Working Group (FWG)

17. The FWG will meet as required to complete a Virtual Village Project Plan (VVPP) which will identify;
 - 17.1 the level of revenue and investment streams that would be required to develop and operate a virtual village;
 - 17.2 sources of finance to establish and operate a virtual village;
 - 17.3 preferred housing designs, housing types and location of properties within a virtual village;
 - 17.4 the level of transport and support services, and access to community facilities that would be required to meet the needs of residents within the virtual village;
 - 17.5 information technology linkages required to support and complement the delivery of learning, social support and leisure services to residents within a virtual village;
 - 17.6 a service framework for the co-ordinated delivery of property management, community support, transport and other service to residents;
 - 17.7 strategies for the staggered development of a virtual village;
 - 17.8 opportunities to procure or tender for funds administered by state and federal agencies to establish and operate a virtual village;
 - 17.9 an implementation strategy for the VVPP;
 - 17.10 possible service partnership models and/or legal structures that would best facilitate the establishment and operation of a virtual village.

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- 17.11 the mechanics of a preferred consortium agreement including the identification of 'lead agency' best positioned to submit for funds and administer the Project on behalf of the consortium.
18. The FWG will elect one of its members to act as a convenor. The FWG will also nominate one of its members to act as spokesperson for the FWG and Alliance in matters relating to the role of the FWG and the provisions of this MOU.
19. The FWG will endeavour to achieve consensus in relation to the preparation of information outlined paragraph 17. Where a consensus position is unable to be reached, a matter will be determined by a simple majority with each organisation represented on the FWG having an equal vote.

Governance

20. The VVPP is to be regarded as a non-binding document which is to be considered by members of the service alliance in accordance with the governance arrangements applying to each member.
21. After considering the VVPP, members of the service alliance shall determine their capacity for their continued participation in the implementation of the VVP having regard to their organisational policies, plans and objectives.
22. Participation on the Alliance is voluntary and the right of members to withdraw from the alliance will be recognised by all parties to this MOU.
23. This MOU will be in force for a period of nine months or upon the completion and reporting of the VVPP to members of the Alliance. Where required, the term of the MOU will be extended to enable the FWG to complete the VVPP.

Execution

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 26 February 2008

Item: 30 **CP - Proposed Change of Name - Hawkesbury District Senior Citizens Centre - (73512)**

Previous Item: 318 Ordinary (1 November 2005)

REPORT:

This report has been prepared to seek Council's concurrence to a proposed change of name for the Hawkesbury District Senior Citizens Centre. The report recommends that the Centre be renamed the Hawkesbury Seniors Leisure and Learning Centre.

Background

- The Hawkesbury District Senior Citizens Centre in March Street, Richmond, was opened in 1972. Up until 2004, the Centre was managed by the Hawkesbury District Senior Citizens Centre Committee Inc. under a Section 377 Delegation.
- In June 2004 the Committee advised Council that due to increasing costs of running the centre, and the ageing of its members, it requested that Council revoke its Delegation. In July 2004, Council delegated care, control and management of the Centre to Peppercorn Services Inc (PSI).
- In July 2005, a Seniors Survey was conducted by PSI to gauge the views of senior residents about how the Centre could be improved. The findings of the Survey were reported and adopted by Council and have been used to inform the development of the Seniors Centre.

The Changing Role of Senior Citizens Centres

The operations of the Hawkesbury Senior Citizens Centre have expanded to accommodate new services and functions such as the Hawkesbury Seniors Gym, the Hawkesbury Seniors Computer Group, a centre-based meals program and a revitalised University of the Third Age (U3A) learning program. As reported elsewhere in the Business Papers, additional funding has been recently obtained from the Department of Ageing Disability and Home Care to employ a social support worker who will be based at the Centre.

These developments mirror trends that are occurring across the seniors centres sector. There has been a move towards creating a more dynamic role for Senior Citizens Centres by reinventing them as centres which can support life-long learning and active leisure programs instead of the traditionally sedate activities previously associated with Seniors Centres. These trends carry implications for how seniors centres are identified and their membership criteria.

Accordingly, in September 2007 The Board of PSI conducted a survey of members of the Hawkesbury District Senior Citizens Centre to obtain their views on a proposal to change the name of the Centre to the Hawkesbury Seniors Leisure and Learning Centre. 95% of the 122 respondents to the survey supported the proposal. The Survey also canvassed lowering the age for membership of the Centre from 60 to 50 years - this was also supported by 95 % of respondents.

The outcomes of the Survey were considered by the Board of PSI at the January 2008 Board Meeting. The Board subsequently resolved to forward a report to Council requesting that Council give consideration to changing the name of the Hawkesbury District Senior Citizens Centre to the Hawkesbury Seniors Leisure and Learning Centre.

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Conformance to Strategic Plan

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

"Work in partnership with community and government to implement community plans to meet the social, health, safety, leisure and cultural needs of the City."

Funding

The proposal to change the name of the Seniors Centre will require changes to be made to service directories and other documents. These changes can be accommodated without additional cost when these documents are required to be renewed or updated. The proposed name change will require the existing sign outside the Seniors Centre to be updated - advice from Building Services indicates that this may cost up to \$500. Should Council not be in a position to meet this cost, Peppercorn Services Inc. has sufficient funds in its building reserve to fund the updating of the sign.

RECOMMENDATION:

That Council rename the Hawkesbury District Senior Citizens Centre as the Hawkesbury Seniors Leisure and Learning Centre.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 26 February 2008

INFRASTRUCTURE SERVICES

Item: 31 **IS - Earth Hour - 29 March 2008 - (95495)**

REPORT:

Earth Hour, which will be held on 29 March 2008, is an event held in an effort to raise awareness of practical solutions to climate change. Electricity for homes and workplaces currently accounts for one third of Australia's greenhouse gas emissions, and consumption is growing rapidly. Using energy more efficiently and developing sustainable sources of power are environmental and economic imperatives.

In looking for short term energy savings for Earth Hour, it is envisaged that many participants will also identify practical and permanent changes to save electricity and reduce their energy costs. The event will also raise awareness of the range of programs available to homes and businesses to help increase their energy efficiency.

It is to be noted that at all times during Earth Hour security measures will not be compromised as essential lighting around public amenities/facilities and public services will be maintained.

Residents and businesses will be encouraged to participate in Earth Hour and will be notified by way of Media Release, Mayoral Column and inclusion in the "What's On" Guide.

Conformance to Strategic Plan

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

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

"Strategic Direction: Promote environmental awareness and encourage community participation in management of natural, cultural and heritage assets."

Funding

Nil impact on current funding.

RECOMMENDATION:

That:

1. Council participate in Earth Hour by switching off all non-essential lighting for one hour at 8pm on Saturday, 29 March 2008.
2. Residents and businesses be encouraged to participate in Earth Hour through appropriate media channels.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 26 February 2008

SUPPORT SERVICES

Item: 32 SS - December 2007 Quarterly Review - 2007- 2008 Management Plan - (96332, 95496)

REPORT:

Within two months of the end of each quarter, Council is required to review progress in achieving the objectives set out in its Management Plan.

Management Plan

Council adopted its Management Plan for 2007/2008 on 25 June 2007.

Section 407 of the Local Government Act 1993 requires the General Manager to report to Council the extent to which strategies set by the Council's current Management Plan have been achieved during that quarter.

The December 2007 quarter review has been prepared and is attached for Council's information.

Financial Position

As part of the Management Plan review, Clause 203 of the Local Government (General) Regulation 2005 requires a revised estimate of the income and expenditure for the year.

The December 2007 review recommends budget adjustments that result in a small surplus adjustment for the quarter, made up of a number of both positive and negative impacts on the adopted budget.

It should be noted that this result now represents the seventh consecutive quarter in which a surplus has been achieved in the quarterly review. This is a notable turn-around from a significant number of previous quarterly reviews which required significant reductions in expenditure to avoid deficient results in those reviews.

The more significant items include:

Operational Expenditure Variations

Rates – Favourable Variance \$8.5K

Savings of \$13.5K were identified in the rates payable estimates in the property management department. \$5K of these savings was absorbed by an unfavourable variance in rates payable in the parks department.

Dead and discontinued stock write off - Unfavourable Variance \$60K

A review of existing stocks currently held at Council's works depot, resulted in a net loss of \$60K estimated after the sale of obsolete stock.

Stormwater Management Budget - Nil

A budget is being processed for the stormwater management program for the first year of the revised program. The stormwater management program is fully funded from the stormwater management reserve - hence the nil effect. These budget adjustments reflect the Council resolution of 11 December 2007.

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Co-Generation Plant Operational Expenditure - Unfavourable Variance \$187K

The budget for operational expenditure incurred in running and maintaining the co-generation plant has been revised and an increase of \$187K is being requested in this review. This consists of \$36K in respect of gas expenditure, \$3K for electricity charges, \$5K for insurance, \$7K for buildings maintenance and \$136K for plant maintenance.

In relation to gas expenditure, an unbudgeted unit price increase for 2007/08 has been brought to account in this review. Plant maintenance expenditure has been affected by a major engine rebuild due to a corrosion problem. The cause of this problem has been rectified by the installation of a heat exchanger and header tank specifically for the after cooler.

Road works program – Funds not utilised \$200K

Savings were identified in the road works program budgets. Following a detailed review, funds not utilised have been transferred to the plant replacement budget.

Risk Management – Unfavourable Variation \$35K

A budget adjustment of \$35K is being requested to cover over expenditure in the workers compensation self-insurers program. These costs are in relation to the Workcover audit and other administration costs incurred in relation to maintaining our self-insurers licence.

Operating Revenue Variations

Co-Generation Electricity Charges to Outside Bodies - Unfavourable Variance \$37.4K

The estimated income to be received from outside bodies for electricity charges is being reduced by \$37K. This results from a budgeting error regarding gas income.

Visitor Information Centre – Nil

A review of budget and operational responsibilities for the Visitor Information Centre has been undertaken, and the budget has been transferred from the Strategic Activities Department to the Cultural Services Department.

Capital Variations

Plant Replacement Program – Extra Funds required \$356K

Due to a combination of increased purchase costs of major plant combined with plant income not matching funds required for replacement, some major plant replacement has been deferred from previous programs.

Following a review of plant, it has been determined that various items need to be replaced to minimise overall cost to council due to increased plant maintenance costs. The revised plant replacement program is in line with Councils' plant replacement policy. Replacements have been prioritised taking into consideration the current balance of the plant replacement reserve and other possible funding sources. A review of internal plant hire rates is underway to bolster the plant replacement reserve.

Fleet Management – Favourable Variance \$9K

A review of the current fleet requirements and provisions for replacements in the 2007/2008 financial year has resulted in a favourable adjustment of \$9K. An adjustment for an additional leaseback vehicle in the Design and Mapping Section is being requested. These funds are covered by savings in salaries from the delay in appointing a Senior Design Engineer.

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Buildings Works Program – Favourable Variance \$250K

The building works program has been reviewed and savings have been identified. The major savings come from the recent painting tender, which was significantly below budget expectations. Other savings come from projects previously completed last year and from projects where the originally budgeted maintenance is now not required.

Additional Works Library – Unfavourable Variance \$36K

A budget adjustment of \$36K is being requested for the replacement of the kitchenette at the Richmond Library \$6K, new library computer equipment and software \$13K and \$17K to provide signs for the Deerubbin Centre buildings.

Grants

Ministry of Arts Grant – Grant received \$69K

A grant in respect of the Museum Curator funding has been received from the Ministry of Arts. As the salary for the curator was included in Council's 2007/2008 employee costs budget estimates, these funds are a surplus in the Cultural Services Department.

Natural Disaster Claim - Grant received \$1.6M

The State Government (via the RTA) is subsidising costs incurred in emergency and restoration works required as a result of the June 2007 storms. The adjustment included in this review is neutral, consisting of an equal amount of \$1.6M for income and the corresponding amount for expenditure.

Natural Disaster Wind Storms September 2006 - Grant received \$11K

Council received \$10,886 in respect of the final claim under the State Government's Natural Disaster Relief Program, to assist Council in funding the restoration of Council's assets damaged by the windstorms and bushfires in September 2006. As funds were spent in the 2006/2007 financial year, these funds are now a surplus income in the Parks Department.

Natural Disaster Grant for Parks & Buildings - Grant received \$82K

The Department of Commerce provided Council with a grant for \$82K to assist in the repairs required following the storms of June 2007. This funding is specific to parks and buildings repairs, and covers 100% of the emergency works performed, and 75% of restoration works required. Council is required to fund the remaining 25% of restoration works, amounting to \$17K, and has been covered by existing funds from the parks and buildings maintenance budgets.

Provision for Contingencies - Favourable

It is proposed that the surplus of \$20,144 resulting from this Quarterly Review is transferred to the Contingency Reserve.

Conformance to Strategic Plan

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

"Objective: Preparation of quarterly reviews of management targets and financial information"

Funding

Funding and budget impacts have been specified within this report and attached review documents.

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RECOMMENDATION:

That the:

1. Information contained in the report on the 2007-2008 Management Plan - December Quarterly Review be received.
2. Quarterly review of the 2007-2008 Management Plan and Financial Statement for the period ending 31 December 2007 be adopted.

ATTACHMENTS:

AT - 1 2007-2008 Management Plan Review - December Quarter - (*distributed under separate cover*)

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 26 February 2008

Item: 33 SS - Monthly Investments Report - January 2008 - (96332, 95496)

REPORT:

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

The following table lists the investment portfolio held by Council at 31 January 2008 in a form compliant with legislative and policy requirements.

All investments have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2005 and Council's Investment Policy.

January 2008

The following table indicates that Council held \$33.5 million in investments as at 31 January 2008. Details of the financial institutions or fund managers with which the investment was made, date investments were taken out, the maturity date (where applicable), the rate of return achieved and the credit rating of the investments are provided below.

Investment Type	Lodgement Date	Maturity Date	Interest Rate %	Principal \$	Rating	Total \$
On Call						
CBA	31-Jan-08		6.70%	1,930,000.00	A1+	1,930,000.00
Cash Fund						
LGFS FOCF	31-Jan-08		7.68%	9,101,592.59	AA	9,101,592.59
Term Investments						
Bankwest	28-Dec-07	26-Feb-08	7.27%	3,000,000.00	A1+	
Bankwest	30-Jan-08	29-Feb-08	7.24%	5,000,000.00	A1+	
IMB Ltd	17-Jan-08	17-Mar-08	7.20%	3,000,000.00	A2	
IMB Ltd	24-Jan-08	25-Feb-08	7.18%	2,500,000.00	A2	
CBA – Range Accrual Note	28-Nov-07	19-Oct-08	7.55%	500,000.00	A1+	
CBA – CPI Linked Note	04-Apr-07	04-Apr-12	9.00%	500,000.00	A1+	
CBA – Equity Linked Note	05-Dec-07	05-Sep-09	0.00%	2,000,000.00	A1+	16,500,000.00
Managed Funds						
ANZ Cash Plus Fund	31-Jan-08		2.53%	2,359.42	AA	
Macquarie Income Plus Fund No 1	31-Jan-08		8.15%	5,987,955.04	A	
ING Enhanced Cash Fund	31-Jan-08		1.08%	1,442.58	A	

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Investment Type	Lodgement Date	Maturity Date	Interest Rate %	Principal \$	Rating	Total \$
Perpetual Credit Income	31-Jan-08		-4.21%	421.25	A	5,992,178.29
TOTAL INVESTMENT AS AT 31 JANUARY 2008						33,523,770.88

Managed Funds

Bench Mark - January 2008	7.26%	Bench Mark - last 12 months	6.78%
Actual - January 2008	4.76%	Actual -last 12 months	3.20%

Performance by Type

Category	Balance	Average Interest	Difference to Benchmark	Restriction Type	Amount
Cash at Call	1,930,000.00	6.70%	-0.56%	External Restrictions -S94	6,286,546
Term Deposit	16,500,000.00	6.41%	-0.85%	External Restrictions - Other	11,517,234
Managed Funds	5,992,178.29	4.76%	-2.50%	Internal Restrictions	10,536,391
Cash Fund	9,101,592.59	7.68%	0.42%	Unrestricted	5,183,599
	33,523,770.88	6.48%	-0.78%	Total	33,523,770

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

External Restrictions – Section 94 Contributions

External Restrictions – Other (reserve details below)

- Waste Management
- Sewerage
- Unexpended Grants
- Stormwater Management

Internal Restrictions (reserve details below)

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

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

In respect of funds subject to internal restrictions whilst it would “technically” be possible for these funds to be utilised for other purposes such a course of action, unless of a temporary internal loan basis, would not be recommended nor would it be “good business practice” as these funds have been allocated for specific purposes (information technology, plant replacement, risk management, etc.) or to meet future known expenses that should be provided for on an ongoing basis (employee leave entitlements, election, etc.).

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

Investment Commentary

The investment portfolio decreased by \$2.4m for the month. The decrease was due to additional expenditure over income for the January period. During January, various income was received totalling \$3m, including rates payments amounting to \$1m, while payments to suppliers and staff costs amounted to \$5.3m.

Managed Fund performance was below the benchmark (UBS Australia) Bank Bill Index in January 2008 with an average return after fees of 4.76%, compared with the index of 7.26%. The managed funds portfolio has achieved a return after fees for the past 12 months of 3.20%, which under performed the (UBS Australia) Bank Bill Index of 6.78% for the corresponding 12 month period.

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

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

Conformance to Strategic Plan

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

"Objective: Maximise return on Council's investment portfolio "

Funding

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

RECOMMENDATION:

That the information be received and noted.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING**Meeting Date:** 26 February 2008**Item: 34** **SS - Consultants Utilised by Council - 1 July to 31 December 2007 - (95496, 79337)****Previous Item:** 187, Ordinary (14 June 2005)**REPORT:**

At the meeting of Council held on 14 June 2005 consideration was given to a report regarding the consultants utilised by Council. That report detailed various consultants, the purpose of the engagement and the expenditure in 2003/2004 and 2004/2005.

Subsequently, in recent years Council has considered reports outlining consultants utilised by Council for six monthly periods, being January to June and July to December each year.

The following table provides details of the various firms/persons the Council has utilised as consultants for the period July to December 2007, detailing the purpose of the consultancies, the funding source, whether there was an external requirement, and the amount paid in this period:

Firm	Purpose	Funding Source	External Requirement	6 Months to 31/12/2007
Archaeological & Heritage Management Solutions Pty Ltd	Heritage assessment Yarramundi Reserve	S94, Grant	No	\$18,203.62
Barker Ryan Consulting Pty Ltd	Design works - McMahon's Park Community Centre car park	S94	No	\$650.00
Barker Ryan Consulting Pty Ltd	Design works - Racecourse Road	Grant	No	\$13,465.00
Berzins Environmental Planning Pty Ltd	LEP template	Grant	State Govt	\$16,000.00
Consulting Earth Scientists	WMF quarterly environmental monitoring	General Funds	State Govt	\$12,771.00
Consulting Earth Scientists	WMF annual report & annual return	General Funds	State Govt	\$6,006.00
Consulting Earth Scientists	WMF sub-surface gas fieldwork	General Funds	State Govt	\$1,040.00
Donald Ellsmore Pty Ltd	Heritage advisory	General Funds	No	\$6,145.00
Dylarna Corporation Pty Ltd trading as The Playground Doctor	Site inspections & reports on Council playgrounds	General Funds	No	\$3,930.00
Harris Page and Associates Pty Ltd	Fire protection services for Windsor Function Centre	General Funds	No	\$3,500.00
HBA Consulting Engineers Pty Ltd	Preparation of design & tender documentation for mechanical services at HCC Admin building	General Funds	No	\$8,000.00

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Firm	Purpose	Funding Source	External Requirement	6 Months to 31/12/2007
Heritage Futures	Hawkesbury heritage study review	General Funds	No	\$600.00
Hubert Architects Pty Ltd	Wilberforce cemetery conservation management plan	General Funds	No	\$7,440.00
Hubert Architects Pty Ltd	Hawkesbury heritage review - stage 3	General Funds	No	\$494.25
C M Jewell & Associates Pty Ltd	Independent assessment Water Balance - Tinda Creek	General Funds	No	\$10,962.50
K D Wood Valuations (Aust) Pty Ltd	Asset valuations for 2007 statutory accounts	General Funds	No	\$10,363.64
K D Wood Valuations (Aust) Pty Ltd	Property valuations for leasing purposes	General Funds	No	\$3,000.00
K N Planning Pty Ltd	L & E Court - court appointed expert - Jordan Ave Glossodia	General Funds	No	\$6,080.00
Kari l'Anson & Associates	Youth workshop planning & facilitation, and capacity building supervision	Grant / Peppercorn Services Inc	No	\$1,210.00
Lanfax Laboratories	L & E Court - professional services	General Funds	No	\$7,422.00
Margaret Helman & Associates	Induction training for Museum volunteers	General Funds	No	\$650.00
Local Government Association of NSW	Recruitment	General Funds	No	\$2,628.55
McKinlay Morgan & Assoc Pty Ltd	Survey & prepare engineering design	General Funds	No	\$7,500.00
McKinlay Morgan & Assoc Pty Ltd	Survey & preparation of registration plan for road acquisition	General Funds	No	\$4,000.00
McKinlay Morgan & Assoc Pty Ltd	WMF - survey uncapped surface of cell 3	General Funds	State Govt	\$700.00
Dolla S. Merrillees	Strategic direction for Gallery & Museum	General Funds	No	\$3,000.00
Micromex Systems Pty Ltd	Community engagement strategy	General Funds	No	\$16,890.00
Mitchell & Partners	Advice on ETP rollover options including superannuation	General Funds	No	\$900.00
Morrison Low Consultants Pty Ltd	Asset management program	General Funds	No	\$6,000.00
Mullane Planning Consultants Pty Ltd	Facilitation of public meeting - Bells Line expressway	General Funds	No	\$950.00

ORDINARY MEETING

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Firm	Purpose	Funding Source	External Requirement	6 Months to 31/12/2007
Mullane Planning Consultants Pty Ltd	Facilitation of public meeting - tourism	General Funds	No	\$950.00
Mullane Planning Consultants Pty Ltd	Facilitation of hearings re DA reform process & caravan parks	General Funds	No	\$1,500.00
Neil Selmon Consulting Services Pty Ltd	Pitt Town - review of revised JPG proposal	Developer funded	No	\$3,750.00
OHS Services Australia Pty Ltd	OH&S systems review	General Funds	No	\$72,511.00
OHS Services Australia Pty Ltd	OH&S corrective action training	General Funds	No	\$4,000.00
OHS Services Australia Pty Ltd	OH&S self insurer's report	General Funds	No	\$8,790.00
OHS Services Australia Pty Ltd	OH&S audit participants training	General Funds	No	\$3,850.00
OHS Services Australia Pty Ltd	OH&S self insurer documentation submission	General Funds	No	\$4,400.00
OHS Services Australia Pty Ltd	OH&S manual handling training	General Funds	No	\$1,360.00
Robert Pont Pty Limited	Contract Administration - South Windsor Family Centre	Mixed	No	\$1,500.00
Robert Pont Pty Limited	Contract Administration - Museum	Mixed	No	\$44,000.00
PriceWaterhouse Coopers	GST advice on trade waste & domestic waste charges	General Funds	No	\$2,000.00
Projects & Infrastructure Holdings Pty Ltd	Advice on Macquarie Street development	General Funds	No	\$15,199.25
QASCO Photography	WMF waste volume survey	General Funds	No	\$15,335.00
Thompson Stanbury Associates	Traffic management design assessment	Grant	No	\$12,650.00
UBM Ecological Consultants Pty Ltd	Vegetation management plans	General Funds	No	\$3,257.00
Warwick Donnelly Pty Ltd	Structural engineering services - Museum	Mixed	No	\$20,280.50
TOTAL				\$395,834.31

Conformance to Strategic Plan

Not applicable as this is an information report requested by Council.

Funding

Not applicable as this is an information report requested by Council and costs detailed have been met within existing budgets.

ORDINARY MEETING

Meeting Date: 26 February 2008

RECOMMENDATION:

That the information concerning consultancies utilised by Council during the period July to December 2007 be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 26 February 2008

Item: 35 SS - Payments to Hawkesbury Sports Council Inc - (107, 96332, 95496, 73611)

Previous Item: 199, Ordinary (25 September 2007)

REPORT:

Set out below, are the summarised financials of Hawkesbury Sports Council Inc (HSC) for the six months to 31 December 2007.

	Income	Expenses	Surplus
Operating	\$ 390,973	\$ 345,429	\$ 45,544
Capital	\$ 153,906	\$ 119,972	\$ 33,934
Total	\$ 544,879	\$ 465,401	\$ 79,478

HSC has reported a modest operating and capital surplus for the six months ending 31 December 2007. It is anticipated that the full year financial position will be in line with expectations.

HSC continues to maintain, manage and improve Council's sporting facilities including mowing, cleaning, repairs and security as well as collecting fees from users of the facilities.

Council's funding allocation from general funds for the six months ending 31 December 2007 to HSC was \$401,919, which included \$112,997 for Capital works.

HSC's report is as follows:

"Over the last 6 months the following projects have been undertaken by Hawkesbury Sports Council: -

1. Installation of bores at Woodlands Oval and Tamplin Field.
2. Extensions to amenities facilities at Woodbury Reserve.
3. Additional floodlighting at Colbee Park.
4. Installation of a synthetic wicket at Colonial Reserve.
5. Upgrade of cricket nets at Bounty Reserve and Woodlands Oval.

During the second half of 2007/2008 HSC is planning to carry out the following works: -

1. Erection of a shelter shed at Peel Park.
2. Fencing (stage 1) at Icely Park.
3. Bensons lighting upgrade.
4. Installation of water tanks at Woodlands Oval and Tamplin Field.
5. Installation of a shade shelter at Colbee BMX.
6. Deerubbin Park amenities extension.
7. Berger Road lighting upgrade.
8. Earthworks at Bensons Lane.
9. Lighting and irrigation upgrades at Turnbull Oval."

(Information supplied by Anne Neal from HSCI)

ORDINARY MEETING

Meeting Date: 26 February 2008

Conformance to Strategic Plan

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

"Objective: Provide efficient allocation of financial and physical assets for the Hawkesbury Sports Council".

Funding

There are no funding effects from 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: 26 February 2008

Item: 36 **SS - NSW Police Owned Land - 7 and 9 East Market Street, Richmond - (80106, 79351)**

Previous Item: NM2 (Ordinary 30 October 2007)

REPORT:

Council at its meeting on 30 October 2007 considered a Notice of Motion from Councillor Rasmussen in respect to the possible acquisition of NSW Police owned land at 7 and 9 East Market Street, Richmond and resolved, in part, that:

"Council write to the NSW Police Minister, David Campbell, seeking confirmation that the land, purchased some years ago by the NSW Police Department for the purpose of building a new Police Station in Richmond, has been declared surplus to Police operational requirements and asking whether the State Government would be interested in giving the land to Hawkesbury City Council for community use."

In accordance with the above resolution, Council subsequently wrote to the NSW Minister for Police, in regard to this matter.

The Minister for Police, has now forwarded a letter dated 23 January 2008 to Council as follows:

"I refer to your representations regarding NSW Police Force owned land at Richmond.

As previously advised, the NSW Police Force has confirmed that the land at 7-9 East Market Street, Richmond is surplus to operation requirements.

I have been advised by Mr James Kennedy, General Manager, NSW Police Force Property Group, that preparations are currently underway for the sale of the land.

Proceeds from the pending sale of this land are set aside for reinvestment in the NSW Police Force property infrastructure, and therefore NSW Police are unable to offer this land at nil cost to the Hawkesbury City Council.

I trust this information is of assistance to you."

As outlined in the Minister's letter, the NSW Police are unable to offer the land at 7 and 9 East Market Street, Richmond at nil cost to Council.

Conformance to Strategic Plan

Not applicable.

Funding

Not applicable.

RECOMMENDATION:

That the information be received and noted.

ORDINARY MEETING

Meeting Date: 26 February 2008

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF REPORT Oooo

ORDINARY MEETING

Meeting Date: 26 February 2008

CONFIDENTIAL REPORTS

Item: 37 **IS - Tender 006/FY08 - Construction of Landfill Cell No. 5 and Associated Works - (82995, 79357) CONFIDENTIAL**

Reason for Confidentiality

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

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

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

ORDINARY MEETING

Meeting Date: 26 February 2008

Item: 38 **IS - Tender 009/FY08 - Construction of a Reinforced Concrete Bridge on Hermitage Road, Kurrajong Hills, over Blue Gum Creek - (79595, 79344)**
CONFIDENTIAL

Reason for Confidentiality

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

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

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

ORDINARY MEETING

Meeting Date: 26 February 2008

Item: 39 **IS - Tender 011/FY08 - Maintenance of Gravel Roads for St Albans and Nearby Districts - (95495, 79344) CONFIDENTIAL**

Reason for Confidentiality

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

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

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

ORDINARY MEETING

Meeting Date: 26 February 2008

Item: 40 **IS - Tender 012/FY08 - Operation of the Lower Portland Ferry - (95495, 79344)**
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

end of
business
paper

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