



# Hawkesbury City Council

## ordinary meeting business paper

date of meeting: 10 March 2009

location: council chambers

time: 5:00 p.m.



# mission statement

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

## **How Council Operates**

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

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

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

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

### **Meeting Procedure**

The Mayor is Chairperson of the meeting.

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

### **Public Participation**

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

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

### **A Point of Interest**

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

### **Planning Decision**

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

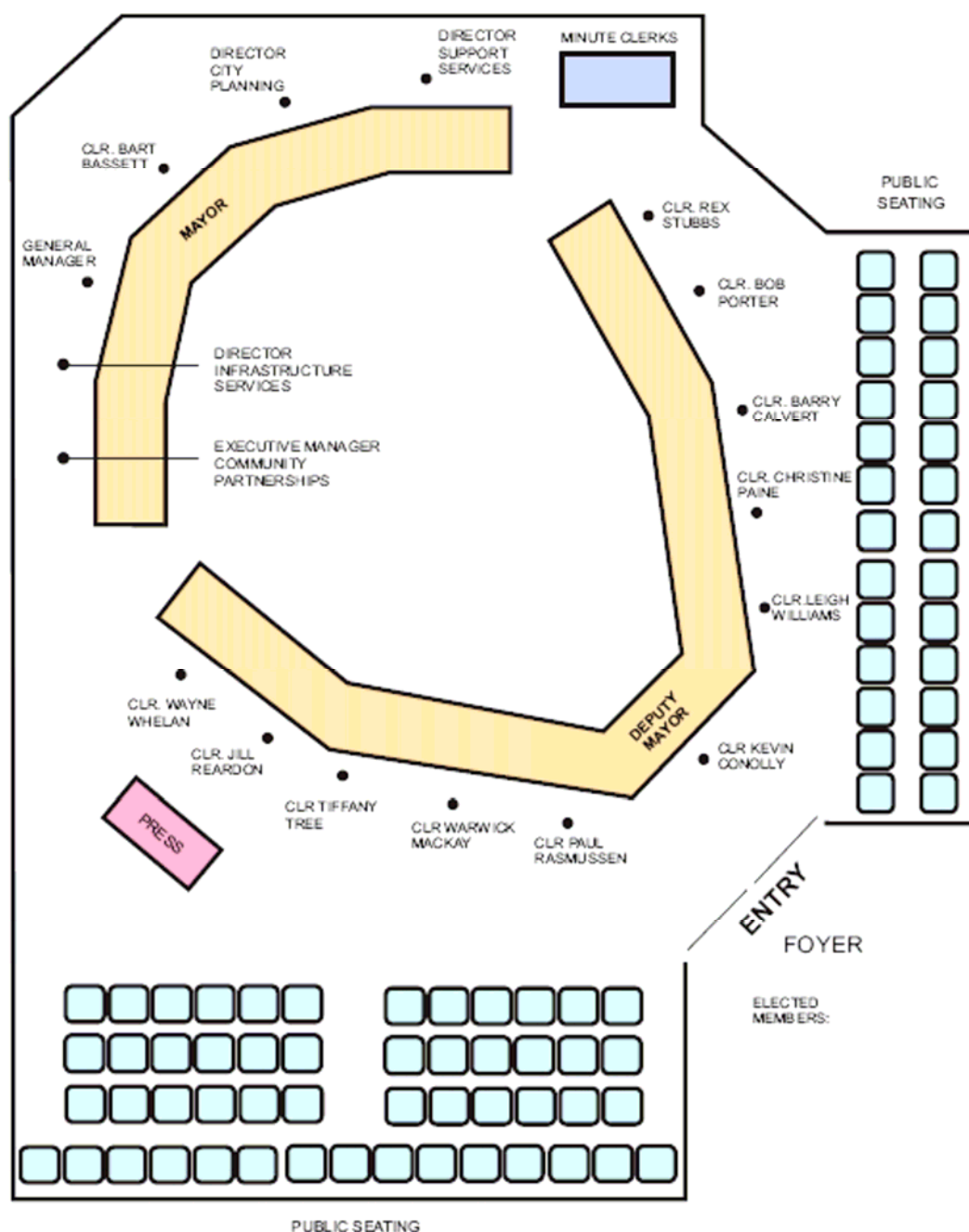
### **Website**

Business Papers can be viewed on Council's website from noon on the Friday before each meeting. The website address is [www.hawkesbury.nsw.gov.au](http://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**

**NM - Council Priorities Regarding a Flood Free Bridge Over the Upper Hawkesbury River - (111630, 79351)**

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**Submitted by:** Councillor W Whelan

**NOTICE OF MOTION:**

That:

1. This elected Council recognises that having no flood free access across the Upper Hawkesbury River, is a geographical division across townships/villages east and west of the River dividing the whole of our Hawkesbury Community.
2. The Council will uphold, to our Hawkesbury City Community to pursue through both spheres of State and Federal Government, continually without reservation or equivocation the urgent need and desire of our community for a flood free bridge across the Upper Hawkesbury River.

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF NOTICE OF MOTION Oooo**

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Notices of Motion



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SECTION 4 - Reports for Determination

GENERAL MANAGER

Item: 44                      **GM - Complaint Under Council's Code of Conduct against Councillor L Williams - (79351,80105)**

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**REPORT:**

On 19 November 2008, a complaint was received under the Council's Code of Conduct (the Code) against Councillor L Williams in respect of comments he allegedly made at the Council Meeting held on Tuesday, 11 November 2008.

In accordance with Clause 12.9(d) of the Code, the General Manager decided to refer the matter to an independent Conduct Reviewer and subsequently appointed Mr S Blackadder of Blackadder Associates Pty Ltd, for this purpose with the matter being referred to Mr Blackadder on 2 December 2008.

Mr Blackadder has now submitted his "Review Report", a copy of which is included as Attachment 1 to this report. This report is now submitted to Council for its consideration in accordance with Clause 14.9 of the Code.

In respect of reports from conduct review committees/sole conduct reviewers, the guidelines issued by the Department of Local Government provide "advice" on a number of aspects of a reports submission to Council and some of these issues, together with comments, are as follows:

- *"The conduct review committee/sole conduct reviewer should be mindful that there may be a need to protect the identity of the person making the complaint when preparing the report to Council".*

The "Review Report" from Mr Blackadder indicates that the complainant and persons supporting the complaint have given permission for their names to be revealed "to the person the subject of the complaint, and generally".

- *"The report will generally be dealt with in open session of Council. Council can only close a meeting to the public if the matter is one that meets the requirements of Section 10A (2) of the Act. In most cases, a report from the conduct review committee/sole conduct reviewer will not meet those requirements".*

It is not considered that this particular matter meets any of the requirements of Section 10A (2) of the Act.

- *"The Primary role of the conduct review committee/reviewer is to establish the facts of the allegation. The conduct review committee/reviewer will make findings of fact and may make recommendations that Council takes action.*

*The Council is the appropriate body to determine whether or not a breach of the Code has occurred and has the discretion as to whether or not a sanction is applied. Councillors need to ensure that there is no re-hearing of the evidence when debating the report from the conduct review committee/reviewer. The debate should focus on the outcome of the reviewer's enquiries and the appropriateness of any sanctions to be applied where there is a finding or a breach of the code of conduct".*

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The issues and facts surrounding the allegation and possible sanctions have been addressed in the "Review Report" and Mr Blackadder has also made subsequent recommendations to Council in this regard.

Accordingly, the following recommendation is submitted for Council's consideration in connection with this matter.

### RECOMMENDATION:

That the Review Report by the Sole Conduct Reviewer, Mr S Blackadder of Blackadder Associates Pty Ltd, dated 26 February, 2009 in respect of a complaint under the Council's Code of Conduct regarding Councillor L Williams be received and the findings and recommendations contained therein be adopted by Council.

### ATTACHMENTS:

**AT - 1** Review Report by Mr S Blackadder of Blackadder Associates Pty Ltd - (*Distributed Under Separate Cover*).

oooO END OF REPORT Oooo

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**Item: 45**                    **GM - Tourism Program: Future Direction - Visitor Information Centre (79351, 105004)**

**Previous Item:**        22, Ordinary (24 February 2009)  
                             227, Ordinary (11 November 2008)  
                             184, Ordinary (9 September 2008)  
                             57, Ordinary (8 April 2008)  
                             216, Ordinary (30 October 2007)  
                             89, Ordinary (29 May 2007)

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### REPORT:

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

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

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

### Introduction

This report addresses part (1) of Council's resolution. It is concerned with considering how best Council might achieve its Visitor Information Centre (VIC) presence in the Hawkesbury area, having considered the possibilities or options available. The Visitor Information Centre is an operational activity of Council's Tourism Program.

The report in answering part of (1), is informed by the "Tourism Program - 2008 Quarterly Reports", presented to Council in regard to parts (2) and (4) of Council's resolution, which are most of the dates listed in the Previous Item above. It is also informed by the report of 27 May 2008 on the Taskforce that was facilitating a "regional industry association" to represent tourism business across three council areas and which saw Tourism Hawkesbury Incorporated reformed as Hills Hawkesbury and Riverland Tourism Incorporated (HHART).

Council's Tourism Program consists of both strategic and operational (being the VIC) activities. It was expanded to include strategic activities to complement the VIC and in recognition that tourism is much more than a VIC promoting an area and being an information service. It is also about creating a destination (building demand) for visitors and locals to visit and enjoy, a brand in the market place, developing infrastructure and product (e.g. parks, walkways, brochures, activities, signage etc) and supporting marketing of the destination, and those activities of industry associations that also market the destination of a shared vision.

**Visitor Information Centre - 2008**

The VIC has been run by Council (and Council Officers) since 3 April 2007 and trades as Hawkesbury Visitor Information Centre. Prior to this, the VIC was mainly operated by industry and business associations on behalf of Council with Council funds e.g. Hawkesbury Chamber of Commerce, Tourism Hawkesbury Incorporated (now HHART).

Since April 2007, Council Officers have operated the VIC on a status quo basis knowing that Council was considering and pursuing *other possibilities* or options in line with part (1) of Council's resolution. This time has been used effectively by staff to strengthen the VIC's 'accreditation standard' (level 2) and importantly to bring the Centre in line with Council's own corporate and business standards (e.g. policies, procedures, safety systems), while maintaining its service to visitors to the area and locals. This has included:

- Reviewing and updating the VIC operational manual, practices, procedures and the like;
- Establishing the VIC safety system as part of Council's overall system;
- Building on the accredited VIC network, which promotes the VICs as the preferred local information service for visitors;
- Focusing on area-wide or destination information (i.e. activities, tours and accommodation) for visitors to the area and locals;
- Reviewing, assessing and supplying or developing some promotional material for visitor needs and identifying future needs, once the operational model of the VIC is known (i.e. brochures, website functionality etc);
- Providing thoughts on strategic tourism activities to support the role of the VIC in the future;
- Promotion of the VIC as a centre for all tourism businesses to utilise to support their business (i.e. display business brochures, not member based, booking service for accommodation business);
- Group booking service (i.e. tours and accommodation) to the area;
- Providing information to interested parties on the role of the VIC and that of the tourism industry business associations in the area; and
- Providing some training in visitor information centre practice to Council Officers working at the VIC.

The performance of the VIC is good in light of Council's resolution and recognising that in taking over the VIC, intellectual property developed at the VIC by any previous operator did not necessarily stay with the centre and that our own operational systems had to be put in place (i.e. develop corporate knowledge).

The VIC continues to be well patronised on a daily basis by visitors to the area and locals. It is well located on established tourist routes. The Tourism Program Quarterly Reports have reported daily walk-in visitor numbers around 40 per day, which has been maintained from previous operator days. Other VICs in Western Sydney do not achieve this patronage level.

For the VIC's role and services to be further developed for tourism and any other related Council activities, a decision on the VIC's delivery model needs to be made. This is important irrespective of whether Council or an external service provider operates the Centre. Who ever runs the VIC, there must be a commitment to supporting strategic tourism activities, building the destination, working with stakeholders, and in turn understanding its role in helping the economic prosperity of the area. Services might be extended to include packaging of local and regional tour experiences piggybacking of other activities like the Coachella Music Festival (which has deferred commencement consent), which is likely to operate from 2010.

**Visitor Information Centre presence – other possibilities**

Other possibilities for achieving a VIC presence in the area include considering the options for the VIC's format and delivery models, being:

**(a) VIC format**

The format of a VIC could be an actual VIC or shopfront or a virtual VIC via a combined telephone service (call centre) and a website.

Traditionally, VICs have been shopfronts recognising the importance of customer service and contact (before and after arrival), brochure display and understanding travel behaviour etc. Websites have been integrated into VIC shopfronts as technology has evolved. VIC websites tend to contain area-wide information to provide a full picture along with information on tourism businesses (e.g. tours, accommodation). Accredited VIC shopfronts also provide a minimum standard of customer service or benchmark.

More recently, virtual VICs have gained some support to reduce costs through the application of technology and in response to a trend towards greater tourist self-service via the Internet. However, not all tourists operate this way and there continues to be demand for local visitor services in a destination. Visitor services need to maintain a level of human contact in customer service to be effective.

It is considered that Council should continue to support an actual VIC shopfront at Clarendon as its VIC presence in the area. The VIC is well patronised demonstrating its importance to the area and region, and the importance of customer contact and trust in local knowledge. Council's tourism website provides area-wide and reliable information that is of use to both visitors to the area and locals. In developing the VIC, Council should continue to explore ways to help off set the cost of operating the VIC with product development and promoting the Centre more as a resource for locals and residents, not just visitors.

**(b) VIC delivery model**

The delivery model possibilities for the VIC shopfront at Clarendon are:

- (i) Council operating the VIC (with any support from government and industries);
- (ii) An external service provider (business or industry association) operating the VIC on Council's behalf; and
- (iii) A business (or industry association) operating the VIC.

Option (i) is the current model used by Council. It is considered to be a good model as the VIC operates at Council's corporate and business standards; and is committed to area-wide visitor services, local knowledge, servicing its customers and generating additional economic prosperity.

Option (ii) is the historic model used by Council for more than 25 years. Council provided the bulk of funds to the external service providers that had been engaged over the period to operate the VIC shopfront on Council's behalf. This has generally been used for labour costs and sporadic product development. The external service provider model has had mixed results for various reasons, including issues surrounding adequacy of agreements/ contracts, performance measures, performance of operators, operational costs etc.

It is considered that Council should not give priority to this model, unless it is mutually beneficial to both parties and there is clear understanding and reporting by an external service provider about the tourism function it is providing on Council's behalf. The majority of VICs are the Option(i) model and those that are Option (ii) all experience issues surrounding continuance of funds, management of the service level agreement (including performance), Boards (where established), resources and the like. Also, the pool of likely external service providers for Option (ii) is small and generally limited to

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industry and some business associations. They may or may not have the resources to adequately provide the service, membership issues can surface and visitor services may not be the core business or interest of an association (despite interest in a centre).

Option (iii) is a newer model, where a VIC is run as a business like any other business, where a Council activity is offered as a going concern. Council might like to explore offering the VIC as a going concern in time and test market interest. This model is based on the provider covering all operational costs and leasing the land and the business from Council as a going concern. This model is not common and perhaps the market has not evolved to this point yet. Most VICs in one way or another are mainly funded by councils.

In regard to the delivery model options for the VIC, Council Officers have been monitoring what has been happening with the industry associations that are active in our area, to gauge possible interest in operating the VIC as *other possibilities* in accordance with part (1) of Council's resolution. Both Hawkesbury Highlands Tourism and HHART have now been re-invented and are broadening their market/ customer focus, which they believe will better position themselves for the future in terms of industry development, individual business growth and customer attraction.

Members of the Taskforce that facilitated HHART have indicated some interest in the VIC as part of a broader business model that might evolve in time, when initially meeting with Council. This is subject of course to the HHART Board sharing a similar view on its future activities. It should also be noted that HHART, as the only industry association operating in The Hills area is likely to have a presence in the new VIC at Rouse Hill being established by The Hills Council. With this in mind, it is unlikely that HHART would be in a position or have the resources to operate a second VIC for sometime, assuming a favourable outcome to any negotiations and agreement processes with Council etc. It should also be noted that HHART when it traded as Tourism Hawkesbury Incorporated operated Council's VIC and regardless of views on this experience any future arrangement would need to be performance based and mutually beneficial.

Council can only continue to monitor the possibility of HHART having an interest in the VIC and respond to any enquiries it may have along with any enquiries from any other interested parties.

Council officers will continue to explore activities that might be undertaken on a project by project basis with industry associations that are mutually beneficial to the area and region.

### **Visitor Information Centre presence –situation review**

In accordance with part (1) of Council's resolution, Council Officers have completed a review of the *other possibilities* as to how best Council can achieve its VIC presence in Council's area for now. There are limited *other possibilities* available. It is recommended that Council continue to support the actual VIC shopfront format and hence Hawkesbury Visitor Information Centre which operates at Clarendon.

In terms of the delivery model, which has raised most interest, it is recommended that Council endorse the Council operator model as the preferred model for the present time. This will enable Council Officers to work on better integrating the VIC into Council's Tourism Program and other relevant programs. This was not necessarily possible with the external service provider model used historically, which tended to remove Council from the process when it needed to be a part of it.

The Council operated model would be reviewed in time and it is suggested that this not be undertaken for a minimum of four years to provide Council Officers with a reasonable timeframe to operate the VIC without interruption and hence to undertake VIC activities, expand its role and rebuild relationships with stakeholders. This is also in the knowledge that it is unlikely that another party would be in a position or interested in operating the VIC and, subsequently, Council would be in a position to revisit the external service provider or business models based on developments that may occur. However, notwithstanding the suggested four year period, the situation would be kept under review and should circumstances alter the matter could be reviewed.

Alongside a commitment to the Council operated VIC it is considered it is now time that Council prepares a tourism strategy for its Tourism Program to guide a vision and future directions. It would appear from



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Council's records that no tourism strategy has ever been adopted. It is important to develop a strategic approach to respond to the new State Tourism Strategy (Tourism NSW); to understand our tourism market, products and strengths; to identify where limited resources need to be directed (e.g. brand, marketing, infrastructure and product development, regional market opportunities and partnership alliances, stakeholder partnerships etc); and to establish how best tourism can be a multiplier to support the economic prosperity of other businesses in the area. Council's strategic planning process currently underway has raised tourism as an ongoing interest area to the community and will be relevant to the functions of City Planning and Strategic Activities. A robust tourism strategy would assist Council's activities.

### **Conformance to Strategic Plan**

The proposal conforms to the objectives set out in Council's Strategic Plan:

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

### **Funding**

All costs will be met from the approved 2008/2009 Budget for the VIC operation for this financial year. Future costs would be met from future financial years budgets.

### **RECOMMENDATION:**

That as part of its Tourism Program for the area, Council:

1. Continue to operate the Visitor Information Centre at Clarendon for up to four years, during which time monitor the situation regarding possible alternate operators and, if appropriate, review the situation as it relates to the delivery model.
2. Prepare a tourism strategy for the Hawkesbury Local Government Area to guide future directions, including Council activities and its response to the tourism market.

### **ATTACHMENTS:**

There are no supporting documents for this report.

oooO END OF REPORT Oooo

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**Item: 46**                      **GM - 56th Annual Australian Local Government Women's Association Conference - 19 - 22 March 2009 - (79351)**

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### REPORT:

The 56<sup>th</sup> Annual Australian Local Government Women's Association Conference will be held 19-22 March 2009 in Queanbeyan, NSW.

This year's theme is "Women in Leadership – the Roadmap" and is designed to highlight the issue that confront women in the public sector and politics in Australia.

Cost of attendance at the 56<sup>th</sup> Annual Australian Local Government Women's Association Conference will be approximately \$1,150.00 plus travel expenses per delegate.

Budget for Delegates Expenses – Payments made

• Total budget for Financial Year 2008/2009	40,000.00
• Expenditure to date	\$25,463.00
• Budget Balance as at 3/3/09	\$14,536.55

### Conformance to Strategic Plan

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

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

### Funding

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

### RECOMMENDATION:

That the attendance of nominated Councillors, and staff members as considered appropriate by the General Manager, at the 56<sup>th</sup> Annual Australian Local Government Women's Association Conference to be held 19-22 March 2009 at an approximate cost of \$1,150.00 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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**Item: 47                      GM - Local Government Managers Australia - National Congress & Business Expo - 24-28 May 2009 - (79351)**

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### REPORT:

The 2009 Local Government Managers Australia, National Congress & Business Expo will be held 24-28 May 2009 in Darwin, Northern Territory.

The theme for the 2009 congress is "Local Government: Creating our Future - Messages with solutions". The Congress will explore topical themes of culture, country and earth. The Congress presenters will explore how we can go about creating our future through a combination of proven plenary, concurrent and interactive panel sessions and breakout workshops.

Cost of attendance at the 2009 Local Government Managers Australia, National Congress & Business Expo will be approximately \$3,830.00 per delegate.

Budget for Delegates Expenses – Payments made

• Total budget for Financial year 2008/2009	\$40,000.00
• Expenditure to date	\$25,463.00
• Budget balance as at 3/3/09	\$14,536.55

### Conformance to Strategic Plan

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

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

### Funding

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

### RECOMMENDATION:

That the attendance of nominated Councillors, and staff members as considered appropriate by the General Manager, at the 2009 Local Government Managers Australia, National Congress & Business Expo to be held 24-28 May, 2009 at a cost of approximately \$3,830.00 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: 48**                      **CP - Proposed Change to Deferred Commencement Consent Condition - 263 Windsor Street, Richmond - (DA0537/08, 95498, 110797)**

**Previous Item:**            239, Ordinary (25 November 2008)

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#### **REPORT:**

At the meeting of 25 November 2008, Council granted a Deferred Commencement consent to Development Application DA0537/08 at Lot 1 DP 1107029, 263 Windsor Street, Richmond for change of use of the existing restaurant and first floor residential flat to a shop (pharmacy) and commercial premises (office), including additions and alterations to the existing building at the front of the property. The terms of the Deferred Commencement consent condition was that the applicant enter into a Planning Agreement with Council in lieu of provision of parking on the subject site. A copy of the assessment report of 25 November 2008 is attached.

The purpose of this report is to amend the timing relating to the Deferred Commencement consent condition.

#### **Background**

The Deferred Commencement consent condition for DA0537/08 is as follows:

*A Planning Agreement under 93F of the Environmental Planning and Assessment Act 1979 must be entered into with the Hawkesbury City Council making provision for the applicant to provide works, as specified in the agreement, to the value of \$50,000 in lieu of the parking spaces not being provided onsite as a result of the proposed development.*

The implications of the above Deferred Commencement condition is that the Planning Agreement (PA) must be "entered into" prior to the development consent commencing, i.e. the applicant cannot commence any works on the site until the PA has been finalised.

Discussions have been held with the applicant and a draft PA has been prepared. The draft PA has also been checked by Council's solicitors and found to be satisfactory. The provisions of the Environmental Planning and Assessment Act, 1979, require a draft PA to be placed on exhibition for a minimum of 28 days prior to the agreement being finalised, or "entered into". This public exhibition period is expected to commence on 11 March and end on 9 April.

The applicant is ready to comply with the terms of the PA, i.e. make the appropriate payment to Council for the works. However, due to the matter being a Deferred Commencement condition rather than a general consent condition, the commencement of the fit out works for the change of use cannot commence, despite the construction certificate approval being ready to be issued by the Private Certifier.

The Act allows a development consent condition requiring a PA to be entered into provided both parties agree. A PA can also be registered on the property title should this be necessary. Given that the applicant is ready to comply with the requirements of the PA and that there is no imperative for the finalisation of the PA prior to the commencement of construction works, it is recommended that the Deferred Commencement consent be changed in the following manner:

1. Change the Deferred Commencement consent condition to a consent condition that must be complied with prior to the issue of the occupation certificate.
2. Amend the wording of the condition to the following:

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*A Planning Agreement under 93F of the Environmental Planning and Assessment Act 1979 must be entered into with the Hawkesbury City Council prior to the issue of the Occupation Certificate. The agreement is to make provision for the applicant to provide works or payment of a contribution, as specified in the agreement, to the value of \$50,000 in lieu of the parking spaces not being provided onsite as a result of the proposed development.*

### Conformance to Strategic Plan

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

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

### Funding

Not applicable

### Planning Decision

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

### RECOMMENDATION:

That the Development Application DA0537/08 at Lot 1 DP 1107029, 263 Windsor Street, Richmond for change of use of the existing restaurant and first floor residential flat to a shop (pharmacy) and commercial premises (office), including additions and alterations to the existing building at the front of the property be amended as follows:

1. The Deferred Commencement consent condition be removed,
2. Insert the following additional condition into the "Prior to the issue of the Occupation Certificate" section of the consent;

*A Planning Agreement under 93F of the Environmental Planning and Assessment Act 1979 must be entered into with the Hawkesbury City Council prior to the issue of the Occupation Certificate. The agreement is to make provision for the applicant to provide works or payment of a contribution, as specified in the agreement, to the value of \$50,000 in lieu of the parking spaces not being provided onsite as a result of the proposed development.*

### ATTACHMENTS:

AT - 1 Planning Assessment Report for Item 239, dated 25 November 2008

## ORDINARY MEETING

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### **AT - 1 Planning Assessment Report for Item 239, dated 25 November 2008**

**ITEM: 239** CP - Development Application - Change of Use of Existing Restaurant and First Floor Residential Flat - Including Additions and Alterations to the Existing Building - 230 Windsor Street, Richmond - (DA0537/08, 95498, 110797)

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#### **Development Information**

**Applicant:** Alchemy Holding Pty Ltd  
**Applicants Rep:** John Budin  
**Owner:** Wing Ying Pty Limited  
**Stat. Provisions:** Hawkesbury Local Environmental Plan 1989  
Sydney Regional Environmental Plan No. 20  
**Area:** 954.8sqm  
**Zone:** 3 (a) Business General  
**Advertising:** Not required under Hawkesbury DCP  
**Date Received:** 18 July 2008

**Key Issues:** ♦ Carparking and Access

**Recommendation:** Approval by Deferred Commencement

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#### **REPORT:**

##### **Description of Proposal**

The application seeks approval for change of use of the existing restaurant and first floor residential flat to a shop (pharmacy) and commercial premises (office) at Lot 1 DP 1107029, 263 Windsor Street Richmond. The application also includes additions and alterations to the existing building.

The proposed additions will result in an additional 172.8m<sup>2</sup> of floor area resulting in total Gross Floor Area of 575m<sup>2</sup> on the ground floor for the proposed pharmacy with the first floor office space to remain unchanged at 46.7m<sup>2</sup>

The proposal includes the removal of the existing Chinese restaurant façade with the addition of a new awning and installation of a glass shop front to be provided on the Windsor Street frontage. All new construction and materials are to match the existing.

It is proposed that the pharmacy will be open seven days a week with hours of operation being:

- 8:30am to 6:00pm on Mondays, Tuesdays, Wednesdays, Fridays and Saturdays
- 8:30 am to 9:00 pm on Thursdays; and,
- 10:00am to 6:00pm on Sundays

The following supports the application:

- A Statement of Environmental Effects dated July 2008 prepared by Berzins Environmental Planning Pty Ltd: and,
- A Traffic and Parking Assessment Report ref No.08207 dated 3 November 2008 prepared by Varga Traffic Planning Pty Ltd, transport, traffic and parking consultants.

#### **Recommendation**

Approval by granting of a Deferred Commencement

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### History

The site currently contains a two storey building at the front of the property with a ground floor area of 402.2m<sup>2</sup> and first floor area of 46.7m<sup>2</sup> and an 80.705m<sup>2</sup> office building at the rear of the property. Onsite carparking four (4) vehicles in a stacked arrangement is available on the existing concrete driveway.

The following approvals relate to the subject property:

Consent No.	Consent Date	Development
DA 40/1975	10/09/75	Renovation of existing building for conversion into a restaurant and residential flat above
DA 81/1980	10/09/80	Erect a single storey shop at rear of property facing parking area.
DA 789/81	3/12/1981	Use of the existing shop at rear of property for a greengrocer business
DA 1677/89	12/12/1989	Carport
SEPP 0010/97	24/01/1997	Change of use of the rear shop from a fruit shop to a furniture shop
MA 0530/00	6/06/2000	Change of use of the rear shop from a furniture shop to a office

### Issues Relevant to the Decision

- Car parking & Access

### Council Policies, Procedures and Codes to Which the Matter Relates

Hawkesbury Local Environmental Plan 1989  
Sydney Regional Environmental Plan No 20  
Hawkesbury Development Control Plan

### Section 79C Matters for Consideration

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

#### a. The provisions (where applicable) of any:

##### i. Environmental Planning Instrument:

#### Sydney Regional Environmental Plan No. 20 - Hawkesbury-Nepean River

The subject land falls within the boundary of SREP 20. This Policy aims "to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context." SREP 20 requires Council to assess development applications with regard to the general and specific considerations, policies and strategies set out in the Policy.

#### **Conclusion**

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

#### Hawkesbury Local Environmental Plan 1989

#### **Clause 2 - Aims, objectives etc,**

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

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### Clause 5 - Definitions

The proposed development is best defined as a 'Shop' for the proposed pharmacy and 'Commercial Premises' for the proposed office under Hawkesbury Local Environmental Plan 1989 as;

*"Shop" means a building or place used for the purpose of selling, exposing or offering for sale by retail, goods, merchandise or materials, but does not include a building or place elsewhere specifically defined in this clause, a building or place used for a purpose elsewhere specifically defined in this clause; and*

*"Commercial Premises" means a building or place used as an office or for other business or commercial purposes, but does not include a building or place elsewhere specifically defined in this clause or a building or place used for a purpose elsewhere specifically defined in this clause.*

### Clause 8 - Zones indicated on the map

The subject property is zoned 3(a) Business General under Hawkesbury Local Environmental Plan 1989.

### Clause 9 – Carrying out development

Shops and commercial premises are permissible with development consent in the 3(a) Business General zone.

### Clause 9A – Zone objectives

The objectives of this zone are to:-

- (a) promote the development and expansion of business activities to meet the optimum employment and social needs of the City of Hawkesbury,
- (b) permit non-commercial development within the zone where such development is compatible with the commercial character of the locality,
- (c) ensure that there is adequate provision for car parking facilities within the zone,
- (d) minimise conflicts between pedestrians and vehicular movement systems within the zone, and
- (e) preserve the historic character of the City of Hawkesbury by protecting heritage items and by encouraging compatible development within and adjoining historic buildings and precincts.

**Comment:** The proposed development will promote the development and expansion of business, provide additional employment and is compatible with the commercial character of the locality. Additionally it is considered unlikely that the proposed development will have an impact on the surrounding historic buildings.

### Clause 18 – Provision of water, sewerage etc. services

The site is currently serviced by water, electricity, telephone and sewage, it is expected that the proposal will not create an increase on demands for these services.

### Clause 25 - Development of flood liable land

The proposed development site is above the 1-in-100 year flood level for the area.

### Clause 27 - Heritage items

The subject property is not identified as a heritage item.

### Clause 28 - Development in the vicinity of heritage items

The subject land is located adjacent to number 255 and 257-259 Windsor Street Richmond, which is identified under Hawkesbury Local Environmental Plan 1989 as heritage item Number 119.



It is considered that the proposal will not have a significant impact on the heritage significance or setting of the adjoining heritage items as the proposed addition will be built within character of the locality.

**Conclusion**

The proposed development is consistent with Hawkesbury Local Environmental Plan 1989 including the zone objectives

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

No Draft Environmental Planning Instruments apply

**iii. Development Control Plan applying to the land:**

**Hawkesbury Development Control Plan**

The proposed development is generally consistent with the aims, objectives and rules of Hawkesbury Development Control Plan. However a variation is sought relation to Hawkesbury City Councils Development Control Plans carparking requirements. An assessment of this chapter follows:

**Part C Chapter 2 - Car Parking and Access**

The aims of this chapter of the DCP are to:

- Ensure that adequate and convenient off-street parking facilities are provided for all vehicles generated by new development;
- Encourage the efficient flow of traffic through car parks and to minimise the potential for pedestrian/vehicle and vehicle/vehicle conflict;
- Ensure minimum interference to the flow of traffic in the street network; and
- Ensure adequate traffic safety and management and to improve amenity of car parking areas.

The objectives of this chapter of the DCP are to take into account:

- the size and type of development and its traffic generation;
- the availability and accessibility of public car parking areas;
- the degree of accessibility by public transport; and
- traffic volumes on the street network, including expected future traffic volumes relating to Hawkesbury road hierarchy.

In accordance with this Chapter, car parking for shops and commercial premises shall be provided at a rate of:

- 1 space per 30m<sup>2</sup> of Gross Floor Area (GFA)

**Comments:**

The site currently contains space for the tandem parking of up to four (4) vehicles with access to the Magnolia Mall carpark located at the rear of the site.

An assessment under the provisions of the DCP indicates that, as the proposed development will increase the existing floor space by an additional 172.8m<sup>2</sup> to a total ground floor area of 484m<sup>2</sup>, it is considered that a total of 16.1 carparking spaces would need to be provided for the proposed development. A credit then needs to be given for the existing floor area being 311m<sup>2</sup>, or 10.4 carparking spaces. As a result a total of 6 additional parking spaces are required for this proposed development.

As a result of the proposed development there would be no carparking available onsite as the entire site will be covered with the building. However, one of the objectives of Hawkesbury Development Control Plan is to take into account the availability of public car parking spaces.

In this regard the subject site adjoins at the rear the Council owned Magnolia Mall carpark and is within close proximity to on-street carparking available on nearby Francis Street, Bosworth Street, Windsor Street and West Market Street. In response to the potential availability and use of the surrounding public parking spaces the applicant has provided a Traffic and Parking Assessment Report dated 3/11/2008 prepared by Varga Traffic Planning Pty Ltd.

Parking accumulation surveys have been conducted in relation to the availability of public parking within the vicinity of the site for both on-street carparking and parking within the Magnolia Mall carpark. The report states that there are a total of 546 publicly accessible carparking spaces located within the vicinity of the site with:

- 244 vacant carparking spaces available at peak parking demand on Thursday at 12 noon; and,
- 272 vacant parking spaces available at peak parking demand on Saturday 11am

Based on these figures the report concludes that *“the carparking accumulation survey results indicate that significant kerbside and off-street carparking tends to be readily available in the vicinity of the site during business hours.”*

The report also predicts that the proposed development will result in *“a slight decrease in the level of traffic activity generated by the site of approximately 6 vph (vehicles per hour)”* (page 11) based on the projected future traffic flows and existing traffic flows for commercial premises in the Roads and Traffic Authority’s publication *Guide to Traffic Generating Developments, Section 3 – Landuse Traffic Generation (October 2002)*

In light of the above, the traffic report considered that there is a sufficient amount of public carparking spaces available within the locality and that the proposed development will not have a significant impact on surrounding traffic flows and public carparking spaces. Despite this the applicant has offered to enter into a Planning Agreement to off-set the lack of provision of car parking on the site.

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

In 2001 council set a Section 94 contribution plan for developments not being able to provide on-site carparking in land zoned 3(a) general business and 3(b) special business. The contribution was based on the cost of construction + (Area of Land to be Acquired x value of the land). Based on the values of \$1,428 for the cost of construction, an area of 35m<sup>2</sup> and land value of \$250/m<sup>2</sup> as set out in the 2001 plan it is estimated that the proposed development would have been required to pay a contribution of approximately \$10,178 per space.

As council does not have a current Section 94 Contribution plan for carparking and proposed development will be deficient at least 6 carparking spaces, the applicant has proposed to enter into a voluntary planning agreement under Section 93F (1) of the Environmental Planning and Assessment Act 1979, whereby a contribution of \$50,000 will be paid to council in lieu of providing any onsite carparking. The contribution may be in the form of cash or for the *“embellishment and beautification of community infrastructure in the immediate Richmond business and commercial centre”* (letter dated 10/11/2008, pg 4). Under the circumstances, ie, no Section 94 contribution plan and associated works schedule, it is preferred that this contribution be in the form of “works-in-lieu” to the value of \$50,000. This work can be in the form of embellishment of the existing amenities block within the carpark or some other embellishment works within the carpark, ie, landscaping, etc.

In this case the applicant has offered the Planning Agreement and it is recommended that Council agree. Under Section 93 I (3), consent for development can be granted where the applicant is required to enter into a planning agreement as a condition of consent (where both sides agree) with Hawkesbury City Council in lieu of the 6 deficient carparking spaces.

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### v. Matters prescribed by the Regulations:

Conditions of consent have been imposed requiring the development to comply with the Building Code of Australia.

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

#### Context & Setting

Adjoining land uses predominantly consist of commercial use.

It is considered that the proposed development will not unreasonably impact on adjoining properties in terms of overshadowing, loss of visual or acoustic privacy, or loss of views and vistas.

It is considered that the bulk and scale of the proposed works are generally consistent with the scenic quality of the surrounding area.

#### Access, Transport & Traffic

Access to the subject site is proposed via both the Windsor street frontage and council owned 'Magnolia Mall' car park situated at the rear of the site.

#### Utilities

Services are available to the site and the proposal is not expected to create unreasonable demands on the provision of those services.

#### Heritage

It is considered that the proposal will not have an impact on the heritage significance or setting of the adjoining heritage items

#### Waste

A condition has been included on the consent requiring all waste materials to be regularly removed from the property

#### Safety, Security & Crime Prevention

Restricted access to the site is provided via the Windsor Street frontage and Magnolia Mall carpark. Additionally it is considered that visibility from the front and rear of the development for pedestrians entering and exiting the premises is satisfactory.

#### Economic Impact in the Locality

It is considered that the proposal will not have any significant social or economic impacts on the locality.

#### Site Design and Internal Design

It is considered that the design and layout of the proposal is satisfactory having regard to the immediate area, existing and future level of amenity to adjoining properties.

#### Construction

Construction is not expected to unreasonably impact upon surrounding neighbours. Suitable conditions in relation to construction have been recommended in the consent.

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### Cumulative Impacts

The proposed development is compatible with the surrounding land uses and no negative cumulative impact is expected. Although no onsite parking will be available as a consequence of the proposed development it is considered satisfactory, in this case, that the site relies on offsite carparking as similar sites within the locality rely on offsite carparking. However, the cumulative impact of permitting redevelopment of surrounding sites without including plans for future carparking will result in the existing public parking to be consumed and will create a parking problem for the locality. It is recommended that the issue of parking in the Richmond, North Richmond, Windsor and South Windsor areas be reviewed and a contributions plan be developed for these areas to deal with the future redevelopment of these localities.

#### c. Suitability of the site for the development:

It is considered that the site is suitable for the proposed development

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

Nil

#### e. The Public Interest:

The proposal is not contrary to public interest.

### Planning Decision

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

### RECOMMENDATION:

That:

- A. Development application DA0537/08 at Lot 1 DP 1107029, 263 Windsor Street, Richmond for Change of use of the existing restaurant and first floor residential flat to a shop (pharmacy) and commercial premises (office), including additions and alterations to the existing building at the front of the property be approved by granting of a Deferred Commencement consent subject to the conditions in Schedules 1 and 2.
  - a) Upon compliance with the condition appearing in Schedule 1, and with the issue of confirmation to that effect in writing from Council, this "Deferred Commencement" consent shall commence to operate as a development consent inclusive of all conditions appearing in Schedule 2 pursuant to Section 80(3) of the Act.
  - b) The "Deferred Commencement" consent will lapse in twelve months from the date of this consent unless all conditions appearing in Schedule 1 have been complied with.

#### Schedule 1 - Deferred Commencement Condition

1. A Planning Agreement under 93F of the Environmental Planning and Assessment Act 1979 must be entered into with the Hawkesbury City Council making provision for the applicant to provide works, as specified in the agreement, to the value of \$50,000 in lieu of the parking spaces not being provided onsite as a result of the proposed development.

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### Schedule 2

#### **General Conditions**

2. 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.
3. No excavation, site works or building works shall be commenced prior to the issue of an appropriate Construction Certificate.
4. The building shall not be used or occupied prior to the issue of an Occupation Certificate.
5. The development shall comply with the provisions of the Building Code of Australia at all times.
6. The accredited certifier shall provide copies of all Part 4 certificates issued under the Environmental Planning and Assessment Act, 1979 relevant to this development to Hawkesbury City Council within 7 (seven) days of issuing the certificate. A registration fee applies.

#### **Prior to Commencement of Works**

7. A waste management plan shall be submitted to and approved by Council. The plan shall address any builder's waste and waste generated during the day to day operation of the development. Particular attention shall be paid to type and quantity of waste, recycling, reuse, storage and disposal.
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. 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.
11. At least two days prior to commencement of works, notice is to be given to Hawkesbury City Council, in accordance with the Environmental Planning and Assessment Regulation.
12. 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.
13. 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.

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14. A qualified Structural Engineer's design for all reinforced concrete and structural steel shall be provided to the Principal Certifying Authority prior to any works commencing on site.
15. The approved plans must be submitted to a Sydney Water Quick Check agent or customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped. For quick Check agent details, please refer to the web site [www.sydneywater.com.au](http://www.sydneywater.com.au), see Building Developing and Plumbing then Quick Check or telephone 13 20 92.

The consent authority or a private accredited certifier must either:

- Ensure that Quick Check agent/Sydney Water has appropriately stamped the plans before the issue of any Construction Certificate; or
- If there is a combine Development/Construction Certificate application or Complying Development, include the above condition as one to be met prior to works commencing on site.

### *During Construction*

16. The site shall be secured to prevent the depositing of any unauthorised material.
17. All necessary works being carried out to ensure that any natural water flow from adjoining properties is not impeded or diverted.
18. External colours and material of the new work are to match the existing.
19. 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.
20. 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.
21. At all times during demolition, a competent person shall directly supervise work. It is the responsibility of the person to ensure that:
  - (a) Adjoining owners are given 24 (twenty four) hours notice, in writing, prior to commencing demolition.
  - (b) Utility services within the structure not required to be maintained during the demolition work shall be properly disconnected and sealed before any demolition commences.
  - (c) The site shall be secured at all times against the unauthorised entry of persons or vehicles.
  - (d) Safe access and egress from adjoining buildings is to be maintained at all times for the duration of the demolition work.

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- (e) Precautions are taken to ensure that the stability of all parts of the structure and the safety of persons on and outside the site are maintained, particularly in the event of sudden and severe weather changes.
  - (f) The structure and all components shall be maintained in a stable and safe condition at all stages of the demolition work.
  - (g) Demolition activity shall not cause damage to or adversely affect the structural integrity of adjoining buildings.
  - (h) Removal of dangerous or hazardous materials shall be carried out in accordance with the provisions of all applicable State legislation and with any relevant recommendations published by the National Occupational Health and Safety Commission (Worksafe Australia).
  - (i) All work shall be carried out in accordance with AS2601 and the Work Plan submitted with the development application.
  - (j) Unless otherwise permitted by Council, the structure is to be demolished in reverse order of construction, being progressive and having regard to the type of construction, to enable the maximum separation and recycling of demolished materials to take place.
  - (k) No material is to be burnt on site.
22. If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, including a public road or place, the person causing the excavation to be made:
- (a) must preserve and protect the building from damage; and
  - (b) if necessary, must underpin and support the building in an approved manner; and
  - (c) must, at least 7 (seven) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
- The person acting in accordance with this Consent is liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.
23. A hoarding is required to be provided to the footpath prior to the commencement of any works associated with the new awning. Hawkesbury Council's Infrastructure Services Department must be contacted in this regard.

### ***Use of the Development***

- 24. No internal or external alterations shall be carried out without prior approval of Council.
- 25. All waste materials shall be regularly removed from the property.
- 26. All work and the storage of goods or materials shall be confined within the building at all times.
- 27. Operating hours of the pharmacy shall be limited to the following hours:
  - 8:30am to 6:00pm on Mondays, Tuesdays, Wednesdays, Fridays, Saturdays
  - 8:30am to 9:00pm on Thursdays; and
  - 10:00am to 6:00pm on Sundays.

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28. No advertising signs or structures shall be erected, displayed or affixed on any building or land without prior approval.
29. No advertising signs or structures shall be displayed on the footpaths, pedestrianways, roadways or on any land other than the approved development site.
30. 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.
31. All fire safety equipment and fixtures shall be regularly serviced and maintained. The owner or their agent shall certify annually that each of the fire safety measures specified in this statement has:
  - (a) been assessed by a properly qualified person, and
  - (b) found, when it was assessed, to be capable of performing to at least the standard required by the current Fire Safety Schedule for the building for which the certificate is issued.

### **Advisory Notes**

32. The applicant shall make themselves aware of the Discrimination Against People with Disabilities Act (DDA) and assess their responsibilities and liabilities with regards to the provision of access for all people.
33. The applicant is advised to consult with:
  - (a) Sydney Water Corporation Limited
  - (b) Integral Energy
  - (c) Natural Gas Company
  - (d) a local telecommunications carrier

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

- B. The Seal of Council be affixed to any necessary documentation in this matter.

### **ATTACHMENTS:**

AT - 1 Site and Elevation Plan



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AT - 1 Site and Elevation Plan



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oooO END OF REPORT Ooo

## ORDINARY MEETING

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**Item: 49**                      **CP - Draft Section 64 - Contribution Plan - Stormwater Infrastructure for Pitt Town - Bona Vista and Fernadell Precincts - (95498)**

**Previous Item:**            257, Ordinary (9 December 2008)

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### REPORT:

#### Introduction

The purpose of the report is to advise Council of the issues raised during the public exhibition of the Draft Section 64 - Contribution Plan - Stormwater Infrastructure for Pitt Town - Bona Vista and Fernadell Precincts and to recommend that the Plan be adopted.

#### Background

On 9 December 2008 Council considered a report which included details of a draft Section 64 Contribution Plan for the first two precincts of the Pitt Town Development Area to be developed, that is the Bona Vista and Fernadell Precincts. Council subsequently resolved to publicly exhibit the draft plan.

The draft plan was placed on public exhibition for the period Friday, 16 January 2009 to Monday, 16 February 2009. Notices of the exhibition were placed in the Hawkesbury Courier on 15 and 29 January 2009. Relevant information was available for inspection at Council's Administration Building and on Council's website.

#### Submission

One submission was received as a result of the exhibition of the draft plan. The submission is discussed below:

#### Submission from Mr T Elliot

#### Comment

It appears the stormwater retention pond on Bona Vista is the same land as the Threatened Shale Transitional Forrest. This area was to be set aside, separate from the rest of the subdivision to conserve this threatened bushland. The diagram also shows the overflow cutting directly through this area. Any plan like this will destroy more of this protected forest. The whole protected area of Shale Transitional Forrest on the Bona Vista Property should be preserved.

The Dr Anne Clemments report states that threatened species were found, that is *Acacia Pubescens*, on the Bona Vista property. As this species has little seed and mainly reproduces by suckering any bulldozing has the possibility of wiping the whole area out of this *Acacia*.

#### Response

The basin and overland flow path are located within the "protected area". The protected area does contain in part the Vulnerable species *Acacia pubescens* and vegetation which meets the criteria for the endangered ecological community Shale Gravel Transition Forest under the NSW Threatened Species Conservation Act 1995

As a result of detailed stormwater management investigations for the subdivision of Bona Vista (Development Application DA0557/06 - 226 lots) and further investigation due to the increased lot yield expected as a result of a "Part 3A approval" issued by the Minister for Planning, it is considered that the Bona Vista basin and overland flow path is necessary to appropriately control stormwater both in terms of quality and quantity.

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Based on preliminary investigations it would appear that the north-eastern most part of the protected area is appropriate for the basin as it is in close proximity to the terminus of the piped trunk drainage system for the Bona Vista precinct and is in a relatively cleared area compared with the majority of the protected area. In locating the basin in the north-eastern most part of the protected area it is hoped that impacts on existing native vegetation (including vulnerable and endangered ecological communities) will be minimised.

The overland flow path is required to connect the Bona Vista basin to the Fernadell wetland. It is envisaged that this will consist of an informal swale that will meander between the existing bushland so as to minimise disturbance to native vegetation.

It should be noted that this comment relates to the actual development of the site rather than the provisions of the Section 64 Plan. The Section 64 Plan does not, in itself, approve any works; rather it provides for the costs of the trunk drainage works to be proportioned across all the development that uses those facilities. The actual works would be the subject of a separate approval process

### Recommendation

No amendment to the Section 64 Plan.

### Comment

It is not clear why Council has to purchase this area when it is already supposed to be set aside for preservation.

### Response

Whilst the protected area is to be set aside for preservation Council has not resolved to purchase or acquire this land. Conversely, it is common practice that stormwater infrastructure (excluding overland flow paths) are owned by Council. Hence the Section 64 Plan provides for the acquisition of land for the basin, wetland and associated buffer areas.

### Recommendation

No amendment to the Section 64 Plan.

### Comment

It still isn't clear from any plans that the system of stormwater ponds will not increase the danger of flooding in the area, especially for those living at the southern end of Pitt Town. As you can imagine six hundred odd houses all draining in the one direction must affect adjoining properties by higher flood risk, decrease their value, and render council liable for damages.

### Response

The location and size of the basin, overland flow paths and wetland are based on a detailed stormwater management plan submitted by the applicant/developer which was prepared by suitably qualified consultants.

Key objectives of the stormwater management plans were:

- *The amount of stormwater generated within Pitt Town up to 100 ARI event, and the discharge to the Hawkesbury River System is reduced and not increased*
- *The risk of localised flooding is minimised and not increased*
- *Provide a high level of safety in terms of batter slopes and ponding depths*

The stormwater management plan states that the proposed trunk drainage system will reduce the peak flows (i.e. 100 ARI flows) from the site to below the predevelopment levels.

The Plan has been assessed by Council staff and is considered to be satisfactory in terms of achieving these objectives.

This comment relates to the actual development of the locality and the implications. That development has already been determined by the Minister for Planning. As mentioned previously in this report, the Section 64 Plan provides a mechanism for the apportioning of the costs of trunk drainage facilities across all the development that utilise those facilities.

#### Recommendation

No amendment to the Section 64 Plan.

#### **Minor Amendments to Plan**

The following minor amendments to the Plan are recommended:

Section 1.3, first sentence: After the word "this" remove the word "development"

Section 1.4, first sentence: After the word "this" remove the word "development"

Section 2, third dot point: Replace "Wetland and basin" with "Wetland, basin and overland flow path"

Section 2.3, second sentence: Replace "basin and wetland is" with "wetland, basin and overland flow path are"

Section 3, first sentence: After the word "land", replace "with" with "in"

Section 5, forth dot point: Replace "drainage" with "stormwater"

Section 9, last sentence: Replace "contribution" with "contributions"

These amendments have been included in the plan attached to this report.

#### **Conformance to Strategic Plan**

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

*"Strategic Direction: Establish a framework to define and equitably manage the infrastructure demands of the City."*

#### **Funding**

There are no funding implications, apart from staff time, in the preparation of the Section 64 Plan. Provision of necessary trunk stormwater infrastructure, that has been approved previously, is to be funded by the contributions specified in the Section 64 Contribution Plan.

#### **Planning Decision**

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

**ORDINARY MEETING**

**Meeting Date:** 10 March 2009

**RECOMMENDATION:**

That:

1. The attached version of the Draft Section 64 - Contribution Plan - Stormwater Infrastructure for Pitt Town - Bona Vista and Fernadell Precincts be adopted.
2. The Plan be made effective by way of notice in the Hawkesbury Courier.

**ATTACHMENTS:**

- AT - 1** Draft Section 64 - Contribution Plan - Stormwater Infrastructure for Pitt Town - Bona Vista and Fernadell Precincts - (*Distributed Under Separate Cover*)

**oooO END OF REPORT Oooo**

Item: 50

CP - Building Code of Australia Requirements for Guttering - (95498)

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**REPORT:**

**Introduction**

At the meeting of 24 February 2009 Council considered a Notice of Motion from Councillor Williams and subsequently resolved as follows:

*"That a report be brought to Council as to how Council can act to ensure that guttering included in proposed constructions does not cause damage to these buildings in the future."*

**Report**

The note from management in relation to the Notice of Motion stated the following:

"Clause 98 of the Environmental Planning and Assessment Regulations 2000 states the following:

*"98(1) For the purposes of section 80A (11) of the Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:*

- (a) that the work must be carried out in accordance with the requirements of the Building Code of Australia,*
- (b) in the case of residential building work for which the Home Building Act 1989....."*

As seen from above there is a requirement for consents involving building work to have a condition imposed that requires compliance with the Building Code of Australia (BCA). Council's standard condition that is placed on all development consents that involve building works states the following:

*"The development shall comply with the provisions of the Building Code of Australia at all times."*

The BCA deals with matters in the form of "Acceptable solutions" and performance or "Alternate solutions". This means that there are a number of ways in which a building can find a solution to comply with the BCA. A development consent cannot specify which part of the BCA is to be complied with, i.e., whether it must be an "acceptable" or "alternate" solution, or that a particular part of the BCA must be used. This is specified in Section 80A (10A) of the Environmental Planning and Assessment Act 1979 as follows:

*"80A (10A) A condition of a consent has no effect to the extent that it requires a compliance certificate to be obtained in respect of any development."*

The intent of this Section is that a building is certified to comply with the BCA by the Principle Certifying Authority (PCA), which may be either Council or a Private Certifier. How the building complies with the BCA is up to the PCA and cannot be specified by the Development Consent."

Part 3.5.2 in Volume 2 of the BCA deals with the Standards and Performance Requirements for "Gutters and Downpipes". Part 3.5.2.4(d) of the BCA specifically addresses "high-fronted gutters" and states the following:

*"Where high-fronted gutters are installed, provision must be made to avoid any overflow back into the roof or building structure by installing slotted gutters or the like."*

As seen from this part of the BCA a gutter with "slots" at the front technically complies with the requirements of the BCA.

Attached to this report is Planning Circular BS 08-001 issued by the Department of Planning on 10 April 2008 in relation to High Front Gutters. It is clear from the Circular that the issue of compliance with the BCA in relation to this matter has been raised previously and that compliance in the past may not have been as robust as desired, hence the issue of the Circular to all practitioners and certifying authorities.

### Options

There are a number of options that have been proposed to deal with this matter.

1. *Impose conditions of development consent to prohibit high front gutters.*

#### Comment

As discussed previously in this report, whilst a development consent condition can be imposed to require compliance with the BCA, it cannot specify the way a building must comply with the BCA. This is a matter for the Principle Certifying Authority (PCA) for the project.

This option is not possible.

2. *Propose conditions on development that extend beyond the standards in the BCA.*

#### Comment

As mentioned above, such a condition on a development consent would not be valid.

This option is not possible.

3. *Not permit high front gutters, or impose higher standards when Council is the PCA.*

#### Comment

When a PCA commences a project with a client, it is usual that the client is issued with a document that specifies the terms and building standards that the PCA will accept. In this regard Council, when appointed as the PCA, could set out in such a document that either high front gutters would not be accepted for certification or that additional provisions, beyond the requirements of the BCA, would apply to prevent overflow of water into the eaves of the building.

As Council is aware, the certification of building works has been open to private certification since 1998. Since that time Council has retained approximately 55% of the building certification work in the Hawkesbury. The purpose of the certifier, be it Council or Private, is to certify that construction works comply with the requirements of the BCA, development consent conditions or other relevant standards. There is little or no scope for the Certifier to introduce merit assessments into this work. If Council, as PCA, attempted to introduce a merit preference of no high front gutters or additional standards into its certification work, it would have the following impact:

- a) There would potentially be additional costs to the client for additional building works or materials,
- b) It would be questionable that the certifier is acting in a manner that complies with the relevant accreditation scheme, i.e. to certify compliance with the BCA,
- c) These requirements would only apply to approximately 50% of the building works in the Hawkesbury,
- d) If Council as a certifier does not act in a proper manner, additional certification work will be lost from Council to the private sector and the percentage of works that would be subject to the high front gutter controls would reduce further.

Whilst this option is possible it is not preferred due to the reasons set out above.

4. *Make a submission to the Department proposing that the provisions of the BCA be changed to overcome the perceived problems.*

**Comment**

As seen from the Planning Circular (BS 08-001) attached to this report, high front gutters have been in use since the 1990s. It is also clear from the Circular that the issue of water penetration into certain houses has been identified as recently as early last year. The reasons for the water penetration could be varied and may include building practitioners and certifying authorities not being diligent with the BCA requirements; house owners not undertaking sufficient maintenance on the gutter system to ensure that the overflow devices are working properly; or a combination of these factors. However, it is clear that the Department of Planning and the Building Systems Unit are aware of the issue and have reviewed the provisions of the BCA as recently as April 2008 and seemed to have determined that the existing standards and provisions, as set out in the attached Circular, are satisfactory.

Whilst this option of making a submission to the Department is possible, it is not recommended due to the matter recently being reviewed.

**Conformance to Strategic Plan**

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

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

**Funding**

There are no funding implications to this report.

**RECOMMENDATION:**

That:

1. The information be noted.
2. When Council is nominated as the Principle Certifying Authority and the construction involves high front gutters, the builder be advised that there may be overflow problems over time and additional prevention works should be considered.

**ATTACHMENTS:**

**AT - 1** Department of Planning - Planning Circular - High Front Gutters



**AT - 1 Department of Planning - Planning Circular - High Front Gutters**

NSW GOVERNMENT  
Department of Planning

## PLANNING circular

### BUILDING SYSTEM

Building regulation advisory note

**Circular** BS 08-001

**Issued** 10 April 2008

**Related**

# High front gutters

The purpose of this circular is to raise awareness and remind practitioners of the regulatory provisions applying to the design and installation of gutters.

## Background

High front gutters have been in use since the 1990s. The Building Code of Australia (BCA), including certain referenced Australian Standards, contains requirements for the performance, construction and installation of high front gutters. In recent times, issues have been raised in relation to water penetration in certain houses that have been fitted with high front gutters.

## Building Code of Australia requirements

It is a requirement under the *Environmental Planning and Assessment Act 1979* and its Regulation, that all building work be carried out in accordance with the BCA. In this regard, accredited certifiers, councils and building practitioners are reminded of the following relevant provisions in the BCA and specific standards referenced by the BCA, relevant to stormwater drainage.

**Volume One** of the BCA provides for Damp and Weatherproofing in Part F1, namely:

- Performance Requirements FP1.2 and FP 1.3
- Deemed to Satisfy Provisions F1.1, which requires stormwater drainage to comply with AS /NZS 3500.3 (2003), 'Stormwater drainage'.

**Volume Two** of the BCA provides for gutters and downpipes in Part 3.5.2, namely:

- Compliance with Performance Requirement P2.2.1
- Deemed to Satisfy Provisions as follows:
  - the Acceptable construction manuals AS /NZS 3500.3; or AS/NZS 3500.5, (2000) 'Domestic Installations', or
  - the Acceptable construction practice described in Clause 3.5.2.1 'Application', particularly subclause (b); and Clause 3.5.2.4 'Installation of Gutters', particularly subclause (d).

The referenced edition of AS/ NZS 3500.3 (2003) includes:

- the requirements for Roof Drainage Systems – in Section 3, 'Design' and in Section 4, 'Installation'
- examples of acceptable overflow measures for eaves gutters, which are contained within Appendix G.

The referenced edition of AS/ NZS 3500.5 (2000) includes requirements for stormwater drainage in Section 5.

All building practitioners and certifying authorities are reminded of these requirements.

## Further information

If you have any enquiries in relation to this matter, please phone the Building Systems Unit of the Department of Planning on (02) 9228 6529.

## Authorised by:

Chris Johnson  
Executive Director, Special Projects

## Important note

This circular does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this circular.

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## ORDINARY MEETING

Meeting Date: 10 March 2009

### INFRASTRUCTURE SERVICES

**Item: 51**                    **IS - Charles Kemp Reserve Plan of Management - (79354)**

**Previous Item:**        216, Ordinary (21 October 2008)

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#### **REPORT:**

In the financial period of 2005/2006, funding was made available from within the Capital Works Program for the development of a Plan of Management and Master Plan for the continuing management of the Charles Kemp Reserve, Ebenezer.

As part of the initial community consultation process, a community meeting/workshop was held on 21 February 2008. Residents were notified by way of advertisements and correspondence was forwarded to key stakeholders. Attendance at the meeting was high and included over 30 residents and representatives of the local indigenous community.

The Draft Plan of Management and Master Plan for Charles Kemp Reserve was completed and placed on public exhibition for a period of 42 days, to allow the community to make comments.

At the end of the exhibition period on 9 January 2009, Council received five replies to the Draft Plan; all identifying various matters and issues relating to the Reserve.

Two submissions agreed with the management strategies of the Plan of Management. They also outlined details for continued improvement to the Park with the removal of the old house and the provision of increased amenities in-line with the Plan of Management.

A submission from the Rural Fire Services identified that within the Plan of Management that hazard reduction exercises would not be initiated before the 2011/2012 period, however following confirmation of Rural Fire Services records, hazard reduction burning is feasible in the 2010/2011 period. This can be amended within the Final Copy of the Plan of Management.

The submission from Darug Aboriginal Landcare Incorporated identified the group had no objection with the management plan and the demolition of the old house, however requested to be present during the works to ensure any artefacts are collected and returned following the completion of works.

The final submission was in relation to existing water rights and an irrigation line through the Reserve and the implication relating to the management and maintenance of the line. Currently the Reserve has one existing irrigation line that transects the Reserve and as such is covered under existing use rights. This line can only be maintained in its current condition and not upgraded as this would constitute a new line and thereby not conform to the Local Government Act 1993 (Division 2 Section 47).

Whilst it is recognised that local residents and businesses require access to Hawkesbury River for current water rights, access to community lands for the provision of private use is not permissible. To address this issue the provision of a strip of land to provide access to the River is possible. The identification of a five metre wide strip of land (approximately 650sqm) from Swallow Reach Place to the River along the southern boundary of the Reserve including reclassification to Operational Land would provide the necessary River access. Subsequent leasing to allow access would potentially provide income for ongoing maintenance and management of the Reserve.

Reclassification from the Community Land to Operational Land would require Council to undertake further community consultation in relation to the proposal. It is proposed that the Plan of Management be adopted, with the provision that further community consultation be undertaken in relation to the

## ORDINARY MEETING

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reclassification of approximately 650sqm of land adjacent to the southern boundary of the property to Operational Land.

### Conformance to Strategic Plan

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

*"Objective: Sustainable and liveable communities that respect, preserve and manage the heritage, cultural and natural assets of the City".*

### Funding

Future improvements to the Reserve are proposed to be funded from the Park Improvement Program, Section 94 funds and Grants depending upon availability of funding.

### RECOMMENDATION:

That:

1. The Charles Kemp Reserve Plan of Management and Master Plan be adopted.
2. Further community consultation be undertaken with a view to the reclassification of a five metre strip of land, adjacent to the southern boundary of the Reserve (approximately 650m<sup>2</sup>) to Operational Land, and the Plan of Management be amended as required.

### ATTACHMENTS:

- AT - 1** Charles Kemp Reserve Plan of Management and Master Plan - (*Distributed Under Separate Cover*)

oooO END OF REPORT Oooo

## ORDINARY MEETING

Meeting Date: 10 March 2009

**Item: 52**                      **IS - Exclusive Use of Governor Phillip Reserve - Upper Hawkesbury Power Boat Club - (79354, 73829)**

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### REPORT:

The Upper Hawkesbury Power Boat Club (UHPBC) has advised the proposed dates for the 2009 calendar year, and are seeking Exclusive Use of Governor Phillip Reserve to conduct the following events.

#### 2009

Sunday 3 May 2009	Bridge to Bridge Power Boat Classic - <b>Exclusive Use</b>
Sunday 17 May 2009	Club Day - Alternate day for Bridge to Bridge Power Boat Classic ( <b>Exclusive Use if alternate date required</b> )
Saturday 19 September 2009	Windsor Spectacular Weekend - <b>Exclusive Use</b>
Sunday 20 September 2009	Windsor Spectacular Weekend - <b>Exclusive Use</b>

Approval for Traffic Management is to be undertaken as part of the Special Event Application.

It is anticipated that these events will have significant flow-on effects to the business community and as such approval is recommended.

### 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 community plans to meet the social, health, safety, leisure and cultural needs of the City."*

### Funding

No impact on budget arising from this report.

### RECOMMENDATION:

That:

1. That approval be granted to the Upper Hawkesbury Power Boat Club for "Exclusive Use" of Governor Phillip Reserve for the following events: (i) Bridge to Bridge Power Boat Classic to be held on 3 May 2009, with an alternate date of 17 May 2009; and (ii) The Windsor Spectacular to be held on 19 and 20 September 2009. Both events are subject to the following conditions:
  - a. Prior to dates of exclusive use a letter box drop be undertaken by the applicant to all affected residents in proximity to the event with that letter advising full details of the function;
  - b. The Reserve is to be left clean and tidy with the organisation being responsible for collection and disposal of all waste; the applicant is to lodge with Council a damage bond of \$800.00\* in relation to each date, which is refundable less any costs incurred by Council, administrative or otherwise, to clean or restore the area;
  - c. The applicant paying to Council such fees as may be applicable at the time for exclusive use of the Reserve being \$1.45\* per person or \$860.00\* per day (whichever is the greater);
  - d. A fee of \$60.50\* is payable for the cleaning of the toilets prior to the exclusive use;

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*(\*The above fees/amounts apply to the current financial year only; these fees/amounts are subject to change in subsequent financial years, as determined by Council.)*

- e. A copy of a Public Liability Policy for \$10,000,000 and indemnifying Hawkesbury City Council is to be submitted prior to the first event; in the event of renewal of that policy occurring at some time during the course of the 2009 Racing Calendar, a Certificate of Currency is to be submitted within one week of renewal - this Public Liability Policy is to cover all events conducted as part of the applicant's 2009 Racing Calendar.
- f. Any building, vehicle or stall that is preparing food for public consumption is to comply with Council's "Food Safety Guidelines for Charities and Community Organisations" brochure; this information and any related food/public health information can be obtained by contacting Council's Environmental Health Officer.
- g. If required, the applicant obtaining all necessary permits/approvals in relation to amusement devices/rides and liaising with Integral Energy regarding the supply of power and their proximity to power supply lines.
- h. If required, the applicant to obtain an appropriate licence from the Licensing Branch of the NSW Police Service for the sale of alcoholic beverages at the proposed event.
- i. The applicant is to notify details of the 2009 Racing Calendar to the Hawkesbury Local Area Command at Windsor Police Station. Phone: 4560 6999.
- j. The applicant obtaining an appropriate licence from NSW Maritime Authority regarding the conduct of the 2009 Racing Calendar.
- k. The event manager/applicant must undertake a Risk Assessment of the event to be conducted including pre-event preparations. This assessment must identify potential hazards and the procedures that need to be implemented to eliminate or control those hazards. The event manager/applicant is responsible for ensuring that procedures are followed and that they comply with the requirements of the Occupational Health and Safety Regulations 2001.
- l. The Upper Hawkesbury Power Boat Club is to comply with Council's current policy in regard to noise levels, as listed below.

No competing vessel shall be permitted to emit noise in excess of:

- i. Club Days - 105dB(A) for more than 40 minutes per day;
  - ii. NSW State Titles - 105dB(A);
  - iii. Bridge to Bridge Boat Race - 105dB(A);
  - iv. Unlimited Boat Race (Blown Boats) - 115dB(A). This event is held directly after the Bridge to Bridge Boat Race;
  - v. Noise Test - (prior to the Two Day Spectacular) - 115dB(A) for more than 15 minutes in total through the day;
  - vi. Two Day Spectacular - 115dB(A) for more than 10 minutes in total per day.
2. A Traffic Management Plan be submitted as part of the Special Event Application.

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**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**

**Meeting Date:** 10 March 2009

**Item: 53**                    **IS - Three Towns (and Agnes Banks) Sewerage Advisory Committee Constitution - (88320)**

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**REPORT:**

The Three Towns (and Agnes Banks) Sewerage Advisory Committee met on Thursday, 12 February 2009. At this meeting the Committee's Constitution was considered and approved and recommended to be forwarded to the next available Council meeting.

Accordingly the Constitution is attached for consideration (refer to the Committee Minutes).

**Conformance to Strategic Plan**

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

*"Objective: Establish a framework to define and equitably manage the infrastructure demands on the City."*

**Funding**

Nil impact on current budget.

**RECOMMENDATION:**

That the Draft Three Towns (and Agnes Banks) Sewerage Advisory Committee Constitution be adopted.

**ATTACHMENTS:**

**AT - 1**    Draft Three Towns (and Agnes Banks) Sewerage Advisory Committee Constitution.

**AT - 1 Draft Three Towns (and Agnes Banks) Sewerage Advisory Committee Constitution.**

**Hawkesbury City Council**

**Hawkesbury Three Towns (and Agnes Banks) Sewerage Advisory Committee**

**Constitution**

**1. Name**

The Advisory Committee, as appointed under the provisions of section 377 of the Local Government Act 1993, shall be known as the Three Towns (and Agnes Banks) Sewerage Advisory Committee, and is hereinafter referred to as the 'Advisory Committee'.

**2. Objectives**

- (a) To provide policies in relation to the connection of properties to the scheme and decommissioning of onsite treatment systems.
- (b) To provide assistance to Sydney Water and the community in the implementation of the Three Towns (and Agnes Banks) Sewerage Scheme.

**3. Role and Authorities**

- (a) Whereas the Advisory Committee is appointed by the Hawkesbury City Council under the terms of the Local Government Act 1993, the Advisory Committee is to abide at all times with the terms of reference of this clause, and with the authorities delegated under this clause whilst remaining in force (unless otherwise cancelled or varied by resolution of Council).
- (b) The Advisory Committee shall have the following authorities delegated to it in accordance with the provisions of section 377 of the Local Government Act 1993:
  - (i) to recommend to Council policies drawn up by professional staff for:
    - meeting the objectives of the Advisory Committee
  - (ii) to bring to Council's attention, by way of recommendation, any item requiring a policy decision outside the authority granted to the Advisory Committee under section 377;
- (c) The Council retains the responsibility for all budgetary considerations;
- (d) The General Manager (or his/her delegate) retains, and shall be entirely responsible for the appointment and dismissal of staff (either permanent or temporary) within the Three Towns (and Agnes Banks) Sewerage Advisory Committee in accordance with the Local Government Act 1993;
- (e) The General Manager (or his/her delegate) retains all responsibility for the direction of any staff member, including any disciplinary action, be it for permanent, temporary or part time staff. The Advisory Committee will, however, have the right to bring to the attention of the Director of the Department within Council responsible for providing logistic support to the Advisory Committee any issues which, in its opinion, require disciplinary action; and
- (f) Any authorities conferred upon the Advisory Committee under this Constitution may be varied by Council.



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### 4. Term

The Advisory Committee members' term shall be for 12 months in accordance with the time frame set by the Advisory Committee.

### 5. Structure and Membership

- (a) The structure and membership of the Advisory Committee shall be as follows, and all the undermentioned appointments will have voting rights:
  - (i) Three (3) Councillors of the Hawkesbury City Council; and,
  - (ii) Four (4) community appointments, appointed by Council following the calling of applications as detailed in clause 6(b) of this Constitution;
- (b) Whereas the appointments detailed in clause 5(a) will form the Advisory Committee, the Director Infrastructure Services will be required to attend meetings of the Advisory Committee;
- (c) The Director of the Department charged with the responsibility for the Three Towns (and Agnes Banks) Sewerage Committee within the Hawkesbury City Council shall attend meetings and may delegate the Manager of Waste Management as his/her delegate when deemed necessary;
- (d) The Advisory Committee shall, at its first meeting following appointment, and each twelve (12) month period thereafter, elect one of its members from those appointed under clause 5 to be the Chairperson of the Advisory Committee, and one of its members appointed under the same clause to be Deputy Chairperson, who shall act in the absence of the Chairperson;
- (e) The position of Chairperson shall not be held by the same person for any longer than three (3) consecutive years;
- (f) The position of Deputy-Chairperson shall not be held by the same person for any longer than three (3) consecutive years;
- (g) No staff member of Hawkesbury City Council shall be elected as Chairperson or Deputy Chairperson of the Advisory Committee;
- (h) Each member of the Advisory Committee entitled to vote shall only have one vote except that of the casting vote of the Chairperson in the case of equality of votes;
- (i) The Advisory Committee may co-opt additional members from time to time, at its discretion, to provide specialist advice or assistance, but such co-opted members shall only serve on the Advisory Committee for the period of time required, and will not, whilst serving in the position of co-opted member, have any voting rights; and
- (j) The Advisory Committee may invite as observers citizens or other representatives for the purpose of clarifying certain matters as decided by the Advisory Committee. Such observers will not be permitted to vote.

### 6. Appointment and Election of Members

- (a) Three (3) Councillors will be appointed to the Advisory Committee in accordance with practices and procedures of the Council;
- (b) The Council shall, in the month of October following the quadrennial election place advertisements in appropriate newspapers inviting nominations from members of the community for membership to the Advisory Committee;

## ORDINARY MEETING

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- (c) The Council shall select and appoint the community representatives to the Advisory Committee;
- (d) The Advisory Committee shall have the power to fill casual vacancies at its discretion;
- (e) Members of the Advisory Committee shall cease to hold office:
  - (i) if the Advisory Committee is dissolved by Council;
  - (ii) upon written resignation or death;
  - (iii) if absent without prior approval of the Advisory Committee for three consecutive meetings; or,
  - (iv) if the Council by resolution determines that the member has breached Hawkesbury City Council's Code of Conduct (as it is in force from time to time).
- (f) For the purposes of sub-clause 6(e)(iv), the Code of Conduct is to be taken to apply to community and representative members as referred to in clause 5(a) in the same way as the Code of Conduct applies to Councillors.

### 7. Procedures and General

- (a) Ordinary meetings of the Advisory Committee shall be held no less than six times per year. Special meetings may be convened at the discretion of the Chairperson, or, in his/her absence, the Deputy Chairperson;
- (b) The Director Infrastructure Services shall be the Executive Officer to the Advisory Committee, and will be responsible for preparation of specialist reports, and any and all correspondence associated with the Advisory Committee;
- (c) The Council will provide a Minute Clerk for the purpose of recording the Minutes of the Advisory Committee meetings and for the distribution of Minutes following meetings of the Advisory Committee;
- (d) No meeting of the Advisory Committee shall be held unless three (3) clear days notice thereof has been given to all members;
- (e) The Minute Clerk shall forward a copy of the Minutes of each Advisory Committee meeting to all Advisory Committee members, as well as to Council, for submission to the appropriate Standing Committee, as soon as possible following such Advisory Committee meeting;
- (f) At any meeting of the Advisory Committee, the Chairperson, or the person acting in the position of Chairperson, shall, in addition to his or her ordinary vote, have a casting vote where such a situation occurs where there is an equality of votes;
- (g) The rules governing meetings and the procedures of the Advisory Committee shall, so far as they apply, be those covered by the Hawkesbury City Council's Code of Meeting Practice, as may be altered from time to time by resolution of the Council;
- (h) A quorum of the Advisory Committee shall be constituted by three (3) members being present at meetings;
- (i) Any members having a pecuniary interest in any matters being discussed by the Advisory Committee shall declare such interest at the meeting of the Advisory Committee and refrain from voting or discussion thereon.

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- (j) The requirements applying to pecuniary interests for members as detailed in clause 7(i) above shall apply equally to any other appointed or invited observers or co-opted members, and also to the Executive Officer/Secretary;
- (k) Any recommendations of the Advisory Committee shall, as far as adopted by the Council, be resolutions of the Council, provided that recommendations or reports of the Advisory Committee shall not have effect unless adopted by the Council;
- (l) It shall be competent for the Advisory Committee to appoint a sub-committee or specific work groups comprised of members or non-members to exercise and carry out specific investigations for the Advisory Committee, and then to report back to the Advisory Committee. These appointed sub-committees or work groups may be dissolved by the Advisory Committee at any time;
- (m) Any appointed sub-committees or work groups have no power to make any decisions whatsoever on behalf of the Advisory Committee, and any recommendations of any sub-committee or work group will only have effect once adopted by the Advisory Committee, or by the Council, as the case may be;
- (n) The Director Infrastructure Services shall prepare an Annual Report of the Committee's activities for submission to the Advisory Committee, who will, in turn, present such report to the Council.

**oooO END OF REPORT Oooo**

**SUPPORT SERVICES**

**Item: 54                      SS - Revaluation of Properties within the Hawkesbury City Council Local Government Area - (95496, 79337)**

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**REPORT:**

This report updates Council on the effects of the latest Valuer General revaluation of properties within the Hawkesbury City Council Local Government Area.

**Rating Structure**

Council's current rating structure provides for three different types of ordinary rates: residential, farmland and business. The rate type applicable to a particular property is determined on the basis of the property's rating categorisation. All properties are categorised in accordance with the provisions set out in the Local Government Act, 1993.

**Rates assessed on Land Value**

Each year, rates are assessed on the basis of the latest land value provided by the Valuer General, multiplied by the rate in the dollar set by Council for the year. The rate in the dollar for the year is determined in conjunction with the rate pegging limit set by the Minister, so that the total rate income received will not exceed the permissible income limit.

**Land Value Updates**

The Valuer General conducts a revaluation of a Local Government Area approximately every three years. The land values currently used for rating have a base date of July 2005, and have been used for rating purposes since the 2006/2007 rate levy. A revaluation of the Hawkesbury Local Government Area took place in 2008, which has resulted in the total rateable land valuations increasing from \$7.12 billion to \$7.78 billion, an average increase of 9.39%. These latest valuations will be used for rating purposes for the first time in the 2009/2010 financial year.

**Effect on Rates**

Whenever a revaluation occurs, the rating distribution within the Council area changes. Although the total rating income generated for Council is restricted by the rate pegging limit, individual ratepayers will receive varying increases or decreases in their rates, dependent upon how their property has been affected by the revaluation.

It should be noted that the values quoted are based on the revaluation figures received from the Valuer General. These values are subject to further change prior to use in the 2009/2010 rate levy, due to ongoing objections by owners, and subsequent reviews by the Valuer General. This year, there have been a large number of adjustments already processed by the Valuer General.

The latest revaluation has realised an average increase in rateable land values of 9.39%. Notwithstanding the rate pegging limit imposed on Council, ratepayers who have received valuation increases above the average, may expect to receive rate increases for 2009/2010, and similarly, those ratepayers who receive new valuations below the average, may expect a reduction in their general rates for 2009/2010.

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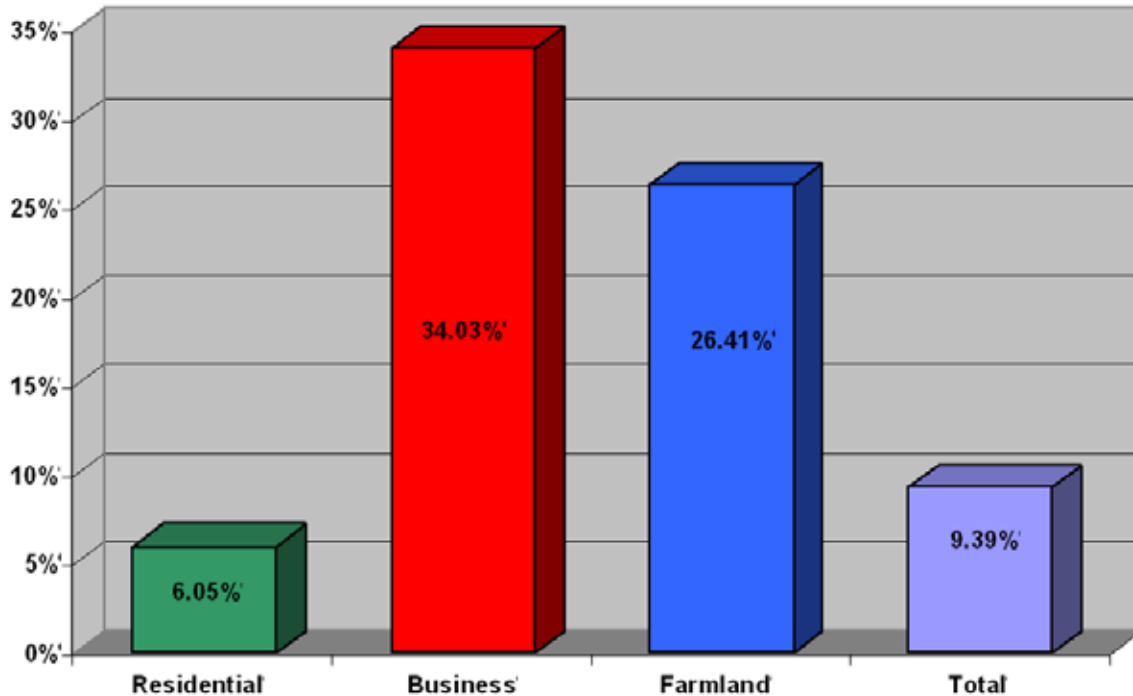
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The following table provides a summary of the overall effects of the revaluation:

Summary					
Category	Property Count	2005 Land Value	Average 2005 Land Value	2008 Land Value	Average 2008 Land Value
Residential	22,181	\$6,166,913,313	\$278,027	\$6,540,120,501	\$294,852
Business	1,544	\$559,278,404	\$362,227	\$749,606,077	\$485,496
Farmland	632	\$398,983,550	\$631,303	\$504,356,900	\$798,033
<b>Total</b>	<b>24,357</b>	<b>\$7,125,175,267</b>	<b>\$292,530</b>	<b>\$7,794,083,478</b>	<b>\$319,993</b>

The following graph shows the average increases for each rating category:

**Valuation Increases Between 2005 and 2008**



### Category/Suburb Review

As can be seen from the table provided below, the increases in residential valuations aren't particularly confined to one section of the Hawkesbury, with suburb changes ranging from a decrease of 12.29% in Oakville (Scheyville excluded), to an increase of 198.12% at Cornwallis. It is reasonable to assume that there will be significant increases in a variety of areas. The average increase in residential valuations is 6.05%.

The business valuation changes again do not reveal any particular pattern, although Vineyard and Mulgrave have increased higher than the average. Total suburb changes range from a decrease of 11.02% at Bilpin (excluding Berambing), to an increase for a single property at Cornwallis of 281.47%. The average increase in business valuations is 34.03%.

The average increase for farmland is 26.41%, although the changes vary significantly between suburbs, ranging from a decrease at Oakville of 13.93%, to a large increase at Richmond Lowlands of 193.19%.

The following table is a guide as to how the valuation changes would affect a residential property:

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Change in Valuation	Effect on Rates
-20%	-24.34%
0%	-5.42%
20%	13.49%
40%	32.41%
60%	51.33%
80%	70.24%
100%	89.16%
120%	108.07%
140%	126.99%
160%	145.9%

## Valuation Changes

The following tables illustrate how the different suburbs and townships, as an average, varied in respect to the new valuations:

	SUBURB	NUMBER OF PROPERTIES	2005 LAND VALUE	2008 LAND VALUE	% INCREASE /DECREASE
<b>RESIDENTIAL</b>					
	AGNES BANKS	133	30,766,500	35,947,000	16.84%
	BERAMBING	38	14,994,000	15,665,000	4.48%
	BILPIN	260	96,827,800	103,835,000	7.24%
	BLAXLANDS RIDGE	197	72,985,600	81,593,300	11.79%
	BLIGH PARK	2,233	368,024,009	369,089,008	0.29%
	BOWEN MOUNTAIN	576	126,910,000	133,386,000	5.10%
	CATTAI	153	75,540,600	79,877,000	5.74%
	CENTRAL COLO	21	5,435,200	6,624,000	21.87%
	CENTRAL MACDONALD	30	6,496,390	10,744,840	65.40%
	CLARENDON	40	10,520,300	16,833,300	60.01%
	COLO	35	6,743,040	12,054,140	78.76%
	COLO HEIGHTS	116	22,366,800	28,041,660	25.37%
	CORNWALLIS	17	5,060,000	15,085,000	198.12%
	CUMBERLAND REACH	78	19,093,000	19,688,000	3.12%
	EAST KURRAJONG	616	261,447,500	293,245,300	12.16%
	EBENEZER	320	112,649,900	130,594,100	15.93%
	FERNANCES	19	1,983,780	3,324,540	67.59%
	FREEMANS REACH	631	179,727,370	198,102,640	10.22%
	GLOSSODIA	948	251,758,100	256,152,800	1.75%
	GROSE VALE	393	214,585,740	219,072,650	2.09%
	GROSE WOLD	185	95,150,300	101,774,000	6.96%
	HIGHER MACDONALD	18	3,190,100	5,433,400	70.32%
	HOBARTVILLE	1,078	203,593,000	210,624,000	3.45%
	KURMOND	283	123,552,000	131,443,000	6.39%
	KURRAJONG	1,033	451,206,550	461,666,250	2.32%
	KURRAJONG HEIGHTS	511	164,505,222	154,197,100	-6.27%
	KURRAJONG HILLS	230	111,559,000	120,585,000	8.09%

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	SUBURB	NUMBER OF PROPERTIES	2005 LAND VALUE	2008 LAND VALUE	% INCREASE /DECREASE
	LEETS VALE	30	6,890,000	10,382,000	50.68%
	LOWER MACDONALD	233	33,536,900	43,191,600	28.79%
	LOWER PORTLAND	155	36,541,500	52,899,700	44.77%
	MARAYLYA	238	124,986,000	126,650,000	1.33%
	MCGRATHS HILL	892	189,838,600	186,278,600	-1.88%
	MELLONG	8	1,596,000	2,068,000	29.57%
	MOGO CREEK	9	755,700	1,522,000	101.40%
	MOUNTAIN LAGOON	42	16,234,000	20,066,000	23.60%
	MULGRAVE	24	6,868,000	9,603,000	39.82%
	NORTH RICHMOND	1,705	434,879,168	437,127,648	0.52%
	OAKVILLE	531	364,784,370	319,946,960	-12.29%
	PERRYS CROSSING	3	370,000	614,000	65.95%
	PITT TOWN	543	185,825,200	216,257,900	16.38%
	PITT TOWN BOTTOMS	29	5,075,800	11,883,000	134.11%
	PUTTY	9	1,556,000	2,123,000	36.44%
	RICHMOND	2,083	331,220,061	384,514,642	16.09%
	RICHMOND LOWLANDS	20	8,812,600	24,480,000	177.78%
	SACKVILLE	86	22,548,000	24,710,500	9.59%
	SACKVILLE REACH	1	450,000	551,000	22.44%
	SCHEYVILLE	1	732,000	633,000	-13.52%
	SOUTH WINDSOR	2,216	359,918,478	383,291,624	6.49%
	ST ALBANS	115	17,594,200	25,666,600	45.88%
	TENNYSON	131	67,865,300	73,439,400	8.21%
	THE SLOPES	97	41,482,000	44,299,000	6.79%
	UPPER COLO	37	8,990,400	11,752,900	30.73%
	UPPER MACDONALD	37	6,274,500	10,254,700	63.43%
	VINEYARD	358	118,713,038	122,277,000	3.00%
	WEBBS CREEK	39	8,683,500	11,350,400	30.71%
	WHEENY CREEK	25	5,664,000	9,890,000	74.61%
	WILBERFORCE	939	310,543,700	327,004,200	5.30%
	WINDSOR	699	132,757,397	151,140,699	13.85%
	WINDSOR DOWNS	360	177,548,500	163,862,400	-7.71%
	WISEMANS FERRY	43	5,176,800	7,688,700	48.52%
	WRIGHTS CREEK	14	1,817,800	3,203,300	76.22%
	YARRAMUNDI	237	93,712,000	104,819,000	11.85%
	<b>TOTAL RESIDENTIAL</b>	<b>22,181</b>	<b>6,166,913,313</b>	<b>6,540,120,501</b>	<b>6.05%</b>
	<b>BUSINESS</b>				
	AGNES BANKS	3	983,000	1,060,000	7.83%
	BERAMBING	1	750,000	665,000	-11.33%
	BILPIN	10	2,407,730	2,142,400	-11.02%
	BLAXLANDS RIDGE	2	468,000	700,000	49.57%
	BLIGH PARK	12	5,027,400	6,738,000	34.03%
	BOWEN MOUNTAIN	5	1,364,580	1,361,160	-0.25%
	CATTAI	2	618,000	865,000	39.97%
	CLARENDON	14	3,495,400	5,745,400	64.37%
	COLO	3	1,736,000	3,082,000	77.53%

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	SUBURB	NUMBER OF PROPERTIES	2005 LAND VALUE	2008 LAND VALUE	% INCREASE /DECREASE
	COLO HEIGHTS	6	438,740	752,700	71.56%
	CORNWALLIS	1	367,000	1,400,000	281.47%
	EAST KURRAJONG	4	1,052,200	1,265,000	20.22%
	EBENEZER	13	5,419,330	5,831,250	7.60%
	FREEMANS REACH	10	3,428,000	4,005,000	16.83%
	GLOSSODIA	8	4,361,000	4,958,000	13.69%
	GROSE VALE	7	4,457,000	4,403,000	-1.21%
	GROSE WOLD	6	12,605,000	13,159,000	4.40%
	HOBARTVILLE	5	1,120,200	1,880,200	67.85%
	KURMOND	13	5,351,000	6,641,000	24.11%
	KURRAJONG	30	12,750,400	15,539,800	21.88%
	KURRAJONG HEIGHTS	27	10,602,800	12,994,400	22.56%
	KURRAJONG HILLS	4	1,956,000	2,056,000	5.11%
	LOWER PORTLAND	3	2,011,000	3,331,000	65.64%
	MARAYLYA	8	2,219,500	2,414,600	8.79%
	MCGRATHS HILL	11	5,139,000	6,996,000	36.14%
	MELLONG	1	238,000	400,000	68.07%
	MOGO CREEK	2	2,200	2,290	4.09%
	MULGRAVE	200	76,424,964	121,490,814	58.97%
	NORTH RICHMOND	89	34,584,468	39,558,713	14.38%
	OAKVILLE	10	5,592,000	5,025,700	-10.13%
	PITT TOWN	12	4,152,000	4,950,000	19.22%
	PITT TOWN BOTTOMS	1	195,000	550,000	182.05%
	RICHMOND	294	89,957,180	118,213,760	31.41%
	RICHMOND LOWLANDS	1	170,000	245,000	44.12%
	SACKVILLE	2	772,000	760,000	-1.55%
	SOUTH WINDSOR	302	114,580,344	156,538,460	36.62%
	ST ALBANS	11	1,776,840	2,342,070	31.81%
	TENNYSON	1	40,100	45,800	14.21%
	UPPER COLO	2	377,160	417,280	10.64%
	VINEYARD	85	37,376,500	56,224,000	50.43%
	WEBBS CREEK	4	2,854,000	4,130,000	44.71%
	WHEENY CREEK	1	5,890	11,200	90.15%
	WILBERFORCE	65	17,467,650	24,763,050	41.77%
	WINDSOR	248	80,957,128	102,129,130	26.15%
	WINDSOR DOWNS	1	35,500	33,400	-5.92%
	WISEMANS FERRY	2	425,200	557,500	31.11%
	YARRAMUNDI	2	1,166,000	1,232,000	5.66%
	<b>TOTAL BUSINESS</b>	<b>1,544</b>	<b>559,278,404</b>	<b>749,606,077</b>	<b>34.03%</b>
	<b>FARMLAND</b>				
	AGNES BANKS	25	10,531,000	20,360,000	93.33%
	BERAMBING	3	1,791,000	1,855,000	3.57%
	BILPIN	38	22,038,000	23,257,000	5.53%
	BLAXLANDS RIDGE	4	2,565,000	3,152,000	22.88%
	CATTAI	2	1,143,000	1,139,000	-0.35%
	CENTRAL MACDONALD	2	1,071,000	1,416,000	32.21%



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	SUBURB	NUMBER OF PROPERTIES	2005 LAND VALUE	2008 LAND VALUE	% INCREASE /DECREASE
	CLARENDON	3	2,374,000	3,600,000	51.64%
	COLO HEIGHTS	1	145,000	166,000	14.48%
	CORNWALLIS	28	10,782,000	26,260,000	143.55%
	CUMBERLAND REACH	2	1,756,000	2,090,000	19.02%
	EAST KURRAJONG	18	17,353,250	20,445,000	17.82%
	EBENEZER	14	8,206,400	8,133,000	-0.89%
	FREEMANS REACH	89	47,423,000	53,575,000	12.97%
	GLOSSODIA	15	9,632,000	11,315,000	17.47%
	GROSE VALE	14	11,584,000	12,151,000	4.89%
	GROSE WOLD	9	8,249,500	8,615,000	4.43%
	HIGHER MACDONALD	9	2,625,200	4,359,900	66.08%
	KURMOND	10	7,466,000	8,436,000	12.99%
	KURRAJONG	11	10,190,000	11,991,000	17.67%
	KURRAJONG HEIGHTS	8	7,818,000	8,072,000	3.25%
	KURRAJONG HILLS	8	9,341,000	11,109,000	18.93%
	LOWER MACDONALD	5	1,884,000	2,545,000	35.08%
	LOWER PORTLAND	7	2,130,000	3,852,000	80.85%
	MARAYLYA	7	6,746,000	7,033,000	4.25%
	MCGRATHS HILL	6	1,853,000	3,017,000	62.82%
	MOUNTAIN LAGOON	5	3,185,000	3,524,000	10.64%
	MULGRAVE	5	3,967,000	4,568,000	15.15%
	NORTH RICHMOND	24	35,741,000	43,054,000	20.46%
	OAKVILLE	41	30,630,000	26,364,000	-13.93%
	PERRYS CROSSING	1	452,000	752,000	66.37%
	PITT TOWN	11	9,667,000	10,114,000	4.62%
	PITT TOWN BOTTOMS	40	8,549,200	16,464,000	92.58%
	RICHMOND	16	12,338,000	28,147,000	128.13%
	RICHMOND LOWLANDS	7	3,584,000	10,508,000	193.19%
	SACKVILLE	7	3,070,000	4,426,000	44.17%
	SOUTH WINDSOR	2	1,081,000	1,225,000	13.32%
	ST ALBANS	8	3,198,000	4,934,000	54.28%
	TENNYSON	11	8,366,000	11,378,000	36.00%
	THE SLOPES	3	3,039,000	6,297,000	107.21%
	UPPER COLO	7	4,046,000	4,481,000	10.75%
	UPPER MACDONALD	6	1,924,000	3,135,000	62.94%
	VINEYARD	25	16,371,000	16,713,000	2.09%
	WEBBS CREEK	8	2,395,000	3,171,000	32.40%
	WILBERFORCE	52	32,886,000	35,996,000	9.46%
	WINDSOR	5	1,705,000	3,350,000	96.48%
	WINDSOR DOWNS	1	900,000	846,000	-6.00%
	WISEMANS FERRY	1	846,000	1,120,000	32.39%
	WRIGHTS CREEK	4	1,815,000	2,876,000	58.46%
	YARRAMUNDI	4	2,531,000	2,970,000	17.34%
	TOTAL FARMLAND	632	398,983,550	504,356,900	26.41%
	TOTAL FOR LGA	24,357	7,125,175,267	7,794,083,478	9.39%

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As indicated previously, the increase in land valuations for land within the Local Government Area, as a result of this revaluation, does not equate to a corresponding increase in the rate revenue available to Council. The 2009/2010 rate revenue available to be raised by Council, is based upon the total rate revenue received in 2008/2009, together with the rate pegging or other approved increase limit set by the Minister.

It should also be noted that when considering the above figures, it must be borne in mind that they are on the basis of the "average" increase for the area indicated, and that individual properties within an area may vary from the overall average.

It is also acknowledged that the valuations are subject to ongoing change prior to the levy of the 2009/2010 Rates and Charges, and whilst this will not affect the amount of revenue generated by Council, it will alter the final rates in the dollar adopted by Council.

### Effects of Revaluation on Levels of Rates in the \$

The current practice utilised by Council in setting the rate in the \$, provides for the same minimum amount and same ad valorem amount (rate in the \$) being applied to business and residential rates, with farmland rates generally being set at approximately 80% of this amount.

It will be noted that the details in this report indicate that the valuation increases between business, residential and farmland rates, vary considerably with average increases being 34.03%, 6.05% and 26.41%, respectively.

This significant variation in increases, mainly between business and residential properties, has an effect on the level of the rate in the \$ for each category which needs to be considered at this stage. All details now discussed will be based on the 2008/2009 rate yield for comparative purposes, and do not incorporate any rate pegging increase that may be approved or adopted by Council for the 2009/2010 rating year.

The notional rate yield, and rate in the \$ actually applicable in 2008/2009 (i.e. Based on the valuations used for rating in 2008/2009), for each of these categories, was:

<u>Category</u>	<u>Rate in \$</u>	<u>Notional Yield</u>
Business	0.32296	\$ 1,902,000
Residential	0.32296	\$20,390,000
Farmland	0.2586	\$ 1,046,000
<b>Total</b>		<b>\$23,338,000</b>

Should Council wish to maintain the same total proportional rate yield between each category with the implementation of the new valuations, the approximate required rate in the \$, excluding any rate pegging increase, would be:

<u>Category</u>	<u>Rate in \$</u>	<u>Notional Yield</u>
Business	0.23964	\$ 1,902,000
Residential	0.30473	\$20,390,000
Farmland	0.20736	\$ 1,046,000
<b>Total</b>		<b>\$23,338,000</b>

Should Council wish to maintain the existing practice with the implementation of the new valuations, where the business and residential rates in the \$ are the same and farmland rates are approximately 80% of this level, the approximate rate in the \$ and yield, excluding any rate pegging increase, would be:

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<u>Category</u>	<u>Rate in \$</u>	<u>Notional Yield</u>
Business	0.296	\$ 2,304,000
Residential	0.296	\$19,844,000
Farmland	0.236	\$ 1,190,000
<b>Total</b>		<b>\$23,338,000</b>

It will be noted that there is a difference between maintaining a proportional total rate yield, at the 2008/2009 level, compared with continuing with the same business and residential rate in the \$, as has occurred in the past. This difference is:

<u>Category</u>	<u>Notional Yield Same Proportional Basis</u>	<u>Notional Yield Same Bus/Res Rate in \$ Basis</u>	<u>Difference Increase (Decrease)</u>
Business	\$ 1,902,000	\$ 2,304,000	\$ 402,000
Residential	\$20,390,000	\$19,844,000	(\$546,000)
Farmland	\$ 1,046,000	\$ 1,190,000	\$ 144,000
<b>Total</b>	<b>\$23,338,000</b>	<b>\$23,338,000</b>	

As can be seen from the above, there is a variation in the total level of rates raised for each category on each of the above basis. In view of the fact that it has been Council's practice, for a considerable period of time, for the business and residential rates to be levied at the same level, it is proposed to recommend that this practice be continued into the 2009/2010 rating year, where the new valuations must be utilised.

**Conformance to Strategic Plan**

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

*"Objective: To provide accurate updating and maintenance for the computer based Rating and Property Information System"*

**Funding**

There are no funding effects from this report.

**RECOMMENDATION:**

That:

1. The information concerning the revaluation of properties within the Hawkesbury City Council Local Government Area be received.
2. Council's practice of levying the business and residential ad valorem rate, at the same level, be continued.
3. Council's practice of levying the farmland ad valorem rate at approximately 80% of the residential/business ad valorem rate be continued.

**ORDINARY MEETING**

**Meeting Date:** 10 March 2009

**ATTACHMENTS:**

There are no supporting documents for this report.

**oooO END OF REPORT Oooo**

ordinary

section 5

reports  
of committees

**ORDINARY MEETING**  
Reports of Committees

**SECTION 5 - Reports of Committees**

**ROC - Floodplain Risk Management Advisory Committee Minutes - 9 February 2009 - (86589)**

The meeting commenced at 4:09pm.

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<b>Present:</b>	Councillor Kevin Conolly, Chairman Councillor Bob Porter Mr Peter Cinque OAM Mr David Avery Mr David Scott Mr Les Sheather Mr Kevin Jones Mr Geoffrey Bessell Mr John Miller Mr Bill McMahon Mr Alexander Windebank Mr Ian Johnston
<b>Apologies:</b>	Councillor Jill Reardon Councillor Paul Rasmussen Mr Allan Shearan MP - Member for Londonderry Mr John Aquilina MP - Member for Riverstone
<b>In Attendance:</b>	Mr Matthew Owens Mr Philip Pleffer Mr Chris Amit Mr Ray Williams MP - Member for Hawkesbury Ms Kerrie Martin ( <i>in lieu of Ms Louise Markus MP - Member for Greenway</i> ) Ms Robyn Kozjak - Minute Secretary

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**REPORT:**

Mr Owens commenced the meeting with formal introductions. Mr Owens subsequently conducted the election of Chairperson and Deputy Chairperson.

Nominations were called for the election of Chairperson and nominations were received for Councillors Conolly and Porter. Councillor Conolly was subsequently voted in as Chair.

Nominations were called for the election of Deputy Chairperson and one nomination was received for Councillor Porter. Councillor Porter was subsequently voted in as Deputy Chair.

Councillor Conolly assumed the Chair and opened the meeting by welcoming members to the Committee.

**CONFIRMATION OF MINUTES**

Councillor Porter referred to Page 5, point 2 of the previous minutes and enquired when a tour of the river would be conducted with Mr Dooley of DECC (and others). It was advised the invitation was held off at the time due to the Council elections. Councillor Porter asked for the matter to be pursued as Mr Dooley had

**ORDINARY MEETING**  
Reports of Committees

previously indicated he was keen to inspect the river. Councillor Porter further advised he would be able to source vessels for the occasion.

**RESOLVED** on the motion of Councillor Porter and seconded by Mr John Miller that the Minutes of the Floodplain Risk Management Advisory Committee held on the 4 August 2008, be confirmed.

**FLOODPLAIN RISK MANAGEMENT ADVISORY COMMITTEE**

Meeting Date: 9 February 2009

**Attendance Register of Floodplain Risk Management Advisory Committee -2009**

Member	09/02/09								
Councillor Kevin Conolly - (Chair)	✓								
Councillor Bob Porter - (Deputy Chair)	✓								
Councillor Paul Rasmussen	A								
Councillor Jill Reardon	A								
Mr Peter Cinque OAM - (SES Sydney Western Division)	✓								
Mr David Avery - (Dept. of Environment and Climate Change)	✓								
Mr David Scott - (Dept of Defence)	✓								
Snr Inspector Robert Bowman - (NSW Agriculture)	X								
Mr Les Sheather - (Community Member)	✓								
Mr Kevin Jones - (SES Headquarters)	✓								
Mr Geoffrey Bessel - (Community Member)	✓								
Mr John Miller - (Community Member)	✓								
Mr Bill McMahon - (Community Member)	✓								
Mr Alexander (Phil) Windebank (Community Member)	✓								
Mr Ian Johnston (Community Member)	✓								
Mr Allan Shearan MP (or representative)	A								
Mr John Aquilina MP (or representative)	A								
Ms Louise Markus MP (or representative)	✓								
Mr Ray Williams MP (or representative)	✓								

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

Floodplain Risk Management Advisory Committee - 9 FEBRUARY 2009



**SECTION 4 - Reports for Information**

**Item: 1 Discussion on Thorley Street - information requested re Richmond Road Evacuation Route**

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**DISCUSSION:**

Mr Peter Cinque presented the Committee with information in relation to questions raised by Councillor Conolly regarding the Thorley Street/Richmond Road Evacuation Route.

- It was advised an analysis for 17.3m was undertaken for the Thorley Street evacuation route in 1999/2000, however, an analysis has not been completed for the raised height of 18.5m.
- Calculations for other areas have been undertaken and proposals are being worked through for South Windsor.
- Councillor Conolly raised concern a Declaration of Interest may be in order on his part and queried if he should exclude himself from discussion as he has interest in properties in the area referred to. Mr Owens advised the topic of DOI would be discussed later in the meeting in General Business and advised it would not be necessary for Councillor Conolly to exclude himself from the current (general) discussion.

*Mr Ray Williams MP arrived at the meeting*

**MOTION:**

RESOLVED on the motion of Mr Les Sheather, seconded by Mr Phil Windebank.

***Refer to COMMITTEE RECOMMENDATION***

**COMMITTEE RECOMMENDATION:**

That:

1. The information be received.
2. Staff be asked to work with the SES to provide a report in relation to the issues raised in these questions and report back to this Committee.

**Item 2: State Floodplain Management Program - Offer of Grant for Floodplain Risk Management Plans**

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**DISCUSSION:**

Council's Media Release dated 6 February 2009 was brought to the attention of the Committee. The Media Release referred to a \$45,000 grant received from the Department of Environment and Climate Change to continue Council's Floodplain Risk Management Program which would allow Council to commence the Hawkesbury Floodplain Management Study and Plan. The Media Release contained comment from the Mayor commending the Committee (and particularly Mr John Miller) for the support shown to Council in pursuing funding for this program.

**MOTION:**

RESOLVED on the motion of Councillor Porter, seconded by Mr Bill McMahon.

***Refer to COMMITTEE RECOMMENDATION***

**COMMITTEE RECOMMENDATION:**

That the information be received.

**SECTION 5 - General Business**

**Item 3: Code of Conduct**

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Mr Owens advised the Committee the Code of Conduct would be distributed to each member at the end of the meeting. It was advised the Code of Conduct sets the standard of conduct that is expected from staff, Councillors and committee members whilst carrying out official duties and includes matters such as pecuniary interests. Mr Owens further advised he would arrange for the Manager of Corporate Services and Governance to attend the next meeting to brief the Committee on these matters.

- Mr Sheather referred to the previous meeting where staff gave a live presentation of the digital terrain model and asked if it could be further presented in future for the new members. It was agreed the DTM be presented at the end of the next meeting.
- Mr John Miller referred to the completion of the crossing at Mulgrave railway and the upgrade of Cox Street which was completed last year.
- Mr Ray Williams MP tabled an extract from Hansard containing his question to the Minister for Water relating to Gauges on the Hawkesbury River (*the Chair formally acknowledged Mr Williams' presence*).

The extract reads as follows:

**Mr Ray Williams to the Minister for Water, Minister for Rural Affairs, and Minister for Regional Development -**

*Are the gauges situated on the Hawkesbury River and other tributaries of the Hawkesbury River, used to detect rising river levels so as to alert communities of flooding risk in the shortest possible time in good working order?*

**Answer**

*I am advised that the telemetred sites on tributaries of the Hawkesbury/Nepean operated by the Department of Water and Energy are all in good working order. I am advised that the Sydney Catchment Authority has nine gauges on the Hawkesbury/Nepean River and its tributaries and these are also in good working order.*

**ORDINARY MEETING**  
**Reports of Committees**

- Councillor Conolly sought comment from the Committee regarding altering the commencement time of the meetings to 4:30pm (in lieu of 4:00pm). Discussion arose and it was subsequently agreed future meetings of the FRMAC would commence at 4:30pm.

*A minute's silence was observed by the Committee for the victims of the fires in Victoria.*

The meeting terminated at 5:30pm.

**oooO END OF REPORT Oooo**

**ORDINARY MEETING**  
**Reports of Committees**

**ROC - Three Towns (and Agnes Banks) Sewerage Advisory Committee - 12 February 2009 - (88320)**

Minutes of the Meeting of the Three Towns (and Agnes Banks) Sewerage Advisory Committee held in the Large Committee Room, Windsor, on Thursday, 12 February 2009, commencing at 4:00pm.

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<b>Present:</b>	Councillor Kevin Conolly, Chairman Councillor Bob Porter Councillor Warwick Mackay Mr Neville Wearne Ms Jacquie Menzies Mr Robert Kellet Mr Bill Sneddon
<b>Apologies:</b>	Nil
<b>In Attendance:</b>	Mr Chris Daley, Director Infrastructure Services Ms Joanne Wilbow, Minute Taker

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**1 Apologies**

Nil Received.

**2 Welcome to New Committee**

Mr Daley opened the meeting by welcoming the Committee to the first Three Towns (and Agnes Banks) Sewerage Advisory Committee meeting following the Council elections. Mr Daley invited nominations for Chairperson, resulting in a single nomination for Councillor Kevin Conolly. Councillor Conolly was subsequently elected Chair.

**RESOLVED** on the motion of Mr Neville Wearne and seconded by Mr Bob Kellet that the nomination of Councillor Kevin Conolly as Chairperson be accepted.

The Chairperson further welcomed the Committee. The Chairperson indicated that whilst the priority of the Committee is to provide assistance to Sydney Water and the community in the implementation of the Three Towns sewerage scheme, the Committee would also need to consider those properties in those townships which have not been included within the scheme. Further consideration is to be given to this matter in due course.

Discussion was held in relation to additional capacity within the Three Towns system, and Mr Daley advised that to his understanding Sydney Water has allowed for an additional 10% capacity, which could allow up to an additional 160 lots.

**Committee Constitution**

The Chairperson called for any amendments to the Draft Three Towns (and Agnes Banks) Sewerage Advisory Committee Constitution. Nil changes were recorded and the Constitution subsequently approved. The Constitution is to be forwarded to the next available Ordinary meeting for adoption by Council.

**MOTION:**

RESOLVED on the motion of Councillor Porter, seconded by Mr Bob Kellet.

***Refer to COMMITTEE RECOMMENDATION***

**COMMITTEE RECOMMENDATION:**

That the Draft Three Towns (and Agnes Banks) Sewerage Advisory Committee Constitution be approved and forwarded to the next available Ordinary Meeting for adoption by Council.

**3. Presentation by Sydney Water**

Ms Liz White, Community Relations Manager – Sydney Water, provided an update on the progress of the Three Towns Sewerage System to the Committee and advised that the Minister had granted approval in November 2008 for the construction of the Three Towns Sewerage Scheme.

It is proposed that the Scheme will be rolled out across the three towns in the order of Freemans Reach, Glossodia and Wilberforce. Given that both the Glossodia and Wilberforce areas feed into the Freemans Reach system, it will be a priority to set up the Freemans Reach pump station initially and it is anticipated that substantial works will be required to implement this component. Ms White outlined the works involved with the pump station, reticulation, transfer mains, and tank placement on properties. Sydney Water anticipates that works will commence in the Glossodia area late 2009/early 2010, and to the Wilberforce area early/mid 2010. Connection to the scheme will be a staged progress, becoming available as works are completed.

Sydney Water has established a site office located at 1 Boundary Road, Glossodia, and have begun preparing residents for connection by way of interview. A free community information line has been set up, allowing residents to contact PSP staff for any matters relating to the sewerage scheme - 1800 558 522.

An information session will be held at the Glossodia Community Centre on Saturday 28 February 2009 from 9am to 1pm. Members of the project team will be available to answer questions and provide information about the scheme.

A Community Reference Group is currently being established, similar to the Reference Group implemented in 2008. The group will meet on a needs basis and will serve to receive feedback and gain further insight into the views of the community. Nominations are currently being sought for the Reference Group and will be received by Sydney Water until 28 February 2009. Nomination forms were tabled at the meeting.

Sydney Water will be contacting property owners within the Freemans Reach area within the coming weeks to arrange customer home plan meetings, where discussions take place around the project and the positioning of the pressure sewer equipment on each property.

Ms White advised the Committee that there were reported security issues relating to a recent sewerage system project and subsequently, all PSP staff carry appropriate identification and can be asked to present it at any time. If a worker cannot present identification, residents are advised to call the free community information line and report the incident.

Discussion was held in relation to the connection of the RAAF to the sewerage scheme and the Committee was advised that negotiations are currently underway with the RAAF for possible future connection.

A copy of the Sydney Water Three Towns 'Connection Guide' was distributed to the committee as well as a DVD providing information on the Three Towns Priority Sewerage Program.

#### **4. Update on 3 Towns and Agnes Banks Sewerage**

##### **Glossodia, Freemans Reach and Wilberforce Sewerage Scheme Connection Policy**

The Chairperson called for comments in relation to the Draft Three Towns Sewerage Scheme Connection Policy.

Discussion was raised in relation to Council providing a 'Hardship' Policy, whereby Council could assist residents financially to encourage connection to the sewerage scheme. Mr Daley advised that residents should contact Sydney Water as that Authority is providing this assistance. It is understood that Sydney Water will cover all costs associated with connection for a period of 2 years from the date connection is made available, as an incentive for residents to connect to the scheme as soon as available.

##### **MOTION:**

RESOLVED on the motion of Mr Bill Sneddon, seconded by Councillor Porter.

***Refer to COMMITTEE RECOMMENDATION***

##### **COMMITTEE RECOMMENDATION:**

That the Draft Three Towns Connection Policy be approved, and subject to approval following the internal policy procedure, be forwarded to the next available Ordinary Meeting for adoption by Council.

##### **Agnes Banks and Londonderry PSP – Geological investigations**

Mr Daley advised that Sydney Water is in the process of carrying out geological investigations within the Agnes Banks and Londonderry areas, commencing 2 February 2009, as part of the preliminary investigations for the Agnes Banks sewerage scheme.

Mr Daley advised the Committee that the Agnes Banks & Londonderry scheme is working concurrently with the Three Towns Priority Sewerage Program. It is believed that the program is running approximately 6 months behind the Three Towns scheme.

#### **5. General Business**

- Councillor Porter proposed that the Committee investigate additional areas to expand the Sewerage Scheme to, eg Bowen Mountain, Kurrajong. Mr Daley advised that these areas are currently in the Sydney Water area of operation and are identified within the Priority Sewerage Program, however are prioritised according to a number of factors including environmental risks.

#### **6. Next Meeting**

Discussion was raised in relation to the meeting time and dates for 2009 and it was resolved that the Committee would meet on a Thursday at 5pm, on a bi-monthly basis. Dates to be scheduled as required.

##### **MOTION:**

RESOLVED on the motion of Councillor Mackay, seconded by Mr Bill Sneddon.

***Refer to COMMITTEE RECOMMENDATION***

**ORDINARY MEETING**  
Reports of Committees

**COMMITTEE RECOMMENDATION:**

That the Three Towns (and Agnes Banks) Advisory Committee meets on a Thursday at 5pm, on a bi-monthly basis.

The next Three Towns (and Agnes Banks) Sewerage Committee meeting will be held on Thursday, 23 April 2009 at 5.00pm in the Large Committee Room.

The meeting terminated at 4.55pm.

**ATTACHMENTS:**

**AT - 1** Committee Constitution

**AT – 2** Glossodia, Freemans Reach and Wilberforce Sewerage Scheme Connection Policy

**AT - 1 Committee Constitution**

**Hawkesbury City Council  
Hawkesbury Three Towns (and Agnes Banks) Sewerage Advisory Committee**

**Constitution**

**1. Name**

The Advisory Committee, as appointed under the provisions of section 377 of the Local Government Act 1993, shall be known as the Three Towns (and Agnes Banks) Sewerage Advisory Committee, and is hereinafter referred to as the 'Advisory Committee'.

**2. Objectives**

- (a) To provide policies in relation to the connection of properties to the scheme and decommissioning of onsite treatment systems.
- (b) To provide assistance to Sydney Water and the community in the implementation of the Three Towns (and Agnes Banks) Sewerage Scheme.

**3. Role and Authorities**

- (a) Whereas the Advisory Committee is appointed by the Hawkesbury City Council under the terms of the Local Government Act 1993, the Advisory Committee is to abide at all times with the terms of reference of this clause, and with the authorities delegated under this clause whilst remaining in force (unless otherwise cancelled or varied by resolution of Council).
- (b) The Advisory Committee shall have the following authorities delegated to it in accordance with the provisions of section 377 of the Local Government Act 1993:
  - (i) to recommend to Council policies drawn up by professional staff for:
    - meeting the objectives of the Advisory Committee
  - (ii) to bring to Council's attention, by way of recommendation, any item requiring a policy decision outside the authority granted to the Advisory Committee under section 377;
- (c) The Council retains the responsibility for all budgetary considerations;
- (d) The General Manager (or his/her delegate) retains, and shall be entirely responsible for the appointment and dismissal of staff (either permanent or temporary) within the Three Towns (and Agnes Banks) Sewerage Advisory Committee in accordance with the Local Government Act 1993;
- (e) The General Manager (or his/her delegate) retains all responsibility for the direction of any staff member, including any disciplinary action, be it for permanent, temporary or part time staff. The Advisory Committee will, however, have the right to bring to the attention of the Director of the Department within Council responsible for providing logistic support to the Advisory Committee any issues which, in its opinion, require disciplinary action; and
- (f) Any authorities conferred upon the Advisory Committee under this Constitution may be varied by Council.



**4. Term**

The Advisory Committee members' term shall be for 12 months in accordance with the time frame set by the Advisory Committee.

**5. Structure and Membership**

- (a) The structure and membership of the Advisory Committee shall be as follows, and all the undermentioned appointments will have voting rights:
  - (i) Three (3) Councillors of the Hawkesbury City Council; and,
  - (ii) Four (4) community appointments, appointed by Council following the calling of applications as detailed in clause 6(b) of this Constitution;
- (b) Whereas the appointments detailed in clause 5(a) will form the Advisory Committee, the Director Infrastructure Services will be required to attend meetings of the Advisory Committee;
- (c) The Director of the Department charged with the responsibility for the Three Towns (and Agnes Banks) Sewerage Committee within the Hawkesbury City Council shall attend meetings and may delegate the Manager of Waste Management as his/her delegate when deemed necessary;
- (d) The Advisory Committee shall, at its first meeting following appointment, and each twelve (12) month period thereafter, elect one of its members from those appointed under clause 5 to be the Chairperson of the Advisory Committee, and one of its members appointed under the same clause to be Deputy Chairperson, who shall act in the absence of the Chairperson;
- (e) The position of Chairperson shall not be held by the same person for any longer than three (3) consecutive years;
- (f) The position of Deputy-Chairperson shall not be held by the same person for any longer than three (3) consecutive years;
- (g) No staff member of Hawkesbury City Council shall be elected as Chairperson or Deputy Chairperson of the Advisory Committee;
- (h) Each member of the Advisory Committee entitled to vote shall only have one vote except that of the casting vote of the Chairperson in the case of equality of votes;
- (i) The Advisory Committee may co-opt additional members from time to time, at its discretion, to provide specialist advice or assistance, but such co-opted members shall only serve on the Advisory Committee for the period of time required, and will not, whilst serving in the position of co-opted member, have any voting rights; and
- (j) The Advisory Committee may invite as observers citizens or other representatives for the purpose of clarifying certain matters as decided by the Advisory Committee. Such observers will not be permitted to vote.

**6. Appointment and Election of Members**

- (a) Three (3) Councillors will be appointed to the Advisory Committee in accordance with practices and procedures of the Council;
- (b) The Council shall, in the month of October following the quadrennial election place advertisements in appropriate newspapers inviting nominations from members of the community for membership to the Advisory Committee;

**ORDINARY MEETING**  
**Reports of Committees**

- (c) The Council shall select and appoint the community representatives to the Advisory Committee;
- (d) The Advisory Committee shall have the power to fill casual vacancies at its discretion;
- (e) Members of the Advisory Committee shall cease to hold office:
  - (i) if the Advisory Committee is dissolved by Council;
  - (ii) upon written resignation or death;
  - (iii) if absent without prior approval of the Advisory Committee for three consecutive meetings; or,
  - (iv) if the Council by resolution determines that the member has breached Hawkesbury City Council's Code of Conduct (as it is in force from time to time).
- (f) For the purposes of sub-clause 6(e)(iv), the Code of Conduct is to be taken to apply to community and representative members as referred to in clause 5(a) in the same way as the Code of Conduct applies to Councillors.

**7. Procedures and General**

- (a) Ordinary meetings of the Advisory Committee shall be held no less than six times per year. Special meetings may be convened at the discretion of the Chairperson, or, in his/her absence, the Deputy Chairperson;
- (b) The Director Infrastructure Services shall be the Executive Officer to the Advisory Committee, and will be responsible for preparation of specialist reports, and any and all correspondence associated with the Advisory Committee;
- (c) The Council will provide a Minute Clerk for the purpose of recording the Minutes of the Advisory Committee meetings and for the distribution of Minutes following meetings of the Advisory Committee;
- (d) No meeting of the Advisory Committee shall be held unless three (3) clear days notice thereof has been given to all members;
- (e) The Minute Clerk shall forward a copy of the Minutes of each Advisory Committee meeting to all Advisory Committee members, as well as to Council, for submission to the appropriate Standing Committee, as soon as possible following such Advisory Committee meeting;
- (f) At any meeting of the Advisory Committee, the Chairperson, or the person acting in the position of Chairperson, shall, in addition to his or her ordinary vote, have a casting vote where such a situation occurs where there is an equality of votes;
- (g) The rules governing meetings and the procedures of the Advisory Committee shall, so far as they apply, be those covered by the Hawkesbury City Council's Code of Meeting Practice, as may be altered from time to time by resolution of the Council;
- (h) A quorum of the Advisory Committee shall be constituted by three (3) members being present at meetings;
- (i) Any members having a pecuniary interest in any matters being discussed by the Advisory Committee shall declare such interest at the meeting of the Advisory Committee and refrain from voting or discussion thereon.

## ORDINARY MEETING

### Reports of Committees

- (j) The requirements applying to pecuniary interests for members as detailed in clause 7(i) above shall apply equally to any other appointed or invited observers or co-opted members, and also to the Executive Officer/Secretary;
- (k) Any recommendations of the Advisory Committee shall, as far as adopted by the Council, be resolutions of the Council, provided that recommendations or reports of the Advisory Committee shall not have effect unless adopted by the Council;
- (l) It shall be competent for the Advisory Committee to appoint a sub-committee or specific work groups comprised of members or non-members to exercise and carry out specific investigations for the Advisory Committee, and then to report back to the Advisory Committee. These appointed sub-committees or work groups may be dissolved by the Advisory Committee at any time;
- (m) Any appointed sub-committees or work groups have no power to make any decisions whatsoever on behalf of the Advisory Committee, and any recommendations of any sub-committee or work group will only have effect once adopted by the Advisory Committee, or by the Council, as the case may be;
- (n) The Director Infrastructure Services shall prepare an Annual Report of the Committee's activities for submission to the Advisory Committee, who will, in turn, present such report to the Council.

### LAST CLAUSE

#### **AT – 2 Glossodia, Freemans Reach and Wilberforce Sewerage Scheme Connection Policy**

This policy has been referred back to the Committee and will be further reported to Council in future for adoption.

oooO END OF REPORT Oooo

**ORDINARY MEETING**  
Reports of Committees

**ROC - Local Traffic Committee - 18 February 2009 - (80245)**

Minutes of the Meeting of the Local Traffic Committee held in the Large Committee Room, Windsor, on Wednesday, 18 February 2009, commencing at 3:00pm.

**ATTENDANCE**

<b>Present:</b>	Councillor B Bassett (Chairman) Mr J Suprain, Roads and Traffic Authority Sgt A Palmowski, NSW Police Service Mr R Williams, MP (Hawkesbury) Mr J Christie, Officer of Messrs A Shearan, MP and J Aquilina, MP
<b>Apologies:</b>	Mr R Elson, Department of Transport
<b>In Attendance:</b>	Mr C Daley, Director Infrastructure Services Ms D Oakes, Community Safety Co-ordinator Ms J Wilbow, Personal Assistant, Infrastructure Services

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**SECTION 1 - Minutes**

**Item 1.1       Minutes of Previous Meeting**

The Minutes of the meeting held on Wednesday, 14 January 2009 were confirmed.

**Item 1.2       Business Arising**

**Item 1.2.1     LTC - 18 February 2009 - Item 1.2.1 - School Zone Alert System - (Hawkesbury, Riverstone) - (80245, 73932)**

**Previous Item:**       Item 3.1, Local Traffic Committee (14 January 2009)

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**REPORT:**

The Chairman requested an update in relation to the installation of School Zone Flashing Lights within the vicinity of Windsor Public School.

Mr Christie advised that there is no further information to report to the Committee at this stage, however the Member for Londonderry is in the process of following up with the Minister.

Further Mr Christie advised that School Zone Flashing Lights have recently been installed at Richmond High School.

**RECOMMENDATION:**

That the information be received.

**APPENDICES:**

There are no supporting documents for this report.

**Item 1.2.2      LTC - 18 February 2009 - Item 1.2.2 - Hobartville Public School - Request for School Crossing Supervisor - (80245)**

**Previous Item:**      Item 4.2, Local Traffic Committee (14 January 2009)

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**REPORT:**

Mr Christie advised that Hobartville Public School's application for a School Crossing Supervisor is currently being followed up with the Minister and further advice should be reported in the near future.

**RECOMMENDATION:**

That the information be received.

**APPENDICES:**

There are no supporting documents for this report.

**SECTION 2 - Reports for Determination**

**Item 2.1      LTC - 18 February 2009 - Item 2.1 - Hawkesbury Triathlon Club Races, July 2009 - July 2010 - (Riverstone & Londonderry) - (80245, 89093)**

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**REPORT:**

**Introduction:**

An application has been received from the Hawkesbury Triathlon Club seeking approval to conduct Triathlon and Duathlon races generally on the last Sunday of each month from July 2009 to June 2010, utilising Deerubbun Park, Cornwallis, as a base area.

The event organiser has provided the following information regarding the event;

Event Schedule:

**2009**

Sunday July 26, 2009 Duathlon 8.30 - 10.30am

Sunday August 30, 2009 Duathlon 8.30 - 10.30am

Sunday September 27, 2009 Triathlon 7.30 - 9.30am

Sunday October 25, 2009 Triathlon 7.30 - 9.30am

## ORDINARY MEETING

### Reports of Committees

Sunday November 29, 2009 Triathlon 7.30am - 9.30am

Sunday December 20, 2009 Triathlon 7.30am - 9.30am

#### **2010**

Sunday January 31, 2010 Triathlon 7.30 - 9.30am

Sunday February 28, 2010 Triathlon 7.30 - 9.30am

Sunday March 28, 2010 Triathlon 7.30 - 9.30am

Sunday April 25, 2010 Duathlon 8.30 - 10.30am

Sunday May 30, 2010 Duathlon 8.30 - 10.30am

Sunday June 27, 2010 Duathlon 8.30 - 10.30am

#### Event Description:

##### Triathlon

Swim:750m - Three laps within the Hawkesbury River

Cycle:20km - Two laps of following route  
Start in the vicinity of Deerubbun Park, Cornwallis,  
Along Cornwallis Road  
Turning left into Cuppitts Lane  
Turning left into Percival Street  
Turning left into Hawkesbury Valley Way (Formerly Richmond Road)  
Turning left into Moses Street  
Turning left into Greenway Crescent and back to Deerubbun Park

Run: 5km - Four laps (within Deerubbun Park and Cornwallis Road)

##### Duathlon

Run:2.5km - Two laps (within Deerubbun Park and Cornwallis Road)

Cycle: 20km - Similar to Triathlon

Run: 5km - Similar to Triathlon

Refer to the attached Drawing "Hawkesbury Triathlon Club Races Overview Plan No. TR001/09" - Appendix 1.

The Triathlon Club has advised that there will be approximately 10 to 20 participants in each event.

#### **Discussion:**

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

The event organiser has submitted the following items in relation to the event: Appendix 2 (Dataworks Document No. 2964466):

1. Details of the Special Event - Traffic Template
2. The RTA TMP Template - partially complete
3. Club Race Dates 2009/2010 and Circuit Plan utilised for the 2007/2008 event.

It will be necessary for the event organiser to lodge an application seeking approval to conduct the event with the NSW Police Service. The Transport Management Plan (TMP) and the associated Traffic Control Plan (TCP) needs to be submitted to Council and the RTA for acknowledgement. Submission to the RTA is required due to the proposed use of the Rickaby's Creek Bridge along Hawkesbury Valley Way (formerly Richmond Road).

**RECOMMENDATION:**

That:

**A. Road/River Matters**

1. The Hawkesbury Triathlon and Duathlon Races event, utilising Deerubbun Park, Cornwallis, as a base area planned for;

**2009**

Sunday July 26, 2009 Duathlon 8.30 - 10.30am  
Sunday August 30, 2009 Duathlon 8.30 - 10.30am  
Sunday September 27, 2009 Triathlon 7.30 - 9.30am  
Sunday October 25, 2009 Triathlon 7.30 - 9.30am  
Sunday November 29, 2009 Triathlon 7.30am - 9.30am  
Sunday December 20, 2009 Triathlon 7.30am - 9.30am

**2010**

Sunday January 31, 2010 Triathlon 7.30 - 9.30am  
Sunday February 28, 2010 Triathlon 7.30 - 9.30am  
Sunday March 28, 2010 Triathlon 7.30 - 9.30am  
Sunday April 25, 2010 Duathlon 8.30 - 10.30am  
Sunday May 30, 2010 Duathlon 8.30 - 10.30am  
Sunday June 27, 2010 Duathlon 8.30 - 10.30am

be classified as a "Class 2" special event under the "Traffic and Transport Management for Special Events" guidelines issued by the RTA.

2. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
3. It is strongly recommended that the event organiser becomes familiar with the contents of the RTA publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package that explains the responsibilities of the event organiser in detail.
4. No objection be held to this event subject to compliance with the following conditions:

**Prior to the event:**

- 4a. the event organiser is to obtain approval to conduct this event, from the NSW Police Service; **a copy of the Police Service approval to be submitted to Council;**
- 4b. the event organiser **is to submit a Transport Management Plan (TMP) for the entire route incorporating a Traffic Control Plan (TCP) to Council and the RTA** for acknowledgement. The TCP should be prepared by a person holding appropriate certification as required by the RTA to satisfy the requirements of the relevant Work Cover legislation;
- 4c. as the event will transverse Rickaby's Creek Bridge along Hawkesbury Valley Way (formerly Richmond Road) the event organiser is to **submit to Council a copy of its Public Liability Policy** in an amount not less than \$20,000,000 **noting Council and the Roads and Traffic Authority as interested parties on the Policy** and that Policy is to cover **both on-road and off-road activity;**
- 4d. the event organiser is to obtain the relevant approval to conduct this event from NSW Maritime; **A copy of this approval to be submitted to Council;**
- 4e. the event organiser is to advertise the event in the local press stating the entire route/extent of

- the event and the traffic impact due to the event two weeks prior to the event; **a copy of the proposed advertisement to be submitted to Council** (indicating the advertising medium);
- 4f. the event organiser is to notify the details of the event to the NSW Ambulance Service, NSW Fire Brigade / Rural Fire Service and SES at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council**;
- 4g. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area and all the residences and businesses which may be affected by the event at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; **a copy of the correspondence to be submitted to Council**;
- 4h. the event organiser is to assess the risk and address the suitability of the entire route as part of the risk assessment considering the possible risks for all participants; This assessment should be carried out by visual inspection of the route / site by the event organiser prior to preparing the TMP and prior to the event;
- 4i. the event organiser is to carry out an overall risk assessment for the whole event to identify and assess the potential risks to spectators, participants and road users during the event and design and implement a risk elimination or reduction plan in accordance with the Occupational Health and Safety Act 2000; (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>);
- 4j. the event organiser is to submit the completed "Special Event - Traffic Final Approval" form to Council;

**During the event:**

- 4k. access is to be maintained for businesses, residents and their visitors;
- 4l. a clear passageway of at least 4 metres in width is to be maintained at all times for emergency vehicles;
- 4m. all traffic controllers / marshals operating within the public road network are to hold appropriate certification as required by the RTA;
- 4n. the runners/cyclist are to be made aware of and are to follow all the general road user rules whilst riding /running on public roads;
- 4o. in accordance with the submitted TMP and associated TCP, appropriate advisory signs, and traffic control devices are to be placed along the route, during the event, under the direction of a traffic controller holding appropriate certification as required by the RTA;
- 4p. the competitors and participants are to be advised of the traffic control arrangements in place, prior to the commencement of the event; and,
- 4q. all roads and marshalling points are to be kept clean and tidy, with all directional signs to be removed immediately upon completion of the activity.

**B. Reserve Matters**

No objection is held to use of Deerubbun Park subject to compliance with the following conditions:

1. the applicant obtaining approval from Hawkesbury Sports Council to use of Deerubbun Park;



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2. The park is to be left clean and tidy with the organisation responsible for collection and disposal of all rubbish; the applicant is required to pay to Council a refundable bond of \$150.00 less any cost incurred by Council, administrative or otherwise, to clean/restore the area;
3. Any building, vehicle or stall that is used for preparation of food for public consumption is to comply with Council's "Information for Food Stall Holders" brochure; this information and any related food/public health information can be obtained by contacting Council's Environmental Health Officer on 4560 4553;
4. Noise is to be kept to a reasonable level, with all amplified sound less than 5d(B)a above ambient level;
5. the event manager/applicant must undertake also a Risk Assessment of the event to be conducted including pre-event preparations; this assessment must identify potential hazards and the procedures that need to be implemented to eliminate or control those hazards; the event manager/applicant is responsible for ensuring that procedures are followed and that they comply with the requirements of the Occupational Health and Safety Regulations 2001;
6. Garbage bins can be provided for the event at a cost to be provided at application. 3 weeks notice is required prior to the event to enable appropriate arrangements to be made;
7. If your organisation requires keys, a deposit of \$25 is requested at time of key collection. This deposit will be refunded on return of key.

**APPENDICES:**

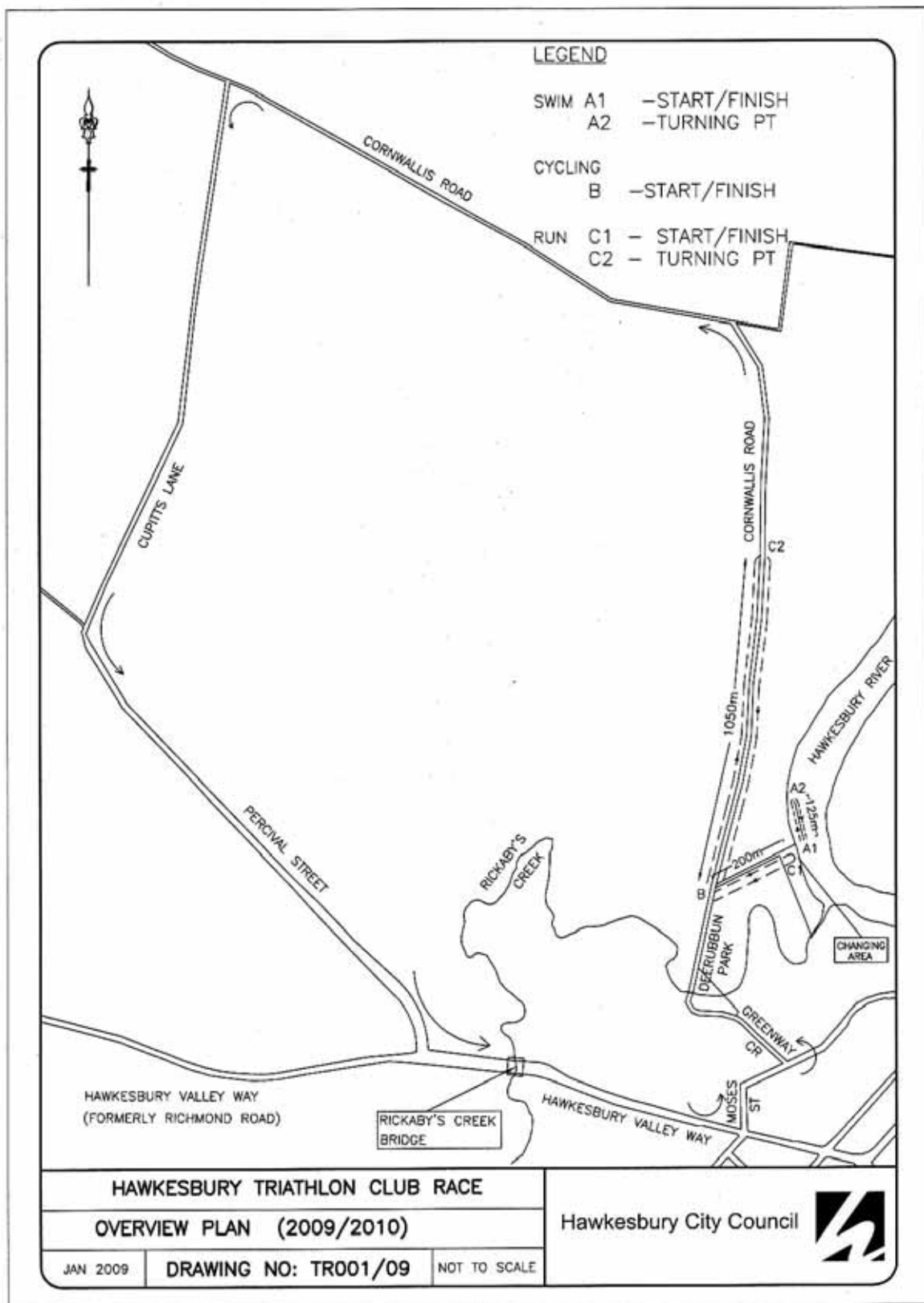
**AT – 1** Hawkesbury Triathlon Club Races Overview Plan No. TR001/09

**AT - 2** Special Event Application - (Dataworks Document No. 2964466) - *see attached*

## ORDINARY MEETING

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#### AT - 1 Hawkesbury Triathlon Club Races Overview Plan No. TR001/09



**Item 2.2 LTC - 18 February 2009 - Item 2.2 - Dirt Works 100 Kilometre Classic 2009- St Albans (Hawkesbury) - (80245, 85193)****REPORT:**

An application has been received from Maximum Adventure Pty Ltd seeking approval to conduct the Dirt Works 100 Kilometre Classic 2009 - St Albans, on Sunday 3 May 2009 (from 6.30am to 5.00pm). This event is a Mountain Bike Endurance Event in and around the St Albans and Macdonald Valley areas, in conjunction with the St Albans Rural Fire Brigade as part of their fundraising activities.

The event organiser has provided the following information regarding the event:

- The event is an endurance ride;
- There are 2 courses for the event, a 50 kilometre and 100 kilometre option;
- The event route is similar to the last 4 years;
- The race route will cross the Macdonald River at the two points shown on the Event Route Plan contained in Appendix 1 & 2 and Dataworks Document No's. 2976116 and 2994893. Crossing of the river will be undertaken utilising a 'pontoon bridge' configuration at each location. Permission has been obtained from the adjoining property owners on either side of the River;
- Approximately 1300 competitors are expected for this event;
- Approximately 150 spectators and 600 vehicles are expected. Parking will be available on private land;
- The start and finish of the race will be in the town of St Albans, on Bulga/Wharf Street;
- The start of the event will be staggered to reduce the amount of traffic on the roads and trails at any one time. As the event progresses, the competitors will spread out further; and,
- It is proposed to close the section of Bulga Street, between Wharf Street and Wollombi Road (135 metres long sealed section).

The endurance ride is predominantly on tracks within the Parr State Recreational Area, Yengo National Park, Darug National Park, private properties and on the following public roads:

- Bulga Street – Sealed and Unsealed Road.
- Settlers Road – Sealed and Unsealed Road.
- Shepherds Gully Road – Unformed Road.
- St Albans Road – Sealed Road.
- Upper Macdonald Road – Unsealed Road.
- Webbs Creek Mountain Road - Unsealed Road
- Wharf Street – Sealed Road.
- Wollombi Road – Sealed and Unsealed Road.
- Wrights Creek Road - Unsealed Road.
- Macdonald River – Two river crossing points.

The race is also traversing along the Great Northern Road, which is under the care and control of the National Parks and Wildlife Service - (Department of Environment and Conservation).

**Discussion:**

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

The event organiser has submitted the following items in relation to the event: Appendix 2 (Dataworks Doc. Nos: 2976091, 2976116, 2994890, 2994893, and 2995816):

- i) Details of the Special Event - Traffic template;

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- ii) RTA - Special Event Transport Management Plan Template;
- iii) Event Route Plan;
- iv) Photo examples of the 'pontoon bridge' utilised to cross the Macdonald River;
- v) Copy of the submission to the NSW Police Service;
- vi) Transport Management Plan – Risk and Hazard Assessment (TMP) and Traffic Control Plan (TCP);
- vii) Public Liability Insurance Policy to the value of \$10,000,000.

**RECOMMENDATION:**

That:

1. The Dirt Works 100 Kilometre Classic 2009 - St Albans (Mountain Bike Endurance) event, planned for Sunday 3 May 2009, be classified as a "Class 2" special event under the "Traffic and Transport Management for Special Events" guidelines issued by the RTA.
2. The safety of all road users and personnel on or affected by the event is the responsibility of the event organiser.
3. It is strongly recommended that the event organiser becomes familiar with the contents of the RTA publication "Guide to Traffic and Transport Management for Special Events" (Version 3.4) and the Hawkesbury City Council special event information package which explains the responsibilities of the event organiser in detail.
4. No objection be held to this event subject to compliance with the following conditions:

**Prior to the event:**

- 4a. the event organiser is to obtain approval to conduct this event, from the NSW Police Service; **a copy of the Police Service approval to be submitted to Council;**
- 4b. the event organiser is to obtain approval from the RTA as a road closure is proposed; **a copy of the RTA approval to be submitted to Council;**
- 4c. the Event organiser is to ensure that dust along the unsealed sections of road utilised by the event participants and those travelling to the event are mitigated by providing a water cart for the duration of the event. The method and frequency of watering is to be addressed and outlined in writing and added to the TMP;
- 4d. the event organiser is to obtain the relevant approval to conduct this event from NSW Maritime; **A copy of this approval to be submitted to Council;**
- 4e. the event organiser is to obtain the relevant approval from the Department of Natural Resources to cross the Macdonald River; **A copy of this approval to be submitted to Council;**
- 4f. the event organiser is to advertise the event in the local press stating the entire route/extent of the event - including the road closure and the detour route - and the traffic impact due to the event, two weeks prior to the event; **a copy of the proposed advertisement to be submitted to Council** (indicating the advertising medium);
- 4g. the event organiser is to notify the details of the event to the NSW Ambulance Service, NSW Fire Brigade / Rural Fire Service and SES at least two weeks prior to the event; **a copy of the correspondence to be submitted to Council;**
- 4h. the event organiser is to directly notify relevant bus companies, tourist bus operators and taxi companies operating in the area and all the residences and businesses which may be

## ORDINARY MEETING

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affected by the event - including the proposed road closures - for at least two weeks prior to the event; The event organiser is to undertake a letter drop to all affected residents and businesses in proximity of the event, with that letter advising full details of the event; **a copy of the correspondence to be submitted to Council;**

- 4i. **The event organiser is to directly notify the organiser of the Bridge to Bridge Event and Ferry Operators of the event – for at least two weeks prior to the event;**
- 4j. the event organiser is to obtain approval from the National Parks and Wildlife Service (Department of Environment and Conservation) for the use of the Parr State Recreational Area, Yengo National Park, Darug National Park and the Great Northern Road. If the use of a Council Park/Reserve is required, written approval is required from Councils' Parks and Recreation section;
- 4k. the event organiser is to obtain approval from the NSW Department of Lands for the use of any Crown road or Crown Land;
- 4l. the event organiser is to carry out an overall risk assessment for the whole event to identify and assess the potential risks to spectators, participants and road users during the event and design and implement a risk elimination or reduction plan in accordance with the Occupational Health and Safety Act 2000; (information for event organisers about managing risk is available on the NSW Sport and Recreation's web site at <http://www.dsr.nsw.gov.au>);
- 4m. the event organiser is to submit the completed "Special Event - Traffic Final Approval" form to Council;

#### **During the event:**

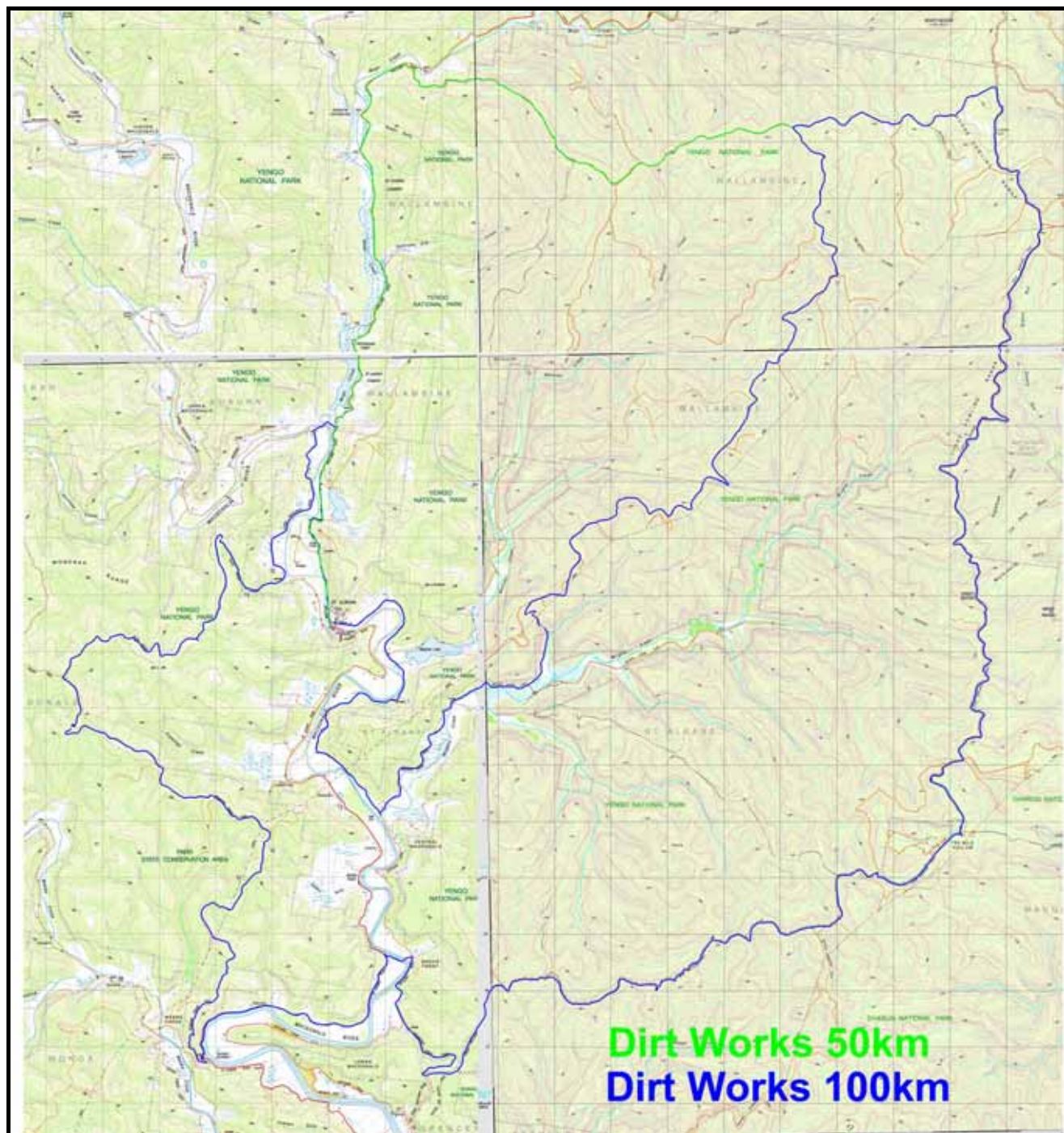
- 4n. access is to be maintained for businesses, residents and their visitors;
- 4o. a clear passageway of at least 4 metres in width is to be maintained at all times for emergency vehicles;
- 4p. all traffic controllers / marshals operating within the public road network are to hold appropriate certification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

**APPENDICES:**

**AT – 1** Event Route Plan - Dirt Works 100 Kilometre Classic 2009 - St Albans.

**AT – 2** Special Event Application - Mountain Bike Endurance Event, St Albans (Dataworks Document Nos. 2976091, 2976116, 2994890, 2994893, and 2995816) - *see attached*.

**AT - 1** Event Route Plan - Dirt Works 100 Kilometre Classic 2009 - St Albans



**SECTION 3 - Reports for Information**

**Item 3.1      LTC - 18 February 2009 - Item 3.1 - Response by RTA to School Zone Signs - South Windsor Public School - (Riverstone) - (80245)**

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**REPORT:**

At the Local Traffic Meeting on 15 October 2008, Mr J Christie advised that the School Zone sign in Church Street, South Windsor, north of the school is missing, with the sign south of the school not visible to motorists due to the surrounding vegetation.

Following recommendation by the Local Traffic Committee, Council, at its meeting held on 11 November 2008 resolved the following:

*"That the matter be referred to the Roads and Traffic Authority."*

Correspondence has been received from the Roads and Traffic Authority (Dataworks Document No.2977108) advising the following:

*"Thank you for your correspondence dated 1 December 2008 regarding missing school zone signage on Church Street, South Windsor, near Windsor South Public School."*

*The RTA is committed to providing a safe road environment for students adjacent to school premises.*

*A member of the Speed Management team has visited the site and a work instruction has been issued to install the appropriate school zone signs.*

*The RTA would like to thank you for your interest in road safety matters associated with schools.*

*Should you have any further queries regarding this matter, please do not hesitate to contact RTA's School Projects Officer, Jon Gaylard, on 8849 2175."*

**RECOMMENDATION:**

That the information be received.

**APPENDICES:**

There are no supporting documents for this report.



**SECTION 4 - General Business**

**Item 4.1      LTC - 18 February 2009 - QWN 4.1 - Re-Opening of Henry Road, Vineyard - (80245)**

**Previous Item:**      Item 4.2, Local Traffic Committee (19 November 2009)

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Sgt A Palmowski

**REPORT:**

Requested the outcome of the request to re-open Henry Road, Vineyard, following the report to Council in November 2008.

Mr Daley advised that Council supported Henry Road to remain closed.

**RECOMMENDATION:**

That the information be received.

**APPENDICES:**

There are no supporting documents for this report.

**Item 4.2      LTC - 18 February 2009 - QWN 4.2 - Potential Traffic Incidents - Intersection of Teale and Putty Roads, East Kurrajong - (80245)**

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Mr R Williams, MP

**REPORT:**

Raised concern for potential traffic incidents at the intersection of Teale Road and Putty Road, East Kurrajong.

Mr Suprain advised that as there is a Development Application currently with Council, it is anticipated that this matter will be taken into consideration and referred to the RTA as part of the approval process.

**RECOMMENDATION:**

That the information be received.

**APPENDICES:**

There are no supporting documents for this report.



**Item 4.3      LTC - 18 February 2009 - QWN 4.3 - Francis Street, Richmond - Traffic Conditions - (80245)**

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Mr J Christie

**REPORT:**

Advised of increasing numbers of drivers using Francis Street, via Smith Park, as an alternate route to March Street, Richmond, causing a rat-run through this area.

Mr Daley advised that as part of the Smith Park Plan of Management, community consultation is due to be undertaken within the near future to close part of Francis Street in this locality.

**RECOMMENDATION:**

That:

1. The information be received.
2. No further action be undertaken pending the outcome of community consultation in relation to the closure of Francis Street, Richmond.

**APPENDICES:**

There are no supporting documents for this report.

**Item 4.4      LTC - 18 February 2009 - QWN 4.4 - Approaches to Sackville Ferry - Speed Limits - (80245)**

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Mr J Suprain

**REPORT:**

Advised that a recent risk assessment undertaken by the RTA in relation to the amenities block in the vicinity of the Sackville Ferry, determined concern for pedestrians accessing these facilities.

The RTA is proposing to undertake the following treatment in an effort to improve pedestrian safety:

1. Reduce the speed limit along Sackville Road, in the vicinity of the ferry, from 60kph to 40kph;
2. Mark appropriate stop signs and lines;
3. Installation of advanced warning signs.

Further representation has been received in relation to vehicles experiencing difficulty turning in and out of Tizzana Road, Ebenezer, resulting from the line up of vehicles accessing the ferry service. Mr Suprain advised that appropriate signage and additional lane linemarking be provided in Sackville Road opposite the northern leg of Tizzana Road.

**RECOMMENDATION:**

That:

1. the RTA's proposal to reduce the speed limit from 60kph to 40ph along Sackville Road in the vicinity of the Sackville Ferry, the marking of appropriate stop signs and lines and the installation of advanced warning signs be supported.
2. the RTA provide appropriate signage and additional lane linemarking on Sackville Road opposite the northern leg of Tizzana Road.

**APPENDICES:**

There are no supporting documents for this report.

**Item 4.5      LTC - 18 February 2009 - QWN 4.5 - Intersection of George Street and Hawkesbury Valley Way, Windsor - Traffic Conflict - (80245)**

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Councillor B Bassett

**REPORT:**

Advised of traffic conflict/delay incurred by vehicles undertaking the southbound/westbound turning manoeuvre at the intersection of George Street/Hawkesbury Valley Way, Windsor, due to absence of dedicated right turn phase on traffic signals at that location.

Mr Suprain advised that the RTA has recently completed a plan for a Right Hand Turn phasing to include a shared through/right turn lane. Mr Suprain advised that the final design is currently awaiting approval and the treatment of this intersection is expected to be implemented within the near future.

**RECOMMENDATION:**

That the information be received.

**APPENDICES:**

There are no supporting documents for this report.

**SECTION 5 - Next Meeting**

The next Local Traffic Committee meeting will be held on Wednesday, 18 March 2009 at 3.00pm in the Large Committee Room.

The meeting terminated at 3.40pm.

**oooO END OF REPORT Oooo**



ordinary  
meeting

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